



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fisher
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, SEPTEMBER 15, 2014

At 7:05 P.M. on Monday, September 15, 2014 Chairman Khachaturian called the meeting of the Bayshore Regional Sewerage Authority to order and made the following announcement:

I hereby announce that pursuant to Section 5 of the Open Public Meetings Act, that adequate notice of this meeting has been sent to the Asbury Park Press and is on the BRSA Official Website. Notice has also been sent to the Clerks of Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach and Marlboro and the Western Monmouth Utilities Authority. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

Chairman Khachaturian 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 Khachaturian requested a roll call of attendance:

PRESENT: Commissioner McMullen (phone), Steiner, Sutton, Vella & Chairman Khachaturian

ABSENT: Commissioner Pisano

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

Reports

Executive Directors Report, BRSA Projects, Special Reports
Mr. Fischer discussed:

Disaster Recovery Update

- A check was received from the insurance company in the amount of \$271,653 leaving a balance of \$286,000 due from our Inland Marine Policy
- The Authority recently submitted (5) reimbursement requests to FEMA totaling \$503,019. 2 requests were approved 3 requests are pending. This brings the total reimbursement requests submitted to FEMA to \$4.8 million dollars.
- FEMA recently approved our Hazard Mitigation Plan for the Return Sludge Pump Station #2, Primary Sludge Pump Station #2, Administration Building and the Lab/Office Building.
- The Director of FEMA in NJ and 2 Associates took a tour of the different damaged sites including the Blower Buildings and Electric Power Distribution. This gives them a first hand perspective as they evaluate our request for funding these Mitigation projects.
- The Hurricane Sandy Expense chart indicates that \$10.4 million dollars have been spent on disaster recovery.

2015 Budget Preparation

The staff has met twice going over the line items and the next meeting is September 23rd where we will go through the Capital Budget. On Oct.7th there will be a meeting with the Finance Committee. At this point we should have the 10-1-2013 thru 9-30-2014 Flow Report. Mr. Fischer said he will be in touch with Union Beach and Hazlet on their EDU changes. The budget is then passed by the Board at the October 20th meeting, sent to the DCA and final adoption at the December Public Hearing.

2014 Capital Budget Amendment

DCA allows changes to the Capital Budget throughout the year under certain conditions. BRSA needs to add the HVAC projects for the Lab/Office Building and the Matawan Pump Station, and increase the Single Sampling Point project and add a Wheel Loader. In exchange the amendment will reduce the Electric Power Distribution Project by an equal amount. There is no dollar value associated with this Capital Budget Amendment request.

NJDEP Settlement – Oil & Grease

Mike Broyles explained that in May, 2013 the lab missed sending out 1 of 2 monthly oil & grease samples. It's a limited parameter in our permit and we were fined by the NJDEP. Commissioner McMullen asked if this has ever happened before. Mike said about 5 or 6 years ago, it doesn't happen often. A fairly substantial deduction was offered as a fine which we should accept and move on.

Letter of Intent

Mr. Fischer said that a Letter of Intent should be sent to the NJEIT by Oct. 10th stating BRSA is looking for funding for the Blower Buildings and the Electric Distribution Projects as a 2016 project. Both of these projects are potential FEMA funded projects and similar to the 2015 Restoration and Mitigation Projects – NJEIT will serve as a Bridge Loan until FEMA funding is provided.

Staff Engineer Report

Pete Canal discussed:

Night Security

U.S. Security currently has a contract for a security guard at the plant from 11:00 P.M. to 7:00 A.M. This contract expires next month and the staff feels it's necessary to continue

this service during construction. A bid would have to be prepared and received for such service. Mike said the current guard is working out very well. Commissioner Steiner stated he came into the plant on 9-11-14 at about 7:30 PM and no one saw him. He asked if a signal is set off when the gate opens. Mike said that if you have a gate card which authorizes you to come in then no signal is sounded and added that security does not come on until 11:00 PM. Commissioner McMullen asked how much longer the Security is needed. Mike said about 2 years which is the duration of the construction.

Single Sampling Point

- Contract 62 only has punch list items left.
- A security fence over the walkway needs to be installed and electrical changes from 480 to 120 have been made.
- PS&S is seeking \$7500 to cover additional scope of work. Commissioner Steiner asked if we requested the electrical change. Pete said yes and the effluent line was not where the Authority believed it to be a necessary field change to the drawings. Commissioner Vella asked if we had to get a Building Permit from Union Beach. Pete said yes. Commissioner Steiner asked if the contractor is responsible for getting the Permit. Pete said yes but we would have to reimburse them.
- Pete advised the Board about the Resolution needed to authorize the advertisement of these three projects as soon as the NJEIT gives their approval. The approval should be received within the next two weeks. These projects also need Construction Management Services which proposals and reviewed. Pete spoke about the Engineering Committees review of the proposals. Project coordination was discussed as 3 separate projects will be underway simultaneously.

