

MINUTES
REGULAR MEETING
MONDAY, JUNE 18, 2018

At 7:00 P.M., Vice-Chairman Whalen 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.

Vice-Chairman Whalen 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.

Vice-Chairman Whalen called for a roll call of attendance:

PRESENT: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, and Vice-Chairman Whalen

ABSENT: 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

- Contract 74S (NIRO) and Contract 73S (Main Pump Station & Sludge Return Building) are at completion and both projects are on line and working with the exception of the Control System in the Blower Building
- PKF working on the elevation of the Power Distribution System. Waiting on the elevated structures that house all the components and should be in by the 1st or 2nd week of July.

Funding

- Stone Hill Construction – Combined Blower Building - submitted payment application #21 in the amount of \$93,652.72.

- PKF – Elevation of the Power Distribution System – submitted payment application #7 in the amount of \$206,283.00.
- Closing on the Phase I-Long Term Loan took place on May 22, 2018 in the amount of \$11,243,700 and the Debt Service Schedule is included in your package and will be payable from August 1, 2018 thru August 1, 2037 approx. \$645,000 per year for Phase I. We expect Phase II Debt Service to be half of Phase I to bring our total Debt Service to about \$1,000,000 per year for 20 years.

Collective Bargaining Agreement

- Not much to report on. There were only 3 meeting instead of the reported 4. This report was done on Wednesday and the meeting was on Thursday however the union couldn't meet.

Smart Ball

- Pure Tech – Force Main Inspection – did some testing on our Force Mains to make sure we were able to maintain a correct velocity to get the objects down the pipeline. All line tested out sufficiently so next week we will begin to monitor the lines with the Smart Ball and Pipe Diver.

Staff Engineer Report

Given By Pete Canal:

- Collection System Rehabilitation, Phase 2 – drafted RFP and send out to 4 Engineering Firms. RFP will be issued next week for consideration at July or August meeting.
- Authorize to advertise public bid for the Odor Control System 2,3,4 refurbishment, Contract 105
- Approve Amendment #1 for PS&S at no change in contract price. We did change the Scope of Work with some credits and additions however PS&S will absorb the slight increase.
- Pump Station Force Main Inspection – in addition to Mr. Fischer's report pre-inspection testing at Raritan Valley went well next is W. Keansburg which is also the "Smartball". Thursday and Friday will be Matawan Pump Station and will be "Smartball and Pipe Diver", a little bit more involved. Our concern with Matawan is grit in the line.

Mr. Fischer added that a couple of years ago we developed a future capital project intended to install a bypass at our pump stations in the event our pumps and our pumping system failed with the by-pass we could move with the portable pumps so the Pump Station, attach to the force main and the pump station could be out of the picture until it's up and running. As part of the "Smartball" work we had that done at Matawan so now we have a chamber outside the pump station with 2 quick connects.

- Camelot West at Marlboro – slight overpayment due to change in Connection Fee - release the letter of credit, contingent upon payment in full of all attorney's fees
- Hidden Valley @ Aberdeen – release of Letter of credit contingent upon payment in full of all attorney's fees
- SD Development in Marlboro – approve project and authorize the signing of the NJTWA Statement of Consent form.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Emergency Repair of Matawan Force Main at Clark Street – needs additional work on the paving, grass area and fencing.
- Standby Construction Contract – CFRP (Carbon Fiber Reinforced Polymer) to wrap the PVC pipe that is starting to fail.
- Power Resiliency System – being reviewed by FEMA and the State. No additional comments since last month.

- Odor Control System #2,3,4 –almost 90% complete. Dropped off specs for the staff to review and make comments before its finalized.

