



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, AUGUST 21, 2017

At 7:02 P.M. on Monday, August 21, 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, Sutton, Steiner, 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, BRSA Attorney
Susan DuBey, Admin. Assistant
Michael Samuels, R3M Engineering
John Wojnas, Hazen & Sawyer
Ed Barboe, Hazen & Sawyer

REPORTS

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

Mr. Fischer Reported:

Disaster Recovery:

- Contract 74S – Niro Incinerator – punch list and Scrubber Set Points are all that remain. A lot of punch list work has been completed in July.

- Had meeting with CPPE, Stone Hill Contracting, Hazen & IFCO. The Contractors sub (IFCO) and the Carbon Scrubber manufacturer (CPPE) have established carbon monoxide and temperature set points above which the quench will turn on to protect the unit.
- Contract 73S – Pump Station Project – a lot of punch list work has been completed and Plant #1 is back on line.
- Contract 80S – Combined Blower Building; entire plant running on BB #1 to enable contractor to demolish BB #2 by pulling all the equipment out and re-piping to convert to the Combined Blower Building.
- Stone Hill submitted payment request #24 in the amount of \$124,038.
Remsco submitted payment # 21 in the amount of \$66,838.94.
- Combined cumulative phase I project payments excluding August payment totals \$24.2 million of that 88% is construction costs, 11% is engineering costs and 1% is administrative cost and NJEIT Technical fees. FEMA reimbursable portion is 62.4% or \$15.1M. Removing the upgrade portion brings the FEMA reimbursable to 80.1%. Removing the Sandy resiliency work brings the FEMA reimbursable at 90%.
- NJEIT Phase I note is \$28,113.307, requisitioned 86% of the loan to date.
- Phase II, Stone Hill Construction payment application #11 for the Combined Blower Building Project is in the amount of \$85,260.00
- At close of projects approximately \$26 M of the \$28 M loan will have been borrowed.
- The Authority portion will likely be around \$12 million.
- Loan in the amount of \$15 million for the Combined Blower Building and the Power Distribution Projects.
- Contract 80S - Stone Hill – Combined Blower Building - submitted pay application #11 in the amount of \$85,260.
- PKF Mark III did not submit an invoice for August. When they came to inspect the grounds they found underground utility lines and pipes which delayed them in ordering the steel for the structure. Their mobilization has been set for October.

Executive Directors SAILS Certificate

Phase I short term loan matures on September 1, 2017. The intent was to convert that loan to a long term loan but because we still have contract payments to be made and FEMA money to be reimbursed to us we can't convert it yet. NJEIT said they would take the short term loan and add it to our Phase II loan which matures in June 2019. This way we only have one long term loan and only one closing, but after talking to the Auditor, General Counsel & Bond Counsel and with interest rates being low it doesn't make sense to wait until 2019 and probable pay a higher interest rate. Mr. Fischer asked Bond Counsel to ask NJEIT what could be done with the September 1, 2017 maturity. NJEIT said we could extend the maturity date to June 30, 2018 with no interest from Sept. 1st to June 30th, 2018. Currently we are paying .08 interest on the short term loan. The accrued interest to August 29, 2017 on the phase I loan would need to be paid as a condition, approximately \$29,000. If all agree the Executive Directors SAIL Certificate also must be executed. Chairwoman McMullen asked for a voice vote and all agreed.

2018 BRSA BUDGET

Mr. Fischer reported that the Supervisors met to discuss the Capital Budget items for 2018. There will be a budget meeting on August 29 and the staff will have their preliminary budget figures on September 8th. On October 9th the budget will be ready to present it to the Finance Committee – Commissioner Steiner, Whalen and McMullen. We will then introduce the budget at the October 16th

meeting for approval and send it down to the DCA for their approval. Final approval will take place at the Public Hearing at the December 18th meeting.

DORR OLIVER

Mr. Fischer spoke to the Board about the Dorr Oliver incinerator and our need to determine our options for this incinerator. He recommended that we get a proposal from Hazen and CBE Engineers to conduct a short feasibility analysis.

