



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, APRIL 17, 2017

At 7:03 P.M. on Monday, April 17, 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 BRS A 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 requests a roll call of attendance:

ROLL CALL

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

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

REPORTS

Executive Directors Report, BRS A Projects, Special Reports & Connection Applications

Mr. Fischer Reported:

- Stone Hill Contractors worked with IFCO on the Niro Project to put the CPPE Mercury Scrubber on line on March 21, 2017 and has been on-line ever since. We had a carbon monoxide sealed monitor installed with probes at the inlet, outlet and upper & lower bed to detect generated CO when the unit is off.
- Stack test was performed last Tuesday, Wednesday and Thursday. Sludge was thick and we exceeded the capacity by 10% which is a good thing. Remember we passed the Stack test without the Scrubber but the contractor wanted to pass this Stack test at lower limits to meet his performance with this contract.
- Remsco Project-Contract 73S - just about closed out except for punch list items

- Shorelands-Contract 71S- complete, taking credit for pumps unable to be repaired
- Of the three projects the NIRO is 98% complete, Pump Stations Project is 99% and 99.9% on the Various Buildings Project.

Phase II

- Combined Blower Building- Stone Hill Construction- are about 25 to 28% complete. Diffusers have been replaced in aeration tanks 1,2,3 &4, a new air process header going along the outside of the tanks, the flood wall has been installed all around the building.
- The final project raising of the Power Distribution System-PKF Mark III- submitting shop drawings and equipment submittals. Work should start sometime in June.

Disaster Funding

- Stone Hill submitted payment #22 in the amount of \$62,302.52, Remsco submitted payment #19 in the amount of \$34,581.26 and Shorelands did not submit a request for payment.
- Combined cumulative Phase I project payments excluding February payment totals \$23,701,316.12.
- Of that 88% is Construction costs, 10.7% is engineering costs and 0.4% is administrative cost and NJEIT Technical fees are 0.9%. FEMA reimbursable portion is 62.5% or \$14,808,363.81. Removing the upgrade portion brings the FEMA reimbursable to 80.2%
- Stone Hill Construction application #7 for the Combined Blower Building Project is in the amount of \$261,488.50.

Mr. Fischer presented as 2016 SAIL Loan Funding Breakdown for Phase II. The Combined Blower Building and the Elevation of Power Distribution Phase II Short Term Loan will be in the amount of \$15,031,324 which represents about 70% FEMA and 30% Traditional SRF. The loan should be closing in May.

2017 Audit

- The auditors are waiting for the State to issue Pension Liability numbers that have to be incorporated into the audit. The DCA issued a one month extension for the submittal of the audit.

Other

- The DCA sent out a notice that the 2017 Financial Disclosure Forms are due by April 30th. Anyone required to complete the form can go online and it should only take about 5 minutes.

Staff Engineer Report

Mr. Peter Canal Reported:

- Madison Park – Hazlet-44 residential, 2 & 3 bedroom condominiums, 4 buildings, on Poole Avenue. Seeking project approval and authorization of the NJDEP TWA consent form. Project paid in full.
- Collection System Rehab, Phase 1, Contract 95- Metra is out on Clark Street now installing the By-pass piping.
- Primary Clarifiers 3 & 4 Contract 96- work complete, should be running by the end of the week.
- Annual Grit & Screening Contract-seeking authorization to go out to bid for a two (2) year Contract.
- Keansburg Mixed Income & Affordable Housing. 186 residential apartment plus commercial space. All fees paid in full. Seeking project approval and NJDEP TWA consent form.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Close-out of 71S- waiting on paperwork to close out project
- Odor Control #1 Improvement - Iron Hills Construction was issued a Notice to Proceed on April 7, 2017. A preconstruction meeting was held.

Superintendent’s Report

Mike Broyles Reported:

- We had the highest flow month since April, 2016 thanks to almost 6 inches of rain in March. The maximum daily flow was 16 mgd. Peak flow was 24 mgd all put through one plant.
- Permit was met at 96% removal
- 225 tons of sludge was incinerated in March, largest amount since August of 2014
- 2 odor complaints – one from St. Johns Avenue. Maint.Superintendent stopped over and didn’t smell anything from the plant. And Mr. Lauro called.
- We had a couple of shut-downs of the incinerator- equipment installation, removal of sand.
- NJDEP, Mr. Anthony Rotundo of the Central Bureau of Regional Enforcement was here for inspection, concerned we only have one plant on line.
- The lab received samples for the 2017 NJDEP Water Pollution Proficiency Test to be submitted 4-27-17.
- Mr. Michael Carpinona of the NJDEP Office of Quality Assurance conducted an onsite laboratory audit on 3-22-17. Four minor items need corrections.

