



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

Minutes of the Bayshore Regional Sewerage Authority Agenda Meeting Tuesday, October 11th, 2011

At 7:00 P.M. on Tuesday, October 11th, 2011 Vice Chairman Wells opened the Agenda Meeting of the Bayshore Regional Sewerage Authority, called the meeting 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 Vice 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, and Vice Chairman Wells

Absent: Commissioner DiNardo and Chairman Pisano

Also in Attendance: Robert C. Fischer, Executive Director'
J. Michael Broyles, Plant Superintendent
Pete Canal, BRSA Engineer
Manuel Ponte, P.E., Consulting Engineer
Louis E. Granata, Esq., General Counsel

Mr. Fischer reported on the Wind-to-Energy and WPCP Projects. The New Jersey Board of Public Utilities' Office of Clean Energy approved the Authority's request for an extension of time extended for rebate eligibility for the Wind to Energy Program. Commissioner Wells commented it would be a shame if the ratepayers lost out on the \$400K rebate that offsets the project costs.

Mr. Fischer then provided an update on the renewal of BRSA Service Agreements with member and customer municipalities and the WMUA. He reiterated what has been completed to date, and said he awaits final comments from member and customer towns, prior to forwarding a "Final Draft" service agreement renewal document.

Mr. Fischer reported the NJDEP has approved the Investigation and Remedial Action Plan submitted by Birdsall Engineering on behalf of the Authority regarding the 2005 generator fuel oil leak. He said a Resolution would be prepared for the Board to consider accepting the Action Plan, filing the required Deed Notice with the County, and forwarding the Plan along with the application fee back to the NJDEP for filing.

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

BRSA staff, November 2006

Mr. Canal was asked to provide his Engineer's report. Adding to what was in his written report, Mr. Canal said the new incinerator generator fuel tank has been delivered, the Maintenance staff has installed the piping, and the tank will be completely installed by the end of October.

Mr. Canal spoke about the Rehabilitation of the Belt Filter Presses. He said work on Belt Filter Press #3 is expected to be completed by the second week in October and Press#4 will be completed in November.

Mr. Canal said the Authority needs to advertise for a maintenance and service contract for the meteorological tower. He said a request for authorization to advertise the specifications as a Request for Proposals will be presented to the Board in the form of a Resolution at the next Regular meeting.

Mr. Canal said Piero's was re-inspected and the restaurant is now in compliance with all criteria of the Notice of Violation. Mr. Granata will be contacting the violator's attorney to resolve any issues regarding payment of the penalties associated with the violation.

Landmark LLC has requested to enter into a Developer's Agreement to serve the "Enclave at Holmdel" project. All information has been submitted and Resolutions authorizing a Developer's Agreement and sanitary sewer approval contingent upon the developer meeting all requirements of the Agreement will be prepared for Board consideration at the next Regular Meeting.

Vice Chairman Wells thanked Mr. Canal for his update and asked Mr. Ponte for his Consulting Engineer's Report. Mr. Ponte provided a status report that expanded on his written report. Mr. Ponte reported he expects the NJDEP's approval of the Stack test protocol for the new odor control unit will be in hand in the coming weeks. Thereafter, scheduling of the stack test can take place with the contractor and close out of the WPCP Improvements Contract.

Mr. Ponte then discussed his letter dated October 6, 2011 requesting an amendment to the engineering services contract awarded by Resolution 101/09 for Contract 56, WPCP Improvements Projects. A discussion ensued. The amendment would increase the original contract price by \$17,868.00, would reflect payment for services not anticipated such as preparation for and participation in two ARRA Compliance Inspections by the State and Federal government representatives. Mr. Fischer said a Resolution for the Board's consideration would be presented at the next Regular Meeting.

Mr. Ponte presented a proposal for engineering services to prepare technical design drawings and specifications for repairs to the reinforced concrete beam in Return Sludge Pump Station #1. He discussed the repair with the Board. A Resolution for the Board's consideration will be prepared for the next Regular Meeting.

The Vice Chairman asked Mr. Broyles to review his Superintendent's Report. Mr. Broyles reported September's flow figures were among the highest ten flows recorded in the past fifteen years. He said fuel oil consumption was held at the same level as previous months. He added, there have been no odor complaints for three consecutive months. The Board members were pleased there have been no odor complaints and Commissioner Cohen complimented Mr. Broyles and his staff for once again meeting all parameters of the NJPDES Permit.

Mr. Broyles reported the new Belt Filter Press has been working very well. He continued a review of his written report. He said the BRSA received an excellent review in the Joint Insurance Fund's Annual Loss Control Report for safety and compliance facility-wide. He noted the Dorr Oliver Incinerator will be started up shortly while the Niro Incinerator is shut down for routine maintenance. He noted, the Dorr is "ready to go."

Reporting on the Industrial Pretreatment Program, Mr. Broyles said a Notice of Violation was sent to CEI once again for permit violations relative to their Discharge Monitoring Reporting. A discussion ensued and it was mentioned by Mr. Broyles that CEI's violations may soon place them in the category of Significant Non-Compliance ("SNC") which will result in an escalation of penalties assessed in the future and public noticing of their non-compliance status.

At the request of Commissioner Colligas at the September meeting, Mr. Broyles brought the new AED machine to this meeting and played a video for the Board members that instructed them on its use. Commissioner Colligas and the other Board members thanked Mr. Broyles for the demonstration.

The Vice Chairman thanked Mr. Broyles for his report and moved to the Executive Director, Mr. Fischer. Mr. Fischer presented the 2012 Preliminary Budget by going over each line item with the Board. Mr. Fischer said the significant rate decrease is primarily due to reduction in debt service obligations, but operating expenses have also been kept low and are actually decreasing slightly. He said Mr. Broyles and his staff have done a great job. Mr. Fischer said the 2012 Preliminary Budget Resolution will be presented to the Board at the October Regular Meeting for the Board's consideration.

Chairman Pisano then opened the meeting to the public for any comments or questions they may have. Charles Hoffman of Hazlet took the floor. He congratulated the BRSA for the impending rate reductions the 2012 Budget will provide the customers. He then made the suggestion that LED lighting would also help reduce energy costs. Mr. Broyles said "we are already on it." Mr. Hoffman was pleased and made no further comments.

At 9:22 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 and personnel. 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 Wells and **SECONDED BY** Commissioner Colligas 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 9:50 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

Chairman Pisano called for a **MOTION** to **Authorize General Counsel to research potential liabilities for slanderous comments made about Commissioners, professionals and BRSA staff regarding the Wind to Energy Project for an amount not to exceed \$3,000.00.**

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

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

Commissioner Wells requested and the Board reached a consensus to authorize the Executive Director to propose recommendations to the Personnel Committee for consideration of sustained superior performance (merit rewards) for managerial staff in recognition of the outstanding plant performance and administration of the wastewater treatment facilities and collection system of the BRSA.

With no further discussion before the Board, Chairman Pisano made the following announcement: The next **Regular Meeting** of the BRSA will take place on **Monday, October 17th, 2011** at **7:00 P.M** prevailing time. All Meetings take place in the Administration Building located at 100 Oak Street, Union Beach, NJ 07735.

At 10:05 P.M., Chairman Pisano 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