



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, OCTOBER 17, 2016

Chairman Pisano called the Meeting Regular Meeting of the Bayshore Regional Sewerage Authority to order at 7:04 PM 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 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.

Chairman Pisano requested a roll call of attendance:

PRESENT: Commissioners Khachaturian, McMullen, Steiner, Sutton, Whalen and Chairman Pisano

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

REPORTS

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

Mr. Fischer Reported:

- The NIRO is running very well and the Stack Test will be done on Tuesday, October 18th and Wednesday, October 19th.
- Hazen and Sawyer is here tonight to talk about the progress on Contract 74S and potential issues with the CPPE Mercury Scrubber at other locations.
- Remsco removed the old MCC from Return Sludge Pump Station #1. They are about 90% complete on their projects.
- Shorelands – Various Authority Buildings – is complete. They are working on a punch list and waiting on a couple of refurbished pumps.
- Phase II – Combined Blower Building Contract 80S will commence shortly. The muscle wall will be

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

BRSA staff, November 2006

Installed around Blower Building #1 which will serve as the temporary blower process for the entire plant while Blower Building #2 is converted to the Combined Blower Building.

- Contract 81S – We received the Land Use Permit and are awaiting the OK from the DEP to authorize the advertisement for bids. Hope to award this Contract by the December meeting.

Disaster Funding

- Stone Hill Contracting submitted payment application #16 in the amount of \$276,153.22 which has been found acceptable by the Consulting Engineer Hazen and Sawyer.
- Remsco Contracting did not submit a payment application on time.
- Shorelands Construction submitted payment application #10 for \$30,337.81 which has been found acceptable by the Consulting Engineer R3M Engineering.
- The combined cumulative Phase 1 project payments excluding October total \$20,744,083.99. The FEMA reimbursable portion stands at 61%, or \$12,761,943.61.
- NJEIT Phase II Short-Term Loan - Stone Hill Contracting - Combined Blower Building Project 80S – payment application #2 in the amount of \$92,975.54 for shop drawings, materials and mobilization costs.

Coastal Barrier Resource System

We spoke to US Fish and Wildlife Service and met with the Army Corp of Engineers regarding the CBRS boundary approaching the plants fence line. We suggested a 100 foot buffer along the fence for maintenance and additional footage by the Single Sampling Point which they approved. The new boundary shows the line hugging the turbine base and they found no technical reason for moving that boundary line. The toe of the wall will be approximately 50 feet of the turbine base.

2017 Budget

- The budget was sent to everyone for review. This budget is around \$68,000 or 0.7% decrease from last year.

Mr. Fischer explained the increases and/or decreases in each category. He advised the Board that once the Preliminary Budget is approved it is sent down to the DCA for their approval. At the December meeting, a Public Hearing is held and adoption of the budget.

Mr. Fischer said the Finance Committee met and approved the Preliminary Budget.

Staff Engineer Report

Pete Canal Reported:

Pete introduced Ed Barboe and John Wojnas from Hazen and Sawyer.

Ed spoke on NIRO update – last Saturday, October 8th, the NIRO started heating up and sludge was introduced on Friday, October 14th. The incinerator is running very well. Temps are very steady.

The last stage incineration process emissions control is the Mercury Absorber. It's a large fiberglass reinforced plastic vessel outside the NIRO building. In August of this year at 2 sites, one in North Carolina and one in Connecticut, the treatment plant Mercury Scrubbers had high temperature incidents without the incinerator in operation which caused damage to the Mercury units. Both Connecticut and North Carolina have the same Mercury Scrubber as the one installed at Bayshore. To date we have not received adequate information as to what is causing the problem. The Stack test is going to proceed without the Mercury Scrubber on line for the time being. This will give the Authority and the Contractors time to find out more about what happened at the other two facilities.

Mr. Fischer said he contacted the DEP to let them know about the Mercury Scrubber concerns. The DEP agreed we could run the Stack Test and the incinerator without the Mercury Absorber until March of 2017. Chairman Pisano asked what would happen if we don't solve this problem by March, 2017. Mr. Fischer was advised by DEP that we would have to submit a Permit Modification taking the Mercury Scrubber out of the permit provided we can pass the Stack Test without it. Communication between the Contractors, Engineers and Authority continues.

