

**BAYSHORE REGIONAL SEWERAGE AUTHORITY
PUBLIC HEARING & REGULAR MEETING MINUTES
July 18th, 2011**

At 7:00 P.M. on July 18th, 2011, Chairman Pisano called the Public Hearing Portion of the meeting to order and read the following announcement:

"This Public Hearing of the Bayshore Regional Sewerage Authority will now come to order. I hereby announce that pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this BRSA Hearing and Agenda Meeting have been sent to the Asbury Park Press and Newark Star Ledger. Notice has 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 B.R.S.A. Administrative Building.

Chairman Pisano then requested a **PLEDGE OF ALLEGIANCE** to our United States Flag and called for a Moment of Silence for all US Troops serving America around the world.

The Chairman asked for an attendance roll call, recorded as follows:

Present – Commissioners Cohen, DiNardo, Parsells, Wells and Chairman Pisano
Absent - Commissioner Colligas

Also in Attendance: Robert C. Fischer, Executive Director
 Louis E. Granata, Esq. General Counsel
 Michael Sellar, P.E., Associate to Consulting Engineer
 Michael Bart, CPA, BRSA Auditor
 Peter J. Canal, BRSA Engineer
 Kimberly Newins, Admin. Asst., Confidential Recording Secretary
 Stephanie Donis - Towns, Certified Court Stenographer

The Chairman turned the meeting over to Louis E. Granata, Esq., General Counsel of the BRSA to conduct the Public Hearing. Michael Sellar, P.E., Engineer, Michael R. Bart, CPA, and Robert C. Fischer, Executive Director of the BRSA were sworn in.

Minutes of the Public Hearing in their entirety, where any questions or comments were posed regarding the 2011 Connection Fee have been recorded by a licensed Court Stenographer and will be available; upon review and adoption by the BRSA, at the August 15th, 2011 Regular Meeting.

At 7:07 P.M., Chairman Pisano called for a **MOTION** to adopt the following Resolution:

1. RESOLUTION (No. 64/11) To adopt the 2011/2012 Connection Fee.

WHEREAS, in accordance with the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq., governing B.R.S.A., as amended, N.J.S.A. 40:14A-8 I and the Rules and Regulations of the Bayshore Regional Sewerage Authority, the B.R.S.A. has conducted a Public Hearing on its Revised Connection Fee based on the 2010 Audit and Flow Report, and will provide a transcript of said Hearing to any interested party; and

WHEREAS, the B.R.S.A. specifically finds it to be reasonable and necessary to adopt the annexed connection fee charge;

NOW THEREFORE BE IT RESOLVED by Bayshore Regional Sewerage Authority, that the Revised Connection Fee of the Authority and the same is hereby adopted and approved; and

BE IT FURTHER RESOLVED that the Connection Fee on the attached Exhibit "E" (partial) be, and is hereby incorporated and made part of the Section 7 "Fees" of the Rules and Regulations of the Authority until such time that a revised connection fee is adopted by the Authority.

EXHIBIT "E" (partial)

Connection Fees

In accordance with NJSA 40:14A-8, the Bayshore Regional Sewerage Authority hereby establishes connection fees for a direct or indirect connection with, or the use of services of the BRSA Sewerage System for the year 2011/2012.

Connection Fee: \$6481.00 for the year 2011/2012 fiscal year.

OFFERED BY Commissioner Parsells and **SECONDED BY** Commissioner Cohen

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

Absent: Commissioner Colligas

At 7:12 P.M., Chairman Pisano called for a **MOTION** to adjourn the Public Hearing. This **MOTION** was **OFFERED BY** Commissioner Cohen and **SECONDED BY** Commissioner Wells and carried by unanimous voice vote:

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

Absent: Commissioner Colligas

Chairman Pisano then called the Regular Meeting of the Bayshore Regional Sewerage Authority to order and called for **MOTIONS** on the following:

To Approve the Minutes of the Regular Meeting of June 20th, 2011

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

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

Absent: Commissioner Colligas

To accept the **TREASURER'S REPORT** (by Commissioner Parsells for June, 2011)

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

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

Absent: Commissioner Colligas

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	6-30-11
<u>UNRESTRICTED</u>	
Revenue Fund	97,171.47
General Fund	<u>1,811,580.41</u>
Total Unrestricted	1,908,751.88
<u>RESTRICTED</u>	
Bond Service Fund	
1985 Bond Service Fund	817.08
2002 Bond Service Fund	<u>28,610.00</u>
Total Bond Service Funds	29,427.08
Bond Reserve Funds	
1985 Bond Reserve Fund	<u>7,342,275.26</u>
Total Bond Reserve Funds	<u>7,342,275.26</u>
<u>2010 NJEIT BONDS</u>	
Revenue	0.00
Construction	1,138,367.54
Bond Service	<u>0.05</u>
TOTAL NJEIT	1,138,367.59
TOTAL TRUSTEE ACCOUNTS	10,418,821.81
<u>AUTHORITY ACCOUNTS</u>	
Incoming Revenue Account	9,211.17
Operating Regular Account	64,291.92
Operating Payroll Account	<u>136,847.28</u>
TOTAL AUTHORITY ACCOUNTS	<u>210,350.37</u>
TOTAL	10,629,172.18

SCHEDULE OF ACCOUNTS RECEIVABLE

SERVICE CHARGES:	Balances as of <u>June 30, 2011</u>	
Hazlet Township Sewer 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	\$	0.00
Western Monmouth Utilities Authority	\$	0.00
Township of Aberdeen	\$	<u>0.00</u>
TOTAL	\$	0.00

OUTFALL AUTHORITY CHARGES		
Hazlet Township Sewer 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	\$	0.00
Western Monmouth Utilities Authority	\$	0.00
Township of Aberdeen	\$	<u>0.00</u>
TOTAL	\$	0.00

Balance of Rent Reserve Accounts as of June 30th, 2011		
Hazlet Township Sewer Utility	\$	1,880,269.91
Township of Holmdel	\$	705,521.11
Borough of Union Beach	\$	470,037.37
Borough of Keyport	\$	805,822.60
Borough of Keansburg	\$	750,522.84
Borough of Matawan	\$	820,244.00
Western Monmouth Utilities Authority	\$	180,254.33
Township of Aberdeen	\$	<u>832,921.41</u>
TOTAL	\$	6,445,593.57

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

Chairman Pisano opened this portion of the meeting to the public for comments or questions related to Agenda items only. For the record, there were no public comments at this time.

The Chairman then called for **MOTIONS** on the following Resolutions:

1. RESOLUTION (62/11) To accept the recommendations of the Personnel Committee regarding non-union personnel performance evaluations.

WHEREAS, the Personnel Committee of the Bayshore Regional Sewerage Authority have met with the Executive Director to review annual non-union personnel performance evaluations; and

WHEREAS, the Executive Director has made annual salary recommendations to the Sub-Committee for those individuals; and

WHEREAS, the Committee reviewed those recommendations and discussed their recommendations with the full Board of Commissioners; and

WHEREAS, the funds are budgeted and available for this purpose

NOW THEREFORE BE IT RESOLVED, that the salary adjustments as recommended by the Personnel Committee be and are hereby accepted by the Commissioners of the Bayshore Regional Sewerage Authority in accordance with the attached memorandum dated July 15, 2011.

BE IT FURTHER RESOLVED, the Executive Director is hereby directed to implement those salary recommendations retroactive to January 1, 2011 and going forward upon adoption.

