

MINUTES OF THE REGULAR MEETING OF THE ATLANTIC  
HIGHLANDS/HIGHLANDS REGIONAL SEWERAGE AUTHORITY HELD  
JULY 28, 2011 AT THE ATLANTIC HIGHLANDS BOROUGH HALL

This meeting was called to order at 7:02 PM at the Atlantic Highlands Borough Hall meeting room with the following roll call:

PRESENT: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. Urbanski, Mr. Rybeck

ABSENT: Mr. O'Neil (Mr. Urbanski stated that Mr. O'Neil had notified him that he would be unable to attend tonight's meeting. Commissioners stated that while this absence would be excused, in the future commissioners must notify the Secretary and Administrator in advance.)

Staff members present were Mr. Palamara-Administrator, Mr. McNamara-Attorney, Mr. Haines-Auditor, Mr. Leeser-Operations Supervisor and Mrs. Clark-Secretary.

Also present were Atlantic Highlands Councilman Hoffmann, Mrs. Frotton-Authority Staff Member, and members of the public.

Mr. Braswell announced that this meeting is in compliance with the Open Public Meetings Act by virtue of notice having been sent to the Two River Times and the Asbury Park Press. The notice was also forwarded to the Borough Clerks of both Atlantic Highlands and Highlands.

APPROVAL OF MINUTES:

Mr. Urbanski offered a motion approving the minutes of the Regular Meeting and the Executive Session of June 30, 2011 as distributed, seconded by Mr. Fligor and approved upon the following roll call vote.

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: Mr. O'Neil

AUDITOR'S REPORT:

Mr. Haines was present for his partner, Mr. Holman, who is out of the state tonight. Mr. Haines stated that he would go over the Engagement Letter for the TOMSA review during Executive Session. Mr. Palamara said that a copy of the Letter of Engagement was distributed to all Commissioners and it would be up to the Commissioners to decide what the appropriate level of investigation is.

Mr. Palamara mentioned the budget amendment which was approved last month. He said that at this time an \$88,000 increase to Atlantic Highlands could have a very dramatic effect because their Utility budget is very tight and any increase in revenue could prove to be very difficult. Mr. Palamara said they have been exploring ways to accommodate the Borough with this increase. He said that one way would be to defer the payment till after January 1<sup>st</sup>. Mr. Haines said that if the revenue billing is being delayed to one municipality it would have to be offered to both. He will further investigate this situation to come up with a plan for the Authority. Mr. Palamara explained that the major cash flow demand on the Authority is in January for debt service. If payment is made by the Boroughs in the very beginning of January there will be no detriment to cash flow. Mr. Haines explained the difference between the Authority and Municipal accounting. Mr. Palamara mentioned an option of amending the Authority budget using their reserve of \$760,000. He said that he is working with the Boroughs and hopes to have a solution for the Authority at the next meeting.

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Mr. Palamara directed the Commissioners to a chart of year-to-date sewage flows for each Borough. He told the Commissioners that the actual flows control the Authority billing. This year's billing allocation breakdown is 51% Highlands and 49% Atlantic Highlands and next year's allocation looks to be 55% for Highlands and 45% for Atlantic Highlands, which would decrease the 2012 Atlantic Highlands bills by about \$68,000 but increase the Highlands bill. He added that I&I issues and flows during the next three months could change these allocations.

#### ENGINEER'S REPORT:

Mr. Braswell reported that Mr. Gemmell was not able to be at tonight's meeting, but that Mr. Palamara will go over his report. Mr. Palamara read through Mr. Gemmell's report. Payment was made to A.C. Schulte's for most of the pump installation work and Schultes is working on the final punch list items.

Mr. Palamara mentioned that the Authority sold the excess wire to Lock Pump and got more than Red Bank Recycling had offered. He said that if they cannot sell the pump, Mr. Leeser will take it to Red Bank Recycling. There was then discussion regarding different options available to advertise and sell the pump.

Sodon's has begun layout work for the installation of the SCADA system. Separate SCADA computers in the Atlantic Highlands and Highlands Pump Stations seem possible at this time. Mr. Palamara said that it seems that the cost of moving the computer from Highlands to Atlantic Highlands and realigning the software will be comparable to that of a second computer. This option will be explored at a meeting set for Tuesday with Mr. Gemmell, Mr. Rischman, Mr. Leeser and Mr. Palamara.

A preliminary Fine Screen evaluation has been done by T&M and provided to Mr. Palamara. They are exploring other cost efficient options and will discuss these at their Tuesday meeting. Discussion continued regarding screening and the ragging problem. Mr. Rybeck suggested that Mr. Gemmell send a letter to the DEP regarding the ragging problem to see if maybe they could take some action. Mr. Palamara said that he has spoken with the DEP and they may be able to help out with NJEIT funding. Mr. Bishof suggested a Reverse 911 call to the Borough residents to make them aware of the problem. Mr. McNamara suggested a letter be distributed to all area pre-schools and elementary schools. Mr. Palamara said that there will be a letter published in the Atlantic Highlands Borough newsletter "Some Things Just Don't Belong in the Toilet..." it is on the Authority website now and will be placed on the Atlantic Highlands web site after the newsletter is published.

