



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES

Regular Meeting of March 18, 2013

At 7:05 P.M., on Monday, March 18, 2013 Chairman Vella 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 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
Susan DuBey, Acting Secretary

Treasurer's Report

Chairman Vella called for the Treasurer's Report (given by Commissioner Sutton) and asked for a **MOTION** to approve the Treasurer'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

TD BANK	Balance
TRUSTEE ACCOUNTS	February 28, 2013
<u>UNRESTRICTED</u>	
Revenue Fund	\$ 5,538,266.99
General Fund	<u>\$ 871,791.30</u>
Total Unrestricted	\$ 6,410,018.29
 <u>RESTRICTED</u>	
Bond Service Fund	
1985 Bond Service Fund	<u>\$ 817.08</u>
Total Restricted Funds	\$ 817.08
 <u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,017.27
Bond Service	<u>\$.05</u>
Total NJEIT	\$ 1,357,017.32
 <u>TOTAL TRUSTEE ACCOUNTS</u>	 \$ 7,767,852.69
 <u>TD BANK</u>	
Incoming Revenue Account	\$ 2.03
Operating Regular Account	\$ 86,900.57
Operating Payroll Account	<u>\$ 194,042.14</u>
<u>TOTAL AUTHORITY ACCOUNTS</u>	<u>\$ 280,944.74</u>
<u>TOTAL</u>	\$ 8,048,797.43

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

	Balance
	<u>February 28, 2013</u>
SERVICE CHARGES:	
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
TOTAL	<u>\$ 0.00</u>

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
TOTAL	<u>\$ 0.00</u>

Balance of Rent Reserve Accounts as of February, 2013

Hazlet Township Sewerage Utility	\$ 1,523,015.82
Township of Holmdel	\$ 316,815.03
Borough of Union Beach	\$ 417,982.86
Borough of Keyport	\$ 321,336.24
Borough of Keansburg	\$ 301,523.60
Borough of Matawan	\$ 231,183.63
Western Monmouth Utilities Authority	\$ 195,083.72
Township of Aberdeen	\$ 466,159.68
TOTAL	<u>\$ 3,863,100.58</u>

Payment of Bills

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

Operating Fund Req. No. 493 (Regular)	\$148,985.50
Operating Fund Req. No. S-5 (Sandy)	\$239,269.29
Payroll Account Req. No. P 140	\$350,427.70

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

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.

Bill Shewin asked the Board about Resolution #5 – Final Flow Figures. Chairman Vella said that the Board reviewed the engineer's report at the last meeting and told Mr. Shewin he would give him a copy.

The Public Portion of this meeting was closed.

Resolutions

RESOLUTION (59/13): to award final architectural and engineering design services for the administration building.

WHEREAS, on January 21, 2013 by Resolution No.(13/13) the Authority authorized R3M to prepare conception design documents for the restoration repair of the Administration Building damage due to Superstorm Sandy, and

WHEREAS, R3M has completed the conceptual design and presented it to the Authority Commissioners on March 11, 2013, and

WHEREAS, there is a need to finalize the design documents, advertise and receive bids for the restoration of the Administration Building, and

WHEREAS, R3M has submitted a proposal to prepare final design Architectural and Engineering plans and specifications and to assist in the bidding process, and

WHEREAS, the proposal has been reviewed by Authority Staff, Engineer, Qualified Purchasing Agent and found to be acceptable.

NOW THEREFORE BE IT RESOLVED the Commissioners award final Architectural and Engineering design services for the Administration Building restoration to R3M Engineering at a cost of \$36,280.00 and authorize the solicitation of bids for same.

BE IT FURTHER RESOLVED the Authority shall publish notice of this award in the official newspaper of the Bayshore Regional Sewerage Authority within 10 days of award.

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 (60/13): to engage the services of a FEMA Consultant

WHEREAS, the Authority has solicited a RFP for extraordinary unspecifiable services pursuant to N.J.S.A. 40A 11-5 (1)(a)(18) for a FEMA consultant to provide ongoing guidance as it relates to response, recovery and mitigation and the FEMA process of public assistance, and

WHEREAS, the Authority advertised on it's website received three sealed proposals for these services from 1) Arcadis US, Inc. 2) DMS recovery and 3) Gannet Fleming and has weighed them against stated criteria, and

WHEREAS, the Authority has found the proposal from Arcadis US Inc. to be the most advantageous with price and other factors considered.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Authority engage the services of Arcadis US Inc. at a rate of \$166 per hour for the principal consultant in accordance with their proposal dated March 15, 2013.

BE IT FURTHER RESOLVED the Authority shall publish notice of this award in the official newspaper of the Bayshore Regional Sewerage Authority within 10 days of award.

