

MINUTES
PUBLIC HEARING AND
REGULAR MEETING
MONDAY, DECEMBER 16, 2019

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

The 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 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.

Chairman Whalen called for a roll call of attendance:

PRESENT: Commissioner Cavanagh, Khachaturian, McMullen, Sutton and Chairman Whalen

ABSENT: Commissioner Russo

Also, In Attendance: Peter Canal, Executive Director

Robert Fischer, Outgoing Executive Director

J.Michael Broyles, Superintendent

Thomas Petti, P.E., Principal Engineer

John Napolitano, General Counsel

Manuel Ponte, P.E., Consulting Engineer

Michael Bart, CPA - BRSA Auditor

Susan DuBey, Administrative Assistant

Public Hearing on 2020 User Charge

At 7:06 P.M. Chairman Whalen calls for a **MOTION** to Open the Public Hearing

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

ANNOUNCEMENT (by Chairman Whalen) This portion of the meeting is the Public Hearing for the 2020 User Charge. John Napolitano, General Counsel for BRSA, will issued the Oath to Professionals and commence obtaining Testimony from the Executive Director, Auditor and Consulting Engineer. **Public Hearing Minutes will be recorded by a Certified Court Stenographer and will be made available after formal adoption at the January, 2020 Authority Meeting.**

RESOLUTION

RESOLUTION No. (143/19): Adopt 2020 Budget Resolution - BAYSHORE REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Annual Budget and Capital Budget/Program for the Bayshore Regional Sewerage Authority for the fiscal year beginning January 1, 2020 and ending, December 31, 2020 has been presented for adoption before the governing body of the Bayshore Regional Sewerage Authority at its Open Public Meeting on December 16, 2019; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual budget as presented for adoption reflects Total Revenues of \$9,860,986 Total Appropriations, including any Accumulated Deficit, if any, of \$8,560,986 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$7,645,000 and Total Unrestricted Net position planned to be utilized of \$6,115,000.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority, at an Open Public Meeting held on December 16th, 2019 that the Annual Budget and Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2020 and, ending, December 31, 2020 is hereby adopted and shall constitute appropriations for the purposes stated.

BE IT FURTHER RESOLVED, that the Annual budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Recorded Vote

<u>Governing Body Members</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Adam Khachaturian				X
Commissioner Christopher Cavanagh	X			
Commissioner Marcy McMullen	X			
Commissioner Bart Sutton	X			
Commissioner Madeline Russo				X
Chairman Scott Whalen	X			

OFFEDER BY: Commissioner McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous vote recorded as follows:
 AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (144/19): To Adopt 2020 User Charge Schedule

WHEREAS, in accordance with the Sewerage Authorities Law, N.J.S.A. 40:14A-1, et seq., as amended, the Bayshore Regional Sewerage Authority has conducted a Public Hearing on its annual 2020 Customer Flow Charges and Budget, and will provide a transcript of said Hearing to any interested party; and

WHEREAS, the Bayshore Regional Sewerage Authority specifically finds it to be reasonable and necessary to adopt the annexed user charge schedule; and

NOW THEREFORE BE IT SOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the user charge on the attached 2020 Exhibit “E” be and is hereby adopted and approved for calendar year 2020.

BE IT RESOLVED that the following Statement of Revenues and Appropriations shall constitute the Budget of the Bayshore Regional Sewerage Authority for the Fiscal Year Ending December 31, 2020.

REVENUES

Retained earnings appropriated	\$ 0
Anticipated revenues	\$ 9,860,986
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Total revenues and other financial sources	\$ 9,860,986

APPROPRIATIONS

Operating Expenses	\$ 7,634,493
Capital Appropriations	\$ 1,300,000
Debt service, reserves, and deficit	\$ 926,493
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Total Appropriations & Capital Expenditures	\$ 9,860,986

Exhibit “E” Customer User Charges

The Bayshore Regional Sewerage Authority hereby establishes Customer User Charges as follows for 2020:

Aberdeen:	\$ 1,731,803
Hazlet:	\$ 2,411,509
Holmdel:	\$ 1,127,101
Keansburg:	\$ 965,878
Keyport:	\$ 1,127,985
Matawan:	\$ 1,098,449
Union Beach:	\$ 631,786
WMUA:	\$ 371,475

OFFEDER BY: Commissioner McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous vote recorded as follows:
 AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

At 7:15 P.M. Chairman Whalen called for a **MOTION** to Close the Public Hearing and open the Regular Meeting of the Bayshore Regional Sewerage Authority

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous vote recorded as follows:
AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

Reports

Executive Directors Report

Pete Canal Reported:

