



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

Minutes of the Bayshore Regional Sewerage Authority Agenda Meeting June 13th, 2011

At 7:00 P.M. on June 13th, 2011 Chairman Pisano 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 Meeting 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 Cohen, Colligas, Parsells, Wells and Chairman Pisano

Absent: Commissioner DiNardo

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

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Mr. Fischer reported on the Water Pollution Control Plant (WCPC) Improvements and the Wind-to-Energy (WTE) Projects. He spoke about the new odor control unit; the improved vacuum control inside of the unit, the improved safety environment for workers who enter the tanks and the significant amounts of hydrogen sulfide gas (odors) being eliminated by this unit. Corrosion of walkways and railings within the tanks will be reduced because sulfuric acid that has built up in the past is now being eliminated. A performance test on the new equipment had been conducted and reported on last month. The removal percentage was approximately 99.9% of the inlet concentrations in the tanks at the time. Mr. Fischer said the plant staff continues to inspect the facilities to abate odor sources where they are found. He said a walk-through of the various project by BRSA staff was completed in the end of May and an official punch-list walk-through with Arcadis had also been conducted. There are only a few punch list items remaining before close-out of the projects. The Chairman asked if the outstanding items were specification items or additional work. Mr. Ponte said they are in the specs, but a debate between the contractor and supplier as to who is responsible to pay for the some items needs to be resolved. Mr. Fischer discussed some other punch list items with the Board.

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

BRSA staff, November 2006

In closing his Project reviews, Mr. Fischer said on June 1st, 2011, a progress meeting was held with contractors, staff, Arcadis and representatives of the NJDEP to review all aspects of both projects. The NJDEP found no issues with either project and sent a letter to this effect to the Authority in today's mail. Mr. Ponte noted the most recent rounds of smoke testing showed successful containment as a result of the new odor control system being installed.

Mr. Fischer said he would be presenting Mr. Canal's report on his behalf, but asked the Chair if Mr. Ponte could provide his Consulting Engineer's Report first. The Chairman agreed and Mr. Ponte went on to review his report. He said Mr. Fischer had covered the majority of the treatment plant improvements also listed in his report, but added an ARRA Audit of the WCPC and WTE Projects would be taking place on the 14th of June. He said the EPA had already performed an audit without incident, but the Federal government has hired a consultant "Tetra-Tech" to double check the EPA findings. He did not expect there to be any issues with either project. He spoke about some miscellaneous items he was working with the BRSA Engineer on, such as reviewing quotes received for the pre-purchase of the above-ground, dual-wall fuel oil storage tank.

Mr. Ponte then distributed the First Quarter 2011 Flow Report to the Commissioners and staff. He reviewed the report and answered any questions the Board members may have had. He noted 2010 was an extremely wet year and so far, the First Quarter of 2011 has been drier than last year. He noted the flows are in keeping with historical trends.

Mr. Ponte said bid documents were completed for the replacement of the Belt Filter Presses 3 & 4 which are due to be opened on June 16th, 2011. Once all bids are received and reviewed, a possible award by Resolution at the next Regular Meeting may be considered.

In closing, Arcadis is in the process of preparing a design for rehabilitating a concrete beam in the Sludge Return Pump Station which was damaged by sodium hypochlorite some years ago. He said the initial estimate for the repair is around \$45,000.00.

Commissioner Colligas asked when the Stack Test was going to be conducted on the new odor control unit. Mr. Ponte said that is the one thing that is pending before the closeout of the contract. He said the contractor submitted a protocol for the NJDEP to review a few months ago. We are awaiting a response from the NJDEP prior to performing the test.

The Chairman asked Mr. Fischer for a review of the BRSA Engineer's Report in Mr. Canal's absence. Mr. Fischer said a Resolution to award the incinerator generator Fuel Oil Tank Replacement would be prepared for the Board's consideration at the next Regular Meeting contingent upon review and recommendations by Staff, Consulting Engineer and Counsel. Mr. Fischer reiterated the Belt Filter Press Replacement bids will be opened in the coming week and pending review and recommendation by in-house Staff, Consulting Engineer and General Counsel, a Resolution of award may be prepared for consideration at the next Regular Meeting as well.

