

MINUTES FOR
PUBLIC HEARING AND REGULAR MEETING
MONDAY, DECEMBER 21, 2015

At 7:04 P.M. on Monday, December 21, 2015 Chairman Sutton called the meeting of the Bayshore Regional Sewerage Authority to order and makes the following announcement:

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

Chairman Sutton 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 Sutton requested a roll call of attendance:

PRESENT: Commissioner Khachaturian, McMullen, Pisano, Steiner, Vella and Chairman Sutton

Also in Attendance: Robert C. Fischer, Executive Director
Pete Canal, BRSA Staff Engineer
J. Michael Broyles, BRSA Superintendent
Manuel Ponte, Consulting Engineer
John Napolitano, BRSA Attorney
Michael Bart, BRSA Auditor
Susan DuBey, Admin. Assistant

Public Hearing on 2016 User Charge

At 7:06 P.M. Chairman Sutton called for a **MOTION** to Open the Public Hearing

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

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

ANNOUNCEMENT (by Chairman Sutton) This portion of the meeting is the Public Hearing for the 2016 User Charge. John Napolitano, General Counsel for BRSA, will issued the Oath to Professionals and commence obtaining Testimony from the Executive Director, Auditor and

Consulting Engineer. Public Hearing Minutes will be recorded by a Certified Court Stenographer and will be made available after formal adoption at the January, 2016 Authority Meeting.

Public Portion

ANNOUNCEMENT (by the Chairman): This portion of the meeting is now open to the public for comments or questions related to the **2016 Budget only**. As a courtesy to all, please be mindful of limiting your comments to 3 minutes.

NO ONE PRESENT FROM THE PUBLIC

RESOLUTION No. (129/15): Adopt 2016 Budget Resolution BAYSHORE REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Annual Budget and Capital Budget/Program for the Bayshore Regional Sewerage Authority for the fiscal year beginning January 1, 2016 and ending, December 31, 2016 has been presented for adoption before the governing body of the Bayshore Regional Sewerage Authority at its Open Public Meeting on December 21st, 2015; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual budget as presented for adoption reflects Total Revenues of \$9,833,368 Total Appropriations, including any Accumulated Deficit, if any, of \$7,123,368 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$20,595,765 and Total Unrestricted Net position planned to be utilized of \$2,710,000.

THEREFORE BE IT RESOLVED by the governing body of the Bayshore Regional Sewerage Authority, at an Open Public Meeting held on December 21st, that the Annual Budget and Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2016 and, ending, December 31, 2016 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

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

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

RESOLUTION No. (130/15): To Adopt 2016 User Charge Schedule

WHEREAS, in accordance with the Sewerage Authorities Law, N.J.S.A. 40:14A-1, et seq., as amended, the Bayshore Regional Sewerage Authority has conducted a Public Hearing on its annual 2016 Fees and Budget, and will provide a transcript of said Hearing to any interested party; and

WHEREAS, the Bayshore Regional Sewerage Authority specifically finds it to be reasonable and necessary to adopt the annexed user charge schedule, and

NOW THEREFORE BE IT SOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the user charge on the attached 2016 Exhibit “E” be, and is hereby adopted and approved for calendar year 2016.

BE IT RESOLVED that the following Statement of Revenues and Appropriations shall constitute the Budget of the Bayshore Regional Sewerage Authority for the Fiscal Year Ending December 31, 2016.

REVENUES	
Retained earnings appropriated	\$ 0
Anticipated revenues	\$9,833,368
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Total revenues and other financial sources	\$9,833,368
APPROPRIATIONS	
Operating Expenses	\$7,123,368
Capital Appropriations	\$ 0
Debt service, reserves, and deficit	\$2,710,000
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Total appropriations	\$9,833,368

Exhibit “E” Customer Flow Charges

The Bayshore Regional Sewerage Authority hereby establishes Customer User Charges as follows for 2016:

Aberdeen:	\$1,691,230
Hazlet:	\$2,683,337
Holmdel:	\$1,090,598
Keansburg:	\$ 805,458
Keyport:	\$ 985,474
Matawan:	\$1,023,205
Union Beach:	\$ 685,603
WMUA:	\$ 345,463

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

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

At 7:15 P.M. Chairman Sutton called for a **MOTION to CLOSE the Public Hearing and OPEN the Regular Meeting** of the Bayshore Regional Sewerage Authority

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

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

Mr. Fischer spoke about the advantage of having an Asset Management Plan in order to better forecast future Capital Budget spending and as an aide to maintaining control over the user rate in the long term. Now is the time to update the information with all the new equipment being put in because of Hurricane Sandy. BRSA currently has a good maintenance management plan on computer.

