



BAYSHORE REGIONAL SEWERAGE AUTHORITY

100 Oak Street, Union Beach, NJ 07735
732-739-1095 OFFICE 732-739-2459 FAX

Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, SEPTEMBER 19, 2016

Chairman Pisano called the Meeting Regular Meeting of the Bayshore Regional Sewerage Authority to order at 7:00 PM and makes the following announcement:

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

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

Chairman Pisano requested a roll call of attendance:

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

ABSENT: Commissioner Khachaturian

Also in Attendance: Robert C. Fischer, Executive Director

Pete Canal, BRSA Engineer

J. Michael Broyles, BRSA Superintendent

Manuel Ponte, Consulting Engineer

John Napolitano, BRSA Attorney

Susan DuBey, Admin. Assistant

REPORTS

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

Mr. Fischer Reported:

- Stone Hill Contractor – NIRO - progress on Niro Project by testing all the systems out. They are getting close to starting up the Niro. Stone Hill continues the installation of flood log protection at doors and openings. Everything was in place prior to Hurricane Hermine. Thank goodness we didn't need them but it was a good drill.

- SHC is conducting equipment start-up & manufacturers training of process equipment. The stack test scheduled for the end of September is rescheduled for October 17th and 18th.
- Northeast Remsco' s - Pump Stations Project - Main Pump Station has wires for HVAC and other jobs before closing that out , and installed pumps in the Return Sludge Pump Station #1. Temporary diesel stand-by pumps were removed from the front of the plant and they have been installing flood gates and barriers.
- Shorelands - Various Plant Building - received all flood logs and barriers; continuing to test the flood protection system.
- The Combined Blower Building project will start construction shortly and the contractor will work on the flood wall protection first.
- Power Distribution System Elevation Project Contract 81S – permits received from Land Use and waiting for Authorization to Advertise from the NJDEP which should be around October.

Disaster Funding

- Stone Hill Contracting submitted payment application #15 in the amount of \$545,244.26 which has been found acceptable by the Consulting Engineer Hazen and Sawyer project is 90% complete.
- Remsco Contracting submitted payment application #12 for \$103,904.76 which has been found acceptable by the Consulting Engineer PSS project is 90% complete.
- Shorelands Construction submitted payment application #9 for \$24,329.48 which has been found acceptable by the Consulting Engineer R3M project is 95% complete.
- The combined cumulative Phase 1 project payments excluding August total \$19,914,501.00. Construction costs represent 91% of that amount, engineering costs 8%, administrative costs .05% and the NJEIT Technical fee is .05%. The FEMA reimbursable portion stands at 61%, or \$12,223,708.25.
- NJEIT Phase II Short-Term Loan - the Authority will be making its first payment for Project 80S, Stone Hill Contracting - Combined Blower Building Project 80S –payment application #1 in the amount of \$12,454.50 for bonding and permitting expenses. The payment has been found acceptable by the Consulting Engineer Hazen and Sawyer.

Coastal Barrier Resource System

Received a letter from the US Fish and Wildlife Service about removing the CBRS boundary that was drawn right through our plant placing 2/3 of the plant into the CBRS Zone. The CBRS Zone was to protect the inland from storm surges and wave action. It was not supposed to cut through an industrial facility especially the sewerage authority which is a critical facility. In order to change the property line it takes an act of Congress so they are going to vote on the changes. The draft copy that was sent to us is still not right because it cuts across our pipe, our single sampling point and northwest property line northeast property line where the proposed flood protection project encroaches within 20 feet of the plant site fence line. We suggested a 100 foot buffer. These locations represent major concerns for the Authority and we have communicated to both the US Fish and Wildlife Service and the US Army Corp of Engineers.

Renewal of NJUA-JIF

We have been a member of the NJUA-JIF for 18 to 20 years. The membership is for three years which expires December 31, 2016. The membership went from 17 members to 72 and is financially very strong. They carry our Workers Comp., Auto, Environmental, General Liability, Public Employee Liability, etc. It's in our best interest to continue our membership.

Commissioner Steiner asked Mr. Fischer how much do we contribute to NJUA-JIF. Mr. Fischer said our premium is approximately \$230,000 per year and has been for about 5 years plus we usually get a \$25,000 reimbursement so net we pay \$205,000. We are one of the larger authorities in the JIF.

Flood Insurance

We have 4 buildings that qualify for National Flood Insurance – the Main Pump Addition, Lab/Office Building, Administration Building and the Fire Water Station Building. Again if you are in the CBRS zone or if the building has more than 50% of its value below ground, it does not qualify for National Flood Insurance.

