



# BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer  
EXECUTIVE DIRECTOR

## MINUTES REORGANIZATION MEETING

### FEBRUARY 24, 2014

At 7:00 P.M., Chairman Vella makes the following announcement:

The Reorganization Meeting of the Bayshore Regional Sewerage Authority will now come to order. 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 and on the BRSA's Website.

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 called for a roll call of attendance:

**Present:** Commissioner Khachaturian, Pisano, Steiner, Sutton & Chairman Vella  
Commissioner McMullen via speaker phone

Also In Attendance: Mr. Robert C. Fischer, Executive Director  
James Gorman, Esq., General Counsel  
Manuel Ponte, P.E., Consulting Engineer  
Peter J. Canal, BRSA Engineer  
Susan DuBey, Administrative Asst.

### MOTIONS FOR REORGANIZATION

Before Chairman Vella called for **MOTIONS** on the 2014 Offices, he extended his "Thanks" for the great job Mr. Fischer and the entire staff did during and after Hurricane Sandy.

**MOTION** - for the office of **CHAIRMAN**: Commissioner Khachaturian

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

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

*BRSA staff, November 2006*

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

**MOTION** - for the office of **VICE-CHAIRMAN** – **Commissioner Sutton**

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

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

**MOTION** - for the office of **TREASURER** - **Commissioner Vella**

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

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

**MOTION** - for the office of **ASSIST-TREASURER** – **Commissioner Pisano**

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

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

**MOTION** - for the office of **SECRETARY** - **Commissioner McMullen**

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

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

**MOTION** - for the office of **ASSIST-SECRETARY** – **Commissioner Steiner**

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

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

## PUBLIC PORTION

**ANNOUNCEMENT** (by Chairman Khachaturian): 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.

No participation from the audience.

## RESOLUTIONS

**RESOLUTION: (15/14) Designating the *Asbury Park Press*, as the Official newspaper of the Bayshore Regional Sewerage Authority and *Bayshorersa.com* as the Official Website for Public Notices and any other official informational postings of the Authority.**

**WHEREAS**, the Bayshore Regional Sewerage Authority is required to make publication of various notices, bids and other items in a local newspaper from time to time and may also make publication of such notices, bids and other items on its official website

**NOW THEREFORE BE IT RESOLVED** that the official newspaper of the Bayshore Regional Sewerage Authority within which such notices shall be placed, be and is hereby designated as *The Asbury Park Press*,

**BE IT FURTHER RESOLVED** [www.bayshorersa.com](http://www.bayshorersa.com) is the Official Website of the Bayshore Regional Sewerage Authority

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

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

**RESOLUTION: (16/14) Re-adopt a Cash Management Plan as set forth pursuant to provisions of NJSA 40A: 5-14.**

**WHEREAS**, pursuant to the provisions of NJSA 40A:5-14, the Bayshore Regional Sewerage Authority is required to establish a Cash Management Plan (the "Plan") and;

**WHEREAS** the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

**WHEREAS**, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14, and

**WHEREAS**, the Authority's Auditor and the Commissioners have reviewed the following Plan,

## Cash Management Plan

### I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J. S.A. 40A: 5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Bayshore Regional Sewerage Authority (BRSA), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The further intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to ensure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments,

### 11. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Bayshore Regional Sewerage Authority:

Revenue Fund

Reserve Fund

Operating Fund

Payroll Fund

Other Trustee Funds/Trustee Accounts, as may be required by trust or bond indenture

The custodian of the accounts shall be the Treasurer. All disbursements shall be made by checks signed by three authorized signatures with the exception of Payroll, which requires two signatures. Authorized Signers shall be the Commissioners of the Authority and Executive Director.

### I. DESIGNATION OF OFFICIALS OF THE BRSA AUTHORIZED TO MAKE DEPOSITS OR INVESTMENTS UNDER THE PLAN.

The Executive Director (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such official of the BRSA is directed to supply all depositories or, any other parties, with whom the Deposits or Permitted Investments are made a written copy of this Plan, which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

### IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

*TD Bank, National Association*

All such depositories shall acknowledge in writing receipt of this plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

### V. DESIGNATION OF INVESTMENT STRATEGY

In order to provide guidance with regard to investments of Authority funds, the following policies are established for each fund.

**Incoming Revenue Fund** - All revenue of the Authority shall be deposited in the Incoming Revenue Fund. From the Incoming Revenue Fund, monies may be transferred to other BRSA Accounts/Funds. Funds for the monthly Regular and Payroll payables shall be held in the Incoming Revenue Fund. Deposits or Investments shall be "laddered" in amounts required to cover approved bills in the paying accounts and shall be available on the Thursday after the Regular Meeting of the Authority. Funds are to be invested in U.S. Treasury Bills, Certificates of Deposit or Institutional Liquid Assets Treasury Obligations Portfolio.

**Reserve Fund** - Funds not immediately needed for Authority purposes shall be maintained in the Reserve Fund. Funds are to be "laddered" up to a maximum of 18 months and are to be invested in U.S. Treasury Bills, Certificate of Deposit and Notes or Institutional Liquid Assets Treasury Obligations Portfolio.