Superintendent’s Report

Mike Broyles Reported:

- The flow for May was pretty much average
- Incinerator running as usual with consistent usage for fuel oil. Down 2 days to change the belts on the press and one day to clean the Ports.
- Received one odor complaint, staff investigated by checking the plant and found nothing specific
- IFCO was here to do an internal inspection of the wet scrubbing system. No issues were found.
- BRSA hosted the NJUA-JIF Executive Safety Committee meeting. Gave them a tour of the plant
- Anthony Rotondo from NJDEP was here prior to Memorial Day for the first of 3 pre-holiday Coastal Compliance Inspection.
- Andrew working on the PLC (Programmable Logic Controller for the Blower Building which allows the blowers to serve as backups to the new Neuros Turbo Blowers.

Vice-Chairman Whalen called for a **MOTION** to approve the Treasurer’s Report

TREASURER’S REPORT

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, and Vice-Chairman Whalen

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

TD BANK	Balance
<u>TRUSTEE ACCOUNTS</u>	<u>May 31, 2018</u>
<u>2010 NJEIT BONDS</u>	
Construction	\$ 1,361,923.82
Bond Service	\$ _____ .05
Total NJEIT	\$ 1,361,923.87
TD BANK	
Lakeland Bank-CD	\$ 1,003,354.17
Cash Management	\$ 2,007,519.93
NJEIT Project Fund	\$ 5,150,516.33
NJEIT Project Fund #2	\$ 1,110,600.14
Incoming Revenue Account	\$ 9,073.57
Operating Regular Account	\$ 2,166,175.51
Operating Reserve Account	\$ 11,184,584.69
Operating Payroll Account	\$ 749,402.47
TOTAL AUTHORITY ACCOUNTS	\$ 23,381,226.81
TOTAL	\$ 24,743,150.68

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

SCHEDULE OF ACCOUNTS RECEIVABLE

		Balance <u>May 31, 2018</u>
SERVICE CHARGES:		
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	\$	<u>0.00</u>
TOTAL	\$	0.00
 OUTFALL AUTHORITY CHARGES		
Hazlet Township Sewerage Authority	\$	0.00
Township of Holmdel	\$	0.00
Borough of Union Beach	\$	0.00
Borough of Keyport	\$	0.00
Borough of Keansburg	\$	0.00
Borough of Matawan	\$	0.00
Western Monmouth Utilities Authority	\$	0.00
Township of Aberdeen	\$	<u>0.00</u>
TOTAL	\$	0.00
 Balance of Rent Reserve Accounts as of May 31, 2018		
Hazlet Township Sewerage Utility	\$	756,061.08
Township of Holmdel	\$	319,907.56
Borough of Union Beach	\$	195,311.32
Borough of Keyport	\$, 285,456.78
Borough of Keansburg	\$	304,371.69
Borough of Matawan	\$	324,217.42
Western Monmouth Utilities Authority	\$	97,389.92
Township of Aberdeen	\$	<u>457,593.93</u>
TOTAL	\$	2,740,209.70

PAYMENT OF REQUISITIONS

Vice-Chairman Whalen calls for a **MOTION** - to approve payment of bills listed on:

Operating Fund Req. No. 562 (Regular)	\$ 244,138.92
Payroll Account Req. No.P210 (Payroll)	\$ 224,540.60
NJEIT Project Fund Req. #PF- 36	\$ 2,232.98
NJEIT Project Fund #2 Req. #PF-22	\$ 385,608.94

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

APPROVAL OF MINUTES

Vice-Chairman Whalen called for a **MOTION** to approve the following Minutes:

Regular Meeting Minutes of May 21, 2018
Closed Session of May 21, 2018

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

PUBLIC PORTION

Vice-Chairman Whalen 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.

NO COMMENTS FROM THE PUBLIC

RESOLUTIONS

RESOLUTION No. (71/18): To Approve Sanitary Sewer Connection and Treatment Works Approval Application for SD Development, LLC, Marlboro

WHEREAS, SD Development, (“Developer”) is the developer of a project located on Orchard Parkway and Route 79, further designated as Block 115, Lots 25 and 26 in Marlboro Township, a 4 lot subdivision utilizing one existing sanitary sewer connection; 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 1,200 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 \$206.68 and connection fee of \$15,003; and

NOW THEREFORE BE IT RESOLVED that the Bayshore Regional Sewerage Authority hereby grants sanitary sewer approval for the above referenced project.