Commissioner McMullen asked what the deductible was. Mr. Fischer said it is \$25,000. We will be securing coverage for the 4 buildings.

Received a request from the Boro of Keyport to return the excess funds in their Rent Reserve Account. Each towns Rent Reserve Account must amount to one quarter of their yearly sewer charge. These funds are used in case a town is delinquent or fails to pay a quarterly payment, then they reimburse the Rent Reserve Fund. Keyport has \$51,010.85 in excess. We have a resolution for tonight to authorize payment of the Rent Reserve overage.

The original FEMA timeline expired June 30, 2016 and by that date we were supposed to complete all the work, this was not achievable, so we asked for an extension. State OEM said no problem and gave us a date of October 31, 2016 however, if it goes beyond that date a written request with backup showing it was beyond our reasonable control must be submitted to FEMA. Mr. Fischer submitted an extension request, OEM approved the request and sent it to FEMA with an approval for FEMA to extend the date to March, 2017 for some of the projects and June of 2018 for others.

Staff Engineer Report

Pete Canal Reported:

- Gannett Fleming – award Construction Management and Inspection Services for Contract 95 Collection System Rehabilitation -\$195,760
- Aberdeen Family in Aberdeen – question on EDU's - TABLE
- Keansburg Mixed in Keansburg – mixed use – questioning Developers Agreement and EDU's - TABLED.
- Turbo Blower Procurement – Contract 88 & 89-approve final Change Order #1 in the credit amount of (\$23,265) and close out the project.

Mr. Fischer submitted the NJUAJIF payments from 2010 to 2016 which was incorporated into Resolution #96/16. This resolution is for the renewal of membership and not the JIF budget.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Various Plant Building Project is almost complete except for a few punch list items and some pumps have to be replaced.
- Emergency Generator #1 is completed and should be closed out next month. We are waiting for the contractor to replace an outdoor light fixture that was hit by a truck.
- Odor Control System #1- Task #1 would be to replace the internals, demister and spray nozzles that have been there for 20 years and bring the scrubber up to good working order. Prepare specs to go out to bid
- Task #2 – Conducted a Headworks Bldg. and Aerated Grit Chamber smoke test with BRSA staff. The Headworks Building was pretty much contained however the Grit Chamber is not as air tight as it should be. We are discussing several options and will have the pricing by next meeting.
- Performed measurements of actual air flow rate induced by OCS#1 fan and of pressure differential across the fan. Compared actual flow rates and pressure readings with the original OCS#1 specified rated parameters.

Chairman Pisano asked what our next step is. Mr. Fischer said that it's possible the Grit Chamber may have to separate and have its own Odor Control System, or as an alternative, a booster fan can be incorporated into the existing system to provide greater vacuum beneath the Odor Control cover for the Grit Chamber.

Superintendent's Report

Mike Broyles Reported:

- Treatment Plant flow for August is less than 200 mg and the lowest since 1998
- Effluent quality continues to improve
- Incinerator ran good for the month, one unscheduled for less than a day and two shut downs for Contractor work to be done.
- The plant had a half of dozen odor complaints most consistent with wind and speed.
- We are running two continuous atomizers one at the Grit Storage area and one at Plant Control Building.
- Due to low flow Plant #1 was taken off line. When a plant is taken down a lot of tanks have to be emptied and cleaned.
- Staff received four days of incinerator training due to EPA requirement and new equipment.
- Damaged roller on one of the presses, delivery would be 75 days for a new one. Located one up at an Authority in Connecticut which we picked up. New roller was shipped in 5 days.

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

6. TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	August 31, 2016
<hr/>	
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,492.34
Bond Service	\$.05
Total 2010 Accounts	\$ 1,357,492.39
TD BANK	
NJEIT Project Fund	\$ 3,501,135.83
NJEIT Project Fund #2	\$ 1,000,273.97
Incoming Revenue Account	\$ 5,491.75
Operating Regular Account	\$ 271,614.54
Operating Reserve Account	\$10,482,500.04
Operating Payroll Account	\$ 189,290.16
TOTAL AUTHORITY ACCOUNTS	\$15,450,306.29
TOTAL	\$16,807,798.68

Detail of the Trustee accounts, receipts and disbursements, including investment activity, are on file in the Administrative Office of the Bayshore Regional Sewerage Authority.

