

TOWNSHIP OF OCEAN SEWERAGE AUTHORITY  
REGULAR MEETING

Oakhurst, NJ

February 7, 2017

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,  
Superintendent Tom Meholic

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 in accordance with law.

The Chairman announced that the Township Council reappointed Richard Bernhardt for another term as a member of the Board of the Township of Ocean Sewerage Authority. Attorney John Bonello swore in Mr. Bernhardt.

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. Stubbs nominated Mr. Bernhardt for the office of Vice Chairman. Mr. Theodora 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. Bernhardt nominated Mr. Stubbs for the office of Secretary Treasurer. Mr. Theodora 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. Villapiano nominated Mr. Theodora for the office of Assistant Secretary Treasurer. Mr. Bernhardt seconded the nomination and all voted in favor of Mr. Theodora being appointed to the office of Assistant Secretary Treasurer.

**Consent Agenda**

Mr. Galvin moved the adoption of Resolutions 17-11 through 17-21 as a Consent Agenda. Mr. Stubbs requested removal of Resolutions 17-13 and 17-16. Mr. Theodora seconded the adoption of the Consent Agenda. There being no discussion on the resolutions, all voted in favor of the following resolutions:

1. 17-11: Authorizing award of a professional services contract to John L. Bonello, Esq. for Legal Services.
2. 17-12: Authorizing award of a professional services contract to David A. Kaplan, CPA, RMA for auditing services.
3. 17-14: Authorizing prequalification of consulting engineering firms in a non-procurement action for 2017.

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4. 17-15: Authorizing award of a professional services contract to John C. Hall, Esq. for legal services.

5. 17-17: Authorizing award of a professional services contract to Bruce W. Padula, Esq. for legal services a special labor counsel.

6. 17-18: Establishing meeting dates.

7. 17-19: Designation of official newspapers.

8. 17-20: Authorizing adoption of Cash Management Plan and designation of authorized depositories.

9. 17-21: Authorizing removal of service share accounts of \$10.00 or less.

### WORK SESSION

#### Executive Director's Report.

The Executive Director noted that a copier service representative recommended that we replace the copier with an updated model. Mr. Schmeling noted that a number of Authority documents are in poor condition and it would be advisable to obtain a copier that would allow the copying and/or scanning of large documents. He will get estimates on the cost.

Mr. Schmeling noted that is important to move forward with odor control prior to the onset of the warm weather. He received a quote to replace the existing carbon. Superintendent Meholic provided a detailed description of the options available, noting that installation of a permanent biofilter cannot be done in time for the summer season. Therefore, members decided that a viable option would be to replace the existing carbon and plan for the installation of a new biofilter in the future.

Superintendent's Report. Mr. Meholic gave a brief review of his written report.

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

Mr. Schmeling introduced William Gettings, PE and Edward Barboe, PE representatives of Hazen and Sawyer and David Smith of Pure Technologies all of whom gave detailed reports on the ocean outfall reconstruction options.

Mr. Gettings provided an in depth report of their inspection of the outfall line. He noted that prior to the inspection they reviewed background information on the line. The inspection included the pipe from the plant to the beach in Deal and the outfall line from the shore to the wye.

Hazen and Sawyer recommended that the pipe from the plant halfway to the shoreline be kept in place and that the rest of the pipe out to the wye and diffusers should be replaced.

Mr. Smith of Pure Technologies provided a report on the condition of the pipe, which had been inspected several times with the use of equipment that travels through the line.

Hazen and Sawyer were granted authorization to move forward with the analysis, and they expect to provide a written report in time for the March or April meeting.

### BUSINESS SESSION

#### Resolution

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

Regular Meeting

January 3, 2017

A copy of the Plant Operator's Report for the month of February 2017 was received, a copy of which follows.

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**February 7, 2017 Work/Agenda Meeting  
THE TOWNSHIP OF OCEAN SEWERAGE AUTHORITY  
January, 2017 Operator's Report**

The January 2017 report shows the treatment plant and collection systems O.K. with some repairs to report.