This was **OFFERED BY** Commissioner DiNardo and **SECONDED BY** Commissioner Cohen

Commissioner Cohen commented. He wanted the record to reflect that a 1.5% increase in annual salaries for non-union personnel had been recommended across the board, yet the Executive Director *requested* his adjustment be only .75%. Commissioner Cohen wanted it to be made clear this does not imply there has been a lack of performance on the Executive Director's part. He said, as a matter of fact, the Executive Director is doing an excellent job. He then asked Mr. Fischer to explain in his own words why he requested a smaller increase. Mr. Fischer said he wanted to be on an even field with his staff and did not want his increase to be any higher than anyone else. Commissioner Cohen said the Executive Director is to be commended for this action and thanked him for a job well done. Mr. Fischer thanked Commissioner Cohen and the Board and the vote was recorded as follows:

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

Absent: Commissioner Colligas

2. RESOLUTION (65/11) To accept the Change Order Number 56-01 for Contract 56 - WPCP Improvements in accordance with the recommendation of Arcadis-US.

WHEREAS, the Bayshore Regional Sewerage Authority (hereinafter "BRSA") awarded Contract 56, Wastewater Treatment Plant Improvements to D&D Utilities, Long Branch, NJ (hereinafter "the Contractor") by way of BRSA Resolution No. 1/10 in the amount of \$899,650.00 with; and

WHEREAS, a Notice to Proceed dated March 10, 2010 was issued to the Contractor establishing a 365 day completion date of March 10, 2011; and

WHEREAS, on July 7, 2011, the Contractor submitted Change Order Request Numbered 56-01 and all supportive documentation to modify the contract documents as follows:

- Decrease the Contract price by \$8,000.00 for substituting cross-linked/linear High density polyethylene tanks with high density linear polyethylene tanks.
- Increase the Contract Price by \$938.25 for removal and replacement of steel safety plate in Concentration Tank #3
- Adjust the Contract Price to incorporate Change Order No 56-01 in the amount of \$7,061.75
- Reduce the total contract price to \$892,588.25, and
- Extend the final completion date to October 31, 2011 (235 days) to perform the final work required, namely the Odor Control System Stack Test as approved and required by the NJDEP; and

WHEREAS, a review of this request by the Consulting Engineers, Staff Engineer and Executive Director have determined that the aforementioned request is justified and recommend Change Order No. 56-01 be approved

WHEREAS, the consulting engineer has alerted the BRSA board earlier in the year of a pending request to extend the final completion date

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA deem it in the best interest of the Authority to approve Change Order No. 56-01.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to forward a copy of this Resolution granting Change Order No. 56-01 to the Contractor on behalf of the Authority.

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

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

Absent: Commissioner Colligas

3. RESOLUTION (66/11) To accept the Annual Inspection Report for 2010 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 Bond Resolution and 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 "2010 Annual Inspection Report and 2011 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 2010 Annual Inspection Report and 2011 Revenue Fund Budget approval, be and are hereby accepted by the Bayshore Regional Sewerage Authority.

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

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

Absent: Commissioner Colligas

4. RESOLUTION (67/11) - To accept the proposal for environmental engineering services for a continuous effluent sampling facility from Planning Progress, LLC.

WHEREAS, the Bayshore Regional Sewerage Authority ("BRSA") owns and operates a wastewater treatment facility in accordance with NJPDES Permit No.: 0024708; ("the Permit"); and

WHEREAS, the New Jersey Department of Environmental Protection ("NJDEP") is requiring the BRSA to continuously sample effluent flows from BRSA's two (2) treatment trains from Plant #1 and Plant #2 at a single location where these treatment trains combine prior to discharge; and

WHEREAS, there is a junction chamber where the treatment flows combine prior to discharge that will meet this compliance requirement and is located within a regulated wetland; and

WHEREAS, the is in need of preparing and filing a State Permit Application to the NJDEP's Division of Land Use Regulation and a Pre-Construction Notification (PCN) regarding the proposed activity to the US Army Corps of Engineers (USACE) to obtain a Nationwide Permit ("the Applications") ; and

WHEREAS, the BRSA Engineer has presented the Board with a proposal dated July 5, 2011, from a Certified Environmental Planner, Planning Progress, LLC of Little Silver, NJ - which includes preparation and filing of the Applications, meetings and other related services as outlined in said proposal, for an estimated cost of \$7,595.00; and

WHEREAS, the funds are available for this purpose; 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 authorize its Environmental Planner, Planning Progress, LLC to perform this work; and

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

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

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

Absent: Commissioner Colligas

5. RESOLUTION (68/11) - To approve annual donations to the Union Beach First Aid Squad and the Union Beach Police Department's "National Night Out".

