



BAYSHORE REGIONAL SEWERAGE AUTHORITY

100 Oak Street, Union Beach, NJ 07735
732-739-1095 OFFICE 732-739-2459 FAX

Robert C. Fischer
EXECUTIVE DIRECTOR

Bayshore Regional Sewerage Authority Agenda Meeting Minutes May 14th, 2012

At 7:00 P.M. on May 14th, 2012, Chairwoman Parsells called the Agenda 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 BRSA Agenda Meeting has 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.

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

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

Present – Commissioners DiNardo, Cohen, Sutton, Tedeschi, Vella, and Chairwoman Parsells

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

Mr. Fischer presented the final Expression of Interest document for Engineering Services to the Board. He said it would be posted on the BRSA website and also advertised in the official newspaper of the Authority, *The Asbury Park Press*. Commissioner Cohen asked about the extent of the manhole work. Mr. Fischer said this work is part of the Capital Projects planned for the next couple of years. The manholes are inspected on a monthly basis and those needing the most attention will be addressed first. Mr. Fischer reminded the Commissioners that the Authority's Pay-to-Play policy utilizes the Non-Fair and Open Process for professional contracts not publicly bid and therefore only those candidate firms who have not made reportable political contributions to the three founding towns in the prior year or for the length of the project will be considered.

Mr. Fischer asked Mr. Canal to speak about the Wind-to-Energy Project. Mr. Canal said the Contractor is moving forward with the project. He presented the Board with spreadsheets of the costs associated with the transportation permitting. The first sheet reflected a breakdown of the costs incurred by the Contractor for each town. The sheet shows escrows, bond premiums, engineering services, traffic control, pre and post video pipe inspections of storm sewer and sanitary sewer pipes and any other work the towns may have required. The second spreadsheet reflects the total cost incurred by the Contractor. Mr. Canal stated costs associated with obtaining permits are the obligation of the Authority under the Wind-to-Energy Project Contract (54) and the Contractor has requested a Change Order for reimbursement of those expenses. A discussion regarding the bonding amounts, and the costs for pipe cleaning and TV inspections took place. Commissioner DiNardo said the demands that have been made by some towns are a disgrace. Mr. Canal said the Contractor's Change Order is for the additional storage from April to July, pre and post transport sewer inspections, municipal escrow accounts, bonding, engineering oversight and vibration monitoring.

Commissioner Sutton asked what would happen if the Appellate Court requires BRSA to go back to the Union Beach Planning Board? Mr. Granata said that discussion would be reserved for Closed Session. The Change Order will be presented in the form of a Resolution for the Board's consideration at the next Regular Meeting. PS&S, Project Consulting Engineers will be present at the next Regular Meeting to answer any questions the Board may have.

The Chairwoman asked Mr. Canal to continue with his Engineer's report. Contract 59, Return Sludge Pump Station #1 Repairs is underway and some additional corrosion damage has been discovered in the floor of the building in the adjacent storage room. This work cannot be performed as a Change Order to Contract 59 because the projected cost of the repair would exceed the 20% Local Public Contract Law threshold of the original contract price. A Request for Quotes will be prepared and solicited for the additional work to be performed later in the year.

Mr. Canal also discussed the incineration process and the need to repair the recently removed Heat Exchanger.

The Chairwoman moved to the Consulting Engineer's report. Jerry Mitchell, P.E., was present and reviewed the Consulting Engineer's report with the Board. Of note, On Contract 56, Wastewater Treatment Plant Improvements, the required Air Nova tests conducted on the incinerator under the contract are still awaiting review and approval from the NJDEP. Once that approval is received, the contract will be closed out.

Mr. Mitchell also reported on Contract 59, Return Pump Station #1 Repairs to the Concrete Beam. Commissioner Sutton asked about the structural integrity of the adjacent room and floor and asked if the same precautions would be taken to ensure everyone's safety during the floor repairs as well. Mr. Mitchell said the same safety measures would be in place for the floor work.

The Chairwoman called for the Superintendent's Report. Mr. Broyles reported plant flow is slightly lower than historical flows for this time of year. He said effluent quality was better than the previous month (TSS removal in March was 97% and April was 98%).

Mr. Broyles said there were four odor complaints for the month of April. He and his staff followed up on the complaints and while no odors specific to plant operations were detected; they took the usual remedial actions.

The Dorr Oliver was run for 22.5 hours in April. There are 95.38 run time hours left for the Dorr Oliver. Mr. Broyles said this should be ample time to conduct the required Stack Test which must take

place prior to October 30, 2012. Mr. Broyles said the Niro Incinerator's performance has improved each day since being put back in operation.

