



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, NOVEMBER 21, 2016

Chairman Pisano called the Meeting Regular Meeting of the Bayshore Regional Sewerage Authority to order at 7:05 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 (arrived @ 7:10 PM), 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

REPORTS

Executive Directors Report, BRSA Projects, Special Reports & Connection Applications **Mr. Fischer Reported:**

Headworks Odor Control System

- Manuel Ponte of R3M conducted a study to identify what the odors are and where the odors were coming from and alternatives to rectify the problem. Manuel Ponte is prepared to present a proposal to design the Headworks Odor Control System.
Manuel reviewed his findings and plans to rehabilitate the System at the approx. cost of \$363,000, engineering design costs \$45,521 with a six month completion date.

Disaster Recovery

- The Niro Incinerator has been running since last month and is running good. We are putting more sludge in it to a point we are running out of sludge to where the tanks are empty. This will help with the odor and the liquid returning to the front of the plant.
- The Stack Test was conducted October 17 & 18 without the Mercury Scrubber. Discussions were held with CPPE (the Mercury Scrubber manufacturer) and we asked for a report on root core analysis & protective measures we can put here at Bayshore to prevent against the "heating types of incidences". Our engineers are reviewing their reports and we should hear back from them shortly.
- Remsco Contracting 73S- have been working on fire alarms, termination of wire runs and flood gates for Return Sludge Bldg. then they will start on the punch list.
- Shorelands Construction rebuilding a couple of pumps and working on punch list. Of all three projects, Niro has the most work left at 95% complete.
- Combined Blower Building Project – mussel wall has been built around building #1 and work on Blower Building #2 is in progress
- Power Distribution Project – received approval from the DEP to advertise – went in newspaper November 7th for the receipt of bids on December 14th. Hope to have award at the December 19th meeting. This is the last of the big 5 projects and the only project that is 100% funded by FEMA. NIRO 55% because of upgrades and Blower Building 75% defuser upgrades.

Disaster Funding

- Stone Hill Construction submitted payment application #17 in the amount of \$465,371.62, Remco Contracting submitted payment application #13 in the amount of \$223,700.30 and payment #14 in the amount of \$95,596.06. Shorelands did not get a payment application in on time.
- The combined project payments excluding November totals \$21,455,685.62. Construction costs are 89% of that amount, engineering costs are 10%, administrative costs are .05% and NJEIT Technical fee is .05%. FEMA reimbursable stands at 61% or \$13,170,433.26.

2017 Budget

- The 2017 Budget has been sent down to the Department of Community Affairs, Division of Local Government Services. We are awaiting their certification and a Public Hearing is scheduled on December 19th prior to our Regular Meeting.

Other:

O'Brien & Gere licensed Site Remediation Specialist did an investigation involving that was detected in the ground by Main Pump Station back when we were cleaning up and closing out the oil leak. 1,1 DCE detection was just above limit so we had to do two more tests and the results were just above the limit. We had to enter into a more focused Ground Water investigation where five holes were dug around the location. Those tests were undetected so to wrap this up they are going to do a site survey, review records and talk to employees. It looks like it was a single incident during expansion or possible from a parts cleaner. It's contained to one spot and nowhere else.

Power Distribution System - BRSA needed a Land Use Permit because of the modification under the Conservation Restriction when the plant expanded in 1990. The switch gear line up is being built in a previously identified location. The Conservation Restriction is a deed that shows areas that are restricted from building. DEP reviewed our request to modify the Conservation Restriction and waive the restriction against locating the switch gear on previously restricted area and they have waived the switch gear restriction

but we still have to revise the Conservation Restriction. The Authority will eventually be responsible for enhancing/improving other restricted areas on site with native plantings.

Staff Engineer Report

Pete Canal Reported:

Pete introduced Ed Barboe and John Wojnas from Hazen and Sawyer to explain the Change Order #5 submitted by Stone Hill Construction – Contract 74S - in the amount not to exceed \$350,661. Of that amount \$319,851.00 is FEMA reimbursable.

Chairman Pisano asked if FEMA has already approved the amount of the Change Order. John said yes they have.

