

MINUTES FOR
REGULAR MEETING
MONDAY, APRIL 15, 2019

At 7:00 P.M., 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.

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 calls for a roll call of attendance:

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

Also In Attendance: Mr. Robert C. Fischer, Executive Director
J. Michael Broyles, Superintendent
Mitch Jacobs for John Napolitano, General Counsel
Manuel Ponte, P.E., Consulting Engineer
Peter J. Canal, BRSA Engineer
Susan DuBey, Admin. Assistant

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

Disaster Recovery Update

- T-4 was delivered and put in place. T-5, T-6 and the Switch Gear are due in May 1st and May 22nd respectfully.
- The RFQ for the Power Resiliency Project went to four firms, one firm was a no show at the Pre-submittal meeting. We went to the short list and asked Black & Veatch for a submittal and met with them. Extended the deadline for all four firms to have equal time to put together their qualifications.
- John Napolitano, Mike Samuel, Pete Canal and Robert Fischer met with (MCBOA) Monmouth County Bayshore Outfall Authority Attorney, Engineer, Head Administrative Staff and Technical Staff to discuss the Power Resiliency Project.
- Michelle Heaton started on April 8th as Financial Admin. Asst. and passed all pre-employment background checks and physicals.
- Mr. Fischer introduced Mike Donahue who has been with the BRSA since March 21, 1994. Through the years Mike has become very efficient in running the Incinerator especially during our Stack Tests. Many employees learned the operation of the incinerator from Mike.

Mike holds a C-2 and S2 license, was Shop Stewart and in 2016 moved over to the Maintenance Department. The Commissioners would like to honor Mike's 25 Years of Service with the following Resolution.

RESOLUTION (55/19): TO EXPRESS SINCERE APPRECIATION TO MICHAEL DONAHUE FOR TWENTY-FIVE YEARS OF SERVICE

WHEREAS, The Bayshore Regional Sewerage Authority ("Authority") and its Commissioners wish to formally acknowledge the contributions of their longstanding employees; and

WHEREAS, Mr. Michael Donahue has served the public as an employee of the Authority for twenty-five years; beginning in March 21, 1994; and

WHEREAS, Michael Donahue has served the Authority in many ways and continues to serve in his capacity as Utility Man.

NOW THEREFORE BE IT RESOLVED, the Bayshore Regional Sewerage Authority, its Commissioners, and employees hereby express sincere appreciation to Mr. Michael Donahue and gratitude for his many years of service with the Authority and present him with a 25 Years of Service Appreciation Award of \$500.00.

BE IT FURTHER RESOLVED, a copy of this Resolution will be entered into the permanent records of the Authority.

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

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

Staff Engineer Report

- Submitted an application for an Engineering (Summer) Intern to local colleges to help us get the GIS off the ground.

Commissioner McMullen asked if we ever had an intern during the school year. Pete said just during Christmas and/or Spring Break.

- Appoint the Conflict Attorney Manna & Bonello at the same rate as last year.
- Update-NIRO Heat Exchanger-Chavond Barry submitted the spec's for review and we hope to get them out in the next couple of weeks.
- Annual Stack Test for the NIRO Incinerator completed successfully
- Karl Deigert Enterprises, Inc.- approve Final Quantities Change Order in the credit amount of - \$267,814.52 and to authorize Advertisement for a new Annual Standby Repair & Service Contract.
- Glassworks-requesting a modification to the payment plan. John Napolitano, BRSA Attorney, suggested to bring in both Glassworks and Bell Works to get the projects resolved.
- Waverly Place – Keyport for 6 townhouses – approve connection and signing of the NJDEP TWA consent form.

Consulting Engineer – R3M

- Odor Control Scrubber #4 – waiting for NJDEP to approve protocol and schedule stack test
- Blower Building #1 to Storage Building – final design reviewed by BRSA staff. Advertise and receive bids in May.

- Working on 2nd Quarter Flow Report for next month.

Commissioner Steiner asked Manuel if he received the report from Pure. Manuel said Pure is reviewing comments and will have an update next month.