Staff Engineer Report

Mr. Peter Canal Reported:

- Metra Industries – Contract 95-Change Order #1 – in the amount not to exceed \$22,542.30 for time and materials for the mandrel test work.
- Matawan Force Main – to increase the not to exceed amount from \$595,505.56 to \$818,164 for Cruz Construction and increase the R3M not to exceed amount from \$77,800 to 113,700.

Mike Samuel of R3M Engineering discussed the additional time and coordination due to unexpected interferences' and problems by the contractor. At this point we are anticipation the trench paving to be done in late September and address the swale on Clark Street.

Pete also explained that the adjustment was due to the fact that Hazlet put a force main right over our line and it had to removed, bypassed and reinstall a new pipe. Also on the Straub property we had to repair a lateral and fix the entrance pavement of the driveway.

- BR Welding, Inc. – Change Order – Primary Clarifiers 1 & 2 – credit amount of \$12,040.21 and will probably be closed out next month.
- Sludge Concentration Tanks Rehab & Improvements – RFP's were sent out August 10th for design engineer work to CH2MHill, CDM, Hazen & Sawyer and PS&S. Pre-bid meeting is on August 22nd and proposals are due on September 8th.
- Night Time Security – Contract 99-current contract expires on October 14th – seeking approval to advertise bids for a two year contract for Security Services.
- Regency @ Holmdel - Crawfords Corner and Roberts Roads, Holmdel – approve a bond reduction to a revised bond amount of \$387,028.
- Reserve @ Holmdel - Crawfords Corner and Roberts Roads, Holmdel – approve to release the bond contingent upon all attorney's fees paid in full.
- Stone Hill Construction – Contract 74S – approve Change Order #7 in the amount of \$275,031 John Wojnas of Hazen and Sawyer presented the modifications, additions and upgrades to the NIRO Incinerator. He explained that \$101,000 would be FEMA reimbursable.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Various Plant Building- NJEIT is reviewing Change Order 1 & 2. R3M responded to questions from FEMA and NJEIT regarding the Change Orders.
- Headworks Odor Control – materials began to arrive at the sight and last week the scrubber was dismantled and examine the inside which was reported to be in good shape. Approximately 10 ft. of packing was replaced along with PVC header and nozzles. Two of the three grit chambers have been refurbished and the new fans should be installed in September. Also new fiberglass covers will replace the old covers.
- Work on the Matawan Force Main and the Raritan Valley Force Main is complete
- The 3rd Quarter 2016/2017 Flow Report was presented to the Commissioners. All flows are

tracking as expected.

Superintendent's Report

Mike Broyles Reported:

- Flow for July is pretty low.
- The effluent concentrations lately are not the concentrations you are used to seeing. After 23 days of suspended solids in single digits there was some kind of biological upset. Different techniques and adjustments finally got the tanks back to normal operation.
- Effluent Suspended Solid Violation is indicated for the month however.
- Incineration is going very well.
- July 18th we conducted a thermal Image of the incinerator shell
- Removed 1557 tons of ash, all three basins are empty.
- One reported odor complaint in July by Mr. Lauro, 9th Street, Union Beach

Commissioner Pisano asked Mike what action the NJDEP will take because of the Violation. Mike said it's probably a monetary penalty which they base on the severity of the violation and conduct of the Authority. The penalty could be somewhere between \$3,000 & \$7,000.

Mr. Fischer stated that the last violation the BRSA received was 57 months ago. Mike responded that besides the month after Superstorm Sandy the last violation was in February 2011. Mike said our conduct would be taken into consideration, i.e. our history of good compliance.