The average daily flow to date was 4.304 MGD. The highest daily flow was 8.065 MGD on January 25th. The total precipitation to date was 6.31 inches for the month; the largest precipitation was 2.57 inches on January 23<sup>rd</sup>. Central New Jersey still remains in a rainfall deficit.

The monthly average effluent suspended solids concentrations, to date 8 mg/l and for CBOD, the concentration was 8 mg/l. The average percentage removals for these same effluent parameters were 95% and 93 % respectively. Our present NJPDES Permit has a suspended solids monthly average limitation of 30 mg/l and 25 mg/l for CBOD. For percent removals, it requires 85% removals on a monthly average basis for suspended solids and for CBOD. For plant flow, we are permitted 7.5 MGD average daily flow on a 30-day average quantity basis.

**PLANT OPERATIONS AND MAINTENANCE**

The treatment plant is operating OK with some maintenance to report.

Glen Henry and AJ Milmoe performed repair and preventative maintenance in the following locations: they performed routine maintenance on the UNOX System.

Bruce Olson, Glen, and AJ all reviewed a problem with the controller for the chemical feed pumps for the cooling tower treatment. They replaced the controller.

Bruce recalibrated the transducer for the main pumps and spare. Two other transducers were ordered from Pumping Services Inc. TOSA personnel replaced a drive gear for the Primary Tank No 2. They also replaced a gearbox and motor on one of the rotary drum thickeners.

Glen and AJ Milmoe removed an odor control fan assembly unit and took it to Pilot Electric to rebuild. Oceanside Heating and Cooling were in to replace heaters in the lunchroom and Main Pump Building dumpster veyor room. Bruce informs me that the heater will have to be replaced and the repairs are marginal.

TOSA personnel worked on unclogging a blocked sludge withdrawal line on the gravity thickener. We couldn't empty the thickener and had our contract hauler remove 120,000 gallons of sludge before the tank was emptied and cleaned. The line was jetted and grit and sand were removed and disposed of .The tank was returned to service. NJDEP was notified of this maintenance work.

Bruce attended a JCP&L Workshop regarding power outages and response of their technical support team.

I am working with Evoqua regarding a cost comparison report for the LoPro Wet Sodium Hypochlorite Scrubber vs. the Zabocs Biofilter Unit. I gave them further information regarding sludge output volumes, sludge and gas volume dimensions of the gravity thickener and sludge holding tank.

Their field services engineer was onsite for additional information and photo work. Some of the piping will have to be re designed and the flow pattern should be reversed with the activated carbon scrubber used only as a polishing unit. The bulk of the odorants removal should be with the biofilter or new wet scrubber.

I also gave them the compressor airflow ratings to the existing biofilter layout. Evoqua is working on a report with life cycle and capital costs. Their report is near completion. I also asked for references for the Zabocs unit. I am still reviewing options for temporary wood chip replacement, which amounts to 150 cu. yds. or eight 20 cu yd. roll off containers.

The new return activated sludge force main pipe and fittings were delivered to the plant site this month. Mark Wosczak Mechanical Contractors are tentatively scheduled for this work in early to mid March.

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I am working with Hazen Engineers regarding the TOSA plant rating study for potential flow from Asbury Park. Even though our flows appear to be low during this drought, our wet weather flows will have to be reviewed closely. The case in point being the plant, Interlaken PS and Deal flows during the recent Nor'easter. (Plant 8.065 MGD with a peak of 10.0 MGD, IPS 3.640 MGD, and Deal 0.89 MGD.)

Similarly I am gathering information for Hall Associates for the review of the Enterococci bacteria issues. We are also reviewing the sludge data for the annual USEPA 503 Sludge Regulations report.

### **COLLECTION SYSTEM OPERATION AND MAINTENANCE**

The collection system had the following work to report:

All routine pump station inspection and maintenance work was completed by Tom DiOrio, Ken Williamson, Rich Roman, and Vinnie D'Esposito. Wet wells were cleaned at Green Grove, Rolling Meadows, and Asbury Ave. PS's.

