



BAYSHORE REGIONAL SEWERAGE AUTHORITY

100 Oak Street, Union Beach, NJ 07735
732-739-1095 OFFICE 732-739-2459 FAX

Robert C. Fischer
EXECUTIVE DIRECTOR

BAYSHORE REGIONAL SEWERAGE AUTHORITY Regular Meeting Minutes April 16th, 2012

At 7:00 P.M., on April 16th, 2012, Chairwoman Parsells called the meeting to order and made the following announcement: I hereby announce that pursuant to Section 5 of the Open Public Meetings Act, that adequate notice of this meeting has been sent to the Newark Star Ledger and Asbury Park Press. Notice has also been sent to the Clerks of Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach and Marlboro and the Western Monmouth Utilities Authority. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

The Chairwoman called for a **Pledge of Allegiance** and a **Moment of Silence** for the safety of US Troops all over the world. A roll call of attendance was requested and recorded as follows:

Present: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

Absent: Commissioners DiNardo and Tedeschi

Also In Attendance: Mr. Robert C. Fischer, Executive Director

Peter Canal, BRSA Engineer

Michael Bart, CPA, Auditors, Bart & Bart CPAs

Kimberly Newins, Admin. Assistant (Recording Secretary to the Board)

Mr. Michael Bart, CPA, presented the 2011 Audit in its entirety to the Commissioners of the Authority and answered any questions the Board members had.

Chairwoman Parsells thanked Mr. Bart for his presentation and then called for the following **MOTIONS**:

APPROVAL OF MINUTES –Regular Meeting Minutes of March 19th, 2012.

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

TREASURER'S REPORT (by Commissioner Vella, Treasurer, for March, 2012)

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

Committed to a Clean Environment for Today, Tomorrow and Generations to Come

BRSA staff, November 2006

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
<u>TRUSTEE ACCOUNTS</u>	<u>3-31-12</u>
<u>UNRESTRICTED</u>	
Revenue Fund	\$ 2,222,950.15
General Fund	<u>\$ 4,125,255.75</u>
Total Unrestricted	\$ 6,348,205.90
<u>RESTRICTED</u>	
Bond Service Fund	
1985 Bond Service Fund	817.08
2002 Bond Service Fund	<u>000.00</u>
Total Bond Service Funds	817.08
Bond Reserve Funds	
1985 Bond Reserve Fund	<u>6,243,068.89</u>
Total Bond Reserve Funds	<u>6,243,068.89</u>
<u>2010 NJEIT BONDS</u>	
Revenue	0.00
Construction	1,319,135.70
Bond Service	<u>0.00</u>
TOTAL NJEIT	1,319,134.75
TOTAL TRUSTEE ACCOUNTS	13,911,226.62
<u>AUTHORITY ACCOUNTS</u>	
Incoming Revenue Account	3.82
Operating Regular Account	225,670.70
Operating Payroll Account	<u>131,683.76</u>
TOTAL AUTHORITY ACCOUNTS	<u>357,358.28</u>
TOTAL	14,268,584.9

SCHEDULE OF ACCOUNTS RECEIVABLE

SERVICE CHARGES:	Balances as of <u>March 31st, 2012</u>
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ -295,242.50
Western Monmouth Utilities Authority	\$ -89,943.50
Township of Aberdeen	<u>\$ 0.00</u>
TOTAL	\$ -385,186.00

OUTFALL AUTHORITY CHARGES	
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ -25,301.65
Western Monmouth Utilities Authority	\$ -7,707.96
Township of Aberdeen	<u>\$ 0.00</u>
TOTAL	\$ -33,099.61

Balance of Rent Reserve Accounts as of March 31st, 2012

Hazlet Township Sewerage Utility	\$ 1,520,212.45
Township of Holmdel	\$ 724,078.46
Borough of Union Beach	\$ 417,213.50
Borough of Keyport	\$ 807,027.82
Borough of Keansburg	\$ 602,682.86
Borough of Matawan	\$ 821,475.37
Western Monmouth Utilities Authority	\$ 190,263.79
Township of Aberdeen	<u>\$ 872,267.97</u>
TOTAL	\$ 5,955,222.22

Detail of the Trustee accounts, receipts and disbursements, including investment activity, are on file in the Administrative Office of the Bayshore Regional Sewerage Authority.



