



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, OCTOBER 16, 2017

At 7:02 P.M. on Monday, October 16, 2017 Chairwoman McMullen called the meeting of the Bayshore Regional Sewerage Authority to order and makes the following announcement:

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

Chairwoman McMullen 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.

Chairwoman McMullen requested a roll call of attendance

ROLL CALL

PRESENT: Commissioner Khachaturian, Pisano, Steiner, Sutton, Whalen and Chairwoman McMullen

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

REPORTS

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

Mr. Fischer Reported:

DISASTER RECOVERY:

PHASE I

- Contract 74S – Niro Incinerator – Stone Hill reported 99% completion with just punch list items to be Done and final completion date of October 31st. Next week they're changing some of the piping on the Heat Exchanger to make it easier to remove if needed in the future.
- Contract 80S – Combined Blower Building – BB2 mechanical demolition and piping layout for CCB. Six of the eight Aeration basin have been drained & cleaned, basin 7 & 8 are being done now with the covers off so the contractors have access. The Authority will use tarps where possible to reduce

for odors.

- PKF Mark III - Contract 81S-Power Distribution-have mobilized and minor demolition as began. Next task the will be to install structure and lift the equipment.

DISASTER FUNDING

- Requisition #18a was prepared for the NJEIT in the amount of \$216,333.62 after last meeting.
- For this meeting Stone Hill submitted payment request #28 in the amount of \$65,486.54 and was found acceptable by the Consulting Engineer. Remsco did not submit a payment application.
- Combined cumulative phase I project payments excluding October payment totals \$24,690,038.40. Looks like we will only need \$26 million of the \$28 million from NJEIT. We already paid back \$15 million and there is still money coming from FEMA. It looks like the loan will be about \$12 million.
- In the budget you will see there is Debt Service for payments that are due in 2018, first time since 2012. The debt service is for the estimated \$12 million loan from above

PHASE II

- Stone Hill Construction-Contract 80S-Combined Blower Building-submitted payment application #13 in the amount of \$346,627.52.

OTHER

- Metra – Slip Lining-work is complete except for minor paving to be done.

2018 BRSA BUDGET

- Mr. Fischer explained that again we have sustained Budget stability, have not had a budget increase for a number of years due to the fact that we received money from FEMA, advance payments from FEMA, advanced payments from our insurance carriers and short term loans from NJEIT. Cash flow has not been a problem and as I said \$15 of the \$26 million dollars spend has been paid back. The 2018 Budget will be the same as last year.
- Mr. Fischer presented the Budget to the Board by explaining each Series of expenses and customer charges. Total due from Customers is \$9,241,436.00 which remains the same as last year. In the coming years with Debt Service on Phase II and the improvements to the Dorr Oliver Incinerator. We anticipate being able to maintain rates with a moderate increase. The Budget must be sent down to the DCA by November 1, 2017.

2016/2017 FLOW

- Manuel Ponte will be handing out an updated flow report. 2018 total flow distribution is 2,694 million gallons per year which is compared to each towns flow to come up with each towns percentage of flow which is then applied to the 2018 Budget total due from Customers.

Commissioner Khachaturian asked about the money collected from the Connection Fees. Mr. Fischer explained that those funds are used to keep a stable budget and control the rate.

Commissioner Sutton asked about the cost of the Dorr Oliver Incinerator. Mr. Fischer said that a lot of demolition has to be done, new heat exchanger, tie into the new mercury scrubber and improvements to meet today's state regulations. Hazen and Sawyer is currently completing a conceptual design.

ENERGY AGGRAGATION GROUP

- As a member of the NJ Sewerage & Municipal Authority Electric Supply Aggregate (NJSMUAESA) we are one of 12 members that got together to go out to bid for Electrical Power Basis Generation Services. The BRSA uses about 6,500,000 kwh per year.. Our current contract is good until May of 2018 and we are paying 6.63¢ pkh. The Energy Agent is putting together bids to be opened on November 8, 2017. Two resolutions are needed (1) to allow the BRSA to continue to participate in this program and (2) authorization to accept bid if it's under the target price.

