

MINUTRS FOR
REGULAR MEETING via Zoom
MONDAY, JUNE 15, 2020

At 7:04 P.M., Chairman Khachaturian 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 Khachaturian 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 Khachaturian called for a roll call via Phone (Zoom):

ROLL CALL

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

Also, via Phone (Zoom): John Napolitano, Esq.
Manuel Ponte, P.E.
Mark Tabakin, Esq.
Michael Bart, CPA
Diane Ditizii, Stenographer

Also, in attendance: Peter Canal, Executive Director
J. Michael Broyles, Superintendent
Thomas Petti, P.E., Principal Engineer
Susan DuBey, Administrative Asst.

CONNECTION FEE PUBLIC HEARING

CONNECTION FEE PUBLIC HEARING MINUTES WERE RECORDED BY THE
STENOGRAPHER

RESOLUTION

RESOLUTION (78/20): To Adopt the 2020/2021 Connection Fee

WHEREAS, in accordance with the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq., governing the Bayshore Regional Sewerage Authority (“Authority”), as amended, and Rules and Regulations of the Bayshore Regional Sewerage Authority, the Authority has conducted a Public Hearing on its Revised Connection Fee based on the 2019 Audit and Connection Fee calculation prepared by the Authority

Certified Public Accountant as well as the 2019 (“EDU”) Equivalent Domestic Unit report prepared by the Authority Consulting Engineer; and

WHEREAS, the Authority specifically finds it to be reasonable and necessary to adopt the annexed connection fee charge.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Revised Connection Fee of the Authority is hereby adopted and approved.

BE IT FURTHER RESOLVED that the Connection Fee on the attached Exhibit “E” (partial) be and is hereby incorporated and made part of the Section 7 “Fees” of the Rules and Regulations of the Authority until such time that a revised connection fee is adopted by the Authority.

BAYSHORE REGIONAL SEWERAGE AUTHORITY EXHIBIT “E” (partial)

Connection Fees

In accordance with NJSA 40:14A-8, the Bayshore Regional Sewerage Authority hereby establishes connection fees for a direct or indirect connection with, or the use of services of the Authority Sewerage System for the Year 2020/2021.

Connection fee \$5,020.00 for the year 2020/2021 fiscal year

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

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

CLOSE PUBLIC HEARING

MOTION (by Chairman Khachaturian) to adjourn the Public Hearing at 7:11 P.M and Open the Regular Meeting.

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

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

REPORTS

1. Executive Directors Report:

Peter Canal Reported:

Coronavirus (COVID-19) Management Plan

- The authority continues to work with staggered shifts and the office staff is working remotely from home.
- We have no illnesses to report.
- The new on-line purchase system is working well ordering necessary supplies and equipment.
- On May 24th we lifted the moratorium for employees to take time off.
- Developed a plan to return to regular schedule effective June 28th for all employees except for the Office Staff, which will report to work on or about July 13, 2020.

Disaster Recovery Update

- Power Distribution System, Contract 81S – working diligently to complete the punch list, which we expect can be completed by end of the summer.
- Power Resiliency Generation Project, Contract 114S – conferences are being held with BRSA staff,

R3M Engineering, HDR, Arcadis and NJOEM to review the 25% design. R3m is proceeding with the value engineering portion and HDR is moving ahead with the 50% design.

- Next month we will be setting up Project Fund III Account with TD Bank and we will be seeking funding from NJ-I Bank later in the year.
- Work is continuing with PS&S to close-out Project Funds I & II.
Finances – The State Bid and Quote thresholds has been raised for municipalities having staff with “certified purchasing agent?” to \$44,000 and \$6,600 respectively.

Human Resources

- The Operators position is still open. We received several resumes and conducted several interviews; however, we do not have a recommendation at this time. We will continue to search for the right candidate and will be placing an advertisement in the paper...

Security

- The construction of the perimeter fencing around the Plant has started and is moving along well.
- The staff is drafting plans and specs for the Phase 2 Security Cameras Project around the site perimeter and incineration building.

Commissioner Whalen asked if there is any word from the Odor Identification Company (Trinity Consultants) about when they will be scheduling to come out. Tom said he talked to Trinity Consultants last week and the company still has a travel ban for their employees.

