



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Peter J. Canal, *EXECUTIVE DIRECTOR*
J. Michael Broyles, *DIRECTOR OF OPERATIONS*

MINUTES FOR PUBLIC HEARING AND REGULAR MEETING (via Zoom) MONDAY, December 20, 2021

At 7:03P.M., Chairman Sutton made the following announcements:

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.

Remote Public Meeting

STATEMENT READ AT BEGINNING OF THE REMOTE MEETING

The meeting of September 20, 2021 of the Bayshore Regional Sewerage Authority is being held remotely at 7PM and is being recorded due to the COVID-19 pandemic and is in compliance with the provisions of Executive Orders 103 and 104; the Open Public Meetings Act; and N.J.A.C. 5:39-1.1 to 1.7.

The meeting will be accessible via phone or by computer:

Dial in by telephone without a computer at (646) 518-9805 or (646) 876-9923

Meeting PIN 435470

Connect via your internet connected device at: <https://us02web.zoom.us/j/89866994932>

Meeting PIN 435470

Meeting #869 7968 6412 PIN 435470 at <https://zoom.us/join>

Find your local number: <https://us02web.zoom.us/j/kbmvJoQOjV>

During the public comment period, if you would like to make a public comment, please press the "Raise Hand" button on Zoom or dialing *9 on your telephone keypad to raise your hand. A representative of the Authority will address you by name or by the last 4 digits of your telephone number to state your comment. The Authority will unmute your microphone. You must state your name and address prior to making a public comment. You may also mute and unmute yourself by pressing the microphone icon on Zoom or dialing *6 on your telephone keypad. The Authority will not accept comments made through the "chat" feature available on Zoom remote meetings.

Members of the public are also permitted to submit written comments prior to the meeting via mail or e-mail, which will be read during the public comment period.

Committed to a Clean Environment for Today, Tomorrow and Generations to Come
BRS A staff, November 2006

Chairman Sutton 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 Sutton called for a roll call via Zoom:
PRESENT: Commissioners Cavanagh, McMillen, Khachatryan, Whalen, Russo and Chairman Sutton
Also, in attendance: Peter Canal, Executive Director
Via Zoom

J. Michael Broyles, Superintendent
Thomas Petti, P.E., Principal Engineer
John Napolitano, Esq. General Counsel
Manuel Ponte, P.E. Consulting Engineer
Victoria DuDasko, HR/Admin. Assistant
Carlos Nunes, IT
Roy Anderson Maintenance Supervisor
Michael Bart, CPA-BRSA Auditor
Mary Bauman, Stenographer

Public Hearing on 2022 User Charge

At 7:05 P.M., Chairman Sutton calls to Open the Public Hearing

Public Hearing Minutes Recorder by Stenographer, Mary Bauman

RESOLUTIONS

1. RESOLUTION (139/21): To Adopt the 2022 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 2022 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 RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the user charge on the attached 2022 Exhibit "E" be and is hereby adopted and approved for calendar year 2022.

BE IT FURTHER 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, 2022.

REVENUES	
Retained earnings appropriated	\$ 0
Anticipated revenues	\$ 10,200,537
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Total revenues and other financial sources	\$ 10,200,537
APPROPRIATIONS	
Operating Expenses	\$ 8,229,269
Capital Appropriations	\$ 1,050,000
Debt service, reserves, and deficit	\$ 921,268
<hr/>	
Total Appropriations & Capital Expenditures	\$ 10,200,537
Exhibit "E" Customer User Charges	
The Bayshore Regional Sewerage Authority	
Aberdeen:	\$ 1,752,113.64
Hazlet:	\$ 2,654,805.69
Holmdel:	\$ 1,105,119.77
Keansburg:	\$ 857,170.02
Keyport:	\$ 1,096,042.79
Matawan:	\$ 1,111,899.65
Union Beach:	\$ 682,830.36
WMUA:	\$ 425,195.07