Chief Engineer

Pete Canal Reported:

- Metra Industries-Contract 95-award of Change Order #2-purchase leftover pipe from Metra in the amount not to exceed \$5,445.00
- Gannett Fleming-Contract 95-approve Amendment No.1 in the amount not to exceed \$53,300. Eugene Stephano and Thomas Bongiovanni from Gannett Fleming presented the proposal request for additional work regarding Contract 95 and the reasons for the work.
- PS&S-Contract 73S— presentation by John Vena for proposal request for Amendment #3 in the amount not to exceed \$35,100 for additional work and discussed the reason for the additional work.
- Eagle Construction-Contract 90-WKPS Odor & Corrosion Control-Final Change Order in the credit amount of (\$15,690)
- Allied Oil-to award one final contract extension in an amount not to exceed \$258,691, no increase from last year.
- Furnishing & Delivery of Caustic Soda (Soduim Hydroxide)-authorization to publicly advertise for bids.
- Shorelands Construction-Contract 100-Ash Basin Valve Replacement & New Chamber- award contract in an amount not to exceed \$130,000
- Shorelands Construction-Contract 71S-Various Plant Buildings-to accept Shorelands Maintenance Bond and closeout the contract.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Various Plant Building- closeout the contract. Change Orders were approved by the Trust, DEP & FEMA in the credit amount of (\$62,623.60).
- Headworks Odor Control – equipment has been installed and running as of last week. The new fan has been installed to increase the capacity by 3000cfm. Working on punch list items such as a Smoke test and air balance.
- Emergency Repair to the Matawan Force Main – work completed. Pavement needs to be restored.
- Raritan Valley Force Main-work complete. Preparing drawings for the Authority.
- Revised 4th quarter 2016/2017 were prepared after receiving ABB meter calibration report. All the towns flow percentages remain stable except for the Borough of Keyport which had an increase. Aberdeen was credited for the additional flow from Hazlet due to the emergency hauling of sewage from Hazlet to Aberdeen during the RVPS Force Main repair.

Superintendent Report

Mike Broyles Reported:

- Flow for September is the 10th lowest flow since 1998-195 mg
- Reported in past months, problems balancing Plant #1 & #2 during construction. The numbers went to single digits after the 13th which will equal out to 18 in SS for the month.
- There were 16 odor complaints in the month of September, 9 were left on the answering machine. The 16 complaints were over 8 days, 12 of the 16 wind speed was over 10 mph and most from the same neighbor.
- Final Clarifier #5 was taken down, cleaned out and inspected.
- Two aeration tanks were taken out of service
- Incinerator running good and had 2 scheduled shutdowns.
- NJWEF Tech Transfer - Over 150 hour in education took place
- IPP – DEP was here to review files and a second time for an audit interview.

- RTU600-change order for the incinerator aerator-up and running. Hooked up to the SCADA system.
- Primary tank #5 was taken down-maintenance made adjustment.

MOTION (by Chairwoman McMullen) – to accept the Treasurers Report

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

<u>TD BANK</u>	<u>Balance</u>
<u>TRUSTEE ACCOUNTS</u>	<u>September 30, 2017</u>
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,358,091.20
Bond Service	\$.05
Total 2010 Accounts	\$ 1,358,091.25
<u>TD BANK</u>	
NJEIT Project Fund	\$ 4,890,011.16
NJEIT Project Fund #2	\$ 2,964,432.55
Incoming Revenue Account	\$ 347.88
Operating Regular Account	\$ 1,751,824.96
Operating Reserve Account	\$ 11,345,973.80
Operating Payroll Account	\$ 774,555.02
TOTAL AUTHORITY ACCOUNTS	\$ 21,727,145.37
TOTAL	\$ 23,085,236.62

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

<u>SERVICE CHARGES:</u>	<u>Balance</u>
	<u>September 30, 2017</u>
Hazlet Township Sewerage Utility	\$ -683,593.25
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -206,493.25
Borough of Matawan	\$ -235,951.00
Western Monmouth Utilities Authority	\$ -85,830.00
Township of Aberdeen	\$ -413,269.00
TOTAL	\$ -1,625,136.50
<u>OUTFALL AUTHORITY CHARGES</u>	
Hazlet Township Sewerage Authority	\$ -69,161.85
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -20,891.76
Borough of Matawan	\$ -23,872.11
Western Monmouth Utilities Authority	\$ -8,683.76

