

**MINUTES**  
**REGULAR MEETING**  
**MONDAY, OCTOBER 15, 2018**

At 7:00 P.M., Chairman Steiner made the following announcement:

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

Chairman Steiner called for a roll call of attendance:

**PRESENT:** Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

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

**REPORTS**

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

**Mr. Fischer Reported:**

Disaster Recovery Update

- Phase II - Combined Blower Building-working out the bugs in the feedback control system. There has been less interruption in the plant and the effluent numbers show it.

Power Resiliency Project

- The switch gear units have been inspected by a code enforcer at the site where they are located and getting ready to ship them to us by Oct. 29<sup>th</sup>. T4,T5 &T6 and the main switch gear enclosure will be built by a new manufacturer since the old one had filed bankruptcy. The new manufacturer is Fiberbond. Best outcome-theywill be here by the end of the year, worst-a couple of months after that.

The Contractor is excavating to put forms in, put in reinforced steel in preparation for T1, T2 &T3 installation soon.

Phase II Funding

- PKF Mark III-Power Distribution System Project 81S – submitted payment applications #9 & 10 in the amounts of \$183,118.00 & \$189,494.73.

- As presented at the past meetings Change Orders for Contract 74S-NIRO were sent to FEMA For review and approval. I received an e-mail from Office of Emergency Management indicated FEMA will be obligating the funds for those Change Orders. FEMA will be increasing the funds for the NIRO project by \$1,038,953.00 to coincide with the Change Order amounts requested and approved

#### Executive Session Items

- Collective Bargaining Agreement – tentative agreement ratified by vote of Union Members
- Personnel Policy Manuel – every 2 years JIF updates Regulations and it was presented to the entire Staff. Without Update Loss Control Plan is extremely costly to the Authority.
- Laboratory Technician – resume in your package

Mr. Fischer reviewed the 2019 Budget with the Commissioners and explained the increase/decrease in each category.

#### **Staff Engineer Report**

##### **Pete Canal:**

- Collection System Rehab-Virginia Ave. awarded to Jacobs Engineering Group.
- Odor Control Improvements Systems #2,3 &4 – Iron Hills Construction has started the rehab, fixing the concrete, sand blasting, painting, etc. Equipment is being expedited and should be on site by the middle of November which is 2 months ahead of schedule.
- Sludge Concentration Tanks Rehab & Improvements – authorize advertising for bids. Bid opening is November 29th
- Furnish and Delivery of Fuel Oil – authorize advertising for bids. Bid opening is November 7<sup>th</sup>.
- Geographical Information Systems (GIS) Mapping – Maser Engineering provided a proposal.
- Chingarora Towns at Keyport – 4 lot approval for connection
- Electrical Power Resiliency-look to have Engineering Committee meeting and develop request for qualifications for design.

#### **Consulting Engineer – R3M**

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

- Received preliminary results from Pure Technology on the inspection of Matawan, Raritan Valley and West Keansburg Force Mains. Nothing serious was found. Matawan FM showed some minor gas pockets indicating corrosion from the inside out and some wire breaks. Raritan Valley and West Keansburg FM are in good shape. Manuel said he will have the complete report by next meeting.
- The Odor Control System #2,3 & 4 rehabilitation project is moving along better than expected.
- The 4<sup>th</sup> quarter 2017/2018 Flow Report was reviewed. Hazlet (decrease 1.25) & Union Beach (decrease 15) EDU certified report was sent by their Consulting Engineers. Chairman Steiner questioned Senior Housing and residents using 225 gallons of wastewater. Mr. Fischer explained the reason behind the use of 225GPD as an average flow for residential connection and that the rate is also in agreement with the NJDEP flow criteria.

#### **Superintendent's Report**

##### **Mike Broyles Reported:**

- Flow for September was an average month.
- Effluent numbers are slightly higher still 97% removal

- Received 5 odor complaints from Mr. Lauro, 1 from Union Beach Police
- Significant hours for education training one being NJ WEF Tech seminars.
- Lab received make up fecal coliform proficiency test. Results will be in after the study closes on October 25<sup>th</sup>.