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

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	July 31, 2017
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,689.21
Bond Service	\$.05
Total 2010 Accounts	\$ 1,357,689.26
TD BANK	
NJEIT Project Fund	\$ 5,127,994.46
NJEIT Project Fund #2	\$ 1,215,686.01
Incoming Revenue Account	\$ 514,263.81
Operating Regular Account	\$ 1,745,509.76
Operating Reserve Account	\$11,052,810.03
Operating Payroll Account	\$ 755,346.51
TOTAL AUTHORITY ACCOUNTS	\$20,411,610.58
TOTAL	\$21,769,299.84

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>July 31, 2017</u>
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

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

Balance of Rent Reserve Accounts as of July 31, 2017	
Hazlet Township Sewerage Utility	\$ 754,488.46
Township of Holmdel	\$ 319,142.36
Borough of Union Beach	\$ 194,905.07
Borough of Keyport	\$ 272,603.33
Borough of Keansburg	\$ 303,738.59
Borough of Matawan	\$ 323,543.04
Western Monmouth Utilities Authority	\$ 94,602.72
Township of Aberdeen	\$ 455,769.21
TOTAL	\$ 2,718,792.78

OFFERED 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.P200 (Payroll)	\$ 225,939.40
Operating Fund Req. No. 550 (Regular)	\$2,309,205.69

NJEIT Project Fund Req. #PF-27	\$ 216,333.62
NJEIT Project Fund II Req. #02-12	\$ 136,429.89
Wire Transfer SAIL INTEREST to NJEIT #WT-19	\$ 28,642.56

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

APPROVAL OF MINUTES

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

Regular Meeting of July 17, 2017

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

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 stated Odors are still noticeable at his house. The Authority is in the middle of odor control improvements which necessitate the shut down of the odor control scrubber periodically for tie in. the Authority is also rebuilding the plant from Superstorm Sandy damage.

RESOLUTIONS

RESOLUTION No. (86/17): To Accept the Three (3) Month Flow Report for Third Quarter - 2016/2017

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (“Authority”) have determined the quantity of sewerage from each of the Towns and Authorities connected to the Authority’s system for the period April 1, 2017 to June 30, 2017 (Third Quarter of 2016/2017); 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 Staff and Commissioners of this Authority.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for three (3) month period of April, 2017 to June 30, 2017, Third Quarter of 2016/2017.

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

RESOLUTION No. (87/17): To Solicit for Bids for Security Services for a Two (2) Year Period

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") currently has a contract for Security Services with U.S. Security, Inc. of Woodbridge, NJ.; and

WHEREAS, that Contract expires on October 14, 2017; and

WHEREAS, due to active construction projects at the plant the Authority has a need to continue with Security Services during the third shift (11:30 PM to 7:00 AM) time period when the staff is not schedule; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Chief Engineer and Purchasing Agent to prepare bid specifications for Security Services 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 Security Services.

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 NO. (88/17): To Authorize a Request for Proposals for Design and Bidding Services for the Sludge Concentration Tank Rehabilitation and Improvement Project

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and operates four (4) sludge concentration tanks (concentration tanks) as part of its sludge dewatering and disposal system; and

WHEREAS, three (3) of the concentration tanks were installed in 1973 and the fourth tank was installed in 1986; and

WHEREAS, the concentration tanks are a critical unit process in the sludge dewatering and disposal system; and

WHEREAS, the concentration tanks operate in a very corrosive environment and as such are in need of rehabilitation and upgrade work after 40+ years of service; and

WHEREAS, the Chief Engineer has developed a Request for Proposal for Engineering Design and Bidding Services for the Sludge Concentration Tank Rehabilitation and Improvement Project; and

WHEREAS, the Authority desires to seek proposals from four (4) Engineering firms previously identified as short listed engineering firms for the Capital Improvement Program; and

WHEREAS, the engineering firms of CH2M, CDM Smith, PS&S and Hazen are all firms on the engineering short list.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chief Engineer to request proposals from the listed engineering firms for the

Engineering Design and Bidding Services for the Sludge Concentration Tank Rehabilitation and Improvement Project.