BE IT FURTHER RESOLVED that 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; and

BE IT FURTHER RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that 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 McMullen, SECONDED BY: Commissioner Khachaturian , and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

RESOLUTION No. (72/18): To Authorize Advertisement for Public Bids on the Odor Control Systems No. 2, 3 & 4 Refurbishment, Contract No. 105

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates five (5) Odor Control Systems for the conveyance, treatment and discharge of odorous air from various Authority processes; and

WHEREAS, the Authority installed Odor Control System #5 in 2011, and completed Improvements on Odor Control #1 in 2017; and

WHEREAS, the Authority desires to complete Improvements to Odor Control Systems #2-4, thereby rendering all Odor Control Systems in top working order; and

WHEREAS, the Authority Consulting Engineer, R3m Engineering, Inc. are developing a contract specification for Odor Control System No.2, 3 & 4 Refurbishment Contract No. 105; 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 R3m Engineering, Inc. to advertise for public bids for the Odor Control System No. 2, 3 & 4 Refurbishment Contract, in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

RESOLUTION NO. (73/18): To release the Letter of Credit and Lien for Camelot West at Marlboro, LLC, Developer for Camelot West at Marlboro

WHEREAS, Camelot West at Marlboro, LLC (“Developer”), is the project developer of Camelot West at Marlboro, located on 433 River Road, further designated as Block 150, Lot 2,3 &4 in the Township of Marlboro, a 267 Equivalent Dwelling Units (“EDU’s”) Apartment Complex with 250 Residential units, a Maintenance Building and a Club House, and

WHEREAS, Camelot West at Marlboro, LLC 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 \$500,100, representing the adjusted balance of connection fees for Phases 6-8 and 11 have been made, as further detailed in the Authority Engineer letter dated June 11, 2018; and

WHEREAS, the Authority finds it appropriate to release Irrevocable Standby Letter of Credit No. 8050002429, contingent upon all attorney fees have been paid in full.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Camelot West at Marlboro, LLC is hereby granted an Irrevocable Standby Letter of Credit No. 8050002429 release with Provident Bank 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 150, Lots 1, 2 & 4 in Township of Marlboro, NJ.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

RESOLUTION No. (74/ 18): To Approve a No-Cost-Increase Amendment for the Scope of Work on the Design of the Sludge Concentration Tank Rehabilitation and Improvements Project

WHEREAS, on November 20, 2017 the Bayshore Regional Sewerage Authority (“Authority”) adopted Resolution No.119-17 awarding the design of the Sludge Concentration Tank Rehabilitation and Improvements Project to PSS Engineering (“PSS”) for a price not to exceed \$245,140 based on their proposal dated September 8, 2017; and

WHEREAS, the September 8, 2017 proposal identified a scope of work which the Authority has since determined is in need of a no-cost-increase amendment; and

WHEREAS, the scope change will eliminate the previously requested design of flood mitigation measures and sludge thickening equipment which upon further evaluation are not necessary; and

WHEREAS, the scope change will add to the design, the replacement of the primary sludge pumping system which serves as the source of sludge flow into the Sludge Concentration tanks; and

WHEREAS, the elimination of the aforementioned scope will decrease the project cost by \$53,410 and the addition of the aforementioned scope will increase the project cost by \$40,000 resulting in a net decrease of project costs of \$13,410; and

WHEREAS, the design amendment has been reviewed by the Chief Engineer and Executive Director and found to be reasonable for the scope of work involved.

