

**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, March 19, 2013 at 6:00 PM at One Highland Avenue, Monmouth Beach, New Jersey.

Mr. William E. Leonard, Chairman, presided.

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

Members Present: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

Others Present: Mr. Michael A. Gianforte, P.E., Executive Director
Mr. Gregory Seaman, Operations Manager
Mr. Kevin Kinneally, Bookkeeper
Mr. Dennis J. Galvin, P.E., Engineering Manager
Mr. Patrick Westhoven, P.E., Birdsall Services Group
Mr. David Laughlin, Esq., 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 Tuesday, December 25, 2012, and The Atlanticville on Thursday, December 27, 2012, and mailing the same on Wednesday, December 19, 2012, 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 19, 2012.

CHAIRMAN RULES OF QUORUM

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

**APPROVAL OF THE REGULAR MONTHLY MEETING
MINUTES OF FEBRUARY 19, 2013**

Mr. Tocci moved that the minutes from the Regular Monthly Meeting held February 19, 2013 be approved as submitted. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

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

Members Abstain: Mr. Thomas Barham, Vice Chairman

Members Absent: Mr. William R. Baarck, PE, Secretary

CORRESPONDENCE

Mr. Gianforte reported that are three items: First item; letter from K. Hovnanian referencing The Ivy in Shrewsbury requesting to be released from their performance bond, to be considered next month.

Second Item; a hand written thank you from a customer thanking the Authority for all their efforts related to the Hurricane Sandy response and the waiver of fees.

The third item; letter from Mr. Christopher Langhart from McManimon, Scotland & Baumann addressed to the Executive Director of NJEIT and Assistant Director of NJDEP, requesting the amendment to the definition of the term "investment obligations" as defined in the Authority's resolution. After the redemption and defeasance of the 2003 bonds the NJEIT will be the sole bondholder of the Authority's bonds. Further discussion ensued.

PUBLIC COMMENT ON AGENDA

There was no public present.

ENGINEERING COMMITTEE

ENGINEERING MANAGER'S REPORT

CONTRACT 122C- STATION 12 & 13 BY-PASSES: Mr. Galvin reported that the Contractor will be in there this week doing adjustments to the bypass manhole and wait until April to pour some concrete for the curb that was damaged.

BIOFILTER MEDIA REPLACEMENT: Mr. Galvin reported that the biofilter media has been delivered. The contractor has replaced the media at the three biofilters in the collection system. Minor prep work was started on Biofilter 2 at the Plant. The contractor anticipates delivery of the equipment to do the work on March 21, 2013.

CONTRACT 142E- DEBRIS REMOVAL: Mr. Galvin reported that the contractor will be mobilizing on Monday for the cleanup of all the debris along our shore line and around the plant.

CONTRACT 142F- OUTFALL CLEANING: Mr. Galvin reported that the contractor is waiting for favorable weather and if it happens next week will be diving in the outfall to clean the outfall pipe.

SUBDIVISION /SITE PLAN REVIEW

1. Heather Glen at Tinton Falls
Block 85 Lots 1,2, 3.01, and 4
Block 76.01 Lot 1.01, Tinton Falls: TWA Approval
2. Hand & Stone Massage and Facial Spa
310 Route 36, West Long Branch: Applicant proposes to operate a Spa in one of the vacant stores in the shopping center.
3. Hibachi Grill (Home Depot Shopping Center)
Block 67 Lot 8.01
310 Route 36, West Long Branch: Applicant proposes to operate a Hibachi Grill in one of the vacant stores in the shopping center.
4. Wilson Homes,LLC
Block 45 Lots 28 & 29
Third Ave and William St, Fair Haven: Minor subdivision to re-orientate the lots to face the front street

Mr. Galvin reported that there are a number of contracts on the agenda for ratification of those that have been awarded. The Administration Phase 1 had some changes and been completed in a timely manner by the contractor. Mr. Laughlin reported on the bids for the Administration Phase 2. Mr. Applegate reviewed and recommends that the lowest bidder which is NT&P Construction be awarded the bid. Mr. Gianforte reported that the Authority expects to meet with the contractor to go over the line items to make sure the contractor meets all of the criteria. The Board spoke about having a special meeting if a problem arises with the bid contract. Mr. Christopher inquired about the differences between A&J construction's contract and now NT&P Construction's contract. Mr. Applegate gave a brief summary of the difference. Further discussion ensued.

