



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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

Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES AGENDA MEETING MONDAY, APRIL 8, 2013

At 7:00 P.M. on Monday, April 8, 2013 Chairman Vella called the 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 Asbury Park Press and is on the BRSA Official Website. 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.

Chairman Vella asked all in attendance to stand for the Pledge of Allegiance and a Moment of Silence for the safety of US Troops all over the world.

Chairman Vella requests a roll call of attendance:

Present: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton and Chairman Vella

Also in Attendance: Robert C. Fischer, Executive Director
Peter Canal, BRSA Engineer
J. Michael Broyles, BRSA Superintendent
Manuel Ponte, Consulting Engineer
James Gorman, BRSA Attorney

Reports

BRSA Projects, Special Reports & Connection Applications

Pete Canal introduced the Engineer for the Camelot at Marlboro's project, Mr. William Wentzien. He explained the project, 250 apartment complex (50 units are affordable housing), a pool, maintenance building and a meeting room. The project is located at the old Entron site and is part of the Route 79 clean-up redevelopment project. There will be 12 residential buildings, each one having between 15 & 22 units. Mr. Wentzien requested a Building-by-Building Developers Agreement which would require them to pay the entire connection fee up front before constructing the building.

Jim Gorman stated that BRSA's Rules and Regulations should be changed to incorporate the wording and fees for a Developers Agreement.

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

Chairman Vella stated that they can't get a CO until the next building to be built has its connection fee paid. He asked Pete if BRSA has done this before. Pete said yes. Brett Kaplan Developer for Camelot said he would send BRSA a letter of credit. The Commissioners addressed the fact that the project will take 18 to 24 months and BRSA's connection fee may go up or down in that time frame. Pete Canal explained that whatever the fee is at the time of payment is what they pay.

Disaster Recovery Update

Mr. Fischer informed the Board that BRSA received \$1.2 million dollars from FEMA representing ½ of 75% submitted for emergency restoration efforts – Category B. He also stated that we received \$3000.00 from CNA for wind damage of the HVAC on the NIRO roof, and we should be getting about \$30,000 in a couple of weeks for our damaged vehicles.

Mr. Fischer also explained that FEMA has extended their emergency declaration date from 4-31-13 to 10-31-13.

Mr. Fischer talked about the efforts taken to secure the electrical safety especially in the Motor Control Center (MCC). Everything has been tagged and locked out even though there is no energy going to it. All staff has been made aware during a General Staff meeting.

Staff Engineer Report

Dorr Oliver Demolition Bid

Pete reported the receipt of bid results for the demolition of the Dorr Oliver Incinerator.

The bid amounts ranged from \$59,000 to \$219,000. Asked why the big difference, Pete said one reason could be that the low bidder, Allied Construction, is a local company where the others are from New York, Connecticut and Pennsylvania.

Jim Gorman said he is reviewing the contracts.

Pete explained that Maser Engineering is preparing bids for the repair of the Valve Actuators and Flow Meters that were damaged in Hurricane Sandy. He also stated that R3M is preparing RFQ specs for the Fire Alarm & Sprinkler System. Estimated cost is approx. \$50,000 at this time. Several more panels have to be tested. The Influent Pumps must be serviced due to damage from Hurricane Sandy. R3M suggested it would need to go out to public bid rather than receive RFQ's due to the threshold amount.

Consulting Engineer Report

Manuel Ponte discussed the meeting with FEMA on the cost projections. He said he has been working on flood prevention, building by building and the entire site. He also reported that the bids have been opened for the Administration Building reconstruction and hopes it will be awarded at Monday's meeting. He said the contractors are ready to work day, night and weekends.

BRSA Superintendent's Report

Mike reported the flow numbers are normal for this time of year. He said the effluent improved slightly. He said we received 7 odor complaints mostly when we were loading a dumpster and the wind was over 10 miles per hour. The workers are trying to keep the dumpster covered.