Mr. Broyles said only one plant is on line because of the replacement of the diffusers and work being done on the primary clarifiers.

- Carbon Adsorber System – Mike Hilton from IFCO spent a week with hands on training with all the operators, then he gave a two hour classroom presentation. He did a really good job setting up the Control System and explaining detailed procedures.

Mr. Fischer informed the Board that SHC recently conducted a Comprehensive Stack Test with the Mercury Scrubber on line. If they pass the Stack Test they will have met the performance requirements of the specifications in the contract, however low level CO is still being detected in the absorber bed and the manufacturer has agreed to support the continued investigation and corrective action by SHC.

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

6. TREASURER’S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	March 31, 2017
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,571.28
Bond Service	\$.05
Total 2010 Accounts	\$ 1,357,571.33

TD BANK

NJEIT Project Fund	\$ 3,516,154.46
NJEIT Project Fund #2	\$ 856,906.24
Incoming Revenue Account	\$ 857,691.47
Operating Regular Account	\$ 210,883.30
Operating Reserve Account	\$14,647,247.59
Operating Payroll Account	\$ 201,518.75
TOTAL AUTHORITY ACCOUNTS	\$20,290,401.81
TOTAL	\$21,647,973.14

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 March 31, 2017</u>
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ -279,051.75
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -206,493.25
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ -85,830.00
Township of Aberdeen	\$ -416,269.00
TOTAL	\$ -984,644.00
OUTFALL AUTHORITY CHARGES	
Hazlet Township Sewerage Authority	\$ 0.00
Township of Holmdel	\$ -28,232.78
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 20,891.76
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ -8,683.76
Township of Aberdeen	\$ -41,812.09
TOTAL	\$ -99,620.39
Balance of Rent Reserve Accounts as of March 31, 2017	
Hazlet Township Sewerage Utility	\$ 753,895.44
Township of Holmdel	\$ 318,891.52
Borough of Union Beach	\$ 194,751.87
Borough of Keyport	\$ 272,389.06
Borough of Keansburg	\$ 303,499.86
Borough of Matawan	\$ 323,288.74
Western Monmouth Utilities Authority	\$ 94,528.37
Township of Aberdeen	\$ 455,410.98
TOTAL	\$ 2,716,655.84

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

7. PAYMENT OF BILLS

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

Operating Fund Req. No.P196 (Payroll)	\$ 187,090.21
Operating Fund Req. No. 546 (Regular)	\$ 343,135.92
NJEIT Project Fund Req. #PF-23	\$ 132,505.98
NJEIT Project Fund #2 Req. #PF02-08	\$ 332,538.32

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

8. APPROVAL OF MINUTES

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

Regular Meeting of March 20, 2017

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

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.

NO PUBLIC WAS IN ATTENDANCE

RESOLUTIONS

RESOLUTION (54/17): To Appoint a Conflict Attorney, Manna and Bonello of Long Branch, NJ

WHEREAS, the Bayshore Regional Sewerage Authority has a need to contract for a conflict attorney to provide legal counsel services whenever a conflict of interest arises with the Authority General Counsel, and

WHEREAS, these services are to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one (1) year;

WHEREAS, Manna and Bonello of Long Branch, NJ has submitted a proposal indicting John Bonello will provide Legal Counsel services as a Conflict Attorney at \$160.00 per hour; and

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairwoman is authorized to enter into a contract with Manna and Bonello as described more specifically in their proposal dated April 13, 2017, and

BE IT FURTHER RESOLVED that the Contract with Manna and Bonello shall not exceed \$5,000 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 Khachaturian, 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 (55/17): To solicit for bids for the Disposal of Grit and Screenings

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") currently has a two (2) year contract for the Disposal of Grit and Screenings with Spectraserv, Inc., and

WHEREAS, that Contract expires on July 9, 2017 and no further extensions are available; and

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

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Engineer and Qualified Purchasing Agent to prepare bid specifications for the Disposal of Grit and Screenings in accordance with 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 Disposal of Grit and Screenings.