Chairwoman Parsells opened this portion of the meeting to the public for comments or questions. The public was reminded, only questions or comments not previously addressed; and specific to the scope of BRSA's operations or projects will be addressed. As a courtesy to all the Chairwoman reminded members of the public wishing to speak, to please be mindful of limiting their comments and time accordingly. There were no comments from the public regarding the pending Resolutions.

Chairwoman Parsells called for **MOTIONS** on the following Resolutions with votes recorded as follows:

1. RESOLUTION (46/12) To adopt the 2011 Annual Audit Report as presented by Bart and Bart, CPAs, BRSA Auditors.

WHEREAS, N.J.S.A. 40:14A-7.1 requires the governing body of each local Authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2011 has been completed and will be filed with the members and customer towns served pursuant to N.J.S.A. 40:14A-7.1, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit entitled "General Comments" and "Recommendation," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority are the members of the governing body and have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby certify to the Local Finance Board of the State of New Jersey that each member has personally reviewed the annual audit for the fiscal year ended December 31, 2011, and specifically has reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

2. RESOLUTION (47/12) To execute the Local Finance Board Group Affidavit Form.

We, the Commissioners constitute the members of the governing body of the Bayshore Regional Sewerage Authority being of full age and being duly sworn according to law, upon our oath depose and say:

- We are duly appointed Commissioners of the Bayshore Regional Sewerage Authority.
- We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2011 and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

KATHLEEN PARSELLS	Chairwoman	_____ signatures are on original solution_____
DAVID COHEN	Vice Chairman	_____
JAMES DINARDO	Secretary	_____
BART SUTTON	Asst. Secretary	_____
WALTER VELLA	Treasurer	_____
MICHAEL TEDESCHI	Asst. Treasurer	_____

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

3. RESOLUTION (48/12) To authorize the Authority to advertise for solicitations of Engineering Expressions of Interest for Capital Improvement Projects.

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") seeks to develop a team of qualified engineering firms to assist the authority in accomplishing the goals of its Capital Improvement Projects; and

WHEREAS, the Authority desires to assemble this team of firms based upon experience, capabilities, cost factors and other listed criteria; and

WHEREAS, the Authority has developed an Expression of Interest ("EOI") to obtain qualifications from qualified engineering firms to assist with various Capital Improvement Projects; and

NOW THEREFORE BE IT RESOLVED, the Executive Director is hereby authorized to advertise the EOI in the Authority's official newspapers, and on its website.

OFFERED BY: Commissioner Sutton and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

Mr. Chris Doelling, P.E. and Louis T. Barry, P.E., of Chavond Barry Engineering were present to present proposals for the repairs to the Niro Incinerator Heat Exchanger and the engineering services relative thereto described in the Resolutions below. Chairwoman Parsells thanked the gentlemen for their presentation and called for **MOTIONS** on the following:

4. RESOLUTION (49/12) To accept the CBE Proposal for Niro Heat Exchanger Repairs.

WHEREAS, the Bayshore Regional Sewerage Authority owns and operates a Niro Incinerator for the processing of sludge in accordance with NJPDES Permit No.: 0024708; and Air Permit No.11001; ("the Permits") and

WHEREAS, an integral component of the Incinerator is its Heat Exchanger, which has recently been removed and replaced by a spare Heat Exchanger under BRSA Contract, BRSA Resolution No.: (50/12) ; and

WHEREAS, the Heat Exchanger that was removed is in need of repair; and

WHEREAS, the Executive Director and BRSA Engineer have presented the Board with a proposal from the firm of Chavond Barry Engineering, ("CBE") to perform visual inspections, failure analysis, preparation of specifications and drawings, pre-construction services, and CBE onsite supervision for Repairs of the Niro Incinerator's Heat Exchanger in the amount of \$46,269.00; and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage deemed it in the best interest of the Authority and the customers towns that it serves, to utilize the services of Chavond Barry Engineering to specify the repairs to be performed by a qualified Contractor and to provide onsite supervision of those repairs, and

WHEREAS, the funds are available for this purpose; and

BE IT FURTHER RESOLVED that this appointment is being made without competitive bidding because this appointment involves a member of a recognized profession, licensed and regulated by law and is, therefore, exempt under NJSA 40A:11-5; and in accordance with NJSA 19:44A-20.5;

NOW THEREFORE BE IT RESOLVED the Board hereby accepts this proposal and authorizes the Executive Director to execute all necessary documents required,

BE IT FURTHER RESOLVED, the Local Public Contract Law (NJSA 40A:11-1 et seq.) requires a Resolution authorizing the approval without competitive bidding must be publicly advertised;

BE IT FURTHER RESOLVED that the Secretary shall cause a brief notice of the adoption of this Resolution to be published once in the Authority's designated official newspaper as required by law within ten (10) days of its adoption.