Township of Aberdeen	\$ -41,812.08
TOTAL	\$ -164,421.56
Balance of Rent Reserve Accounts as of September 30, 2017	
Hazlet Township Sewerage Utility	\$ 754,808.93
Township of Holmdel	\$ 319,277.91
Borough of Union Beach	\$ 194,987.85
Borough of Keyport	\$ 272,719.11
Borough of Keansburg	\$ 303,867.60
Borough of Matawan	\$ 323,680.47
Western Monmouth Utilities Authority	\$ 94,642.91
Township of Aberdeen	\$ 455,962.80
TOTAL	\$ 2,719,947.58

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

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

PAYMENT OF BILLS

MOTION (by Chairwoman McMullen) - for payment of the following:

Operating Fund Req. No.P202 (Payroll)	\$ 177,520.02
Operating Fund Req. No. 552 (Regular)	\$ 547,658.99
NJEIT Project Fund I Req. #PF-29	\$ 93,691.58
NJEIT Project Fund II Req. #PF-14	\$ 411,435.88

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

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

APPROVAL OF MINUTES

MOTION (by Chairwoman McMullen) - to approve the following Minutes:

Regular Meeting of September 18, 2017
 Closed Session of September 18, 2017

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

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

PUBLIC PORTION

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

Mr. Lauro, 9th Street, Union Beach-said he went to Dock Street and detected odors on Dock Street complained of odors.

Mr. Fischer explained that there are 2 remaining activated sludge tanks to be taken down and cleaned out as part of our rehabilitation project after Sandy. He said part of the covers are removed while the contractor complete the repairs. Mr. Fischer explained that there are 6 of the 8 tanks complete with 2 more to go.

RESOLUTIONS

RESOLUTION No. (107/17): To accept R3M's 2016/2017 Final Flow Report

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority ("Authority") have determined the quantity of sewage from each of the Towns and Authorities connected to the Authority's system for the Fourth and Final Quarter of the year 2016/2017; and

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

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

WHEREAS, in accordance with the Service Agreement Union Beach and Hazlet have certified the number of respective EDU's connected to the system as of October 1, 2017.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for the Fourth and Final Quarter of the year 2016/2017.

BE IT FURTHER RESOLVED the Authority accepts the EDU Certification of Union Beach identified in their report submitted by T&M Associates dated October 11, 2017 identifying structures demolished/rebuilt as of 10/1/17, as well as CO's issued between October 1, 2016 and October 1, 2017 for a net increase of 12 EDU's, as well as the EDU Certification of Hazlet identified in their report submitted by CME Associates dated October 11, 2017 for a net decrease of 3.5 EDU's.

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

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

RESOLUTION No. (108/17): 2018 AUTHORITY BUDGET RESOLUTION

Bayshore Regional Sewerage Authority

FISCAL YEAR:

FROM: January 1, 2018

TO: December 31, 2018

WHEREAS, the Annual Budget and Capital Budget for the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 has been presented before the governing body of the Bayshore Regional Sewerage Authority at its open public meeting of October 16, 2017; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$9,871,436 Total Appropriations, including any Accumulated Deficit if any, of \$7,747,345 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$7,874,091 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$2,124,091 and

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

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

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bayshore Regional Sewerage Authority, at an open public meeting held on October 16, 2017 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2018 and ending, December 31, 2018 is hereby approved; and

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

BE IT FURTHER RESOLVED, that the governing body of the Bayshore Regional Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 18, 2017.

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

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

(Secretary's Signature)

(Date)

Governing Body Members:
Commissioner Khachaturian
Commissioner Pisano
Commissioner Steiner
Commissioner Sutton
Commissioner Whalen
Chairwoman McMullen

<u>Aye</u>	<u>Recorded Vote</u>		
	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
_____	_____	_____	_____

RESOLUTION No. (109/17): To Award a (1) Year Extension to Allied Oil, LLC for No. 2 Fuel Oil

WHEREAS, in accordance with Local Public Contracts Law at 10:30 P.M. on Friday, November 13, 2015, the Bayshore Regional Sewerage Authority ("Authority") advertised and received bids for the furnishing and delivery of No. 2 Fuel Oil, Contract 87 for a (1) one year period with the possibility of (2) one year extensions; and