We had an engineer from the USEPA come for an inspection and survey of our collection system for performance and CSO history. I answered several questions on the O/M of the Collection System and she inspected IPS, Whalepond, Norwood, Asbury Ave. and Green Grove Pump Stations. She reviewed Ken Williamson's O/M record keeping. At this point I feel we received an overall good rating. This is a Job well done Ken and staff.

At Whalepond PS, we had Rapid Pump and Meter Service in to inspect our grinder unit, which had failed. A new cutter assembly was ordered. We also replaced the transducer at the pump station.

During the Nor'easter storm, we had no flooding or overflow issues. The Interlaken PS had all 3 pumps running for almost 3days. The plant's main pumps could handle the flow. The main pump building flood doors were set in place and the division chamber's gates were fully opened. The chlorine contact tank level was above the serpentine mixing walls.

During the nor' Easter Storm we also cleaned the bar screen at Wickapecko PS and checked all siphon lines at the Deal Lake crossings. We responded to alarms at various stations due to heavy winds.

We had service calls in the following locations last month at these locations

These were mainly property owner lateral issues at 1405, 1631, 1108, and 1205 Highway 35 locations. We did jet the lateral and line at 1108 Highway 35 and 488 Monmouth Rd. We also jetted laterals at 1Eisle, 804 Avon 610 and 701 Auth and 101 Park Aves.

My last report failed to mention the retirement of Frank Vacchiano and Joe Jurasic. Frank served as assistant superintendent since the late 1980's and overall greater than 40 years and Joe was here for over 12 Years. Frank's work and dedication was exemplary and the same could be said for Joe. They are missed and we wish both of them a healthy and happy retirement. Thank you Frank and Joe for your hard work and dedication. The TOSA staff and I really appreciate it.

Respectfully submitted,

Thomas G. Meholic, Superintendent  
2/03/17

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. Villapiano seconded the motion.

### **RESOLUTION 17 - 22 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:

February 7, 2017

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 printout of the list of bills will be on file in the Purchasing Agent's Office.

CURRENT FUND	\$ 340,650.19
REVIEW and INSPECTION	1,486.37
EIT and CONSTRUCTION	1,457.50
PAYROLL ACCOUNT	0.00
<b>TOTAL BILLS PAYABLE</b>	<b>\$ 343,594.06</b>

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.

**17 - 23**  
**AUTHORIZING AMENDMENT TO 2016 BUDGET**

**WHEREAS**, the Township of Ocean Sewerage Authority adopted its Budget for the year ending December 31, 2016 on December 1, 2015; and

**WHEREAS**, certain work on the Authority's Ocean Outfall Pipe was to be paid for by financing through the Monmouth County Improvement Authority; and

**WHEREAS**, the MCIA financing was originally scheduled to close in December 2016 but has been postponed to February 2017; and

**WHEREAS**, N.J.A.C. 5:31-2.8 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of an Authority, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make the item of appropriation available for the purpose or purposes required for the needs of the Authority; and

**WHEREAS**, the Authority desires to increase the revenue item "Miscellaneous Revenue" with a corresponding increase in expenditures.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with N.J.A.C. 5:31-2.8, the Township of Ocean Sewerage Authority hereby requests the Director of the Division of Local Government Services to make the following corrections in the 2016 budget; and

**AND BE IT FURTHER RESOLVED** that the attached correction is, in the opinion of the Authority, warranted and authorized by the above statute and is necessary for the orderly operation of the Authority for the following reason:

1. Increase in revenue with corresponding increase in budgeted costs; and
2. Increasing or decreasing certain expenditure categories.

**AND BE IT FUTHER RESOLVED** that two (2) copies of this Resolution be filed with the Director of the Division of Local Government Services.