## VI. PERMISSIBLE INVESTMENTS

A. Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A:5:15. 1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds,
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to Section I of P.L. 1977, c.281 (C. 52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - a. the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a.;
  - b. the custody of collateral is transferred to a third party,
  - c. the maturity of the agreement is not more than 30 days;
  - d. the underlying securities are purchased through a public depository as defined in section I of P.L. 1970, c.236 (C. 17:19-41); and
  - e. a master repurchase agreement providing for the custody and security of collateral is executed.
- (9) Certificates of Deposit

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

**Government Money Market Mutual Fund.** An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940", 15 U.S. C. sec. 80a- I et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which is rated by a nationally recognized statistical rating organization.

**Local Government Investment Pool** - An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec.270.2a.7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization,
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P. L. 1968, c. 4 10 (c. 52:1414- 1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchases or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c,93 (C49:3-56) and has at least \$25 Million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

## VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the BRSA, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the BRSA to assure that there is no unauthorized use of the funds or the Permitted Investments of Deposits.

Purchase of any Permitted Investments that involve Securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the BRSA or by a third party custodian prior to or upon the release of the BRSA funds.

To assure that all parties with whom the BRSA deals either by way of Deposits or Permitted Investments are aware of the authority and the Emits sets forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

### VIII. REPORTING REQUIREMENTS

At the public meeting of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the Commissioners of the BRSA a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the BRSA as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Commissioners of the BRSA.

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

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

**RESOLUTION:** (17/14) Designating TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the B.R.S.A.

**WHEREAS**, in accordance with N.J.S.A. 40A5:15 et seq. of the Local Fiscal Affairs Law, the Bayshore Regional Sewerage Authority ("the Authority") is required to designate an Official Depository; and

**WHEREAS**, the Authority deems it in the best interest of the customers it serves to designate TD Bank as the Official Depository but reserves the right to utilize any other bank which qualifies under the Government Unit Deposit Protection Act that would yield a higher rate of return on investments as a potential depository of the Bayshore Regional Sewerage Authority for investment purposes should such opportunity arise.

**NOW THEREFORE BE IT RESOLVED** that TD Bank qualifies under the Government Unit Deposit Protection Act as the Official Depository of the BRSA and is hereby designated the Official Depository of the Authority's Incoming Revenue, Regular Operating, Payroll, Reserve and Rent Reserve Accounts of the BRSA.

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

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

**RESOLUTION:** (18/14) Designating Mr. Robert C. Fischer, Executive Director of the BRSA as the Authorized Representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth; and various offices and agencies of the U.S. Federal Government.

**WHEREAS,** it is necessary for this Authority to select an authorized representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth, and to various offices and agencies of the United States Federal Government; as well as various contract documents of the Authority.

**NOW THEREFORE BE IT RESOLVED** that Robert C. Fischer, Executive Director of the Bayshore Regional Sewerage Authority is hereby appointed authorized signatory and representative of the Bayshore Regional Sewerage Authority for the above listed purposes.

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

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

**RESOLUTION:** (19/14) Adopt Procedures to be followed in the Payment of Invoices.

**WHEREAS,** (the Authority) is desirous of specifying procedures to be followed with regard to the payment of invoices for employee benefits and wages; and

**WHEREAS,** the Authority has determined that it is in its best interest to make such payments for benefits and wages as they come due.

**NOW THEREFORE BE IT RESOLVED,** the Authority will make those payments in accordance with the terms outlined above and will ratify those payments at the Authority's Regular Meeting in conjunction with invoices to be paid in accordance with the procedures outlined below,

**BE IT FURTHER RESOLVED,** the Authority is desirous of specifying procedures to be followed with regard to the payment of invoices for service rendered and materials and supplies delivered to the Authority; and

**WHEREAS,** it is the intention of the Authority to hereby specify the procedures for the payment of invoices and that this Resolution and the procedures herein specified, shall supersede all Resolutions and Bylaws related to the payment of invoices;

**NOW THEREFORE BE IT RESOLVED** by the B.R.S.A. as follows:

No check shall be executed by any Commissioner for disbursement of Authority funds except after compliance with the following procedure:

(a) Any person or entity seeking payment for services, materials, or supplies provided to the Authority, shall submit to the Authority, a fully executed voucher in form provided by the Authority, from time to time;

(b) The Executive Director shall review in association with said voucher, where same exists, a copy of the three written quotations where practicable or bids in excess of \$3,000; the supporting requisition



and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods or services. Said procedure shall constitute a complete payment package. ;

(c) The Executive Director shall then review each package and shall affix his signature thereto if he shall consider same to be in satisfactory form of payment;

(d) The Executive Director shall not later than the Thursday preceding the Regular Meeting of each month make the voucher, invoice and any additional items of said payment package so requested available to the Chairman of the Finance Committee or other member of the Authority at the Authority office

(e) The Chairman of the Finance Committee or other member of the Authority shall review each voucher and the supporting documentation and, if he shall find same satisfactory, affix his signature thereto in time for consideration and discussion by the Commissioners at the monthly Regular Meeting of the Authority. In the event a member of the Finance Committee is not available for said purposes, any BRSA Board member may review and affix his/her signature thereto.

(f) The Executive Director shall prepare and make available to the Commissioners at the Regular Meeting in each month, a listing of all vouchers received by the Authority on or before the close of business on the Thursday immediately preceding the Regular Meeting;

(g) The Chairmen of the respective Committees, having general responsibility for the subject matter of a particular voucher, may review same on or before the second Thursday of each month and in case he shall find it in his opinion to be satisfactory, he shall affix his signature to this voucher.

