

**TWO RIVERS WATER RECLAMATION AUTHORITY
ONE HIGHLAND AVENUE
MONMOUTH BEACH, NEW JERSEY 07750**

The Regular Meeting of the Two Rivers Water Reclamation Authority was held on Tuesday, December 20, 2011 at 6:00 PM at One Highland Avenue, Monmouth Beach, New Jersey.

Mr. Thomas Barham, Vice Chairman, presided.

All Resolutions are contained in the Resolutions portion of the minutes.

Members Present: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

Others Present: Mr. Michael A. Gianforte, P.E., Executive Director
Mr. Edward Griffin, Financial Manager
Mr. Dennis J. Galvin, P.E., Engineering Manager
Mr. David Applegate, P.E., Representing the Firm of Birdsall Engineering
Mr. David Laughlin., Birdsall & Laughlin, LLC

NOTICE OF REGULAR MEETING

Statement is hereby made that adequate Notice of Meetings has been provided by publishing the same in the Asbury Park Press on Saturday, December 25, 2010, and The Atlanticville on Wednesday, January 19, 2011, and mailing the same on Wednesday, December 22, 2010, to the Clerks of the participant municipalities of the Boroughs of Fair Haven, Little Silver, Monmouth Beach, Oceanport, Shrewsbury and West Long Branch, and all customer communities whose geographic boundaries are co-extensive with those of this Authority, and by prominently posting said Notice in the entry way of the Authority's office building on Wednesday, December 22, 2010.

CHAIRMAN RULES OF QUORUM

Mr. Barham declared that a quorum was present. All present saluted the American Flag.

**APPROVAL OF THE REGULAR MONTHLY MEETING
MINUTES OF NOVEMBER 15, 2011**

Mr. Tocci moved that the minutes from the Regular Monthly Meeting held November 15, 2011 be approved as submitted. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

Members Present: Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher

Abstain: Mr. Thomas Barham, Vice Chairman
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

CORRESPONDENCE

Mr. Gianforte reported the following correspondence: the first item of correspondence was from the Superior Court of NJ thanking the Authority for participating in the Community Service Program. The Second item was three parts: recognition of Commissioner Barham, Commissioner Tocci and Michael Gianforte for the attendance at the WEFTEC Conference, where credits were earned. The next item was a check from State Emergency Management Fund for the Hurricane Irene reimbursement of 75 percent of the cost of handling the storm which was \$7,037.00. The last item was the notice from the State that the TRWRA Laboratory performed acceptably on all parameters it was required to analyze in the September 11, 2011, water pollution proficiency testing.

PUBLIC COMMENT ON AGENDA

There was no public present.

ENGINEERING COMMITTEE

ENGINEERING MANAGER'S REPORT

Mr. Berdahl inquired about Osteotech not being a Significant Indirect User (SIU). Mr. Galvin explained how the Authority made its determination of why Osteotech is not an SIU. They will be sending the Authority approximately 50,000 gallons per day of processed water, however the Authority believes that Osteotech will not be impacting the Treatment Plant by the amount of processed water that Osteotech is sending to the Authority. The Authority does anticipate having them perform tests quarterly to ensure continued compliance, and annually Osteotech will be doing a complete chemical analysis.

Mr. Gianforte provided an introduction to the Red Zone project on which action will be considered in January. They have CCTV and also have the Sonar to look down and determine how much sediment there is and quantify it. There is also a 3D Laser that scans from 5 to 7 o'clock on the pipe. Mr. Gianforte presented a copy of the report and the presentation that was given at the WEFTEC Conference. Mr. Christopher inquired on the price of the robot; Mr. Gianforte stated that the robot would cost approximately one million dollars.

Mr. Barham reported that the handouts were marked incorrectly and that it should read 2011-12-101.

Mr. Gianforte read the following resolutions:

**RESOLUTION #2011-12-101
APPROVING CHANGE ORDER #2
FOR CONTRACT 137 UST/ AST SITE IMPROVEMENTS**

Mr. Tocci moved Resolution #2011-12-101 for adoption. The motion was seconded by Mr. Baarck and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

**RESOLUTION #2011-12-102
DETERMINING THAT OSTEOTECH, A DIVISION OF MEDTRONIC, IS NOT A SIGNIFICANT
INDUSTRIAL USER FOR PROPERTY KNOWN AS 201 INDUSTRIAL WAY;
IN THE BOROUGH OF EATONTOWN**

Mr. Tocci moved Resolution #2011-12-102 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

Mr. Christopher inquired if Osteotech pre-treats its discharge before it enters the Authority's system. Mr. Galvin stated that Osteotech does. Mr. Gianforte gave a little more background and reported that Osteotech has a new environmental person who wanted to confirm the determination from the Sewerage Authority that Osteotech is not an SIU.