Other items presented by the Engineer, Pete Canal are:

- Approve closeout and acceptance of the Maintenance Bond for Contract 85-West Keansburg Force Main Rehabilitation-Cruz Construction
- Award Amendment No. 1 to R3M Engineering for engineering services for the Standby Generator Service, Repair and Appurtenant work- Contract #83-in the amount not to exceed \$14,000
- Approve the sanitary sewer connection & signing of the TWA consent form for Broad Street Plaza (aka The Edge at Matawan) in Matawan
- Approve the Developer Agreement reviewed by our conflict Attorney for Broad Street Plaza in Matawan.
- Approve a Bond reduction to a total revised Bond amount of \$642,874 to Regency @ Holmdel
- Approve Final Change Order No. 1 for Contract 89-Stone Hill Construction-Turbo Installation- in the credit amount of (\$23,265) and close-out the project.
- Approve a one year extension to Allied Fuel Oil at the same price and conditions for the time period December 15, 2016 to December 15, 2017.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Various Plant Building, Contract 71S, project is essentially complete. The close-out will come in with a credit amount from the Contractor Shorelands Construction.
- Stand-By Generator-Contract amendment request for Engineer Services. Manuel Ponte explained the additional time required to complete the Generator Project including the additional load testing required, failure of turbo charger for Generator #3. Costs outside R3M's scope of work came to a total of \$14,000 that will take us to the end of the Project.

Manuel gave a lengthy presentation on the Recommendations for the Improvements to Odor Control System #1. Engineer's estimate includes labor and equipment costs and Contractor's O&P = \$375,000. Mr. Fischer said that this work has been put in the 2016 Capital Budget and would like to ask R3M to give a proposal for the design of the odor control improvement.

Superintendent's Report

Mike Broyles Reported:

- Treatment Plant flow for September is less than 180.893 mgd, the lowest since 1998
- Effluent quality not quite what it was last month due to taking Plant #1 off line but still within Permit limits.
- Dorr Oliver Incinerator ran good for the month, taken down for press work.
- The plant had odor complaints most consistent with wind speed.

- DEP was here the beginning of September for the last summer inspection tour. No issues were reported.
- Writing Renewal Permits for 4 out of 5 industrial dischargers, their permits expire the end of the year. The DEP instituted a new Emergency Discharge Limitation Plan because of Sandy.
- In the future, if flooding prevents the Authority from processing sewage the DEP wants all industries to cease discharge of industrial waste to the Sewer System.

MOTION (by Chairman Pisano) – to accept the Treasurers Report

6. TREASURER’S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	September 30, 2016
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,503.88
Bond Service	\$.05
Total 2010 Accounts	\$ 1,357,503.93
TD BANK	
NJEIT Project Fund	\$ 2,767,972.29
NJEIT Project Fund #2	\$ 978,077.01
Incoming Revenue Account	\$ 228,915.99
Operating Regular Account	\$ 271,665.46
Operating Reserve Account	\$12,351,826.92
Operating Payroll Account	\$ 201,958.18
TOTAL AUTHORITY ACCOUNTS	\$16,800,415.85
TOTAL	\$18,157,919.78

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:	September 30, 2016
Hazlet Township Sewerage Utility	\$ -670,834.25
Township of Holmdel	\$ -272,649.50
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -201,364.50
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ -86,365.75
Township of Aberdeen	\$ -422,807.50
TOTAL	\$ -1,654,021.50

OUTFALL AUTHORITY CHARGES

Hazlet Township Sewerage Authority	\$ -70,137.09
Township of Holmdel	\$ -28,506.07
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -21,053.07
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ -9,029.59
Township of Aberdeen	\$ -44,205.39
TOTAL	\$ -172,931.21

Balance of Rent Reserve Accounts as of September 30, 2016

Hazlet Township Sewerage Utility	\$ 753,281.01
Township of Holmdel	\$ 318,631.61
Borough of Union Beach	\$ 194,593.15
Borough of Keyport	\$ 323,167.06
Borough of Keansburg	\$ 303,252.50
Borough of Matawan	\$ 323,025.26
Western Monmouth Utilities Authority	\$ 95,536.97
Township of Aberdeen	\$ 483,137.55
TOTAL	\$ 2,743,625.11