Mr. Gianforte read the following resolutions:

**RESOLUTION #2013-03-33
RATIFYING THE AWARD OF EMERGENCY
CONTRACT NO. 142A HVAC EQUIPMENT REPLACEMENT**

Mr. Berdahl moved Resolution #2013-03-33 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

- AYES:**
- Mr. William E. Leonard, Chairman
 - Mr. Thomas Barham, Vice Chairman
 - 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. Scott Hartman
 - Mrs. Catherine D. LaPorta
 - Mr. Brian McPeak
 - Mr. William W. Nolze

- Members Absent:** Mr. William R. Baarck, PE, Secretary

**RESOLUTION #2013-03-34
RATIFYING THE AWARD OF CONTRACT NO. 142B
ADMINISTRATION BUILDING PHASE 1 REPAIRS**

Mr. Berdahl moved Resolution #2013-03-34 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION #2013-03-35
AWARDING CONTRACT NO. 142B FOR ADMINISTRATION
BUILDING REHABILITATION, PHASE 2**

Mr. Tocci moved Resolution #2013-03-35 for adoption. The motion was seconded by Mr. Barham and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION #2013-03-36
GRANTING TENTATIVE APPROVAL FOR A
MINOR SITE PLAN TO HIBACHI GRILL AND SUPREME BUFFET
310 ROUTE 36 IN THE BOROUGH OF WEST LONG BRANCH**

Mr. Christopher moved Resolution #2013-03-36 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION NO# 2013-03-37
AUTHORIZING THE EXECUTIVE DIRECTOR TO
EXECUTE A TREATMENT WORKS APPROVAL APPLICATION FOR
HEATHER GLEN AT TINTON FALLS FOR PROPERTY KNOWN AS
BLOCK 76.01, LOT 1.01; BLOCK 85, LOTS 1, 2, 3.01, AND 4
IN THE BOROUGH OF TINTON FALLS**

Mr. Christopher moved Resolution #2013-03-37 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION NO# 2013-03-38
GRANTING PRELIMINARY APPROVAL FOR A MINOR
SUBDIVISION PLAN TO WILSON HOMES LLC FOR PROPERTY KNOWN AS
BLOCK 45, LOTS 28 & 29; IN THE BOROUGH OF FAIR HAVEN**

Mr. Christopher moved Resolution #2013-03-38 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION NO# 2013-03-39
AUTHORIZING CHARGES AGAINST THE
ENGINEERING INSPECTION ACCOUNT FOR SHREWSBURY MEADOWS
FOR PROPERTY KNOWN AS BLOCK 70.02, LOT 6; IN THE BOROUGH OF SHREWSBURY,
MONMOUTH COUNTY, NEW JERSEY**

Mr. Berdahl moved Resolution #2013-03-39 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION NO# 2013-03-40
GRANTING TENTATIVE APPROVAL FOR A
MINOR SITE PLAN TO HAND & STONE MASSAGE AND FACIAL SPA
LOCATED AT 310 ROUTE 36 IN THE BOROUGH OF WEST LONG BRANCH**

Mr. Christopher moved Resolution #2013-03-40 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

CONSULTING ENGINEER'S REPORT

Mr. Applegate had no additions to his report.

OPERATION MANAGER'S REPORT

Mr. Seaman had no additions to his report.

FINANCE AND INSURANCE COMMITTEE

**RESOLUTION #2013-03-41
AUTHORIZING PAYMENT OF BILLS**

Mr. Berdahl asked Mr. Kinneally if the bills were correct in the amount of \$1,152,274.62. Mr. Kinneally responded that the correct total for the payment of bills is \$1,166,294.97 Mr. Berdahl moved Resolution #2013-03-41 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

Mr. Berdahl reported that the bills were high this month due to engineering invoices. Mr. Christopher stated that there were also numerous late bills that the new bookkeeper found and included in this month's package for payment.

**RESOLUTION #2013-03-42
SUPPLEMENTAL AND AMENDING RESOLUTION OF THE TWO RIVERS WATER
RECLAMATION AUTHORITY, AUTHORIZING THE AMENDMENT OF THE
DEFINITION OF "INVESTMENT OBLIGATIONS" IN THE RESOLUTION ENTITLED,
"RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE
NORTHEAST MONMOUTH REGIONAL SEWERAGE AUTHORITY", AS AMENDED
AND SUPPLEMENTED AND MAKING CERTAIN OTHER DETERMINATIONS
IN RELATION THERETO**

Mr. Berdahl moved Resolution #2013-03-42 for adoption. The motion was seconded by Mr. Barham and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

Mr. Gianforte gave a brief summary of the change in the investment obligations definition.