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

Yes Yes Yes Yes Yes

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Resolution

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

**17 - 24**

**AUTHORIZING AMENDMENT TO 2016 CAPITAL BUDGET**

**WHEREAS**, the Township of Ocean Sewerage Authority adopted its Capital Budget for the year ending December 31, 2016 on December 1, 2015; and

**WHEREAS**, certain work on the Authority's Ocean Outfall Pipe was to be paid for by financing through the Monmouth County Improvement Authority; and

**WHEREAS**, the MCIA financing was originally scheduled to close in December 2016 but has been postponed to February 2017; and

**WHEREAS**, N.J.A.C. 5:31-2.8 provides that all amendments to the 2016 Capital Budget shall be approved and adopted by resolution of the Authority, passed by not less than a majority of the full membership.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with N.J.A.C. 5:31-2.8, the Township of Ocean Sewerage Authority hereby requests the Director of the Division of Local Government Services to make the following corrections in the 2016 Capital Budget; and

**AND BE IT FURTHER RESOLVED** that the attached correction is, in the opinion of the Authority, warranted and authorized by the above statute and is necessary for the orderly operation of the Authority for the following reason:

1. Increase in expenditures for certain projects.

**AND BE IT FUTHER RESOLVED** that two (2) copies of this Resolution be filed with the Director of the Division of Local Government Services.

2016 BUDGET	ADJUSTMENT	2016 AMENDED BUDGET
AS AMENDED	PER 17 - 24	

**OPERATIONS AND  
MAINTENANCE RESERVES**

Ocean Outfall Inspection	\$0.00	\$170,000.00	\$170,000.00
Vehicle			
Replacement	\$10,000	\$0	\$10,000
Control Building Electrical			
Work	\$20,000	\$0	\$20,000
Pump Station Improvements	\$13,000	\$0	\$13,000
SCADA Upgrades	\$50,000	\$0	\$50,000
Collection System			
Improvements	\$10,000	\$0	\$10,000
Lateral			
Replacements	\$510,000	\$0	\$510,000
Plant Generators	\$0	\$0	\$0
Pump Replacements	\$70,000	\$0	\$70,000
Buildings & Grounds Improvements	\$85,000	\$0	\$85,000
<b>TOTAL OPERATIONS AND MAINTENANCE RESERVES</b>	<b>\$768,000</b>	<b>\$170,000 *</b>	<b>\$938,000</b>

\*Represents budget amendment from Resolution 17-23 (\$170,000)

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

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Resolution

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

**17 - 25  
2016 TRANSFER**

**WHEREAS**, the Township of Ocean Sewerage Authority adopted its annual budget for 2016 and has set aside funds to be spent in connection with certain budget appropriations; and

**WHEREAS**, the Township of Ocean Sewerage Authority has determined there is a need for additional funds in certain budget appropriations.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority, that the following transfers be approved:

TO:

Treatment Plant	Electric -01-60-600-354	\$ 46,000.00
	Sludge Disposal -01-60-600-358	\$ 500.00
	Lab Testing -01-60-600-504	\$ 1,450.00
Collection System	Repairs - Contractors -01-61-601-351	\$ 400.00
	Electric -01-61-601-354	\$ 6,000.00

FROM:

Treatment Plant	Pumps -01-60-600-203	\$ 3,000.00
	Liquid Oxygen -01-60-600-303	\$ 9,000.00
	Polymer -01-60-600-305	\$ 2,000.00
	Natural Gas -01-60-600-355	\$ 2,500.00
	Grit -01-60-600-365	\$ 2,500.00
	Diesel -01-60-600-367	\$ 3,000.00
	Gasoline -01-60-600-401	\$ 3,500.00
	Truck Repairs -01-60-600-402	\$ 1,000.00
	Lab Equipment -01-60-600-503	\$ 3,450.00
Collection System	Gasoline -01-61-601-358	\$ 4,000.00

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Diesel			
-01-61-601-363		\$ 2,400,00	
Manholes			
-01-61-601-364		\$ 9,000.00	
Other Maintenance Chemicals			
-01-61-601-402		\$ 9,000.00	

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.

