



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

Minutes of the Bayshore Regional Sewerage Authority Agenda Meeting February 15th, 2011

At 7:06 P.M. on Tuesday, February 15th, 2011 Chairman Colligas called the Agenda Meeting of the Bayshore Regional Sewerage Authority to order and made the following announcement: "I hereby announce pursuant to Section 5 of the Open Public Meetings Act, that adequate notice of this Hearing has been sent to the Asbury Park Press and the Newark Star Ledger. Notice has also been sent to the Clerks of the Aberdeen, Hazlet, Holmdel, Keyport, Matawan, Keansburg, Union Beach and Marlboro, and the W.M.U.A. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building". The Chairman requested a **PLEDGE OF ALLEGIANCE** to the Flag and a Moment of Silence for the Troops serving our Country around the World. The Chairman then asked for an attendance roll call recorded as follows:

Present: Commissioners DiNardo Parsells, Pisano, Wells and Chairman Colligas
Absent: Commissioners Cohen (available by teleconference), Commissioner Parsells

Also in Attendance: Robert C. Fischer, Executive Director'
J. Michael Broyles, Plant Superintendent
Kimberly Newins, Adm. Asst., Recording Secretary
Peter J. Canal, BRSA Engineer
Louis E. Granata, Esq., General Counsel
Manuel Ponte, P.E., Consulting Engineer

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The Chairman moved the regular order of business to open the meeting to the public in attendance and asked if anyone had any questions or comments on the proposed Resolutions on the agenda. There were no public comments at this time.

Chairman Colligas then called for **MOTIONS** on the following:

- 1. RESOLUTION (No. 05/11) To award the Contract to Duddy Contractors for Incinerator Refractory Repairs on the Door Oliver Incinerator in accordance with the RFQ specifications and the provisions of N.J.S.A. 19:44A 20.4.**

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

Committed to a Clean Environment for Today, Tomorrow and Generations to Come
BRSA staff, November 2006

WHEREAS, on July 19th, 2010, the Board of Commissioners of the BRSA adopted Resolution No. 65/10 authorizing repairs to the Dorr Oliver Incinerator to remain in compliance with Permit requirements; and

WHEREAS, the BRSA prepared and advertised on it's website a Request for Quotation ("RFQ") to solicit proposals for Repair Services on the Dorr Oliver Incinerator, Phase I-Refractory Repairs; and

WHEREAS, Thursday, January 20th, 2011 at 2:00 P.M. prevailing time, the Bayshore Regional Sewerage Authority opened sealed RFQ's in accordance with Local Public Contracts Law as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. for Repair Services on the Dorr Oliver Incinerator, Phase-One Refractory Repairs; and

WHEREAS, three (3) quotes were received and publicly opened and read aloud, ranging in price from a low of \$30,160.00 to a high of \$33,700.00 with the lowest responsible bidder being Duddy Contracting, Inc of Springfield, NJ, having submitted a total bid price of \$30,160.00; and

WHEREAS, the Authority's Qualified Purchasing Agent and Engineer have reviewed all the bids received and recommend award of the contract to Duddy Contracting, Inc of Springfield, NJ; and

WHEREAS, it was necessary to expedite the work in advance of this Resolution and the work has been completed in accordance with the requirements listed in the RFQ; and

WHEREAS the funds are available for this purpose

NOW THEREFORE BE IT RESOLVED that, Duddy Contracting, Inc of Springfield, NJ is hereby awarded the contract for Repairs Services on the Dorr Oliver Incinerator, Phase-I Refractory Repairs and has completed the work in accordance with the terms and conditions of the RFQ document dated January, 2011.

BE IT FURTHER RESOLVED the Executive Director and Treasurer of the Board are hereby authorized to execute the Purchase Order/Voucher in accordance with Local Public Contracts Law and as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4.

This was **OFFERED BY** Commissioner DiNardo and **SECONDED BY** Commissioner Wells and carried by voice vote recorded as follows:

Ayes: Commissioners DiNardo, Pisano, Wells and Chairman Colligas.