Superintendent’s Report

- Flow for March is up slightly from last month.
- Effluent quality is about the same maybe a little worse than last month due to the fact that we chlorinated Plant #1 to prevent a bulking event that was eminent.
- Put an additional aeration tank online in Plant #2 to clear up the effluent.
- No Odor complaints were reported in March
- Incinerator ran on short schedule for work on the concentration tank, safety training and preparation of the Stack Test. From preliminary calculations we made 85% of the limit for every run during the stack test. We did 2 runs Monday, Tuesday, Wednesday and ½ day Thursday with no issues and no extra runs. Just have to wait for the results from the Stack Tester on the emissions which will take about a month.

Mr. Fischer said that since other plants have had trouble with the Mercury Scrubber failure we ran the Stack Test with & without using the scrubber. If we pass the Mercury limit without the scrubber we are permitted to continue operating the incinerator even in the event the scrubber must be shut down for repairs. Mike said it is currently in our permit that we can run the incinerator without the scrubber.

- Conducted several interviews for the Operators Position, still looking. Having an interview tomorrow and advertised the position on 4 local college web sites.
- Lab received the Proficiency samples that are complete. Results need to be submitted on the web site and wait for all test to be complete before we know if we passed.

TREASURER’S REPORT

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

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

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

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

<u>INVESTMENT ACCOUNTS</u>	Balance March 31, 2019
Lakeland Bank-CD	\$ 1,020,521.69
Lakeland Bank-CD	\$ 1,002,955.55
Cash Management	\$ 7,120,950.71
TD Bank-CD	<u>\$ 3,000,000.00</u>
TOTAL INVESTMENT	\$ 12,144,427.95

TD BANK

NJEIT Project Fund	\$ 151,546.51
NJEIT Project Fund #2	\$ 3,017,000.55
Incoming Revenue Account	\$ 459,924.67
Operating Regular Account	\$ 1,813,213.79
Operating Reserve Account	\$ 7,015,863.88
Operating Payroll Account	\$ 725,388.82
Debt Service Fund	\$ 644,934.82
TOTAL TD ACCOUNTS	\$ 13,827,873.04
TOTAL AUTHORITY ACCOUNTS	\$ 25,972,300.99

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

	Balance
	<u>March 31, 2019</u>
BRSA 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	\$ -231,357.50
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ -231,357.50
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	\$ -24,459.46
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ -24,459.46
Balance of Rent Reserve Accounts as of March 31, 2019	
Hazlet Township Sewerage Utility	\$ 758,228.79
Township of Holmdel	\$ 320,724.48
Borough of Union Beach	\$ 195,871.30
Borough of Keyport	\$ 298,580.67
Borough of Keansburg	\$ 256,277.63
Borough of Matawan	\$ 325,146.99
Western Monmouth Utilities Authority	\$ 101,637.10
Township of Aberdeen	\$ 461,794.18
TOTAL	\$ 2,718,261.14

7. PAYMENT OF REQUISITIONS

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

Operating Fund Requisition No. 572 (Regular) \$224,495.49

Payroll Account Requisition No. P220 (Payroll) \$166,467.72

NJEIT Project Fund #2 Requisition #PF-32 \$ 39,363.06

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

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

APPROVAL OF MINUTES

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

Agenda Meeting Minutes of March 18, 2019

Closed Session of March 18, 2019

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

AYES: Commissioners McMullen, Steiner, Sutton and Chairman Whalen

ABSTAIN: Commissioners Cavanagh, Khachaturian

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.

Charles Hoffman questioned Resolutions #57/19 & 58/19. He asked if one resolution is being closed out with a credit and if the second resolution was for a new contract. Pete said yes.

RESOLUTIONS

RESOLUTION (56/19): To Approve Sanitary Sewer Connection and Treatment Works Approval Application for Keyport Homes, LLC, Developer of 26 Waverly Street

WHEREAS, Keyport Homes, LLC (“Developer”) is the developer of a project located at 26 Waverly Street, further designated as Block 128, Lots 2,3 & 4.01 in the Borough of Keyport, a 6 Equivalent Dwelling Units (EDU’s) Townhouse Project with 1 EDU credit for an existing 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 1,350 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 connection fee of \$25,180; and

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

BE IT FURTHER RESOLVED the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection upon payment of all aforementioned fees, 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 Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION (57/19): To Authorize Advertisement for Public Bids on Contract No. 110, Annual Standby Repair and Service Contract

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a Wastewater Treatment Plant and Collection System that includes three Pumping Stations; and