**17 – 26**

**AUTHORIZING RETURN OF PERFORMANCE BOND, CASH GUARANTEE AND ESCROW MONEY FOR 1910 INVESTMENTS LLC - APPLICATION NUMBER 177**

**WHEREAS**, 1910 Investments LLC submitted applications for preliminary, tentative and final approval on or about January 24, 2014; and

**WHEREAS**, the Authority granted preliminary, tentative and final approval on March 4, 2014; and

**WHEREAS**, the Authority is holding a performance bond in the amount of \$7,791.07, a cash guarantee in the amount of \$865.87 and \$620.50 in escrow for inspection fees; and

**WHEREAS**, the building constructed by 1910 Investments LLC has operated without any maintenance issues for the Authority's collection system since on or about February 24, 2015; and

**WHEREAS**, CME Associates, the Authority's review engineer, by email dated February 13, 2017 expressed no objection to the release of the escrows held by the Authority.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority that Performance Bond Number FP0020233 in the amount of Seven Thousand Seven Hundred Ninety-One Dollars and Seven Cents (\$7,791.07) be released; and

**BE IT FURTHER RESOLVED** by the Township of Ocean Sewerage Authority that the cash guarantee in the amount of Eight Hundred Sixty-Five Dollars and Eighty-Seven Cents (\$865.87) held in the Authority's Review & Inspection escrow account be released to 1910 Investments LLC; and

**BE IT FURTHER RESOLVED** by the Township of Ocean Sewerage Authority that the amount of Six Hundred Twenty Dollars and Fifty Cents (\$620.50) held in the Authority's Review & Inspection escrow be released to 1910 Investments LLC; and

**BE IT FURTHER RESOLVED** that the release of any escrow monies is conditioned upon the applicant providing the Authority with proof of filing the required easement provided by the Authority's engineer; and

**BE IT FURTHER RESOLVED** that any sewer improvements from this project in the public right-of-way are accepted by the Authority.

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.

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17 - 27

**AUTHORIZING ADJUSTMENT TO ACCOUNT NUMBER 18830-0**

**WHEREAS**, Hillel Yeshiva operates a school at 1003 Deal Road, sewer account number 18830-0 (the "Property"); and

**WHEREAS**, the 2016 water reading use for the Property was 1,761,000 gallons; and

**WHEREAS**, the 2015 reading for the Property was 173,000 gallons; and

**WHEREAS**, on or around March 6, 2016 through May 5, 2016 a water line break or leak occurred on the Property; and

**WHEREAS**, as a result of the water line break or leak, New Jersey American Water reduced the water usage for the period March 6, 2016 through May 5, 2016 by 792,000 gallons.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Ocean Sewerage Authority hereby authorizes that the water usage for account number 18830-0 be adjusted to 909,000 gallons for 2015 resulting in an excess usage charge of \$3,886.70, and 2016 quarterly bills of \$1,431.68; and

**BE IT FURTHER RESOLVED** that if payment of the outstanding charges is received on or before March 31, 2017 no interest will be charged on the 2016 bill for the Property.

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.

17 - 28

**AUTHORIZING ACCOUNT NUMBER 4125-0 TO BE INACTIVE**

**WHEREAS**, account number 4125-0 is for a residential property located at 1705 Bellmore Street in the Township of Ocean (the "Property"); and

**WHEREAS**, the residence on the Property was demolished on or about October 20, 2016; and

**WHEREAS**, the sewer line was capped.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority that account number 4125-0 be declared inactive from January 1, 2017 until such time as a temporary or permanent Certificate of Occupancy is issued for the Property; and

**BE IT FURTHER RESOLVED** that any charges on account number 4125-0 for 2017 be removed.

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.