Mike said that he received a satisfactory letter from DEP on the IPP program. The DEP has no issues and stated everything is being implemented satisfactorily concerning the Authority's Industrial Pretreatment Program (IPP).

Commissioner Mullen asked if the overtime is more than usual. Mike said that the plant has to be covered by 3 shifts 7 days a week. Man-hours have been increased since the storm.

Executive Director's Report

Mr. Fischer handed out the draft copy of the 2012 Audit Report. He said that Mike Bart, BRSA's Auditor, will attend the April 15, 2013 meeting to present the audit and answer any questions. He then discussed each section of the audit with the Commissioners in preparation for the formal presentation by the Auditor at next weeks meeting.

Mr. Fischer reported that by the May meeting R3M should have a handle on the timing and cash flow requirements to reconstruct the plant. He said we have to start talking about Bonding to have cash flow available for reconstruction. The Authority does not have cash flow available for the magnitude of the repairs needed, and FEMA and Insurance reimbursements will not be available from a timing standpoint when claims are due.

Public Portion

Chairman Vella announced that this portion of the meeting is OPEN TO THE PUBLIC to discuss any BRSA matters the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA's operations or projects will be addressed.

As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments and time accordingly.

Kevin Lavin of Hazlet asked Mr. Fischer about the status of his OPRA request. Mr. Fischer told him he could pick it up tomorrow.

Bill Shewin of Hazlet asked about the turbine condition, asked if the hydraulics on the base of the turbine was destroyed and if any tests have been done on the base.

Mr. Fischer said Conti had no issue with the base. The base (foundation) sits on 14" concrete filled steel piles driven 50' to 60' deep.

Bill Shewin requested that Conti test the base considering the status of the force. He asked Jim Gorman what Conti's contract stated in regards to damages.

Jim Gorman said he did not have a copy of the signed contract.

Chairman Vella said this discussion will take place in Closed Session.

Bill Shewin asked about the Escrow accounts being substantially less than last year.

Mr. Fischer explained there were two main reasons why we were able to return that money to the towns. First, the Authority lowered its sewer rate which lowered the obligation each town has. Second, the new service agreements lowered the requirement from 6 months annual charge to 3 months annual charge. As a result we were able to return hundreds of thousands of dollars to the towns.

Bill Shewin asked if the BRSA had any outstanding contracts with Birdsall Engineering.

Mr. Fischer explained that initially Birdsall was called in as the Environmental Engineer for the JIF when a pinhole leak was discovered in the underground fuel line. Since then BRSA

hired them to perform a necessary preliminary assessment of the same area. Last year Birdsall requested a contract to perform the next phase of investigation and the Authority did not award that contract to them.

Kimberly Newins of Hazlet stated that she is a former Administrator for BRSA, worked here for 18 years and unfortunately is unable to ever return to work. She questioned Jim Gorman's position as BRSA's General Counsel stating that he has a conflict of interest because he was appointed Special Counsel with Monmouth County, Conflict Counsel WMUA & Monmouth County and Counsel on the Zoning Board in Holmdel. She stated that she has copies of the Resolutions for these appointments if anyone wanted to see them. Kimberly Newins questioned Jim Gorman's advice about changing BRSA's Rules and Regulations stating the DEP had to approve any changes and she stated that his opinion on the Camelot in Marlboro project should be excluded due to his conflict of interest. Kimberly Newins asked Jim Gorman about his political contributions and his signing of the affidavit stating he has not made a contribution in the past year. She told the Commissioners they have been well advised and asked that the resolution appointing Jim Gorman be rescinded.

Kimberly Newins then handed Mr. Fischer an OPRA request asking for all the e-mails, cell & home phone records in regards to conversations between the Commissioners and Jim Gorman. She also stated that she was going to the Attorney Generals, the DCA and the Prosecutor's office with all the information.

Executive Session

Chairman Vella called for a **MOTION** to go into Closed Session at 8:05 P.M. 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 will be taken to discuss matters falling within attorney-client privileges, specifically, pending and anticipated litigation and matters of employment. 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.