**RESOLUTION #2011-12-103
GRANTING FINAL APPROVAL FOR A
MINOR SUBDIVISION TO BUTTONWOOD INVESTORS
BLOCK 65, LOTS 3, 4, AND 5
IN THE BOROUGH OF FAIR HAVEN**

Mr. Tocci moved Resolution #2011-12-103 for adoption. The motion was seconded by Mr. Baarck and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

**RESOLUTION #2011-12-104
GRANTING AUTHORIZATION TO ENDORSE A TREATMENT WORKS
APPROVAL FOR A MAJOR SITE PLAN TO JAVIN LP FOR A PROJECT KNOWN AS
“CARRIAGE PARK AT LITTLE SILVER” FOR PROPERTY KNOWN
AS BLOCK 58, LOTS 20.01, 25-40, 44-60;
IN THE BOROUGH OF LITTLE SILVER**

Mr. Tocci moved Resolution #2011-12-104 for adoption. The motion was seconded by Mr. Baarck and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

CONSULTING ENGINEER’S REPORT

Mr. Applegate had no additions to his report.

OPERATION MANAGER'S REPORT

There were no additions to the Operations Managers Report

FINANCE AND INSURANCE COMMITTEE

Mr. Berdahl read the following Resolution.

RESOLUTION #2011-12-105 AUTHORIZING PAYMENT OF BILLS

Mr. Berdahl moved Resolution #2011-12-105 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

Mr. Gianforte read the following resolutions:

RESOLUTION #2011-12-106 APPOINTING GOVERNMENTAL RISK MANAGEMENT ASSOCIATES, INC. AS RISK MANAGEMENT CONSULTANT PURSUANT TO N.J.S.A. 19:44A-20.5

Mr. Berdahl moved Resolution #2011-12-106 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

**RESOLUTION #2011-12-107
AUTHORIZING THE EXECUTIVE DIRECTOR TO
ADVERTISE FOR CONNECTION FEE HEARING**

Mr. Berdahl moved Resolution #2011-12-107 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

Mr. Baarck asked Mr. Griffin if Fort Monmouth is still delinquent in the payments to the Authority and how much. Mr. Griffin reported \$102,000.00. Mr. Baarck asked how much did the Authority anticipate on getting during fiscal 2011 and Mr. Griffin reported about \$856,000.00. Mr. Gianforte reported that the Authority will be setting up a reserve for that purpose and it will be reflected in the Audit.

PERSONNEL COMMITTEE

Mr. Bonforte had nothing to report.

LEGAL AFFAIRS

Mr. Baarck had nothing to report.

**RESOLUTION #2011-12-108
FOR THE ANNUAL NOTICE OF MEETINGS**

Mr. Berdahl moved Resolution #2011-12-108 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

**RESOLUTION #2011-12-109
AMENDING THE PERSONNEL POLICIES
AND PROCEDURES MANUAL**

Mr. Bonforte moved Resolution #2011-12-109 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

**RESOLUTION #2011-12-110
AUTHORIZING THE EXECUTIVE DIRECTOR TO
EXECUTE A LEASE AGREEMENT WITH MONMOUTH BEACH
FOR THE USE OF RECREATION FIELDS**

Mr. Berdahl moved Resolution #2011-12-110 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

OLD BUSINESS

Mr. Berdahl asked about the chlorine discharge zone. Mr. Laughlin reported that the issue is still being pursued at the office of the administrative courts. There was a meeting two weeks ago where there was a discussion of the parameters of the settlement of all claims. Further discussion ensued.

NEW BUSINESS

There was no new business to report.

Mr. Gianforte requested a brief Closed Session.

There was a unanimous motion to go into Closed Session to discuss Legal Matters.

**RESOLUTION #2011-12-111
TO GO INTO EXECUTIVE SESSION
AND CLOSE THE MEETING TO THE PUBLIC FOR THE
DISCUSSION OF LEGAL MATTERS**

Mr. Tocci moved Resolution #2011-12-111 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. Thomas Barham, Vice Chairman
Mr. William R. Baarck, PE, Secretary
Mr. Arno Weber, Assistant Secretary
Mr. Barry J. Berdahl, Ph. D, Treasurer
Mr. Richard Tocci, Assistant Treasurer
Mr. John Bonforte
Mr. Gregory J. Christopher
Mr. Brian McPeak

Members Absent: Mr. William E. Leonard, Chairman
Mr. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. William W. Nolze

The meeting went into Executive Closed Session at 6:15 p.m.

The meeting was reopened to the public at approximately 6:30 p.m. by motion of Mr. Baarck. The motion was seconded by Mr. Tocci and carried by voice vote.

OPEN TO THE PUBLIC

There was no public present

Mr. Gianforte reported to the Board regarding the Monmouth County Motor Pool Cooperative Services Agreement which will be on the agenda for the January, 2012 meeting. There was a short discussion.

Mr. Tocci moved that the Meeting adjourn at approximately 7:00 p.m. The motion was seconded by Mr. Berdahl and carried by voice vote.

The Vice Chairman stated that final copies of approved Resolutions will be available in the main office during the Authority's regular hours of business.

Respectfully submitted,

Mr. Arno Weber, Assistant Secretary