

**MINUTES**  
**REORGANIZATION**  
**& REGULAR MEETING**  
**MONDAY, FEBRUARY 22, 2016**

At 7:03 P.M., Chairman Sutton made the following announcement:

The Reorganization Meeting of the Bayshore Regional Sewerage Authority will now come to order. 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 Newark Star Ledger and Asbury Park Press. Notice has also been sent to the Clerks of Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach and Marlboro and the Western Monmouth Utilities Authority. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

Chairman Sutton asked all in attendance to stand for the Pledge of Allegiance and a Moment of Silence for the safety of US Troops all over the world.

Chairman Sutton called for a roll call of attendance:

**PRESENT:** Commissioners Khachaturian, McMullen, Pisano, Vella and Chairman Sutton

**ABSENT:** Commissioner Steiner (arrived at 7:18 PM)

Also In Attendance: Mr. Robert C. Fischer, Executive Director  
Manuel Ponte, P.E., Consulting Engineer  
Peter J. Canal, BRSA Engineer  
John Napolitano, Esq.  
Susan DuBey, Admin. Assistant

**MOTIONS FOR REORGANIZATION**

Chairman Pisano called for a **MOTION** on the following:

**MOTION** - for the office of **CHAIRMAN: Commissioner Pisano**

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

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

Chairman Pisano called for **MOTIONS** on the following:

**MOTION** - for the office of **VICE-CHAIRMAN – Commissioner McMullen**

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

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

**MOTION** - for the office of **TREASURER - Commissioner Sutton**

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

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

**MOTION** - for the office of **ASSIST-TREASURER – Commissioner Vella**

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

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

**MOTION** - for the office of **SECRETARY - Commissioner Khachaturian**

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

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

**MOTION** - for the office of **ASSIST-SECRETARY – Commissioner Steiner**

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

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

## **PUBLIC PORTION**

Chairman Pisano announced that this portion of the meeting is now open to the public for comments or questions related to **Agenda items only**. The public is reminded; only questions or comments specific to the scope of the Agenda items are to be addressed at this time. As a courtesy to all, please be mindful of limiting your comments accordingly.

Charles Hoffman, Florence Avenue, Hazlet asked for the name of the Attorney in Resolution # 21/16 being it was omitted from the resolution title. He was told it was Weiner Lesniak.

## RESOLUTIONS

### **RESOLUTION No. (09/16) - To Adopt a Non-Fair and Open Policy for Annual Professional Service Contracts**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to acquire Professional Services as a Non-Fair and Open Contract pursuant to the provisions of NJSA 19:44A-20.5, and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of certain Professional Service Contracts may exceed \$17,500.00, and

**WHEREAS**, the anticipated term of the Professional Service Contracts are one year, and

**WHEREAS**, Professionals seeking contracts with the Authority under the Non-Fair and Open process must submit acceptable Business Entity Disclosure Certifications which certify that the Professionals have not made any reportable contributions to any Political or Candidate Committee in the Township of Hazlet and Holmdel or the Borough of Union Beach or to any of the Political Candidate Committees of customer Towns or Legislative District listed on the Bayshore Regional Sewerage Authority Disclosure Form in the previous one year and that each respective contract will prohibit the Professional from making any reportable contribution through the terms of their respective contracts; and they have also submitted Political Contribution Disclosure Forms listing all reportable contributions made in the 12 months prior.

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority adopt a Non-Fair and Open Policy for Professional Service Contracts as described in the Memorandum dated February 11, 2016 from the Executive Director.

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

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

### **RESOLUTION No. (10/16) - Designating *The Asbury Park Press* as the Official newspaper and [www.bayshorersa.com](http://www.bayshorersa.com) as *The BRSA Official Website*.**

**WHEREAS**, the Bayshore Regional Sewerage Authority is required to make publication of various notices, bids and other items in a local newspaper from time to time and may also make publication of such notices, bids and other items on its official website

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that the official newspaper of the Bayshore Regional Sewerage Authority within which such notices shall be placed, be and is hereby designated as *The Asbury Park Press*,

**BE IT FURTHER RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority [www.bayshorersa.com](http://www.bayshorersa.com) is the Official Website of the Bayshore Regional Sewerage Authority

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

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

**RESOLUTION No. (11/16) - Readopt a Cash Management Plan as set forth pursuant to provisions of NJSA 40A:5-14**

**WHEREAS**, pursuant to the provisions of NJSA 40A:5-14, the Bayshore Regional Sewerage Authority (the "Authority") is required to establish a Cash Management Plan (the "Plan") and;

**WHEREAS** the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

**WHEREAS**, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14, and

**WHEREAS**, the Authority's Auditor and its Commissioners have reviewed the following Plan,

**NOW THEREFORE** be it resolved by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

**Cash Management Plan**

**I. STATEMENT OF PURPOSE**

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J. S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Bayshore Regional Sewerage Authority (BRSA), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The further intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to ensure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments,

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED**

**BY THE PLAN.**

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Bayshore Regional Sewerage Authority:

Revenue Fund

Reserve Fund

Operating Fund

Payroll Fund

NJEIT Project Fund

Other Trustee Funds/Trustee Accounts, as may be required by trust or bond indenture

The custodian of the accounts shall be the Treasurer. All disbursements shall be made by checks signed by three authorized signatures with the exception of Payroll, which requires two signatures. Authorized Signers shall be the Commissioners of the Authority and Executive Director.

**III. DESIGNATION OF OFFICIALS OF THE AUTHORITY**

**AUTHORIZED TO MAKE DEPOSITS OR INVESTMENTS UNDER THE PLAN.**

The Executive Director (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such official of the Authority is directed to supply all depositories or, any other parties, with whom the Deposits or Permitted Investments are made a written copy of this Plan, which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

#### IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

*TD Bank, National Association*

All such depositories shall acknowledge in writing receipt of this plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

#### V. DESIGNATION OF INVESTMENT STRATEGY

In order to provide guidance with regard to investments of Authority funds, the following policies are established for each fund.

**Incoming Revenue Fund** - All revenue of the Authority shall be deposited in the Incoming Revenue Fund. From the Incoming Revenue Fund, monies may be transferred to other Authority Accounts/Funds. Funds for the monthly Regular and Payroll payables shall be held in the Incoming Revenue Fund. Deposits or Investments shall be "laddered" in amounts required to cover approved bills in the paying accounts and shall be available on the Thursday after the Regular Meeting of the Authority. Funds are to be invested in U.S. Treasury Bills, Certificates of Deposit or Institutional Liquid Assets Treasury Obligations Portfolio.

**Reserve Fund** - Funds not immediately needed for Authority purposes shall be maintained in the Reserve Fund. Funds are to be "laddered" up to a maximum of 18 months and are to be invested in U.S. Treasury Bills, Certificate of Deposit and Notes or Institutional Liquid Assets Treasury Obligations Portfolio.

#### VI. PERMISSIBLE INVESTMENTS

A. Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A: 5:15. 1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds,
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section I of P.L. 1977, c.281 (C. 52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - a. the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a.;
  - b. the custody of collateral is transferred to a third party,
  - c. the maturity of the agreement is not more than 30 days;

- d. the underlying securities are purchased through a public depository as defined in section I of P.L. 1970, c.236 (C. 17:19-41); and
- e. a master repurchase agreement providing for the custody and security of collateral is executed.