- NJSMUAESA Energy Aggregation Group open bids on December 3rd for primary power at the Treatment Plant and received 6 bids with Direct Energy Business being the lowest bid at 0.06207. The trigger price was \$0.06500. The low bidder for the Pump Stations discovered an error in their pricing and the 2nd lowest bidder could not hold their price past 3PM. The Pump Station will have to be rebid prior to May, 2020.
 - The annual Debt Service Payment for 2018 & 2019 are due February and August 1st. Funds will be transferred into the Debt Service Account for such payments.
 - Staff Engineer and Computer Technician positions are open. Advertisement for the engineer will take place after the holidays and the Computer Tech will go in January. Advertisement will appear in the Asbury Park Press, AEA, League of Municipalities and BRSA web-site.
 - Two BRSA employees were selected for the “Richard Jenkins Award” Ray Rossi and Sal Coppola received a Certificate and \$50 gift card.
 - On December 11th a meeting with Trinity Consultants was held to discuss the plant wide odor evaluation. Trinity suggested they put together a scope of work and go from odor source to odor source and write up a report for discussion.

Outgoing Executive Director

Robert Fischer Reported:

- Disaster Recovery Update – we are about one month or so from completion of the last of 5 major recovery projects.
 - Pete and I have worked very closely in the transition to Executive Director while Pete is simultaneously transitioning Tom to Principal Engineer position.
 - The 2020 Authority Budget is now adopted and will be sent down to the DCA for approval.
 - Pete and I met with Mike Bart to discuss setting up the Restriction of Capital Improvement Fund & Emergency Funds to ensure the funds are used for specific purposes. The Emergency Fund would provide funding for emergencies such as Super Storm Sandy. The Capital Fund are funds set aside reflected by the approved 5-year capital plan. The funds are currently in unrestricted accounts that should be transferred to restricted accounts.
 - PERT (457 Investment Fund) charged fees upon closing the employees accounts and opening an account with Lincoln Financial. Those funds need to be distributed to certain employees.

Staff Engineer Report

Tom Petti Reported:

- Collection System Rehab-Virginia Avenue easement-pre-bid meeting was held on December 17th with a bid opening date of January 9th and a potential award at the January 2020 meeting.

- Authority Manhole Rehab & Lining-4 RFQ's were received, the lowest being National Water Main Cleaning Co. of Kearny, NJ in the amount not to exceed \$21,868.
- Contract 101-Furnish & Delivery of Caustic Soda (Sodium Hydroxide) - award a one-year contract extension to Kuehne Chemical Company in the amount not to exceed \$20,000.
- Sodium Hypochlorite Solution – authorize advertisement for public bids.
- Bioxide - authorize advertisement for public bids.
- Boatworks @ Keyport Extension – approval of a one-year extension for the Residential application approved.

Consulting Engineer – R3M

Manuel Ponti Reported:

- Continued assistance on the repurposed Blower Bldg. No. 1 to Storage Bldg-waiting on delivery and assembly of shelving. Expected completion date in February, 2020.
- Conducted the Annual Inspection of the Treatment Plant and the Collection System.

Superintendent's Report

Mike Broyles Reported:

- Plant flow is the same as last month 200MG for the month.
- Plant effluent is basically the same as last month except TSS is 99% instead of 98%.
- Fuel Oil usage in the Incinerator is basically the same.
- We had odor complaints – a few from the same residents on Kathleen Court and 9th Street and one on Henry Street who refused to give his name & address. Wind direction and speed consistent with complaints.
- * Trinity is coming in to do a source analysis to help pinpoint the source of the odor.
- The operators received their Annual Federal Incinerator Refresher Training as required by the EPA.
- JIF did the Annual Collection System Inspection of the Pump Station and Meter Chambers.
- Hands on Safety training was held by Certified Health.
- NJDEP was in to do the Lab Audit which went well – no major issues.
- CEI finally responded to NOV indicating they did not receive certified mail. CEI was issued a fine of \$3,000 for the TSS exceedance. Also due to their October report they have another exceedance for their Ph. It's not a serious violation, less that 40% over the limit. An inspection was conducted last week and discussed their exceedances, they had no explanation why it happened.
- Matawan & West Keansburg Pump Stations control system upgrade are pretty much done.