Dorr Oliver Incinerator Update

Pete reported that the incinerator is not on line yet but is ready. All the sand has been taken out cleaned and new sand put back in. Chavond Barry is recommending adding clay at 10 lbs. per hour. They did find a spike in the Chlorides that was significant and clay will mitigate the action of chlorides. Questions and discussion about the source of high Chlorides took place. Suggestions were to test the sand nightly, test the collection system, and visit the Keansburg desalinization facility.

Consulting Engineer Report

Manuel Ponte discussed:

- The progress with FEMA is going very well.
- HVAC at Matawan will be covered by FEMA at 90% reimbursement.
- Lab/Office Building HVAC unit is progressing however the wire they put in was wrong and had to be ripped out and replaced. The contractor has been difficult to work with and is behind schedule. Start-up date should be this Wednesday.

BRSA Superintendent's Report

Mike Broyles discussed:

- This was a very dry summer and both plants are running.

- Received several odor complaints, mostly caused by the dewatering sludge outside. Everyone doing the best they can.
- The incinerator is ready to start up but Chavond Barry said to wait for the clay to be added which will take about 3 to 4 weeks to get the feeder. Commissioner Vella asked if he thought this was the fix. Mike was not sure.
- A discussion of possible causes, work completed and next steps took place. Start-up will be in a few weeks and watched closely.

Attorney Report

James Gorman discussed the Wind to Energy Project:

- He has not received any word from the Supreme Court which is not a surprise.
- Mediation is scheduled for October 22nd and papers have to be submitted 2 weeks before
- Jim will work on Review and Clean-up of our specs before the 3 large projects are bid. Specs have been around for over 20 years and could use a review and eliminate old language.

Public Portion

Chairman Khachaturian 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.

NO PUBLIC IN ATTENDANCE

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

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
<u>TRUSTEE ACCOUNTS</u>	<u>August 31,</u>
<u>2014</u>	
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$1,357,231.89
Bond Service	\$ 0.05
TOTAL TRUSTEE	\$1,357,231.94
<u>TD BANK</u>	
Incoming Revenue Account	\$ 274,122.50
Operating Payroll Account	\$ 140,447.32
Operating Regular Account	\$ 64,931.41

Reserve Account (NEW)	<u>\$11,043,808.00</u>
TOTAL AUTHORITY ACCOUNTS	<u>\$11,623,309.23</u>
TOTAL	<u>\$12,980,541.17</u>

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

<u>SERVICE CHARGES:</u>	Balance August 31, 2014
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>
TOTAL	\$ 0.00

MONMOUTH COUNTY BAYSHORE 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	<u>\$ 0.00</u>
TOTAL	\$ 0.00

Balance of Rent Reserve Accounts as of March, 2014

Hazlet Township Sewerage Utility	\$ 740,549.52
Township of Holmdel	\$ 317,636.34
Borough of Union Beach	\$ 193,985.32
Borough of Keyport	\$ 322,169.27
Borough of Keansburg	\$ 302,305.26
Borough of Matawan	\$ 322,016.26
Western Monmouth Utilities Authority	\$ 111,823.57
Township of Aberdeen	<u>\$ 468,585.31</u>
TOTAL	\$ 2,779,070.85

Detail of the Trustee accounts, receipts and disbursements, including investment activity, are on file in the Administrative Office of the Bayshore Regional Sewerage Authority.

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

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

Payment of Bills

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

Operating Fund Req. No. P162	\$173,708.29
Operating Fund Req. No. 513Regular)	\$328,673.51
Operating Fund Req. No. S-22 (Sandy)	\$381,370.74

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

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

Approval of Minutes

Chairman Khachaturian called for a MOTION to approve the following Minutes:

Regular Meeting	August 18, 2014
Closed Session	August 18, 2014

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

AYES: Commissioners McMullen, Steiner, Sutton, and Vella

ABSTAIN: Chairman Khachaturian

Resolutions

RESOLUTION No. (93/14): to authorize advertisement for public bids of the NIRO Incinerator Repair, Improvement & Mitigation, Contract No.74-S