(h) At each Regular Meeting of the Authority, prior to the Commissioners taking a formal vote on payment of all vouchers which have undergone the processing aforesaid, the Commissioners shall be advised by the Executive Director as to which vouchers shall not have endorsed thereon, the approval of the Executive Director or the approval of the Finance Chairman or assigns and in connection with such vouchers, they shall not be deemed approved for payment unless the Commissioners shall, by majority vote, direct their payment notwithstanding the lack of one or more of said signatures.

(i) No vouchers shall be considered for payment in any month unless such voucher shall have been delivered to the Authority in proper form by 12:00 Noon of the Thursday immediately preceding the Regular Meeting, provided however, that in special circumstances, upon Motion of any Commissioners, at any regular meeting, payment of any voucher or vouchers may be directed by a majority vote of the Commissioners;

(j) Immediately following approval of payment of vouchers at any meeting of the Commissioners, the Executive Director shall promptly attend to the obtaining of the necessary Commissioners' signatures upon the checks in question and shall promptly release such checks to the payees thereof and the Executive Director shall not, without the approval of at least one Commissioner, delay or withhold the delivery of any checks so approved; in the event checks shall be delayed or withheld with the approval of at least one Commissioner, the Executive Director shall immediately so advise all of the Commissioners in writing of such delay or withholding and the reasons therefore, and the same shall be discussed at the next meeting of the Authority; and in accordance with NJAC 5:31-4.1,e, all checks other than payroll checks shall be signed by the Secretary, Chairman or Executive Director, and at least two other Commissioners.

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

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

**RESOLUTION: (20/14) Adopt Procedures to be followed in the Purchase of Equipment and Supplies and Services.**

**WHEREAS**, the Bayshore Regional Sewerage Authority is desirous of adopting a uniform procedure for the purchase of equipment and supplies and the provision of services to the Authority; and

**WHEREAS**, the Commissioners are desirous of setting forth this procedure to be applicable immediately upon adoption of this Resolution and to continue in full force and effect until the next reorganization meeting of the Authority held pursuant to N.J.S.A. 40:14A-1 et seq, at which time this Resolution shall terminate unless continued in its present or amended form;

**NOW THEREFORE BE IT RESOLVED** by the B.R.S.A. as follows:

1. The procedures and authorities herein provided shall be applicable to the purchase of any materials, supplies or services except for professional services such as legal, engineering, accounting and similar services which shall only be upon Resolution of the Authority.
2. No purchase of or contract for materials, equipment, supplies or services shall be deemed binding upon the Authority or shall obligate the Authority for payment thereof except upon the following terms and conditions:

(a) The Executive Director shall cause to be attached to the voucher, where same exists, a copy of at least three written quotations or bids for items in excess of \$3,000.00, if practicable, the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods and services;

(b) Materials, services or supplies, the cost or obligation for which shall not exceed the sum of \$6,000 per item, may be purchased or contracted for on behalf of the Authority and payment therefore shall be made by the Authority upon the execution of a requisition for such materials, supplies or services by the Executive Director in accordance with (a) above.

(c) Materials, services or supplies, the cost or obligation for which exceeds \$6,000 per item, but less than \$17,500, may only be purchased or contracted for upon execution of a Purchase Order by any Commissioner of the Authority and provided further, that three written quotations where practicable concerning the item or services authorized to be purchased shall have been obtained, except in cases of emergency, which emergency shall be stated in full on the Purchase Order executed by the Chairman, Vice-Chairman or any Commissioner.

(d) The purchase of any materials, supplies, equipment or contract for any services the cost or obligation for which is \$36,000 or more, to the extent same shall be applicable to the particular purchase or contract, shall be awarded only upon compliance with the bidding procedures provided by the Local Public Contracts Law except in those instances under the Local Public Contract Law where public bidding need not apply and then only upon specific Resolution of the Authority; and

(e) except as otherwise resolved by the Commissioners of the Authority, all purchases of materials, supplies and equipment or the contracting of services; the cost or obligation for which is between \$17,500 and \$36,000 also known as "Window Contracts" in New Jersey's Pay-to-Play Laws shall be awarded at a public meeting only after a fair and open process whose minimum requirements are:

- Publicly advertised (either conventionally in newspapers or posted on the BRSA website at least ten (10) calendar days prior to award (a copy of the website posting shall be kept on file); and
- Awarded under a process that provides for public solicitation of proposals or qualifications; and

- Established on the basis of an award and disclosure process documented in writing prior to any solicitation and
- Publicly opened and announced when awarded

(f) materials, services, supplies or equipment may be purchased by emergency contract notwithstanding the cost or obligation provided the procurement process follows the emergency procurement policy of the Authority which policy is as follows;

- a. emergency must be actual or imminent and must affect the public health, safety or welfare.
- b. the failure to plan cannot be the basis for an emergency purchase. The emergency must be reasonable unforeseen, unforeseeable and immediate in nature.
- c. quotations are not required but are suggested for emergency purposes.
- d. the emergency must be certified as follows:
  - detail the nature of the emergency, whether it was unforeseen and unforeseeable, and why immediate action is required.
  - must be signed by the Executive Director or Authority Engineer and filed with the Authority's Purchasing Agent.

