



# BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer  
EXECUTIVE DIRECTOR

## Voting Agenda BAYSHORE REGIONAL SEWERAGE AUTHORITY Regular Meeting of June 20<sup>th</sup>, 2011

At 7:04 P.M., Vice Chairman Wells called the Regular Meeting of the Bayshore Regional Sewerage Authority 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.

Vice Chairman Wells then asked for a **Pledge of Allegiance to our Flag** and a **Moment of Silence** for the safety of US Troops serving all over the world. A roll call of attendees is recorded as follows:

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

Also In Attendance: Mr. Robert C. Fischer, Executive Director  
Kimberly Newins, Admin. Assistant (Recording Secretary to the Board)  
Peter Canal, BRSA Engineer

The Vice-Chair called for **MOTIONS** on the following:

### APPROVAL OF MINUTES –Regular Meeting Minutes of May 16<sup>th</sup>, 2011

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

### TREASURER'S REPORT (by Commissioner Parsells for May, 2011)

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

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

**STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS**

<b>TD BANK</b>	<b>Balance</b>
<b>TRUSTEE ACCOUNTS</b>	<b><u>5-31-11</u></b>

**UNRESTRICTED**

Revenue Fund	550,000.99
General Fund	<u>1,811,580.41</u>
Total Unrestricted	2,361,581.40

**RESTRICTED**

<b>Bond Service Fund</b>	
1985 Bond Service Fund	2,727,755.16
2002 Bond Service Fund	<u>27,610.00</u>
<b>Total Bond Service Funds</b>	<b>2,756,365.16</b>

**Bond Reserve Funds**

1985 Bond Reserve Fund	<u>7,342,275.26</u>
<b>Total Bond Reserve Funds</b>	<b><u>7,342,275.26</u></b>

**2010 NJEIT BONDS**

Revenue	0.00
Construction	1,336,367.15
Bond Service	<u>0.05</u>
<b>TOTAL NJEIT</b>	<b>1,336,367.20</b>

<b>TOTAL TRUSTEE ACCOUNTS</b>	<b>13,796,589.02</b>
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**AUTHORITY ACCOUNTS**

Incoming Revenue Account	8,653.53
Operating Regular Account	57,631.35
Operating Payroll Account	<u>140,513.94</u>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b><u>206,798.82</u></b>

<b>TOTAL</b>	<b>14,003,387.84</b>
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**SCHEDULE OF ACCOUNTS RECEIVABLE**

<b>SERVICE CHARGES:</b>	<b>Balances as of <u>May 31, 2011</u></b>
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>
<b>TOTAL</b>	<b>\$ 0.00</b>

<b>OUTFALL AUTHORITY CHARGES</b>	
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>
<b>TOTAL</b>	<b>\$ 0.00</b>

<b>Balance of Rent Reserve Accounts as of May 31<sup>st</sup>, 2011</b>	
Hazlet Township Sewer Utility	\$ 1,875,668.23
Township of Holmdel	\$ 705,401.28
Borough of Union Beach	\$ 469,957.54
Borough of Keyport	\$ 805,685.73
Borough of Keansburg	\$ 750,395.37
Borough of Matawan	\$ 820,104.68
Western Monmouth Utilities Authority	\$ 180,223.71
Township of Aberdeen	<u>\$ 832,779.94</u>
<b>TOTAL</b>	<b>\$ 6,440,216.48</b>

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

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**ANNOUNCEMENT** (by the Vice Chairman): This portion of the meeting is now open to the public for comments or questions related to Agenda items only. There were no comments from the public at this time. Vice Chairman Wells then called for **MOTIONS** on the following:

**1. RESOLUTION (56/11)** To award a two-year extension to Freehold Cartage Incorporated of Freehold, NJ for the Disposal of Grit, Screenings and Trash in accordance with Open Public Contracts Law.