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

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

7. PAYMENT OF BILLS

MOTION (by Chairman Pisano) - for payment of the following:

Operating Fund Req. No.P190 (Payroll)	\$ 228,773.95
Operating Fund Req. No. 540 (Regular)	\$ 406,202.20
NJEIT Project Fund Req. #PF-17	\$ 829,792.24
NJEIT Project Fund #2 Req. # PF2 – 02	\$ 22,821.31
Wire Transfer FEMA Funds to NJEIT #WT012	\$1,137,653.96

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

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

8. APPROVAL OF MINUTES

MOTION (by Chairman Pisano) - to approve the following Minutes:

- Regular Meeting Minutes of September 19, 2016
- Closed Session Minutes of September 19, 2016

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

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

ABSTAIN: Commissioner Khachaturian

Public Portion

ANNOUNCEMENT (by Chairman Pisano): 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 5 minutes.

Mr. Sam Lauro- 9th Street, Union Beach was here to complain about the odors from the treatment plant. The Authority advised him that they are designing and will install improvement to the Headworks Odor Control System.

Resolutions

RESOLUTION No. (103/16): To accept R3M's 2015/2016 Final Flow Report

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority ("Authority") have determined the quantity of sewage from each of the Towns and Authorities connected to the Authority's system for the Fourth and Final Quarter of the year 2015/2016; 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, and

WHEREAS, in accordance with the Service Agreement Union Beach and Hazlet have certified the number of respective EDU's connected to the system as of October 1, 2016.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for the Fourth and Final Quarter of the year 2015/2016.

BE IT FURTHER RESOLVED the Authority accepts the EDU Certification of Union Beach identified in their report submitted by T&M Associates dated October 10, 2016 identifying structures demolished/rebuilt as of 10/1/16, as well as CO's issued between October 1, 2015 and October 1, 2016 for a net increase of 28 EDU's, as well as the EDU Certification of Hazlet identified in their report submitted by CME Associates dated October 10, 2016 for a net increase/decrease of 8 EDU's.

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

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

RESOLUTION No. (104/16):2017 AUTHORITY BUDGET RESOLUTION
Bayshore Regional Sewerage Authority

FISCAL YEAR: FROM: January 1, 2017 TO: December 31, 2017

WHEREAS, the Annual Budget and Capital Budget for the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2017 and ending, December 31, 2017 has been presented before the governing body of the Bayshore Regional Sewerage Authority at its open public meeting of October 17, 2016; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$9,764,436 Total Appropriations, including any Accumulated Deficit if any, of \$7,334,436 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$14,330,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$2,430,000 and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financial agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bayshore Regional Sewerage Authority, at an open public meeting held on October 17, 2016 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2017 and ending, December 31, 2017 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Bayshore Regional Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 19, 2016.

 (Secretary's Signature) 10-18-16

 (Date)

<u>Governing Body Members:</u>	<u>Aye</u>	<u>Recorded Vote</u>		
		<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Commissioner Khachaturian	x			
Commissioner McMullen	x			
Commissioner Steiner	x			
Commissioner Sutton	x			
Commissioner Whalen	x			
Chairman Pisano	x			

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

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

RESOLUTION No. (105/16): To Award a (1) year extension to Allied Oil, LLC for Fuel Oil

WHEREAS, in accordance with Local Public Contracts Law at 10:30 P.M. on Friday, November 13, 2015, the Bayshore Regional Sewerage Authority (“Authority”) advertised and received bids for the furnishing and delivery of Fuel Oil for a (1) one year period with the possibility of (2) one year extensions; and

WHEREAS, on December 15, 2015, the “Authority” awarded the Fuel Oil contract to the lowest responsible bidder Allied Oil, LLC. of Parlin, NJ by Resolution #124/15, and

WHEREAS, in December, 2016 the contract is scheduled to expire and the “Authority” and Allied Oil, LLC were mutually agreeable to extending the original Contract under the same terms and with the same prices for a period of (1) one additional year; 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 extension; and

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

WHEREAS, funds are available for this purpose, and

WHEREAS, the Staff Engineer and Qualified Purchasing Agent have reviewed the correspondence from Allied Oil, LLC of Parlin, NJ accepting the (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 Allied Oil, LLC of Parlin, NJ is hereby awarded a (1) one-year extension of the contract for the furnishing and delivery of Fuel Oil in accordance with the terms and conditions of the original bid and contract documents.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary are hereby authorized to execute the Contract extension documents.

