

MINUTES
REGULAR MEETING
MONDAY, March 16, 2015

At 7:00 P.M. on Monday, March 16, 2015 Vice-Chairman Pisano 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.

Vice-Chairman Pisano 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.

Vice-Chairman Pisano requested a roll call of attendance:

PRESENT: Commissioners Khachaturian, McMullen, Pisano, Steiner and Vella

ABSENT: Chairman Sutton

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

Reports

Executive Director Report, BRSA Projects, Special Reports & Connection Applications

- Toll Brothers Regency@ Holmdel-185 unit townhouses plus a clubhouse- and Toll NJ IX Reserve @ Holmdel-40 single family homes located at the Lucent site– seeking Connection and Developers Agreements. All the paperwork is in and the projects will be divided into Phases. Kevin Kernahan, Vice President of Toll Brothers Land Development and Andy Cohen of Kennedy Consultant explained the Project, and the phasing plus the Commissioners asked questions about the 2 projects. Vice-Chairman Pisano called for a vote on Resolutions 40/15 to 43/15 for the 2 Connections/ TWA and the 2 Developer’s Agreements.

RESOLUTION NO. (40/15) - To approve Sanitary Sewer Connection and Treatment Works Approval Application for Toll Holmdel, LLC, Developer for Regency @ Holmdel

WHEREAS, Toll Holmdel, LLC (Developer), is the project developer of Regency @ Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lots 38B and 38C in Township of Holmdel, a 185 (one hundred eighty five) Unit Townhouse Development with Clubhouse, and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval, and

WHEREAS, the project is expected to generate 60,000 gallons per day of wastewater, and

WHEREAS, the Bayshore Regional Sewerage Authority (“BRSA”) Engineer has reviewed the Developers application and is recommending sanitary sewer connection approval, and

WHEREAS, Toll Holmdel, LLC will execute the Developer’s Agreement, pay all review and Attorney fees, provide the BRSA’s Attorney with acceptable guarantees and submit the initial payment of connection fees under the terms and conditions of the Developer’s Agreement, and

NOW THEREFORE BE IT RESOLVED that Toll Holmdel, LLC is hereby granted BRSA sanitary sewer approval for the above referenced project, contingent upon the above requirements, the execution of the aforementioned Developer’s Agreement and the payment of the first installment of connection fees being \$308,788.

BE IT FURTHER RESOLVED the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection upon execution of the Developer’s Agreement and payment of all aforementioned fees.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, 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, and Vella

RESOLUTION NO. (41/15) - To approve Toll Holmdel, LLC Developer Agreement for Regency @ Holmdel

WHEREAS, Toll Holmdel, 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 Regency @ Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lots 38B and 38C in Township of Holmdel, a 185 (one hundred eighty five) Unit Townhouse Development with Clubhouse, and

WHEREAS, the Developer is requesting paying the connection fees in a phased manner, and

WHEREAS, the Bayshore Regional Sewerage Authority (“BRSA”) Attorney has prepared a Developer’s Agreement that is acceptable to the Developer and the BRSA Board of Commissioners, and

WHEREAS, the Commissioners of the BRSA deem it is in the best interest of the Authority to enter into said Developer’s Agreement, and

WHEREAS, Toll Holmdel, LLC will execute the Developer’s Agreement, provide the BRSA’s Attorney with acceptable guarantees and submit the initial payment of connection fees under the terms and conditions of the Developer’s Agreement.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the execution of the Developer's Agreement with Toll Holmdel, LLC contingent upon satisfaction of the above required submissions.

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

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

Pete Canal said before the vote this resolution should be subject to the approval of BRSA's attorney, he has not seen the final draft of the agreement.