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 NO. (89/17): To Award Dorr Oliver Analysis to Hazen and Chavond Barry Engineers

WHEREAS, the Bayshore Regional Sewerage Authority owns and operates two fluidized bed incinerators for the destruction of solids generated at the Authority treatment plant; and

WHEREAS, in accordance with the Sewage Sludge Incineration Regulations (SSI Regs) at 40 CFR Part 62 the Authority is required to upgrade its incineration systems to meet the new emissions limits or shut the incinerator down; and

WHEREAS, the Authority has upgraded the NIRO incinerator to meet the new SSI Regs and on simultaneously on March 21, 2017 shut down the Dorr Oliver Incinerator; and

WHEREAS, since 1996 the Authority has operated the NIRO incinerator and used the Dorr Oliver incinerator as an emergency back up when the NIRO was down for servicing or repair; and

WHEREAS, the Dorr Oliver Incinerator must be upgraded to meet the new SSI Regulations if the Authority desires to have incineration as its primary and secondary means of solids removal; and

WHEREAS, the Dorr Oliver Incinerator upgrade must be analyzed to determine if the Dorr Oliver can be upgraded as an existing incinerator; and

WHEREAS, the Authority has received a proposal from Hazen and Chavond Barry working jointly to perform this analysis at a cost of \$ 28,000; and

WHEREAS, the Authority Chief Engineer and Executive Director have reviewed the proposal and found it reasonable for the scope of work covered; and

WHEREAS, funds are available for this purpose in the Unrestricted Net Position of the Authority.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority award the contract for the Dorr Oliver Analysis to Hazen and Sawyer Engineering and Chavond Barry Engineering in accordance with their proposal dated August 17, 2017.

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 NO. (90/17): To Secure Flood Insurance For the Authority Buildings Eligible For National Flood Insurance Program Coverage

WHEREAS, the Bayshore Regional Sewerage Authority ("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, Blower Building 2, Chlorine Contact Building, Odor Control Building and Administration Building, are eligible for flood insurance under the National Flood Insurance Program (NFIP); and

WHEREAS, the Selective Insurance Company will provide total coverage of \$2,500,000 for building and \$417,400 for contents for a total premium of \$14,880 with a \$195,000 deductible; and

WHEREAS, as a condition of FEMA funding the Authority is required to obtain and maintain flood insurance on all eligible buildings; and

WHEREAS, the quoted premiums and coverages have been reviewed by the Authority Risk Management consultants, Conner Strong & Buckelew who has recommended binding these coverages; and

WHEREAS, two additional buildings will require renewal next month, one building is being converted and allowed to flood and the remainder of the Authority buildings 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 in the Authority insurance line item.

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 a one year term according to the building renewal date and direct the Executive Director to execute all necessary documentation to secure this coverage.

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

RESOLUTION NO. (91/17): To award Change Order No. 1, in the amount of \$22,542.30 to Metra Industries, Inc. for Contract No. 95, Interceptor Sewer Rehabilitation Project, Phase 1

WHEREAS, the Bayshore Regional Sewerage Authority (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 pursuant to Resolution 136/16; and

WHEREAS, there is a need to amend the Contract and perform additional mandrel testing work necessary for the completion of the project; and

WHEREAS, MII has submitted a proposal for Change Order No.1 to amend the contract work, in the amount of \$22,542.30; and

WHEREAS, the Authority staff and our consulting engineer, Gannet Fleming have reviewed the proposal and are recommending Change Order No.1, in the amount of \$22,542.30; and

WHEREAS, funds are available for this change order in the unrestricted position of the Authority

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby approve Change Order No.1 for Metra Industries, Inc., in the amount of \$22,542.30 increasing the total Contract value to \$2,169,542.30.

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

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. (92/17): To award Change Order No. 7, in the amount of \$275,031 to Stone Hill Contracting Company, Inc. for Contract No. 74-S, NIRO Incinerator Repairs & Mitigation

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

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) previously approved Resolutions No.115/15 for Change Order No.1 in the amount of \$75,066, No.116/15 for Change Order No.2 in the amount of \$171,600, No.39/16 for Change Order No.3 in the amount of 104,495 and No.70/16 for Change Order No.4 in the amount of \$388,482.71, No. 123/16 for Change Order No.5 in the amount of \$350,661 and No. 6/17 for Change Order No.6 in the amount of \$242,391.60 increasing the total contract value to \$17,778,693.31; and