WHEREAS, Hurricane Sandy severely damaged the NIRO & Dorr Oliver incinerator buildings and processes on October 29, 2012, requiring engineering services for design of restoration, improvements and mitigation of these buildings and processes (the Project), and

WHEREAS, Hazen & Sawyer (H&S) Engineering of New York was awarded the design of the project on December 16, 2013 via Resolution No. 161/13, and

WHEREAS, H&S has completed the design of the project and is awaiting approval from the NJDEP for authorization to advertise, and

WHEREAS, the project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and FEMA Public Assistance, and

WHEREAS, the project will be publicly bid through a fair and open process in accordance with New Jersey Local Public Contracts Law and in accordance with the requirements of the NJEIT and NJDEP

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby authorize the BRSA Staff and H&S to publically advertise for bids for the project, subject to receiving Authorization to advertise from the NJDEP.

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

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

RESOLUTION NO. (94/14): to award Hazen & Sawyer the Construction Management & Inspection Services for the NIRO Incinerator Repair & Mitigation

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) solicited Expression of Interest documents from 21 engineering firms seeking to provide engineering services on the Authority Capital Improvement plans, 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 plans, and

WHEREAS, Hurricane Sandy severely damaged the Authority buildings and processes on October 29, 2012 requiring engineering services for design of restoration, mitigation and improvements of the Authority buildings and processes, and

WHEREAS, the Authority utilized a Request for Proposal (RFP) process to seek engineering proposals for the design of the restoration, mitigation and improvements of the NIRO Incinerator Process (NIRO Project) from a short-list of qualified engineering firms and two others solicited due to the conflict of interest of two of the short-listed firms, and

WHEREAS, the Authority assembled an evaluation committee to review the proposals and recommend award based on a weighted criteria, and

WHEREAS, Hazen & Sawyer (H&S) Engineers of New York was awarded the design of the NIRO Project on December 16, 2013 via Resolution No. 161/13, and

WHEREAS, the NIRO Project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and FEMA Public Assistance, and

WHEREAS, H&S has submitted the design documents to the New Jersey Department of Environmental Protection (NJDEP) for Authorization to Advertise public bids, and

WHEREAS, the NJDEP requires for all NJEIT projects the Construction Management and Inspection Services be contracted prior to issuing Authorization to Award, and

WHEREAS, the Authority issued H&S a Request for Proposal for the Construction Management & Inspection Services for the NIRO Project on August 20, 2014, and

WHEREAS, H&S submitted a proposal dated September 3, 2014, in the amount not to exceed \$1,592,963.00, and

WHEREAS, the BRSA staff and Engineering Committee find the proposal to be fair and reasonable, and in the best interest of the Authority customers, and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award the Proposal to Hazen & Sawyer of New York, NY in accordance with the terms and conditions of the their proposal dated September 3, 2014, in the amount not to exceed \$1,592,963.00.

BE IT FURTHER RESOLVED, the Chairman is hereby authorized to execute any necessary documents to award the Proposal to Hazen & Sawyer of New York, NY

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

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

RESOLUTION NO.(95/14): to authorize advertisement for public bid of the Security Service, Contract No.78-O

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) buildings and processes were severely damaged from Hurricane Sandy on October 29, 2012, and

WHEREAS the Authority has utilized the services of a Security Firm during evening hours while the Authority Alarm and Fire systems were inoperable with satisfactory results, and

WHEREAS, the Authority has a need for continued security services at the treatment plant during the period of construction of the buildings and processes damaged by Sandy flooding, which is projected to begin in January/February 2015, and

WHEREAS, the security services will monitor the plant site, buildings and alarm system during the night shift for 8 hours per day, 7 days per week, and

WHEREAS, it is necessary to prepare public contract documents for advertisement, and

WHEREAS, this contract will be solicited using a fair and open process

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby authorizes the BRSA Staff to publically advertise bids for Security Services for the protection of the plant facilities for a one year period.