Mr. Fischer explained that FEMA has allowed change orders but will handle them at close-out.

Other issues discussed by Mr. Canal included:

- Award Contract 96 - Primary Clarifiers 1 & 2 to low bidder-RB Welding in the amount of \$407,950, bids reviewed by BRSA staff and legal attorney award to lower bidder.
- Award Contract 90 – West Keansburg Pump Station Odor & Corrosion Control to lower bidder Eagle Construction Services in the amount of \$869,514 bids reviewed by BRSA staff and legal attorney award to lower bidder.
- To extend 1 year Contract for Caustic Soda (Sodium Hydroxide) to Kuehne Chemical Co. under the same terms, conditions and price as the original bid.
- To approve the Final contract Change Order No. 1 to Modern Group in the amount of \$1,620.
- To award proposal submitted by R3M Engineering, Inc. for the design of the Headworks Odor Control System in the amount of \$45,521.
- There are two resolutions on the Agenda for Aberdeen Family LP for a sewer connection, TWA and Developers Agreement. They have been back and forth about wanting the Developers Agreement and decided to pay in full. The connection and TWA will be on the Agenda next month.
- To release the payment bond for Plaza Station, Atlantic Avenue in Aberdeen, paid in full
- Award Contract 81S – Power Distribution Improvements & Mitigation Amendment No. 1 to HDR in the amount not to exceed \$5,875.
- Award Contract 81S- PS&S – Conservation Restriction Permit Modification proposal in the amount not to exceed \$20,500.
- Award Contract 81S- HDR – Construction Management & Inspection Services to HDR in the amount not to exceed \$632,250. NJEIT requires engineer to be present during the project to provide resident engineering service. This proposal was discussed with the Engineering Committee prior to the Board Meeting.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Shorelands Construction- Various Buildings – is complete except for three pumps that are in the scope to be repaired
- Standby Generator – waiting for paperwork to close out.
- Met with BRSA staff to review finding and to discuss scope, means and methods the internal inspection of the West Keansburg Force Main by Pure Technologies while force main remains in service.

Superintendent's Report

Mike Broyles Reported:

- Treatment Plant flow still historically low, barely hit 6 mgd for the month.
- Effluent quality slightly improved from last month, making adjustments due to use of only one plant
- Sludge Removal-first 10 days was the Dorr Oliver Incinerator and the remainder of the month was the NIRO.
- We had 6 Odor Control Complaints- all from 1 or 2 neighbors - resealed the fiberglass covers with tarps and continue to explore and treat different areas.
- The NIRO has been running great. Staff has received training from the manufacturer and all have been involved in the running of the incinerator.
- DEP said the Efficiency Samples were tested and received an acceptable results and no further action is required.
- IPP – three IFF and one CEI - IPP draft permit were sent out and they have thirty days to make any comments. There were no significant changes to the permits except for the DEP's new language about the new Emergency Plan. This plan is for the users to come up with in case the Authority has an emergency and cannot take the flow. The industries have a year to have a back-up plan.

Chairman Pisano asked Mike about this months odor calls. Mike said he has one less than last month.

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	October 31, 2016
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,515.04
Bond Service	\$.05
Total 2010 Accounts	\$ 1,357,515.09
TD BANK	
NJEIT Project Fund	\$ 2,713,830.92
NJEIT Project Fund #2	\$ 877,199.60
Incoming Revenue Account	\$ 178,794.27
Operating Regular Account	\$ 268,854.71
Operating Reserve Account	\$13,787,817.51
Operating Payroll Account	\$ 162,049.82
TOTAL AUTHORITY ACCOUNTS	\$17,988,546.83
TOTAL	\$19,346,061.92

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 October 31, 2016
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	\$ 0.00
TOTAL	\$ 0.00
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	\$ 0.00
TOTAL	\$ 0.00
Balance of Rent Reserve Accounts as of October 31, 2016	
Hazlet Township Sewerage Utility	\$ 753,373.63
Township of Holmdel	\$ 318,670.79
Borough of Union Beach	\$ 194,617.08
Borough of Keyport	\$ 272,200.53
Borough of Keansburg	\$ 303,289.79
Borough of Matawan	\$ 323,064.98
Western Monmouth Utilities Authority	\$ 95,548.72
Township of Aberdeen	\$ 483,196.96
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.P191 (Payroll)	\$249,082.79
Operating Fund Req. No. 541 (Regular)	\$521,997.88
NJEIT Project Fund Req. #PF-18	\$887,512.99
NJEIT Project Fund #2 Req. # PF2 – 03	\$205,380.71
Wire Transfer FEMA Funds to NJEIT #WT013	\$403,713.00

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 October 17, 2016

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

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.

