

**TOWNSHIP OF OCEAN SEWERAGE AUTHORITY  
REGULAR MEETING**

Oakhurst, NJ

February 6, 2018

A work Meeting and Agenda Conference and the Annual Reorganization Meeting of the Township of Ocean Sewerage Authority was held on the above date at the Authority Administration Building, 224 Roosevelt Avenue, Oakhurst, New Jersey.

Present:                 Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Absent:                 None  
Others:                 Attorney John Bonello, Executive Director Bill Schmeling,  
                              Operations Manager Edward Kwityn, Secretary Ruth Finn

Chairman Galvin called the meeting to order.

All recited The Pledge of Allegiance.

Chairman Galvin announced that the Meeting was being held in conformance with the Open Public Meetings Act of 1975 and that adequate notice had been duly posted where required and mailed to the Asbury Park Press and The Coaster in accordance with law.

The Executive Director announced that the Township Council reappointed Dennis Galvin for another five-year term as a member of the Board of the Township of Ocean Sewerage Authority. Attorney John Bonello swore in Mr. Galvin for a term beginning February 1, 2018 and ending on January 31, 2013.

Mr. Galvin announced that this was the annual Reorganization Meeting of the Township of Ocean Sewerage Authority.

ANNUAL REORGANIZATION SESSION

Mr. Bonello opened the Annual Reorganization Meeting and acted as Temporary Chairman.

He called for nominations for the office of Chairman. Mr. Theodora nominated Dennis Galvin for the office of Chairman. Mr. Stubbs seconded the nomination and all voted in favor of Mr. Galvin being appointed to the office of Chairman.

Mr. Bonello called for nominations for the office of Vice Chairman. Mr. Theodora nominated Mr. Bernhardt for the office of Vice Chairman. Mr. Stubbs seconded the nomination and all voted in favor of Mr. Bernhardt being appointed to the office of Vice Chairman.

Attorney Bonello called for nominations for the office of Secretary Treasurer. Mr. Theodora nominated Mr. Stubbs for the office of Secretary Treasurer. Mr. Villapiano seconded the nomination and all voted in favor of Mr. Stubbs being appointed to the office of Secretary Treasurer.

Attorney Bonello called for nominations for the office of Assistant Secretary Treasurer. Mr. Bernhardt nominated Mr. Theodora for the office of Assistant Secretary Treasurer. Mr. Villapiano seconded the nomination and all voted in favor of Mr. Theodora being appointed to the office of Assistant Secretary Treasurer.

Resolution

Mr. Theodora offered the following resolution and moved its adoption. Mr. Stubbs seconded the motion.

**18 - 8**

**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO  
JOHN L. BONELLO, ESQ. FOR LEGAL SERVICES**

**WHEREAS**, the Township of Ocean Sewerage Authority has a need to acquire legal services for representation of the Authority; and

**WHEREAS**, the Authority appointed John L. Bonello, Esq. has served as the Authority's General Counsel since September 1, 2009; and

**WHEREAS**, the Authority has benefited from Mr. Bonello's advice during the past years; and

**WHEREAS**, John L. Bonello, Esq. has completed and submitted a Business Entity Disclosure Certification certifying that he has not made any reportable contributions to a political or candidate committee in the Township of Ocean during the previous year, and the contract will prohibit the making of any reportable contributions during the term of the contract; and

**WHEREAS**, the services to be performed are "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

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**WHEREAS**, the term of this contract is for one (1) year from February 1, 2018 to January 31, 2019; and

**WHEREAS**, the Authority's Purchasing Agent has determined and certified in writing that the value of the legal services will not exceed \$17,500; and

**WHEREAS**, the Authority's Executive Director has certified that funds are available for this contract under the legal line item (01-50-500-314).

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority that

1. John L. Bonello, Esq. of the firm Manna & Bonello is hereby appointed as Authority General Counsel in accordance with the attached proposed contract for the period February 1, 2018 to January 31, 2019.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.

3. Notice of this appointment shall be published in the Authority's official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Resolution

Mr. Villapiano offered the following resolution and moved its adoption. Mr. Stubbs seconded the motion.

**18 - 9**  
**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO**  
**DAVID A. KAPLAN, CPA, RMA FOR AUDITING SERVICES**

**WHEREAS**, the Township of Ocean Sewerage Authority has a need to acquire auditing services; and

**WHEREAS**, David A. Kaplan has provided auditing services to the Authority for several years either as a member of an auditing firm or on behalf of his own firm; and

**WHEREAS**, the Authority has benefited from Mr. Kaplan's expertise; and

**WHEREAS**, the term of this contract is for one (1) year from February 1, 2018 to January 31, 2019; and

**WHEREAS**, the Authority's Purchasing Agent has determined and certified in writing that the value of the auditing services will not exceed \$44,000; and

**WHEREAS**, the Authority's Executive Director has certified that funds are available for this contract under the accounting line item (01-50-500-315).