**WHEREAS**, in accordance with Local Public Contracts Law, Bayshore Regional Sewerage Authority had advertised and received quotes at 1:00 P.M. on Wednesday, July 15, 2009 for the Disposal of Grit, Screenings and Trash for a two-year period; and

**WHEREAS**, the lowest responsible bidder was Freehold Cartage of Freehold, NJ, who submitted a price per ton of \$111.00 and a total bid price of \$66,600.00 with an option to extend the existing contract for one, additional two-year period, and

**WHEREAS**, Freehold Cartage of Freehold, NJ was awarded the contract by way of Resolution 73/09; and

**WHEREAS**, the BRSA has requested and Freehold Cartage has agreed to the option of a two year extension of the existing contract for an extension price of \$113.77 per ton for a total price of 68,262.00, which is a 2.5% increase and is allowable and in compliance with Local Public Contracts Law; and

**WHEREAS**, the Authority finds the current services are being performed in an effective and efficient manner and the terms and conditions of the current contract remain essentially the same; and

**WHEREAS**, this contract cannot be extended again; and

**WHEREAS**, the Authority's Staff Engineer, Purchasing Agent and Attorney have reviewed the extension documents and recommend award to Freehold Cartage of Freehold, NJ for a total price of \$68,262.00; and

**WHEREAS**, the funds are available and budgeted for this purpose; and

**NOW THEREFORE BE IT RESOLVED** that Freehold Cartage is hereby awarded an extension of the existing contract for the Disposal of Grit and Screenings for a two-year period in accordance with the terms and conditions of the original contract and extension documents.

**BE IT FURTHER RESOLVED** the Treasurer and Executive Director are hereby authorized to execute the Purchase documents.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**2. RESOLUTION (57/11)** To award the purchase of the Incinerator's Generator Fuel Tank Replacement to Foley Incorporated, Piscataway, NJ in accordance with Open Public Contracts Law, contingent upon final approval by General Counsel.

**WHEREAS**, the Bayshore Regional Sewerage Authority owns and operates an Incinerator/Dewatering Facility Generator ("the Generator") to serve the wastewater treatment process in accordance with NJPDES Permit No. 0024708; and

**WHEREAS**, the above ground Fuel Oil Tank that serves the Incinerator/Dewatering Facility Generator is in need of replacement with a stand-alone, above-ground storage tank; and

**WHEREAS**, on Thursday April 14, 2011 at 1:00 P.M. in accordance with Public Contracts Law, the Authority received, opened and read aloud one (1) sealed Request for Quote(s) (RFQ) for the procurement of the Fuel Oil Tank replacement as a fair and open contract purchase pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. which did not meet the specifications and was subsequently rejected; and

**WHEREAS**, on Wednesday June 16, 2011 the Authority received, opened and read aloud two (2) new RFQs, received as fair and open contract quotes for purchase pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., and

**WHEREAS**, the lowest qualifying quote was received from Foley, Inc., Piscataway, NJ for a price of \$30,643.00; and

**WHEREAS**, the Authority's Qualified Purchasing Agent and Engineer have reviewed all contract quotes received and recommend award of the contract to Foley, Inc. Piscataway, NJ contingent upon acceptance of the contract documents by way of approval by General Counsel; and

**WHEREAS** the funds are available for this purpose

**NOW THEREFORE BE IT RESOLVED** that, Foley, Inc., Piscataway, NJ is hereby awarded the contract for the procurement of the Incinerator/Dewatering Facility Generator's Fuel Tank in accordance with Local Public Contracts Law and as a fair and open contract purchase pursuant to the provisions of N.J.S.A. 19:44A-20.4.

**BE IT FURTHER RESOLVED** the Executive Director and Treasurer of the Board are hereby authorized to execute the Purchase Order # 10508 for procurement of the Fuel Tank in accordance with the terms and conditions of the RFQ.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**3. RESOLUTION (58/11) To accept the First Quarter 2011 Flow Report as presented by Arcadis-US.**

**WHEREAS**, Arcadis - US, Consulting Engineers for the Bayshore Regional Sewerage Authority (BRSA) have determined the quantity of sewage from each of the Towns and Authorities connected to the BRSA system for the First Quarter of the year 2011; and

**WHEREAS**, said flow figures have been calculated from actual meter readings, maintenance service reports, and other data, and

**WHEREAS**, said flow figures have been reviewed by the Commissioners of this Authority,

**NOW THEREFORE BE IT RESOLVED** that this Authority hereby accepts the flow calculations, certified by Arcadis - US for the First Quarter of the year 2011.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**4. RESOLUTION (59/11) To submit the member renewal application to the Joint Insurance Fund.**