Mr. Fischer reported the contract for the Disposal of Grit, Screenings and Trash is pending expiration in July, 2011. The original contract included the provision to extend it one time for an additional two year period. Freehold Cartage, the current contractor has agreed to extend the contract

for the additional two years for up to a 2.5% increase, per the current CPI Index and in accordance with Open Public Contracts Law. A Resolution to extend the contract will be prepared for the Board's consideration at the next Regular Meeting of the Authority.

Mr. Fischer reported Harbor Consultants has submitted an application for the Manzo Shopping Center. Mr. Fischer reviewed the history of the project. The application is under review by Mr. Canal and he hopes to have a recommendation to the Board in time for action at the next Regular Meeting. Mr. Granata said he spoke with Ms. Manzo today who requested the connection fee be placed in escrow until all of her approvals are in place. No applications are accepted by the BRSA for consideration unless all local approvals have been obtained.

Mr. Granata noted another item in Mr. Canal's report regarding the C&M Realty LLC Project. He has sent a letter to C&M informing them of the amendment to the Developer's Agreement that was adopted by the Board at the April Regular Meeting. He will be handling the amendment of the agreement documents directly with C&M Realty, LLC.

The Chairman asked Mr. Broyles to review his Superintendent's Report. Commissioner Cohen congratulated Mr. Broyles for once again meeting all parameters of the NJPDES Permit. Mr. Broyles thanked him and then provided the final flow figure for industrial contributor CEI, which was 295,388 gallons. Mr. Broyles reported the effluent quality remains good at 98% removal for total suspended solids and 96% removal for BODs. Commissioner Parsells noted those figures were not just good, they were great and commended him for an outstanding job. Mr. Broyles said the NJDEP was here in anticipation of Memorial Day weekend to inspect the plant and check the effluent quality. Mr. Rotundo of the NJDEP Enforcement Unit was extremely satisfied with the effluent quality and all other aspects of the plant's operations.

Mr. Broyles reported the Laboratory has met all parameters and received Laboratory Certification renewal from the NJDEP.

Mr. Broyles reported that Cosmetic Essences Incorporated most recent discharge monitoring report reflects it did not submit their metals results for the month of May. He said a mandatory penalty will be imposed on this contributor. In discussing IPP users, he noted International Flavors and Fragrances had informed the BRSA they have a new licensed operator for their Research and Development site in Hazlet. The new Operator of record is of the firm, Handex.

On the topic of plant operations, Mr. Broyles reported the chlorine residual analyzer for Chlorine Contact Tank #1B has been relocated in an effort to improve the automated control of the effluent disinfection system for Treatment Plant #1. This new location reduces the detention time between the sodium hypochlorite application point and the point of reading the chlorine residual which allows for quicker adjustments to the changing chlorine demand and will further reduce the usage and cost for the chemical.

Mr. Broyles reported on the ongoing inspections of the odor control systems and the work being done to continue to abate odors as they are identified.

He also noted the NJDEP's Annual Pretreatment Program Report review has been received and all relevant technical information submitted for the monitoring program was deemed adequate by the Bureau. He then reported, t

The NJDEP Air Quality Monitoring Program Annual Inspection had also taken place and the Assistant Commissioner for Compliance and Enforcement found our facilities to be complete in compliance with applicable Department Regulations and/or Air Permit conditions.

Commissioner Cohen commented that between meeting all parameters of the NJPDES facility Permit, the Lab Certification renewal, the Air Permit compliance and the effluent quality of the wastewater, there is no way anyone can say the BRSA is not operating in an environmentally responsible manner. He added, "These results are great and you can't get much better than that."