WHEREAS, there is a need to have a standby Contractor for repair and service work; and

WHEREAS, the Authority Engineering staff is developing a Contract and technical specifications for an Annual Standby Repair and Service Contract; and

NOW THEREFORE BE IT RESOLVED the by the Commissioners of the Bayshore Regional Sewerage Authority that the Chief Engineer and Qualified Purchasing Agent are authorized to advertise for public bids for the Annual Standby Repair and Service Contract, Contract 110, in the Authority Official Newspaper and on the Bayshore Regional Sewerage 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, Steiner, Sutton and Chairman Whalen

RESOLUTION (58/19): To Award Change Order No. 2 in the credit amount of \$ 267,814.52 to Karl Deigert Enterprises, Inc. and Close-out Contract 103, Annual Standby Repair and Service Contract

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to perform various repairs and service work throughout the Authority’s system; and

WHEREAS, in accordance with Local Public Contracts Law, Karl Deigert Enterprises, Inc. was awarded Contract No. 103, Annual Standby Repair and Service Contract in the amount of \$461,191.50 by Resolution No. 51/18; and

WHEREAS, the Authority previously approved Resolution No. 78/18 in the credit amount of \$9,075, decreasing the total Contract Value to \$452,116.50; and

WHEREAS, there is need to amend the Contract to adjust the final quantities of work performed and determine the final retainage; and

WHEREAS, the Authority Engineering staff has prepared Change Order No. 2 in the credit amount of \$267,814.52, decreasing the total Contract Value to \$184,301.98; and

WHEREAS, all work is complete and the Authority Engineer and staff are recommending acceptance of the Maintenance Bond and closeout of the Contract; and

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority approve Change Order No. 2 in the credit amount of \$267,814.52, decreasing the total Contract Value to \$184,301.98 and acceptance of the Maintenance Bond and closeout of the Annual Standby Repair and Service Contract, Contract 103.

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute any necessary documents to approve close-out of the project.

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

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

RESOLUTION (59/19): To Authorize CD Investments with TD Bank and Lakeland Bank for 12-Month period

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has established a Cash Management Plan (“Plan”) pursuant to the provisions of NJSA 40A:5–14; and

WHEREAS the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

WHEREAS, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14, and

WHEREAS, Certificates of Deposit (“CD’s”) are permissible investments under Article VI- (9) of the Plan;

WHEREAS, for the better safety, liquidity and maximum investment return the Authority desires to invest \$3,000,000 in a 12-month CD with TD bank at an interest rate of 2.35%; and

WHEREAS, for the better safety, liquidity and maximum investment return the Authority desires to invest \$2,000,000 in a 12-month CD with Lakeland bank at an interest rate of 2.80%; and

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize and ratify the investments so stated in these Authorized Depositories of the Authority.

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

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

Chairman Whalen called for a **MOTION** to Appoint a Conflict Attorney as per his proposal dated April 2, 2019 to Manna and Bonello of Long Branch, NJ.

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

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

PUBLIC PORTION

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 said he thinks the hookup of the MCBOA to the BRSA Resiliency Generators is a good idea but understands that the pipe goes out to Sandy Hook. With Middletown also connected to the MCBOA is there a booster pump to push all that water out?

Mr. Fischer said Middletown has a pump, 8 miles past us.

Mr. Fischer said that John Napolitano put together a Policy for Connection Fee Hardship. He will be back next month. Do you want to wait for him to return? All agreed to wait.

EXECUTIVE SESSION

Chairman Whalen called for a **MOTION** to go into Closed Session at 7:21 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.

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

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

EXECUTIVE SESSION MINUTES ARE RECORDED SEPERATELY

END CLOSED SESSION

Chairman Whalen called for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 7:41 P.M.

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

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

ADJOURMENT

ANNOUNCEMENT (by Chairman Whalen):

The next Regular Meeting of the BRSA Regular Meeting of the Bayshore Regional Sewerage Authority will be held on Monday, May 20, 2019. All meetings are held at 7:00 PM in the Administration Building at 100 Oak Street, Union Beach, NJ.

At 7:43 P.M., Chairman Whalen calls for a **MOTION** to Adjourn the meeting.

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

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

Respectfully Submitted,
Susan DuBey
Administrative Assistant