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

ROLL CALL: Commissioners Cavanagh, Whalen, Russo, McMullen, Khachaturian and Chairman Sutton

RESOLUTION No. (140/21): 2022 ADOPTED BUDGET RESOLUTION of the 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, 2022 and ending, December 31, 2022 has been presented for adoption before the governing body of the Bayshore Regional Sewerage Authority at its Open Public Meeting on December 20, 2021; and

WHEREAS, the Annual *Budget Page F-1* and Capital *Budget Page CB-3* as presented for adoption reflects each item of revenue *Budget Page F-2* and appropriation *Budget Page F-4* 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 \$10,200,537 Total Appropriations, including any Accumulated Deficit, if any, of \$9,150,537 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$13,796,000 and Total Unrestricted Net position planned to be utilized of \$7,631,000.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority, at an Open Public Meeting held on December 20, 2021 that the Annual Budget and Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning January 1, 2022 and ending December 31, 2022 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>
Chairman Bart Sutton	X			
Commissioner Christopher Cavanagh	X			
Commissioner Marcy McMullen	X			
Commissioner Madeline Russo	X			
Commissioner Adam Khachatryan	X			
Commissioner Scott Whalen	X			

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

At 7:15 P.M., Chairman Sutton calls for a **MOTION** to Close the Public Hearing and Open the Regular Meeting of the Bayshore Regional Sewerage Authority
OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Russo, and carried by a unanimous voice vote recorded as follows:
AYES: Commissioners Cavanagh, Whalen, Russo, McMullen, Khachatryan and Chairman Sutton

Reports

BRSA Projects, Special Reports & Connection Applications

1. **Executive Directors Report**

- COVID-19 Policy Update- 13 employees have tested positive for Covid-19. All but one has recovered and returned to work. We continue to evaluate policies, have limited the staff in common areas, and continue to evaluate when would be a safe time to open back up to the public.
- Disaster Recovery Update- We have reviewed and commented on final design documents. All permits have been submitted and all, but Title 5 have been issued. The General Operating Permit will allow us to operate in an emergency and the Title V will allow us to operate during Storm Anticipation Mode. Title 5 usually takes about 12-18 months to issue. We anticipate having Title 5 before startup. We held a final review meeting with MCBOA, FEMA & NJOEM, we are expecting final comments soon. We plan on going to bid this Spring (2022).
- FEMA Project Worksheets Closeout- Project Funds BY PS&S continues to proceed well.
- Dorr Oliver Rehabilitation- HDR continues with the design.
- Financial - A review meeting has been scheduled with Gabel Associates for January 12, 2022. A Resolution is on the agenda tonight for consideration for Gabel Associates to continue to manage our electrical supply needs. The Authority's Operating and Capital Budget was approved by the Commissioners & the NJDCA. Once the rate Hearing is completed, we will re-submit the Budget to the NJDCA for final approval. Also, there are payments to approve this month for Project Fund (PF) No.2, for FEMA PW closeouts to PS&S in the amount of \$3,122.50 and for PF No.3, for Power Resiliency Generation Project (PRG) for R3m engineering, inc. in the amount of \$4,204.50 and for Cleary Giacobbe Alfieri Jacobs in the amount of \$216.00.

- Personnel – We have a few matters for closed. Jenkins Awards have been given to David Greenstein and Daniel Ziegler. The Authority has an aggressive Capital Improvement plan for the next 5 years. The staff will be looking at prequalified engineering firms. We expect to advertise for an “Expression of Interest” RFP over the next few months. Mr. Canal also took a minute to congratulate and thank the staff for a job well done on replacing the NIRO Incinerator Heat Exchanger.

2. **Staff Engineer Report**

- Contract 109- NIRO Spare Primary Heat Exchange Modification & Contract 119 Fuel Oil Tank #3 Replacement are both nearly complete. We are hopeful to close out both projects in the next month or so.
- Contract 129 Authority Structural Concrete Repairs- R3M submittal is almost complete. Therefore we have a resolution on to authorize advertisement when the plans and specifications are complete.
- RFQ 2022 -01- Administration Building & Main Pump Station HVAC Unit Upgrade
The HVAC units are more than 20 years old and is in much need of an upgrade.