The Chairman thanked Mr. Broyles for his report and moved to the Executive Director. Mr. Fischer spoke about the meetings he and Mr. Granata have had with the administrators from each of the municipalities in the service area with the exception of Western Monmouth Utilities Authority on the renewal of service agreements. He said the WMUA renewal is not actually due until 2024, but the Authority would like to develop a generic agreement applicable to every customer going forward. He said each town was given a survey to complete and return to the Authority to obtain a better idea of the current status of each town's populations, residential and commercial customers and collection system conditions. Each town was provided with information to encourage the abatement of inflow and infiltration within their areas and an overall assessment of the information received will be reviewed with an eye toward stabilizing the variability of charges and providing budget certainty going forward. Mr. Fischer said he has been invited to be a guest speaker at an upcoming "Meeting of the Mayors" which takes place periodically in the Bayshore area. He noted it would be a good opportunity to bring the service agreement renewal discussion directly to the decision makers of the towns all at one time. Commissioner Colligas had a few questions regarding the event and its location. In closing the topic, of service agreement renewals, Mr. Fischer said he is hopeful a draft of the new service agreement will be ready by August and a final will be ready by October.

The next item for discussion was the Joint Insurance Fund membership. Mr. Fischer said while the BRSA has been a member of the JIF for many years, the JIF requires annual surveys be completed and submitted to maintain appropriate coverage. He said a Resolution authorizing completion of the survey will be prepared for the next Regular Meeting for the Board's consideration.

Mr. Fischer said during the close out of the remediation process for the small oil spill detected back in 2004, the remediation team discovered an unrelated compound in the soil slightly above NJDEP cleanup criteria. As a result, further delineation will likely be necessary and the Authority has notified the JIF of a possible claim.

Mr. Granata reported on the status of the Piero's Restaurant violation and a discussion ensued. Mr. Fischer said the Staff Engineer will be visiting the establishment to ensure the third sink has been disconnected, as required. Commissioner Parsells asked the Authority to make sure the violator has no other outstanding bills due the Borough or the vendors who cleaned the blocked lines in the neighborhood nearby as well. Mr. Granata said he is in discussion with the proprietor's attorney regarding those matters.

At 8:00 P.M. the Chairman called for a MOTION to enter Closed Session discussions 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 was taken to discuss matters of pending 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.

This MOTION was OFFERED BY Commissioner Cohen and SECONDED BY Commissioner Parsells and carried unanimously by voice vote recorded as follows:

Ayes - Commissioners Cohen, Colligas, Parsells, Wells and Chairman Pisano

(Closed Session Minutes are recorded separately.)

At 8:35 P.M., a MOTION to end Closed Session was OFFERED BY Commissioner Colligas and SECONDED BY Commissioner Cohen and carried unanimously by voice vote recorded as follows:

Ayes - Commissioners Cohen, Colligas, Parsells, Wells and Chairman Pisano

Commissioner Cohen noted an article in the Asbury Park Press that was recently published and he wanted it on the record that the BRSA has never taken a position or entered into any agreement to determine or dictate what would happen with the Lucent property. He said Holmdel is one of the eight towns that are part of the sanitary sewer area served by the BRSA, period.

Commissioner Cohen noted another article he read that said Germany has abandoned plans for further nuclear development and has decided to pursue wind power as a clean energy source.

The last item of formal business was called by Chairman Pisano, for approval of the payment of bills listed on Operating Fund Requisition No. 465 in the amount of \$70,604.78. This was OFFERED BY Commissioner Cohen and SECONDED BY Commissioner Parsells and carried unanimously by voice vote recorded as follows:

Ayes - Commissioners Cohen, Colligas, Parsells, Wells and Chairman Pisano

With no further discussions before the Board, at 8:40 PM Chairman Pisano made the following announcement:

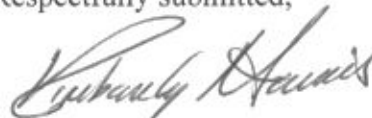
The next Regular Meeting of the B.R.S.A. is scheduled for **Monday, June 20th, 2011 @ 7:00 P.M.** All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

The Chairman then called for a MOTION to adjourn:

This was OFFERED BY Commissioner Colligas and SECONDED BY Commissioner Cohen and carried by unanimous voice vote.

Ayes - Commissioners Cohen, Colligas, Parsells, Wells and Chairman Pisano

Respectfully submitted,



Kimberly A. Newins
Recording Secretary to the Board