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

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

RESOLUTION NO.(96/14): to award Amendment No.1 to Paulus, Sokolowski & Sartor, LLC. for the Single Sampling Effluent, Contract 62, in the amount of \$7,500

WHEREAS, The Bayshore Regional Sewerage Authority (BRSA) has a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0024708 issued by the NJDEP for its treatment plant effluent discharge, and

WHEREAS, the NJDEP Division of Water Quality is requiring the BRSA to continuously monitor its treatment plant effluent from one location, instead of the two separate locations currently permitted, and

WHEREAS, in order to meet its NJDEP permit conditions, the BRSA had to construct a continuous effluent monitoring system from a single sampling point, and

WHEREAS, the design consultant, Paulus, Sokolowski & Sartor, LLC (PS&S) was awarded via Resolution No. 10/14 the Construction Management & Inspection Services,

on a time and expense basis, not to exceed \$19,500, to manage the construction of the Single Sampling Point, and

WHEREAS, due to necessary field changes, as outlined in their letter, PS&S has submitted an amendment request dated August 5, 2014 to cover additional time and expenses totaling \$7,500, and

WHEREAS, the BRSA staff have reviewed Amendment No.1 in the amount of \$7,500 and find the proposed amendment to be fair and reasonable given the field conditions, and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award Amendment No. 1 in the amount of \$7,500 to Paulus, Sokolowski & Sartor, LLC of Wall Township, NJ, in accordance with the terms and conditions of their proposal dated August 5, 2014, increasing their contract amount from \$19,500 to \$27,000.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the proposal to PS&S of Wall Township, NJ.

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

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

RESOLUTION NO. (97/14): to authorize advertisement for public bid of the Main Pump Station and Sludge Return Building Pump Station No.1, Repair & Mitigation, Contract No.73-S

WHEREAS, Hurricane Sandy severely damaged the Main Pump Station and Sludge Return building and processes (the Project) on October 29, 2012, requiring engineering services for design of restoration and repair of these buildings and processes, and

WHEREAS, Paulus, Sokolowski & Sartor, LLC (PS&S) engineering of Wall, NJ was awarded the design of the project on January 13, 2014 via Resolution No. 1/14, and

WHEREAS, the project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and FEMA Public Assistance, and

WHEREAS, PS&S has completed the design of the project and is awaiting approval from the NJDEP for authorization to advertise, and

WHEREAS, this project will be publicly bid using a fair and open process in accordance with New Jersey Local Public Contracts Law as well as the requirements of the NJEIT and NJDEP

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby authorize the BRSA Staff and PS&S to publically advertise the Project, subject to receiving Authorization to advertise from the NJDEP.

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

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

RESOLUTION NO. (98/14): to award Construction Management & Inspection Services of the Main Pump Station and Sludge Return Building & Pump Station

No.1, Repair & Mitigation, Contract 73-S to the firm of Paulus, Sokolowski & Sartor, LLC. in the amount of \$465,000.00

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) solicited Expression of Interest documents from 21 engineering firms seeking to provide engineering services on the Authority Capital Improvement plans, 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 plans, and

WHEREAS, Hurricane Sandy severely damaged the Authority buildings and processes on October 29, 2012 requiring engineering services for design of restoration and mitigation of these buildings and processes, and

WHEREAS, the Authority utilized a Request for Proposal (RFP) process to seek engineering proposals for the design of the restoration, mitigation and improvements of the Main Pump Station & Sludge Return No.1 (MPS Project) from a short-list of qualified engineering firms and two others solicited due to the conflict of interest of two of the short-listed firms, and

WHEREAS, the Authority assembled an evaluation committee to review the proposals and recommend award based on a weighted criteria, and

WHEREAS, Paulus, Sokolowski & Sartor, LLC (PS&S) engineers of Wall, NJ was awarded the design of the MPS Project on January 13, 2014 via Resolution No. 1/14, and

WHEREAS, the MPS Project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and FEMA Public Assistance, and

WHEREAS, PS&S has submitted the design documents to the New Jersey Department of Environmental Protection (NJDEP) for Authorization to Advertise public bids, and

WHEREAS, the NJDEP requires for all NJEIT projects the Construction Management and Inspection Services be contracted prior to issuing Authorization to Award, and

WHEREAS, the Authority issued PS&S a Request for Proposal for the Construction Management & Inspection Services for the MPS Project on August 20, 2014, and

WHEREAS, PS&S submitted a proposal dated September 3, 2014, in the amount not to exceed \$465,000.00, and

WHEREAS, the BRSA staff and Engineering Committee find the proposal to be fair and reasonable, and in the best interest of the customers of the Authority

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award the Proposal to Paulus, Sokolowski & Sartor, LLC engineers of Wall, NJ in accordance with the terms and conditions of the their proposal dated September 3, 2014, in the amount not to exceed \$465,000.00.

BE IT FURTHER RESOLVED, the Chairman is hereby authorized to execute any necessary documents to award the Proposal to Paulus, Sokolowski & Sartor of Wall, NJ.