**(9) Certificates of Deposit**

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

**Government Money Market Mutual Fund.** An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940", 15 U.S. C. sec. 80a- I et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which is rated by a nationally recognized statistical rating organization.

**Local Government Investment Pool -** An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec.270.2a.7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization,
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P. L. 1968, c. 4 10 (c. 52:1414- 1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchases or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c,93 (C49:3-56) and has at least \$25 Million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

**VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Authority, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of

New Jersey. Such institution shall provide for the designation of such investments in the name of the Authority to assure that there is no unauthorized use of the funds or the Permitted Investments of Deposits. Purchase of any Permitted Investments that involve Securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Authority or by a third party custodian prior to or upon the release of the Authority funds.

To assure that all parties with whom the Authority deals either by way of Deposits or Permitted Investments are aware of the authority and the Emits sets forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

### **VIII. REPORTING REQUIREMENTS**

At the public meeting of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the Commissioners of the Authority a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A.** The name of any institution holding funds of the Authority as a Deposit or a Permitted Investment.
- B.** The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C.** The class or type of securities purchased or Deposits made.
- D.** The book value of such Deposits or Permitted Investments.
- E.** The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F.** The fees incurred to undertake such Deposits or Permitted Investments.
- G.** The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H.** All other information which may be deemed reasonable from time to time by the Commissioners of the Authority.

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

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

### **RESOLUTION No. (12/16) - To designate TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the Bayshore Regional Sewerage Authority**

**WHEREAS**, in accordance with N.J.S.A. 40A5:15 et seq. of the Local Fiscal Affairs Law, the Bayshore Regional Sewerage Authority ("the Authority") is required to designate an Official Depository; and

**WHEREAS**, the Authority deems it in the best interest of the customers it serves to designate TD Bank as the Official Depository but reserves the right to utilize any other bank which qualifies under the Government Unit Deposit Protection Act that would yield a higher rate of return on investments as a potential depository of the Authority for investment purposes should such opportunity arise.

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that TD Bank qualifies under the Government Unit Deposit Protection Act as the Official Depository of the Authority and is hereby designated the Official Depository of the Authority's Incoming Revenue, Regular Operating, Payroll, Reserve, Rent Reserve and NJEIT Project Fund Accounts of the Authority.

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

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

**RESOLUTION No. (13/16) - Confirming Robert C. Fischer, Executive Director as the Signatory and Authorized Representative of the Authority to sign and verify documents submitted to all Departments of the State of New Jersey, County of Monmouth; and various offices and agencies of the U.S. Federal Government.**

**WHEREAS**, it is necessary for the Bayshore Regional Sewerage Authority ( "Authority) to select an authorized representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth, and to various offices and agencies of the United States Federal Government; as well as various contract documents of the Authority.

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that Robert C. Fischer, Executive Director of the Authority is hereby appointed authorized signatory and representative of the Authority for the above listed purposes.

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

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

**RESOLUTION No. (14/16) - Procedures to be followed in the Payment of Invoices.**

**WHEREAS**, the Bayshore Regional Sewerage Authority ("Authority") is desirous of specifying procedures to be followed with regard to the payment of invoices for employee benefits and wages; and

**WHEREAS**, the Authority has determined that it is in its best interest to make such payments for benefits and wages as they come due.

**NOW THEREFORE BE IT RESOLVED**, the Authority will make those payments in accordance with the terms outlined above and will ratify those payments at the Authority's Regular Meetings in conjunction with invoices to be paid in accordance with the procedures outlined below,

**BE IT FURTHER RESOLVED**, the Authority is desirous of specifying procedures to be followed with regard to the payment of invoices for service rendered and materials and supplies delivered to the Authority; and such procedures shall be in accordance with NJSA40A:5-16, and

**WHEREAS**, it is the intention of the Authority to hereby specify the procedures for the payment of invoices and that this Resolution and the procedures herein specified, shall supersede all Resolutions and Bylaws related to the payment of invoices;

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

No check shall be executed by any Commissioner for disbursement of Authority funds except after compliance with the following procedure:

(a) Any person or entity seeking payment for services, materials, or supplies provided to the Authority, shall submit to the Authority, a fully executed voucher in form provided by the Authority, from time to time;

(b) The Executive Director shall review in association with said voucher, where same exists, a copy of the three written quotations where practicable or bids in excess of \$4,000; the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or

services thus indicating the full receipt of such goods or services. Said procedure shall constitute a complete payment package;

(c) The Executive Director shall then review each package and shall affix his signature thereto if he shall consider same to be in satisfactory form of payment;

(d) The Executive Director shall not later than the Thursday preceding the Regular Meeting of each month make the voucher, invoice and any additional items of said payment package so requested available to the Chairman of the Finance Committee or other member of the Authority at the Authority office;

(e) The Chairman of the Finance Committee or other member of the Authority shall review each voucher and the supporting documentation and, if he shall find same satisfactory, affix his signature thereto in time for consideration and discussion by the Commissioners at the monthly Regular Meeting of the Authority. In the event a member of the Finance Committee is not available for said purposes, any Authority Board member may review and affix his/her signature thereto;

(f) The Executive Director shall prepare and make available to the Commissioners at the Regular Meeting in each month, a listing of all vouchers received by the Authority on or before the close of business on the Thursday immediately preceding the Regular Meeting;

(g) The Chairmen of the respective Committees, having general responsibility for the subject matter of a particular voucher, may review same on or before the second Thursday of each month and in case he shall find it in his opinion to be satisfactory, he shall affix his signature to this voucher;

(h) At each Regular Meeting of the Authority, prior to the Commissioners taking a formal vote on payment of all vouchers which have undergone the processing aforesaid, the Commissioners shall be advised by the Executive Director as to which vouchers shall not have endorsed thereon, the approval of the Executive Director or the approval of the Finance Chairman or assigns and in connection with such vouchers, they shall not be deemed approved for payment unless the Commissioners shall, by majority vote, direct their payment notwithstanding the lack of one or more of said signatures;

(i) No vouchers shall be considered for payment in any month unless such voucher shall have been delivered to the Authority in proper form **by 12:00 Noon of the Thursday** immediately preceding the Regular Meeting, provided however, that in special circumstances, upon Motion of any Commissioners, at any regular meeting, payment of any voucher or vouchers may be directed by a majority vote of the Commissioners;

(j) Immediately following approval of payment of vouchers at any meeting of the Commissioners, the Executive Director shall promptly attend to the obtaining of the necessary Commissioners' signatures upon the checks in question and shall promptly release such checks to the payees thereof and the Executive Director shall not, without the approval of at least one Commissioner, delay or withhold the delivery of any checks so approved; in the event checks shall be delayed or withheld with the approval of at least one Commissioner, the Executive Director shall immediately so advise all of the Commissioners in writing of such delay or withholding and the reasons therefore, and the same shall be discussed at the next meeting of the Authority; and in accordance with NJAC 5:31-4.1(e), all checks other than payroll checks shall be signed by the Secretary, Chairman or Executive Director, and at least two other Commissioners.