SCHEDULE OF ACCOUNTS RECEIVABLE

SERVICE CHARGES:	Balance
<hr/>	August 31, 2016
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ 0.00

OUTFALL AUTHORITY CHARGES

Hazlet Township Sewerage Authority	\$	0.00
Township of Holmdel	\$	0.00
Borough of Union Beach	\$	0.00
Borough of Keyport	\$	0.00
Borough of Keansburg	\$	0.00
Borough of Matawan	\$	0.00
Western Monmouth Utilities Authority	\$	0.00
Township of Aberdeen	\$	0.00
TOTAL	\$	<u>0.00</u>

Balance of Rent Reserve Accounts as of August 31, 2016

Hazlet Township Sewerage Utility	\$	753,185.31
Township of Holmdel	\$	318,591.14
Borough of Union Beach	\$	194,568.43
Borough of Keyport	\$	323,137.69
Borough of Keansburg	\$	303,213.97
Borough of Matawan	\$	322,984.22
Western Monmouth Utilities Authority	\$	95,524.83
Township of Aberdeen	\$	<u>483,076.17</u>
TOTAL	\$	<u>2,794,291.76</u>

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

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

7. PAYMENT OF BILLS

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

Operating Fund Req. No.P189 (Payroll)	\$ 228,773.95
Operating Fund Req. No. 539 (Regular)	\$ 406,202.20
NJEIT Project Fund Req. #PF-16	\$ 829,792.24
NJEIT Project Fund #2 Req. # PF2 – 01	\$ 22,821.31

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

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

8. APPROVAL OF MINUTES

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

Regular Meeting Minutes of August 15, 2016
Closed Session Minutes of August 15, 2016

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

AYES: Commissioners Sutton, Whalen and Chairman Pisano

ABSTAIN: Commissioners McMullen and Steiner

Public Portion

ANNOUNCEMENT (by Chairman Pisano): This portion of the meeting is now open to the public for comments or questions related to Agenda items only. **The public is reminded; only questions or comments specific to the scope of the Agenda items are to be addressed at this time.** As a courtesy to all, please be mindful of limiting your comments to 5 minutes.

Charles Hoffman, Florence Avenue, Hazlet asked if Resolutions #100, 101 and 102/16 were removed from the Agenda. He was told yes. He asked with all the big construction projects going on in Aberdeen and Matawan, at what capacity would the BRSA be running at when they all hook-up. Mr. Fischer said about 65%.

Mr. Sam Lauro, 705 9th Street, Union Beach said he was here because of the odors in and around his house. A lengthy discussion describing his quality of life living by the sewerage plant took place and he said he was not going to stop until something is done with the odor.

Mr. Fischer explained that for the last few years we have been running the Dorr Oliver Incinerator build in the 1970's. He said that in a couple of weeks the new NIRO incinerator will be up and running.

Mr. Lauro complained about the trucks going up and down 9th Street and said that road was not built for trucks however he said he was told by the Borough that 9th Street was built for trucks.

Mr. Lauro asked Mr. Fischer if he was invited (by Mayor Smith) to a Borough meeting to explain the odors and the reason 9th Street is allowing trucks on it.

Mr. Fischer said he was not asked.

Mrs. Lauro asked why it took so long to get the smoke test done.

Mr. Fischer thanked Mr. Lauro for touring the plant and confirming the location of the sporadic odors. He said the Authority was moving forward on an upgrade to the current Odor Control System at the location.

Resolutions

RESOLUTION No. (96/16): Renewal of Membership in the New Jersey Utility Authorities Joint Insurance Fund

WHEREAS, the Bayshore Regional Sewerage Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund; and

WHEREAS, the Authority insurance payments to the Joint Insurance Fund inclusive of dividends for the previous years are as follows:

2010	\$238,354	2011	\$237,772
2012	\$232,151	2013	\$225,824
2014	\$205,771	2015	\$206,553

WHEREAS, said renewed membership terminates as of December 31, 2016 unless earlier renewed by agreement between the Authority and the Fund; and

WHEREAS, the Authority desires to renew said membership;
NOW THEREFORE BE IT RESOLVED as follows:

1. The Bayshore Regional Sewerage Authority agrees to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage's, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority's intention to renew its membership.

