



# 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 and REGULAR MEETING MONDAY, SEPTEMBER 23, 2013

At 7:00 P.M. on Monday, September 23, 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 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  
Susan DuBey, Admin. Assistant

## Reports

### BRSA Projects, Special Reports & Connection Applications

Mr. Fischer discussed the progress of Hurricane Sandy contractors work and FEMA worksheets to obligate the money for such repairs. He also discussed the New Jersey EIT loans, interest rates and payback options.

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

Mr. Fischer discussed raising the generators and power distribution system out of the flood zone. According to FEMA this is a non refundable expense. He is sending at Letter of Intent to the State for their 3 year loan program. He also discussed the Office of Emergency Management 404 Grant.

Mr. Fischer said a Japanese delegation spoke at the Technology Transfer Seminar on Monday, Sept. 16<sup>th</sup> and came to BRSA on Tuesday, Sept. 17<sup>th</sup>. They were amazed by our quick recovery.

### **Staff Engineer Report**

Pete Canal explained the Resolutions for the Change Order #1 and the amendment to the Engineering Contract both for the Dorr Oliver Incinerator

### **Consulting Engineer Report**

Manuel Ponte discussed the near completion of Contract 64S – Administration Building and the rebuilding of the Raw Sewage Pumps. He also touched on the Hazard Mitigation Plan.

### **BRSA Superintendent's Report**

Mike Broyles stated that the plant met permit. The DEP did an inspection and had no issues. He said there was a problem with Russell Reid (sludge hauler) and Stony Brook, but has been resolved.

Mike stated that CEI was late in submitting their DMR. He issued a Notice of Violation (NOV) but asked the Commissioners to waive the fine. The one person who does the report was out. CEI is going to train a second person and Mike will follow-up.

### **Executive Director's Report**

Mr. Fischer reported that the 2014 Budget meetings will be underway on 9-26-13 for final adoption in December. He discussed the extension for the Single Sampling Point.

### **Attorney's Report**

Jim Gorman discussed the release from the Developers Agreement for the Fariello property. He stated that Keansburg signed the Addendum but it was still on the Clerks desk.

---

### **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 to 3 minutes.

THERE WERE NO COMMENTS

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

**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

## **TREASURER'S REPORT**

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

<b>TD BANK</b>	<b>Balance</b>
<b><u>TRUSTEE ACCOUNTS</u></b>	<b><u>August 31, 2013</u></b>
<b><u>UNRESTRICTED</u></b>	
Revenue Fund	\$ 9,149,690.36
General Fund	<u>\$ 871,791.35</u>
Total Unrestricted	\$10,021,481.71
<b><u>RESTRICTED</u></b>	
<b>Bond Service Fund</b>	
1985 Bond Service Fund	<u>\$ 817.08</u>
Total Restricted Funds	\$ 817.08
<b><u>2010 NJEIT BONDS</u></b>	
Revenue	\$ 0.00
Construction	\$ 1,357,084.55
Bond Service	<u>\$ .05</u>
Total NJEIT	\$ 1,357,084.60
<b><u>TOTAL TRUSTEE ACCOUNTS</u></b>	<b>\$ 1,357,084.60</b>
<b><u>TD BANK</u></b>	
Incoming Revenue Account	\$ 3.12
Operating Regular Account	\$ 112,618.15
Operating Payroll Account	<u>\$ 155,860.14</u>
<b><u>TOTAL AUTHORITY ACCOUNTS</u></b>	<b><u>\$ 268,481.41</u></b>
 <b><u>TOTAL</u></b>	 <b>\$ 11,647,864.80</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>Balance</b>
	<b><u>August 31, 2013</u></b>
<b>SERVICE CHARGES:</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>	<b>\$ 0.00</b>

**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>	<b>\$ 0.00</b>

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

Hazlet Township Sewerage Utility	\$ 727,538.80
Township of Holmdel	\$ 317,129.40
Borough of Union Beach	\$ 418,397.62
Borough of Keyport	\$ 321,655.09
Borough of Keansburg	\$ 301,822.79
Borough of Matawan	\$ 321,502.33
Western Monmouth Utilities Authority	\$ 195,277.29
Township of Aberdeen	\$ 466,622.24
<b>TOTAL</b>	<b>\$ 3,069,945.56</b>

**Payment of Bills**

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

Operating Fund Req. No. P147	\$209,278.39
Operating Fund Req. No. 499 (Regular)	\$366,238.13
Operating Fund Req. No. S-11 (Sandy)	\$459,812.15

**OFFERED BY:** Chairman Vella, **SECONDED BY:** Commissioner Sutton 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	June 10, 2013
	August 19, 2013
Public Hearing & Regular Meeting	June 17, 2013
Regular Meeting	July 15, 2013
Agenda & Regular Meeting	August 19, 2013

**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

Chairman Vella announced that a majority of the Resolution will now be approved by Consent Agenda. He asked the Commissioners if anyone had any comments about it. No one had any comments.