THERE WERE NO COMMENTS FROM THE PUBLIC

Resolutions

RESOLUTION No. (113/16): To Authorize Dental Benefit Coverage with Delta Dental For 2016/2017

WHEREAS, Bayshore Regional Sewerage Authority provides its employees with dental benefits through Delta Dental, and

WHEREAS, Delta Dental of New Jersey will provide 12 month coverage rates at \$49.06 per month for one (1) party coverage, \$94.89 per month for two (2) party coverage, and \$163.25 per month for three (3) party coverage; and

WHEREAS, said rates represent a 2.5% increase over the existing rates, and

WHEREAS, said coverage will be available to all full time Authority employees.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority accepts the 12 month rate offered by Delta Dental of New Jersey and contract with the same for the period December 1, 2016 to November 30, 2017.

BE IT FURTHER RESOLVED that the Secretary shall cause a brief notice of the adoption of this Resolution to be published once in the Authority's designated official newspaper as required by law within ten (10) days of its adoption and will be posted on the BRSA website.

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. (114/16): 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 (“Authority”) advertised and received bids for the furnishing and delivery of Caustic Soda Solution for a (1) one year period, and

WHEREAS, on January 19, 2015 the “Authority” awarded the Caustic Soda Solution contract to the lowest responsible bidder to Kuehne Chemical Co. Inc. of South Kearny, NJ, and

WHEREAS, in January 19, 2016 the contract expired and the “Authority” and Kuehne Chemical mutually agreed to extend the original Contract under the same terms and with the same prices for a (1) one 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 second and final year extension; and

WHEREAS, in January 19, 2017 the contract will expire and the “Authority” and Kuehne Chemical mutually agreed to extend the original Contract which will require authorization from the Commissioners and the completion of contract extension documents for the period January 19, 2017 to January 19, 2018; and

WHEREAS, the Staff Engineer and Qualified Purchasing Agent have reviewed the correspondence from Kuehne Chemical Co. Inc. of South Kearny, NJ accepting the second and final one (1) 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 the second one (1) 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, this second and final one (1) year extension will commence on January 19, 2017 and end on January 19, 2018.

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, Steiner, Sutton, Whalen and Chairman Pisano

RESOLUTION No. (115/16): To award Primary Clarifier #1 & #2 Rehabilitation Project, Contract 96 to BR Welding, Inc. in the amount of \$407,950

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and operates collection mechanisms in primary clarifiers #1 and #2 that are in need of rehabilitation and repair; and

WHEREAS, the solids collection mechanisms are an essential component of the treatment process which have reached the end of their useful life; and

WHEREAS, the Authority approved Resolution No. 91/16 authorizing the staff to prepare specifications and advertise a Public Contract; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Primary Clarifier #1 & # 2 Rehabilitation Project, Contract 96 and six (6) sealed bid were received and publically opened on November 16, 2016 at 2pm EST, ranging in price from a low of \$407,950 to a high of \$533,500; and

WHEREAS, the Authority Attorney and Staff, have reviewed the bids and recommend award to the lowest responsive responsible bidder, BR Welding, Inc. in the amount of \$407,950; and

WHEREAS, funds are available for this project.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority, that the Contract for Primary Clarifiers 1 & 2 Rehabilitation is awarded to BR Welding, Inc. of Howell, NJ in accordance with the terms and conditions of contract documents at a price of \$407,950.

BE IT FURTHER RESOLVED, the Chairmen, Secretary and Executive Director of the Authority are authorized to execute any and all necessary documentation to award the contract to BR Welding, Inc., of Howell, NJ.

