



# BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer  
EXECUTIVE DIRECTOR

## MINUTES AGENDA and REGULAR MEETING MONDAY, AUGUST 19, 2013

At 7:00 P.M. on Monday, August 19, 2013 Chairman Vella called the meeting of the Bayshore Regional Sewerage Authority to order and makes 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 requested a roll call of attendance:

PRESENT: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton & 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  
Susan DuBey, Admin. Assistant

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

*BRSA staff, November 2006*

## Reports

### BRSA Projects, Special Reports & Connection Applications

Mr. Fischer gave the Commissioners an update on our Sandy Recovery. He detailed the number of Project Worksheets that were written and approved to date, as well as those obligated. He described a graph showing our spending by the month since the disaster occurred. He spoke about a press conference held at the Authority at the request of Congressman Pallone's office.

### Staff Engineer Report

Pete Canal spoke about the level of effort expended by Chavond Barry to work with FEMA in determining the scope and cost of work to rebuild the Incinerators. He mentioned a credit to be received on the Dorr Oliver Demolition project. He spoke of the RFP for Construction Management for the Dorr Oliver Rebuild. Mr. Canal spoke about the need to procure Security Services for the Plant Alarm System.

### Consulting Engineer Report

Manuel Ponte spoke about the Mitigation Analysis that is ongoing with R3M & Arcadis. He spoke about the efforts of R3M to assist the Authority in the recovery from Hurricane Sandy. Mr. Ponte explained the 3<sup>rd</sup> quarter flow report. Jim Gorman asked Manuel if Hazlet & Union Beach numbers were consistent with the new service agreement. Manuel said yes.

### Superintendent's Report

Mike Broyles said July flow numbers were above average. He spoke about the sludge being 17% solids which causes the Authority to remove more gallons as compared to when we are producing 20% solids. He reported that there was 1 odor complaint for July. Mike spoke about the need to return to sludge incineration and the lack of control we have when we are hauling sludge as an alternative.

Chairman Vella asked Pete how much longer till the Dorr Oliver is up and running? Pete said a pre-construction meeting will be on Wednesday and he predicts completion in January/February 2014.

### Executive Director's Report

Mr. Fischer spoke about the Section 125 Cafeteria Plan and the components contained within the Plan. He said that Paychex will be the Service Provider for the Plan going forward and Paychex will hold an information and application session next week to enroll employees.

Mr. Fischer mentioned that the Authority is beginning the Budget process for 2014. A result of the New Service Agreements allows BRSA to tell each municipality exactly what they will pay for sewer service in 2014 by this October.

Mr. Fischer advised that the Authority was invited to participate in this year's National Night Out but due the timing and our recovery we were unable to attend. He requested the Commissioners consider a \$500.00 donation to the cause. The Commissioners agreed.

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

OFFERED 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

## **TREASURER'S REPORT**

### **STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS**

<b>TD BANK</b>	<b>Balance</b>
<b>TRUSTEE ACCOUNTS</b>	<b>July 31, 2013</b>
<b><u>UNRESTRICTED</u></b>	
Revenue Fund	\$ 9,980,883.42
General Fund	<u>\$ 871,791.35</u>
Total Unrestricted	\$ 10,852,674.77
<b><u>RESTRICTED</u></b>	
<b>Bond Service Fund</b>	
1985 Bond Service Fund	\$ 817.08
Total Restricted Funds	<u>\$ 817.08</u>
<b><u>2010 NJEIT BONDS</u></b>	
Revenue	\$ 0.00
Construction	\$ 1,357,073.09
Bond Service	<u>\$ .05</u>
Total NJEIT	\$ 1,357,073.09
<b><u>TOTAL TRUSTEE ACCOUNTS</u></b>	<b>\$ 12,210,564.94</b>
<b><u>TD BANK</u></b>	
Incoming Revenue Account	\$ 158,740.53
Operating Regular Account	\$ 106,614.32
Operating Payroll Account	<u>\$ 136,469.17</u>
<b><u>TOTAL AUTHORITY ACCOUNTS</u></b>	<b>\$ 401,824.02</b>
<b><u>TOTAL</u></b>	<b>\$ 12,612,388.96</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.