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority as follows:

1. David A. Kaplan, CPA, RMA of the firm Wiss & Company, LLP is hereby appointed as Authority Auditor in accordance with the attached proposed contract for the period February 1, 2018 to January 31, 2019.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this individual and his firm can best provide the appropriate auditing services required.

3. Notice of this appointment shall be published in the Authority's official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Resolution

Mr. Theodora offered the following resolution and moved its adoption. Mr. Stubbs seconded the motion.

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18 - 10

**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES FOR ENGINEERING SERVICES**

**WHEREAS**, the Township of Ocean Sewerage Authority has a need to acquire engineering services; and

**WHEREAS**, the Authority has dealt with several different engineering firms over the years on numerous projects; and

**WHEREAS**, the Authority has determined that Michael McClelland, PE of the firm CME Associates would best suit the needs of the Authority for engineering services in the upcoming past year; and

**WHEREAS**, the appointment is subject to CME Associates completing and submitting a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the Township of Ocean during the previous year, and the contract will prohibit the making of any reportable contributions during the term of the contract; and

**WHEREAS**, the services to be performed are "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the term of this contract is for one (1) year from February 1, 2018 to January 31, 2019; and

**WHEREAS**, the Authority's Purchasing Agent has determined and certified in writing that the value of the engineering services will exceed \$17,500; and

**WHEREAS**, the Authority's Executive Director has certified that funds are available for this contract under the engineering line item (01-50-500-313).

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority that

1. Michael McClelland, P.E. of the firm CME Associates is hereby appointed as Authority Engineer in accordance with the attached proposed contract for the period February 1, 2018 to January 31, 2019.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.

3. Notice of this appointment shall be published in the Authority's official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Resolution

Mr. Bernhardt offered the following resolution and moved its adoption. Mr. Theodora seconded the motion.

**RESOLUTION 18 - 11**

**AUTHORIZING PRE-QUALIFICATION OF CONSULTING ENGINEERING FIRMS IN A NON-PROCUREMENT ACTION FOR 2018**

**WHEREAS**, the Authority has dealt with several different engineering firms over the years on numerous projects; and

**WHEREAS**, the Authority has found the engineering pre-qualification process to be very beneficial to the operation of the Authority; and

**WHEREAS**, the appointment of the firms is subject to the firms completing and submitting a Business Entity Disclosure Certification certifying they have not made any reportable contributions to a political or candidate committee in the Township of Ocean during the previous year, and the contract will prohibit the making of any reportable contributions during the term of the contract.

**NOW, THEREFORE BE IT RESOLVED** by the Members of the Township of Ocean Sewerage Authority that the following engineering firms are recognized as the official Pre-Qualified Engineering Consultants for the Township of Ocean Sewerage Authority for the year 2018, which recognition does not guarantee a service agreement contract with the Authority:

CME Associates  
Greeley and Hansen  
Hazen and Sawyer

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Maser Consulting, PA  
Paulus, Sokolowski & Sartor (PS&S)  
R3M Engineering, Inc.  
T & M Associates  
Van Cleef Engineering Associates

**BE IT FURTHER RESOLVED** that public notice of this recognition of pre-qualification be published in the Authority's official newspaper.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Resolution

Mr. Bernhardt offered the following resolution and moved its adoption. Mr. Theodora seconded the motion.

**18 - 12**  
**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO  
JOHN HALL, ESQ. OF HALL & ASSOCIATES FOR LEGAL SERVICES AS  
SPECIAL COUNSEL**

**WHEREAS**, the Township of Ocean Sewerage Authority has a need to acquire legal services to as special counsel with regard to permitting issues; and

**WHEREAS**, Hall & Associates is a recognized legal firm specializing in permitting issues, specifically with regard to ocean outfall issues; and

**WHEREAS**, Hall & Associates has submitted a proposal for legal services with regard to permitting issues to the Authority; and

**WHEREAS**, the Authority's Purchasing Agent has determined and certified in writing that the value of the legal services as special counsel will not exceed \$17,500; and

**WHEREAS**, the term of this contract is for one (1) year from February 1, 2018 to January 31, 2019; and

**WHEREAS**, the services to be performed are "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a(i)); and

**WHEREAS**, the Authority's Executive Director has certified that funds are available for this contract under the legal line item (01-50-500-314).

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority as follows:

1. John Hall, Esq. of the firm Hall & Associates is hereby appointed as Special Legal Counsel for the Authority in accordance with the attached proposed contract for the period February 1, 2018 to January 31, 2019.
2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.
3. Notice of this appointment shall be published in the Authority's official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Resolution

Mr. Bernhardt offered the following resolution and moved its adoption. Mr. Stubbs seconded the motion.