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 (56/17): To approve Sanitary Sewer Connection and Treatment Works Approval Application for Madison Park at Hazlet, LLC, Developer for Madison Park, Hazlet

WHEREAS, Madison Park at Hazlet, LLC (Developer), is the project developer of Madison Park, located on Poole Ave., further designated as Block 66 Lot 1.02 in Hazlet Township, a 44 Equivalent Dwelling Units (EDU's) Residential Complex, and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval, and

WHEREAS, the project is expected to generate 11,250 gallons per day of wastewater, and

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

WHEREAS, Madison Park at Hazlet, LLC has paid the review fee of \$228.11 and connection fee of

\$222,728 in full, and

NOW THEREFORE BE IT RESOLVED by the Bayshore Regional Sewerage Authority that Madison Park at Hazlet, LLC is hereby granted a sanitary sewer approval for the above referenced project.

BE IT FURTHER RESOLVED the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection upon payment of all aforementioned fees.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

BE IT FURTHER RESOLVED that this approval is good for a one-year period.

OFFEDER 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 (57/17): To approve Sanitary Sewer Connection and Treatment Works Approval Application for Beachway Urban Renewal Associates, L.P., Developer for Keansburg Mixed Income & Affordable Housing

WHEREAS, Beachway urban Renewal Associates, L.P. (Developer), is the project developer of Keansburg Mixed Income & Affordable Housing, located on Beachway Ave & Raritan Ave., further designated as Block 15, Lot 1 in Township of Keansburg, a 195 Equivalent Dwelling Units (EDU's) Apartment Complex with 186 Residential units, Retail space and a Club House, and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval, and

WHEREAS, the project is expected to generate 40,251.5 gallons per day of wastewater, and

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

WHEREAS, Beachway Urban Renewal Associates, L.P. has paid the review fee of \$189.25 and connection fee of \$987,090 in full, and

NOW THEREFORE BE IT RESOLVED by the Bayshore Regional Sewerage Authority that Beachway Urban Renewal Associates, L.P. is hereby granted a sanitary sewer approval for the above referenced project.

BE IT FURTHER RESOLVED the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection upon payment of all aforementioned fees.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

BE IT FURTHER RESOLVED that this approval is good for a one-year period.

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

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.

NO PUBLIC WAS IN ATTENDANCE

EXECUTIVE SESSION

MOTION (by Chairwoman McMullen) - to go into Closed Session at 7:40 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 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

ALL EXECUTIVE SESSION MINUTES ARE RECORDED SEPARATELY

MOTION (by Chairwoman McMullen) - to end Closed Session and Re-Open the Regular Meeting @ 8:55 PM.

OFFEDER BY: Commissioner Steiner, 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 (58/17): To Grant Kevin Smith Regular Employment Status Effective April 8, 2017

WHEREAS, Kevin Smith was hired as a probationary employee in the job title of Laboratory Technician on January 9, 2017; and

WHEREAS, the probationary period expires on April 8, 2017, and

WHEREAS, funds are available and have been budgeted for this position, and

WHEREAS, in a memorandum to the Executive Director dated April 10, 2017 the Plant Superintendent and Operations Superintendent have recommended that Mr. Kevin Smith be granted Regular Status effective April 8, 2017.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Kevin Smith is hereby granted Regular Status as an employee 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

RESOLUTION (59/17): To Approve Salary Adjustments for Non-Union Personnel for 2017

WHEREAS, the Executive Director presented his annual review of performance of Non-Union Personnel to the Authority Personnel Committee, and

WHEREAS, the Personnel Committee has reviewed the performance evaluations and recommendations of the Executive Director, and

WHEREAS, the Personnel Committee has discussed the evaluations and recommendations with the entire Authority Board of Commissioners, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority authorize the Executive Director to make the salary adjustments in accordance with the memorandum dated April 17, 2017 and to implement the salary adjustments retroactive to January 1, 2017.

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

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

ADJOURNMENT

ANNOUNCEMENT (by Chairwoman McMullen)

The next Regular Meeting of the BRSA will be held on Monday, May 15, 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 @ 9:00 PM.

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

Respectfully Submitted,

Susan A. DuBey
Administrative Assistant