TREASURER'S REPORT

Chairman Whalen called for a **MOTION** to approve the Treasurer's Report

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

INVESTMENT ACCOUNTS	Balance November 30, 2019
Lakeland Bank-CD	\$ 1,035,178.74
Lakeland Bank-CD	\$ 1,021,383.95
Cash Management	\$ 7,226,745.19
TD Bank-CD	\$ 3,000,000.00
TOTAL INVESTMENT	\$ 12,283,307.88
TD BANK	
NJEIT Project Fund	\$ 343,010.97
NJEIT Project Fund #2	\$ 3,185,103.64
Incoming Revenue Account	\$ 3,377,536.44
Operating Regular Account	\$ 2,047,858.75
Operating Reserve Account	\$ 6,428,915.42
Operating Payroll Account	\$ 667,887.55
Service Fund	\$ 108,401.73
TOTAL TD ACCOUNTS	\$ 16,168,714.50
TOTAL AUTHORITY ACCOUNTS	\$ 28,452,022.38

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

SCHEDULE OF ACCOUNTS RECEIVABLE

BRSA CHARGES	Balance November 30, 2019
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
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	\$ 0.00
TOTAL	\$ 0.00

RENT RESERVE ACCOUNTS as of November 30, 2019

Hazlet Township Sewerage Utility	\$	761,719.42
Township of Holmdel	\$	322,200.99
Borough of Union Beach	\$	196,773.02
Borough of Keyport	\$	299,955.24
Borough of Keansburg	\$	257,457.45
Borough of Matawan	\$	326,643.86
Western Monmouth Utilities Authority	\$	102,105.00
Township of Aberdeen	\$	463,920.13
TOTAL	\$	2,730,775.11

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

7. PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 580 (Regular)	\$789,533.52
Payroll Account Req. No. P 228 (Payroll)	\$260,626.80
NJEIT Project Fund #2 Req. #PF-40	\$251,160.17
Debt Service Fund – Req.# DS8	\$ 23,697.02
Debt Service Fund – Req.# DS9	\$173,340.20
Debt Service Fund – Req.# DS10	\$ 61,322.23

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

8. APPROVAL OF MINUTES

Chairman Whalen calls for a **MOTION** to approve the following Minutes:

Agenda Meeting Minutes of November 18, 2019
Closed Session Minutes of November 18, 2019

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

PUBLIC PORTION

ANNOUNCEMENT (by Chairman Whalen): 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.

Sam Lauro, 9th Street, Union Beach is glad that Trinity Consultants are coming in to evaluate the odors, maybe they can do something.

RESOLUTIONS

RESOLUTION NO. (145/19): To Adopt & Reissue Final Permits for CEI

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is a Designated Local Agency (DLA) administering an Industrial Pretreatment Program (IPP) Program pursuant to the General Pretreatment Regulations 40 CFR Part 403 and N.J.A.C 7:14A-1 et seq; and

WHEREAS, in accordance with the NJDEP Permit NO. NJ0024708 Part IV (F) -5, the Authority is required to re-issue permits within 180 days of the expiration date of the IPP Permit issued to an existing industrial user; and

WHEREAS, Cosmetic Essence International (CEI) with (1) one location in Holmdel (permittee) is a significant industrial user with a permit expiring on December 31, 2019; and

WHEREAS, the Authority has reissued a draft permit to CEI setting forth the rules, conditions, limits and other requirements in accordance with N.J.A.C. 7:14A-19.8 (b) by which their industrial waste is permitted to discharge to the Authority system; and

WHEREAS, in November, 2019 the Authority Public Noticed its intention to reissue an Industrial User permit to CEI and provided a 30 day comment period and opportunity for a public hearing for any interested party; and

WHEREAS, the Authority did not receive any significant comments from the Permittee or any member of the public; and

WHEREAS, the Authority has developed a final permit for CEI based upon the draft permit; and

WHEREAS, the Authority deems it desirable to reissue the draft permit as final to CEI to (1) prevent of discharge of pollutants that would interfere with the attainment of effluent limitations, (2) pass through the treatment plant and impair water quality, and (3) affect sludge quality so as to interfere with the Authority's management of sludge.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby reissue a final permit to CEI under permit No. 000005.

BE IT FURTHER RESOLVED a copy of this resolution and the final permits shall be sent to the New Jersey Department of Environmental Protection, Division of Pretreatment and Residuals and to CEI.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION NO. (146/19): To Adopt & Reissue Final Permits for IFF

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is a Designated Local Agency (DLA) administering an Industrial Pretreatment Program (IPP) Program pursuant to the General Pretreatment Regulations 40 CFR Part 403 and N.J.A.C 7:14A-1 et seq; and

WHEREAS, in accordance with the NJDEP Permit No. NJ0024708 Part IV (F) -5, the Authority is required to re-issue permits within 180 days of the expiration date of the IPP Permit issued to an existing industrial user; and

WHEREAS, International Flavors and Fragrances (IFF) with (2) two locations in Union Beach and (1) one location in Hazlet (permittees) are significant industrial users with a permit expiring on December 31, 2019; and

WHEREAS, the Authority has issued draft permits to all (3) three permittees setting forth the rules, conditions, limits and other requirements in accordance with N.J.A.C. 7:14A-19.8 (b) by which their respective industrial wastes are permitted to discharge to the Authority system; and