Mr. Fischer said there is a two week period between this evening's meeting and the next Regular Meeting therefore bills that will come due in the interim have been listed for payment on this agenda. A review of the bill list took place. Chairman Colligas then called for a **MOTION** for the payment of bills listed on this agenda.

Operating Fund Req. No. 452 (Regular)	\$ 267,763.63
Payroll Account Req. No. P113	\$ 169,439.73

This was **OFFERED BY** Commissioner Wells and **SECONDED BY** Commissioner Pisano and carried by unanimous voice vote.

Ayes - Commissioners DiNardo, Pisano, Wells and Chairman Colligas

Mr. Fischer then began his monthly update on the Wind-to-Energy Project. He reported Payment Requisition #8 was submitted and approved by the NJEIFP for a total dollar amount of \$80,799.00. He then reported an invitation has been extended to the Honorable Mayor and Committee members of

Holmdel Township to present the WTE Project to them, either here at the BRSA or BRSA will go over to their Town Hall. To date, there has not been a response to the invitations.

Mr. Fischer reported he had written to the NJDEP's Office of Science requesting their Science Advisory Board ("SAB") review all current information on the sound and health effects of wind turbines. The SAB response, dated January 24, 2011 was the Department addressed various concerns during the open public comment period of recent proposed Coastal Permit Program rule amendments, and there are currently seventeen other priority issues being examined by the Board. It is the SAB's intention to look at this issue in the future.

Mr. Canal was asked to provide his Engineer's Report. Mr. Canal reviewed his report and noted extensions have been agreed to by the three chemical contractors for an additional year. He said Resolutions to this effect will be placed on the next Regular Meeting's agenda for the Board's consideration.

Mr. Canal went on to speak about the transportation route for the turbine, which is in its final stages and the final submittal will be given to the County in the coming week. The Chairman asked about the truck washing facilities being constructed by the NJ Highway Authority. Mr. Canal said a use Permit has been issued and their final connection to the system is forthcoming.

The Chairman asked Manuel Ponte, P.E., for his consulting Engineer's Report. Mr. Ponte reviewed his report and asked for any questions. Chairman Colligas asked about the water in the roadway in the rear of the plant and asked if it was related to any work going on? Mr. Canal said it was not, it was from snow melt and it is a low spot in the roadway that collects during heavy water events. He said it would be addressed sometime in the future when other projects have been completed.

Chairman Colligas thanked Mr. Ponte and asked Mr. Broyles for his Superintendent's Report. Mr. Broyles said effluent quality is not as good as it has usually been, he said the TSS in the effluent has increased, and staff is working on process control changes to be made to bring the effluent back into line. Mr. Broyles said a number of odor complaints were received during the month. One call was consistent with a spill from a Freehold Cartage pick up truck that dropped some grit screenings and trash materials onto the pavement. Mr. Broyles noted that the wetlands located between Front Street and the Plant may also be a cause of odors that are being associated to the treatment plant but are really natural to the topography. A brief discussion took place. Commissioner Wells asked when the new Odor Control System will be installed in its entirety. Mr. Broyles said by April the entire process should be complete. He said Staff continues to do its best to keep odors to a minimum. In closing, he said a final report has been submitted to the NJDEP on Toluene and Ammonia Testing requirements. The BRSA awaits their response.

Commissioner Wells said this facility continues to meet every requirement of its NJPDES Permits every month and the Authority's Staff should be recognized as an industry leader for the standards it upholds. The Board agreed.

A brief discussion of the Keansburg Water Desalinization Plant took place. Keansburg originally wanted to discharge directly through the MCBOA pipe. The NJDEP initially stated that discharge to the MCBOA pipe may not be consistent with the Wastewater Management Plant; however, recently a draft consistence determination has been issued and connection to the pipe may be possible in the future.

The Chairman thanked Mr. Broyles for his report and moved to the Executive Director for his report. Mr. Fischer spoke about a surprise inspection from the NJDEP Coastal Land Use Department.