### **Resolutions**

#### **RESOLUTION (130/13): execute the Sewer Service Agreement with WMUA and return over funded Rent Reserve**

**WHEREAS,** the Bayshore Regional Sewerage Authority is in receipt of an executed Sewer Service Agreement (SSA) from the Western Monmouth Utilities Authority; and

**WHEREAS,** the Commissioners of the Authority deem it in the best interest of all of its customers the Western Monmouth Utilities Authority service area to execute the agreement in accordance with the terms and conditions contained therein.

**NOW THEREFORE BE IT RESOLVED,** the Bayshore Regional Sewerage Authority Commissioners hereby authorize the execution of the SSA with the Western Monmouth Utilities Authority effective September 23, 2013 and return the excess Rent Reserve according to the executed SSA in the amount of \$83,646.40.

**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 (131/13): execute the Sewer Service Agreement Addendum with Hazlet, Holmdel, Keyport, Keansburg, Matawan, Aberdeen and WMUA      TABLED**

**RESOLUTION (133/13): to file Letter of Intent to NJEIT for short term financing due to Hurricane Sandy disaster**

**WHEREAS**, the Bayshore Regional Sewerage Authority sustained severe damage on October 29, 2012 due to Hurricane Sandy, and

**WHEREAS**, the Authority has applied for public assistance through the Federal Emergency Management Agency (FEMA), and

**WHEREAS**, FEMA has written project worksheets for repair of the damage caused by Hurricane Sandy in the amount of \$25,000,000, and

**WHEREAS**, the Authority is seeking FEMA funding for 90% of the eligible costs as well as funding for Mitigation, and

**WHEREAS**, the reconstruction of the damaged facilities will precede FEMA funding and there is a need for short term financing.

**NOW THEREFORE BE IT RESOLVED** the Commissioners authorize the Executive Director, in coordination with the Authority's Financial Professionals, to submit a Letter of Intent to the New Jersey Environmental Infrastructure Trust indicating the Authority's intention to seek short term financing through the NJEIT H2O loan programs.

**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

Resolutions #132 and #134 through #138 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Commissioners and will be enacted by one motion. There will be no separate discussion. If discussion is desired by a Commissioner, that item will be removed from Consent Agenda and be considered separately. Copies of the resolutions have been given to the Commissioners.

**RESOLUTION (132/13): to reject proposals for RIA and re-advertise**

**WHEREAS**, the Bayshore Regional Sewerage Authority requested proposals for engineering services to complete Remedial Investigation Activities at their treatment plant site, and

**WHEREAS**, subsequent to the advertisement of proposals the Authority become aware of the need for a change in scope with a potential for improved efficiency and reduced cost, and

**WHEREAS**, the Authority received proposals for the Remedial Investigation Activities and desires to reject all proposals due to the need for a change in scope of service.

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Authority hereby rejects all proposals submitted on the Remedial Investigation Activities on September 16, 2013 and authorizes the Authority's Purchasing Agent to re-advertise the Request For Proposals with a change in scope.



**RESOLUTION (134/13): to amend Incinerators Engineers Contract to cover additional 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**, CBE has submitted an Amendment #2 dated 9-12-13 to their annual appointment in the amount of \$45,000 for additional engineering work requested by FEMA for developing the Dorr Oliver & Niro Incinerators Project Worksheets, scope of work and baseline cost estimates, and for design related services required for the Dorr Oliver Repair Contract 68-S and for FEMA Mitigation assistance for both incinerator services, increasing their current contract amount of \$47,200 to \$92,200, 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 #2 for annual engineering services associated with the Incinerators, to CBE at a cost of \$45,000.

**RESOLUTION (135/13): to award Contract 68-S change order #1 for the Dorr Oliver Incinerator Repairs**

**WHEREAS**, the Bayshore Regional Sewerage Authority facility was severely damaged during Super Storm Sandy on October 29, 2012, and

**WHEREAS**, the Dorr Oliver Incinerator requires extensive repairs as a result of Super Storm Sandy flooding damage, and

**WHEREAS**, in accordance with Local Public Contract Law Contract 68-S, Dorr Oliver Incinerator Repairs, was awarded to Iron Hills Construction on July 15, 2013 for a total price of \$1,359,589 by Resolution No. 109/13, and

**WHEREAS**, upon further inspection of the incinerator, after the demolition work, the design Consultant, Chavond Barry is recommending we install a gas baffle ring to prevent further corrosion and install additional steel, and

**WHEREAS**, Iron Hills Construction submitted Change Order #1 in the amount of \$25,887.00, \$16,562 for additional steel repairs and \$9,325 for the installation of a gas baffle ring, and

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

**WHEREAS**, the Authority's Construction Manager CDM Smith and BRSA Staff have reviewed Change Order #1 and recommend Iron Hills Construction perform this additional work.