All emergency purchases shall be approved by the Executive Director; in his absence the Authority Engineer shall be contacted. If an emergency should arise during a time when the Executive Director or Authority Engineer is unavailable, the Plant Superintendent shall act to secure necessary materials or service. The evidence of purchase such as sale tickets, bills, delivery slip, counter receipt, etc., which the supplier normally furnishes shall be attached to the requisition form.

For emergency purchases in excess of the bid threshold, the Executive Director or Superintendent shall endeavor to notify the Chairman or, in his absence, the Vice Chairman prior to any purchase.

**BE IT FURTHER RESOLVED** that this Resolution shall supersede all prior Resolutions of the Authority and all By Law provisions that may be in conflict with any of the terms and conditions specified; and

**BE IT FURTHER RESOLVED** that this Resolution shall continue in full force or effect until the next organization meeting of the Authority pursuant to NJS.A 40:14A-1 et seq. at which time it shall terminate unless re-instituted in its existing or in an amended form by appropriate Resolution of the Commissioners.

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

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

**RESOLUTION: (21/14) Adopt the Schedule of Financial Reports.**

**WHEREAS**, the Commissioners of the Bayshore Regional Sewerage Authority (B.R.S.A.) are desirous of fully and faithfully discharging their duties and obligations and;

**WHEREAS**, the Commissioners wish to formalize the financial reporting procedures of the B.R.S.A.;

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the B.R.S.A. that the schedule of reports listed below be adopted and henceforth all affected employees and consultants shall adhere to the schedule.

## SCHEDULE OF FINANCIAL REPORTS

1. **Schedule of Accounts Receivable**: This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report.
2. **Statement of Cash Receipts and Cash Disbursements**: This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report.
3. **Un-audited Financial Statement**: This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report. This financial statement shall contain the year to date expenditures, the year to date budget allocation, and the expenditures for the same period for each account. An explanation is to accompany this statement whenever unusual transfers are made among accounts or when unusual expenditures are made.
4. **Summary of Investments**: This report shall be prepared quarterly, and shall be in the Commissioners' hands Friday before the Regular Meeting in the month that the report is due. This report shall indicate such pertinent information as:
  - A. Investment Institution.
  - B. Amount invested.
  - C. Interest rate for the investment.
5. **Bills to be Paid**: This report shall contain a listing of each bill to be paid, indicating the check number, the amount to be paid, the payee, and the reason for the payment. The report shall be in the hands of the Commissioners on the Friday before the Regular Meeting during which these payments will be approved.

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

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

**RESOLUTION:** (22/14) **Adopt and Publish the Annual Notice of Scheduled Authority Meetings for the period March 2014, through February 2015.**

**WHEREAS,** the Bayshore Regional Sewerage Authority is required to adopt, publish and disseminate annually, a notice of its scheduled Agenda and Regular Meetings;

**NOW THEREFORE BE IT RESOLVED** by the Bayshore Regional Sewerage Authority that it hereby adopts the following schedule of Agenda and Regular Meetings during 2014 All meetings in 2014/2015 will commence at 7:00 P.M. prevailing time, All meetings will be held at the Authority offices, Administration Building, 100 Oak Street, Union Beach, NJ.

**BE IT FURTHER RESOLVED,** In accordance with O.P.M.A. N.J.S.A. 10:4-6, participation by Commissioners may take place by means of telephone communications equipment and formal action may be taken at any of the listed meetings.

**2014**

March 17-regular  
April 21-regular  
May 19-regular  
June 16-regular  
July 21-regular  
August 18-regular  
September 15-regular  
October 13-agenda

October 20-regular  
November 17-regular  
December 15-public rate hearing and regular

**2015**

January 19-regular  
February 13-agenda  
February 23-reorganization and regular

**BE IT FURTHER RESOLVED** that the Organizational Meeting of the Bayshore Regional Sewerage Authority shall commence at 7:00 P.M., prevailing time, immediately before the Regular Meeting on Monday February 23rd, 2015, at the Authority offices, 100 Oak Street, Union Beach, NJ, and

**BE IT FURTHER RESOLVED** that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to forthwith publish a true copy of this Resolution in the official newspaper so designated by the Authority and be posted on its official website, [www.bayshorersa.com](http://www.bayshorersa.com); and

**BE IT FURTHER RESOLVED** that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to post a true copy of this Resolution in a public place designed for such purposes; and

**BE IT FURTHER RESOLVED** that the Secretary of the Bayshore Regional Sewerage Authority is hereby directed to forthwith transmit a true copy of this Resolution to: the Municipal Clerks of Aberdeen, Hazlet, Holmdel, and Marlboro, Union Beach, Keyport, Keansburg, and Matawan; and the Western Monmouth Utilities Authority.

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

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

**RESOLUTION: (23/14) To execute TD Bank Resolution for the B.R.S.A. Payroll Account together with appropriate signature cards.**

**BE IT RESOLVED**, by the Bayshore Regional Sewerage Authority:

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Payroll Account**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any two of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, or Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument

made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority.

3. The Bank may honor all such checks and other instruments for the payment or delivery of money or property when signed as authorized above, including any payable to the Bank or to any signer or other officer or employee of the Authority or to cash or bearer, and may receive the same in payment of or as security for the personal indebtedness of any signer or other officer or employee or other person to the Bank or in any transaction whether or not known to be for the personal benefit of any such person, without inquiry as to the circumstances of their issue or the disposition of their proceeds, and without liability to the Bank, and without any obligation upon the Bank to inquire whether the same be drawn or required for the Authority's business or benefit.