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 Vella

RESOLUTION NO. (42/15) - To approve Sanitary Sewer Connection and Treatment Works Approval Application for Toll NJ IX, L.P., Developer for Reserve @ Holmdel

WHEREAS, Toll NJ IX, L.P. (Developer), is the project developer of Reserve @ Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lot 38A in Township of Holmdel, a 40 (forty) single family building lot development, and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval, and

WHEREAS, the project is expected to generate 12,000 gallons per day of wastewater, and

WHEREAS, the Bayshore Regional Sewerage Authority ("BRSA") Engineer has reviewed the Developers application and is recommending sanitary sewer connection approval, and

WHEREAS, Toll NJ IX, L.P. will execute the Developer's Agreement, pay all review and Attorney fees, provide the BRSA's Attorney with acceptable guarantees and submit the initial payment of connection fees under the terms and conditions of the Developer's Agreement, and

NOW THEREFORE BE IT RESOLVED that Toll NJ IX, L.P. is hereby granted BRSA sanitary sewer approval for the above referenced project, contingent upon the above requirements, the execution of the aforementioned Developer's Agreement and the payment of the first installment of connection fees being \$138,142.

BE IT FURTHER RESOLVED the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection upon execution of the Developer's Agreement and payment of all aforementioned fees.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

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

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

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

RESOLUTION NO. (43/15) - To approve Toll NJ IX, L.P. Developer Agreement for Reserve @ Holmdel

WHEREAS, Toll NJ IX, L.P. (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 the Reserve @ Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lot 38A in Township of Holmdel, a 40 (forty) single family building lot Development, and

WHEREAS, the Developer is requesting paying the connection fees in a phased manner, and

WHEREAS, the Bayshore Regional Sewerage Authority ("BRSA") Attorney has prepared a Developer's Agreement that is acceptable to the Developer and the BRSA Board of Commissioners, and

WHEREAS, the Commissioners of the BRSA deem it is in the best interest of the Authority to enter into said Developer's Agreement, and

WHEREAS, Toll NJ IX, L.P. will execute the Developer's Agreement, provide the Authority's Attorney with acceptable guarantees and submit the initial payment of connection fees under the terms and conditions of the Developer's Agreement.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the execution of the Developer's Agreement with Toll NJ IX, L.P. contingent upon satisfaction of the above required submission.

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

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

This resolution is also subject to attorney's approval.

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 Vella

REPORTS

Executive Directors Report, BRSA Projects, Special Reports & Connection Applications

Robert C. Fischer reported:

Disaster Recovery Update -

- To date the Superstorm Sandy related expense stands at \$11,878,247. A reimbursement request was submitted in the amount of \$116,923 for emergency protective measures including overtime for staff during the early phases of recovery.
- NIRO Project low bidder is Stone Hill Construction and We received the DEP and NJEIT approval for the award of the NIRO Project
- Final flood insurance claim for \$286,331 was submitted and will bring the final total to \$2.5 million.
- On 3-27-15 bids will be received for the Various Building and Pump Station Project
- On 3-6-14 we submitted the Power Distribution and Blower Building Projects to the NJEIT for funding
- As of October 1, 2014 any Trust money for Engineering is being regulated by the Federal Procurement Laws 40-U.S.C. 1101.
Process – Advertise on Authority web-site or papers a (RFQ) Request for Qualification
Choose top 3 candidates internally – based on qualifications

Pick highest qualified firm and negotiate a fair and reasonable cost. If you cannot negotiate a cost negotiations move to the next candidate.

Not following this procedure could cost us over \$200,000.

Commissioner McMullen asked if we always had an estimated cost before bids are opened.

Mr. Fischer said yes. Commissioner McMullen asked how come they wouldn't want the cost to be competitive. John Napalitano stated that the Federal System has always been based on quality not cost. They want you to hire the best qualified.

- Financial Disclosure Statements-they will be on-line April 1st to April 30th. You must use your log-in & pin numbers from last year. Mr. Fischer said he has everyone's numbers but doesn't have any passwords.
- NJ Sustainable Energy Joint Meeting (NJSEM) Natural Gas - held their most recent bid. The bid price came in lower than last year. Direct Energy won the bid at \$.4809 per term which is a 7.5% decrease over the current rate we are paying at \$0.5201 per therm.
- A Not to Exceed Resolution is on the agenda for the professional contracts passed at last month's meeting. Any additional work beyond the "Not To Exceed" amount will require Any additional work need approval from the Board.