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

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

**RESOLUTION No. (15/16)-Procedures to be followed in the Purchase of Equipment Supplies and Services.**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) is desirous of adopting a uniform procedure for the purchase of equipment and supplies and the provision of services to the Authority; and

**WHEREAS**, the Commissioners are desirous of setting forth this procedure to be applicable immediately upon adoption of this Resolution and to continue in full force and effect until the next reorganization meeting of the Authority held pursuant to N.J.S.A. 40:14A-1 et seq, at which time this Resolution shall terminate unless continued in its present or amended form;

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority. as follows:

1. The procedures and authorities herein provided shall be applicable to the purchase of any materials, supplies or services except for such as may exceed the cost of \$17,500.00 or for professional services such as legal, engineering, accounting and similar services or as noted in N.J.S.A. 40:A11-5 which shall only be upon Resolution of the Authority.

2. No purchase of or contract for materials, equipment, supplies or services shall be deemed binding upon the Authority or shall obligate the Authority for payment thereof except upon the following terms and conditions:

(a) The Executive Director shall cause to be attached to the voucher, where same exists, a copy of at least two written quotations or bids for items in excess of \$4,000.00, if practicable, the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods and services;

(b) Materials, services or supplies, the cost or obligation for which shall not exceed the sum of \$6,000 per item, may be purchased or contracted for on behalf of the Authority and payment therefore shall be made by the Authority upon the execution of a requisition for such materials, supplies or services by the Executive Director in accordance with (a) above;

(c) Materials, services or supplies, the cost or obligation for which exceeds \$6,000, but less than \$17,500, may only be purchased or contracted for upon execution of a Purchase Order by any Commissioner of the Authority and provided further, that two written quotations where practicable concerning the item or services authorized to be purchased shall have been obtained, except in cases of emergency, which emergency shall be stated in full on the Purchase Order executed by the Chairman, Vice-Chairman or any Commissioner;

(d) The purchase of any materials, supplies, equipment or contract for any services the cost or obligation for which is \$40,000 or more, to the extent same shall be applicable to the particular purchase or contract, shall be awarded only upon compliance with the bidding procedures provided by the Local Public Contracts Law except in those instances under the Local Public Contract Law where public bidding need not apply and then only upon specific Resolution of the Authority;

(e) except as otherwise resolved by the Commissioners of the Authority, all purchases of materials, supplies and equipment or the contracting of services; the cost or obligation for which is between \$17,500 and \$40,000 also known as "Window Contracts" in New Jersey's Pay-to-Play Laws shall be awarded at a public meeting only after a fair and open process whose minimum requirements are:

- Publicly advertised either conventionally in newspapers or posted on the Authority website at least ten (10) calendar days prior to award (a copy of the website posting shall be kept on file);
- Awarded under a process that provides for public solicitation of proposals or qualifications;
- Established on the basis of an award and disclosure process documented in writing prior to any solicitation;

- Publicly opened and announced when awarded

3. Material, services, supplies may be purchased by emergency contract notwithstanding the cost or obligation provided the procurement process follows the emergency procurement policies of the Authority which policy is as follows:

Any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; provided that the awarding of such contracts is made in the following manner:

- A. The Executive Director or other authorized officer or employee shall notify the purchasing agent or designated representative of the Governing Body as to the need for an emergency contract, the nature of the emergency, the time of its occurrence, the notification must be reduced to writing;
- B. Furthermore, the emergency must be actual or imminent and must affect the public health, safety or welfare;
- C. The failure to plan cannot be the basis for an emergency purchase, the emergency must reasonably unforeseen, unforeseeable and immediate in nature;
- D. Quotations are not required but are suggested for emergency purposes;

All emergency purchases must be approved by the Executive Director and in his absence the Plant Engineer. If an emergency should arise in the absence of the Director and Engineer, the Plant Superintendent shall make the approval. For emergency purchases in excess of the bid threshold, the Executive Director shall endeavor to notify the Chairman or in his absence, the Vice-Chairman prior to any purchases.

4. Services may also be procured using a Non Fair and Open Process only by authorizing Resolution of the Commissioners of the Authority

**BE IT FURTHER RESOLVED** that this Resolution shall supersede all prior Resolutions of the Authority and all By Law provisions that may be in conflict with any of the terms and conditions specified; and

**BE IT FURTHER RESOLVED** that this Resolution shall continue in full force or effect until the next organization meeting of the Authority pursuant to NJSA 40:14A-1 et seq. at which time it shall terminate unless re-instituted in its existing or in an amended form by appropriate Resolution of the Commissioners.

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

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

**RESOLUTION No. (16/16)-Schedule of Financial Reports.**

**WHEREAS**, the Commissioners of the Bayshore Regional Sewerage Authority (the "Authority") are desirous of fully and faithfully discharging their duties and obligations and;

**WHEREAS**, the Commissioners wish to formalize the financial reporting procedures of the Authority.

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that the schedule of reports listed below be adopted and henceforth all affected employees and consultants shall adhere to the schedule.



September 19-regular  
October 17-regular  
November 21- regular  
December 19-public rate hearing/regular

**BE IT FURTHER RESOLVED** that the Organizational Meeting of the Bayshore Regional Sewerage Authority shall commence at 7:00 P.M., prevailing time, immediately before the Regular Meeting on Monday February 27, 2017, at the Authority offices, 100 Oak Street, Union Beach, NJ, and

**BE IT FURTHER RESOLVED** that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to forthwith publish a true copy of this Resolution in the official newspaper so designated by the Authority and be posted on its official website, www.bayshorersa.com; and

**BE IT FURTHER RESOLVED** that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to post a true copy of this Resolution in a public place designed for such purposes; and

**BE IT FURTHER RESOLVED** that the Secretary of the Bayshore Regional Sewerage Authority is hereby directed to forthwith transmit a true copy of this Resolution to: the Municipal Clerks of Aberdeen, Hazlet, Holmdel, and Marlboro, Union Beach, Keyport, Keansburg, and Matawan; and the Western Monmouth Utilities Authority.

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

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

**RESOLUTION No. (18/16)-TD Bank Resolution Payroll Account**

**BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority:

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Payroll Account**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any two of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, or Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority.

**BE IT FURTHER RESOLVED** that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

**I FURTHER CERTIFY** that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
LOUIS PISANO	Chairman	_____

MARCY McMULLEN	Vice-Chairwoman	_____
ADAM KHACHATURIAN	Secretary	_____
CHARLES STEINER	Asst. Secretary	_____
BARTHOLOMEW SUTTON	Treasurer	_____
WALTER VELLA	Asst. Treasurer	_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 22nd day of February 2016

/s/ \_\_\_\_\_, **BRSA Secretary**  
**Adam Khachaturian**

I, Louis Pisano, Chairman of the above named Authority, do hereby certify that Adam Khachaturian, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

**WITNESS** my hand and the seal of said Authority the day and year above written.  
(seal)

/s/ \_\_\_\_\_, **BRSA Chairman**  
**Louis Pisano**

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

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

**RESOLUTION No. (19/16)-TD Bank Resolution - Incoming Revenue, Operating, Reserve, Rent Reserve and NJEIT Project Fund Accounts**

**BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority:

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Incoming Revenue, Operating Account, Reserve, Rent Reserve and NJEIT Project Fund Accounts**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any one person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any three of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority, except that in the wire transfer of funds for the payment of taxes, employee payroll, benefits or other such obligation as may be required of the Authority, the Executive Director is authorized to make such wire transfers using the financial institutions' secured portals. All such wire transfers shall be ratified at the first Authority meeting subsequent to transfer of funds.