### **SCHEDULE OF ACCOUNTS RECEIVABLE**

<b>SERVICE CHARGES:</b>	<b>Balance</b>
	<b>July 31, 2013</b>
Hazlet Township Sewerage 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	\$	0.00
<b>TOTAL</b>	\$	0.00

**OUTFALL AUTHORITY CHARGES**

Hazlet Township Sewerage Authority	\$	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	\$	0.00
<b>TOTAL</b>	\$	0.00

**Balance of Rent Reserve Accounts as of July, 2013**

Hazlet Township Sewerage Utility	\$	727,415.23
Township of Holmdel	\$	317,075.53
Borough of Union Beach	\$	418,326.55
Borough of Keyport	\$	321,600.46
Borough of Keansburg	\$	301,771.53
Borough of Matawan	\$	321,447.72
Western Monmouth Utilities Authority	\$	195,244.13
Township of Aberdeen	\$	466,542.98
<b>TOTAL</b>	\$	3,069,424.13

**Payment of Bills**

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

Operating Fund Req. No. P146	\$ 203,349.09
Operating Fund Req. No. 498 (Regular)	\$ 219,316.17
Operating Fund Req. No. S-10 (Sandy)	\$ 582,068.54

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

## Resolutions

### **RESOLUTION (115/13): to Adopt a Section 125 Cafeteria Plan**

**WHEREAS**, the Bayshore Regional Sewerage Authority, in compliance with the directives in the State Health Benefits Pension Reform Act, has determined that it would be in the best interests of its employees to establish and offer "Section 125 Plan" benefits: a Premium Option Plan (POP), a Flexible Spending Account (FSA), including a Dependent Care Flexible Spending Account, allowing for pre-taxed employee payments towards these benefits; and

**WHEREAS**, the purpose of the Bayshore Regional Sewerage Authority Premium Only Plan (the "Plan") is to allow employees to make contributions toward health benefits as a payroll contribution before federal income and FICA taxes. All employees receiving health benefits will be enrolled in the POP but may opt out by filing an opt-out form; and

**WHEREAS**, Bayshore Regional Sewerage Authority intends that the Plan qualify as a "cafeteria plan" under Section 125 of the Internal Revenue Code of 1986 ("Code") as amended, and that the benefits that an employee elects to receive under the Plan be eligible for exclusion from the employee's income for federal income tax benefits;

**NOW THEREFORE BE IT RESOLVED** that the Bayshore Regional Sewerage Authority does adopt the aforementioned "Section 125 Cafeteria Plans"; and

**BE IT FURTHER RESOLVED** that the Bayshore Regional Sewerage Authority does hereby direct its Chief Financial Officer and Executive Director to implement and administer said Plans.

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 (116/13): Renewal of Membership in the New Jersey Utility Authorities Joint Insurance Fund**

**WHEREAS**, the Bayshore Regional Sewerage Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund; and

**WHEREAS**, said renewed membership terminates as of December 31, 2013 unless earlier renewed by agreement between the Authority and the Fund; and

**WHEREAS**, the Authority desires to renew said membership;

**NOW THEREFORE BE IT RESOLVED** as follows:

1. The Bayshore Regional Sewerage Authority agrees to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage's, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority's intention to renew its membership.