**BE IT FURTHER RESOLVED** that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

**I FURTHER CERTIFY** that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
ADAM KHACHATURIAN	Chairman	_____
BARTHOLOMEW SUTTON	Vice Chairman	_____
MARCY McMULLEN	Secretary	_____
CHARLES STEINER	Asst. Secretary	_____
WALTER VELLA	Treasurer	_____
LOUIS PISANO	Asst. Treasurer	_____

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the said corporation this 24th day of February 2014

I, \_\_\_\_\_, Chairman of the above named Authority, do hereby certify that \_\_\_\_\_, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

**WITNESS** my hand and the seal of said Authority the day and year above written.

(seal)

/s/ \_\_\_\_\_, **BRSA Chairman**

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

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

**RESOLUTION: (24/14) To execute TD Bank Resolutions for B.R.S.A. Incoming Revenue, Operating, and Rent Reserve accounts together with appropriate signature cards.**

**BE IT RESOLVED**, by the Bayshore Regional Sewerage Authority:

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Incoming Revenue, Operating Account, Reserve and Rent Reserve Accounts**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other

instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any one person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any three of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority, except that in the wire transfer of funds for the payment of taxes, employee payroll, benefits or other such obligation as may be required of the Authority, the Executive Director is authorized to make such wire transfers using the financial institutions' secured portals. All such wire transfers shall be ratified at the first Authority meeting subsequent to transfer of funds.

3. The Bank may honor all such checks and other instruments for the payment or delivery of money or property when signed as authorized above, including any payable to the Bank or to any signer or other officer or employee of the Authority or to cash or bearer, and may receive the same in payment of or as security for the personal indebtedness of any signer or other officer or employee or other person to the Bank or in any transaction whether or not known to be for the personal benefit of any such person, without inquiry as to the circumstances of their issue or the disposition of their proceeds, and without liability to the Bank, and without any obligation upon the Bank to inquire whether the same be drawn or required for the Authority's business or benefit.

**BE IT FURTHER RESOLVED** that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

**I FURTHER CERTIFY** that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
ADAM KHACHATURIAN	Chairman	_____
BARTHOLOMEW SUTTON	Vice Chairman	_____
MARCY McMULLEN	Secretary	_____
CHARLES STEINER	Asst. Secretary	_____
WALTER VELLA	Treasurer	_____
LOUIS PISANO	Asst. Treasurer	_____

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the said corporation this 24th day of February 2014

/s/ \_\_\_\_\_, BRSA Secretary

I, \_\_\_\_\_, Chairman of the above named Authority, do hereby certify that \_\_\_\_\_, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

**WITNESS** my hand and the seal of said Authority the day and year above written.

(seal)

/s/ \_\_\_\_\_, BRSA Chairman

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

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

**RESOLUTION: (25/14) To appoint Weiner Lesniak as Labor Attorney, and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS,** the Bayshore Regional Sewerage Authority has a need to acquire Labor/employment Legal Counsel services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS,** the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS,** the anticipated term of this contract is one (1) year and may be extended at times as approve by this governing body; and

**WHEREAS,** Weiner Lesniak, LLP of Parsippany, NJ has submitted a proposal dated January 27, 2014 indicating they will provide Labor/employment legal counsel services at \$150.00 per hour; and

**WHEREAS,** Weiner Lesniak, LLP has completed and submitted Business Entity Disclosure Certifications which certifies that Weiner Lesniak, LLP has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Weiner Lesniak, LLP from making any reportable contributions through the term of the contract,

**WHEREAS,** funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED,** that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Weiner Lesniak, LLP as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION: (26/14) To appoint Bart & Bart, CPAs as Auditors and Accountants, and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS,** the Bayshore Regional Sewerage Authority has a need to acquire Accounting and Auditing services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and



**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Bart & Bart of Woodbridge, NJ has submitted a proposal dated January 28, 2014 indicating they will provide Accounting and Auditing services at \$130.00 per hour; and

**WHEREAS**, Bart & Bart has completed and submitted Business Entity Disclosure Certifications which certifies that Bart & Bart has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Bart & Bart from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Bart & Bart as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION:** (27/14) to appoint Gibbons P.C. as Bond Counsel, and to authorize the Chairman and Secretary to execute the contract.

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Bond Counseling services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Gibbons P.C. of Newark, NJ has submitted a proposal dated February 10, 2014 indicating they will provide Bond Counseling services at \$295.00 per hour; and

**WHEREAS**, Gibbons P.C. has completed and submitted Business Entity Disclosure Certifications which certifies that Gibbons P.C. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Gibbons P.C. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Gibbons P.C. as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION: (28/14) To appoint R3M Engineers as our Consulting Engineer, and to authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Engineering Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, R3M of Old Bridge, NJ has submitted a proposal dated January 31, 2014 indicating they will provide Engineering Consulting services at \$180.00 per hour; and

**WHEREAS**, R3M has completed and submitted Business Entity Disclosure Certifications which certifies that R3M has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit R3M from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with R3M as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION: (29/14) To appoint Conner Strong Buckelew Services, as Risk Management Consultant and to authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Risk Management Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Connor, Strong & Buckelew of Toms River, NJ has submitted a proposal dated January 24, 2014 indicating they will provide Risk Management Consulting services at 6% of the fund assessment; and