**NOW THEREFORE BE IT RESOLVED** that Iron Hills Construction is hereby approved for Change Order #1 for the additional steel repairs and installation of a gas baffle ring in the total amount of \$25, 887.00 increasing the total Contract amount to \$1,385,476.00.

**RESOLUTION (136/13): to bind coverage for the Fire Water Station for 2013/2014 through Selective Insurance Company**

**WHEREAS**, the Bayshore Regional Sewerage Authority desires flood insurance on the Fire Water Pump Station through the National Flood Insurance Program (NFID) with a policy issued by Selective Insurance Company of America located in Branchville, NJ (Selective), and

**WHEREAS**, Selective has quoted \$308,400 of coverage for \$1,122 with a \$5,000 deductible, and

**WHEREAS**, the Authority is required to carry flood insurance on all buildings that qualify for National Flood Insurance coverage, and

**WHEREAS**, the Authority Risk Management Consultant, Conner, Strong, Buckelew has reviewed the Fire Water Pump Station 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 Fire Water Pump Station and directs the Executive Director to bind coverage accordingly.

**RESOLUTION (137/13): to bind coverage for the Laboratory Building for 2013/2014 through Selective Insurance Company**

**WHEREAS**, the Bayshore Regional Sewerage Authority desires flood insurance on the Laboratory 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**, Selective has quoted \$500,000 of building insurance with \$175,000 of contents insurance for \$1,955 with a \$5,000 deductible, and

**WHEREAS**, the Authority is required to carry flood insurance on all buildings that qualify for National Flood Insurance coverage, and

**WHEREAS**, the Authority Risk Management Consultant, Conner, Strong, Buckelew has reviewed the Laboratory 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 Laboratory Building and directs the Executive Director to bind coverage accordingly.

**RESOLUTION (138/13): to bind coverage for the Main Pump Station for 2013/2014 through Selective Insurance Company**

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

**WHEREAS**, Selective has quoted \$500,000 of coverage with \$200,000 for contents with a \$25,000 deductible for \$8,112, and

**WHEREAS**, the Authority is required to carry flood insurance on all buildings that qualify for National Flood Insurance coverage, and

**WHEREAS**, the Authority Risk Management Consultant, Conner, Strong, Buckelew has reviewed the Main Pump Station 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 Main Pump Station and directs the Executive Director to bind coverage accordingly.

**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 (139/13): to adopt the Monmouth County Hazard Mitigation Plan**

**WHEREAS**, the Bayshore Regional Sewerage Authority, located in Union Beach, NJ, has experienced natural hazards that result in public safety hazards, and

**WHEREAS**, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce further risk;

**WHEREAS** the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

**WHEREAS**, a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee of the County of Monmouth;

**WHEREAS**, the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority:

1. The *Monmouth County Hazard Mitigation Plan* is hereby adopted by the Bayshore Regional Sewerage Authority; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Commissioners of the Bayshore Regional Sewerage Authority, and this resolution shall not be interpreted so as to mandate any such appropriations.
3. The Executive Director is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted by October 1 of each year.

**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

## Public Portion

**ANNOUNCEMENT (by Chairman Vella)** – 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.

Charles Hoffman of Hazlet asked about the incinerators and if the base of the wind turbine was ever inspected. Pete Canal said that PS&S inspected the base and there is no damage.

He also asked when PNC Art Center will hook-up to the sewer system. Mr. Fischer said it has been hooked-up for a while.

## Executive Session

Chairman Vella called for a **MOTION** to go into Closed Session at 8:15 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 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 MINUTED ARE RECORDED SEPERATELY**

At 8:50 P.M. Chairman Vella called for a **MOTION** to end 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

## Adjournment

### ANNOUNCEMENT (by Chairman Vella)

The next Agenda Meeting will be on **TUESDAY**, October 15, 2013 at 7:00 P.M.

A Finance Committee Meeting will be on October 15, 2013 at 5:00 P.M.

The next Regular Meeting will be held on Monday, October 21, 2013 at 7:00 P.M.

All meetings are held in the Administration Building at 100 Oak Street, Union Beach, NJ.

At 8:52 PM Chairman Vella called for a **MOTION** to Adjourn the meeting.

**OFFERED BY:** Commissioner Pisano, **SECONDED BY:** Commissioner Sutton

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

Respectfully Submitted,

Susan A. DuBey  
Administrative Assistant