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner McMullen and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

At 9:20 P.M. Chairman Vella called for a **MOTION** to end Closed Session.

OFFEDER BY: Commissioner Khachaturian, SECONDED BY: Commissioner McMullen and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Resolutions

RESOLUTION (70/13) – to transfer the Payroll Clerk to the position of Administrative Assistant effective 4-28-13

OFFEDER BY: Chairman Vella, SECONDED BY: Commissioner Steiner and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (71/13) – to increase the pay rate for the purchasing agent by 3% effective 5-1-13.

OFFEDER BY: Commissioner Khachaturian, SECONDED BY: Commissioner Steiner and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Approval of Minutes

Chairman Vella called for a **MOTION** to approve the following Minutes:

Closed Session – January 21, 2013
February 11, 2013
February 25, 2013
March 18, 2013
Reorganization Meeting – February 25, 2013
Regular Meeting - February 25, 2013

OFFEDER BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Adjournment

ANNOUNCEMENT (by Chairman Vella)

The next Regular Meeting of the BRSA will be held on Monday, April 15, 2013 @ 7PM prevailing time at the Bayshore Regional Sewerage Authority, 100 Oak Street, Union Beach, NJ.

At 9:40 PM Chairman Vella called for a **MOTION** to adjourn the meeting.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Respectfully submitted,

Susan DuBey
Acting Secretary to the Board



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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

Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES REGULAR MEETING April 15, 2013

At 7:00 P.M., on Monday, April 15, 2013 Chairman Vella called the Regular Meeting of the Bayshore Regional Sewerage Authority to order and make 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 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.

Chairman Vella called for all in attendance to stand for the Pledge of Allegiance and a Moment of Silence for the safety of US Troops serving all over the world.

Chairman Vella requested a roll call:

Present: Commissioner Khachaturian , McMullen, Pisano, Steiner, Sutton and Chairman Vella

Also In Attendance: Mr. Robert C. Fischer, Executive Director
Peter J. Canal, BRSA Engineer
Jim Gorman, Esq., Attorney
Mike Bart, Auditor
Manuel Ponte, R3M Engineer
John Draikowicz Esq., Bond Council
Susan DuBey, Acting Secretary

Treasurer's Report

Chairman Vella called for a MOTION to approve the Treasurer's Report

TREASURER'S REPORT given by Commissioner Sutton

OFFEREDBY: Commissioner Sutton, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

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

Payment of Bills

Chairman Vella calls for a **MOTION** for payment of the following:

Operating Fund Req. No. 494 (Regular)	\$579,323.49
Operating Fund Req. No. S-6 (Sandy)	\$401,035.23
Payroll Account Req. No. P 141	\$184,967.65

OFFERED BY: Chairman Vella, SECONDED BY: Commissioner Pisano and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Public Portion

Chairman Vella announced that this portion of the meeting is now open to the public for comments or questions related to Agenda items only. The public is reminded; only questions or comments specific to the scope of the Agenda items are to be addressed at this time. As a courtesy to all, please be mindful of limiting your comments accordingly.

There were no comments.

Resolutions

Prior to the adoption of Resolution 72/13 and 73/13, Mike Bart explained the Auditors report in great lengths. He explained the required letter regarding BRSA's internal control being in compliance, the payoff of all the bonds, footnotes of the Authority's financials, the required reconciliation of the cash accounts, compliance of the expenditures and a summary of the total audit report.