WHEREAS, there is a need to amend the Contract and perform additional work necessary for the completion of the project, including: FEMA REIMBURSABLE RESTORATION @ \$72,593 (PCO 69 - Re-Routing of 6-Inch Scrubber Overflow Drain @ \$57,016.00, PCO 70 - Dewatering Hallway Floor Tile Restoration @ \$8,734.00 and PCO 72 - Belt Filter Press Nos. 3 & 4 Operational Restoration @ \$6,843.00), FEMA REIMBURSABLE MITIGATION @ \$29,027 (PCO 67 - Dewatering Room Radiant Heater Feed @ \$7,686.00, PCO 71 - Credit for Flowable Fill at NIRO West Side @ (\$3,879.00) and PCO 31 - NIRO Control Room Conflicts (FEMA) @ \$25,220.00), NON-FEMA REIMBURSABLE RESILIENCY @ <\$4,720> (PCO 31 - NIRO Control Room Conflicts (Non-FEMA) @ <\$4,720.00>) and NON-FEMA REIMBURSABLE UPGRADES @ \$178,131 (PCO 63 - Modifications for Future Extraction of the Primary, Secondary & Tertiary HEXs @ \$78,071.00, PCO 73 - City Water Tie-In for Granular Activated Carbon Adsorber Quench and EPA Subpart LLLL Stack Test @ \$53,570.00 and PCO 74 - NIRO System Critical Equipment Spares @ \$46,490.00); and

WHEREAS, SHC has submitted a proposal for Change Order No.7 to amend the contract work, in the amount of \$275,031; and

WHEREAS, the Authority staff and our consulting engineer, Hazen & Sawyer have reviewed the proposal and are recommending Change Order No.7, in the amount of \$275,031; and

WHEREAS, funds are available for this Change Order from the Short Term SAIL Note, Series 2015.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby approve Change Order No.7 for Stone Hill Contracting Company, Inc., in the amount of \$275,031, increasing the total Contract value to \$18,053,724.31.

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

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

RESOLUTION NO. (93/17): To release the Payment Bond and Lien for Toll NJ IX, L.P., Developer for Reserve @ Holmdel

WHEREAS, Toll NJ IX, L.P. (Developer), is the project developer of Reserve @ Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lot 38A in Township of Holmdel, a 40 (forty) single family building lots; and

WHEREAS, Toll NJ IX, L.P. has entered into a Developers Agreement with the Bayshore Regional Sewerage Authority (Authority) and provided a payment Bond to cover the outstanding connection fee balance; and

WHEREAS, in accordance with the Developers Agreement, a final payment of \$60,012, representing the adjusted balance of connection fees for Phases 3 has been made, as further detailed in the Authority Engineer letter dated August 15, 2017; and

WHEREAS, the Authority finds it appropriate to release Bond No. PB000579800046, contingent upon all attorney fees have been paid in full; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Toll NJ IX, L.P. is hereby granted a Payment Bond release for the project contingent upon all attorney fees have been paid in full.

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

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

RESOLUTION NO. (94/17): To reduce the payment Bond for Toll Holmdel, LLC, Developer for Regency at Holmdel

WHEREAS, Toll Holmdel, LLC (Toll), is the project developer for Regency at Holmdel, located at corner of Crawfords Corner Road and Roberts Road, further designated as Block 11, Lots 38.04-07 in Township of Holmdel, a 209 Equivalent Dwelling Unit project; and

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

WHEREAS, in accordance with the Developers Agreement, a payment of \$253,100, representing Phase 1B & 1D connection fees have been made, bringing the adjusted balance due to \$387,028, as further detailed in the Authority's Engineer letter dated August 7, 2017; and

WHEREAS, the Authority finds it appropriate to reduce the amount of Bond No. PB00579800045 to \$387,028; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Toll Holmdel, LLC is hereby granted a Bond reduction in the amount of \$253,100 reducing the required bond amount to \$387,028.