Staff Engineer Report

Pete Canal reported:

- Two bids for Plant Generators Set Test and Inspection were received. The lowest bid was from Foley, Inc. for \$23,200.00
- Power Distribution System Project Contract #81S-needs approval to advertise for RFQ's for Design and Construction Management, using the federal guideline method explained by Mr. Fischer.
- Combined Blower Building Project (NJEIT-2015)-needs approval to advertise for RFQ's for the Design and Construction Management.

Commissioner Vella asked about the sludge hauling. Pete said there's a meeting tomorrow with consultants to discuss their evaluations and plan the next step. He anticipates re-starting the Dorr Oliver next month, fix the fuel guns, tweak the fuel oil system and make repairs on the glowing hot spots.

Pete Canal left the meeting at 7:47 PM.

Consulting Engineer Report

Manuel Ponte reported:

- Various Plant Building Project – bids due March 27th, BRSA's next meeting is April 20th. Possibly special meeting to award contract
- Generator Repair Project-plan is to refurbish to extend life for 10 to 15 years. Manufacturer to perform a thorough inspection to list items needed to refurbish the generators.
- 1st Quarter Flow Report-nothing surprising. Numbers are very close to prior years.
- Lab/Office & Matawan HVAC Update WHL- making progress and working on a punch list and administrative paperwork.
- Pete said they are planning to give WHL a final date for completion in April. WHL submitted a payment voucher this month but it came in late. We will schedule a punch list inspection, identify actual damages and address at close-out.

Commissioner Khachaturian asked if we received the warranties for the equipment. Pete said we have not received them yet. John Napolitano suggested a letter be written to WHL explaining why they didn't receive payment. Otherwise WHL could request interest. Manuel said he sent them such a letter.

BRSA Superintendent's Report

Mike Broyles reported:

- Plant Performance – we received one of our process air blowers back from repair and ran it for 24 hours. Plant 1 was put back on line. Effluent quality getting better.
- Issue with the dumpsters freezing. Called around and got Spectraserv to haul liquid sludge approximately ½ million gallons.
- IPP draft renewal permit. No comments were received. Request a motion to prepare and issue a final permit effective April 1, 2015.

Vice-Chairman Pisano called for a **MOTION** to issue the New Jersey Turnpike IPP Permit effective April 1, 2015.

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

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

Mike Broyles informed the Board about the issue of Stony Brook being down a week and they could not receive any dewatered sludge from us. After calling around Spectraserv was able to accommodate the disposal but at a higher rate than we are paying Stony Brook. Everything is currently back to normal.

Mr. Fischer reported to the Board that he reached out to the Government section of Apple for the iPads. They quoted a less expensive package however training is not included. They will instruct two people who will then train others. A discussion took place and the outcome was to do a cost analysis on the purchase of the iPads vs. doing the package manually to determine how long it would take to recover the cost of purchase.

Vice-Chairman Pisano called for a **MOTION** to approve the Treasurer's Report.

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	February 28 2015
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,288.84
Bond Service	\$.05
TOTAL TRUSTEE	\$ 1,357,288.89
<u>TD BANK</u>	
Incoming Revenue Account	\$ 2,723.24
Operating Payroll Account	\$ 133,839.27
Operating Regular Account	\$ 157,563.74
Reserve Account	<u>\$12,568,975.49</u>
TOTAL AUTHORITY ACCOUNTS	<u>\$12,863,101.74</u>
TOTAL	\$14,220,390.63

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
TOTAL	February 28 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 <u>February 28 2015</u>	
Hazlet Township Sewerage Utility	\$ 741,109.71