Mr. Fischer introduced Mr. Richard Bernhardt of John-Winston Engineers Consultants Inc. Mr. Bernhardt presented an Asset Management Program Plan to the Commissioners. He explained four (4) steps of his plan:

1. Review & Data Validate The Existing Asset Mgt. Software (MP-2)
2. Asset Mgt. Planning and Recommendation
3. Plant Equipment Condition and Risk Survey (including new Post-Sandy Equipment)
4. Asset Mgt. Strategy Development Identifying Capital & Maintenance Options

Mr. Bernhardt said the main plan would project future capital investment requirements. The Operation and Maintenance would be better served to know what would hurt you most if the equipment broke down.

Mr. Fischer said this plan would help identify areas we haven't focused on, looking at the risk profile, looking at probability of failure and consequence failure, all quality assets.

John Napolitano said upcoming Trust Loans may require Asset Management Plan be put in place. It's going to be part of the Permit and is currently in CSO Permits. Mr. Fischer said that an Asset Management Plan is a requirement in Phase II projects from the NJEIT.

Mr. Bernhardt said the project should to about 4 to 6 months based on our current information.

Reports

Executive Directors Report, BRSA Projects, Special Reports & Connection Applications by Robert Fischer

Disaster Recovery Update

- To date expenditures are \$20,260,564.20
- Three projects moving forward are 71, 73 & 74S on track, maybe a week or two off in a couple of cases.
- Flood Walls – 90% complete in the NIRO Building, 50% in the DORR Building
- 75% Design on the Combined Blower Building-Contract 80S and 50% Design on the Power Distribution System-Contract 81S.
- Reimbursement #6 to NJEIT was submitted in the amount of \$964,839.66
- NIRO contract is 45% completed, the Pump Station Contract is 15% completed and the Various Auth. Building are 25% completed

2016 BGS Electric Contract Award

- NJ Sewerage and Municipal Utility Authority Electrical Supply Aggregation -received bids on November 20, 2015 for effective date of May 2016. Five bids were received for the plant electric and five for the pump station electric. Plant electric bid is a 17% reduction and the pump station electric bid is a 15% reduction over current rates.

Staff Engineer Report by Pete Canal

- Design Contract for the Collection System Repair – BRSA split project into 2 Phases. Amendment No. 1 in the amount of \$39,455 for Gannett Fleming’s additional design services.
- Authorization to solicit Public Bid for the furnishing and delivery of Bioxide.
- Authorize the extension of Sodium Hydroxide to Kuehne Chemical Company
- Award repair work to Conit Roofing-not to exceed \$15,355
- Plaza Station in Aberdeen-Amend Developers Agreement to reduce EDU’s from 242 to 236
- Approve Change Order #1 to Shorelands Construction approx. \$78,879.91 for additional work in the Lab/Office Buildings, Return Sludge Pump Station #2 wiring in Primary Sludge Pump Station #1 and replacement of doors throughout the plant
- Award Stone Hill Construction-Contract 89- to install the Turbo Blower in the amount of \$111,690.

Consulting Engineer – R3M – by Manuel Ponte

- Potential Change Orders-Contract 71S-Various Authority Buildings- FEMA wants to lump together all small Change Orders. Due to credits for shared trailer space, extra tile work and replacement of building doors the total Change Order is approx. \$78,000.

Superintendent’s Report-by Mike Broyles

- Treatment Plant Performance – flow remains unseasonably low even with the recent rain.
- Effluent Quality remains good at 95% removal for TSS and BOD.
- Lab Suspension- went to DEP with data for the settlement agreement. The DEP will not Fine us or suspend us and they will give us a third chance at the Proficiency Test. If we fail the third test we will pay a \$1,000 fine and be suspended for 6 months. Upon our investigation we found that we were using cheaper filter paper for the TSS test and the vacuum was set too high drawing solids through the paper. We have changed to better paper and reduced vacuum. The DEP was satisfied with our explanation so they are giving us another chance. We should get the test by next week.