**BE IT FURTHER RESOLVED** that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

**I FURTHER CERTIFY** that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
LOUIS PISANO	Chairman	_____
MARCY McMULLEN	Vice-Chairwoman	_____
ADAM KHACHATURIAN	Secretary	_____
CHARLES STEINER	Asst. Secretary	_____
BARTHOLOMEW SUTTON	Treasurer	_____
WALTER VELLA	Asst. Treasurer	_____

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the said corporation this 22nd day of February 2016

/s/ \_\_\_\_\_, **BRSA Secretary**  
**Adam Khachaturian**

I, Louis Pisano, Chairman of the above named Authority, do hereby certify that Adam Khachaturian, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

**WITNESS** my hand and the seal of said Authority the day and year above written.  
(seal)

/s/ \_\_\_\_\_, **BRSA Chairman**  
**Louis Pisano**

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

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

**RESOLUTION NO. (20/16)-To Authorize the Bayshore Regional Sewerage Authority to Provide Legal Counsel and Indemnification for Officials, Employees and Appointees of the Authority in Certain Actions Brought Against Said Officials, Employees and Appointees.**

**WHEREAS**, The Governing Body of the Bayshore Regional Sewerage Authority declares that:

**Section 1.** Except as hereinafter provided, the Bayshore Regional Sewerage Authority, hereinafter known as the (Authority) shall, upon the request of any present or former official, employee or appointee of the Authority provide for indemnification and legal defense of any civil action brought against said person or persons arising from an act or omission falling within the scope of their public duties.

**Section 2.** Pursuant to 59:10-4, the indemnification and defense provided for in this ordinance shall include exemplary or punitive damages resulting from the employee's civil violation of State or federal law if, in the opinion of the (governing body name) the acts committed upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

**Section 3.** The terms of this Resolution and the definition of official, employee and appointee are to be construed liberally in order to effectuate the purposes of this Resolution except that these terms shall not mean a) any person who is not a natural person; b) any person while providing goods or services of any kind under any contract with the Authority except an employment contract; c) any person while providing legal or engineering services for compensation unless said person is a full-time employee of the Authority;

and d) any person who as a condition of his or her appointment or contract is required to indemnify and defend the Authority and/or secure insurance.

**Section 4.** The Authority shall provide for defense of and indemnify any present or former official, employee or appointee of the Authority who becomes a defendant in a civil action if the person or persons involved a) acted or failed to act in a matter in which the Authority has or had an interest; b) acted or failed to act in the discharge of a duty imposed or authorized by law; and c) acted or failed to take action in good faith. For purposes of this resolution, the duty and authority of the Authority to defend and indemnify shall extend to a cross-claim or counterclaim against said person.

**Section 5.** In any other action or proceeding, including criminal proceedings, the Authority may provide for the defense of a present or former official, employee or appointee, if the Authority concludes that such representation is in the best interest of the Authority and that the person to be defended acted or failed to act in accord with the standards set forth in this resolution.

**Section 6.** Whenever the Authority provides for the defense of any action set forth herein and as a condition of such defense, the Authority may assume exclusive control over the representation of such persons defended and such person shall cooperate fully with the Authority.

**Section 7.** The Authority may provide for the defense pursuant to this Resolution by authorizing its attorney to act in behalf of the person being defended or by employing other counsel for this purpose or by asserting the right of the Authority under any appropriate insurance policy that requires the insurer to provide defense.

**Section 8.** This Resolution shall take effect immediately upon passage and publication as required by law.

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

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

**RESOLUTION NO. (21/16)-To appoint a Labor/Employment Attorney – Weiner Lesniak**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Labor/Employment Legal Counsel services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Weiner Lesniak, LLP of Parsippany, NJ has submitted a proposal indicating they will provide Labor/Employment Legal Counsel services at \$150.00 per hour; and

**WHEREAS**, Weiner Lesniak, LLP has completed and submitted Business Entity Disclosure Certifications which certifies that Weiner Lesniak, LLP has not made any reportable contributions in the previous one year, and that the contract will prohibit Weiner Lesniak, LLP from making any reportable contributions through the term of the contract, and

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Weiner Lesniak, LLP as described more specifically in their proposal dated February 8, 2016, and

**BE IT FURTHER RESOLVED** that the Contract with Weiner Lesniak shall not exceed \$7,000 without prior authorization of the Commissioners, and

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (22/16)-To appoint Accounting and Auditing Services to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Accounting and Auditing services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Bart & Bart of Woodbridge, NJ has submitted a proposal indicting they will provide Auditing Services at \$28,500.00 and Accounting Services at \$130.00 per hour; and

**WHEREAS**, Bart & Bart has completed and submitted Business Entity Disclosure Certifications which certifies that Bart & Bart has not made any reportable contributions in the previous one year, and that the contract will prohibit Bart & Bart from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Bart & Bart as described more specifically in their proposal dated January 28, 2016.

**BE IT FURTHER RESOLVED** the Contract with Bart & Bart shall not exceed \$28,500 without prior authorization of the Commissioners, and

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (23/16)-To Accept the Proposal from ARCADIS US for continuing service as Authority FEMA Consultant**

**WHEREAS**, the Bayshore Regional Sewerage Authority has contracted with ARCADIS US for FEMA Consulting Services to support the recovery from Superstorm Sandy and mitigate against future flood events, and

**WHEREAS**, there exists a need to continue services with ARCADIS US as FEMA Consultants to develop mitigation proposals for the protection of the Authority Power Distribution System, obtain

reimbursements from NJOEM, seek additional sources of funding and as more specifically described in their proposal dated January 29, 2016, and

**WHEREAS**, the Authority has realized significant FEMA approval of requests and proposals with the assistance of ARCADIS US as FEMA consultants, and

**WHEREAS**, the Authority desires to continue the services of ARCADIS US as FEMA consultants in accordance with their proposal dated January 29, 2016, and

**WHEREAS**, ARCADIS US. has completed and submitted Business Entity Disclosure Certifications which certifies that ARCADIS US has not made any reportable contributions in the previous one year, and that the contract will prohibit ARCADIS US from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose.

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with ARCADIS US. as described more specifically in their proposal dated January 29, 2016.

**BE IT FURTHER RESOLVED**, the Contract with ARCADIS US shall not exceed \$76,000 without prior authorization of the Commissioners.

**BE IT FURTHER RESOLVED**, a copy of this award shall be placed in the official Authority newspaper and on the Authority Website.

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

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

**RESOLUTION No: (24/16)-To appoint a Bond Counsel to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Bond Counsel services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Gibbons P.C. of Newark, NJ has submitted a proposal indicting they will provide Bond Counsel services at \$295.00 per hour; and

**WHEREAS**, Gibbons P.C. has completed and submitted Business Entity Disclosure Certifications which certifies that Gibbons P.C. has not made any reportable contributions in the previous one year, and that the contract will prohibit Gibbons P.C. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Gibbons P.C. as described more specifically in their proposal dated February 12, 2016.