Township of Holmdel	\$ 317,876.62
Borough of Union Beach	\$ 194,132.06
Borough of Keyport	\$ 322,412.97
Borough of Keansburg	\$ 302,533.94
Borough of Matawan	\$ 322,259.85
Western Monmouth Utilities Authority	\$ 111,908.60
Township of Aberdeen	\$ 481,992.75
TOTAL	\$2,794,226.50

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, Pisano, Steiner, and Vella

Payment of Bills

Vice-Chairman Pisano called for a **MOTION** for payment of the following:

Operating Fund Req. No. P169	\$369,716.43
Operating Fund Req. No.519 (Regular)	\$193,903.72
Operating Fund Req. No. S-29 (Sandy)	\$151,875.43

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 Vella

Approval of Minutes

Vice-Chairman Pisano called for a **MOTION** to approve the following Minutes:

Reorganization & Regular Meeting	February 23, 2015
Closed Session	February 23, 2015

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

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

Public Portion

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

Charles Hoffman of Hazlet asked if the Presenter of the Toll projects in Holmdel gave numbers for Each Phase and will they be paid prior to the start of building.

Commissioner Vella said he gave numbers for Phase 1(17&38) however he gave the Attorney numbers for each Phase in addition to Phase I.

Resolutions

RESOLUTION (37/15)-To accept the Three (3) month Flow Report for 2014/2015

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (BRSA) have determined the quantity of sewerage from each of the Towns and Authorities connected to the BRSA system for the period First Quarter of 2014/2015, and

WHEREAS, said flow figures have been calculated from actual meter readings, maintenance service reports, meter calibration reports and other data, and

WHEREAS, said flow figures have been reviewed by the Commissioners of this Authority.

NOW THEREFORE BE IT RESOLVED that this Authority hereby accepts the flow calculations, certified by R3M for three (3) month of the year 2014/2015.

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 Vella

RESOLUTION NO. (38/15) - To Authorize the Request for Qualifications for Final Design and Construction Period Services for the Power Distribution Project 81-S

WHEREAS, the Bayshore Regional Sewerage Authority desires to request Engineering qualifications for Engineering Services for Final Design and Construction Period Services for the Power Distribution Project 81-S in accordance with the New Jersey Environmental Infrastructure Trust requirements for Professional Service contracts, and

WHEREAS, the request for qualifications shall be publically advertised; and

WHEREAS, in accordance with 40 U.S.C 1101 et. seq. the Authority will evaluate no fewer than three firms and select the most qualified firm as established in the RFQ criteria, and

WHEREAS, selection of the most qualified firm will take place after the Authority Engineering Committee review and upon resolution of the Governing body of the Authority.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority instruct the Executive Director, Engineer, and Qualified Purchasing Agent to solicit Requests for Qualifications for Final Design and Construction Period Services for the Power Distribution Project 81-S through advertisement on the Authority Website

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

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

RESOLUTION NO. (39/15) - To Authorize the Request for Qualifications for Final Design and Construction Period Service for the Combined Blower Building Project

WHEREAS, the Bayshore Regional Sewerage Authority desires to request Engineering qualifications for Engineering Services for Final Design and Construction Period Services for the Combined Blower Building Project 80-S in accordance with the New Jersey Environmental Infrastructure Trust requirements for Professional Service contracts, and

WHEREAS, the request for qualifications shall be publically advertised; and

WHEREAS, in accordance with 40 U.S.C 1101 et. seq. the Authority will evaluate no fewer than three firms and select the most qualified firm as established in the RFQ criteria, and

WHEREAS, selection of the most qualified firm will take place after the Authority Engineering Committee review and upon resolution of the Governing body of the Authority.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority instruct the Executive Director, Engineer, and Qualified Purchasing Agent to solicit Requests for Qualifications for Final Design and Construction Period Services for the Combined Blower Building Project through advertisement on the Authority Website

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

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

RESOLUTION NO. (44/15) - To award Request for Quotation 2015-01 for the Generator Set Inspection and Load Testing at the Wastewater Treatment Plant to Foley, Incorporated in the amount of \$23,200.00