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. (116 /16): To award West Keansburg Pumping Station Odor and Corrosion Control Improvements Project, Contract 90 to Eagle Construction Services, Inc. in the amount of \$869,514

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and operates a pumping station in Hazlet known as the West Keansburg Pumping Station; and

WHEREAS, the Authority contracted CH2M Hill, Inc. (CH2M) to design the odor and corrosion control improvements necessary at the pumping station by Resolution #100/15; and

WHEREAS, on June 6, 2016 the Authority received bids for the improvements, and

WHEREAS, the Authority approved Resolution No. 85/16 rejecting all bids and authorizing the staff to re-advertise a Public Contract; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority re-advertised for West Keansburg Pumping Station Odor and Corrosion Control Improvements Project, Contract 90 and five (5) sealed bid were received and publically opened on November 3, 2016 at 2pm EST, ranging in price from a low of \$869,514 to a high of \$1,184,173; and

WHEREAS, the Authority Attorney, Consulting Engineer, Gannett Fleming and staff, have reviewed the bids and recommend award to the lowest responsive responsible bidder, Eagle Construction Services, Inc. in the amount of \$869,514; and

WHEREAS, funds are available for this project.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority, that the Contract for West Keansburg Pumping Station Odor and Corrosion Control Improvements Project, Contract 90 is awarded to Eagle Construction Services, Inc. of Burlington, NJ in accordance with the terms and conditions of contract documents at a price of \$869,514.

BE IT FURTHER RESOLVED, the Chairmen, Secretary and Executive Director of the Authority are authorized to execute any and all necessary documentation to award the contract to Eagle Construction Services, Inc. of Burlington, 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. (117/16): To award Final Change Order No. 1 in the amount of \$1,620 for Standby Generator Service, Repair and Appurtenant Work, Contract No. 83

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) has a need to rehabilitate the three (3) existing generators at the Wastewater Treatment Plant; and

WHEREAS, in accordance with Local Public Contract Law, Modern Group Power Systems was awarded Contract No. 83, Standby Generator Service, Repair and Appurtenant Work in the amount of \$296,832 by Resolution No. 101/15; and

WHEREAS, during the rehabilitation work it was necessary to perform additional services beyond the scope of work, including but not limited to replacing the batteries for Generator 1, which increased the contract allowance item by \$1,620; and

WHEREAS, R3m Engineering, Inc. and the BRSA staff have reviewed Final Change Order No.1 and find it to be fair and reasonable; and

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve Final Change Order No.1 for Modern Group Power Systems of Bristol, PA, in amount of \$1,620, increasing the contract amount from \$296,832 to \$298,452.

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, Steiner, Sutton, Whalen and Chairman Pisano

RESOLUTION NO. (118/16): To Award the Proposal for Odor Control Design for Treatment Plant Headworks to R3M Engineering, Inc. in the Lump Sum amount of \$45,521

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") Odor Control Scrubber (OCS) No. 1, which services the Treatment Plant Headworks requires rehabilitation and modifications to improve its effectiveness and ability to handle multiple odor sources present in the headworks, and

WHEREAS, through Resolution No. 95/16, the Authority contracted with R3m Engineering, Inc. (R3m) to analyze the effectiveness of the current odor control system to adequately remove odors from the headworks areas, and

WHEREAS, R3m completed its analysis and submitted a report on Evaluation of Improvements for Headworks Odor Control System #1, dated October 2016 with recommendations for improvements, and

WHEREAS, R3m submitted an engineering design services proposal dated November 18, 2016 for Improvements to Odor Control System No. 1, in the amount of \$45,521, and

WHEREAS, the BRSA Engineer and Director have met with the staff of R3m to review the proposal and find it to be fair and reasonable, and

WHEREAS, funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve engineering design services proposal for Improvements to Odor Control System No. 1, in the amount of \$45,521 to R3m Engineering, Inc. of Old Bridge, NJ in accordance with the terms and conditions of its proposal dated November 18, 2016.