RESOLUTION (72/13): to adopt the 2012 Annual Audit Report as presented by Bart & Bart, CPAs, BRSA Auditors

WHEREAS, N.J.S.A. 40:14A-7.1 requires the governing body of each local Authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2012 has been completed and will be filed with the members and customer towns served pursuant to N.J.S.A. 40:14A-7.1, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit entitled "General Comments" and "Recommendation," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority are the members of the governing body and have received the annual audit and have personally reviewed

the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby certify to the Local Finance Board of the State of New Jersey that each member has personally reviewed the annual audit for the fiscal year ended December 31, 2012, and specifically has reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner Pisano, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (73/13): to execute the Local Finance Board Group Affidavit form

We, the Commissioners constitute the members of the governing body of the Bayshore Regional Sewerage Authority being of full age and being duly sworn according to law, upon our oath depose and say:

- We are duly appointed Commissioners of the Bayshore Regional Sewerage Authority.
- We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2012 and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

WATLER VELLA	Chairman
ADAM KHACHATURIAN	Vice Chairman
LOUIS PISANO	Secretary
MARCY McMULLEN	Asst. Secretary
BART SUTTON	Treasurer
CHARLES STEINER	Asst. Treasurer

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (74/13): to authorize the advertisement of bids for sludge hauling & disposal services

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire the services of Sludge Hauling and Disposal as a publicly bid contract pursuant to the provision of the Local Public Contract Law, and

WHEREAS, bid specifications for the procurement of these services have been developed by R3M Engineering, and

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the qualified purchasing agent to advertise for the solicitation of bids for the procurement of Sludge Hauling and Disposal Services.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (75/13): to purchase proprietary SCADA software

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire proprietary software upgrades for its Wonderware Supervisory Control and Data Acquisition (SCADA) system, and

WHEREAS, the BRSA SCADA system is an integral part of the monitoring and alarm system of the Authority, and

WHEREAS, the proprietary software upgrade will allow the Authority to stay current with the latest SCADA system technology, and

WHEREAS, Local Public Contract Law allows for the procurement of proprietary hardware and software as an exception to the public bidding process in accordance with NJSA 40A:11-5 exceptions, and

WHEREAS, funds are available for the procurement of these goods and services.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorizes the qualified purchasing agent to procure proprietary software upgrades for its Wonderware SCADA system from Wonderware North of Hursham, PA. at a cost of \$12,983.00 in accordance with their quotation dated March 19, 2013.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (76/13): to award Contract 63S to Allied Construction Group, Inc. for Dorr Oliver demolition

WHEREAS, the Bayshore Regional Sewerage Authority Dorr Oliver Incinerator was severely damaged by flooding from Hurricane Sandy, and

WHEREAS, in accordance with Local Public Contract Law, at 2:00 P.M. on Thursday, April 4, 2013 the Bayshore Regional Sewerage Authority advertised and received bids for Contract No. 63S, Dorr Oliver Refractory Demolition and Removal, and

WHEREAS, the bids were publicly opened and read aloud, the lowest responsible and responsive bidder being Allied Construction Group, Inc. having submitted a price of \$59,700, and

WHEREAS, funds are available for the demolition of the incinerator, and

WHEREAS, Chavond Barry Engineering Corp. and General Counsel have reviewed the bids received and recommend award of the contract to Allied Construction Group, Inc.

NOW THEREFORE BE IT RESOLVED that Allied Construction Group, Inc. is hereby awarded the contract for Contract 63S, Dorr Oliver Refractory Demolition and Removal, in accordance with the terms and conditions of the bid and contract documents.

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized to execute the contract documents.

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (77/13): to execute a developer's agreement with Camelot at Marlboro Urban Renewal, LLC.

WHEREAS, Camelot at Marlboro Urban Renewal, LLC is the project developer of 250 apartments units, a club house, pool and maintenance building subdivision known as Camelot at Marlboro project in Marlboro, New Jersey being Lot 18 of Block 132, and

WHEREAS, Camelot at Marlboro Urban Renewal, LLC has requested to be allowed to enter into a Developer's Agreement for Camelot at Marlboro with the BRSA to provide for the payment of connection fees; and

WHEREAS, the Authority's Attorney has prepared a Developer's Agreement that is acceptable to the Commissioners, and

WHEREAS, the Commissioners of the Authority deem it is in the best interest of the Authority and its participants to enter into said Developer's Agreement, and

WHEREAS, the Camelot at Marlboro Urban Renewal, LLC has executed the Developer's Agreement for Camelot at Marlboro and has provided the Authority's Attorney with the performance guarantees that are acceptable and has made the initial payment under the Developer's Agreement along with the applicable review fees.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the execution of the Developer's Agreement with Camelot at Marlboro Urban Renewal, LLC to serve the Camelot at Marlboro project.