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) owns and operates three (3) emergency power generators at the treatment plant located at 100 Oak Street in Union Beach, which are essential to the health, safety and welfare of the staff, community and environment, and

WHEREAS, the emergency generators have operated during power failures since installation in 1996 and most recently for seven (7) straight days during Hurricane Sandy, and

WHEREAS, various repairs and maintenance are required to the generators and the BRSA staff desires to perform a full evaluation of the condition, reliability and repairs necessary to bring the emergency generators into peak performance and reliability status (the Generator Project), and

WHEREAS, as part of the project, it is necessary to test the generators under full load, and

WHEREAS, R3m Engineering, Inc. (R3m) of Old Bridge, NJ was awarded the design of the Generator Project on December 15, 2015 via Resolution No. 128/14, and

WHEREAS, the BRSA approved Resolution No. 33/15 authorizing the staff and consulting engineer, R3m Engineering, Inc. to prepare Request for Quotations (RFQ's) and advertise on BRSA web site to inspect and load test the Generators, and

WHEREAS, the RFQ was advertised on the BRSA web site for at least 10 calendar days and two quotes were received and publically opened on March 12, 2015 at 2:30 PM EST, ranging in price from a low of \$23,200.00 to a high of \$29,545.00; and

WHEREAS, Foley, Incorporate of Piscataway, NJ submitted the lowest responsible responsive quote of \$23,200.00, and

WHEREAS, the BRSA staff and consulting engineer have reviewed the quotes and are recommending award to Foley, Incorporated in the amount not to exceed \$23,200.00, and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the project to Foley, Incorporated in accordance with the terms and conditions of the RFQ, in an amount not to exceed \$23,200.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Foley, Incorporated of Piscataway, NJ.

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

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

RESOLUTION NO. (45/15) - To Authorize Emergency Sludge Disposal Contract with SpectraServ at \$76 per yard

WHEREAS, the Dorr Oliver Incinerator was damaged by flooding caused by Superstorm Sandy on October 29, 2012 and,

WHEREAS, the Authority has contracted for the restoration of the Dorr Oliver incinerator and has completed restoration repairs to the incinerator and,

WHEREAS, the Authority has experienced operating difficulties with the repaired incinerator that has caused the incinerator to be shut down while corrective action takes place and,

WHEREAS, the Authority has secured a back-up sludge process and a back-up sludge disposal site to handle the volume of sludge generated at the treatment plant and,

WHEREAS, on March 2, 2015, Stony Brook Regional Sewerage Authority, the a back-up sludge disposal site informed the Authority of the shut-down of their incinerator for repairs and,

WHEREAS, the Authority must remove sludge from the treatment plant without delay to avoid adverse impact to the treatment process, the receiving waters and the neighborhood and,

WHEREAS, these adverse conditions could threaten the health, safety and welfare of the environment and the neighboring community and,

WHEREAS, the Authority has solicited prices for the emergency disposal of sludge until the Authority incinerator or the Stony Brook incinerator are operating again and,

WHEREAS, funds are available for this purpose and

WHEREAS, Spectraserv of Kearney NJ offered a price of \$76 per yard of sludge delivered to their processing site in Kearny, NJ and,

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority award an emergency contract to Spectraserv of Kearny, NJ for the disposal of sludge from the Bayshore Regional Sewerage Authority at \$76 per yard until either the Authority incinerator or the Stony Brook incinerator is operating at capacity.

Commissioner Steiner asked how much BRSA paid before. Mr. Fischer said \$50 per yard.