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

WHEREAS, on December 15, 2016 the contract expired and the "Authority" and Allied Oil, LLC mutually agreed to extend the original contract under the same terms and with the same prices for a one year extension, by Resolution No. 105/16; and

WHEREAS, in December 15, 2017 the contract is scheduled to expire and the "Authority" and Allied Oil, LLC were mutually agreeable to extending the original Contract under the same terms and with the same prices for a period of one additional year; and

WHEREAS, the original Contract provides by mutual agreement and, the Local Public Contracts Law allows for one year contract extensions for a maximum of two (2) years, this being the second and final extension; and

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

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds, the Authority Fuel Oil line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution; and

WHEREAS, the Chief Engineer and Purchasing Agent have reviewed the correspondence from Allied Oil, LLC of Parlin, NJ accepting the (1) one-year extension in accordance with the same product, price, terms and conditions as the original contract.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Allied Oil, LLC of Parlin, NJ is hereby awarded the final one-year extension of the contract for the furnishing and delivery of No. 2 Fuel Oil in accordance with the terms and conditions of the original bid and contract documents.

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

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

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

RESOLUTION No. (110 /17): To solicit for bids for the Furnishing and Delivery of Caustic Soda

WHEREAS, the Bayshore Regional Sewerage Authority ("the Authority") currently has a contract for the furnishing and delivery of Caustic Soda with Kuehne Chemical Company, Inc., and

WHEREAS, the Contract will expire on January 18, 2018; and

WHEREAS, the Authority requires authorization to solicit bids for a new contract for a one year period, and

WHEREAS, funds are available for this purpose in the Authority Chemical line item of the Authority Budget; and

NOW THEREFORE BE IT RESOLVED, the Chief Engineer and Purchasing Agent are hereby authorized to prepare bid specifications for the furnishing and delivery of Caustic Soda in accordance with Local Public Contract Law.

BE IT FURTHER RESOLVED upon review and approval of the Executive Director, a Notice to Bidders may be placed in the Authority's official newspaper for solicitation of the furnishing and delivery of Caustic Soda.

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

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

RESOLUTION NO. (111/17): To Award the Ash Basin Valve Replacement and New Chamber, C.100 to Shorelands Construction Company in the amount not to exceed \$130,000.00

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") owns and operates an incineration system that includes three Ash Basins and associated valves; and

WHEREAS, the valves that operate the Ash Basins are buried, inaccessible and are not functioning properly; and

WHEREAS, in accordance with Local Public Contract Law, the Authority had advertised for the Ash Basin Valve Replacement and New Chamber, Contract 100; and

WHEREAS, on October 11, 2017 at 2:00 P.M. two (2) sealed bids were received and publicly opened, those bids being from Br Welding Inc. in the amount of \$226,500 and Shorelands Construction in the amount of \$130,000; and

WHEREAS, the Chief Engineer, Purchasing Agent and Attorney reviewed the bids and are recommending award of the Contract to Shorelands Construction, of Monmouth Beach, NJ in the amount not to exceed \$130,000; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds, the Authority Capital Improvement line item, to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize award of the Contract for Ash Basin Valve Replacement and New Chamber to Shorelands Construction of Monmouth Beach, NJ in the amount of \$130,000 in accordance with the terms and conditions of the contract documents.

BE IT FURTHER RESOLVED, the Chairman and Executive Director are hereby authorized to execute the contract to Shorelands Construction of Monmouth Beach, NJ in the amount of \$130,000 for Ash Basin Valve Replacement and New Chamber.

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

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

RESOLUTION NO. (112/17): To Award Change Order #2, in the amount of \$5,445 to Metra Industries, Inc. for Contract #95, Interceptor Sewer Rehabilitation Project, Phase 1

WHEREAS, the Bayshore Regional Sewerage Authority (the "Authority") owns and operates interceptor sewers in Keyport, Hazlet and Union Beach that are in need of rehabilitation; and

WHEREAS, in accordance with Local Public Contract Laws, Contract 95, Interceptor Sewer Rehabilitation Project, Phase 1 was awarded to Metra Industries, Inc. ("MII") on December 19, 2016 for a total price of \$2,147,000 via Resolution 136/16; and

WHEREAS, the Authority previously approved via Resolution No. 91/17, Change Order No.1 in the amount of \$22,542.30, increasing the total contract value to \$2,169,542.30; and