This Resolution agreed to this 19<sup>th</sup> day of August, 2013 by a vote of:

6	Affirmative
0	Negative

Louis Pisano

ATTEST

August 19, 2013

DATE

CHAIRPERSON

Walter Vella

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

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

**RESOLUTION (117/13): Agreement to Renew Membership in the New Jersey Utility Authorities Joint Insurance Fund**

**WHEREAS**, the New Jersey Utility Authorities Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and

**WHEREAS**, the Bayshore Regional Sewerage Authority is currently a member of said Fund; and

**WHEREAS**, effective December 31, 2013, said membership will expire unless earlier renewed; and

**WHEREAS**, the Governing Body of the Bayshore Regional Sewerage Authority has resolved to renew said membership;

**NOW THEREFORE**, it is agreed as follows:

1. Bayshore Regional Sewerage Authority hereby renews its membership in the New Jersey Utility Authorities Joint Insurance Fund for a three (3) year period, beginning January 1, 2014 and ending January 1, 2017.\*
2. The Bayshore Regional Sewerage Authority hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the New Jersey Utility Authorities Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The Bayshore Regional Sewerage Authority agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the Bayshore Regional Sewerage Authority in the New Jersey Utility Authorities Joint Insurance Fund, the New Jersey Utility Authorities Joint Insurance Fund agrees to the continuing of the Commissioner of Banking & Insurance, to accept the renewal application of the Bayshore Regional Sewerage Authority.
5. Executed the 19<sup>th</sup> day of August, 2013 as the lawful and binding act and deed of the, which execution has been duly authorized by public vote of the governing body.

\*12:01 am

Louis Pisano

ATTEST

AUTHORITY CHAIRPERSON

Walter Vella

NEW JERSEY UTILITY AUTHORITIES  
JOINT INSURANCE FUND

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 (118/13): to accept the third quarter flow report for 2012/2013**

**WHEREAS**, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (BRSA) have determined the quantity of sewerage from each of the Towns and Authorities connected to the BRSA system for the period October 1, 2012 to June 30, 2013.

**WHEREAS**, said flow figures have been calculated from actual meter readings, maintenance service reports, meter calibration 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 R3M for the Third Quarter of the year 2012/2013.

OFFERED 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

**RESOLUTION (119/13): to accept the recommendation of Gannett Fleming and to solicit proposals for the design of the Niro Incinerator Rebuild**

**WHEREAS**, Hurricane Sandy caused extensive damage to the Bayshore Regional Sewerage Authority on October 29, 2012 including damage to the Authority sludge dewatering and incineration system, and

**WHEREAS**, on February 25, 2013 the Authority awarded a contract to Gannett Fleming to analyze the alternatives available to the Authority for future disposal at sewage sludge, and

**WHEREAS**, the proper disposal of sewage sludge is a major component of the health, safety and welfare of the community and the environment and is a major cost capital and operational cost of any major wastewater treatment plant, and

**WHEREAS**, Gannett Fleming has analyzed the alternatives available to the Authority and presented them at a public meeting on June 10, 2013 and in a final report dated June, 2013, and

**WHEREAS**, the evaluation of alternatives included capital and operational costs, as well as impact to the neighborhood, operational, reliability, permitting and funding considerations, and

**WHEREAS**, Gannett Fleming recommends the Rebuilding of the Niro Incinerator, the Repair of the Dorr Oliver Incinerator and future replacement of the Dorr Oliver Incinerator along with other operational improvements.

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority accept the Sewage Sludge Disposal Alternative Analysis report presented by Gannett Fleming dated June, 2013 and directs the staff of the Authority to develop a Request For Proposal for Engineering Services to design the Rebuild of the Niro Incinerator including the new emissions requirements of the EPA.

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 (120/13): to solicit quotations for Security Services for an 8 month period.**

**WHEREAS**, the Commissioners of the Authority awarded a contract to Bristol Protective Services on June 10, 2013 for 16 weeks of security service at the Bayshore Regional Sewerage Authority in accordance with Resolution (97/13), and

**WHEREAS**, the contract with Bristol Protective Services ends in October of this year, and

**WHEREAS**, the Authority monitoring and alarm system will not be fully functional by November as originally anticipated, and

**WHEREAS**, the Authority desires to maintain plant, buildings, and alarm system security services for an additional eight (8) months beyond October.