BE IT FURTHER RESOLVED that Chairman and Secretary are hereby directed to execute the Agreement and to file it with the Monmouth County Clerk's Office.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (78/13): to grant approval for a Sewer Connection and Treatment Works Approval Permit for the Camelot at Marlboro project.

WHEREAS, Camelot at Marlboro Urban Renewal, LLC has applied for a sanitary sewer Connection Application Permit and Treatment Works Approval Permit to serve Camelot at Marlboro project, 250 apartment units, a club house, pool and maintenance building subdivision in Marlboro, New Jersey being Lot 18 of Block 132, and has included all required forms, and

WHEREAS, Camelot at Marlboro Urban Renewal, LLC has entered into a Developer's Agreement with the BRSA for the payment of fees, and

WHEREAS, the Camelot at Marlboro Urban Renewal, LLC has received all local approvals including sanitary sewer approvals, and

WHEREAS, the project is expected to generate 54,745 gallons per day of wastewater, and

WHEREAS, the Camelot at Marlboro Urban Renewal, LLC has executed the Developer's Agreement and has provided the Authority's Attorney with the performance guarantees that have been found to be acceptable.

NOW THEREFORE BE IT RESOLVED that Camelot at Marlboro Urban Renewal, LLC be, and it hereby granted approval of the sanitary sewer Connection Permit for the Camelot at Marlboro project subject to the execution of the Developer's Agreement and payment of connection fees and the approval of a Treatment Works Approval Permit by the New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that Executive Director is hereby authorized to execute the Treatment Works Approval Consent forms and the Chairman is authorized to execute the Developer's Agreement and to file the agreement with the Monmouth County Clerk's Office.

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

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (79/13): to award Contract 64S for the reconstruction & appurtenant work on the Administration building (all three improvements).

Manuel Ponte of R3M Engineering explained the receipt of 5 bids for the reconstruction & appurtenant work on the administration building. He stated that the lowest base bid was \$437,000 with 2 alternative projects (A1)-ADA Ramp and (A2)-Entrance Vestibule. Manuel stated that he checked the references and recommends the Commissioner award Contract 64S (including A1 & A2) to Shorelands Construction Inc. Jim Gorman said he reviewed the 3 lowest contracts and everything is in order.

WHEREAS, the Bayshore Regional Sewerage Authority Administration Building was severely damaged by flooding from Hurricane Sandy, and

WHEREAS, there exists a need to repair the building through the Public bidding process, and

WHEREAS, in accordance with Local Public Contract Law, at 2:00 P.M. on Friday, April 12, 2013 the Bayshore Regional Sewerage Authority advertised and received bids for Contract No. 64S, Administration Building Reconstruction and Appurtenant Work and

WHEREAS, the bids were publicly opened and read aloud, the lowest responsible bidder being Shorelands Construction Inc. having submitted a base price of \$437,000.00 plus A2 in the amount of \$11,400.00, and

WHEREAS, funds are available for the reconstruction and appurtenant work of the Administration Building, and

WHEREAS, the Authority's Consulting Engineer, R3M Engineering and General Counsel have reviewed the bids received and recommend award of the contract to Shorelands Construction Inc.

NOW THEREFORE BE IT RESOLVED that Shorelands Construction Inc. is hereby awarded the contract for Contract 64S, Administration Building Reconstruction and Appurtenant Work in accordance with the terms and conditions of the bid and contract documents.

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized to execute the contract documents.