**WHEREAS**, the Bayshore Regional Sewerage Authority is currently a member of the New Jersey Utility Authorities Joint Insurance Fund (JIF) with Municipal Excess Liability (MEL coverage); and

**WHEREAS**, said membership is contingent upon submission of an annual member renewal application with updated coverage information, and

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize submission of an updated member renewal application

**BE IT FURTHER RESOLVED**, the Executive Director is hereby directed to submit the Underwriting Renewal Application for JIF and MEL coverage effective January 1, 2012.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**5. RESOLUTION (60/11) To award Contract 58, Rehabilitation of Belt Filter Presses 3 & 4 to Ashbrook Simon-Hartley in accordance with Open Public Contracts Law contingent upon final approval by General Counsel and the Consulting Engineer.**

**WHEREAS**, the Bayshore Regional Sewerage Authority owns and operates a Niro and a Dorr Oliver Incinerator for the processing of sludge in accordance with NJDEP Permit Nos.: 0020057 and 0024708; ("the Permits"); and

**WHEREAS**, an integral component of the treatment process for feeding sludge into these incinerators are the Belt Filter Presses and the Authority is in need of Rehabilitating Belt Filter Presses 3 & 4; and

**WHEREAS**, in accordance with Open Public Contracts Law, the Authority advertised and solicited bids for BRSA Contract 58, The Rehabilitation of BRSA Belt Filter Presses 3 & 4 as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, at 1:00 P.M. on Thursday, June 16, 2011 in accordance with Open Public Contracts Law, opened and read aloud bids for Contract 58, The Rehabilitation of Belt filter Presses 3 & 4, the lowest responsible bidder being Ashbrook Simon-Hartley of Houston TX with a total bid price of \$ 298,000.00; and

**WHEREAS**, the Authority's Qualified Purchasing Agent, Engineer and Consulting Engineer have reviewed the bid document and recommend award to Ashbrook Simon-Hartley of Houston, Texas

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Authority deem it in the best interest of the customers it serves to award Contract 58 for The Rehabilitation of Belt Filter Presses 3 & 4 to Ashbrook Simon-Hartley for a total price of \$298,000.00 in accordance with the terms and conditions of the contract contingent upon review and acceptance of the contract documents by General Counsel

**BE IT FURTHER RESOLVED**, the Chairman and Secretary are hereby authorized to execute the Contract documents 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 Cohen and **SECONDED BY** Commissioner Colligas and carried unanimously by voice vote recorded as follows:

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**5. RESOLUTION (61/11) To grant Sanitary Sewer Connection Approval to serve the Manzo Shopping Center, Route 34, Marlboro, NJ and execute the Treatment Works Approval for submission and endorsement by the NJDEP.**

WHEREAS, Harbor Consultants has submitted an application on behalf of Manzo Shopping Center ("the Applicant") for a sanitary sewer extension and connection application to serve The Manzo Shopping Center, 65 Route 34, also known as Lots 3 & 4 of Block 14 in the Township of Marlboro, NJ; and

WHEREAS, the Applicant has received all local approvals, including sanitary sewer approval for the project; and

WHEREAS the applicant has paid \$57,420.00 towards the total connection fee of \$161,568.00; and

WHEREAS, this approval is contingent upon payment in full of the balance of connection fees in the amount of \$104,148.00;

NOW THEREFORE BE IT RESOLVED that, contingent upon the payment in full of connection fees, the Manzo Shopping Center be, and is hereby granted for a period of one year, approval of the sanitary sewer extension connection for the Manzo Shopping Center project and endorsement of a Treatment Works Approval by the Bayshore Regional Sewerage Authority, executed by its Executive Director

BE IT FURTHER RESOLVED that this Authority recommends this project be granted said Treatment Works Approval by the New Jersey Department of Environmental Protection.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

MOTION - to approve payment of bills listed on:

Operating Fund Req. No. 466 (Regular)	\$ 191,760.08
Payroll Account Req. No. P 118	\$ 190,786.34
Construction Requisition #13	\$ 198,029.65
Ratify Transfer from General Fund*	\$1,692,511.00

\* 1985 Bond Series Debt Service payment - June 1, 2011

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**6. RESOLUTION (62/11) To accept the recommendations of the Personnel Committee based upon non-union personnel performance evaluations.**

This was TABLED BY Vice Chairman Wells at the request of the Chairman of the Personnel Committee and consent of the Board.