#### ATTORNEY'S REPORT:

Mr. McNamara said that he will reserve his report on TOMSA Litigation for Executive Session.

#### ADMINISTRATOR'S REPORT:

Mr. Palamara said that Schulte's has been authorized and directed to replace the toilets in both pump stations, which are 25 years old and, due to excessive water usage, are costing the Authority about \$70 more per month than they should.

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Mr. Palamara said that they will be having a phone meeting with Healy-Ruff next week, regarding the SCADA Computer.

The result of the Atlantic Highlands Flow Metering concluded that the authority readings are accurate. He said that Mr. Hubeny hasn't had a chance to scan the report to the authority yet, but a copy of the report will be available at the next meeting. The Authority had hoped to have an office available shortly at Borough Hall, but due to construction issues, an office will not be available until early next year.

Mr. Palamara asked if there were any questions regarding the Bills List or the Budget to Actual Report. There were none.

**RESOLUTION 49-2011, PAYMENT OF BILLS FOR JULY 28, 2011 IN THE AMOUNT OF \$172,003.36 FOR OPERATIONS AND \$5,509.94 FOR CAPITAL BUDGET/NJEIT DISBURSEMENTS** was offered by Mr. Fligor, seconded by Mr. Urbanski, and adopted upon the following roll call vote.

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: Mr. O'Neil

#### OPERATIONS SUPERVISOR'S REPORT:

Mr. Leeser reported that A.C. Schulte's will be in next week to go over the punch list. There was a meeting with T&M and Sodon's Electric regarding the SCADA installation. There are still blocks in the mixers every day. He said they lost the #1 pump on Sunday morning when the ring gear cracked. He disassembled the pump on Sunday and on Monday he and Wayne put it back together and got it back up and running.

Mr. Leeser went thru the flows. He noted that I&I is not an issue at this time.

#### OLD BUSINESS:

There was no old business.

#### NEW BUSINESS:

Mr. McNamara said that the Monmouth County Planning Board is so fed up with the D.E.P. that they are calling the Monmouth County Waste Water Management Plan the New Jersey Department of Environmental Protection Waste Water Management Plan for Monmouth County. He said the County is fed up with the arguments over which areas should be hooked up to sewer and which should not. Mr. Palamara said that he has spoken with Mr. Hubeny regarding properly identifying the areas in Atlantic Highlands that have sewers. DEP has said that Atlantic Highlands could request the areas up by the Hoffbrau Haus property which can be easily sewerred to be included in the Waste Water Management Plan. He said he feels this is a good idea because the septic systems, especially on the steep slopes, have a very destabilizing factor and the DEP has said they would be receptive to this request. Discussion ends on August 8<sup>th</sup>, Mr. Hubeny is working on this. Mr. Palamara said that 360 units out of 2,000 in Atlantic Highlands do not have sewers and about 180 of those could be reasonably connected.

Mr. Rybeck asked if there is anything new on the Highlands Bed and Breakfast. Mr. Palamara said they are still waiting for easement approval.

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**PUBLIC COMMENTS:**

There were no Public comments.

**EXECUTIVE SESSION:**

Mr. McNamara stated that the Authority was going into Closed Session for the specific purpose of discussing the ongoing arbitration between the Authority and TOMSA.

**RESOLUTION 50-2011, EXECUTIVE SESSION TO DISCUSS TOMSA ARBITRATION, AND RESERVING THE RIGHT TO TAKE ACTION WHEN BACK IN OPEN SESSION**

was offered at 7:49 PM by Mr. Fligor, seconded by Mr. Rybeck, and adopted upon the following roll call vote.

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: Mr. O'Neil

The Regular meeting re-convened at 8:19 PM with all the above members present.

**RESOLUTION 51-2011, AUTHORIZING THE AUTHORITY AUDITOR TO REVIEW TOMSA CONTRACT BILLING ITEMS, DELETING ITEM #5 AND ADDING A**

**TOTAL NOT TO EXCEED AMOUNT OF \$12,000 TO ITEM #1** was offered by Mr. Bishof, seconded by Mr. Rybeck, and adopted upon the following roll call vote.

AYES: Mr. Fligor, Mr. Bishof, Mr. Braswell, Mr. Urbanski, Mr. Rybeck

NAYS: None

ABSENT: Mr. O'Neil

Mr. McNamara mentioned that he has received a copy of a letter from Author Sorensen, Esq. regarding dissolution. He said that the towns do not have the legal authority to dissolve the agreement between the Authority and TOMSA but TOMSA's approval is not needed to assign the agreement to the Boroughs.

There being no further business for the meeting, Mr. Bishof offered a motion to adjourn, seconded by Mr. Fligor and by voice vote was unanimously carried.

Meeting adjourned at 8:26 PM

Michelle Clark, Recording Secretary