This Resolution agreed to this 19th day of September, 2016 by a vote of:

 5 Affirmative
 0 Negative

CHAIRPERSON

ATTEST- Charles Steiner

Louis Pisano

Date: September 19, 2016

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

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

RESOLUTION No. (97/16): To Award Engineering and Construction Management Services for the 2016 Interceptor Sewer Rehabilitation Project contract # 95 to Gannett Fleming Engineering

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") solicited Requests for Proposals for the Design of the 2016 Interceptor Sewer Rehabilitation Project which was awarded to Gannett Fleming in accordance with the Authority evaluation criteria, and

WHEREAS, the design of the project has been completed and the project will be publicly bid in accordance with the Local Public Contracts Law, and

WHEREAS, the Authority has requested a proposal from Gannett Fleming for Engineering and Construction Management Services for the project, and

WHEREAS, the Authority Engineer has reviewed the proposal with the Executive Director and the Engineering Sub Committee of the Board of Commissioners, and

WHEREAS, the proposal of \$195,760.00 was found to be fair and reasonable for the scope of services requested.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority award the Contract for Engineering and Construction Management Services for the 2016 Interceptor Sewer Rehabilitation Project, contract 95 to Gannett Fleming Engineering of South Plainfield, NJ in accordance with the terms and conditions in their proposal dated July 29, 2016 in the amount not to exceed \$195,760.00

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute necessary documents to award the Contract to Gannett Fleming Engineering of South Plainfield, NJ.

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

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

RESOLUTION No. (98/16): To Reimburse the Boro of Keyport excess Rent Reserve

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) is in receipt of an executed Sewer Service Agreement (SSA) from the Borough of Keyport; and

WHEREAS, in accordance with the SSA the Authority shall return any rent reserve amount in excess of their annual obligation to the Borough of Keyport upon their request, and

WHEREAS, the Borough of Keyport has requested the return of \$51,010.85 in excess rent reserve balance

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the return of excess Rent Reserve according to the executed SSA with the Borough of Keyport in the amount of \$51,010.85.

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

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

RESOLUTION No. (99/16): To Secure Flood Insurance for the Authority Buildings Eligible For National Flood Insurance Program Coverage

WHEREAS, the Bayshore Regional Sewerage Authority (the “Authority”) owns several buildings at the Treatment Plant located at 100 Oak Street in Union Beach, NJ; and

WHEREAS, the buildings further identified as the Main Pump Station Addition, Laboratory-Office Building, Administration Building, and Fire Water Pump Station are eligible for flood insurance under the National Flood Insurance Program (NFIP); and

WHEREAS, the premiums of \$8,417 for the Main Pump Station Addition, \$2,492 for the Laboratory Office Building, \$3,860 for the Administration Building and \$1,604 for the Fire Water Pump Station will provide combined building coverage of \$1,808,400, and combined content coverage of \$592,400; and

WHEREAS, the remainder of the Authority buildings are located in the Coastal Barrier Resource Area and or contain more than 50% of the building value below ground elevation and are therefore ineligible for flood insurance protection under the NFIP; and

WHEREAS funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of the above stated premiums to secure flood insurance for the named Authority Buildings for the term October 27, 2016 to October 27, 2017 and direct the Executive Director to execute all necessary documentation to secure this coverage.

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

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

RESOLUTION No. (100/16): To approve Beachway Urban Renewal Associates, L.P. Developer Agreement for Keansburg Mixed Income & Affordable Housing
TABLED

RESOLUTION No. (101/16): To approve Sanitary Sewer Connection and Treatment Works Approval Application for Beachway Urban Renewal Associates, L.P., Developer for Keansburg Mixed Income & Affordable Housing
TABLED

RESOLUTION No. (102/16): To approve Sanitary Sewer Connection and Treatment Works Approval Application for RPM Development, LLC, Developer for Aberdeen Family, LP & Aberdeen Senior, LP
TABLED

Public Portion

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

Charles Hoffman of Hazlet asked if the BRSA is a governmental agency.
John Napolitano answered that the BRSA is a Political Subdivision, a Public Entity.
Charles asked if we are a Public Corporation.
John said we are a Public Entity. We are a creation of the Legislature.
Charles asked if the BRSA was just like the Boro of Union Beach.
John said yes.

Executive Session

MOTION (by Chairman Pisano) - to go into Closed Session at 8:03 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 and contract. It is anticipated at this time that the above stated subject matter shall be made public at such time as the need for non-disclosure no longer exists.

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

Executive Session Minutes are recorded separately.

MOTION (by Chairman Pisano) - to end Closed Session and Re-Open the Regular Meeting @ 8:42 PM.

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

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

Adjournment

ANNOUNCEMENT (by Chairman Pisano)

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

MOTION (by Chairman Pisano) to adjourn the meeting @ 8:43 PM.

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

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

Respectfully Submitted,

Susan A. DuBey
Administrative Assistant