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

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

RESOLUTION NO. (46/15) - To Continue Membership in the NJSEM and Execute a Contract for Natural Gas commodity with Direct Energy at \$0.4809 per therm

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is a member of the New Jersey Sustainable Energy Joint Meeting (NJSEM), and

WHEREAS, the NJSEM combines the purchasing power of over 165 municipalities and authorities for the purpose of energy procurement, and

WHEREAS, as a member of the NJSEM the Authority has realized a 20% savings on natural gas commodity pricing as compared to the spot market pricing for the time period March 2013 to March 2015, and

WHEREAS, the existing natural gas contract for the members of the NJSEM expires in March 2015 and the NJSEM has conducted a natural gas commodity bid for the term March 2015 to December 2016 and awarded the low bid to Direct Energy at a price of \$0.4809/therm, and

WHEREAS, the low bid price of \$0.48097/therm represents a reduction of the current rate of \$0.5201/therm

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority deem it in the best interest of the customers and members of the Authority to continue membership in the NJSEM and Authorize the Executive Director to execute all necessary documents related to the natural gas contract for the term March 2015 to December 2016 thereby securing a lower cost for natural gas for a 10 month time 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, and Vella

RESOLUTION NO. (47/15) - To Adopt Not To Exceed Values on Professional Contracts

WHEREAS, the Bayshore Regional Sewerage Authority desires to set not to exceed dollar values for certain professional contracts for the year February 23, 2015 to February 22, 2016, and

WHEREAS, the not to exceed dollar value is a threshold that shall not be exceeded without further Approval of the Bayshore Regional Sewerage Authority Commissioners, and

WHEREAS, the Authority staff has determined the not to exceed dollar values for the following contracts:

General Engineering Service not to exceed \$40,000

Bond Counsel Services not to exceed \$40,000

General Legal Counsel Services not to exceed \$38,000

Auditing Services not to exceed \$28,500

General Incinerator Engineering Services not to exceed \$15,000

Risk Management Services not to exceed \$13,500

General Process Control Engineering not to exceed \$10,000

Legal Labor Counsel Services not to exceed \$6,000

General Financial Advisory Services not to exceed \$6,000

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the above not to exceed dollar amounts for the professional services so listed and instruct the Executive Director to incorporate the values in the contracts to be executed for professional services for the year February 23, 2015 to February 22, 2016

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

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

Public Portion

ANNOUNCEMENT (by Vice-Chairman Pisano) – This portion of the meeting is OPEN TO THE PUBLIC to discuss any BRSA matters the public may care to address specific to the scope of BRSA’s operations or projects which were not previously addressed. As a courtesy to all, please be mindful of limiting your comments to 3 minutes.

Charles Hoffman of Hazlet said that for 3 years he’s been asking about the turbine and was stonewalled because the turbine was under litigation. He said in an article in the Independent reported the turbine was worth \$1.6 million. He asked why he wasn’t told that when asked at a meeting.

Commissioner Vella said he didn’t understand the question. He asked Mr. Hoffman if he ever asked how much the turbine cost.

Mr. Hoffman said he asked about the status of the case, what’s it all about.

Commissioner Vella said the article stated the cost of the turbine, nothing about the case.

Mr. Hoffman said the article reported the case was still under litigation.

Mr. Fischer said the reporter asked him about the status of the case and he told him he couldn’t talk about it since it was pending litigation.

He could only provide his with the cost of the damaged components.

8. Executive Session *(IF NEEDED)*

Vice-Chairman Pisano called for a **MOTION** to go into Closed Session at 8:15 P.M. in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending or anticipated litigation and matters of employment of public employees. 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 McMullen, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

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

Vice-Chairman Pisano called for a **MOTION** to end Closed Session at 8:30 P.M.

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

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

Adjournment

ANNOUNCEMENT (by Vice-Chairman Pisano)

The next Meeting of the Bayshore Regional Sewerage Authority is scheduled for Monday, April 20, 2015. All meetings are held in the Administration Building at 100 Oak Street, Union Beach, NJ at 7:00 PM.

Vice-Chairman Pisano called for a **MOTION** to Adjourn the meeting at 8:31 P.M.

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

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

Respectfully submitted,

Susan A. DuBey
Administrative Assistant