- RFPQ 2022-02 Furnish & Deliver Main Pump Station Flood Barriers-The Main Pump Station's Wet Well has not been flood proofed after Sandy. Our staff will install Flood Panels to protect our Pump Station.
- Fire Alarm System Replacement- This is part of the 2022 Capital Project. There is a need to replace the fire alarm system throughout the entire facility. The Fire Alarm System is complex and outdated. Time has been spent trying to repair and the needed parts are unavailable. We have located a pre-bid contractor through the Educational Services Commission Cooperative Purchasing Agreement of New Jersey. Therefore, we have a resolution to award that contract.
- SCADA & Telemetry Equipment Upgrades- Our SCADA system allows us to supervise our pump stations remotely. Our IT has been doing upgrades as not all our SCADA has been functioning correctly. A study was complete to see what can be done to make improvements. Our IT department is going to install the repairs we just need to purchase the parts. Therefore, we have a resolution on to purchase the needed part for the repairs.
- Contract 127-O, 132-O, & 133-O- Our annual bids were planned to be bid together but with the price increases, it has been decided to bid them separately. They are all due for renewal in February. We hope to award at the January 2022 meeting.
- Major Subdivision, B. 64.02, L. 7, 97 Aberdeen Road, Matawan- We have a large property being subdivided into four family homes. A TWA was required, the TWA stated the properties would produce 1,200 gallons per day. We have a resolution on to approve the connection and sign the TWA.
- Monmouth County Wastewater Management Plan Amendment, B. 119, L. 16 (Texas & Greenwood Road) & B. 146, L. 25, 26 (Texas Road & Falson Lane). Marlboro- An applicant is just outside our jurisdiction and has requested to have the proposed properties as part of the Authority's service. Therefore, we have a resolution to consent to the proposed amendment of The Monmouth County Wastewater Management Plan

Commissioner Russo excused herself from the meeting and informed the group she will be stepping down.

3. Consulting Engineer – R3M

- Condition Assessment-Phase II Validation and Initial Repairs- This project is now completed
- Power Resiliency System- We continue to work with Authority staff for the IBank loan
- Fuel Oil Tank No. 3- The fuel oil lines have been purged since the last meeting. This project is now complete.
- WPCP Miscellaneous Structural Repairs- Actively working on. Completed draft for staff review tomorrow.
- WPCP Site Specific Odor Control Study Update-Trinity completed an odor study on and off site. The study found that primary controllers was a source of odor. R3M completed a very specific odor study and found smoke escaping from tanks which has since been repaired in task 1. Task 2 measured the duct work and valves. Which found emissions from the scrubber and an air flow rate that needs improvements.

- Mattawan Force Mair Repairs at Clark Street- Completed
- West Keansburg Pump Station Bypass and Meter Facility Construction Services- Construction is proceeding
- Engineering Design Services for West Keansburg Force Main Replacement- Construction is proceeding
- General Consulting Engineering Services- 2021 Annual Inspection Report has been submitted to the Authority Staff