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

## **TREASURER’S REPORT**

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

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

<b>TD BANK</b>	<b>Balance</b>
<b>TRUSTEE ACCOUNTS</b>	<b>September 30, 2018</b>
<b><u>2010 NJEIT BONDS</u></b>	
Construction	\$ 1,366,497.95
Bond Service	\$ <u>.05</u>
Total NJEIT	\$ 1,366,498.00
<b>TD BANK</b>	
Lakeland Bank-CD	\$ 1,004,472.22
Cash Management	\$ 7,039,887.87
NJEIT Project Fund	\$ 152,961.34
NJEIT Project Fund #2	\$ 2,612,121.78
Incoming Revenue Account	\$ 1,429,630.11
Operating Regular Account	\$ 3,444,046.42
Operating Reserve Account	\$ 10,452,345.84
Operating Payroll Account	\$ 742,791.94
Debt Service Fund	\$ <u>200,338.11</u>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b>\$ 27,078,595.63</b>
<b>TOTAL</b>	<b>\$ 28,445,093.63</b>

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

## SCHEDULE OF ACCOUNTS RECEIVABLE

	Balance <u>September 30, 2018</u>
<b>SERVICE CHARGES:</b>	
Hazlet Township Sewerage Utility	\$ -655,937.25
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -201,606.25
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ -88,052.00
Township of Aberdeen	<u>\$ 0.00</u>
<b>TOTAL</b>	<b>\$ -945,595.50</b>
<b>OUTFALL AUTHORITY CHARGES</b>	
Hazlet Township Sewerage Authority	\$ -68,673.09
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -21,107.08
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ -9,218.56
Township of Aberdeen	<u>\$ 0.00</u>
<b>TOTAL</b>	<b>\$ -98,998.73</b>
<b>Balance of Rent Reserve Accounts as of September 30, 2018</b>	
Hazlet Township Sewerage Utility	\$ 756,698.31
Township of Holmdel	\$ 320,077.10
Borough of Union Beach	\$ 195,475.93
Borough of Keyport	\$ 291,839.48
Borough of Keansburg	\$ 304,628.22
Borough of Matawan	\$ 324,490.68
Western Monmouth Utilities Authority	\$ 97,472.00
Township of Aberdeen	<u>\$ 457,979.60</u>
<b>TOTAL</b>	<b>\$ 2,748,661.32</b>

## PAYMENT OF REQUISITIONS

**Chairman Steiner** called for a **MOTION** - to approve payment of bills listed on:

Operating Fund Req. No. 566 (Regular)	\$ 369,389.66
Payroll Account Req. No.P214 (Payroll)	\$ 185,417.77
NJEIT Project Fund #2 Req. #PF-26	\$ 397,687.18
Wire Transfer FEMA Funds to NJEIT WT#4	\$1,527,279.70

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

## **APPROVAL OF MINUTES**

Chairman Steiner called for a **MOTION** to approve the following Minutes:

Regular Meeting Minutes of September 17, 2018  
Closed Session of September 17, 2018

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen and Sutton

ABSTAIN: Commissioner Whalen, Chairman Steiner

## **PUBLIC PORTION**

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

Sam Lauro, 9<sup>th</sup> Street, Union Beach complained about the odor on the 22<sup>nd</sup> of September. He commented that on some days the wind is blowing straight at his house and there is not odor.

Mr. Fischer advised Mr. Lauro that conversations on the phone regarding odors must stay civil or the secretaries will be advised to hang up. Mr. Lauro denies being uncivil on the phone.

## **RESOLUTIONS**

### **RESOLUTION No. (93/18): To Authorize Advertisement for Public Bids on Contract No. 107-O, Furnishing and Delivering of No. Two (2) Fuel Oil for a One (1) Year Period**

**WHEREAS**, the Bayshore Regional Sewerage Authority (Authority) has a need to continue the delivery of Fuel Oil in an uninterrupted fashion to supply fuel for emergency generators and the incinerator systems; and

**WHEREAS**, the Authority has a current Contract for furnishing and delivery of fuel oil which expires on Friday, December 14, 2018; and

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

**WHEREAS**, the Authority has developed bid specifications for Furnishing and Delivering of No. Two (2) Fuel Oil for a One (1) Year Period of December 2018 to December 2019, with the option of Two (2) Extensions of a One (1) Year Period; and

**WHEREAS**, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Incinerator Fuel Oil 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 Bayshore Regional Sewerage Authority authorize the Chief Engineer and Qualified Purchasing Agent to advertise for public bids for the Furnishing and Delivering of No. Two (2) Fuel Oil for a One (1) Year Period, Contract 107-O, in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**RESOLUTION No. (94/18): To accept R3M's 2017/2018 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 2018/2018; and

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

**WHEREAS**, said flow figures have been reviewed by the Commissioners of this Authority; 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, 2018.