OFFEDER BY: Commissioner Whalen, 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. (95/17): To award Change Order No. 1, in the credit amount of \$12,040.21 to BR Welding, Inc. for Contract No. 96, Primary Clarifier 1 & 2 Rehabilitation

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) needs to perform repairs to Primary Clarifier tank numbers 1 & 2; and

WHEREAS, in accordance with Local Public Contract Laws, Contract 96 Primary Clarifier 1 & 2 Rehabilitation was awarded to BR Welding, Inc. (BRW) on November 21, 2016 for a total price of \$407,950 pursuant to Resolution 115/16; and

WHEREAS, there is a need to amend the Contract to credit the unused portion of the Contract allowance of \$12,040.21; and

WHEREAS, the Authority prepared Change Order No.1 to amend the contract, in the credit amount of \$12,040.21; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority hereby approve Change Order No.1 for BR Welding, Inc., in the credit amount of \$12,040.21, decreasing the total Contract value to \$395,909.79.

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

OFFERED 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. (96/17): To Amend Resolution No 67/17 (to Account for Additional Work and Added Scope on the Matawan Force Main Emergency Repair) for Cruz Construction

WHEREAS, on April 24, 2017 a section of the Matawan Force Main (MFM) failed causing sewage to percolate above ground and causing the road surface to settle near the Garden State Parkway (GSP) exit 117 at Clarke Street and Coral Drive; and

WHEREAS, through Resolution 67/17 dated May 22, 2017 the Authority authorized Cruz Contractors to complete emergency repairs of the Matawan forcemain for approximately 300 feet given the critical condition of the exposed pipeline for the health, safety and welfare of the community; and

WHEREAS, Cruz Contractors had given an estimate of \$574,605 to complete the work on a time and material basis not including Police Protection for the repair of the forcemain from the GSP to the chamber at Coral Drive and Clarke Street and \$44,071 to complete the initial emergency repairs of April 24th and 25th; and

WHEREAS, unforeseen conditions and interferences such as the replacement of the Hazlet forcemain section which interfered with the pipeline installation, the existence of underground structures, piping and other conflicts near the discharge chamber and other issues as defined in the R3M letter dated August 16, 2017 have increased the cost of the time and material basis contract above the initial consultant engineers estimate and contractors price; and

WHEREAS, Cruz has completed the majority of work on the project including the unforeseen interferences and additional scope and with the estimated work remaining such as final paving and swale repair the final estimate at completion as detailed by R3M in their letter dated August 16, 2017 is \$818,164; and

WHEREAS, R3M Engineering has reviewed the extra work and additional scope and find it fair and reasonable; and

WHEREAS, funds are available for this extra work and additional scope in the Authority Unreserved Net Position line item of the 2017 Capital Improvement Plan.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the additional expenditures for the Matawan Force Main emergency repairs in accordance with the Consulting Engineers letter dated August 16, 2017 and Authorize payment not to exceed \$818,164 for total costs for Cruz Contracting to repair the Matawan Force Main.

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 NO. (97/17): To Amend Resolution No. 68/17 (to Account for Additional Work and Added Scope on the Matawan Force Main Break) for R3M Engineering

WHEREAS, on April 24, 2017 a section of the Matawan Force Main (MFM) failed causing sewage to percolate above ground and causing the road surface to settle near the Garden State Parkway (GSP) exit 117 at Clarke Street and Coral Drive; and

WHEREAS, through Resolution 68/17 dated May 22, 2017 the Authority authorized R3M Engineers to complete the design, construction administration and resident observation services of the emergency repairs of the Matawan forcemain for approximately 300 feet given the critical condition of the exposed pipeline for the health, safety and welfare of the community; and

WHEREAS, R3M Engineers had given an estimate of \$77,800 to complete the work on a time and material basis; and

WHEREAS, unforeseen conditions and interferences such as the replacement of the Hazlet forcemain section which interfered with the pipeline installation, the existence of underground structures, piping and other conflicts near the discharge chamber and other issues as defined in the R3M letter dated August 16, 2017 have increased the cost of the time and material basis contract above the initial consultant engineers estimate; and

WHEREAS, R3M has completed the majority of work on the project including the unforeseen interferences and additional scope and with the estimated work remaining such as final paving and swale repair the final estimate at completion as detailed by R3M in their letter dated August 16, 2017 is \$113,700; and

WHEREAS, the Authority Chief Engineer and Executive Director have reviewed the extra work and additional scope and find it fair and reasonable; and

WHEREAS, funds are available for this extra work and additional scope in the Authority Unreserved Net Position line item of the 2017 Capital Improvement Plan.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the additional expenditures for the Matawan Force Main emergency repairs in accordance with the Consulting Engineers letter dated August 16, 2017 and Authorize payment not to exceed \$113,700 for total costs for R3M to complete construction administration and resident observation services of the emergency repairs of the Matawan Force Main.