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

RESOLUTION (61/13): to authorize Bond Reduction for C&M County Road

WHEREAS, C & M County Road is the project developer for the Bluffs @ Aberdeen a 115 unit townhouse development in Aberdeen, NJ being Block 196.04, Lot 27 and Block 228, Lots 1 & 2, and

WHEREAS, C & M has entered into a Developers Agreement with the Bayshore Regional Sewerage Authority (BRSA) dated February 27, 2012, and

WHEREAS, C & M has paid \$65,180.00 in connection fees and has a current balance of \$632,246.00 and

WHEREAS, BRSA finds it appropriate to reduce the amount of Bond No. ASB533676 to \$632,246.00.

NOW THEREFORE BE IT RESOLVED that C & M is hereby granted a Bond Reduction for a current balance of \$632,246.00.

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 (62/13): to accept the 2012 final flow figures

WHEREAS, R3M Engineering, 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 Fourth and Final Quarter of the year 2012; and

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 Fourth and Final Quarter of the year 2012.

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 (63/13): to receive emergency bids for the replacement of the fire alarm and sprinkler system

WHEREAS, the Bayshore Regional Sewerage Authority Fire Alarm and Sprinkler System was damaged by flood waters during Hurricane Sandy, and

WHEREAS, there is a need to repair the Fire Alarm and Sprinkler System as an emergency contract due to the nature of the systems function to provide Fire alarm and protection to the Authority buildings, and

WHEREAS, R3M Engineering has prepared a request for bids on an emergency basis for the repair of the Fire Alarm and Sprinkler System, and

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

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent to receive emergency bids for the repairs of the Fire Alarm and Sprinkler System.

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 (64/13): to authorize Maser Consultants to prepare design documents to replace valve actuators and flow meters

WHEREAS, the Bayshore Regional Sewerage Authority value actuators and flow meters were severely damaged by flooding from Hurricane Sandy, and

WHEREAS, there exists a need to replace the damaged actuators and flow meters throughout the plant, and

WHEREAS, the replacement of valve actuators and flow meters in the treatment plant will exceed the bid threshold, and

WHEREAS, this project will require the development of bid specifications and the solicitation of public bids, and

WHEREAS, the Authority previously evaluated 21 engineering firms and created a short list of qualified firms to assist in future capital improvement projects, and

WHEREAS, Maser Consulting, Inc. was chosen as one of the qualified Engineering Firms to assist in future capital improvement projects.

WHEREAS, the firm Maser Consultants has experience & expertise in developing specifications for valve actuators and flow meters, and

WHEREAS, the Authority has received a proposal from Maser Consultants for a not to exceed amount of \$19,900.00 for preparation of design documents.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Authority authorize Maser Consultants to provide professional services for the replacement of valve actuators and flow meters and authorize the Authority to advertise for solicitation of bids, bidding services, and construction administration and observation services.

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 (65/13): to accept proposal for permitting assistance during construction of Single Sampling Point.

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) owns and operates a Wastewater Treatment Plant facility in accordance with NJPDES Permit No. 0024708 (the Permit), and

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

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

WHEREAS, the firm Planning Progress, LLC (PP) was hired by the BRSA under Resolution No. 67/11 to file the necessary permit applications, and

WHEREAS, PP submitted permit application to the NJDEP and US Army Corps of Engineers, and

WHEREAS, there is a need for environmental planning services for permit construction conditions of the Army Corp of Engineers, as well as the NJDEP Permits, and

WHEREAS, PP submitted a proposal dated February 26, 2013 in the amount of \$4,800.00,
and

WHEREAS, the BRSA Engineer and Executive Director has reviewed the proposal and find it to be fair and reasonable.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby accepts this proposal and authorizes the Executive Director to execute all necessary documents required.

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 (66/13): to execute a TWA for the Township of Aberdeen

WHEREAS, a planned project by New Jersey Department of Transportation (NJDOT) to alleviate tidal flooding of Long Neck Creek affecting Route 35 in the Township of Aberdeen, will involve raising the grade of a portion of Route 35 and installing a larger box culvert for the stream crossing under the highway, and

WHEREAS, as a result of the NJDOT project the Township of Aberdeen is required to lower their gravity sewer line crossing and modify their sanitary sewer pump station, and

WHEREAS, there are no net increases in sanitary sewer flows as a result of this project, and

WHEREAS, a Treatment Works Approval (TWA) is required by the New Jersey Department of Environmental Protection (NJDEP) for the project.

NOW THEREFORE BE IT RESOLVED that the Executive Director is hereby authorized to execute the TWA consent forms for the project.

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 (67/13): to authorize the Executive Director submit a letter of intent to secure HMGP grant funding

WHEREAS, Grant funding may be available through the FEMA Hazard Mitigation Grant Program (HMGP) for the funding of post disaster mitigation projects, and

WHEREAS, applicants intending to request grant funding through HMGP are required to submit a letter of intent to the county OEM, and

WHEREAS, the Bayshore Regional Sewerage Authority was severely impacted by flooding from Hurricane Sandy and desire to submit a letter of intent for future mitigation grant funding to protect against future storms.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the Executive Director to submit a letter of intent to secure HMGP grant funding.