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

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

RESOLUTION NO. (99/14): to authorize advertisement for public bid of the Restoration and Mitigation of Various Plant Buildings, Contract No. 71-S

WHEREAS, Hurricane Sandy severely damaged Various Authority Building and Processes (the Project) on October 29, 2012, requiring engineering services for design of restoration and mitigation of these buildings and processes, and

WHEREAS, R3m engineering, inc (R3m) of Old Bridge, NJ was awarded the design of the project on January 13, 2014 via Resolution No. 3/14, and

WHEREAS, the project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and FEMA Public Assistance, and

WHEREAS, R3m has completed the design of the project and is awaiting approval from the NJDEP for authorization to advertise, and

WHEREAS the Various Authority Buildings and Processes will be Publicly bid using a Fair and Open Process in accordance with the New Jersey Public Contracts Law and the requirements of the NJEIT and NJDEP

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby authorize the BRSA Staff and R3m to publically advertise the Project, subject to receiving Authorization to Advertise from the NJDEP.

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

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

RESOLUTION NO. (100/14): to award Construction Management & Inspection Services for the Restoration and Mitigation at Various Plant Buildings, Contract No. 71-S to the firm of R3M Engineering, Inc. in the amount of \$216,289.00.

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) buildings and processes were severely damaged by flooding on October 29, 2012 from Hurricane Sandy, and

WHEREAS, it is necessary to design the Restoration and Mitigation of the Primary Pump Station #1 and #2, the Return Sludge Building #2, the Hypochlorite Building, the Fire Water Pump Station, the Administration Building, the Odor Control Building, and the Laboratory / Office Building (Various Authority Buildings and Processes), and

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) solicited Expression of Interest documents from 21 engineering firms seeking to provide engineering services on the Authority Capital Improvement plans, 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 plans, and

WHEREAS, R3m Engineering, Inc. (R3m) Engineers of Old Bridge, NJ was awarded the design of the Various Plant Buildings Project on January 13, 2014 via Resolution No. 3/14, and

WHEREAS, the Various Plant Buildings Project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and FEMA Public Assistance, and

WHEREAS, R3m has submitted the design documents to the New Jersey Department of Environmental Protection (NJDEP) for Authorization to Advertise public bids, and

WHEREAS, the NJDEP requires for all NJEIT projects the Construction Management and Inspection Services be contracted prior to issuing Authorization to Award, and

WHEREAS, the Authority issued R3m a Request for Proposal for the Construction Management & Inspection Services for the Various Plant Buildings Project on August 20, 2014, and

WHEREAS, R3m submitted a proposal dated September 2, 2014, in the amount not to exceed \$216,289.00, and

WHEREAS, the BRSA staff find the proposal to be fair and reasonable, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the BRSA staff and Engineering Committee find the proposal to be fair and reasonable, and in the best interest of the customers of the Authority

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award the Proposal to R3m engineers, inc. of Old Bridge, NJ in accordance with the terms and conditions of the their proposal dated September 2, 2014, in the amount not to exceed \$216,289.00.

BE IT FURTHER RESOLVED, the Chairman is hereby authorized to execute any necessary documents to award the Proposal to R3M Engineers, Inc. of Old Bridge, NJ.

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

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

RESOLUTION NO. (101/14): to transfer the Custodian to the Position of Utility Man for a 60 Day Probationary Period

SEE VOTE AFTER THE CLOSED OF EXECUTIVE SESSION REOPENED TO REGULAR MEETING

RESOLUTION NO. (102/14): to accept the proposal from TD Bank for Trustee and Paying Agent Fees for the 2010 NJEIT Construction Fund

WHEREAS, the Bayshore Regional Sewerage Authority desires the continued services of a Trustee and Paying agent for the NJEIT 2010 construction fund, and

WHEREAS, this service has been handled by TD Bank and the Authority desires to continue to utilize the services of TD Bank as Trustee and paying agent for the NJEIT 2012 Construction fund, and

WHEREAS, TD bank has submitted a proposal of \$3,500 to handle the aforementioned services for a period of one year, which the Authority staff finds fair and reasonable.