4. Director of Operations Report

- Plant Performance- Total volume of raw sewerage received is about the same as last month.
- Effluent Quality- 98% removal
- Odor Complaint- we received 1 odor complaint from 9th street on November 9th
- Operations- Niro Incinerator was shut down for a week to install spare Primary Heat Exchanger and perform miscellaneous other repairs. The repairs went well by all involved. IHC, IFCO, and CBE performed their scheduled work.
- Staff assisted Chavond Barry Engineers with performing their annual inspection of the air pollution control devices, as required for Title V.
- Laboratory- Required sampling has been completed. There is a letter from the NJDEP attached to my report stating the make-up proficiency test result was acceptable.
- Industrial Pretreatment Program- The Authority's Regulatory Compliance Manager (and I) attended the EPA Webinar training part 1 of 3 for developing local limits.
- Computers, Instrumentation, and Network Administration- New phones have been installed and seem to be working well. Access gate has had new wiring complete and is fully functional.
- Title V Air Permit expires about a year from now. Chavond Barry has already sent in a renewal application which will allow us to work under the old permit (permit shield) while we wait the expected 2-3 years for the new permit.
- We have a new JIF contact who came out to the Authority and met with Chad, our Regulatory Compliance Manager. He took a tour of our authority and found nothing of safety concern at this time.
- Roy Anderson, Superintendent stated the repair of the Niro was prepped for and was a smooth execute by all involved. Other issues that were found were repaired along the way. Mr. Broyles also stated it was a well planned and executed repair.

5. Legal Report - Closed Session

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	UNRESTRICTED INVESTMENTS				
	Lakeland Bank-CD#1	\$ 1,066,347.61			
	Lakeland Bank-CD#2	\$ 1,047,264.33			
	TOTAL UNRESTRICTED INVESTMENTS	\$ 2,113,611.94			
	TD BANK UNRESTRICTED CASH				
	Incoming Revenue Account	\$ 11,886.09			
	Operating Regular Account	\$ 2,554,319.33			
	Operating Reserve Account	\$ 8,379,919.74			
	Operating Payroll Account	\$ 649,503.11			
	TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 11,595,628.27			
	RESTRICTED INVESTMENT				
	Cash Management	\$ 7,331,026.91			
	Lakeland Bank Reserved Checking	\$ 1,193.24			
	Lakeland Bank Reserve CD#3	\$ 3,114,919.20			
	TOTAL RESTRICTED INVESTMENTS	\$10,447,139.35			
	RESTRICTED CASH				
	NJBIT Project Fund	\$ 463,756.78			
	NJBIT Project Fund #II	\$ 3,689,331.90			
	NJBIT Project Fund #III	\$ 1,124,470.62			
	Bond Service Fund	\$ 134,966.51			
	TOTAL RESTRICTED CASH	\$ 5,412,525.81			
	TOTAL RESTRICTED CASH & INVESTMENTS	\$15,859,665.16			
	TOTAL AUTHORITY ACCOUNTS	\$29,568,905.37			

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

Balance

November 30, 2021

SCHEDULE OF ACCOUNTS RECEIVABLE

	Balance	
	November 30, 2021	
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	\$	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 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

RENT RESERVE ACCOUNTS as of November 30, 2021

Hazlet Township Sewerage Utility	\$	669,652.92
Township of Holmdel	\$	323,520.43
Borough of Union Beach	\$	198,523.87
Borough of Keyport	\$	270,455.14
Borough of Keansburg	\$	268,094.19
Borough of Matawan	\$	327,981.48
Western Monmouth Utilities Authority	\$	114,622.22
Township of Aberdeen	\$	484,710.36
TOTAL	\$	2,657,560.61

Chairman Sutton called for a **MOTION** to approve the Treasurer's Report
 OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Cavanagh, and carried by
 a unanimous voice vote recorded as follows:
 ROLL CALL: Commissioners Cavanagh, McMullen, Whalen, Khachaturian, and Chairman Sutton
 ABSENT: Commissioner Russo

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 604 (Regular)	\$ 693,212.26
Payroll Account Req. No. P 252 (Payroll)	\$ 294,959.15
NJEIT Project Fund #11 Req. #PF-59	\$ 3,122.50
NJEIT Project Fund #111 Req. #PF3-16	\$ 4,220.50

OFFERED BY: Commissioner Whalen, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:
ROLL CALL: Commissioners Cavanagh, McMullen, Whalen, Khachatryan and Chairman Sutton
ABSENT: Commissioner Russo

APPROVAL OF MINUTES

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

Regular Meeting Minutes of November 15, 2021
Closed Session Minutes of November 15, 2021

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

NO PUBLIC IN ATTENDANCE.