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority approve the scope of work change as detailed in the PSS letter dated June 12, 2018 and ratify the actions taken by the Executive Director to proceed with contract work.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

RESOLUTION NO. (75/18): To release the Letter of Credit and Lien for Yellow Brook Property Company, LLC, Developer for Hidden Village at Aberdeen

WHEREAS, Yellow Brook Property Company, LLC (“Developer”), is the project developer of Hidden Village at Aberdeen, located at 1335, 1337, 1341-1343 Highway 34, further designated as Block 114, Lot 6, 7.01, & 13 in Township of Aberdeen, a 200 unit apartment complex with a club house; and

WHEREAS, Yellow Brook Property Company, LLC 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 \$186,134, representing the adjusted balance of connection fees for Phase 6 has been made, as further detailed in the Authority Engineer letter dated June 12, 2018; and

WHEREAS, the Authority finds it appropriate to release Irrevocable Standby Letter of Credit No. 1911, contingent upon all attorney fees have been paid in full.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Yellow Brook Property Company, LLC is hereby granted an Irrevocable Standby Letter of Credit No. 1911 release with Amboy Bank 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 114, Lot 6.01 in Township of Aberdeen, NJ.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

RESOLUTION NO. (76/18): To Authorize the Opening of a Bond Service Account Established Under the Bond Resolution And Permit Transfer of Funds Electronically

BE IT RESOLVED, by the Bayshore Regional Sewerage Authority (“Authority”):

1. That an account be opened and maintained with **TD BANK** (hereinafter called the Bank) titled **Bond Service Account** established pursuant to the “**Resolution Authorizing the Issuance of Revenue Bonds of the Bayshore Regional Sewerage Authority**” adopted by the Authority on February 26, 2018 (the “Bond Resolution”), and there may be deposited to its credit with the Bank, any money, check and other instruments which may come into possession of this Authority. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any three of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, or Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority.

3. The Executive Director is authorized to electronically transfer funds into and out of said account after formal authorization from the Board of Commissioners for the purpose of paying debt service of the Bonds (as defined in the Bond Resolution). Said formal authorization shall be in the form of a Requisition signed by BRSA's Treasurer or Assistant Treasurer, stating the amount of transfer from said account. The Requisition shall include the name of the recipient, amount to be paid, purpose of payment, recipient's bank account & routing numbers.

BE IT FURTHER RESOLVED that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Commissioners Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
CHARLES STEINER	Chairman	_____
SCOTT WHALEN	Vice Chairman	_____
ADAM KHACHATURIAN	Secretary	_____
CHRIS CAVANAGH	Asst. Secretary	_____
BART SUTTON	Treasurer	_____
MARCY McMULLEN	Asst. Treasurer	_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this ____ day of _____ 2018

/s/ _____, BRSA Secretary
Adam Khachaturian

I, Bart Sutton, Chairman of the above named Authority, do hereby certify that Charles Steiner, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

WITNESS my hand and the seal of said Authority the day and year above written.

(seal)

/s/ _____, BRSA Chairman
Charles Steiner

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton and Vice-Chairman Whalen

PUBLIC PORTION

Vice-Chairman Whalen 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.

Charles Hoffman, Florence Avenue, Hazlet asked the Board if they have ever seen the new Bell Works Project in Holmdel. Commissioner McMullen said if you think the outside is impressive you should go inside. Charles Hoffman asked if they have a processing system before it goes into BRSA system. Mr. Fischer said the old facility did. There's a pump station that pumps to Crawford Corner Road then to a gravity line near Bayshore Hospital. There is no pre-treatment.

Executive Session

Vice-Chairman Whalen called for a **MOTION** to go into Closed Session.

THERE WERE NO ISSUES TO BE DISCUSSED IN CLOSED SESSION

ANNOUNCEMENT (by Vice-Chairman Whalen):

The next Meeting of the B.R.S.A. will be the Public Hearing for the 2018/2019 Connection Fee immediately followed by the Regular Meeting on Monday, July 16, 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 7:25 P.M., Vice-Chairman Whalen called for a **MOTION** to Adjourn the meeting.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, and Vice-Chairman Whalen

Respectfully submitted,
Susan DuBey
Administrative Assistant