Chairman Sutton called for a **MOTION** to approve the Treasurer’s Report

TREASURER’S REPORT

(by Commissioner Vella)

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

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

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	November 30, 2015
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,3390.44
Bond Service	\$ <u>.05</u>
TOTAL TRUSTEE	\$ 1,357,390.49
<u>TD BANK</u>	
NJEIT Project Fund	\$ 2,456,966.89
Incoming Revenue Account	\$ 30,579.81
Operating Payroll Account	\$ 159,026.51
Operating Regular Account	\$ 265,963.30
Reserve Account	\$ <u>12,323,093.69</u>
TOTAL AUTHORITY ACCOUNTS	<u>\$12,778,663.31</u>
TOTAL	<u>\$14,136,053.80</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

SERVICE CHARGES:	Balance
SERVICE CHARGES:	November 30, 2015
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 November 30, 2015

Hazlet Township Sewerage Utility	\$ 752,339.69
Township of Holmdel	\$ 318,233.45
Borough of Union Beach	\$ 194,349.98
Borough of Keyport	\$ 322,774.90
Borough of Keansburg	\$ 302,873.55
Borough of Matawan	\$ 322,621.60
Western Monmouth Utilities Authority	\$ 112,033.78
Township of Aberdeen	\$ 482,533.81
TOTAL	\$2,807,760.76

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 McMullen, and carried by a unanimous voice vote recorded as follows:

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

Payment of Bills

Chairman Sutton calls for a **MOTION** for payment of the following:

Operating Fund Req. No.P180 (Payroll)	\$ 259,326.77
Operating Fund Req. No. 529 (Regular)	\$ 446,136.04
NJEIT Project Fund Req. #PF-7	\$2,805,805.85
Wire Transfer FEMA Funds to NJEIT #WT003	\$ 567,446.50

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

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

Approval of Minutes

Chairman Sutton calls for a **MOTION** to approve the following Minutes:

Regular Minutes – Meeting of November 16, 2015
Closed Session - Meeting of November 16, 2015

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

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

Public Portion

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 PUBLIC IN ATTENDANCE

RESOLUTIONS

RESOLUTION No. (131/15): To Grant David Greenstein Regular Employment Status Effective December 21, 2015

WHEREAS, David Greenstein was hired as a probationary employee in the job title of Utility Man on September 21, 2015; and

WHEREAS, the probationary period expires on December 21, 2015, and

WHEREAS, funds are available and have been budgeted for this position, and

WHEREAS, the Superintendent and Maintenance Superintendent have reviewed Mr. Greenstein's work performance and have recommended that Mr. Greenstein be granted Regular Status effective December 21, 2015.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that David Greenstein is hereby granted Regular Status as an employee of the Bayshore Regional Sewerage Authority, and is further granted the rights and privileges, and responsibilities of the position.

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

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

RESOLUTION No. (132/15): To Grant Robert Applegate Regular Employment Status effective December 17, 2015

WHEREAS, Robert Applegate was hired as a probationary employee in the job title of Custodian on September 14, 2015; and

WHEREAS, the probationary period expires on December 17, 2015, and

WHEREAS, funds are available and have been budgeted for this position, and

WHEREAS, the Superintendent and Maintenance Superintendent have reviewed Mr. Applegate's work performance and has recommended that Mr. Applegate be granted Regular Status effective December 17, 2015.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Robert Applegate is hereby granted Regular Status as an employee of the Bayshore Regional Sewerage Authority, and is further granted the rights and privileges, and responsibilities of the position.

OFFERED BY: Commissioner Steiner, **SECONDED BY:** Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:
AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Vella and Chairman Sutton

RESOLUTION No. (133/15): To Authorize the Advertisement for Bids for the Furnishing and Delivery of Bioxide

WHEREAS, the Bayshore Regional Sewerage Authority currently has a contract for the furnishing and delivery of Bioxide with Siemens Water Technologies Corporation, and

WHEREAS, that Contract will expire on February 25, 2016, and

WHEREAS, the Authority requires authorization to solicit bids for a new contract.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Staff Engineer is hereby authorized to prepare bid specifications for the furnishing and delivery of Bioxide in accordance with Public Contract Law.