NOW THEREFORE BE IT RESOLVED the Commissioners accept the proposal from TD Bank to perform Trustee and Paying Agent Services for the 2010 NJEIT Construction fund for a period of one year and authorize the Executive Director to execute the necessary documents to secure said services

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

RESOLUTION NO. (103/14): to amend the 2014 Capital Budget with the Division of Local Government Services

WHEREAS, the Bayshore Regional Sewerage Authority established a Capital budget for 2014 in accordance with the requirements of the Department of Community Affairs, Division of Local Government Services (DCA DLGS), and NJAC 5:31-2.2, and

WHEREAS, the damage inflicted by Superstorm Sandy has caused the Authority to reconsider the priority and timing of the projects established in the Capital Budget Program for 2014 and certain previously identified projects will be reduced or eliminated while certain other projects will be added or increased with no net change in required revenue, and

WHEREAS, the DCA provides for the amending of an Authority Capital budget at NJAC 5:31-2.8, with no change to the overall total capital budgeted amount, during the year through the submittal of a Capital Budget Amendment to the Director of the Division of Local Government Services, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby amends the 2014 Capital budget, with no overall change to the total capital budget amount, with the following changes:

<u>Increase or addition of Projects:</u>	amount	line
Purchase of Wheel Loader	\$ 75,000	
Installation of HVAC system in laboratory/Office Building	\$289,000	
Installation of HVAC system in Matawan Pump station	\$140,000	
Increase line item I, single sampling point, by	\$100,000	I.
<u>Total increases or additions</u>	<u>\$604,000</u>	
<u>Reduction or elimination of Projects</u>		
Reduce line item D, Elevate Power Distribution, by	\$604,000	D.
<u>Total reductions or eliminations</u>	<u>\$604,000</u>	
Net Change to Capital Budget	\$0	

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

RESOLUTION NO. (104/14): to settle an alleged outstanding fine with the DEP from May, 2013

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) has been issued a Permit to discharge to the surface waters of the State of New Jersey by the New Jersey Department of Environmental Protection under Permit No. NJ0024708, and

WHEREAS, the Authority desires to settle an alleged outstanding fine with the New Jersey Department of Environmental Protection (NJDEP) for missing a single oil and grease sample in May, 2013, and

WHEREAS, the Authority and the NJDEP have reached a tentative agreement to settle the outstanding issue for a fee of \$1,542 which the Authority finds fair and reasonable, and

WHEREAS, neither the entry into the settlement agreement or the paying of the fee constitutes an admission of liability on the part of the Authority and the Authority is entering into this agreement in the interest of resolving this matter.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Authority consent to the execution of the settlement agreement dated 9/8/14 for the missing Oil and Grease sample from 2013 and instruct the Executive Director to execute the agreement and submit same to the NJDEP

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

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

Public Portion

Chairman Khachaturian announced that this portion of the meeting is OPEN TO THE PUBLIC to discuss any BRSA matters the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA's operations or projects will be addressed. As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments to 3 minutes.

NO PUBLIC IN ATTENDANCE

Executive Session

Chairman Khachaturian called for a MOTION to go into Closed Session at 8:16 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.

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

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

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

At 8:25 P.M. Chairman Khachaturian called for a MOTION to end Closed Session.

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

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

RESOLUTION NO. (101/14): to transfer the Custodian to the Position of Utility Man for a 60 Day Probationary Period

WHEREAS, the position of Utility Man will be vacated by the retirement of an Authority employee on March 1, 2015, and

WHEREAS, the Authority provides current employees an opportunity to apply for the vacant positions in the Authority prior to accepting applications from non-employees, and

WHEREAS, the position of Utility man was posted and made available for consideration before all current staff with one employee, James DiNardo Jr. requesting consideration, and

WHEREAS, the Authority desires to transfer James DiNardo Jr. from the position of Custodian to the Position of Utility Man for a 60 day probationary period after which Supervisory personnel will make a recommendation for permanent transfer or return to former position

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority transfer James DiNardo Jr. from the position of Custodian to the position of Utility man for a 60-day probationary period after which Supervisory Personnel will make a recommendation to the Board for permanency or return to former position.

BE IT FURTHER RESOLVED the transfer to Utility Man shall provide James DiNardo Jr. with the current pay rate to the said position as per the current Collective Bargaining Agreement.

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

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

Adjournment

Chairman Khachaturian announced – The next Agenda Meeting of the Bayshore Regional Sewerage Authority is on Tuesday, October 14, 2014. The next Regular Meeting of the Bayshore Regional Sewerage Authority is on Monday, October 20, 2014. All meetings are held at 7:00 PM in the Administration Building at 100 Oak Street, Union Beach, NJ.

At 8:26 P.M. Chairman Khachaturian called for a MOTION to Adjourn the Meeting.

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

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

Respectfully submitted,
Susan A. DuBey
Assistant Administrator