2. Principal Engineer Report

Tom Petti Reported:

- Sludge Concentration Tanks/Contract 106 – continues to progress well, Tank #4 was returned to service on May 27 and Tanks #1 & #4 are complete. Work on Tank #3 is expected next.
- Repurposing of Blower Building #1 to Storage Building/Contract 108 – all work is complete and there is an unused portion of the allowance that we are due a credit for. Resolution is on for tonight to accept the credit of \$4,794.00, close-out the project and release retainage.
- Virginia Ave Sewer Rehab/Contract 112 – CIPP work was completed the week of May 11, only manhole rehab work, scheduled for the week of June 15, remains.
- Pump Station & Force Main Inspection – R3M continues to work on the standby contract work orders, meeting with CRS at the sites will take place on June 10.
- Authority Fencing Upgrades – Fence Contractor mobilized on June 1, expects to take 3-4 weeks to complete the project.
- Annual TV & Cleaning of Interceptors Project/Contract 118 – Construction Contract will be advertised and opened on Zoom. A small RFP will be distributed to engineering firms for construction management services.
- Plant Odor Study – Spoke to Trinity on May 29, they are continuing to postpone the odor study due to the travel ban associated with COVID-19.
- Power Distribution Systems/Contract 81-S – PKF on-site doing punch list work, Staff is holding weekly meeting with them to finish the project.
- Power Resiliency Project/Contract 114-S – Multiple meetings were held throughout May and early June progressing the project to the 25% design submittal. Value Engineering study and meetings will FEMA will be scheduling next.

3. Consulting Engineers Report

Manuel Ponte Reported:

- Repurposing Blower Bldg. No. 1 to Storage Bldg. was completed satisfactorily to the BRSA.

- Condition – Phase II Validation and Initial Repairs is proceeding well.
- Power Resiliency System - assistance with design by HDR is proceeding well and the Value Engineering study was initiated.
- Fuel Oil Tank No. 3 – final design is proceeding and scheduled to be advertised for bids in July.

4. Superintendents Report

Mike Broyles Reported:

- The flow for May was down approximately MG for the month, averaging about 0.5 MGD than April at 7.455 MGD
- TSS Suspended Solids up slightly and BOD same with 97% removal for both
- Incinerated 235 dry tons of sludge at 28 gallons of oil per ton an increase of approximately 1 gallon per ton
- Several Odor complaints were called in by Mrs. Montalbano and Mr. Lauro. Mrs. Montalbano continues to e-mail, making it difficult to investigate complaints in a timely fashion. Authority Staff responded to the locations on several of the complaints and found no discernable odor (offensive or otherwise.) Spoke to complaints several times. Awaiting response from Trinity for anticipated assistance in investigations
- COVID-19 modified schedule continues to be adequate, noted typo in report started March 29 not April 29
- Incinerator down for several days to allow IFCO to perform ash leak repairs to primary heat exchanger
- SpectraServ complete removal of ash from basin #2 and #3, providing approximately 16 months of storage capacity
- Discussed status of open Operator position, no additional candidates interviewed, concerns about current first choice due to length of commute
- NJDEP virtual hearing on fees BRSA fee will remain the minimum and MCBOA fee seems to be slightly lower
- No issues during Pre-Holiday Coastal Compliance Inspection by NJDEP on May 20
- Lab modified monitoring schedule ending on June 30, returning lab to regular schedule with rest of plant instead of continuing their modified schedule
- Received IPP guidance from NJDEP regarding compliance issues related to COVID-19, the Authority has none
- Repairs to WESP washdown cycle for incinerator
- Electronic PO system working out well
- Broken electrical conduct in Return Sludge Pump Station #2 temporarily repaired
- New tubing and feed pumps installed in Odor Control
- All the heat was shut down for the summer
- Landscaping, mowing, and general site beautification continues at the Pump Stations and Meter Chambers
- The Stack Test is underway, one run complete and second run schedule for today. Will continue with daily runs through Thursday