**WHEREAS**, Connor, Strong & Buckelew has completed and submitted Business Entity Disclosure Certifications which certifies that Connor, Strong & Buckelew has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Connor, Strong & Buckelew from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Connor, Strong & Buckelew as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION: (30/14) To appoint Morehouse Engineering as the Process and Instrumentation Control Consultant and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Instrumentation and Control Engineer Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Morehouse Engineering, Inc. of Hopewell, NJ has submitted a proposal dated January 24, 2014 indicating they will provide Instrumentation and Control Engineer Consulting services at \$195.00 per hour; and

**WHEREAS**, Morehouse Engineering, Inc. has completed and submitted Business Entity Disclosure Certifications which certifies that Morehouse Engineering, Inc. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Morehouse Engineering, Inc. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Morehouse Engineering, Inc. as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION:** (31/14) **To appoint Chavond Barry Engineering as Incinerator Engineering Consultants and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Incinerator Consulting Engineer services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Chavond Barry Engineering Corp. of Blawenburg, NJ has submitted a proposal dated February 7, 2014 indicating they will provide Incinerator Consulting Engineer services at \$238.00 per hour; and

**WHEREAS**, Chavond Barry Engineering Corp. has completed and submitted Business Entity Disclosure Certifications which certifies that Chavond Barry Engineering Corp. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Chavond Barry Engineering Corp. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Chavond Barry Engineering Corp. as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION (32/14): To appoint Acacia Financial Group, Inc. as Financial Advisors and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Financial Advisory services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Acacia Financial Group, Inc. of Marlton, NJ has submitted a proposal dated January 24, 2014 indicating they will provide Financial Advisory services at \$250.00 per hour; and

**WHEREAS**, Acacia Financial Group, Inc. has completed and submitted Business Entity Disclosure Certifications which certifies that Acacia Financial Group, Inc. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Acacia Financial Group, Inc. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Acacia Financial Group, Inc. as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION (33/14): To appoint James Gorman Esq. as General Counsel and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire General Legal Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, James H. Gorman Esq. of Shrewsbury, NJ has submitted a proposal dated January 24, 2014 indicting they will provide General Legal Consulting services at \$178.50 per hour; and

**WHEREAS**, James H. Gorman, Esq. has completed and submitted Business Entity Disclosure Certifications which certifies that James H. Gorman, Esq. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit James H. Gorman, Esq. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with James H. Gorman, Esq. as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION (34/14): To appoint Granata and Zaccardi as Special Counsel and authorize the Chairman and Secretary to execute the contract.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Special Legal Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Louis E. Granata, Esq. of Matawan, NJ has submitted a proposal dated February 5, 2014 indicting they will provide Special Legal Consulting services at \$190.00 per hour; and

**WHEREAS**, Louis E. Granata, Esq. of Matawan, NJ has completed and submitted Business Entity Disclosure Certifications which certifies that, Louis E. Granata, Esq. has not made any reportable

contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Louis E. Granata, Esq. from making any reportable contributions through the term of the contract, and

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4.

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

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

Chairman Khachaturian called for a review of the recommended Sub-Committee Appointments offered and requested a **MOTION** of acceptance:

**COMMITTEE APPOINTMENTS** are offered by the Chairman who may preside over any Sub-Committee Meeting with adequate public notice.

### **2014 Committee Appointments**

**FINANCE COMMITTEE:**

Commissioner Vella - Chair  
Commissioner McMullen  
Commissioner Steiner

**LEGAL COMMITTEE:**

Commissioner Khachaturian - Chair  
Commissioner Steiner  
Commissioner Pisano

**ENGINEERING COMMITTEE:**

Commissioner Pisano - Chair  
Commissioner McMullen  
Commissioner Sutton

**PERSONNEL COMMITTEE:**

Commissioner Sutton - Chair  
Commissioner Vella  
Commissioner Khachaturian

**MOTION** - to accept Chairman's appointments:

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

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

At 7:14 P.M. Chairman Khachaturian called for a **MOTION** - to adjourn the Reorganization Meeting of 2014.

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

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



# REGULAR MEETING

## February 24, 2014

At 7:15 P.M. Chairman Khachaturian called the Regular Meeting of the Bayshore Regional Sewerage Authority to order.

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

### TREASURER'S REPORT (by Commissioner Vella)

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

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

## **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>January 31, 2014</u></b>
<b><u>UNRESTRICTED</u></b>	
Revenue Fund	\$ 8,140,202.69
General Fund	<u>\$ 871,791.30</u>
Total Unrestricted	\$ 9,011,994.04
<b><u>RESTRICTED</u></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	\$ 1,357,141.43
Bond Service	<u>\$ .05</u>
Total NJEIT	\$ 1,357,141.48
<b>TOTAL TRUSTEE ACCOUNTS</b>	<b>\$ 10,369,952.60</b>
<b>TD BANK</b>	
Incoming Revenue Account	\$ 882,743.50
Operating Regular Account	\$ 108,147.53
Operating Payroll Account	<u>\$ 155,762.58</u>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b><u>\$ 1,146,653.61</u></b>
<b>TOTAL</b>	<b><u>\$11,516,606.21</u></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