WHEREAS, in November, 2019 the Authority Public Noticed its intention to reissue Industrial permits to IFF and provided a 30 day comment period and opportunity for a public hearing for any interested party; and

WHEREAS, no significant comments were submitted by the Permittee or any member of the Public; and

WHEREAS, the Authority has developed a final permit for all 3 IFF permits based upon the draft permit; and

WHEREAS, the Authority deems it desirable to reissue final permits to IFF's (3) three industries to (1) prevent of discharge of pollutants that would interfere with the attainment of effluent limitations, (2) pass through the treatment plant and impair water quality, and (3) affect sludge quality so as to interfere with the Authority's management of sludge.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby reissue final permits to IFF's industrial dischargers under Permit No. 000001 Union Beach Facility, No.000004 R&D Facility, and No.000003 Compounding Facility.

BE IT FURTHER RESOLVED a copy of this resolution and the final permits shall be sent to the New Jersey Department of Environmental Protection, Division of Pretreatment and Residuals and to International Flavors and Fragrances.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (147/19): To Award a 24 month Contract to Direct Energy Business for Basic Generation Services for the Treatment Plant effective May 2020

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") is a member of the New Jersey Sewerage and Municipal Utility Authority Electricity Supply Aggregation (NJSMUAESA), ("the Aggregation Group"); and

WHEREAS, the Commissioners of the Authority on October 21, 2019 entered into an agreement with Gabel Associates to (1) serve as Energy Agent for the Aggregation Group for the purpose of purchasing aggregate electrical power and (2) authorizing the Executive Director to execute a Certificate of Acceptance for the winning bidder on the date bids are accepted by the Aggregation Group; and

WHEREAS, on December 3, 2019 the members of the Aggregation Group opened and reviewed bids for electrical power supply for a 24-month period for the Treatment Plant with the following results:

- Direct Energy Business \$0.06207 per kilowatt hour

- Constellation New Energy \$0.06264 per kilowatt hour
- EDF Energy Services \$0.06295 per kilowatt hour
- Plymouth Rock Energy \$0.06454 per kilowatt hour
- Aggressive Energy \$0.06639 per kilowatt hour
- East Coast Power & Gas \$0.07250 per kilowatt hour; and

WHEREAS, upon review by the Aggregation Group, and Gabel Associates determined Direct Energy Business to be the lowest responsible bidder with a unit price of \$0.06207 per kilowatt hour, for a 2-year fixed price contract commencing the first meter reading of May 2020; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority deem it in the best interest of the customers it serves to accept the recommendations of Gabel Associates and confirm award of the electrical power supply contract to Direct Energy Business in accordance with the terms and conditions set forth in the contract documents and authorizes the Chairman to execute the necessary documents.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (148/19): Authorizing a Cooperative Purchasing Agreement Between the Bayshore Regional Sewerage Authority and the OMNIA Partners Government Purchasing Alliance National Co-Op

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) wishes to enter into a co-operating purchasing agreement offered by the Omnia Partners Government Purchasing Alliance National Co-op for the purchase of goods and services utilizing the OMNIA Partner/US Communities/National IPA contracts extended to eligible public entities; and

WHEREAS, the Authority, pursuant to P.L.2011.c.139; and N.J.A.C. 5:34-7.29(c) and per Local Finance Notice No. LFN 2011-35, may by resolution and without advertising for bids, purchase goods and services under a national co-operative or regional co-operative; and

WHEREAS, the Authority wishes to achieve cost savings and procurement efficiencies through the use of the Omnia Partners Government Purchasing Alliance National Co-op vendors through this Resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current OMNIA Partner/ US Communities/National IPA agreements offered under this national co-operative.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that it does hereby approve the use of the Omnia Partners Government Purchasing Alliance National Co-op for the purchase of goods and services, as authorized by applicable law.

BE IT FURTHER RESOLVED, that the Commissioners and the Executive Director are authorized to execute any agreement(s) and other such document(s) that are necessary to effectuate this co-operative purchasing agreement with the Omnia Partners Government Purchasing Alliance National Co-op.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (149/19): To Award the uniform services to CINTAS Through Participation in the OMNIA Partners Government purchasing Alliance National Cooperative

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) as a contracting unit, may without advertising for bids, purchase goods and services entered into on our behalf by the Omnia Partners Government Purchasing Alliance National Co-op (Omnia), 840 Crescent Centre Drive, Suite 600, Franklin, TN 37067, pursuant to the provision of P.L. 2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to in the area of procurement; and

WHEREAS, Cintas Corporation has been awarded a contract for Facilities Management and Solutions under contract #R-BB-19002 (maturity date is 10/31/23); and

WHEREAS, under Omnia contract #R-BB-19002, Cintas Corporation, 6800 Cintas Blvd., Mason, Ohio 45040, an authorized vendor, can provide Uniform Services for the rental, cleaning and maintenance to the uniformed employees of the Authority per their quote dated December 5, 2019 in the amount of \$30,222.40 for a two (2) 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 Authority Operating Budget, under Service Contracts line item, to cover the maximum dollar value of the pending Contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED by the Commissioners of Bayshore Regional Sewerage Authority that Cintas Corporation under Omnia Contract #R-BB-19002, be utilized to provide Uniform Services to the Bayshore Regional Sewerage Authority at the cost of \$30,222.40.