TREASURER'S REPORT

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

TREASURER'S REPORT STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
UNRESTRICTED INVESTMENTS	<u>May 31, 2020</u>
Lakeland Bank-CD#1	\$ 1,047,248.90
Lakeland Bank-CD#2	<u>\$ 1,031,642.06</u>
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,078,890.96
TD BANK UNRESTRICTED CASH	
Incoming Revenue Account	\$ 263,739.06
Operating Regular Account	\$ 2,032,194.37
Operating Reserve Account	\$ 8,719,055.93
Operating Payroll Account	<u>\$ 684,146.53</u>
TOTAL UNRESTRICTED CASH	\$11,699,135.89
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$13,778,026.85
RESTRICTED INVESTMENT	
Cash Management	\$ 7,324,294.70
TD Bank-CD	<u>\$ 3,071,479.17</u>
TOTAL RESTRICTED INVESTMENTS	\$10,395,773.87
RESTRICTED CASH	
NJEIT Project Fund	\$ 344,100.53
NJEIT Project Fund #2	\$ 2,510,230.30
Bond Service Fund	<u>\$ 694,286.12</u>
TOTAL RESTRICTED CASH	\$ 3,548,616.95
TOTAL RESTRICTED CASH & INVESTMENTS	<u>\$13,944,390.82</u>
TOTAL AUTHORITY ACCOUNTS	\$27,722,417.67

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
BRSA CHARGES	<u>May 31, 2020</u>
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	<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	\$	0.00
TOTAL	\$	<u>0.00</u>

RENT RESERVE ACCOUNTS as of May 31, 2020

Hazlet Township Sewerage Utility	\$	668,406.31
Township of Holmdel	\$	322,920.18
Borough of Union Beach	\$	197,212.24
Borough of Keyport	\$	312,509.24
Borough of Keansburg	\$	267,596.77
Borough of Matawan	\$	327,372.96
Western Monmouth Utilities Authority	\$	102,920.57
Township of Aberdeen	\$	<u>479,793.75</u>
TOTAL	\$	2,678,732.02

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

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

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 586 (Regular)	\$647,954.80
Payroll Account Req. No. P 234 (Payroll)	\$187,036.04
NJEIT Project Fund #2 Req. #PF-45	\$ 4,113.00
Debt Service Fund – Req.# DS11	\$ 54,651.03
Debt Service Fund – Req.# DS12	\$388,955.61
Debt Service Fund – Req.# DS13	\$139,531.47

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

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

APPROVAL OF MINUTES

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

Regular Meeting Minutes of May 18, 2020

Closed Session Minutes of May 18, 2020

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

PUBLIC PORTION

Chairman Khachaturian announces: This meeting is open to the public to discuss any BRSA matter on the agenda the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA’s operations or projects will be addressed. As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments to 5 minutes.

NO ONE WAS PRESENT VIA ZOOM FROM THE PUBLIC

RESOLUTIONS

RESOLUTION No. (79/20): To Approve the Bid Threshold Increase to \$44,000 and the Quote Threshold Increase to \$6,600 Effective July 1, 2020

WHEREAS, The Bayshore Regional Sewerage Authority (“Authority”) has chosen to increase the bid threshold to the maximum permitted by law effective July 1, 2020; and

WHEREAS, the recent changes to the Local Public Law gave local contracting units the ability to increase their Bid Threshold up to \$44,000 and their Quote Threshold up to \$6,600; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the Bid and Quote Thresholds if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Carolann Weisel, possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Authority desires to take advantage of the increased Bid and Quotation Thresholds.

NOW, THEREFORE, Be It Resolved, that the Commissioners of the Bayshore Regional Sewerage Authority, in the County of Monmouth, in the State of New Jersey, hereby increases its Bid and Quotation Thresholds to the statutory maximum pursuant to the supplemental authority provided by N.J.S.A. 40a:11-3 and 40a:11-4.3;

BE IT FURTHER RESOLVED, that the governing body hereby affirms its appointment of Carolann Weisel as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40a:11-2(30), with specific relevance to the authority, responsibility and accountability of the purchasing activity of the contracting unit;

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2, the Executive Director is hereby authorized and directed to forward a certified copy of this Resolution and a copy of Carolann Weisel Certification to the Director of the Division of Local Government Services.