	Balance <u>January 31, 2014</u>
<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	\$ <u>0.00</u>
<b>TOTAL</b>	\$ 0.00
<b>OUTFALL AUTHORITY CHARGES</b>	
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	\$ <u>0.00</u>
<b>TOTAL</b>	\$ 0.00
<b>Balance of Rent Reserve Accounts as of January, 2014</b>	
Hazlet Township Sewerage Utility	\$ 739,904.61
Township of Holmdel	\$ 317,359.73
Borough of Union Beach	\$ 193,816.39
Borough of Keyport	\$ 321,888.71
Borough of Keansburg	\$ 302,042.00
Borough of Matawan	\$ 321,735.83
Western Monmouth Utilities Authority	\$ 111,726.19
Township of Aberdeen	\$ <u>468,177.28</u>
<b>TOTAL</b>	\$ 2,776,650.74

**ANNOUNCEMENT (by the Chairman):** 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.

No participation from the public

## RESOLUTIONS

### **RESOLUTION (35/14) – to add two Engineering Firms to the short list of Engineering Firms for Capital Improvement Projects for 2014**

**WHEREAS**, the Bayshore Regional Sewerage Authority (Authority) requested Expression of Interest Documents from engineering firms interested in providing engineering assistance to the Authority for Capital Improvement work and,

**WHEREAS**, by resolution 84/12, dated September 18, 2012, the Authority appointed pre-qualified engineering firms to assist, as needed, with the BRSA Capital Improvement Plan and,

**WHEREAS**, the Authority has utilized the services of these pre-qualified Engineering firms to recover, restore, and rebuild from Hurricane Sandy damage and mitigate against future flooding damage and,

**WHEREAS**, two-(2) of the engineering firms have withdrawn from Hurricane Sandy related work for the Authority due to a conflict of interest and,

**WHEREAS**, the Authority desires to appoint two alternate engineering firms to replace the conflicted firms and,

**WHEREAS**, the Executive Director and Engineer recommend the firms of Hazen and Sawyer of New York and ARCADIS US, Inc. as the two-(2) alternate engineering firms and,

**WHEREAS**, both Hazen and Sawyer and ARCADIS Us. Inc, will be required to complete the Authority Pay to Play certifications certifying that they have not made reportable contributions in the year prior to award and will not make reportable contributions during the term of the contract.

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority appoint the firms of Hazen and Sawyer and ARCADIS US Inc. to the Authority short -list of prequalified engineering firms for Capital improvement projects contingent upon the submittal of satisfactory Pay to Play certifications.

**BE IT FURTHER RESOLVED** the Executive Director and Engineer are authorized to accept proposals from Hazen and Sawyer and ARCADIS US Inc. for future Capital improvement work

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

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

### **RESOLUTION (36/14) – to close Trustee Accounts and transfer funds to Authority Incoming Revenue Account**

**WHEREAS**, by prior Resolution Authorizing the Issuance of Revenue Bonds of The Bayshore Regional Sewerage Authority, (the Bond Resolution) adopted June 21, 1977, the Authority created certain funds to be held in Trustee accounts and,

**WHEREAS**, the Revenue Fund, Bond Service Fund, and General Fund are accounts held by the Trustee under the authority of the Bond Resolution and ,

**WHEREAS**, the Authority has discharged its covenants, agreements and other obligations of the Bond Resolution and subsequent subordinated bonds , short term notes, and Refunding Bonds and desires to close all funds and transfer any remaining funds to Authority held accounts; and,

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority hereby direct the Executive Director to close the Trustee held Revenue Fund, Bond Service Fund, and General Fund under the Bond Resolution and transfer the any remaining balance to the Authority held accounts.

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

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

**RESOLUTION (37/14) – to create Authority held reserve account for funds not otherwise required in Payroll or Operating Account**

**WHEREAS**, the Bayshore Regional Sewerage Authority presently maintains three Authority held bank accounts with TD Bank for the deposit of Authority funds, and

**WHEREAS**, those accounts are the Revenue account, Payroll account, and Operating account, and

**WHEREAS**, the Bayshore Regional Sewerage Authority desires to open a new Authority held Reserve bank account for the deposit of moneys not immediately needed to satisfy the requirements of the revenue account established by the Authority's Cash Management Plan.

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority instruct the Executive Director to create and maintain an Authority held Reserve Account for the deposit of funds not immediately needed to satisfy the requirements of the revenue account as established under the Cash Management Plan.

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

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

Mr. Fischer explained that Resolution #38/14 is the study to consolidate Blower Building #1 and #2. Blower building #1 had greater damage than #2 due to elevation difference and BRSA's plan is to take all the components out of building #1 and put them into #2. Thereafter use Blower Building #1 for much needed storage. Jeff Ulrich of Gannett Fleming was present at the meeting and presented the proposal to conduct a feasibility study to combine Blower Building #1 and #2. Pete Canal recommended BRSA go ahead with the feasibility study.