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

OFFERED BY: Commissioner Whalen, 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. (119/16): To release the Payment Bond and Lien for Aberdeen Plaza Station Urban Renewal, LLC, Developer for Plaza Station of Aberdeen

WHEREAS, Aberdeen Plaza Station Urban Renewal, LLC (APSUR), is the project developer for Plaza Station of Aberdeen (aka Highview Homes), 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 236 Equivalent Dwelling Unit project; and

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

WHEREAS, in accordance with the Developers Agreement, a final payment of \$658,728, representing the adjusted balance of connection fees for Phases 3 to 5 have been made, as further detailed in the Authority Engineer letter dated October 28, 2016; and

WHEREAS, the Authority finds it appropriate to release Bond No. 685401, and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Aberdeen Plaza Station Urban Renewal, LLC is hereby granted a Payment Bond release for the project.

BE IT FURTHER RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Executive Director and Secretary are authorized to execute any necessary documents to release of lien for Block 259, Lots 1-8 and Block 263, Lot 2 in Township of Aberdeen, NJ.

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. (120/16): To Authorize an Engineering Amendment No.1 to HDR, Inc. for Engineering Services of the Restoration and Mitigation of Power Distribution Systems, Contract No. 81-S, in the amount of \$5,875.

WHEREAS, through Resolution 107/15, the Bayshore Regional Sewerage Authority (Authority) contracted with HDR, Inc. (HDR) for Engineering Services of the Restoration and Mitigation of Power Distribution Systems, Contract No. 81-S; and

WHEREAS, the Authority requested HDR to perform additional services beyond the original scope of work, including preparing a de-minimis modification of the Conservation Restriction to the Authority Treatment Plant property; and

WHEREAS, HDR submitted a proposal dated October 3, 2016 for Amendment No.1; in the amount of \$5,875; and

WHEREAS, the Authority Staff Engineer and Director have met with the staff of HDR to review the amendment proposal and find the amendment request dated October 3, 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 \$5,875 to HDR, Inc. of Mahwah, NJ in accordance with the terms and conditions of its correspondence dated October 3, 2016, increasing their budget amount from \$339,270 to \$345,145.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute the contract amendment with HDR, Inc. of Mahwah 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. (121/16): To Award Engineering Services for Permitting for the Restoration and Mitigation of Power Distribution Systems, Contract No. 81-S to PS&S, in the amount of \$20,500.

WHEREAS, through Resolution 107/15, the Bayshore Regional Sewerage Authority (Authority) contracted with HDR, Inc. (HDR) for Engineering Services of the Restoration and Mitigation of Power Distribution Systems, Contract No. 81-S; and

WHEREAS, through the permitting process, the NJDEP is requiring the Authority to draft a revised conservation restriction modification for the entire property at the Treatment Plant; and

WHEREAS, the conservation restriction modification will include allowable plant maintenance and improvement activities in previously restricted areas; and

WHEREAS, the Authority Staff has requested a proposal from the permitting group at PS&S, who have prior experience with the Authority NJDEP conservation permits; and

WHEREAS, PS&S has submitted a time and expense proposal dated November 3, 2016, in the amount of \$20,500; and

WHEREAS, the Authority Staff Engineer and Director have met with PS&S to review the proposal and find the request dated November 3, 2016 to be fair and reasonable; 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 proposal in the amount of \$20,500 to PS&S of Wall, NJ in accordance with the terms and conditions of its correspondence dated November 3, 2016.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute the contract with PS&S of Wall, NJ.

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. (122/16): To Award Engineering and Construction Management Services for the Elevation of the Power Distribution System Contract 81S to HDR Engineering

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) solicited a Request of Qualifications through the Authority Website for Design and Construction Management Services for the Restoration and Mitigation of the Power Distribution Systems (Project 81S) using the Federal Procurement Rules; and

WHEREAS, five – (5) Qualification Statements were received and reviewed by the Authority Evaluation Team including the Board Engineering Committee, the Plant Engineer and the Executive Director, and the firm of HDR was chosen as the most qualified firm: and

WHEREAS, HDR has completed the design of Project 81S and in accordance with the Federal Procurement Rules the Authority negotiated a fair and reasonable price for Engineering and Construction Management Services for Project 81S; and