OFFERED BY: Commissioner Khachaturian, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (80/13): to authorize qualified purchasing agent to advertise for the rehabilitation of 3 influent pumps

WHEREAS, Hurricane Sandy caused severe flooding in the Bayshore Region, and

WHEREAS, Bayshore Regional Sewerage Authority (BRSA) owns and maintains influent sewerage pumps as part of its Waste Water Treatment Plant (WWTP), and

WHEREAS, there is a need to rehabilitate three (3) damaged influent pumps as a result of the flooding, and

WHEREAS, the BRSA has funding available to procure these disaster related services.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the qualified purchasing agent is hereby authorized to advertise through Public Contract in the BRSA official newspaper for the rehabilitation of three (3) influent sewerage pumps necessary to operate the WWTP.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (81/13): to award Paychek the contract for payroll services

Jim Gorman stated he sent a letter to Mr. Fischer with concerns about the contract from Paychek. One of the concerns stated in the contract is that any kind of arbitration will take place in Rockchester, NY. Jim said would agree to anywhere in NJ. The other concern is simple word changes he would like to see incorporated in the contract.

WHEREAS, the position of Authority Payroll Clerk will be vacated as of April 28, 2013, and

WHEREAS, the Authority desires to contract for payroll services and eliminate the position of Payroll Clerk at the Authority, and

WHEREAS, the Authority solicited quotations for weekly payroll services including full data input, tax services, W-2 services, paycheck delivery, customer support, and compatibility with Authority financial software, and

WHEREAS, the lowest quote received from the qualifying vendors was from Paychex of Penfield, NY at a cost of \$4,486.00 per year, and

WHEREAS, the Authority has funds available for the procurement of these services.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority the position of Payroll Clerk is eliminated as of April 28, 2013.

BE IT FURTHER RESOLVED the firm of Paychex is awarded the contract for payroll services contingent upon satisfactory review and approval of the contract documents by the Executive Director and General Counsel.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Public Portion

Chairman Vella announced that this meeting is open to the public to discuss any BRSA matters the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA's operations or projects will be addressed.

As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments and time accordingly.

Kimberly Newins, 6 Michigan Avenue, Hazlet stated that she has been in touch with the Monmouth County Legal Ethics Committee regarding Jim Gorman's multiple appointments. She said she has also filled a request with the Board of Election Law Enforcement Commission regarding his campaign contributions. Ms. Newins said she is still waiting for the information on her OPRA request. She feels that Mr. Gorman's appointment to the BRSA was collusory and not in the best interest of the residents. She also stated that she is pursuing to find out the connection between the individual and their affiliates responsible for making his appointment. Kim also said she would like to uphold the integrity and honor of the Authority. She stated that she will pursue to rescind his appointment till the end. She said she has plenty of time and knows who to call and where to look for information. Kim stated "the wind turbine will blow". Bill Shewin, 28 Mason Drive, Hazlet asked if he heard correctly that there is \$7,000,000 in the Trustee Accounts. Commissioner Sutton said that was the total of all the accounts.

Closed Session

Chairman Vella called for a **MOTION** to go into Closed Session @ 7:32 P.M. 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 will be taken to discuss matters falling within attorney-client privileges, specifically, pending and anticipated 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.

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

Chairman Vella called for a **MOTION** to end Closed Session @ 9:20 P.M.

OFFEDER BY: Commissioner Khachaturian, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

ANNOUNCEMENT

Chairman Vella announced:

The next Agenda Meeting of the B.R.S.A. is scheduled for Monday, May 13,, 2013 @ 7:00 P.M.
The next Regular Meeting of the Authority will be held on Monday, May 20, 2013 @ 7:00 P.M.
All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

ADJOURNMENT

Chairman Vella called for a **MOTION** to Adjourn the meeting @ 9:23 P.M.

OFFEDER BY: Commissioner Pisano, SECONDED BY: Commissioner Sutton, , and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Respectfully submitted,

Susan DuBey
Acting Secretary to the Board