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 (68/13): to award a one year contract for Preventive Maintenance Calibration and Repair of Instrument Equipment.

WHEREAS, in accordance with Local Public Contract Law, at 2:00 P.M. on Tuesday, March 5, 2013 the Bayshore Regional Sewerage Authority received quotes for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment for a one (1) year period, and

WHEREAS, a request for Quotation (RFQ) was publicly advertised on the Authority web site for a minimum period of ten (10) days, and

WHEREAS, the quotes were publicly opened and read aloud, the sole quote being ABB Inc. of Warminster, PA. having submitted a price of \$19,306.84 for a one (1) year period, and

WHEREAS, the Authority's Staff Engineer and Certified Purchasing Agent reviewed the quote received and the Authority desires to hire ABB, Inc. for Preventive Maintenance Calibration and Repair of Instrument Equipment in accordance with RFQ # 2013.03 for a one (1) year period and has recommended award of the proposal to ABB Inc.

WHEREAS, the funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED that ABB, Inc. is hereby awarded the project for Annual Preventive Maintenance Calibration and Repair of Instrument Equipment for a period of one (1) year in the amount of \$19,306.84 in accordance with the terms and conditions of RFQ document.

BE IT FURTHER RESOLVED that the Secretary and Executive Director of the Authority are hereby authorized to execute said 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

Public Portion

Chairman Vella announced at 7:13 P.M. 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.

PUBLIC COMMENTS

Charles Hoffman, Florence Avenue, Hazlet stated in August, 2010 he submitted to the County an alternate plan for the BRSA turbine base sight . He said he was not a civil engineer but BRSA should look at his plan. He handed out his proposal. The plan is essentially to use the turbine tower as a center support post for a PVC system that would cover the entire plant plus MCBOA's property with vent stacks through the roof to allow for the exhaust of fumes. Mr. Hoffman asked about a letter to the DEP about the Dorr Oliver Incinerator running 24/7 and odor complaints.

Mr. Fischer stated odor has been controlled better since the outdoor portable press was no longer used and we are running the press inside. We are hauling a more thickened sludge.

Mr. Hoffman advised the "New Commissioners" to review all the information the public submitted to BRSA and up-to-date information to vote against the turbine.

Chairman Vella stated this is a legal matter and can only be discussed in closed session.

Bill Shewin of Mason Drive, Hazlet stated he read that Pt. Newark had a 5ft. surge over 120 acres that housed several thousand cars that were moved by the water. He asked about the current status of the turbine which is housed there.

Chairman Vella reported the turbine was severely damaged.

Mr. Shewin asked about the monthly rental fee. Mr. Fischer said they have not made any storage payments for approximately 6 months however the contractor will probably seek payment.

Chairman Vella said the turbine issue is a legal matter and would be discussed in Closed Session.

The Public Portion of the meeting was closed.

Closed Session

Chairman Vella called for a **MOTION** to go into Closed Session.

Having no response Commissioner McMullen asked Jim Gorman if he had anything he wanted to discuss. At 7:20 P.M. the Board went into Closed Session for matters of litigation 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.

OFFERED BY: Commissioners Steiner, 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 @ 7:43 P.M.

OFFEDER 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 (69/13) – to appoint Lou Granata, Esq. as Special Counsel to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire special legal counsel services as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.4, and

WHEREAS, the Executive Director has certified that the contract value could exceed \$17,500, and

WHEREAS, Louis Granata, Esq., 210 Main Street, Matawan, NJ has submitted a proposal indicating he will provide legal counsel services as directed by the Authority for a rate of \$190.00 per hour, and

WHEREAS, Louis Granata, Esq. has submitted the business entity and political disclosure certificates as required by the Authority's pay-to-play policy and certified that he has not made any reportable contributions to a political or candidate committee in the previous year, and the contract will prohibit Louis Granata, Esq. from making any reportable contributions through the term of the contract, and

WHEREAS, funds are available for these services.

NOW THEREFORE BE IT RESOLVED that the Bayshore Regional Sewerage Authority Commissioners authorize the Chairman to enter into a contract with Louis Granata, Esq. as described herein.

BE IT FURTHER RESOLVED that the business entity and political disclosure certifications be placed on file with this resolution.

OFFEDER 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

Chairman Vella announced -The next Agenda Meeting of the B.R.S.A. is scheduled for Monday, April 8, 2013 @ 7:00 P.M. and the next Regular Meeting of the Authority will be held on Monday, April 15, 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 @ 7:45 P.M.

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

Respectfully submitted,

Susan A. DuBey
Acting Secretary To The Board