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

**7. RESOLUTION (63/11) To authorize the solicitation of RFQ's (Requests for Quotes) for an independent assessment of the BRSA Safety Programs in accordance with the NJ State Open Public Contracts Law.**

**WHEREAS**, the Bayshore Regional Sewerage Authority is desirous of maintaining its Safety Program in a comprehensive, compliant and effective manner; and

**WHEREAS**, the Authority finds it is in the best interest of the staff and the communities it serves to conduct an independent assessment of the Authority's Safety Programs to obtain objective comments, and/or recommendations for improvements to those Programs; and

**WHEREAS**, professionals exist who are trained and experienced in the evaluation, development and implementation of effective Safety Programs; and

**WHEREAS**, the Authority desires to hire a professional for this purpose as a fair and open process, in accordance with NJ State Open Public Contracts Law and the provisions of N.J.S.A. 19:44A-20.4 et seq; and

**WHEREAS**, the funds are available for this purpose; and

**NOW THEREFORE BE IT RESOLVED**, the Authority's Qualified Purchasing Agent is hereby authorized to solicit Requests for Quotations (RFQ's) from Safety Program professionals to conduct an independent assessment of the BRSA Safety Program as a fair and open process in accordance with NJ State Open Public Contracts Law and the provisions of N.J.S.A. 19:44A-20.4 et seq.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

Vice Chairman Wells opened the meeting to the public to discuss any BRSA matters the public might care to address.

(Retired) Captain Charles Hoffman, Hazlet, NJ took the floor. He asked about the generator fuel tank specifications because he was concerned the tank might not have any shellac in it. He was assured the specifications were in compliance with all performance requirements and safety standards.

Mr. Hoffman asked if any of the Federal ARRA funding covered projects other than the wind turbine. Mr. Fischer explained that three (3) major wastewater treatment plant improvement projects were the basis of the Federal grant request application; and the renewable energy wind turbine project was also endorsed and approved for grant money by the Federal ARRA Program.

Mr. Hoffman had a number of questions related to the NJDEP's Wastewater Management Plan for Monmouth County, BRSA capacity, and Holmdel-related issues relative to that Plan. Commissioner Cohen, said for the record, a number of statements recently published about the BRSA have no basis in fact; and for the record, the BRSA does not enter into private agreements with businesses, such as Bell Labs or Lucent. The Bayshore Regional Sewerage Authority serves eight municipalities and one utility authority for the treatment of wastewater in the region. No projects that would connect to the BRSA are approved by the BRSA without prior written approval from the applicable municipality.



In closing his statement, Commissioner Cohen said he was totally offended by the false and inappropriate comments made by Stuart Lieberman, Esq., in a June 17<sup>th</sup>, 2011 *Asbury Park Press* article. Commissioner Cohen said the BRSA is and always has been committed to its fiduciary responsibility of protecting the public health in a fiscally responsible manner. The Authority's efforts to reduce electricity costs with the installation of a single renewable energy wind turbine will assist in accomplishing this commitment. He expressed his concern that opponents of the turbine project, if successful, will substantially affect the savings the BRSA would be able to pass on to its customers, and may have the potential to increase costs, should it be required to repay Federal Grant money because of an incomplete project. He said he was certain the majority of BRSA service customers would not be very happy if that happened.

With no further comments from the public, Vice-Chairman Wells closed the public portion of the meeting. Vice-Chairman Wells then made the following announcement:

The next Agenda Meeting of the B.R.S.A. is scheduled for **Monday, July 12<sup>th</sup>, 2011 @ 7:00 P.M.** A **Connection Fee Public Hearing** will be held on **Monday, July 19<sup>th</sup>, 2011 @ 7:00 PM.** The Regular Meeting of the Authority will commence immediately thereafter. All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

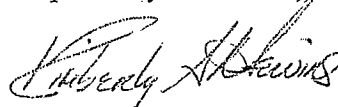
At 7:30 P.M., Vice-Chairman Wells called for a **MOTION** to Adjourn the meeting.

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

Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells and Vice Chairman Wells

Respectfully submitted,



Kimberly A. Newins  
Recording Secretary to the Board