17 - 29

**AUTHORIZING ADJUSTMENT TO ACCOUNT NUMBER 18828-1**

**WHEREAS**, Kane Brewing Company operates at 1750 Bloomsbury Avenue, sewer account number 18828-1; and

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**WHEREAS**, the 2016 water reading use for account number 18828-1 was 1,115,000 gallons; and

**WHEREAS**, Kane Brewing Company estimates that fifty percent (50%) of the water consumption results in finished product or is absorbed and retained in malted barley during the brewing process; and

**WHEREAS**, an article in the December 2012 WE&T magazine states that craft brews consume an average of 5 to 6 gallons of water for every gallon of beer produced; and

**WHEREAS**, Kane Brewing Company produced approximately 150,000 gallons of craft beer in 2015; and

**WHEREAS**, based on the available information, between 550,000 and 850,000 gallons of water going into the property did not enter the Authority's collection system.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Ocean Sewerage Authority hereby authorizes that the water usage for account number 18828-1 be adjusted to 275,000 gallons for 2016.

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

Yes      Yes      Yes      Yes      Yes

Resolution

Mr. Villapiano offered the following Resolution and moved its adoption. Mr. Theodora seconded the motion.

**17 - 30**

**AUTHORIZING EXECUTION OF CHANGE ORDER NUMBER  
TWO AND PAYMENT IN THE AMOUNT OF \$27,332.14 TO  
BLACK ROCK ENTERPRISES, LLC FOR WICKAPECKO  
DRIVE AND WANAMASSA DRIVE SANITARY SEWER  
REHABILITATION PROJECT**

**WHEREAS**, the Authority made an award to Black Rock Enterprises LLC ("Black Rock") in the amount of \$448,629.00 for the Wickapecko Drive and Wanamassa Drive Sanitary Sewer Rehabilitation project (the "Project") on August 2, 2016; and

**WHEREAS**, Black Rock has completed work on the Project; and

**WHEREAS**, the Authority's engineer has prepared Change Order Number 2 in the amount of (\$39,510.71) representing extra and supplemental work and adjusting for actual quantities installed on the Project; and

**WHEREAS**, the Authority's engineer has recommended payment in the amount of \$27,332.14 to Black Rock in accordance with Payment Certificate No. 4 dated January 23, 2017; and

**WHEREAS**, the Authority's engineer has recommended the release of Black Rock's performance bond and replaced with a two-year maintenance bond in the amount of \$102,279.57.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Ocean Sewerage Authority hereby approves Change Order Number 2 in the amount of (\$39,510.71) and authorizes the Executive Director to execute the Change Order; and

**BE IT FURTHER RESOLVED** that is hereby authorizes payment in the amount of \$27,332.14 to Black Rock Enterprises LLC for the Wickapecko Drive and Wanamassa Drive Sanitary Sewer Rehabilitation Project in accordance with the Authority's engineer letter dated January 30, 2017; and

**BE IT FURTHER RESOLVED** that performance bond number 2215683 in the amount of Four Hundred Forty-Eight Thousand Six Hundred Twenty-Nine Dollars (\$448,629.00) issued by North American Specialty Insurance Company be released upon receipt of a two-year maintenance bond in the amount of \$102,279.57

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

Resolution

Mr. Theodora offered the following Resolution and moved its adoption. Mr. Villapiano seconded the motion.

**17 - 31**

**AUTHORIZING HAZEN & SAWYER TO PROCEED WITH ENGINEERING  
PROPOSAL FOR REPAIRS TO OCEAN OUTFALL PIPE**

**WHEREAS**, the Township of Ocean Sewerage Authority awarded a contract to Hazen & Sawyer (“Hazen”) on July 21, 2016 for engineering services with regard to its ocean outfall pipe; and

**WHEREAS**, Pure Technologies performed a sonar inspection of the ocean outfall pipe from the chlorine contact tank to the ocean outfall pipe wye; and

**WHEREAS**, TNJ Marine performed a visual exterior inspection of the ocean outfall pipe from where the pipe is exposed to the wye; and

**WHEREAS**, Hazen has submitted an engineering proposal to proceed with the engineering design and related work for the repair of the ocean outfall pipe based on the Pure Technologies and TNJ Marine inspections; and

**WHEREAS**, the Executive Director has certified there are funds available for this project from the upcoming Monmouth County Improvement Authority pooled loan financing.

**THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority hereby authorizes Hazen & Sawyer to proceed with work set forth in their proposal dated December 23, 2016.

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.

**17 - 32**

**AUTHORIZING ACCOUNT NUMBER 18794-2 TO BE INACTIVE**

**WHEREAS**, account number 18794-2 is a commercial property for Value City located at Seaview Square in the Township of Ocean (the “Property”); and

**WHEREAS**, Value City was demolished on or about January 20, 2017; and

**WHEREAS**, the sewer line was capped.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority that account number 18794-2 be declared inactive from January 1, 2017 until such time as a temporary or permanent Certificate of Occupancy is issued for the Property; and

**BE IT FURTHER RESOLVED** that any charges on account number 18794-2 for 2017 be removed.

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

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Resolution

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

**17 - 33**

**APPROVING AMENDMENT NO. 8 TO THE 1966 SERVICE  
CONTRACT WITH THE TOWNSHIP OF OCEAN, MONMOUTH  
COUNTY, NEW JERSEY**

**WHEREAS**, the Township of Ocean Sewerage Authority (the "Authority") and the Township of Ocean, Monmouth County, New Jersey (the "Township") are parties to the 1966 Service Contract, dated April 1, 1966 and as amended from time to time (the "Service Contract"); and

**WHEREAS**, the Authority authorized to undertake certain improvements to the sewerage system referred to as the 2017 Project with the "Ninth Supplemental Sewer Revenue Bond Resolution Authorizing the Issuance and Sale of Not to Exceed \$10,000,000 Bonds of the Township of Ocean Sewerage Authority; and

**WHEREAS**, it is necessary to amend the Service Contract to include the 2017 Project as part of the Project defined in the Service Contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority that Amendment No. 8 to the Service Contract in the form submitted and authorizes the Chairman and Secretary to execute and deliver the Amendment.

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.

**17 - 34**

**CONFIRMING THE SALE OF \$9,095,000 SEWER REVENUE  
BONDS, SERIES 2017 OF THE TOWNSHIP OF OCEAN  
SEWERAGE AUTHORITY IN THE COUNTY OF MONMOUTH,  
NEW JERSEY TO THE MONMOUTH COUNTY  
IMPROVEMENT AUTHORITY**

**WHEREAS**, pursuant to the Ninth Supplemental Bond Resolution dated November 1, 2016 (the "Authorization Resolution") the Township of Ocean Sewerage Authority ("TOSA") authorized the issuance and sale of bonds to the Monmouth County Improvement Authority (the "MCIA") in an aggregate amount not to exceed \$10,000,000 to be issued as a series designated as Sewer Revenue Bonds (the "Bonds"); and

**WHEREAS**, pursuant to and in accordance with the Authorization Resolution, the terms of the Bonds shall be determined by Award Certificate or Confirming Resolution, the provisions of which are set forth herein ("Confirming Resolution").

**WHEREAS**, it is necessary to amend the Service Contract to include the 2017 Project as part of the Project defined in the Service Contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Ocean Sewerage Authority, not less than two-thirds (2/3) of all members thereof affirmatively concurring that:

1. **Amount of the Bonds.** The Bonds in the principal amount of \$9,095,000 are hereby issued and sold in accordance with the provisions of the Authorization Resolution and the provisions of this Confirming Resolution. The Bonds shall constitute a single issue and shall be designated "Sewer Revenue Bonds, Series 2017".