**RESOLUTION #2013-03-43
REGARDING ANNUAL LAWN MAINTENANCE
FOR TREATMENT PLANT AND OUTLYING SITES**

Mr. Barham moved Resolution #2013-03-43 for adoption. The motion was seconded by Mr. Christopher and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

Mr. Gianforte briefed the Board on the Witt Associates contract. The Authority has used approximately \$80,000 of the \$100,000 authorization. Mr. Gianforte has met with the representatives and believes that the authorization will be used up completely by April. Mr. Gianforte recommends that the Authority authorize additional funds based on the work that is still left to be completed. Mr. Gianforte stated that there are five PWs submitted to FEMA. Witt Associates have also assisted Mr. Gianforte in the submittal to the County OEM for \$21 million for the Main Pump Station.

PERSONNEL COMMITTEE

Mr. Bonforte stated there was no Personnel business to report

Mr. Gianforte read the following resolution:

Mr. Gianforte clarified the title of the resolution which was for the maintenance mechanical/electrical repairman.

RESOLUTION #2013-03-44 MEMORIALIZING THE HIRING OF AN EMPLOYEE

Mr. Christopher moved Resolution #2013-03-44 for adoption. The motion was seconded by Mr. Barham and carried by the following vote on roll call:

AYES:

- Mr. William E. Leonard, Chairman
- Mr. Thomas Barham, Vice Chairman
- 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. Scott Hartman
- Mrs. Catherine D. LaPorta
- Mr. Brian McPeak
- Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

**RESOLUTION #2013-03-45
APPROVING TRAINING AND
CONFERENCE REQUESTS**

Mr. Bonforte moved Resolution #2013-03-45 for adoption. The motion was seconded by Mr. Barham and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

Mr. Gianforte reported that there are 8 staff employees attending the WEA and has also saved 3 spots for the Commissioners to attend.

LEGAL AFFAIRS

Mr. Gianforte read the following Resolution:

**RESOLUTION #2013-03-46
AUTHORIZING AUTHORITY TO ENTER AGREEMENT TO LEND A DEP
APPROVED SLUDGE CONTAINER TO
BAYSHORE REGIONAL SEWERAGE AUTHORITY**

Mr. Barham moved Resolution #2013-03-46 for adoption. The motion was seconded by Mr. Berdahl and carried by the following vote on roll call:

AYES: Mr. William E. Leonard, Chairman
Mr. Thomas Barham, Vice Chairman
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. Scott Hartman
Mrs. Catherine D. LaPorta
Mr. Brian McPeak
Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

OLD BUSINESS

Mr. Gianforte stated that the Authority has about 50 requests for waiver of fees for the uninhabitable homes. Mr. Gianforte reported on the Individual Wave Achievement Award from the Association of Environmental Authorities that Mrs. Margaret Pinho received at the Atlantic City Ceremony on behalf of her late husband Frank Pinho.

NEW BUSINESS

Mr. Gianforte gave a brief summary of the inspection of the large mains by Red Zone; the Authority is still waiting on the Borough of Sea Bright. Mr. Gianforte indicated that this may take place in April or May.

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

**RESOLUTION #2013-03-47
TO GO INTO EXECUTIVE SESSION AND CLOSE THE
MEETING TO THE PUBLIC FOR THE DISCUSSION OF PERSONNEL MATTERS**

Mr. Barham moved Resolution #2013-03-47 for adoption. The motion was seconded by Mr. Tocci and carried by the following vote on roll call:

AYES:

- Mr. William E. Leonard, Chairman
- Mr. Thomas Barham, Vice Chairman
- 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. Scott Hartman
- Mrs. Catherine D. LaPorta
- Mr. Brian McPeak
- Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

The meeting went into Executive Closed Session at 6:35 p.m. The meeting was reopened to the public at approximately 7:05 p.m. by motion of Mr. Barham. The motion was seconded by Mr. Tocci and carried by voice vote.

Mr. Gianforte reads the following Resolution:

**RESOLUTION #2013-03-48
APPROVING THE SETTLEMENT OF ALL CLAIMS AGAINST SIEMENS
WATER TECHNOLOGIES CORP. AND AUTHORIZING THE EXECUTIVE
DIRECTOR TO EXECUTE A RELEASE OF ALL CLAIMS**

Mr. Berdahl moved Resolution #2013-03-48 for adoption. The motion was seconded by Mr. Barham and carried by the following vote on roll call:

AYES:

- Mr. William E. Leonard, Chairman
- Mr. Thomas Barham, Vice Chairman
- 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. Scott Hartman
- Mrs. Catherine D. LaPorta
- Mr. Brian McPeak
- Mr. William W. Nolze

Members Absent: Mr. William R. Baarck, PE, Secretary

OPEN TO THE PUBLIC

There was no public present.

Mr. Tocci moved that the Meeting adjourn at approximately 7:15 p.m. The motion was seconded by Mr. Berdahl and carried by voice vote.

The 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. William R. Baarck, PE, Secretary