**BE IT FURTHER RESOLVED** that the Contract with Gibbons P.C. shall not exceed \$45,000 without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (25/16)-To appoint a General Consulting Engineer to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for General Engineering Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, R3M of Old Bridge, NJ has submitted a proposal indicting they will provide Engineering Consulting services at \$180.00 per hour; and

**WHEREAS**, R3M has completed and submitted Business Entity Disclosure Certifications which certifies that R3M has not made any reportable contributions in the previous one year, and that the contract will prohibit R3M from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with R3M as described more specifically in their proposal dated February 5, 2016; and,

**BE IT FURTHER RESOLVED** that the Contract with R3M shall not exceed \$40,000 without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

OFFEDER BY: Commissioner Vella, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice recorded as follows:

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

**RESOLUTION No. (26/16)-To appoint a Risk Management Consultant to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Risk Management Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Connor, Strong & Buckelew of Toms River, NJ has submitted a proposal indicting they will provide Risk Management Consulting services at 6% of the fund assessment; and

**WHEREAS**, Connor, Strong & Buckelew has completed and submitted Business Entity Disclosure Certifications which certifies that Connor, Strong & Buckelew has not made any reportable contributions in the previous one year, and that the contract will prohibit Connor, Strong & Buckelew from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Connor, Strong & Buckelew as described more specifically in their proposal dated February 1, 2016; and,

**BE IT FURTHER RESOLVED** that the Contract with Connor, Strong & Buckelew shall not exceed 6% of JIF Premium without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (27/16)-To appoint a Consulting Instrumentation and Control Engineer to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Instrumentation and Control Engineer Consulting services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Morehouse Engineering, Inc. of Hopewell, NJ has submitted a proposal indicating they will provide Instrumentation and Control Engineer Consulting services at \$195.00 per hour; and

**WHEREAS**, Morehouse Engineering, Inc. has completed and submitted Business Entity Disclosure Certifications which certifies that Morehouse Engineering, Inc. has not made any reportable contributions in the previous one year, and that the contract will prohibit Morehouse Engineering, Inc. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Morehouse Engineering, Inc. as described more specifically in their proposal dated February 5, 2016.

**BE IT FURTHER RESOLVED** that the Contract with Morehouse Engineering shall not exceed \$10,000 without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (28/16)-To Appoint an Incinerator Consulting Engineer to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Incinerator Consulting Engineer services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Chavond Barry Engineering Corp. of Blawenburg, NJ has submitted a proposal indicating they will provide Incinerator Consulting Engineer services at \$238.00 per hour; and

**WHEREAS**, Chavond Barry Engineering Corp. has completed and submitted Business Entity Disclosure Certifications which certifies that Chavond Barry Engineering Corp. has not made any reportable contributions in the previous one year, and that the contract will prohibit Chavond Barry Engineering Corp. from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Chavond Barry Engineering Corp. as described more specifically in their proposal dated February 11, 2016.

**BE IT FURTHER RESOLVED** that the Contract with Chavond Barry Engineering Corp. shall not exceed \$15,000 without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (29/16)-To appoint a Financial Advisor to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for Financial Advisory services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Acacia Financial Group, Inc. of Marlton, NJ has submitted a proposal indicating they will provide Financial Advisory services at \$250.00 per hour; and

**WHEREAS**, Acacia Financial Group, Inc. has completed and submitted Business Entity Disclosure Certifications which certifies that Acacia Financial Group, Inc. has not made any reportable contributions in the previous one year, and that the contract will prohibit Acacia Financial Group, Inc. from making any reportable contributions through the term of the contract, and

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Acacia Financial Group, Inc. as described more specifically in their proposal dated February 5, 2016.

**BE IT FURTHER RESOLVED** that the Contract with Acacia Financial Group, Inc. shall not exceed \$10,000 without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner Vella, and carried by a unanimous voicerecorded as follows:

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

**RESOLUTION No. (30/16)-To appoint a General Counsel to the Authority**

**WHEREAS**, the Bayshore Regional Sewerage Authority has a need to contract for General Legal Counsel services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

**WHEREAS**, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

**WHEREAS**, Cleary, Giacobbe, Alfieri, Jacobs, LLC has submitted a proposal dated February 1, 2016, indicting they will provide General Legal Counsel services at \$175.00 per hour, and

**WHEREAS**, Cleary, Giacobbe, Alfieri, Jacobs, LLC has completed and submitted Business Entity Disclosure Certifications which certifies that Cleary, Giacobbe, Alfieri, Jacobs, LLC has not made any reportable contributions in the previous one year, and that the contract will prohibit Cleary, Giacobbe, Alfieri, Jacobs, LLC from making any reportable contributions through the term of the contract,

**WHEREAS**, funds are available for this purpose, in accordance with NJAC 5:30-5.4

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC as described more specifically in his proposal dated February 1, 2016.

**BE IT FURTHER RESOLVED** that the Contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC shall not exceed \$45,000 without prior authorization of the Commissioners; and,

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

OFFEDER BY: Commissioner Vella, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice recorded as follows:

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

**SUB-COMMITTEES**

Chairman Pisano called for a review of the recommended Sub-Committee Appointments offered and requested a **MOTION** of acceptance:

**COMMITTEE APPOINTMENTS** are offered by the Chairman who may preside over any Sub-Committee Meeting with adequate public notice.

**2016 Committee Appointments**

**FINANCE COMMITTEE:**

Commissioner Steiner - Chair  
Commissioner McMullen  
Commissioner Vella

**LEGAL COMMITTEE:**

Commissioner McMullen-Chair  
Commissioner Vella  
Commissioner Steiner

**ENGINEERING COMMITTEE:**

Commissioner Khachaturian - Chair  
Commissioner Pisano  
Commissioner Sutton

**PERSONNEL COMMITTEE:**

Commissioner Sutton - Chair  
Commissioner Khachaturian  
Commissioner Pisano

**MOTION** - to accept Chairman's appointments:

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

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

Chairman Pisano called for a **MOTION** - to Close the Reorganization Meeting of February 22, 2016 and Open the Regular Meeting of February 22, 2016.

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

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

# **REGULAR MEETING**

## **February 22, 2016**

### **REPORTS**

#### **1. Executive Directors Report, BRSA Projects, Special Reports & Connection Applications** **Mr. Fischer Reported: \*Note: Commissioner Steiner arrived at 7:18 PM.**

Disaster Recovery Update

##### **STONE HILL CONSTRUCTION**

- NIRO – all major process equipment is in and being put on the structural support pads. Equipment is being connected & worked on daily
- Flood Walls are complete on the NIRO & Dorr Oliver buildings.
- Motor Control Electrical Room is being elevated in the old press room
- Stone Hills 9<sup>th</sup> payment is on the agenda for approval. They are at 63% complete in payment and 60% complete in construction.

##### **NORTHEAST REMSCO**

- The MCC's in the Main Pump Station and the Return Sludge Pump Station are being elevated.
- The Flood Walls are complete in both building except for a small section in Return Sludge Pump Station #1 where the MCC's have not been moved.
- Northeast Remsco 5<sup>th</sup> payment is on the agenda for approval. They are 46% complete in payment and 50% complete in construction.

##### **SHORELANDS CONSTRUCTION**

- Various Building – Flood Walls are at different phases of completion. Tomorrow (2-23-16) they will be raising the Fire Water Pump Station electric.
- Shorelands 3<sup>rd</sup> payment is on the agenda for approval. They are at 42% complete in payment And 50% complete in construction.

##### **PHASE II**

- Hazen and Sawyer have put in a proposal for Engineering & Construction Management Services for the Combined Blower Building (CBB) Project. The DEP & NJEIT have been notified and we are waiting for authorization to advertise, which should be received by next week.