BE IT FURTHER RESOLVED upon review and approval of the Executive Director, a Notice to Bidders may be placed in the Authority's official newspaper for solicitation of the furnishing and delivery of Bioxide.

OFFERED BY: Commissioner Steiner, **SECONDED BY:** Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:
AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Vella and Chairman Sutton

RESOLUTION No. (134/15): To Authorize the Advertisement for Bids for the Furnishing and Delivery of Sodium Hypochlorite

WHEREAS, the Bayshore Regional Sewerage Authority currently has a contract for the furnishing and delivery of Sodium Hypochlorite with Jones Chemical Company, and

WHEREAS, that Contract will expire on February 25, 2016; and

WHEREAS, the Authority requires authorization to solicit bids for a new contract.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Staff Engineer is hereby authorized to prepare bid specifications for the furnishing and delivery of Sodium Hypochlorite in accordance with Public Contract Law.

BE IT FURTHER RESOLVED upon review and approval of the Executive Director, a Notice to Bidders may be placed in the Authority's official newspaper for solicitation of the furnishing and delivery of Sodium Hypochlorite

OFFERED BY: Commissioner Pisano, **SECONDED BY:** Commissioner Khachaturian, and carried by a unanimous voice vote recorded as follows:
AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Vella and Chairman Sutton

RESOLUTION No. (135/15): To Award a One (1) Year Extension for Furnishing and Delivering Caustic Soda 25% to Kuehne Chemical Company

WHEREAS, in accordance with Local Public Contracts Law at 10:00 A.M. on Tuesday, December 9, 2014, the Bayshore Regional Sewerage Authority advertised and received bids for the furnishing and delivery of Caustic Soda Solution for a (1) one year period, and

WHEREAS, on December 15, 2014 the BRSA awarded the Caustic Soda Solution contract to the lowest responsible bidder to Kuehne Chemical Co. Inc. of South Kearny, NJ, and

WHEREAS, in January 2016 the contract is scheduled to expire and the BRSA and Kuehne Chemical are mutually agreeable to extending the original Contract under the same terms and with the same prices for a (1) one additional year extension; and

WHEREAS, the original Contract provides by mutual agreement and, the Local Public Contracts Law allows for (1) one year contract extensions for a maximum of 2 years, this being the first year extension; and

WHEREAS, extension of the original Contract will require authorization from the Commissioners and the completion of contract extension documents; and

WHEREAS, the Staff Engineer and Qualified Purchasing Agent have reviewed the correspondence from Kuehne Chemical Co. Inc. of South Kearny, NJ accepting the first (1) one-year extension in accordance with the same product, price, terms and conditions as the original contract.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Kuehne Chemical Co. Inc. of South Kearny, NJ is hereby awarded a (1) one-year extension of the contract for the furnishing and delivery of Caustic Soda Solution in accordance with the terms and conditions of the original bid and contract documents.

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute the Contract extension documents.

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

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

RESOLUTION No. (136/15): To Award a 24 month Contract to Constellation New Energy for Basic Generation Services for the Treatment Plant effective May 2016

WHEREAS, the Bayshore Regional Sewerage Authority is a member of the New Jersey Sewerage and Municipal Utility Authority Electricity Supply Aggregation (NJSMUAESA), (“the Aggregation Group”); and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority adopted Resolution # 125/15 on November 16, 2015 entering into an agreement with Gabel Associates to serve as Energy Agent for the Aggregation Group for the purpose of purchasing aggregate electrical power and (2) authorizing the Executive Director to execute a Certificate of Acceptance for the winning bidder on the date bids are accepted by the Aggregation Group; and

WHEREAS, on November 20, 2015 the members of the Aggregation Group opened and reviewed bids for electrical power supply for a 24 month period for the Treatment Plant with the following results:

- Tri-Eagle Energy \$0.06832 per kilowatt hour
- Con Edison Solutions \$0.06827 per kilowatt hour
- South Jersey Energy \$0.06598 per kilowatt hour
- Direct Energy Business \$0.06780 per kilowatt hour
- Constellation New Energy \$0.06597 per kilowatt hour, and

WHEREAS, upon review by the Aggregation Group, Gabel Associates determined Constellation New Energy to be the lowest responsible bidder with a unit price of \$0.06597 per kilowatt hour, for a 2 year fixed price contract.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority deem it in the best interest of the customers it serves to accept the recommendations of Gabel Associates and award the electrical power supply contract to Constellation New Energy in accordance with the terms and conditions set forth in the contract documents.