WHEREAS, the Authority desires to award the contract for Engineering and Construction Management Services for Project 81S to HDR at the not to exceed price of \$632,250 as a time and expense contract; and

WHEREAS, in accordance with the resolution No. 29/15 adopted by the Authority on February 23, 2015 the Authority will utilize the New Jersey Environmental Infrastructure Trust SAIL program for short term funding of this project.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority award the Contract for Engineering and Construction Management Services for the Restoration and Mitigation of the Power Distribution Systems (Project 81S) to HDR Engineering of Mahwah, NJ in accordance with the terms and conditions in their proposal dated July 29, 2016 in the amount not to exceed \$632,250.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute necessary documents to award the Contract to HDR of Mahwah, NJ.

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. (123/16): To award Change Order No. 5, in the amount of \$350,661 to Stone Hill Contracting Company, Inc. for Contract No. 74-S, NIRO Incinerator Repairs & Mitigation

WHEREAS, in accordance with Local Public Contract Laws, Contract 74-S NIRO Incinerator Repairs and Mitigation was awarded to Stone Hill Contracting Company, Inc. (SHC) on February 23, 2015 for a total price of \$16,445,997 via Resolution 35/15; and

WHEREAS, the Bayshore Regional Sewerage Authority previously approved Resolutions No.115/15 for Change Order No.1 in the amount of \$75,066, No.116/15 for Change Order No.2 in the amount of \$171,600, No.39/16 for Change Order No.3 in the amount of 104,495 and No.70/16 for Change Order No.4 in the amount of \$388,482.71 increasing the total contract value to \$17,185,640.71; and

WHEREAS, there is a need to amend the Contract and perform additional work necessary for the completion of the project, including: *FEMA REIMBURSABLE RESTORATION @ \$292,172 (PCO 18 - FRP Doors for NIRO & Dorr Oliver Buildings @ \$71,076, PCO 27 – Replacement of Instrumentation above Sandy HWM @ \$181,099, PCO 41 – Power & Control Conduit @ \$32,569, PCO 57 – Interim Schwing Pump Communication to Dorr Oliver @ \$3,803 and PCO 61 – Sand Transport Valve & Equipment Replacement @ \$3,625), FEMA REIMBURSABLE MITIGATION @ \$27,679 (PCO 45 – 12in Tideflex Check Valve for MH5 @ \$5,535, PCO 52 – Air Compressor Starter @ \$4,522, PCO 53 – NIRO Rooftop HRU @ \$8,979, PCO 59 – Interim Flood Protection Measures @ \$4,166 and PCO 64 - Additional Triad Cables @ \$4,477) and NON-FEMA REIMBURSABLE UPGRADES @ \$30,810 (PCO 49 – CEMS Computer Upgrades @ \$11,904, PCO 50 – Scrubber MOV Valves @ \$11,329 and PCO 62 – SCADA & Critical Equipment Network Redundancy @ \$7,577); and*

WHEREAS, SHC has submitted a proposal for Change Order No.5 to amend the contract work, in the amount of \$350,661; and

WHEREAS, the Authority staff and our consulting engineer, Hazen & Sawyer have reviewed the proposal and are recommending Change Order No.5, in the amount of \$350,661; and

WHEREAS, Change Order No.5 will be submitted to New Jersey Environmental Infrastructure Trust for review and approval; and

NOW THEREFORE BE IT RESOLVED the Bayshore Regional Sewerage Authority approve Change Order No.5 for Stone Hill Contracting Company, Inc., in the amount of \$350,661, increasing the total Contract value to \$17,536,301.71.

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

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. (124/16): To approve Sanitary Sewer Connection and Treatment Works Approval Application for RPM Development, LLC, Developer for Aberdeen Family, LP & Aberdeen Senior, LP

TABLED

RESOLUTION NO. (125/16): To approve RPM Development, LLC Developer Agreement for Aberdeen Family, LP & Aberdeen Senior, LP

TABLED

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.