**RESOLUTION (38/14) – To award contract for Blower Building feasibility study to Gannett Fleming Engineers**

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

**WHEREAS**, the Blower Building No. 1 requires extensive repairs as a result of Super Storm Sandy flooding damage, and

**WHEREAS**, the BRSA was constructed in two phases and has two (2) separate treatment trains and therefore has two (2) separate Blower Buildings, and

**WHEREAS**, the BRSA desires to evaluate the feasibility and costs associated with combining both blower buildings as part of the repairs and mitigation required, and

**WHEREAS**, the BRSA solicited Expression of Interest documents from 21 engineering firms seeking to provide engineering services on Authority Capital Improvement projects, and

**WHEREAS**, the documents were reviewed by a committee of staff and commissioners and reduced to a short list of engineering firms qualified to provide engineering services for the Authority Capital Improvement Projects, and

**WHEREAS**, Gannett Fleming is one of the short listed engineering firms and has extensive experience with blowers, and

**WHEREAS**, the BRSA solicited a proposal for a feasibility study from Gannett Fleming, and

**WHEREAS**, the BRSA staff have reviewed the proposal and find it to be fair and reasonable and are recommending award to Gannett Fleming in the amount of \$35,000.00, and

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

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the BRSA hereby award the Proposal to Gannett Fleming of Harrisburg, PA in accordance with the terms and conditions of the their proposal dated February 5, 2014, in the amount not to exceed \$35,000.00.

**BE IT FURTHER RESOLVED**, the Executive Director is hereby authorized to execute any necessary documents to award the Proposal to Gannett Fleming of Harrisburg, PA.

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

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

Mr. Fischer explained that every year employees vote on a Safety Person of the Year in a closed vote. No one knows who the winner is until after this Resolution is adopted. This years winner is Mike Donahue.

**RESOLUTION (39/14) – To Name Michael Donahue as the Safety Employee of the Year**

**WHEREAS**, Michael Donahue has served the Bayshore Regional Sewerage Authority since 1994 in the capacity of Operator; and

**WHEREAS**, Michael Donahue has consistently taken the initiative to participate in the Authority's Safety Program making suggestions and assisting in the implementation of protective measures to ensure the health, safety and well-being of his fellow employees; and

**WHEREAS**, Michael Donahue has consistently exhibited a positive attitude with which to promote a safe environment and implement safety standards by example to his fellow employee.

**NOW THEREFORE BE IT RESOLVED**, the Bayshore Regional Sewerage Authority, its Commissioners, and employees hereby award Michael Donahue as the Safety Employee of the Year Award along with this Resolution and a \$100 gift card and express sincere appreciation to him for a job well done and this valuable contribution to Bayshore Regional Sewerage Authority.

**BE IT FURTHER RESOLVED**, this Resolution is hereby formally adopted by the Board and will be entered into the permanent records of the Authority.

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

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

Mr. Fischer explained that the HVAC unit at Matawan Pump Station was damaged during Hurricane Sandy and the current unit is not longer available. He also said that the unit would be reimbursed from FEMA.

**RESOLUTION (40/14) – To advertise solicitation of bids for the Matawan Pump Station HVAC**

**WHEREAS**, the Bayshore Regional Sewerage Authority (BRSA) Matawan Pump Station Building was upgraded in 1995, and

**WHEREAS**, the building is serviced by a HVAC unit that is 18 years old, and

**WHEREAS**, the HVAC unit was damaged during Hurricane Sandy flooding and is no longer functioning, and

**WHEREAS**, the BRSA Consulting Engineer, R3M Engineering, Inc. (R3M) has evaluated the existing HVAC system for the Building and in their December 6, 2013 report are recommending replacement of the entire system, and

**WHEREAS**, R3M has developed plans and specifications for the replacement of the HVAC unit at the Matawan Pump Station under their Consulting Engineering Service Contract.

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Qualified Purchasing Agent to advertise for bids for the Matawan Pump Station HVAC replacement.

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

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

**PAYMENT OF REQUISITIONS**

**MOTION** - to approve payment of bills listed on:

Operating Fund Req. No. 504 (Regular)	\$ 450,710.41
Operating Fund Req. No.16-S (Sandy)	\$317,625.46
Payroll Account Req. No. P 155	\$ 84,409.36

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

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

## **PUBLIC PORTION**

Chairman Khachaturian 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 to 3 minutes.

Charles Hoffman of Florence Avenue, Hazlet addressed the New Meeting Schedule stating that 2 meetings per month were better for the residents. He also objected to the 3 minute time limit saying it was not enough time to speak and the Commissioners should reconsider and change the resolution. Mr. Hoffman also asked the Board to move the meeting back ½ hour to allow the resident's time to get home from work.

Mr. Hoffman asked who bought the turbine. James Gorman said that was a good question. He also stated that the title should not have been transferred to BRSA until it was up and running and tested.

Mr. Hoffman said if Conti paid for the turbine with tarp money then BRSA should check to see if they used it as a tax write-off.

## **EXECUTIVE SESSION**

At 7:55 P.M. Chairman Khachaturian called for a MOTION - to go into Closed Session 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 *pending or anticipated litigation*, and terms and conditions of collective bargaining agreement. 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:** Commissioner Vella, **SECONDED BY:** Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

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

### **CLOSED SESSION MINUTES ARE RECORDED SEPERATELY**

Chairman Khachaturian called for a MOTION to End Closed Session at 8:55 P.M..

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

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

## ADJOURMENT

ANNOUNCEMENT by Chairman Khachaturian:

The next Agenda/Regular Meeting of the B.R.S.A. is scheduled for Monday, March 17<sup>th</sup>, 2014, at 7:00 P.M. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 8:53 P.M., Chairman Khachaturian called for a MOTION to Adjourn the meeting.

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

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

Respectfully Submitted,

Susan A. DuBey  
Administrative Asst.