WHEREAS, there is a need to amend the Contract and purchase two (2) 20ft lengths of 42-inch and one 20ft length of 48-inch Thompson pipe; and

WHEREAS, MII has submitted a proposal for Change Order No.2 to amend the contract work, in the amount of \$5,445.00; and

WHEREAS, the Authority staff and the Authority's consulting engineer, Gannett Fleming, have reviewed the proposal and are recommending Change Order No. 2, in the amount of \$5,445; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Capital Budget to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED the Commissioners of Bayshore Regional Sewerage Authority approve Change Order No. 2 for Metra Industries, Inc., in the amount of \$5,445.00 increasing the total Contract value to \$2,174,987.30.

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

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

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

RESOLUTION NO. (113/17): To Award Final Change Order # 1 in the Credit Amount of \$15,690.00 to Eagle Construction Services, Inc. for Contract 90, West Keansburg Pumping Station Odor and Corrosion Control Improvements.

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

WHEREAS, in accordance with Local Public Contracts Law, Eagle Construction Services, Inc. was awarded Contract No. 90, West Keansburg Pumping Station Odor and Corrosion Control Improvements in the amount of \$869,514.00 by Resolution No. 116/16; and

WHEREAS, there is a need to amend the Contract to credit the unused portion of the Contract allowance of \$15,690.00; and

WHEREAS, the Authority Staff and the Authority's Consulting Engineer, CH2M Hill, Inc., have prepared and are recommending Final Change Order No. 1 to amend the Contract, in the credit amount of \$15,690.00; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Capital Budget to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve Final Change Order No. 1 for Eagle Construction Services, Inc., in the credit amount of \$15,690.00, decreasing the total Contract value to \$853,824.

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 Khachaturian, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION NO. (114/17): To Approve Close-out of the Project for Shorelands Construction, Inc., Contract # 71S, Restoration and Mitigation of Various Plant Buildings

WHEREAS, the Bayshore Regional Sewerage Authority (the "Authority") needs to perform repairs & mitigation on various plant buildings due to damages caused by Hurricane Sandy; and

WHEREAS, in accordance with Local Public Contract Laws, Contract 71S Restoration & Mitigation of Various Plant Buildings was awarded to Shorelands Construction, Inc. (Shorelands) on 4/20/15 for a total price of \$1,135,000.00 via Resolution 54/15; and

WHEREAS, the Authority previously approved Resolutions No. 141/15 for Change Order No.1 (FEMA Reimbursable) in the amount of \$78,876.91, increasing the total contract value to \$1,213,876.91; and

WHEREAS, the Authority previously approved Resolutions No. 63/17 for Change Order No.2 in the credit amount of (\$62,623.60), decreasing the total contract value to \$1,151,253.31; and

WHEREAS, all work is completed and the Authority Staff and Consulting Engineer, R3m engineering, Inc. are recommending acceptance of the Maintenance Bond and closeout of the Contract; and

WHEREAS, closeout of the contract is subject to New Jersey Environmental Infrastructure Trust ("NJEIT") approval.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve acceptance of the Maintenance Bond and upon approval of the NJEIT the closeout of Restoration & Mitigation of Various Plant Buildings, Contract No. 71S.

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

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

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

RESOLUTION NO. (115/17): To Authorize an Engineering Amendment to PS&S for the Construction Management and Inspection Services of the Main Pump Station and Sludge Return Building & Pump Station #1, Repair & Mitigation, Contract #73S, in the amount of \$35,130.00.

WHEREAS, by way of Resolution 98/14, the Bayshore Regional Sewerage Authority (the "Authority") contracted with Paulus, Sokolowski & Sartor, LLC ("PS&S") for the Construction Management and Inspection Services of the Main Pump Station and Sludge Return Building & Pump Station No.1, Repair & Mitigation, Contract No. 73-S; and

WHEREAS, PS&S performed additional services beyond the original scope of work, including additional construction oversight and administration; and

WHEREAS, PS&S submitted a proposal dated October 6, 2017, for Amendment No.3, in the amount of \$35,130.00; and

WHEREAS, the Chief Engineer and Director have met with the staff of PS&S to review the amendment proposal and find the amendment request dated October 6, 2017, to be fair and reasonable and represent work that was beyond the original scope of work; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Capital Budget to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve a contract amendment No.3 in the amount of \$35,130.00 to PS&S of Wall, New Jersey in accordance with the terms and conditions of its correspondence dated October 6, 2017, increasing their budget amount from \$607,592.00 to \$642,692.00.