##### **POWER DISTRIBUTION**

- Project may sit a month or two. Waiting for the Hazardous Mitigation Plan and we have to straighten out Permitting Issue.

#### **2. Staff Engineer**

**Pete Canal Reported:**

- Marlboro Estates came in with an application for 16 single family homes application and request for a TWA permit. Both are on agenda for approval.
- NIRO - Change Order No.3/ Contract #74S - award to Stone Hill Construction for additional work in the Niro and Dorr Oliver Buildings in the amount of \$104,495.
-

- Main Pump Station, Sludge Return Building & Pump Station #1/ Project-Change Order No.1/ Contract #73S – award to Northeast Remsco for additional construction tasks in the pump stations in the amount of \$54,348
- The Annual Calibration & Repair of the Flow Meter Instrumentation will expire soon and need Authorization to advertise for bids.
- On February 12<sup>th</sup> bids were opened for Furnishing & Delivery of Bioxide – one bid received-award contract to Evoqua Water Tech in an amount not to exceed \$58,320 for a 2 year period.
- On February 12<sup>th</sup> bids were opened for Furnishing & Delivery of Sodium Hypochlorite – one bid received-award contract to Kuehne Chemical in an amount not to exceed \$98,500 for a two year period
- On February 5<sup>th</sup> for the Furnishing and Delivery of Polymer-three bid receiver-lowest bidder & award contract to Polydyne, Inc. in an amount not to exceed 395,640 for a two year period.
- Seeking a resolution to publicly advertise for bids for the Matawan Pump Station Comminutor
- NE Remsco-Main PS and Sludge Return Bldg. & PS#1-Contract 73S-seeking approval for Change Order #1 in an amount not to exceed \$54,348 for additional construction tasks
- Combined Blower Building #1&2-has been submitted to NJDEP for authorization to advertise Hazen and Sawyer has put in a proposal for Engineering & Construction Management Services for the Combined Blower Building (CBB) Project. The Proposal came in at \$700,000. After a discussion with Hazen and Sawyer and the Engineering Committee the proposal was negotiated to an amount not to exceed \$631,041

Mr. Fischer commented that with this project, in addition to the Sandy damages mitigation, all of the diffusers in plant #1 & #2 will be replaced. The diffusers are an Authority funded project.

### **3. Consulting Engineer – R3M**

#### **Manuel Ponte Reported:**

- Shorelands Construction – progressing very well. Had several shop drawing reviews due to misinformation and required paperwork to the State. There are 15 tasks and all but 3 are well within budget. Discussion in the near future to increase the budget will show improvements to the building to justify the increase.
- The Stand-By Generator- completed one for the NIRO and Dorr Oliver & it went very well. The contractor has moved to the Blower Building then they will work on the Emergency Generator in the Main Pump Station.
- The 1<sup>st</sup> Quarter 2015/2016 Flow Report was prepared. The numbers are in-line with previous Quarters. This is a leap year so the calculation are based on 366 days.

Commissioner Vella asked if Shorelands Construction is the same company that did the Administration Building.

Manuel said he was the same contractor and he is slightly behind schedule and is planning to ask for a 2 to 3 month extension for the Various Buildings Project.

### **4. Superintendent's Report**

#### **Michael Broyles Reported:**

- Flow has returned to a more reasonable number due to the wet weather and the snow.
- Effluent quality is good

- Suspended Solid number is slightly higher due to the new method the lab is using because of the issue with we were having with the lab certification
- The incinerator has been running good. We were down a couple of days due to repairs and electrical work on the NIRO
- Dorr Oliver was down last weekend, unable to hold the heat and the port holes needed to be cleaned out.
- The staff had several meetings prior to the snow storm. A summary has been distributed to the Commissioners.

Commissioner Sutton asked if the plant sustained any high tides. Mike said the streets in front of the plant flooded but nothing in the plant. He said the snow storm and the winds caused the staff to plow for 18 hours. He said the staff did a great job.

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

**TREASURER’S REPORT** (by Commissioner Sutton)

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

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

**TREASURER’S REPORT**  
**STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS**

<b>TD BANK</b>	<b>Balance</b>
<b>TRUSTEE ACCOUNTS</b>	<b>January 31, 2016</b>
<b><u>2010 NJEIT BONDS</u></b>	
Construction	\$ 1,357,413.14
Bond Service	\$ .05
Total NJEIT	\$ 1,357,413.19
<b>TD BANK</b>	
NJEIT Project Fund	\$ 441,804.07
Incoming Revenue Account	\$ 97.99
Operating Regular Account	\$ 266,021.27
Operating Reserve Account	\$ 9,737,232.98
Operating Payroll Account	\$ 159,817.93
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b>\$10,604,974.24</b>
<b>TOTAL</b>	<b>\$11,962,387.43</b>

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

	Balance
<b>SERVICE CHARGES:</b>	<u>January 31, 2016</u>
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 272,649.50
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	\$ 422,807.50
<b>TOTAL</b>	<b>\$ 695,457.00</b>

### **OUTFALL AUTHORITY CHARGES**

Hazlet Township Sewerage Authority	\$ 0.00
Township of Holmdel	\$ 28,506.07
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	\$ 44,205.39
<b>TOTAL</b>	<b>\$ 72,711.46</b>

### **Balance of Rent Reserve Accounts as of January, 2016**

Hazlet Township Sewerage Utility	\$ 752,528.10
Township of Holmdel	\$ 318,313.14
Borough of Union Beach	\$ 194,398.65
Borough of Keyport	\$ 322,855.73
Borough of Keansburg	\$ 302,949.40
Borough of Matawan	\$ 322,702.40
Western Monmouth Utilities Authority	\$ 112,061.84
Township of Aberdeen	\$ 482,654.66
<b>TOTAL</b>	<b>\$ 2,808,463.92</b>

## PAYMENT OF REQUISITIONS

Chairman Pisano called for a MOTION to approve payment of bills listed on:

Operating Fund Req. No.531 (Regular)	\$ 942,394.87
Payroll Account Req. No.P182 (Payroll)	\$ 238,016.87
NJEIT Project Fund Req. #PF-9	\$3,225,982.99
Wire Transfer FEMA Funds to NJEIT #WT005	\$ 720,769.65

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

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

## **APPROVAL OF MINUTES**

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

Regular Meeting Minutes of December 21, 2014

Closed Session Minutes of January 18, 2016

Agenda Meeting Minutes of January 18, 2016

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

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

## **RESOLUTIONS**

### **RESOLUTION NO. (31/16)-To Award the Contract for Sodium Hypochlorite to Kuehne Chemical Company, Inc.**

**WHEREAS**, in accordance with Local Public Contracts Law at 2:00 P.M. on Friday, February 5, 2016 the Bayshore Regional Sewerage Authority advertised and received bids for the furnishing and delivery of Sodium Hypochlorite for a (2) two year period and

**WHEREAS**, the bids were publicly opened and read aloud, the lowest responsible bidder being Kuehne Chemical Company, Inc of Hackensack, NJ having submitted a unit price of \$0.6594 per gallon and a total of (2) two year bid of \$395,640; and

**WHEREAS**, the Staff Engineer and General Counsel have reviewed the bid documents and recommend award to Kuehne Chemical Company, Inc. of Hackensack, NJ, and

**WHEREAS**, funds are available for this purpose.

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority that Kuehne Chemical Company, Inc, of Hackensack, NJ, is hereby awarded the contract for the furnishing and delivery of Sodium Hypochlorite for a (2) two year period in accordance with the terms and conditions of the bid and contract documents.