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

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

RESOLUTION No. (106/16): To Award a Contract to Cintas Corporation for the Furnishing and Cleaning of Employees Uniforms

WHEREAS, in accordance with Local Public Contracts Law, the Bayshore Regional Sewerage Authority (“Authority”) has received quotes for providing a uniform rental and cleaning program; and

WHEREAS, the lowest responsible quote was provided by Cintas Corporation have submitted a total quote price of \$9,776.00 per year for a (3) three year period; and

WHEREAS, the Authority’s Assistant Superintendent and Purchasing Agent have reviewed the quotations and recommend the award of the contract to Cintas Corporation; and

WHEREAS, the Authority has funding available to procure these services.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that it engages the services of Cintas Corporation, 111-546 Green Lane, Union, NJ 07083 for providing a uniform rental and cleaning program at a cost of \$9,776.00 per year for a (3) three year period totaling \$29,328.00.

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute the Purchase Order and Contract Documents.

Commissioner Steiner asked if this was in the Budget.
Mr. Fischer said yes.

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

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

RESOLUTION No. (107/16): To approve Close-Out of the project for West Keansburg Force Main Rehabilitation Project, Contract No. 85

WHEREAS, the Bayshore Regional Sewerage Authority (the "Authority") has a need to repair the force main for the West Keansburg Pump Station, and

WHEREAS, in accordance with Local Public Contract Law, Cruz Contractors, LLC was awarded Contract No. 85, West Keansburg Force Main Rehabilitation Project in the amount of \$264,500 by Resolution No. 112/15, and

WHEREAS, all work is completed and the Authority Staff and our Consulting Engineer, Gannett Fleming in their letter dated June 30, 2016 are recommending acceptance of the Maintenance Bond and closeout of the Contract, and

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve acceptance of the Maintenance Bond and closeout of West Keansburg Force Main Rehabilitation Project, Contract No. 85.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to approve closeout of the project.

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

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

RESOLUTION No. (108/16): To approve the Final Change Order No. 1 and Close-Out the project for Temporary Installation and Startup of High Speed Direct Drive Centrifugal Blower Package, C.89

WHEREAS, the Bayshore Regional Sewerage Authority (the "Authority") 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, in accordance with Local Public Contract Law, Contract 89 Temporary Installation and Startup of High Speed Direct Drive Centrifugal Blower Package, was awarded to Stone Hill Contracting Co., Inc. (SHC) on December 21, 2015 for a total price of \$111,690 via Resolution No. 138/15, and

WHEREAS, a Final Change Order No.1 is necessary to issue a credit for changes in the scope of work and the unused portion of the contract allowance for a total contract credit of <\$23,265>, and

WHEREAS, all work is completed and the Authority Staff and our Consulting Engineer, Hazen & Sawyer are recommending a final change order credit of <\$23,265>, a final payment of \$2,846, acceptance of the Maintenance Bond and closeout of the Contract, and

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve Final Change Order No.1 in the credit amount of <\$23,265.00>, final payment of \$2,846.50, acceptance of the Maintenance Bond and closeout of the Contract.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to approve closeout of the project.

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

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

RESOLUTION No. (109/16): To Authorize Engineering Amendment No.1 to R3m Engineering, Inc. for Engineering Services for the Standby Generator Service, Repair and Appurtenant Work, Contract No. 83, in the amount of \$14,000

WHEREAS, through Resolution 128/14, the Bayshore Regional Sewerage Authority (the "Authority") contracted with R3m Engineering, Inc. (R3m) for engineering services for the repair of the three (3) emergency generators that provide emergency power to the Authority Wastewater Treatment Plant in Union Beach, NJ, in the amount not to exceed \$56,729, and

WHEREAS, through Resolution 101/15, the Authority contracted with Modern Group Power Systems for the Standby Generator Service, Repair and Appurtenant Work, Contract No. 83, in the amount of \$296,832, and

WHEREAS, R3m performed additional services beyond the original scope of work, including preparing a Request for Quotation for the Generator inspection and testing services by Foley, additional reviews of shop drawings and additional inspection services; and

WHEREAS, R3m submitted a proposal dated September 2, 2016 for Amendment No.1, in the amount of \$14,000; and

WHEREAS, the Authority Engineer and Director have met with the staff of R3m to review the amendment proposal and find the amendment request dated September 2, 2016 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 \$14,000 to R3m Engineering, Inc. of

Old Bridge, NJ in accordance with the terms and conditions of its correspondence dated September 2, 2016, increasing their budget amount from \$56,729 to \$70,729.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute the contract amendment with R3m Engineering, Inc. of Old Bridge, NJ.