BE IT FURTHER RESOLVED, the Chairman is hereby authorized to execute the necessary documents to award the contract to Constellation New Energy.

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

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

RESOLUTION No. (137/15): To Award a 24 month Contract to South Jersey Energy Company For Basic Generation Services for the Remote Pump Stations effective May 2016

WHEREAS, the Bayshore Regional Sewerage Authority is a member of the New Jersey Sewerage and Municipal Utility Authority Electricity Supply Aggregation (NJSMUAESA), (“the Aggregation Group”); and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority adopted Resolution # 125.15 on November 16, 2015 entering into an agreement with Gabel Associates to serve as Energy Agent for the Aggregation Group for the purpose of purchasing aggregate electrical power and (2) authorizing the Executive Director to execute a Certificate of Acceptance for the winning bidder on the date bids are accepted by the Aggregation Group; and

WHEREAS, on November 20, 2015 the members of the Aggregation Group opened and reviewed bids for electrical power supply for a 24 month period effective May 2016 for the Pump Stations with the following results:

- South Jersey Energy \$0.07781 per kilowatt hour
- Tri-Eagle Energy \$0.08106 per kilowatt hour
- Con Edison Solutions \$0.08036 per kilowatt hour
- Direct Energy Business \$0.08400 per kilowatt hour
- Constellation New Energy \$0.07892 per kilowatt hour, and

WHEREAS, upon review by the Aggregation Group, Gabel Associates determined South Jersey Energy Company to be the lowest responsible bidder with a unit price of \$0.07781 per kilowatt hour, for a 2 year fixed price contract.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority deem it in the best interest of the customers it serves to accept the recommendations of Gabel Associates and award the electrical power supply contract to South Jersey Energy Company in accordance with the terms and conditions set forth in the contract documents.

BE IT FURTHER RESOLVED, the Chairman is hereby authorized to execute the necessary documents to award the contract to South Jersey Energy Company.

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

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

RESOLUTION No. (138/15): To Authorize the Award of the Temporary Installation and Startup of High Speed Direct Drive Centrifugal Blower Package, Contract 89 to Stone Hill Contracting Co., Inc. in the amount of \$111,690

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) has a need for a 350 HP High Speed Direct Drive Centrifugal Blower (Turbo Blower) to serve as its primary blower in the Sandy damaged Blower Building #1 and to serve as the primary blower during the conversion of the Combined Blower Building Project (Contract 80s), and

WHEREAS, the Turbo Blower will be relocated to the Combined Blower Building once it is completed, and

WHEREAS, the purchase of the new Turbo Blower, Contract No.88 was awarded via Resolution No. 127/15 at the November 16th, 2015 Public Meeting, and

WHEREAS, on Thursday, December 17, 2015 at 2pm, the BRSA received and opened two (2) sealed public bids for the installation and start-up of a 350 HP Turbo Blower, ranging in price from a low of \$111,690 to a high of \$168,000, and

WHEREAS, the lowest responsible responsive bid was submitted by Stone Hill Contracting Co., Inc., in the amount of \$111,690, and

WHEREAS, the bid was reviewed by the Consulting Engineer, Hazen & Sawyer and the BRSA Attorney and found to be acceptable, and

WHEREAS, the BRSA has funding available for this project, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award the Contract to Stone Hill Contracting Co., Inc. of Doylestown, PA. in accordance with the terms and conditions of the Contract Documents, in the amount not to exceed \$111,690.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to Stone Hill Contracting Co., Inc. of Doylestown, PA.