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

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

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

**RESOLUTION NO. (32/16)-To Award the Contract for Bioxide to Evoqua Water Technologies, LLC**

**WHEREAS**, in accordance with Local Public Contracts Law at 1:30 P.M. on Friday, February 5, 2016 the Bayshore Regional Sewerage Authority received bids for the furnishing and delivery of Bioxide for a (2) two-year period, and

**WHEREAS**, the bids were publicly opened and read aloud, the lowest responsible bidder being Evoqua Water Technologies, LLC of Sarasota, Fl. having submitted a unit price of \$2.43 per gallon for a total (2) two year bid price of \$58,320.00; and

**WHEREAS**, the Staff Engineer and General Counsel have reviewed the bid documents and recommend award to Evoqua Water Technologies, LLC of Sarasota, Fl

**WHEREAS**, funds are available for this purpose.

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority that the Evoqua Water Technologies, LLC of Sarasota, Fl. is hereby awarded a (2) two-year contract for the furnishing and delivery of Bioxide in accordance with the terms and conditions of the bid and contract documents.

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

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous voicerecorded as follows:

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

**RESOLUTION NO. (33/16)-To Award the Contract for Liquid Polymer to Polydyne, Inc.**

**WHEREAS**, in accordance with Local Public Contracts Law at 2:00 P.M. on Friday, February 12, 2016 the Bayshore Regional Sewerage Authority advertised and received bids for the furnishing and delivery of Liquid Polymer for a (2) two year period and

**WHEREAS**, the bids were publicly opened and read aloud, the lowest responsible bidder being Polydyne, Inc. of Riceboro, GA having submitted a unit price of \$0.0985 per gallon and a total of (2) two year bid of \$98,500.00; and

**WHEREAS**, the Staff Engineer and General Counsel have reviewed the bid documents and recommend award to Polydyne, Inc. of Riceboro, GA, and

**WHEREAS**, funds are available for this purpose.

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority that Polydyne, Inc. of Riceboro, GA is hereby awarded the contract for the furnishing and delivery of Liquid Polymer for a (2) two year period in accordance with the terms and conditions of the bid and contract documents.

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

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

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

**RESOLUTION No. (34/16)-To Accept the First Three (3) Month Flow Report for 2015/2016**

**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 October 1, 2015 to December 31, 2015(First Quarter of 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.

**NOW THEREFORE BE IT RESOLVED** that this Authority hereby accepts the flow calculations, certified by R3M for first three (3) months of the year 2015/2016.

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

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

**RESOLUTION No. (35/16)-To Advertise for RFQ's for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment**

**WHEREAS**, the Bayshore Regional Sewerage Authority currently has a contract with ABB for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment, and

**WHEREAS**, this contract is due to expire on March 17, 2016, and

**WHEREAS**, the Staff Engineer and Qualified Purchasing Agent requires authorization from the Commissioners to advertise for RFQ's for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment for a one year period.

**NOW THEREFORE BE IT RESOLVED** that the Staff Engineer and Qualified Purchasing Agent is hereby authorized to advertise for RFQ's for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment.

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

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

**RESOLUTION No. (36/16)-To award Request for Quotation for Repair of Lamson Blower #4 in Blower Building No. 2**

**WHEREAS** the Lamson Process Air Blower in Blower Building #2 is in need of repairs, and

**WHEREAS**, Request for Quotation (RFQ) #2016-01, *Repair of Lamson Blower #4 in Blower Building No. 2* was advertised on the BRSA Web Site, and

**WHEREAS**, on February 19, 2016 at 1pm, one (1) sealed quotes were publically opened and read aloud, one for Excelsior Blower Systems, Inc., and

**WHEREAS**, Excelsior Blower Systems, Inc. submitted the lowest responsive responsible quote, in the amount of \$32,244.04, and

**WHEREAS**, the Qualified Purchasing Agent and the BRSA Engineer have reviewed the RFQ's and are recommending the project be awarded to Excelsior Blower Systems, Inc, in an amount not to exceed \$32,244.04, and

**WHEREAS** funds are available for this purpose.

**NOW THEREFOR BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority award the Request for Quotation to Excelsior Blower Systems, Inc. of Lebanon, NJ for a total amount of \$32,244.04, in accordance with the terms and conditions of the RFQ, and

**BE IT FURTHER RESOLVED** that the Executive Director of the Authority execute any and all necessary documentation to initiate the project.

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

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

**RESOLUTION No. (37/15)-To Award Engineering and Construction Management Services for the Combined Blower Building Project (CBB) Contract 80S to Hazen and Sawyer**

**WHEREAS**, the Bayshore Regional Sewerage Authority (the “Authority”) solicited a Request of Qualifications through the Authority Website for Design and Construction Management Services for the Combined Blower Building Project using the Federal Procurement Rules, and

**WHEREAS**, four 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 Hazen and Sawyer was chosen as the most qualified firm; and

**WHEREAS**, Hazen and Sawyer has completed the design of the CBB and in accordance with the Federal Procurement Rules and the Resolution No 64/15 adopted by the Authority on May 18, 2015 the Authority negotiated a fair and reasonable price for Engineering and Construction Management Services for the CBB; and

**WHEREAS**, the Authority desires to award the contract for Engineering and Construction Management Services for the CBB to Hazen and Sawyer of New York, NY at the not to exceed price of \$631,041 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**, by the Commissioners of the Bayshore Regional Sewerage Authority award the Contract for Engineering and Construction Management Services of the Combined Blower Building Project to Hazen and Sawyer of New York, NY in accordance with the terms and conditions in their proposal dated February 19, 2016 in the amount not to exceed \$631,041.

**BE IT FURTHER RESOLVED**, the Executive Director is hereby authorized to execute necessary documents to award the Contract to Hazen and Sawyer of NY.

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

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

**RESOLUTION No. (38/16)-To award Change Order No. 1, in the amount of \$54,348 to Northeast Remsco for Contract No. 73S, Main Pump Station and Sludge Return Building & PS #1, Repairs & Mitigation**

**WHEREAS**, the Bayshore Regional Sewerage Authority (the “Authority”) needs to perform repairs & mitigation on Main Pump Station and Sludge Return Bldg. & PS #1 due to damages caused by Hurricane Sandy; and

**WHEREAS**, in accordance with Local Public Contract Laws, Contract 73-S Restoration & Mitigation of Main Pump Station and Sludge Return Bldg. & PS #1 was awarded to Northeast Remsco Construction, Inc. (NER) on April 20, 2015 for a total price of \$3,379,000 via Resolution 58/15; and

**WHEREAS**, there is a need to amend the Contract and perform additional work necessary for the completion of the project, including: PCO1- Addition of explosion proof feature for the motor for the overhead door in Grit Room @ \$1,639; PCO3- Replacement of 1 exterior double door and frame to FRP, 2 exterior single doors & frames, size increase for 2 exterior double doors & frames and panic hardware for 15 doors @ \$28,027; PCO4- Raise HVAC panel in the garage to avoid conflict with proposed flood wall @ \$4,279; PCO5- Replacement of corroded HVAC duct work in lower level of Sludge Return Bldg. 1 @ \$6,234; PCO6- Additional plumbing work in MPS @ \$4,967; PCO7- Addition of rebar to accommodate electrical duct banks at Main PS @ \$4,029; and PCO8- Raise Generator shroud damper to avoid conflict with proposed flood wall @ \$5,173; and

**WHEREAS**, NER has submitted a proposal for Change Order No.1 to amend the contract work, in the amount of \$54,348, and

**WHEREAS**, the Authority staff and our consulting engineer, PS&S have reviewed the proposal and are recommending Change Order No.1, in the amount of \$54,348, and

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

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that Change Order No.1 for Northeast Remsco Construction, Inc., in the amount of \$54,348 is approved, increasing the total Contract value to \$3,433,348.