THERE WERE NO COMMENTS FROM THE PUBLIC

Executive Session

MOTION (by Chairman Pisano) - to go into Closed Session at 8:13P.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 Whalen, and carried by a unanimous voice vote recorded as follows:

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

MINUTES FROM EXECUTIVE SESSION ARE RECORDED SEPERATELY

MOTION (by Chairman Pisano) - to end **Closed Session** and **Re-Open** the Regular Meeting @ 8:30PM.

OFFERED BY: Commissioner McMullen, 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. (126/16): To Hire a Plant Operator

WHEREAS, The Bayshore Regional Sewerage Authority is a public body corporate and politic organized and existing under and pursuant to the Sewerage Authorities Law, and

WHEREAS, for the more efficient operation of the Authority the Bayshore Regional Sewerage Authority has a need to hire a new employee in the position of Operator, and

WHEREAS, the Authority notified the Union of the operator position and there were no current employee interested, and

WHEREAS, the Authority management staff have interviewed qualified candidates for the positon of plant Operator, and

WHEREAS, Alexander Milmo of Oakhurst, NJ has demonstrated through his resume and interview the qualities for the position of the Operator.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the hiring of Alexander Milmo of Oakhurst, NJ as Plant Operator at a starting pay rate of \$31.41 per hour, effective December 4, 2016 with a 90 day probationary period.

BE IT FURTHER RESOLVED subsequent to an acceptable 90 day probationary period Alexander Milmo be granted all of the benefits of employment as a regular full time employee of the Bayshore Regional Sewerage Authority.

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. (127/16): To Hire a Laboratory Technician

WHEREAS, The Bayshore Regional Sewerage Authority is a public body corporate and politic organized and existing under and pursuant to the Sewerage Authorities Law, and

WHEREAS, for the more efficient operation of the Authority the Bayshore Regional Sewerage Authority has a need to hire a new employee in the position of Laboratory Technician to fill a position vacated by the retirement of a current employee, and

WHEREAS, the Authority posted the position of Laboratory Technician for plant personnel prior to accepting applications, and

WHEREAS, the Authority management staff have interviewed qualified candidates for the position of Laboratory Technician, and

WHEREAS, Chelsea Bray of Oakhurst, NJ has demonstrated through her resume and interview the qualities for the position of the Laboratory Technician.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the hiring of Chelsea Bray of Oakhurst, NJ as Laboratory Technician at a starting pay rate of \$31.86 per hour, effective December 4, 2016 with a 90 day probationary period.

BE IT FURTHER RESOLVED subsequent to an acceptable 90 day probationary period Chelsea Bray be granted all of the benefits of employment as a regular full time employee 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, Steiner, Sutton, Whalen and Chairman Pisano

RESOLUTION No. (128/16): To Adopt Changes to the Authority Personnel Policy and Procedure Manual for 2016

WHEREAS, it is the policy of Bayshore Regional Sewerage Authority (Authority) to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act,

the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) ; and

WHEREAS, the Authority has previously determined a need for and adopted personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations; and

WHEREAS, it is necessary to amend those Policies and Procedures to reflect recent changes in applicable law; and

WHEREAS, said changes include revisions or additions to the Pregnancy Workers Fairness Act, the Authority Communications policies, Employee Dating policy, Right to Employment policy, Open Public Meetings Act, Employment applications and the Conscientious Employee Protection Act (CEPA) and are more thoroughly described in the attached document titled "*Synopsis of Changes to Municipal Excess Liability Joint Insurance Fund Model Personnel Policies and Procedures Manual*".

NOW, THEREBY, BE IT RESOLVED by the Commissioners of the Authority that the Personnel Policies and Procedures Manual changes and additions attached hereto are hereby adopted.

BE IT FURTHER RESOLVED that these Personnel Policies and Procedures shall apply to all Authority officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that the Policy manual is intended to provide guidelines covering public service by the Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Authority.

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

Adjournment

ANNOUNCEMENT (by Chairman Pisano)

The next Meeting of the Bayshore Regional Sewerage Authority will be the Public Hearing for the 2017 Budget and User Charges on Monday, December 19, 2016 immediately followed by the Regular Meeting of the BRSA. 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 @ 8:34 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