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

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION NO. (150/19): To Authorize Reimbursement of Surrender Fees to Employees Recovered by the Authority During Transfer From PERT to Lincoln Financial Services

WHEREAS, the Bayshore Regional Sewerage Authority offers its employees a tax advantaged, deferred compensation retirement plan also known as a 457B Plan; and

WHEREAS, in 2006 "*Preferred Benefit Systems, Inc*" ("PBS") was the third party recordkeeper for the Authority Plan which was administered through the "*Public Employee Retirement Trust*" ("PERT"); and

WHEREAS, the Authority notified PERT and PBS it was terminating its relationship for failure to provide contracted services; and

WHEREAS, at the Authority request PBS transferred employee funds from PERT to the Authority's new 457B provider "*Lincoln Financial Services*" ("LFS"); and

WHEREAS, PERT assessed the Authority employees a surrender fee during the transfer which the Authority protested and which were subsequently reimbursed to the Authority; and

WHEREAS, Lincoln Financial Services, certified financial planners, have reviewed the file and advised the Authority of the proper distribution of the surrender fees to the employees in a letter dated November 18, 2019.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority authorize the reimbursement of fees in accordance with the letter from Lincoln Financial Services, dated November 18, 2019.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No.(151/19): Authorizing Cooperative Purchasing Agreement Between Bayshore Regional Sewerage and Houston-Galveston Area Council for Participation in Their Cooperative Pricing System

WHEREAS, the Bayshore Regional Sewerage Authority (the “Authority”) wishes to enter into a cooperative purchasing agreement offered by Houston-Galveston Area Council (hereinafter “H-GAC”) for the purchase of goods and services; and

WHEREAS, Houston-Galveston Area Council, operating under the Texas Local Government Code, offers eligible registered public entities the ability to make purchases for goods and services through competitively solicited contracts awarded by a public agency on behalf of itself and Participating Public Agencies (hereinafter the “Act”); and

WHEREAS, the Authority, pursuant to P.L.2011.c.139; and N.J.A.C. 5:34-7.29(c) and per Local Finance Notice No. LFN 2011-35 may by resolution and without advertising for bids, purchase any goods and service under the H-GAC; and

WHEREAS, pursuant to the Act, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and;

WHEREAS, the Authority has represented that it is an eligible entity under the Act, that the Commissioners of the Authority have authorized that the Authority enter into a Cooperative Purchasing Agreement with H-GAC and that it desires to contract with H-GAC on the terms set forth in the Interlocal Contract for Cooperative Purchasing, a copy of which is attached hereto; and

WHEREAS, the Authority wishes to achieve cost savings and procurement efficiencies through the use of the Interlocal Contract for Cooperative Purchasing offered by H-GAC.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority, County of Monmouth and State of New Jersey that it does hereby approve the use of the Interlocal Contract for Cooperative Purchasing program offered by Houston-Galveston Area Council for the purchase of goods and services from this national cooperative, as authorized by applicable law.

BE IT FURTHER RESOLVED that the Commissioners and the Executive Director are authorized to execute the attached Interlocal Contract for Cooperative Purchasing agreement and such other documents that are necessary to effectuate this Cooperative Pricing Agreement, with the Houston-Galveston Area Council.

OFFEDER BY: Commissioner McMullen, SECONDED BY: Commissioner Cavanagh, and carried by

a unanimous vote recorded as follows:

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (152/19): To Authorize Advertisement for Public Bids on Contract No. 116-O, Furnishing and Delivery of Bioxide for a Two (2) Year period

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) has a need to continue the delivery of Bioxide in an uninterrupted fashion to supply chemicals for daily operations; and

WHEREAS, the Authority has a current Contract with Evoqua Water Technologies, LLC for the furnishing and delivery of Bioxide which expires on February 25, 2020; and

WHEREAS, there are no further extensions available; and

WHEREAS, the Authority requires authorization to solicit public bids for a new Contract for a two (2) year period.