RESOLUTIONS

RESOLUTION No. (141/21): To Authorize Advertisement for Public Bids on Contract No. 127-O, Furnishing & Delivering of Sodium Hypochlorite

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 JCI Jones Chemical, Inc. for the furnishing and delivery of Sodium Hypochlorite which expires on February 24, 2022; and **WHEREAS**, the Authority intends to rebid the Contract; and **WHEREAS**, the Authority requires authorization to solicit public bids for a new

Contract.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for Contract 127-O Furnishing & Delivering of Sodium Hypochlorite in the Authority Official Newspaper and on the Authority Website.

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

RESOLUTION No. (142/21): To Authorize Advertisement for Public Bids on Contract 129, Authority Structural Concrete Repairs

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant and sewage collection system with various buildings, tanks, pumping stations and metering chambers; and

WHEREAS, there is a need for various structural concrete repairs in multiple buildings and processes throughout the facility; and

WHEREAS, the Authority has contracted with R3M Engineering Inc. to develop Contract 129, Authority Structural Concrete Repairs with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 52/21; and

WHEREAS, the Authority requires authorization to solicit public bids for Contracts.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Principal Engineer and Qualified Purchasing Agent to advertise for Public Bids for Contract 129, Authority Structural Concrete Repairs in the Authority Official Newspaper and on the Authority Website.

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

RESOLUTION No. (143/21): To Authorize Advertisement for Public Bids on Contract No. 132-O, Furnishing & Delivering of Caustic Soda

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

WHEREAS, the Authority has a current Contract with JCI Jones Chemical, Inc. for the furnishing and delivery of Caustic Soda which expires on February 24, 2022; and

WHEREAS, the Authority intends to rebid the Contract; and

WHEREAS, the Authority requires authorization to solicit public bids for a new Contract.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for Contract 132-O Furnishing & Delivering of Caustic Soda in the Authority Official Newspaper and on the Authority Website.

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

RESOLUTION No. (144/21): To Authorize Advertisement for Public Bids on Contract No. 133-O, Furnishing & Delivering of Bioxide

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, 2022; and

WHEREAS, the Authority intends to rebid the Contract; and
WHEREAS, the Authority requires authorization to solicit public bids for a new

Contract.
NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer

to advertise for public bids for Contract 133-O Furnishing & Delivering of Bioxide in the Authority Official Newspaper and on the Authority Website.
OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Cavanagh, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Cavanagh, McMullen, Whalen, Khachatryan and Chairman Sutton
ABSENT: Commissioner Russo

RESOLUTION No. (145/21): To Authorize Advertisement for RFQ 2022-01

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") owns and maintains a Wastewater Treatment Plant with an Administration Building and Main Pumping Station; and
WHEREAS, there is a need to modify the HVAC system in both buildings; and

WHEREAS, a Request for Quotes (RFQ 2022-01) is being developed by the Authority Engineering Staff; and

WHEREAS, the Authority requires authorization to solicit public bids for an RFQ.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Principal Engineer and Qualified Purchasing Agent are

authorized to advertise for quotes for RFQ 2022-01, Administration Building & Main Pump Station HVAC Replacement on the Authority Website.

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

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

RESOLUTION No. (146/21): To Authorize Advertisement for RFQ 2022-02 Furnish & Deliver Main Pump Station Flood Barriers

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a Main Pump Station for pumping of influent wastewater; and

WHEREAS, there is a need to procure flood barriers to protect the Main Pump Station from future flooding events; and

WHEREAS, a Request for Quotes (RFQ 2022-02) is being developed by the Authority Engineering Staff; and

WHEREAS, the Authority requires authorization to solicit public bids for an RFQ.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Principal Engineer and Qualified Purchasing Agent are authorized to advertise for quotes for RFQ 2022-02, Furnish & Deliver Main Pump Station Flood Barriers on the Authority Website.