**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 2018/2018.

**BE IT FURTHER RESOLVED** the Authority accepts the EDU Certification of Union Beach identified in their report submitted by T&M Associates dated October 3, 2018 identifying structures demolished/rebuilt as of 10/1/18, as well as CO's issued between October 1, 2018 and October 1, 2018 for a net increase of 15 EDU's, as well as the EDU Certification of Hazlet identified in their report submitted by CME Associates dated October 9, 2018 for a net decrease of 1.25 EDU's.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman S

**RESOLUTION No. (95/18): To Authorize Advertisement for Public Bids on Contract No. 106, Concentration Tank Rehabilitation Project**

**WHEREAS**, the Bayshore Regional Sewerage Authority (Authority) owns and operates four (4) sludge Concentration Tanks for conveyance and disposal of sludge; and

**WHEREAS**, the Concentration Tank equipment has reached its useful life expectancy and requires replacement of all mechanical equipment and miscellaneous repairs; and

**WHEREAS**, the Authority contracted PS&S to design the Concentration Tank Rehabilitation Project by Resolution #119/17; and

**WHEREAS**, PS&S has completed the design of the project and has developed public bidding documents for solicitation of public bids; and

**WHEREAS**, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Capital 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 Bayshore Regional Sewerage Authority authorize the Chief Engineer and Qualified Purchasing Agent to advertise for public bids for the Concentration Tank Rehabilitation Project, Contract 106, in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**RESOLUTION No. (96/18): 2019 AUTHORITY BUDGET RESOLUTION Bayshore Regional Sewerage Authority**

**FISCAL YEAR: FROM: January 1, 2019 TO: December 31, 2019**

**WHEREAS**, the Annual Budget and Capital Budget for the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2019 and ending, December 31, 2019 has been presented before the governing body of the Bayshore Regional Sewerage Authority at its open public meeting of October 15, 2018; and

**WHEREAS**, the Annual Budget as introduced reflects Total Revenues of \$10,208,116 Total Appropriations, including any Accumulated Deficit if any, of \$8,078,115 and Total Unrestricted Net Position utilized of \$0; and

**WHEREAS**, the Capital Budget as introduced reflects Total Capital Appropriations of \$8,650,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$5,400,000; 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 15, 2018 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, 2019 and ending, December 31, 2019 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 17, 2018.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

\_\_\_\_\_  
(Secretary’s Signature)

\_\_\_\_\_  
(Date)

Governing Body Members:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Commissioner Cavanagh				
Commissioner Khachaturian				
Commissioner McMullen				
Commissioner Steiner				
Commissioner Whalen				
Chairman Steiner				

**RESOLUTION No. (97/18): To Approve Sanitary Sewer Connection Application for Keyport 44 Realty, LLC, Developer for Chingarora Towns**

**WHEREAS**, Keyport 44 Realty, LLC (“Developer”), is the project developer of Chingarora Towns, located at 193 Chingarora Avenue, further designated as Block 1.01, Lots 43, 44 & 45 in the Borough of Keyport, a four (4) Equivalent Dwelling Units (“EDU’s”) Project with one existing EDU credit; 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 900 gallons per day of wastewater; and

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

**WHEREAS**, the Developer has paid the review fee of \$60.90 and connection fee of \$15,108.00 for three EDU’s.

**NOW THEREFORE BE IT RESOLVED** by the Commissioner of the Bayshore Regional Sewerage Authority that Keyport 44 Realty, LLC is hereby granted Bayshore Regional Sewerage Authority sanitary sewer approval for the above referenced project.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner



## **PUBLIC PORTION**

**Chairman Steiner announces:** This meeting is open to the public to discuss **any BRSA matters** the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA's operations or projects will be addressed.