NOW THEREFORE BE IT RESOLVED the Commissioners of Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for the Furnishing and Delivering Bioxide for a two (2) year period, in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION NO. (153/19): To Establish a Restricted Capital Improvement Fund

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) maintains a five-(5) year capital improvement plan (CIP-5) for the upgrade and improvement of its treatment plant, remote pump stations and collection system assets; and

WHEREAS, the Authority has unreserved net position from connection fees, operating income and surplus; and

WHEREAS, it is in the best interest of the communities served by the Authority that adequate funds be restricted for the accomplishment of the CIP-5 to maintain the Authority assets in an efficient condition with the greatest possible life expectancy thereby enabling stability in the establishment of annual rates.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority establish a Capital Improvement Fund to restrict funding in amount equal to the five-(5) years beyond the proposed budget year.

BE IT FURTHER RESOLVED, the funding requirement for the CIP years 2021 to 2025 is \$7,350,000.

BE IT FURTHER RESOLVED, the Capital Improvement Fund be reestablished from time to time as required by the Commissioners of the Authority.

OFFEDER BY: Commissioner McMullen, SECONDED BY: Commissioner Cavanagh, and carried by a unanimous vote recorded as follows:
AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION NO. (154/19): To Establish a Restricted Emergency Response Fund

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) was severely impacted by Superstorm Sandy (“Sandy”) on October 29, 2012; and

WHEREAS, the Authority had reserve funds which enabled the rapid procurement of services and supplies necessary to respond to the Sandy emergency until such time that other funding sources became available; and

WHEREAS, it is in the best interest of the communities served by the Authority that adequate funds be restricted in an Emergency Response Fund for the sole purpose of responding to major emergencies in an expeditious fashion until such time that other funding sources become available.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority establish an Emergency Response Fund and establish restricted funding in an amount equal to \$3,000,000.

BE IT FURTHER RESOLVED, the Emergency Response Fund be reestablished from time to time as required by the Commissioners of the Authority.

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner Cavanagh, and carried by a unanimous vote recorded as follows:
AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (155/19): To Award the Request for Quotation 2019-05 for Authority Manhole Rehabilitation & Lining Project to National Water Main Cleaning Company in the amount of \$21,868.00.

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and maintains over 300 sanitary sewer manholes; and

WHEREAS, the Authority has a need for the repair and rehabilitation of multiple manholes; and

WHEREAS, the Authority Engineering Staff developed RFQ 2019-05 for the Authority Manhole Rehabilitation & Lining Project; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised and on December 4, 2019 at 2:00 P.M. received quotes for the Authority Manhole Rehabilitation & Lining Project; and

WHEREAS, four (4) quotations were received with the lowest of \$21,868.00 from National Water Main Cleaning Company of Kearny, NJ; and

WHEREAS, the Authority Engineer and Staff have reviewed the quotation and found it to be reasonable and acceptable; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of Bayshore Regional Sewerage Authority hereby award the Authority Manhole Rehabilitation & Lining Project to National Water Main Cleaning Company of Kearny, NJ in accordance with the terms and conditions of the Request for Quotation #2019-05 in the amount not to exceed \$21,868.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to National Water Main Cleaning Company of Kearny, NJ. OFFEDER BY: Commissioner McMullen, SECONDED BY: Commissioner Cavanagh, and carried by a unanimous vote recorded as follows:

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (156/19): To Award a One Year Extension for Contract No. 101-O for Furnishing and Delivering of Caustic Soda Solution to Kuehne Chemical Company, Inc.

WHEREAS, in accordance with Local Public Contracts Law at 10:00 A.M. on Tuesday, December 13, 2017, the Bayshore Regional Sewerage Authority (“Authority”) received bids for Contract 101-O Furnishing and Delivering of Caustic Soda 25% (Sodium Hydroxide) for a One (1) Year Period; and

WHEREAS, on December 18, 2017 the Authority awarded the Furnishing and Delivering of Caustic Soda 25% for a One Year Period to the lowest responsible bidder being Kuehne Chemical Company, Inc. of South Kearny, NJ, by Resolution #130/17; and

WHEREAS, on January 18, 2020 the Contract is scheduled to expire; and

WHEREAS, the Contract provides by mutual agreement, and the Local Public Contracts Law allows for one year contract extensions for a maximum of two (2) years, where one extension remains available, which the total price shall not exceed the change in the index rate for the twelve (12) months preceding the most recent quarterly calculation and price; and

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

WHEREAS, the Qualified Purchasing Agent and the Principal Engineer have reviewed the correspondence with Kuehne Chemical Company, Inc. accepting the one (1) year extension in accordance with the same product, price, terms and conditions as the original Contract and are recommending one final one-year extension; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Authority Chemical line item, to cover the maximum dollar value of the pending Contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Kuehne Chemical Company, Inc. is hereby awarded a second and final, one (1) year extension of Contract 101-O Furnishing and Delivering of Caustic Soda Solution with the terms and conditions of the original bid and Contract documents, for the total Contract price of \$20,000.