**18 - 13**  
**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO  
KERRY J. MORGAN OF THE FIRM DAVISON, EASTMAN & MUNOZ, P.A. FOR  
SPECIALIZED LEGAL SERVICES AS BOND COUNSEL**

**WHEREAS**, the Township of Ocean Sewerage Authority (the "Authority") has a need for specialized legal services in connection with the authorization and issuance of bonds and project notes by the Authority, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

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**WHEREAS**, such special legal services can be provided by a recognized bond counsel firm, and the law firm of Davison, Eastman & Munoz, P.A. is so recognized by the financial community; and

**WHEREAS**, Kerry J. Morgan provides bond counsel services for Davison, Eastman & Munoz, P.A.; and

**WHEREAS**, the Executive Director has certified that funds are or will be available for this purpose in its application for funding from the New Jersey Infrastructure Trust Fund; and

**WHEREAS**, the services to be performed are "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority as follows:

1. The law firm of Davison, Eastman & Munoz, P.A. is hereby retained to provide the specialized legal services necessary in connection with the authorization and issuance of bonds and notes by the Authority in accordance with the Fee Agreement attached to this Resolution for the period February 1, 2018 to January 31, 2019.

2. This Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.

3. A copy of this Resolution and the contract shall be placed on file with the Executive Director of the Authority.

4. A notice in accordance with the Local Public Contracts Law shall be published in the Coaster within twenty (20) days of the date of this Resolution.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Resolution

Mr. Villapiano offered the following resolution and moved its adoption. Mr. Stubbs seconded the motion.

**18 – 14**  
**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO  
BRUCE W. PADULA, ESQ. FOR LEGAL SERVICES AS  
SPECIAL LABOR COUNSEL**

**WHEREAS**, the Township of Ocean Sewerage Authority has a need to acquire legal services with regard to labor issues; and

**WHEREAS**, Bruce W. Padula of the law firm of Cleary Giacobbe Alfieri Jacobs is a recognized attorney specializing in labor issues; and

**WHEREAS**, the Authority's Purchasing Agent has determined and certified in writing that the value of the legal services as special counsel will not exceed \$17,500; and

**WHEREAS**, the term of this contract is for one (1) year from February 1, 2018 to January 31, 2019; and

**WHEREAS**, the services to be performed are "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Authority's Executive Director has certified that funds are available for this contract under the legal line item (01-50-500-314).

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority as follows:

1. Bruce W. Padula, Esq. is hereby appointed as Special Legal Counsel for the Authority at an hourly rate not to exceed \$175 for the period February 1, 2018 to January 31, 2019.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.

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3. Notice of this appointment shall be published in the Authority's official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Consent Agenda

Mr. Stubbs moved the adoption of Resolutions 18-15 through 18-18 as a Consent Agenda. Mr. Bernhardt seconded the adoption of the Consent Agenda.

1. 18-15: Establishing meeting dates from March 6, 2018 through February 5, 2019.
2. 18-16: Designation of Official Newspapers.
3. 18-17: Authorizing Adoption of Cash Management Plan and Designation of Authorized Depositories.
4. 18-18: Removal of Service Charge Accounts of \$10.00 or Less.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

WORK SESSION

Executive Director's Report.

The Executive Director noted that Bill Hall is working on the dilution factor with regard to the outfall pipe. He has reviewed his numbers with a DEP representative and she agreed with his calculations. Therefore, DEP will begin the process of modifying our permits for the outfall line.

HomeServe has advised that they have home emergency coverage for 550 customers and 669 contracts. To date they have completed 51 repairs and saved customers over \$15,000.

Mr. Schmeling said that the Township is putting out a spring newsletter. He has spoken to them about TOSA having a little space in the newsletter. Mr. Galvin suggested that the first article from TOSA should provide information about the detrimental effects of flushing wipes into the system.

There was discussion about legislation that was signed into law limiting some authorities to increases to their annual service charge of no more than 2%. It was noted that there has been no clarification on this legislations.

Attorneys Report. Mr. Bonello thanked the members for his reappointment.

Operations Manager Report. Mr. Kwityn gave a review of his written report. He noted that that the jet truck came back last week after being out of service for repairs. He noted that the truck would be out of service again for a week in March during which time the pump on it would be replaced.

He provided information about gearbox issues in the mixers on the aeration tank and the steps that have been taken to resolve them.

Mr. Schmeling provided a review of the resolutions on the agenda.

BUSINESS SESSION

Resolution

Mr. Stubbs offered a motion, seconded by Mr. Bernhardt and unanimously carried to approve the following minutes:

Regular Meeting January 2, 2018

A copy of the Operations Manager Report for the month of February 2018 was received, a copy of which follows.