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

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

RESOLUTION No. (139/15): To Award Contract to John Winston Engineers and Consultant to Assist the Authority in Developing an Asset Management Program

WHEREAS, the Bayshore Regional Sewerage Authority is in the process of replacing and/or repairing its treatment plant assets damaged by Superstorm flooding on October 29, 2012, and

WHEREAS, the replaced or repaired assets will increase the overall life expectancy of the Authority treatment plant, and

WHEREAS, the Bayshore Regional Sewerage Authority desires to develop an Asset Management Plan (AMP) to provide the highest service level to the customers of the Authority at the lowest life cycle cost, and

WHEREAS, an effective AMP will prolong the life of the Authority assets and aid in repair, replacement and rehabilitation decisions through efficient and focused operation and maintenance, and

WHEREAS, the wastewater industry professionals and regulators agree on and promote the benefits of Asset Management as a necessary tool in the efficient operation and maintenance of Publicly Owned Treatment Works (POTW), and

WHEREAS, the New Jersey Department of Environmental Protection requires an asset management plan for all future borrowers of State Revolving Funds and

WHEREAS, the firm of John Winston Engineers has experience and expertise in developing asset management plans and has provided the Authority with a proposal to develop an asset management plan for the authority wastewater assets for a fee of \$55,000, and

WHEREAS, the firm of John-Winston Engineers has performed these services for many clients including wastewater treatment plants, and

WHEREAS, funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority award the contract for the development of an Authority Asset Management Plan to John Winston Engineers and Consultants of Allenhurst, NJ, as a professional services contract in accordance with NJS A 40A:11-1 et. seq. at a fee of \$55,000 in accordance with the proposal dated December 16, 2015.

BE IT FURTHER RESOLVED, the Executive Director is authorized to execute the contract documents and take other reasonable and necessary action to effectuate the completion of a Preliminary Assessment and Site Investigation.

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

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

RESOLUTION No. (140/15): To Amend Highview Homes, LLC Developer Agreement for Plaza Station of Aberdeen

WHEREAS, Highview Homes, LLC (Developer) has requested to be allowed to enter into a Developer's Agreement with Bayshore Regional Sewerage Authority (BRSA) to provide sanitary sewer service to Plaza Station of Aberdeen, located at corner of Atlantic Ave. and Harrison Ave.,

further designated as Block 259, Lots 1-8 and Block 263, Lot 2, in Township of Aberdeen, a mixed use development with Apartment Buildings, Retail, Clubhouse and Pool; and

WHEREAS, the Developer Agreement for the project was prepared by BRSA Attorney and approved by the Board of Commissioners via Resolution 120/15, at the November 19, 2015 Public Meeting; and

WHEREAS, on November 30, 2015 the Developer requested 10.5 Equivalent Dwelling Units (EDU's) credit for connection fees paid by the prior owner of the property, Containment Corporation of America (a.k.a Smurfit) to the Township of Aberdeen (formally Matawan Township) on January 10, 1974; and

WHEREAS, the BRSA Engineer reviewed the Developers credit request and Engineer's (CME) letter for the Township of Aberdeen, regarding credit against connection fees and determined the BRSA credit to be 6 EDU's based on a conversion to 350 gallons per day; and

WHEREAS, the Commissioners of the BRSA deem it is in the best interest of the Authority to amend said Developers Agreement; and

WHEREAS, Highview Homes, LLC will execute the Developers Agreement, provide the Authority's Attorney with acceptable guarantees and submit the initial payment of attorney and connection fees under the terms and conditions of the Developer's Agreement; and

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority hereby amend and authorize the execution of the Developer's Agreement with Highview Homes, LLC contingent upon satisfaction of the above mentioned terms and conditions.

BE IT FURTHER RESOLVED, upon satisfaction of the above terms and conditions, the Chairmen, Secretary and Executive Director are hereby directed to execute the Agreement and to file it with the Monmouth County Clerk's Office; and

BE IT FURTHER RESOLVED, that this approval is good for a one year period.

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

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

RESOLUTION No. (141/15): To award Change Order No. 1, in the amount of \$78,879.91 to Shorelands Construction, Inc. for Contract No. 71-S, Restoration & Mitigation of Various Plant Buildings.