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

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

RESOLUTION NO. (110/16): To reduce the payment Bond for Toll Holmdel, LLC, Developer for Regency at Holmdel

WHEREAS, Toll Holmdel, LLC (Toll), is the project developer for Regency at Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lots 38.04-07 in Township of Holmdel, a 209 Equivalent Dwelling Unit project, and

WHEREAS, Toll has entered into a Developers Agreement with the Bayshore Regional Sewerage Authority (the "Authority") and provided a payment Bond to cover the outstanding connection fee balance, and

WHEREAS, in accordance with the Developers Agreement, a payment of \$222,728, representing Phase 1C and Club House connection fees have been made, bringing the adjusted balance due to \$642,874, as further detailed in the Authority Engineer letter dated September 29, 2016, and

WHEREAS, the Authority finds it appropriate to reduce the amount of Bond No.PB00579800045 to \$642,874, and

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority approve Toll Holmdel, LLC's Bond reduction for a current balance of \$642,874.

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

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

RESOLUTION NO. (111/16): To approve Sanitary Sewer Connection and Treatment Works Approval Application for JSM at Matawan Phase II, LLC for Broad St. Plaza

WHEREAS, JSM at Matawan Phase II, LLC (Developer), is the project developer of Broad Street Plaza, located at intersection of Rt. 34 & Broad St., further designated as Block 40, Lot 6.01 in Township of Matawan, a 164 Equivalent Dwelling Units (EDU's) mixed use building with 130 residential units, 12 units of Retail, a Day Care, Club House and Medical Office Building, 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 29,555 gallons per day of wastewater, and

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

WHEREAS, JSM at Matawan Phase II, LLC will execute the Developer's Agreement, pay all review and Attorney fees, 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, and

NOW THEREFORE BE IT RESOLVED that JSM at Matawan Phase II, LLC is hereby granted Bayshore Regional Sewerage Authority 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 and second installment of connection fees.

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

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

RESOLUTION NO. (112/16): To approve JSM at Matawan Phase II, LLC Developer Agreement for Broad Street Plaza

WHEREAS, JSM at Matawan Phase II, LLC (Developer), has requested to be allowed to enter into a Developer's Agreement with Bayshore Regional Sewerage Authority ("Authority") to provide sanitary sewer service to Broad Street Plaza, located at intersection of Rt. 34 & Broad St., further designated as Block 40, Lot 6.01 in Township of Matawan, a 164 Equivalent Dwelling Units (EDU's) mixed use building with 130 residential units, 12 units of Retail, a Day Care, Club House and Medical Office Building, and

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

WHEREAS, the BRSA Attorney will prepare a Developer's Agreement that is acceptable to the BRSA Board of Commissioners and JSM at Matawan Phase II, LLC, and

WHEREAS, the Commissioners of the Authority deem it is in the best interest of the Authority to enter into said Developers Agreement, and

WHEREAS, JSM at Matawan Phase II, LLC will execute the Developers 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, and

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the execution of the Developer's Agreement with JSM at Matawan Phase II, 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 and Secretary 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.

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

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

Public Portion

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

Charles Hoffman, Florence Avenue, Hazlet asked what the status was with Conti.
John Napolitano said they are discussing several ways, including arbitration, to come to a settlement.

No Executive Session

Adjournment

ANNOUNCEMENT (by Chairman Pisano)

The next Regular Meeting of the Bayshore Regional Sewerage Authority will be held on Monday, October 17, 2016. All meetings are held at 7:00 PM in the Administration Building at 100 Oak Street, Union Beach, NJ.

MOTION (by Chairman Pisano) to adjourn the meeting @ 8:40 PM.

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

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

Respectfully Submitted,

Susan A. DuBey
Administrative Assistant