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

5. RESOLUTION (50/12) To accept the CBE Proposal for Extension of Budget for Niro Repair Account ("based upon sharpening the pencil.")

WHEREAS, the Bayshore Regional Sewerage Authority owns and operates a Niro Incinerator for the processing of sludge in accordance with NJPDES Permit No.: 0024708; ("the Permit"); and

WHEREAS, Chavond Barry Engineering, Inc., ("CBE") provided BRSA with consulting, inspection and advisory services for repairs to the Niro under Contract 60; and

WHEREAS, numerous unforeseen repairs to the Niro Incinerator were identified and corrected during the course of Contract 60; and

WHEREAS, the Executive Director and BRSA Engineer have presented the Board with a proposal from the firm CBE in the amount of \$18,000.00 for work which has already completed and expenses incurred by CBE for the additional engineering work performed during these unforeseen repairs; and

WHEREAS, Contract 60 contains a \$30,000 line item for contingency to cover unforeseen repairs which were used as intended, however there are funds still remaining in this line item; and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage deemed it in the best interest of the Authority and the customers towns that it serves, to utilize the compensate Chavond Barry Engineering for the work performed utilizing the funds available in the contingency line item

NOW THEREFORE BE IT RESOLVED the Board hereby accepts the aforementioned proposal to cover the cost of work already performed by CBE in an amount not to exceed \$18,000.

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

6. RESOLUTION (51/12) To Close Out Contract 54 – Water Pollution Control Plant Improvements.

WHEREAS, D&D Utility Contractors was awarded BRSA Contract 56 – 2009 NJEIFP Wastewater Treatment Plant Facility Improvements by way of BRSA Resolution 01/10 dated January 11th, 2010 for a total price of \$899,650.00; and

WHEREAS, Contract 56 work has been substantially completed and the required Odor Control Scrubber Stack Testing has been completed and submitted to the NJDEP; awaiting their final approval; and

WHEREAS, the project was completed under budget at a total contract cost of \$892,588.25; and

WHEREAS, based upon the recommendation of the Authority's Engineers, Arcadis-US, with the Contractor's written assurance they will provide any additional testing, if required by the NDEP at no cost; and

WHEREAS, \$5,000 will remain withheld pending final NJDEP approval of said Stack Test,

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Authority hereby authorize the Close out of Contract 56 in accordance with the aforementioned conditions and the terms and conditions of successful completion as outlined in the Contract documents.

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Sutton and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

7. RESOLUTION (52/12) To accept the 2011 Annual Inspection Report as presented by Arcadis – US.

WHEREAS, the 1985 Bond Resolution of the Bayshore Regional Sewerage Authority requires an Annual Inspection of the Bayshore Regional Sewerage Authority facilities by a registered Professional Engineer; and

WHEREAS, the Trust Agreement requires the Authority Consulting Engineer to review and approve the Annual Budget of the Authority; and

WHEREAS, Arcadis - US, Consulting Engineers for the Bayshore Regional Sewerage Authority (BRSA), has presented the "2011 Annual Inspection Report and 2012 Revenue Fund Budget Approval" to the Authority; and

WHEREAS, the Authority has found the Report and Budget Approval to be acceptable to this Authority;

NOW THEREFORE BE IT RESOLVED that the 2011 Annual Inspection Report and 2012 Revenue Fund Budget approval, be and are hereby accepted by the Bayshore Regional Sewerage Authority.

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

8. RESOLUTION (53/12) To adopt revisions to the BRSA Policies and Procedures Manual as recommended by the Joint Insurance Fund.

WHEREAS, there exists a Bayshore Regional Sewerage Authority Personnel Policies and Procedures Manual; and

WHEREAS, to remain current with insurance standards, from time to time updates are necessary to implement changes as required by underwriters, the NJUA Joint Insurance Fund, and State and Federal law, and

WHEREAS, changes to the Manual include updates to the email, voice mail and electronic systems of the Authority as well as updates to the "Americans with Disabilities Act" as well as updates to the access to Personnel Files Policy and new language to cover the Flexible Spending Accounts; and

WHEREAS, the Director is authorized to distribute these manuals to all Authority Staff

NOW THEREFORE BE IT RESOLVED, the Authority deems it in its best interest to adopt changes to the Personnel Policies and Procedures Manual in accordance with the New Jersey Utilities Association Joint Insurance Fund requirements, and in accordance the recommendations of and certification by Labor Counsel, Mark A. Tabakin, Esq..