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

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

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

RESOLUTION NO. (116/17): To Authorize Engineering Amendment to Gannett Fleming for the Construction Management and Inspection Services of the Interceptor Sewer Rehabilitation Project, Phase 1, Contract #95, in the Amount of \$53,300.00.

WHEREAS, by way of Resolution 97/16, the Bayshore Regional Sewerage Authority (the "Authority") contracted with Gannett Fleming ("GF") for the Construction Management and Inspection Services of the Interceptor Sewer Rehabilitation Project, Phase 1, Contract No. 95; and

WHEREAS, GF performed additional services beyond the original scope of work, including additional construction oversight and administration; and

WHEREAS, GF submitted a proposal dated October 6, 2017, for Amendment No.1, in the amount of \$53,300.00; and

WHEREAS, the Chief Engineer has met with the staff of GF to review the amendment proposal and find the amendment request dated October 6, 2017, to be fair and reasonable and represent work that was beyond the original scope of work; and

WHEREAS, in accordance with N.J.A.C. 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Capital Budget to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve a contract amendment No.1 in the amount of \$53,300.00 to Gannett Fleming of

South Plainfield, New Jersey in accordance with the terms and conditions of its correspondence dated October 6, 2017, increasing their budget amount from \$195,760.00 to \$249,060.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute the contract amendment with Gannett Fleming of South Plainfield, New Jersey.

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

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

PUBLIC PORTION

ANNOUNCEMENT (by Chairwoman McMullen) – This portion of the meeting is OPEN TO THE PUBLIC to discuss any BRSA matters the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA's operations or projects will be addressed. As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments to 3 minutes. THERE WAS NO PUBLIC IN ATTENDANCE

EXECUTIVE SESSION

MOTION (by Chairwoman McMullen) - to go into Closed Session at 8:15 P.M. in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending or anticipated litigation and matters of employment of public employees. It is anticipated at this time that the above stated subject matter shall be made public at such time as the need for non-disclosure no longer exists.

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

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

ALL EXECUTIVE SESSION MINUTES ARE RECORDED SEPARATELY

MOTION (by Chairwoman McMullen) - to end Closed Session and Re-Open the Regular Meeting @ 8:28 PM.

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

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

RESOLUTION No. (117/17): To Grant Denise Vesce Regular Employment Status as Purchasing/Inventory Clerk Effective October 1, 2017

WHEREAS, Denise Vesce was appointed to the job title of Purchasing/Inventory Clerk effective July 1, 2017 with a 90 day probationary period prior to granting permanent status; and

WHEREAS, the 90 day probationary period expired on October 1, 2017; and

WHEREAS, in a memorandum to the Executive Director dated September 29, 2017 the Superintendent has recommended that Denise Vesce be granted Regular Status effective October 1, 2017.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Denise Vesce is hereby granted Regular Status as the Purchasing Agent of the Bayshore Regional Sewerage Authority, and is further granted the rights and privileges, and responsibilities of the position.

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

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

MOTION (by Chairwoman McMullen) - to authorize the Executive Director to enter in agreement to proceed with Arbitration- BRSA vs. Conti

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

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

MOTION (by Chairwoman McMullen) - to authorize the Executive Director to continue to participate with the Energy Aggregation Group (NJSMUAESA) and enter into agreement with lowest bid for Basic Generation Services for up to a 2 year period.

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner Whalen, and carried by a unanimous voice vote recorded as follows: provided rates come in at or below the discussed trigger prices commencing in May 2018.

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

ADJOURNMENT

ANNOUNCEMENT (by Chairwoman McMullen)

The next Regular Meeting of the Bayshore Regional Sewerage Authority will be held on Monday, November 20, 2017. All meetings are held at 7:00 PM in the Administration Building at 100 Oak Street, Union Beach, NJ.

MOTION (by Chairwoman McMullen) to adjourn the meeting @ 8:36 PM.

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

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

Respectfully Submitted,
Susan A. DuBey
Administrative Assistant