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2. Description of the Bonds.

a. Terms of the Bonds. The Bonds shall be dated and shall bear interest from the date of delivery at the rates, and shall mature, subject to prepayment as herein provided, on February 15 in the year and in the principal amount, as set forth in **Appendix A** attached hereto.

b. Payment of Principal of the Bonds. As to principal, The Bonds will be payable fifteen (15) days prior to the due date thereof at the corporate trust office of U.S. Bank, National Association (the “Trustee”).

c. Interest Rate Per Annum and Interest Payment Date. The Bonds shall bear interest at the respective interest rates per annum which are set forth in the table able and such interest shall be payable at the corporate trust office of the Trustee fifteen (15) days prior to each February 15 and August 15 until maturity or earlier prepayment, commencing on August 15, 2017.

d. Form of the Bonds. The Bonds shall be in substantially the form set forth in the Authorization Resolution, as revised in the form (in Exhibit A) attached to the Bond Purchase Agreement, dated February 8, 2017 (the “Bond Purchase Agreement”), a copy of which is attached as **Appendix B** hereto, which form is by reference incorporated in full as if set forth herein, with such omissions, insertions and variations as are properly required and which are not contrary to any of the provisions of the Authorization Resolution or any of the provisions of this Confirming Resolution.

e. Bank Qualified. The Bonds will not be designated as “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code.

3. Prepayment of the Bonds.

a. Redemption of the Bonds. The Bonds shall be subject to prepayment prior to their stated maturities on the terms and in the manner set forth in the Authority’s 2016 Pooled Governmental Loan Revenue Bond Resolution, adopted on December 1, 2016 (the “Authority Bond Resolution”) and in the Bond Purchase Agreement between the MCIA and the underwriter of the Bonds.

b. Notice of Prepayment. Notice of prepayment shall be given as set forth in the MCIA Bond Resolution.

4. Award of the Bonds. The Bonds are authorized to be sold and awarded to the Monmouth County Improvement Authority at a purchase price of \$10,637,644.95, representing the principal amount of the Bonds plus the original issue premium of \$1,542,644.95. The terms and conditions of such offer are set forth in the Bond Purchase Agreement attached hereto as **Appendix B** and which by this reference is made a part hereof as if set forth in full herein. Settlement of the Bonds shall be made in immediately available funds on February 23, 2017, or on such other date as may be agreed to by TOSA and the MCIA. The Executive Director of TOSA is hereby duly authorized to execute and deliver the Bond Purchase Agreement on behalf of TOSA and such execution and delivery shall constitute the acceptance by TOSA of the MCIA’s offer to purchase the Bonds.

5. Continuing Disclosure. The Executive Director of TOSA is hereby authorized and directed to execute and deliver a Continuing Disclosure Certificate on behalf of TOSA in a form that the Executive Director and TOSA’s Bond Counsel may approve, such approval to be evidenced by execution thereof.

6. Additional Acts. On behalf of TOSA, the appropriate representatives of TOSA are authorized and directed to take all steps which are necessary or convenient to effectuate the terms of the Authorization Resolution and the terms of this Confirming Resolution with respect to the issuance, sale and delivery of the Bonds, including, but not limited to, the execution of closing documentation.

7. Effective Date. This Confirming Resolution shall take effect upon adoption thereof.

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

Yes      Yes      Yes      Yes      Yes

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Resolution

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

**RESOLUTION DECLARING CLOSED SESSION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The Public shall be excluded from discussion of and action upon the hereinafter-specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Contractual matters  
Personnel matters

3. It is anticipated at this time that the above stated subject matter would be made public when matters are resolved.

This resolution shall take effect immediately.

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

Yes      Yes      Yes      Yes      Yes

Resolution

Following the Closed Session Mr. Bernhardt offered the following Resolution and moved its adoption. Mr. Villapiano seconded the motion.

**17 - 13**

**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT 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, 2017 to January 31, 2018; and

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

**WHEREAS**, the Authority's Executive Director has certified that funds are available for this contract.

**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, 2017 to January 31, 2018.

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      No      No      Yes      Yes

Resolution

Mr. Galvin offered the following Resolution and moved its adoption. Mr. Theodora seconded the motion.

**17 - 16**

**AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO KERRY J. MORGAN OF THE FIRM DAVISON, EASTMAN & MUÑOZ, 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

**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; 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, 2017 to January 31, 2018.

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

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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      No      Yes      Yes

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

Respectfully Submitted,

RALPH STUBBS  
Secretary - Treasurer

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