WHEREAS, the Union Beach First Aid Squad and the Union Beach Police Department for their annual "National Night Out" have asked for financial support of their activities; and

WHEREAS, the Bayshore Regional Sewerage Authority is appreciative of the assistance and service provided to the Authority by Union Beach First Aid Squad and the Union Beach Police Department in the past, and supports the activities and assistance provided in a time of need

by Union Beach First Aid Squad and for the community of Union Beach by conducting the Police Department sponsored "National Night Out;" and

WHEREAS, the funds are available for these purposes,

NOW THEREFORE BE IT RESOLVED, that the Executive Director is hereby directed to prepare a donation to the Union Beach First Aid Squad in the amount of \$500.00 and a donation to the Union Beach Police Department to fund their "National Night Out" in the amount of \$500.00.

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

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

Absent: Commissioner Colligas

6. RESOLUTION (69/11) To approve the sanitary sewer service connection to the NJ Highway Authority Vehicle Wash Station in Holmdel, NJ.

WHEREAS, the New Jersey Highway Authority has applied for a sanitary sewer approval to serve a Vehicle Wash Station located at the Garden State Parkway Maintenance District 4 location, Lots 4R434 and 4R435 of the NJHA General Property Map located on a private State Road off Crawfords Corner and Everett Road in Holmdel, New Jersey, "hereinafter "the Vehicle Wash Station") and has included all required forms and fees; and

WHEREAS, the project has received all local approvals; and

WHEREAS, the project is expected to generate an average daily flow of 1965gpd or 17,000 gallons per day for a 30-day maximum usage period annually; and

WHEREAS, the Vehicle Wash Station has been issued an Industrial Pretreatment Permit by the BRSA numbered 0000007 which requires the discharge to be pre-treated with OWS and Mechanical Filtration prior to discharge to the BRSA

NOW THEREFORE BE IT RESOLVED, the New Jersey Highway Authority Vehicle Wash Station and is hereby granted for a period of one year, approval of the sanitary sewer connection, subject to the approval by the New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED this Authority recommends this project be granted said sanitary sewer extension approval by the New Jersey Department of Environmental Protection.

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

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

Absent: Commissioner Colligas

Chairman Pisano called for a **MOTION** - to approve payment of bills listed on:

Operating Fund Req. No. 467(Regular)	\$ 468,501.08
Payroll Account Req. No. P 119	\$ 156,833.90
Construction Requisition #14	\$ 5,047.00

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

Ayes: Commissioners Cohen, DiNardo, Parsells, Wells and Chairman Pisano
Absent: Commissioner Colligas

There were no topics requiring Closed Session discussion at this evening's meeting.

Chairman Pisano opened the meeting once again to the public to discuss any BRSA matters they might care to address. For the record, there were no public comments at this time.

The Chairman made the following announcement: The next Agenda Meeting of the B.R.S.A. is scheduled for **Monday, August 8th, 2011 @ 7:00 P.M.** The next **Regular Meeting** of the BRSA will be held on **Monday, August 15, 2011 @ 7:00 PM.** All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

At 7:20 P.M., Chairman Pisano calls for a **MOTION** to Adjourn the meeting.

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

Ayes: Commissioners Cohen, DiNardo, Parsells, Wells and Chairman Pisano
Absent: Commissioner Colligas

Respectfully submitted,

Kimberly A. Newins
Recording Secretary to the Board