**Operations Managers Report  
For February 2018**

Flow 3.382 Avg. 3.822 Peak / Total Solids 23 Avg. 86% Removal / Oil and Grease <5/  
Enterococci 27 / Bod 9 Removal 94%

Plant:

Bio-Assay was run the week of 1-22 thru 1-26

Gearbox was brought back for installation will not work drawing too many amps and tripping out. Longo has no answers to why this is happening. There bench test they say are fine. Had to send 2 more out to be rebuilt. They say nothing is wrong with them, bench test fine. Here one would not run over 40 hz. Any higher will trip out. Disconnected the motor gear box has a bad spot when it free wheels. The second just stopped. Disconnected the motor, motor ok. Put in a different gearbox in its place that runs fine. Getting no help from Longo at this point.

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Mohawk Cryo came in for a week went over the PSA system. They agree that the Sieve needs to be replaced. Found the probable cause was from too hot of air. They also assisted our guys in finding other issues that were corrected. Penn Valley Pump has been contacted to revisit our pump issues. We get to about 25,000 gallons left and the pump loses prime still after we close the valves as the suggested. They are pulling out all their shop drawings to try to figure out what is going on. It seems to be leading to the gooseneck on the suction side of pump not being there, as I told them from the beginning.

Operations:

Bio-Air was here doing preliminary air studies for odor control system.

We will be doing a free sludge dewatering trial the week of March 19. This equipment supposes to use a small area for the equipment and get solids to 20 percent. I spoke to ACUA about taking test sludge when done and they will. They also expressed interest in taking the sludge if we go ahead with this type of system.

All personal are scheduled for required safety training. Will go in groups of four over three days. January, March, and May, all will be given by JIF.

Envirep was out to see if one of their products to thicken sludge would fit in our building.

Collection System:

Jet-Vacuum truck was pulled out of Absolute Truck Repair on Jan 9<sup>th</sup>. It was taken to Johnson and Towers in Mt. Laurel. They are the factory rep. repair shop for the transmission. Truck was fixed and returned. Then went to Pierce Eagle for hose and pump repairs.

Jan 10<sup>th</sup> the 18" force main was put into service at Interlaken Pump station.

Jan 11<sup>th</sup> the bypass was flushed and air blown out and dismantled.

1 Fieldstone Ln. back pitch issue, 2805 Appleby Orangeburg pipe and 1301 Logan Orangeburg pipe were all repaired by Woszczak.

Assisted LBSA with our lateral camera.

Operations Manager Edward Kwityn

Mr. Stubbs made a motion to approve the Operator's Report. The motion was seconded by Mr. Theodora and unanimously carried.

Resolution

Mr. Stubbs offered the following resolution and moved its adoption. Mr. Bernhardt seconded the motion.

**RESOLUTION 18 - 19  
BILL LIST**

**BE IT RESOLVED** by the Township of Ocean Sewerage Authority, in the County of Monmouth, New Jersey (not less than three (3) members affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Executive Director and as set forth in this Resolution are hereby approved for payment.
2. The authorized signers of checks are hereby authorized and directed to sign checks in the payment of bills and claims which are hereby approved.

The computer print-out of the list of bills will be on file in the Purchasing Agent's Office.

CURRENT FUND	\$ 228,056.49
REVIEW and INSPECTION	825.00
EIT and CONSTRUCTION	165,036.33
PAYROLL ACCOUNT	0.00
<b>TOTAL BILLS PAYABLE</b>	<b>\$ 393,092.82</b>

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

Consent Agenda

Mr. Theodora moved the adoption of Resolutions 18-20 through 18-27 as a Consent Agenda. Mr. Bernhardt seconded the adoption of the Consent Agenda.

1. 18-20: Authorizing Payment in the Amount of \$7,209.86 to DeMaio Electrical Company Inc.
2. 18-21: Declaring Account Numbers 1013-0 and 4254-0 Inactive.
3. 18-22: Authorizing Greeley and Hansen to Review and Recommend Strategies to Improve Plant Processes in an Amount Not to Exceed \$95,000.00.
4. 18-23: Authorize Voiding of Stale Check.

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5. 18-24: Authorizing Change Order Number 1 in the Amount of \$1,719.90 to SWERP Incorporated for Berkeley Avenue, Lakeview Avenue and Lincoln Drive Sanitary Sewer Replacement Project.
6. 18-25: Ratifying and Confirming Execution of Amended Service Agreement with the Borough of Tinton Falls for Eight (8) Single Family Connections to the TOSA System.
7. 18-26: Authorizing Adjustment to Account Number 18769-0.
8. 18-27: Authorizing Adjustment to Account Number 18718-0.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano  
Yes Yes Yes Yes Yes

There being no further business to come before the Authority, Mr. Theodora moved that the meeting be adjourned. Mr. Bernhardt seconded the motion and all voted in favor of adjournment.

Respectfully Submitted,

RALPH STUBBS  
Secretary - Treasurer