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

9. RESOLUTION (54/12) To grant permanent status to David Lockwood, Jr. in the position of Operator.

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

WHEREAS, on February 5, 2012 the Superintendent (“The Management”) assigned the position of Operator to David Lockwood, Jr., to fill an open position for the Bayshore Regional Sewerage Authority; and

WHEREAS, David Lockwood, Jr., has successfully completed the requisite 60 day probationary period in accordance with Article 12 of the Collective Bargaining Agreement; and

WHEREAS, the Management has made the recommendation that David Lockwood, Jr., be granted permanent status in the position of Operator,

NOW THEREFORE BE IT RESOLVED the Commissioners of the Authority deem it in the best interest of the Authority to accept Management’s choice and to permanently appoint Mr. David Lockwood, Jr., the permanent position of Operator, effective April 6, 2012 in accordance with the Collective Bargaining Agreement dated April 1, 2011.

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Sutton and carried by roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

10. RESOLUTION (55/12) To accept the Planning Progress LLC proposal for revised NJDEP and USACE permit plans for the Continuous Effluent Sampling Facility.

WHEREAS, the Bayshore Regional Sewerage Authority (“BRSA”) previously authorized by way of BRSA Resolution No.: 67/11, Planning Progress, LLC (“PPL”) to provide certain services associated with preparing applications for New Jersey Department of Environmental Protection and the United States Army Corps of Engineers (“NJDEP and USACE”) to develop a concept plan and to prepare applications to construct a continuous effluent sampling system for a total dollar amount of \$7,595.00; and

WHEREAS, the BRSA elected to modify the concept and thus revisions to the materials are necessary and the costs associated with those revisions were not included in the previously approved budget; and

WHEREAS, PPL has submitted a proposal to prepare a revised NJDEP and USACE application and to coordinate changes to the project plans on a time and expense basis with an estimated budget of \$1,400.00, revising the budget to a total of \$8,995.00

WHEREAS, the funds are available for this purpose,

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage deemed it in the best interest of the Authority and the customers towns that it serves, to accept PPL’s proposal for additional services and revise the total budget cost for these services from \$7,595.00 to \$8,995.00.

BE IT FURTHER RESOLVED, The Executive Director is hereby authorized to execute the authorization to proceed in accordance with the approved budget revision.

OFFERED BY: Commissioner Sutton and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

11. RESOLUTION (56/12) To extend the contract for basic generation of electrical service with Amerada Hess for a three month period.

WHEREAS, the Authority retained the services of an Energy Agent by way of Resolution No. 88/11 to request bids for the Group called the New Jersey Sewerage and Municipal Utility Authorities Electrical Supply Aggregation (“NJSMUAESA”); and

WHEREAS, the Bayshore Regional Sewerage Authority entered into an Agreement with Amerada Hess Corporation to provide Basic Generation of Electric Service (“BGS”) for a period of two years (“the Agreement”); and

WHEREAS, the Agreement is scheduled to expire in May of 2012; and

WHEREAS, the transportation delays associated with the installation of the 1.5MW Wind Turbine under Contract 54 have pushed the installation and operation date beyond the termination date of the current Agreement for BGS; and

WHEREAS, Amerada Hess has agreed to extend its contract with BRSA for a rate of up to but not to exceed \$07.1cents per kilowatt hour in accordance with the terms and conditions set forth in the contract document and Open Public Contracts Law; and

WHEREAS, the funds are available for this purpose

NOW THEREFORE BE IT RESOLVED, the Authority deems it in the best interest of the customers it serves to extend the contract with Amerada Hess for basic generation of electrical services for a period of there (3) months commencing with the meter reading in May, 2012 and terminating with the meter reading in August 2012.

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

MOTION - to approve payment of bills listed on:

Operating Fund Req. No.479 (Regular)	\$ 656,761.23
Payroll Account Req. No. P128	\$ 162,903.72
Construction Requisition #17	\$ 159,353.62

OFFERED BY: Commissioner Cohen and **SECONDED BY:** Commissioner Vella. Commissioner Sutton said the delays in transporting the turbine components should not be the Authority’s problem. Mr. Granata explained the current delays are due to the transportation permit requirements required by the municipalities and that permitting expenses are an obligation of the Authority under the contract. The Chairwoman called for a roll call vote recorded as follows:

Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells
Abstention by Commissioner Sutton for Construction Requisition #17 only.