**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 recorded as follows:

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

**RESOLUTION No. (39/16)-To award Change Order No. 3, in the amount of \$104,495 to Stone Hill Contracting Company, Inc. for Contract No. 74-S, NIRO Incinerator Repairs & Mitigation**

**WHEREAS**, the Bayshore Regional Sewerage Authority (the “Authority”) needs to perform repairs & mitigation on the NIRO Incinerator due to damages caused by Hurricane Sandy; and

**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 Authority previously approved Resolutions No. 115/15 for Change Order No.1 (Non-FEMA) in the amount of \$75,066 and No. 116/15 for Change Order No.2 (FEMA Reimbursable) in the amount of \$171,600, increasing the total contract value to \$16,692,663; and

**WHEREAS**, there is a need to amend the Contract and perform additional work necessary for the completion of the project, including: PCO3- NIRO PLC revisions @ \$22,076; PCO14- Repairs to the Secondary Heat Exchanger Outlet Plenum @ \$18,675; PCO19- Repainting Dorr Oliver electric & control room roof steel @ \$3,448; PCO20- Modifications to the Dorr Oliver control room window, wall and roof @ \$21,319; PCO25- Modifications to the Carbon Adsorber Foundation & rerouting of the existing plant fiber optic lines @ \$24,244; PCO26- Addition of WESP potable Water Inlet Flow Meter @\$5,666; PCO28- Addition of Portable SO2 Monitor Downstream of the Wet Scrubber to regulate caustic @ \$9,067; and

**WHEREAS**, SHC has submitted a proposal for Change Order No.3 (Non-FEMA) to amend the contract work, in the amount of \$104,495; and

**WHEREAS**, the Authority staff and our consulting engineer, Hazen & Sawyer have reviewed the proposal and are recommending Change Order No.3, in the amount of \$104,495; and

**WHEREAS**, Change Order No.3 will be submitted to New Jersey Environmental Infrastructure Trust for review and approval; and

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of Bayshore Regional Sewerage Authority that Change Order No.3 for Stone Hill Contracting Company, Inc., in the amount of \$104,495 is approved, increasing the total Contract value to \$16,797,158.

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

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

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

**RESOLUTION No. (40/16)-To Authorize the Advertisement of Public Bids for the Furnishing and Delivery of a Comminutor and Accessories for the Matawan Pump Station**

**WHEREAS**, the Bayshore Regional Sewerage Authority (the “Authority”) owns and operates a Sewage Pump Station located in Matawan, known as the Matawan Pump Station (MPS); and

**WHEREAS**, the Comminutor is an essential component of the MPS, which is in need of a major repair; and

**WHEREAS**, the cost to repair the Comminutor is fifty percent or greater than purchasing a new one; and

**WHEREAS**, the Authority Staff desires to replace the Comminutor and associated accessories in order to maintain the MPS in an efficient and reliable condition; and

**WHEREAS**, specifications to Furnish and Deliver Communitor and Accessories for the Matawan Pump Station (Contract No. 94) have been developed by the Authority Engineering Staff; and

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of Bayshore Regional Sewerage Authority that the Qualified Purchasing Agent and Authority Engineer is authorized to advertise the solicitation of public bids to Furnish and Deliver Comminutor and Accessories for the Matawan Pump Station (Contract 94) in the Authority official newspaper and on the Authority Website.

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

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

**RESOLUTION No. (41/16)-To Approve Sanitary Sewer Connection and Treatment Works Approval Application for Marlboro Estates, LLC Developer for Marlboro Estates of Township of Marlboro**

**WHEREAS**, Marlboro Estates, LLC (Developer), is the project developer of Marlboro Estates, located off Texas and Woollytown Road, further designated as Block 119, Lot 31 in Township of Marlboro, a 16 unit single family development; and

**WHEREAS**, the Developer has indicated they have received all local approvals and have submitted an application to Western Monmouth Utilities Authority (WMUA) for local sanitary sewer approval and has received the necessary signatures on the NJDEP Treatment Works Application (TWA); and

**WHEREAS**, the project is expected to generate 4,800 gallons per day of wastewater, and

**WHEREAS**, the Bayshore Regional Sewerage Authority (the "Authority") Engineer has reviewed the Developers application and is recommending sanitary sewer connection approval and the signing of the TWA Consent forms; and

**WHEREAS**, Marlboro Estates, LLC has paid the review fees of \$988.22 and the connection fees of \$128,608; and

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that Marlboro Estates, LLC is hereby granted sanitary sewer approval for the above referenced project, contingent upon receiving approval from WMUA.

**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.

**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.

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

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

**RESOLUTION No. (42/16) - To Advertise for Bids, Contingent upon Authorization from NJEIT, for the Combined Blower Building Project 80S**

**WHEREAS**, Hurricane Sandy severely damaged the Bayshore Regional Sewerage Authority (Authority) Blower Buildings and Process Air Systems on October 29, 2012, requiring engineering services to design the restoration, improvements and mitigation of these buildings and processes into a single building known as the Combined Blower Building (the Project), and

**WHEREAS**, Hazen & Sawyer (H&S) Engineering of New York, NY was awarded the design of the project on May 18, 2015 via Resolution No. 64/15 and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) has authorized a Hazard Mitigation Plan for the project and has obligated funding for 90% reimbursement to mitigate the eligible damage, and

**WHEREAS**, the Authority has applied to the New Jersey Environmental Infrastructure Trust for short term funding of the project while awaiting FEMA reimbursement and to fund the non-reimbursable portion, and

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

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

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Authority Staff and H&S to publically advertise for bids for the Combined Blower Building Project 80S, subject to receiving Authorization to advertise from the NJDEP.

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

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

## **PUBLIC PORTION**

Chairman Pisano announced that this 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 if the resolution for the meeting dates will be posted to the web-site by the 1<sup>st</sup> of March. Chairman Pisano said yes.

## **Executive Session**

**Chairman Pisano** calls for a **MOTION** to go into Closed Session at 7:50 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.

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

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

**Executive Session Minutes are Recorded Separately.**

## **END CLOSED SESSION**

**Chairman Pisano** calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting.

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

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

## **ADJOURMENT**

### **ANNOUNCEMENT (by the Chairman):**

The next Agenda/Regular Meeting of the B.R.S.A. is scheduled for Monday, March 21, 2016, at 7:00 P.M. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 8:09 P.M., Chairman Pisano calls for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,  
Susan A. DuBey  
Administrative Assistant