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

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (157/19): To Authorize Advertisement for Public Bids on Contract No. 115-O, Furnishing and Delivery of Sodium Hypochlorite for a Two (2) Year period

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) has a need to continue the delivery of Sodium Hypochlorite in an uninterrupted fashion to supply chemicals for daily operations; and

WHEREAS, the Authority has a current Contract with Kuehne Chemical Company for the furnishing and delivery of Sodium Hypochlorite which expires on February 24, 2020; and

WHEREAS, there are no further extensions available; and

WHEREAS, the Authority requires authorization to solicit public bids for a new Contract for a two (2) year period.

NOW THEREFORE BE IT RESOLVED the Commissioners of Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for the Furnishing and Delivering Sodium Hypochlorite for a two (2) year period, in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (158/19): Authorizing the Purchase of a MC50 Dup Push System Through Participation in the H-GAC National Cooperative

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) as a contracting unit, may without advertising for bids, purchase goods and services entered into on our behalf by the Houson-Galveston Area Council (H-GAC), 3555 Timmons Lane, Suite 120, Houston, Texas 77027 pursuant to the provision of P.L. 2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to in the area of procurement; and

WHEREAS, Raush Electronics USA has been awarded a contract for Sewer Cleaning, Hydro-Excavation, Inspection Equipment & Miscellaneous Services under H-GAC contract #SC018E-054 (maturity date is 12/31/20); and

WHEREAS, under H-GAC contract #SC018E-054, Raush Electronics USA, 1686 Opportunity Ave, Chambersburg, Pennsylvania, 17201 an authorized vendor, can provide a MC50 Duo Push System (pipeline camera) for the visual inspection of active pipelines owned and maintained by Authority to the Authority Maintenance Department as per their quote dated December 5, 2019 in the amount of \$18,037.00.

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of Bayshore Regional Sewerage Authority that Raush Electronics USA under H-GAC Contract #SC018E054, be utilized to provide a MC50 Duo Push System for the Maintenance Department at the cost of \$18,037.00.

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous vote recorded as follows:
AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

RESOLUTION No. (159/19):To Approve a One (1)-Year Sanitary Sewer Connection Approval Extension for PRC-ES Associates, LLC, Developer for The Boatworks at Keyport

WHEREAS, PRC-ES Associates, LLC (“Developer”), is the project developer of The Boatworks at Keyport, located at 156-158 West Front Street, further designated as Block 22, Lots 12.01, 19 & 20 in the Borough of Keyport, a 24 Equivalent Dwelling Units (“EDU’s”) Project, with 26 Townhouse Units and a credit of 2 Units; and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval and sanitary sewer connection approval from the Bayshore Regional Sewerage Authority (“Authority”) by Resolution #117/18; and

WHEREAS, The Authority approval will expire on December 17, 2019 and the developer desires a one-year extension; and

WHEREAS, PRC-ES Associates, LLC will execute the Developer’s Agreement, pay all review and Attorney fees, and provide the Authority’s Attorney with acceptable guarantees for the remaining connection fees under the terms and conditions of the Developer’s Agreement.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that PRC-ES Associates, LLC is hereby granted a one (1)-year Sanitary Sewer Approval Extension for the above referenced project, contingent upon the above requirements, the execution of the aforementioned Developer’s Agreement and acceptable guarantees for the remaining connection fees.

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

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

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 Chairman Whalen

RESOLUTION No. (161/19):

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) by prior Resolution, authorized the Authority’s participation in the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation (“NJSMUAESA”) bid solicitation on an aggregated basis for the bulk purchase of electric generation service from licensed electric power suppliers pursuant to the provisions of the “Electric Discount and Energy Competition Act” (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*, “the Act”); and

WHEREAS, on December 3, 2019, in response to the Request For Bids for Aggressive Energy submitted a bid with respect to the bulk supply of electric generation services to Bid Group 6 (Pump Station

Group), and later that day, requested that the bid submitted be withdrawn due to a mathematical error in the bid submission; and

WHEREAS, Gabel Associates, Inc., the Authority's Energy Agent in connection with the procurement of electricity supply for the Authority's electric accounts, has determined that the bid submitted by Aggressive Energy contains a mistake and recommends that the Authority accept the request to withdraw the bid of Aggressive Energy; and

WHEREAS, the electricity market is highly volatile and bid prices are not be guaranteed past 3:00 p.m. on the day that bids are accepted, the bids submitted on behalf of other licensed electric power suppliers had expired by the time that the mistake was discovered, and therefore the bid price for the supply of electric generation service for Bid Group 6 must be refreshed on a future date.