Mr. Broyles provided an overview of the Safety Incentive Program for the Commissioners. Mr. Fischer noted some award-winning safety suggestions that employees have provided as a result of participating in the program. In closing Mr. Broyles said, a Resolution authorizing award of a Safety Incentive Day to all employees meeting the program criteria will be presented for the Board's consideration at the next Regular Meeting.

Mr. Broyles noted 209 PCB congener testing was completed on April 26th, 2012. Two more wet weather events must be conducted by November 1, 2012 to remain in compliance with the Permit's monitoring requirements.

Chairwoman Parsells inquired about Cosmetic Essence Incorporated. Mr. Broyles said CEI has submitted payment for all their outstanding fines and they have a new lab contractor.

Mr. Broyles reported the NJDEP Streamlining Rules were added to the BRSA Rules and Regulations and were publicly noticed for comment in *The Asbury Park Press*. A thirty day comment period commenced with the publication of the notice.

Mr. Broyles said the main focus of the month was getting the Niro Incinerator back on line and operating properly. In closing, he noted the report from the NJDEP's Compliance Evaluation and Assistance Inspection was attached, as well as the Authority's response to comments contained therein.

Chairwoman Parsells noted an odor has been coming from the Florence Avenue Meter Chamber and asked that it be addressed. Mr. Broyles said it will be checked out immediately.

The Chairwoman called for the Executive Director's Report. Mr. Fischer began with a reminder there will be a Public Hearing on May 21st, 2012 for comments on the proposed 2012/2013 Connection Fee.

Mr. Fischer reported that Hazlet Township's quarterly payment was one day beyond the grace period. Commissioner Vella stated that he had been asked by the Township of Hazlet to seek waiver of the interest due to extenuating circumstances, being the absence of the Official responsible for submitting the payment on time. A discussion ensued.

Chairwoman Parsells said she would like to establish a firm policy that is applicable to every customer and member town regarding the grace period. Chairwoman Parsells then called for a **MOTION to waive the interest charge for the one day late payment by Hazlet Township with the proviso that any other member or customer towns must be given the same treatment *only if the check/funds of payment are cleared by the depository bank the very next day.***

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

Ayes: Commissioners Cohen, DiNardo, Sutton, Tedeschi, Vella and Chairwoman Parsells.

Mr. Fischer closed his report stating he met during the month with the Authority's General Counsel and Accountant to finalize the language of the Sewer Service Agreement. That document with a cover letter was mailed to each customer and member town on April 23, 2012. Additional comments to that document were received from the Township of Hazlet dated May 8th, 2012. He said this discussion will be reserved for Closed Session.

The Chairwoman called for a **MOTION** to go into Executive Session at 7:52 P.M. to discuss matters of personnel and contract negotiation purposes. This was **OFFERED BY** Commissioner DiNardo and **SECONDED BY** Commissioner Tedeschi and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Cohen, DiNardo, Sutton, Tedeschi, Vella and Chairwoman Parsells.

Closed Session Minutes are recorded separately.

At 9:24 P.M., The Chairwoman called for a **MOTION** to end Executive Session. This was **OFFERED BY** Commissioner DiNardo and **SECONDED BY** Commissioner Cohen and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Cohen, DiNardo, Sutton, Tedeschi, Vella and Chairwoman Parsells.

The Chairwoman opened the meeting to the public for any comments or questions from the public.

Charles Hoffman, 2061 Florence Avenue, Hazlet, NJ, made some statements to the Board concerning a Freehold Soil Conservation District employee who was charged with wrong doing and also spoke of alleged problems surrounding the firm of Birdsall Services Group. He said the Authority has had dealings with both entities. He also questioned why the lowest responsible bidder did not receive the award of the Wind-to-Energy Project. Mr. Granata responded, that the lowest responsible bidder did receive the contract.

Chairwoman Parsells asked if anyone else cared to address the Board. No one else wished to address the Board. Chairwoman Parsells then called for a **MOTION to adjourn the public portion of the meeting**. This was **OFFERED BY** Commissioner Vella and **SECONDED BY** Commissioner DiNardo and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Cohen, DiNardo, Sutton, Tedeschi, Vella and Chairwoman Parsells.

At 9:30 P.M., Chairwoman Parsells called for a **MOTION** to Adjourn the Meeting. This was **OFFERED BY** Commissioner Tedeschi and **SECONDED BY** Commissioner Cohen and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Cohen, DiNardo, Sutton, Tedeschi, Vella and Chairwoman Parsells.

Respectfully submitted,



Kimberly A. Newins
Administrative Assistant
Board Recording Secretary

Audiotaped recordings of each meeting are available upon request.