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Authority approved the continued use of security services for the plant, buildings, and alarm and authorize the qualified Purchasing Agent to solicit quotations for these services for a term to start in October, 2013 and terminate in June, 2014.

OFFERED 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

**RESOLUTION (121/13): to award the contract for Construction Management Services for the Dorr Oliver Repair to CDM Smith**

**WHEREAS**, Hurricane Sandy caused extensive damage to the Authority Sludge Dewatering and Incineration System including the Dorr Oliver Incinerator, and

**WHEREAS**, on July 15, 2013 the Commissioners awarded a contract to Iron Hills Construction for the re-construction of the Dorr Oliver Incinerator in accordance with Resolution (109-13), and

**WHEREAS**, on July 15, 2013 the Commissioners authorized the solicitation of proposals for Construction Management Services for the Dorr Oliver Repair, and

**WHEREAS**, a request for proposal was sent to the Authority's previously identified Capital Improvement Plan Engineering Firms and sealed proposals were received and opened on August 6, 2013 with the most competitive quote, cost and other factors considered being submitted by CDM Smith of Edison, NJ at a price of \$101,100.00, and

**WHEREAS**, funds are available for this purpose.

**NOW THEREFORE BE IT RESOLVED** the Commissioners award the contract for Construction Management Services for the Dorr Oliver Repair to CDM Smith at a cost of \$101,100.00 in accordance with their proposal dated August, 2013.

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

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

**RESOLUTION (122/13): to bind coverage for the Administration Building for 2013/2014 through Selective Insurance Company.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has carried flood insurance on the Administration Building through the National Flood Insurance Program (NFID) with a policy issued by Selective Insurance Company of America located in Branchville, NJ (Selective), and

**WHEREAS**, the existing policy with Selective expires on October 1, 2013 and Selective has quoted a continuation of coverage at the same coverage and deductible for a premium increase of approximately 5%, and

**WHEREAS**, the Authority Risk Management Consultant, Conner, Strong, Buckelew has reviewed the Administration Building flood insurance quote and recommends the Authority bind coverage accordingly.

**NOW THEREFORE BE IT RESOLVED** the Commissioners approves the quote for flood insurance on the Administration Building and direct the Executive Director to bind coverage accordingly.



OFFERED 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

**RESOLUTION (123/13): to adopt a Flexible Spending Account and appoint Paychex as service provider**

**WHEREAS**, the Commissioners at the Bayshore Regional Sewerage Authority have considered the salient features of the Flexible Spending Account which, when executed and carried out, will provide benefits to its employees and their beneficiaries, and

**WHEREAS**, it is believed that the adoption of the above-designed Plan will encourage continuous employment and employee loyalty, in the mutual interest of the employees and the Authority.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Authority hereby adopt the Flexible Spending Account designated above and hereby authorizes the Executive Director to execute an Adoption Agreement setting forth the terms and conditions of the Flexible Spending Account.

**BE IT FURTHER RESOLVED** that Paychex is hereby appointed as Plan Service Provider to serve for such term(s) and to have such powers and duties as set forth in the Plan and the applicable administrative service agreement, and

**BE IT FURTHER RESOLVED** that the Plan shall be effective for the Plan Year ending 2013, and

**BE IT FURTHER RESOLVED** that the Plan adopted pursuant to this Resolution, that the Bayshore Regional Sewerage Authority be and hereby is designated as Plan Administrator, and the Bayshore Regional Sewerage Authority be and hereby is designated as Trustee.

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

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

**RESOLUTION (124/13): to adopt a Premium Only Plan and appoint Paychex as service provider**

**WHEREAS**, the Commissioners of the Bayshore Regional Sewerage Authority have considered the salient features of the employee benefit plan known as Premium Only Plan which, when executed and carried out, will provide benefits to its employees and their beneficiaries, and

**WHEREAS**, it is believed that the adoption of the above-designated Plan will encourage continuous employment and employee loyalty, in the mutual interest of the employees and the Authority.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the Premium Only Plan and hereby authorizes the Executive Director to execute an Adoption Agreement setting forth the terms and conditions of the selected Plan.