OFFEDER BY: Commissioner Khachaturian, 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 No. (98/17): To Pay Accrued Interest on the Statewide Assistance Infrastructure Loan Program Note, Series 2015

WHEREAS, on October 20, 2014 the Bayshore Regional Sewerage Authority adopted a Resolution titled "RESOLUTION AUTHORIZING THE ISSUANCE OF PROJECT NOTES OF THE BAYSHORE REGIONAL SEWERAGE AUTHORITY IN CONNECTION WITH THE STATEWIDE ASSISTANCE INFRASTRUCTURE LOAN PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST" (Note Resolution) ; and

WHEREAS, the Note Resolution relates to the issuance and sale by the Authority of its Statewide Assistance Infrastructure Loan Program Note, Series 2015 in the aggregate principal amount of \$28,113,307 for various sewer improvements including the restoration, flood mitigation and improvements to facilities damaged by Superstorm Sandy (Initial Project Note) ; and

WHEREAS, the Initial Project Note has a maturity date of September 1, 2017; and

WHEREAS, Pursuant to Section 301 of the Note Resolution and Initial Project Note, the Initial Project Note is being renewed/extended to mature on June 30, 2018 and will henceforth bear interest of 0% from September 1, 2017 until maturity on June 30, 2018 on both the Trust and Fund portions of the loan; and

WHEREAS, the renewal/extension of the initial project note requires payment in full of all interest accrued through August 29, 2017.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority authorize the payment in full of accrued interest on the initial project note in the amount of \$28,642.56 and authorize the Executive Director to take the necessary action to wire transfer the funds to the New Jersey Environmental Infrastructure Trust.

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

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.

Charles Hoffman, Florence Avenue, Hazlet – The discussion about Clark Street and coordinating with Hazlet and Keyport, are you talking about traffic control or the accomplishment of the work.

John Napolitano said a little bit of both.

Mr. Hoffman – regarding the assuming debt. Would that increase the rate?

Mr. Fischer said they will not be determined until 2018 for 2019 budget.

EXECUTIVE SESSION

MOTION (by Chairwoman McMullen) - to go into Closed Session at 8:10 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 Sutton, 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 @ 8:15 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. (99/17): To approve the Payment of Accrued Days Owed to the Retired Purchasing Agent Michelle Izzo after 25 Years of Service

WHEREAS, On August 1, 2017 Purchasing Agent Michelle Izzo officially retired from the Bayshore Regional Sewerage Authority after 25 years of service; and

WHEREAS, Authority Policy provides payout at retirement of accrued pro-rated Vacation benefits, and any remaining Sick time (capped at 240 hours) and Personal Days; and

WHEREAS, Ms. Michelle Izzo's remaining Sick & Personal Days and accrued Vacation benefits have been calculated and recorded in a memorandum submitted by Mrs. Susan DuBey, Administrative Assistant to the Authority to the Executive Director, dated August 9, 2017; and

WHEREAS, the Executive Director has reviewed the calculated time owed and finds the calculation of Sick (195 hours), Vacation (160 hours), Pro-rated Vacation (94 hours) and Personal Days (16 hours) accurate; and

WHEREAS, sufficient funding is available in the Salaries – Plant Operation line item of the CPS Budget; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of remaining Sick and Personal Days and accrued Vacation time owed Michelle Izzo as detailed in the attached memorandum dated August 9, 2017 in the amount of \$15,945.79.

(Attachment on file in the Administrative Offices of the Authority)

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

ADJOURNMENT

ANNOUNCEMENT (by Chairwoman McMullen)

The next Regular Meeting of the Bayshore Regional Sewerage Authority will be held on Monday, September 18, 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 @ 8:17 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