Chairwoman Parsells opened the meeting to the public to discuss matters the public may care to address.

Mr. Charles Hoffman, Hazlet, asked questions regarding the transportation of the turbine over railroad tracks. Mr. Canal responded the Contractor investigated his concern and it was a non-issue. He also spoke about the BPU CORE Energy Rebate extension asking if the learned Board could read? Chairwoman Parsells informed Mr. Hoffman he was out of order and deferred the floor to the next commenter.

Mr. Eugene Geer of Hazlet, noted the meeting dates listed on the announcement were Tuesdays, and incorrectly reflected on the agenda document. The correction was duly noted, and Mr. Geer was thanked for pointing it out.

Former Commissioner, Mr. Frank Wells, Union Beach said the BRSA is a facility of excellence and took exception to derogatory remarks made by Commissioner Sutton at a Governor Christie Town Hall Meeting, prior to his appointment to the BRSA. He said the BRSA is exemplary of best management practices and would more adequately be defined as a role model for other Authorities throughout the state. He suggested Commissioner Sutton become a team player during his tenure as a Commissioner.

Mr. Wells questioned Mr. Hoffman for sending letters to local publications and government agencies full of falsehoods and misinformation. He reminded him he had acknowledged to the Board that he had misstated information on a number of occasions, but continues to refuse to recant the comments publicly. Mr. Wells said Mr. Hoffman's actions, and those of others have resulted in exorbitant costs to the Authority and ultimately to the ratepayers. Chairwoman Parsells said her town of Union Beach has wasted hundreds of thousands of dollars on litigating the turbine matter, because the majority of the town's 6,000+ residents are not opposed to the project.

Mr. Hoffman of Hazlet, took the floor again and made accusations of misconduct against an Authority employee, but would not disclose the identity of the employee accused to the Chairwoman who asked to whom he was referring. Mr. Hoffman said he would share that information with Commissioner Sutton. Chairwoman Parsells took exception to the comment and said one-to-one communications between Mr. Hoffman and Mr. Sutton have no place on the Board of Commissioners of this Authority.

Mr. Wells of Union Beach took the floor and said Mr. Hoffman's accusation would open a "Pandora's Box" for Mr. Hoffman and those who have actively and intentionally taken action to obstruct the installation of the wind turbine. An open debate ensued. Commissioner Vella called for a **MOTION** to end the public portion of the meeting. This was **SECONDED BY** Commissioner Cohen and carried by unanimous voice vote. Ayes: Commissioners Cohen, Sutton, Vella, and Chairwoman Parsells. Commissioner Sutton said for the record, he sets himself apart from "all the others" on the turbine matter.

The Chairwoman called for a **MOTION** to go into Closed Session at 8:07 P.M in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending and

anticipated litigation. It is anticipated at this time that the above stated subject matter shall be made public at such time as the need for non-disclosure no longer exists.

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

Closed Session Minutes are recorded separately.

At 8:24 P.M. Chairwoman Parsells called for a **MOTION** to end Closed Session.

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Sutton and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells

The last item for discussion was a request from the Memorial Day Parade Committee of the Union Beach American Legion Post 321, for an ad journal page/donation. A brief discussion ensued.

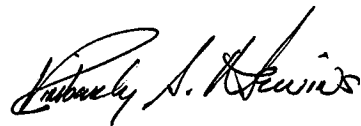
A **MOTION** to approve a contribution to the Post's Memorial Day Parade Committee was **OFFERED BY** Commissioner Sutton and **SECONDED BY** Commissioner Cohen and carried unanimously by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairperson Parsells.

The Chairwoman made the following **ANNOUNCEMENT** :

The next Agenda Meeting of the B.R.S.A. is scheduled for **Monday, May 14th, 2012 @ 7:00 P.M.** The next **Regular Meeting** will be held on Monday, **May 21st, 2012 @ 7:00 PM.** All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

At 8:26 P.M., Chairwoman Parsells calls for a **MOTION** to Adjourn the meeting. **OFFERED BY:** Commissioner Vella and **SECONDED BY:** Commissioner Cohen and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Sutton, Vella and Chairwoman Parsells.

Respectfully submitted,



Kimberly A. Newins
Administrative Assistant
Board Recording Secretary