**BE IT FURTHER RESOLVED** that Paychex is hereby appointed as Plan Service Provider to serve for such term(s) and to have such powers and duties as set forth in the Plan and the applicable administrative service agreement.

**BE IT FURTHER RESOLVED** that the Plan shall be effective for the Plan Year ending 2013, and

**BE IT FURTHER RESOLVED** that for the Plan adopted pursuant to this Resolution, that the Bayshore Regional Sewerage Authority be and hereby is designated as Plan Administrator, and the Bayshore Regional Sewerage Authority be and hereby is designated as Trustee.

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

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

**RESOLUTION (125/13): to adopt waiver for the Section 125 Plan**

**WHEREAS**, the Bayshore Regional Sewerage Authority previously approved a Section 125 Plan. The purpose of the Plan is to permit eligible employees (as that term is defined in the Plan) choose between different levels of coverage of health insurance; choose optional insurance benefits as made available by the Plan Sponsor; and/or to elect a cash benefit as permitted by Section 125 and other relevant sections of the Internal Revenue Code of 1986, as amended and now in effect.

**NOW THEREFORE BE IT RESOLVED** that in accordance with the Plan, and in consideration of filing a waiver of health benefits, the Authority shall pay to employees that waive health insurance enrollment an annual amount that shall not exceed 25% or \$5,000, whichever is less, of the amount saved by the Authority because of the employee's waiver of health benefits.

**BE IT FURTHER RESOLVED** that in the event that an employee is required to re-enroll in the Authority's health benefits (for reasons set forth in law), a prorated portion of the waiver shall be reimbursed back to the Authority by the employee.

**BE IT FURTHER RESOLVED** that the Executive Director shall act as soon as possible to notify the employees of the adoption of this resolution.

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

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

**RESOLUTION (126/13): to amend Incinerator Engineers Contract to cover work due to Hurricane Sandy**

**WHEREAS**, the Bayshore Regional Sewerage Authority (BRSA) appointed Chavond-Barry Engineering Corp. (CBE) to provide annual engineering services for the operation and maintenance of the sludge incinerators, and

**WHEREAS**, due to Hurricane Sandy, CBE has done extensive work coordinating with FEMA and R3m Engineering to document and estimate the necessary incinerator repairs, and

**WHEREAS**, it was necessary for CBE to submit air permit modifications to the NJDEP to allow the Dorr Oliver Incinerator to act as the primary incinerator until such time as the Niro incinerator is repaired, and

**WHEREAS**, CBE has submitted an amendment to their annual appointment, dated July 9, 2013, in the amount of \$15,000 for additional engineering services, increasing their current contract amount of \$32,200 to \$47,200 and

**WHEREAS**, funds are available for this work, and

**WHEREAS**, the proposal has been reviewed by BRSA Staff and found to be fair and reasonable.

**NOW THEREFORE BE IT RESOLVED** the Commissioners award Engineering Amendment for annual engineering services associated with the Incinerators, to CBE at a cost of \$15,000.



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

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

**RESOLUTION (127/13): to approve Contract Change Order credit for Dorr Oliver demolition**

**WHEREAS**, the Bayshore Regional Sewerage Authority (BRSA) awarded a contract for the Dorr Oliver Incinerator Refractory Demolition, Contract No. 63-S to Allied Construction Group, LLC in the amount of \$59,700 by way of Resolution No. 76/13 at the Regular Meeting held on April 15, 2013, and

**WHEREAS**, during the course of the work, Allied damaged some of the tuyeres inside the incinerator and was held liable for the replacement value, a settlement was reached in the amount of \$5,928, and

**WHEREAS**, there was \$5,000 remaining from the allowance item, and

**WHEREAS**, Allied has agreed to a Contract Credit of <\$10,928>, and

**WHEREAS**, due to unforeseen difficulties in removing the windbox floor refractory, it is necessary to extend the contract completion date by 12 days to June 24, 2013, and

**WHEREAS**, CBE has reviewed this Change Order in their letter dated July 9, 2013 and is recommending a contract credit in the amount of <\$10,928>, and

**WHEREAS**, the Change Order has been reviewed by BRSA Staff and found to be fair and reasonable.

**NOW THEREFORE BE IT RESOLVED** the Commissioners approve Final Change Order No.1 for Allied Construction Group, LLC, in credit amount of <\$10,928> reducing the contract amount from \$59,700 to \$48,772.