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

RESOLUTION No. (80/20): To Award Change Order No. 1 in the credit amount of \$4,794.00 to Shorelands Construction Inc. and Close-out Contract 108, Repurposing of Blower Building No. 1 to a Storage Building

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need for a centralized storage facility for its spare parts and archived files; and

WHEREAS, in accordance with Local Public Contracts Law, Shorelands Construction Inc. was awarded Contract 108, Repurposing of Blower Building No. 1 to a Storage Building in the amount of \$405,096.00 by Resolution No. 84/19; and

WHEREAS, there is a 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. 1 in the credit amount of \$4,794.00, decreasing the total Contract Value to \$400,302.00; and

WHEREAS, all work is complete, and the Principal Engineer and staff are recommending acceptance of the Maintenance Bond and close-out of the Contract.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve Change Order No. 1 in the credit amount of \$4,794.00 decreasing the total Contract Value to \$400,302.00 and acceptance of the Maintenance Bond and close-out of Contract 108, Repurposing of Blower Building No. 1 to a Storage Building.

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

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

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

RESOLUTION NO. (81/20): To Adopt the COVID-19 Return to Regular Work Schedule Effective June 28, 2020

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, on March 9, 2020, New Jersey Governor Phil Murphy declared a public health emergency for the State of New Jersey in responding to COVID-19; and

WHEREAS, on March 16, 2020, the Bayshore Regional Sewerage Authority (the “Authority”) Board of Commissioners passed Resolution 60/20 declaring an emergency due to COVID-19 and ordering the Authority to manage the labor force as necessary to protect the health, safety and welfare of the employees, community and facility; and

WHEREAS, the Authority acts as an employer and the spread of COVID-19 requires preparedness for staffing shortages and flexibility in work rules to ensure that its employees can fully comply with all medically appropriate measures while also ensuring the continuous delivery of services to the public; and

WHEREAS, the continuous delivery of services performed by the Authority and its employees is essential; and

WHEREAS, it was necessary and appropriate to take action against this public health hazard to protect and maintain the health, safety, and welfare of Authority employees and the public; and

WHEREAS, the Authority's Executive Director notified the Authority employees in a memorandum dated March 17, 2020 of a modification of Authority policy & procedures to help minimize the employees' potential risk associated with COVID-19, including establishing good hygiene practices, promoting social distancing, and ensuring a safe work environment for all; and

WHEREAS, the Authority's Executive Director notified the Authority employees in a memorandum dated March 26, 2020 of a modification of Authority policy & procedures to minimize the amount of essential people needed at Authority facilities by staggering the work force, by creating on-call work shifts, and allowing office staff to work remotely, and

WHEREAS, the Authority's Executive Director notified the Authority employees in a memorandum dated June 15, 2020 of plans to begin reinstating a Regular Work Schedule in a phased approach effective Sunday, June 28, 2020.

NOW, THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the aforementioned and attached Return to Work Schedule Plan which is scheduled to begin June 28, 2020.

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

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

PUBLIC PORTION

Chairman Khachaturian 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. As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments to 5 minutes.

NO ONE WAS PRESENT VIA ZOOM FROM THE PUBLIC

EXECUTIVE SESSION

Chairman Khachaturian called for a **MOTION** to go into Closed Session at 7:52 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 is taken to discuss matters falling within attorney-client privileges, specifically, pending or anticipated litigation, contract negotiations and matters of employment of public employees. It is anticipated at this time that the above stated subject matter shall be made public at such time as the need for non-disclosure no longer exists.

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

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

EXECUTIVE SESSION MINUTES ARE RECORDED SEPARATELY

END CLOSED SESSION

Chairman Khachaturian called for a **MOTION** to End Closed Session and Re-Open the Regular Meeting@ 8:11 P.M.

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

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

RESOLUTION

RESOLUTION No. (82/20): To Grant Marc Schneider Regular Employment Status Effective June 13, 2020

WHEREAS, Marc Schneider was hired as a probationary employee in the job title of IT Support Manager on March 16, 2020; and

WHEREAS, the probationary period expired on June 13, 2020; and

WHEREAS, in a memorandum to the Executive Director dated June 10, 2020 the Plant Superintendent has recommended that Mr. Schneider be granted Regular Status effective June 13, 2020.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Marc Schneider is hereby granted Regular Status as an employee of the Bayshore Regional Sewerage Authority, and is further granted the rights and privileges, and responsibilities of the position.

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

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

ADJOURNMENT

ANNOUNCEMENT (by Chairman Khachaturian):

The next Regular Meeting of the B.R.S.A. is scheduled for Monday, June 15, 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 8:16 P.M. Chairman Khachaturian called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,

Susan DuBey, Administrative Assistant

Michelle Heaton, Finance Administrative Assistant