**NO PUBLIC WAS IN ATTENDANCE**

## **Executive Session**

**Chairman Steiner** calls for a **MOTION** to go into Closed Session at 8:14 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, contract negotiations 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 Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

## **END CLOSED SESSION**

**Chairman Steiner** called for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:31 P.M.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**RESOLUTION NO. (98/18): To Approve and Execute the Collective Bargaining Agreement with Local 641 for the term April 1, 2018 to March 31, 2021**

**WHEREAS**, the Bayshore Regional Sewerage Authority ("Authority") has a Collective Bargaining Agreement with Teamsters Local 641, and

**WHEREAS**, the agreement expired on March 31, 2018, and

**WHEREAS**, the Authority has negotiated a new agreement for a three year term ending March 31, 2021, and

**WHEREAS**, the Commissioners have reviewed the terms of the proposed new agreement and have determined that the terms and conditions negotiated represent a fair and equitable agreement, and

**WHEREAS**, the terms are detailed in a Memorandum to the Commissioners from the Executive Director dated October 11, 2018.

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

**NOW THEREFORE BE IT RESOLVED** the BRSA hereby approves the Collective Bargaining Agreement between the Authority and Local 641, ratified by the members of Local 641.

**BE IT FURTHER RESOLVED** that the Chairperson is authorized to execute the Agreement.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Chairman Steiner

ABSTAIN: Commissioner Whalen

**RESOLUTION No. (99/18): To Hire a Laboratory Technician**

**WHEREAS**, The Bayshore Regional Sewerage Authority (“Authority”) is a public body corporate and politic organized and existing under and pursuant to the Sewerage Authorities Law, and

**WHEREAS**, for the more efficient operation of the Authority the Bayshore Regional Sewerage Authority has a need to hire a new employee in the position of Laboratory Technician to fill a vacated position; and

**WHEREAS**, the Authority posted the position of Laboratory Technician for plant personnel prior to accepting applications; and

**WHEREAS**, the Authority management staff have interviewed qualified candidates for the position of Laboratory Technician; and

**WHEREAS**, **Josette Hutcheson** of Hamburg, NJ has demonstrated through her resume and interview the qualities for the position of the Laboratory Technician; and

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

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority authorize the hiring of Josette Hutcheson of Hamburg, NJ as Laboratory Technician at a starting pay rate of \$ 32.65 per hour, effective November 1, 2018 with a 90 day probationary period and pending the results of the Authority Criminal History, Drug and Alcohol Screening.

**BE IT FURTHER RESOLVED** subsequent to an acceptable 90 day probationary period Josette Hutcheson be granted all of the benefits of employment as a regular full time employee of the Bayshore Regional Sewerage Authority.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**RESOLUTION No. (100/18): To Approve the Payment of Accrued Days Owed to the Kevin Smith**

**WHEREAS**, On September 17, 2018, Laboratory Technician Kevin Smith's employment at the Bayshore Regional Sewerage Authority was terminated; and

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

**WHEREAS** Mr. Smith'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 September 25, 2018; and

**WHEREAS**, the Executive Director has reviewed the calculated time owed and finds the calculation of Sick time (35.5 hours), Vacation time (54 hours) and Personal time (8 hours) accurate.

**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 Kevin Smith as detailed in the attached memorandum dated September 25, 2018 in the amount of \$3,238.95.

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**RESOLUTION No. (101/18): To Adopt Changes to the Authority Personnel Policy and Procedure Manual for 2018**

**WHEREAS**, it is the policy of Bayshore Regional Sewerage Authority (Authority) to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) and

**WHEREAS**, the Authority has previously determined a need for and adopted personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations, and

**WHEREAS**, it is necessary to amend those Policies and Procedures to reflect changes related to employment of Authority employees, and

**WHEREAS**, said changes include protections against discrimination, modifications to the communications media policy, modification of the policy concerning the Open Public Meetings Act, access to Authority property after hours, vehicle use and incorporation of criminal history record background checks on all applications for employment.

**NOW, THEREBY, BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that the Personnel Policies and Procedures Manual additions attached hereto are hereby adopted.

**BE IT FURTHER RESOLVED** that these Personnel Policies and Procedures shall apply to all Authority officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

**BE IT FURTHER RESOLVED** that the Policy manual is intended to provide guidelines covering public service by the Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Authority.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**ANNOUNCEMENT (by Chairman Steiner):**

The next Meeting of the B.R.S.A. Regular Meeting will be held on Monday, November 19, 2018, at 7:00 P.M. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 8:35 P.M., Chairman Steiner called for a **MOTION** to Adjourn the meeting.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

Respectfully submitted,  
Susan DuBey  
Administrative Assistant