OFFERED 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

**RESOLUTION (128/13): to approve change Order credit for Hauling and Disposal of Dewatered Sludge Cake, Contract NO.66S**

**WHEREAS**, the Bayshore Regional Sewerage Authority (BRSA) awarded a contract for the Hauling and Disposal of Dewatered Sludge Cake, Contract No. 66-S to Russell Reid (RR) in the amount of \$241,600 by way of Resolution No. 105/13 at the Regular Meeting held on June 17, 2013, and

**WHEREAS**, RR is offering a contract credit of <\$2,244.62> in lieu of providing an Owner's & Contractors Protective Liability Insurance Policy, and

**WHEREAS**, the BRSA Insurance Consultant, Conner Strong agrees that this additional insurance policy is not necessary for this type of contract, and

**WHEREAS**, BRSA staff has reviewed this Change Order No.1, in the credit amount of <\$2,244.62> and find it to be fair and reasonable.

**NOW THEREFORE BE IT RESOLVED** the Commissioners approve Change Order No.1 for Russell Reid, in credit amount of <\$2,244.62> reducing the contract amount from \$241,600 to \$239,355.38.

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

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

**RESOLUTION (129/13): to fill vacancy in the Administration Office**

**WHEREAS**, Denise Vesce has been working at the Bayshore Regional Sewerage Authority through The Work Group Agency as a Document Control Specialist to specifically handle all of Hurricane Sandy's emergency paperwork since November 5, 2012, and

**WHEREAS**, the emergency phase of Hurricane Sandy has passed and the office staff has a vacancy, and

**WHEREAS**, the BRSA finds it desirable to hire Denise Vesce as an Administrative Assistant for a 40 hour work week at an annual salary of \$37,440.00 to fill the vacancy, and

**WHEREAS**, Denise Vesce's probationary period begins on Monday, August 25, 2013 and a review of her work performance will take place in 120 days on December 21, 2013.

**NOW THEREFORE BE IT RESOLVED** that Denise Vesce is hereby offered the position of Administrative Assistant as an employee of the Bayshore Regional Sewerage Authority at an annual salary of \$37,440 effective August 25, 2013, and is further granted the rights and privileges, and responsibilities of the position.

OFFERED 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

**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 to 3 minutes.

Bill Shewin of Hazlet spoke about the Wind Turbine project. He spoke about property values, bird kills in Atlantic City and the health effects of Wind Turbines.

**Executive Session**

Chairman Vella called for a **MOTION** to go into Closed Session at 8:30 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.

Action may be taken in Closed Session.

OFFERED 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 MINUTED ARE RECORDED SEPERATELY**

At 8:45 P.M. Chairman Vella called for a **MOTION** to end Closed Session.

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

**Adjournment**

Due to a scheduling problem Commissioner McMullen asked the Chairman if the September meetings (Agenda and Regular) could be moved to Monday, September 23, 2013 at 7:00 P.M. Chairman Vella asked the Commissioners and a voice vote recorded as follows:

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

Chairman Vella announced:

The next Agenda/Regular Meeting will be on Monday, September 23, 2013 at 7:00 P.M. All meetings are held in the Administration Building at 100 Oak Street, Union Beach, NJ.

At 8:48 PM Chairman Vella called for a **MOTION** to Adjourn the meeting.

OFFERED 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

Respectfully submitted,

Susan DuBey  
Administrative Assistant