The inspector wanted to confirm the Authority was in compliance with all Permits relative to the WTE Project; as it had received a letter from the Special Counsel of Union Beach suggesting that the Project was in violation. At the conclusion of the visit, the inspector indicated satisfaction that all conditions of the Permit were in order and was satisfied the Project was in compliance. The Authority anticipated receiving a letter to this effect from the NJDEP, however, prior to receiving the letter of compliance; a reporter from the *Asbury Park Press* informed Mr. Fischer that a Notice of Violation was pending on the Project. BRSA representatives discussed this with NJDEP and provided them with documents indicating it did not need a Soil Conservation District Permit at the start of construction. After a change to the construction plan at the end of Phase I, a Soil Conservation District Permit became necessary and the Contractor applied for and received same. The NJDEP submitted two subsequent letters of compliance with all Permit Conditions and has also spoken with the *Asbury Park Press* to clear up the confusion surrounding the Authority's compliance status.

Mr. Fischer then spoke about the Department of the Treasury, Office of Equal Employment Opportunity Audit of all the Authority's contract documents. Michelle Izzo, the Authority's Qualified Purchasing Agent and the BRSA Engineer supplied the Auditor with all the information he requested and all Authority contracts are in compliance with EEO requirements. A letter from the Department of Treasury was sent indicating the Authority's compliance.

Mr. Fischer spoke about the January 20, 2011 General Staff Meeting that was held at the Authority. He said annual training for Stormwater Management and a review and update to Bayshore's Zero Tolerance Policy was conducted. Mr. Fischer said all employees provided information so that Driver's abstracts could be obtained from the Department of Motor Vehicles. This is done to ensure that all employees remain qualified to operate company vehicles. He reported every employee's abstract was returned in good standing by the DMV. Discussions of the past years' plant performance for Water Quality, the Authority's financial status, and a forecast of goals for the coming year took place. Employee milestones and recent awards were also acknowledged during this meeting.

Mr. Fischer presented the Board with the rate comparison report for professionals being considered for appointment. He asked the Board to review the document and said Resolutions for their consideration would be placed on the agenda of the Reorganization Meeting scheduled for February 28, 2011. Mr. Fischer noted the memorandum he included which is required to be on file by the appropriate Authority Official; that certifies in writing the estimated value of certain contracts in consideration of award under the Non-Fair and Open process will exceed \$17,500.00.

In closing his report, Mr. Fischer said the Association of Environmental Authorities' Utility Conference was upcoming in March, 2011 and the agenda of topics that will be covered were included in this meeting package.

The Chairman opened the meeting to the public. Mr. Bill Shewan of HAQLA, Hazlet, NJ was in attendance. He had no comments this evening.

At 7:56 P.M., the Chairman called for a **MOTION** to go into Closed Session 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. The general nature of the subject matters to be discussed was pending litigation of attorney-client privilege. It is anticipated at this time that the above stated subject matter shall be made available to the public at such time as the need for non-disclosure no longer exists.

This was **OFFERED BY** Commissioner Wells, **SECONDED BY** Commissioner Pisano and carried unanimously by voice vote recorded as follows:

Ayes: Commissioners DiNardo, Pisano, Wells and Chairman Colligas

Closed Session Minutes are recorded separately.

At 8:10 P.M., a **MOTION** to end Closed Session was **OFFERED BY** Commissioner Wells and **SECONDED BY** Commissioner Pisano and carried unanimously by voice vote recorded as follows:

Ayes: Commissioners DiNardo, Pisano, Wells and Chairman Colligas

Commissioner Wells spoke about a recent article in *The New York Times* regarding the conversion of methane to energy. A brief discussion took place. Mr. Broyles said an anaerobic digester would have to be built to heat and mix the wastewater and this would be at considerable expense.

A brief discussion of the status of the transportation route for the turbine components took place. Mr. Canal said a meeting with County officials has been requested.

At 9:08 PM Chairman Colligas made the following announcement:

Reorganization of the Authority is scheduled for **Monday, February 28, 2011 at 7:00 P.M.** The next **Regular Meeting** of the Authority will take place immediately thereafter. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735. The Chairman then called for a **MOTION** to adjourn:

This was **OFFERED BY** Commissioner Wells and **SECONDED BY** Commissioner Pisano and carried by unanimous voice vote.

Ayes - Commissioners DiNardo, Pisano, Wells and Chairman Colligas

Respectfully submitted,



Kimberly A. Newins
Recording Secretary to the Board