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) needs to perform repairs & mitigation on Various Plant Buildings due to damages caused by Hurricane Sandy; and

WHEREAS, in accordance with Local Public Contract Laws, Contract 71-S Restoration & Mitigation of Various Plant buildings was awarded to Shorelands Construction, Inc. (Shorelands) on April 20, 2015 for a total price of \$1,135,000 via Resolution 116/15; and

WHEREAS, there is a need to amend the Contract and perform additional work necessary for the completion of the project, including: replacing additional tile work & raise the fire panel in the Lab/Office Building, receiving a credit for deleting the Engineer's field trailer, additional LiMWA wall at the Return Sludge Pump Station #2, replace receptacle wiring at the Primary Sludge Pump Station #1 and, replace various doors throughout the plant building; and

WHEREAS, Shorelands has submitted a proposal for Change Order No.1 to amend the contract work, in the amount of \$78,879.91, and

WHEREAS, the BRSA staff and R3m engineering have reviewed the proposal and are recommending Change Order No.1, in the amount of \$78,879.91, and

WHEREAS, Change Order No.1 will be submitted to New Jersey Environmental Infrastructure Trust and FEMA for review and approval, and

NOW THEREFORE BE IT RESOLVED the Commissioners of Bayshore Regional Sewerage Authority approve Change Order No.1 for Shorelands Construction, Inc., in the amount of \$78,879.91, increasing the total Contract value to \$1,213,876.91.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to approve this Change Order.

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

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

ABSENT: Commissioner Vella – stepped out of the meeting

RESOLUTION No. (142/15): To Amend Gannett Fleming’s Design Contract for Collection System Repair - 2015

WHEREAS, through Resolution 53/15, the Bayshore Regional Sewerage Authority (BRSA) contracted with Gannett Fleming for the design of the Collection System Improvements 2015; and

WHEREAS, the BRSA requested Gannett Fleming perform additional services beyond the original scope of work, including separating the work into two (2) public contract documents, performing additional analysis on methods of repairs, additional areas of pipe and manholes to be repaired; and

WHEREAS, Gannett Fleming submitted a proposal dated December 15, 2015 for Amendment No.1, in the amount of \$39,455; and

WHEREAS, the BRSA Engineer and Director have met with the staff of Gannett Fleming to review the amendment proposal and find the amendment request dated December 15, 2015 to be fair and reasonable and represent work that was beyond the original scope of work; and

WHEREAS, funds are available for this purpose; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve a contract amendment in the amount of \$39,455 to Gannett Fleming of South Plainfield, NJ in accordance with the terms and conditions of its correspondence dated December 15, 2015, increasing their budget amount to \$107,255.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute the contract amendment with Gannett Fleming of South Plainfield, NJ.

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

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

ABSENT: Commissioner Vella – stepped out of the meeting

RESOLUTION No. (143 /15): To Authorize Facility Roofing Repairs to Conti Roofing Company, Inc., in the amount of \$15,355

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) is in need annually of inspections and repairs on the various roofs throughout the plant; and

WHEREAS, the BRSA prepared a Request for Quotation #2015-04.1 for the Roof Systems Inspection Service and Preventative Maintenance, on a time and materials cost; and

WHEREAS, on November 13, 2015, Conti Roofing Company, Inc. (Conti) submitted the lowest quote; and

WHEREAS, on November 24, 2015 Conti performed the roofing inspections in accordance with Purchase Order 13086 and submitted an inspection report dated December 2, 2015, listing various repairs needed for a total not to exceed budget amount of \$15,355; and

WHEREAS, the proposal was reviewed by the BRSA Engineer and Purchasing Agent and found to be reasonable and acceptable, and

WHEREAS, the BRSA has funding available for this project, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the roofing repair work to Conti Roofing Company, Inc. of Fairview, NJ in accordance with the terms and conditions of the Request for Quotation #2015-04.1 and proposal dated December 2, 2015, in the amount not to exceed \$15,355.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Conti Roofing Company, Inc. of Fairview, NJ.

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

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

Public Portion

ANNOUNCEMENT (by Chairman Sutton) – 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 ONE PRESENT FROM THE PUBLIC

Executive Session

Chairman Sutton calls for a **MOTION** to go into Closed Session.

NO SUBJECTS TO BE DISCUSSED

Mr. Napolitano said that he contacted Conti and was told to wait until after the Holidays to make a date. John told them this will be the last attempt by BRSA to meet with them.

Adjournment

ANNOUNCEMENT (by Chairman Sutton)

The next Regular Meeting of the Bayshore Regional Sewerage Authority will be held on January 18, 2016. All meetings are held at 7:00 PM in the Administration Building at 100 Oak Street, Union Beach, NJ.

At 8:10 PM **Chairman Sutton** called for a **MOTION** to adjourn the meeting.

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

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

Respectfully Submitted,

Susan A. DuBey
Administrative Assistant