NOW, THEREFORE, BE IT RESOLVED the Bayshore Regional Sewerage Authority as follows:

1. The Authority hereby grants Aggressive Energy's request to withdraw its bid with respect to electric generation service for Bid Group 6 (Pump Station Group) due to mistake.
2. The Authority is hereby authorized to participate in the NJSMUAESA refresher bid for Bid Group 6 with respect to electric generation service from licensed electric power suppliers for a contract to replace the existing electricity supply contract(s) expiring in May 2020.
3. The Authority's Executive Director, or in his absence General Counsel, John Napolitano, Esq. , is hereby authorized to act as the Authority's designated representative to award a contract for Bid Group 6 to the low, qualified bidder for the contract term and pricing product deemed most beneficial to the Authority, by executing an Award Letter on the day of price refresh and subsequently executing the Model Supply Contract, or reject the electricity bid, in conjunction with the price refresh for Bid Group 6 in accordance with NJSMUAESA's Request for Bids originally issued on or about November 1, 2019. Authorization to award a contract is subject to the low bid being equal to or less than the Trigger Price(s) for Bid Group 6 containing the Authority's accounts prior to the date of the price refresh for Bid Group 6.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

PUBLIC PORTION

Chairman Whalen announced: 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. As a courtesy to all, please be mindful of limiting your comments to 5 minutes.

Charles Hoffman of Florence Avenue, Hazlet asked John Napolitano, Esq. about any headway with the Conti case. John said nothing has changed and with the Holidays coming up does not expect to hear from anyone.

John Napolitano announced that there was one more Resolution and he invited Mr. Hoffman to stay. Chairman Whalen read the following Resolution into the minutes:

RESOLUTION No. (160/19): In Appreciation and Recognition of the Extraordinary Service and Leadership of Robert C. Fischer

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, Robert C. Fischer, Executive Director, will be retiring on December 31, 2019; and

WHEREAS, Mr. Fischer has worked in the wastewater industry for thirty-eight (38) years, earned his bachelor’s degree in Chemical Engineering in 1996 and received his NJDEP S-4 Wastewater Treatment Operator License; and

WHEREAS, Mr. Fischer has served the Authority as an Executive Director for seventeen (17) years from January 1, 2003 to December 31, 2019; and

WHEREAS, Mr. Fischer has also served many Associations and Committees including Chairman of Long Range Planning Committee at the New Jersey Water Environment Association (NJWEA), Delegate at Large for Water Environment Federation (WEF), Director of Association of Environmental Authorities (AEA), Chairman of the NJ Utility Authority Joint Insurance Fund (NJUAJIF), and was the President of the NJWEA from 2012 to 2014; and

WHEREAS, throughout his career, Mr. Fischer earned admiration and the utmost respect of his peers, policymakers, and associations for his dedication, enthusiasm, professionalism, sense of humor and tireless work and involvement in many issues, presentations, education, etc.; and

WHEREAS, Mr. Fischer effectively handled many complex and emergent issues throughout his tenure at the Authority; and

WHEREAS, during a critical time in the history of the Authority, Mr. Fischer helped to bring to fruition enormous undertakings and was instrumental in resolving many challenging issues relative to Restoration and Mitigation of the Authority’s Treatment facility and other important matters due to the destruction from Superstorm Sandy; and

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby proclaim Robert C. Fischer, Executive Director Emeritus.

BE IT FURTHER RESOLVED that the Commissioners take great pleasure in recognizing the significant contributions and achievements of Robert C. Fisher, and hereby expresses their sincere gratitude for the invaluable contributions he has made to the Authority; and extends their best wishes as he approaches his well-earned retirement.

BE IT FURTHER RESOLVED that this Resolution be included in the minutes of the meeting and permanent record of the Authority and that copies be sent to Robert C. Fischer to share with his family.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

Mr. Fisher thanked the Commissioners for the Recognition and stated that the way the Board handles the oversight of the Authority has so much to do with the success of what we do here. This Board gets involved in appointments, contracts, negotiations and the Personnel, Engineering and Finance Committee’s get involved to make a difference. He also thanked Pete, Mike and all the staff for their involvement in the running of the plant. He said many contractors come in and comment about how special this staff is from any other plant.

ADJOURNMENT

ANNOUNCEMENT (by Chairman Whalen):

The next B.R.S.A. Regular Meeting is scheduled for Monday, January 27, 2020, 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 8:06 P.M., Chairman Whalen called for a **MOTION** to Adjourn the meeting.

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

AYES: Commissioners Cavanagh, McMullen, Sutton and Chairman Whalen

Respectfully submitted,
Susan DuBey
Administrative Assistant