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

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

RESOLUTION No. (147/21): To Authorize an Energy Agent Contract with Gabel Associates, Inc., and Authorizing the Executive Director to Award a Contract and/or Reject Bids in Response to the Request for Bids for Electric Generation Service Issued on Behalf of the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has participated in the formation and implementation of the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation (“NJSMUAESA”), which is a consortium of New Jersey Sewerage and Municipal Utility Authorities formed for the purpose of soliciting and securing bids on an aggregated basis for 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 thereby and thereby enjoying the benefits of joint purchasing and bulk power purchasing discounts; and

Authority ("Authority") is hereby authorized to participate with the NJSMUAESA for the purpose
NOW, THEREFORE, BE IT RESOLVED that the Baysshore Regional Sewerage
on bid day.

must be made on the Authority's behalf by its designated representative by no later than 3:00 p.m.
not be guaranteed past 3:00 p.m. on the day that bids are accepted, the award or rejection of bid(s)
WHEREAS, due to the fact that the electricity market is highly volatile and bid prices will

March 8, 2022 in response to the RFB to be issued on or about February 8, 2022; and
WHEREAS, it is the NJSMUAESA's intent to receive bid price submissions on or about
pursuant to N.J.S.A. 40A:11.1 *et. seq.*; and

through the NJSMUAESA, as an extraordinary, unspectifiable service without competitive bidding
Associates, Inc. to serve as Energy Agent in connection with the bid for electric generation service
WHEREAS, the Authority is desirous of authorizing the award of a contract to Gabel
the Act; and

Denison Street, Highland Park, New Jersey 08904, is a duly registered Energy Agent pursuant to
WHEREAS, Gabel Associates, Inc., with a principal place of business located at 417
rate of \$.0005 per kilowatt-hour for all months of the ESC; and

awarded supplier pay the Energy Agent a monthly administrative fee for each account served at a
contract(s) ("ESC") between the Authority and the awarded supplier(s) shall provide that the
WHEREAS, the Authority and the Energy Agent agree that the electricity supply
the Authority for the services to be provided; and

WHEREAS, the Energy Agent shall not receive and monetary compensation directly from
Authority; and

the bid specifications, bidding a contract for the supply of electric generation service to the
developing an energy plan for the Authority, preparing bid specifications and, upon approval of
not limited to, analyzing the Authority's energy needs, quantifying the Authority's load profile,
WHEREAS, the Energy Agent shall provide the Authority with services, including but
retail electric power supplier to the Authority; and

administer the bid process and arrange for the sale of retail electric generation service by a licensed
an "Energy Agent," as defined in the "Electric Discount and Energy Competition Act," to
WHEREAS, as a participant in the NJSMUAESA the Authority requires the services of
and

electric power suppliers to replace the current supply contract(s) scheduled to expire in May 2022;
February 8, 2022 for the purpose of seeking bids for electric generation service from licensed
WHEREAS, the NJSMUAESA intends to issue a Request for Bids ("RFB") on or about
purchasing discounts; and

for its electric accounts as a participant in the NJSMUAESA to derive the benefits of bulk
WHEREAS, the Authority desires to continue its purchase of electric generation service
2019, will expire upon the meter read dates in May 2022 for each Authority electric account; and
accounts, awarded and entered as a result of a bid conducted by the NJSMUAESA in December
WHEREAS, the existing electric power supply contract(s) for the Authority's electric

of securing bids for electric generation service from licensed electric power suppliers for a contract to replace the existing electricity supply contract(s) expiring in May 2022, pursuant to the “Electric Discount and Energy Competition Act” (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*, “the Act”), Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*, and applicable regulations.

BE IT FURTHER RESOLVED that the Authority hereby approves the retention of Gabel Associates, Inc. as the Authority’s Energy Agent in connection with the procurement of electricity supply for the Authority’s electric accounts.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to execute any documents reasonably required to effectuate the retention of Gabel Associates, Inc. as the Authority’s Energy Agent.

BE IT FURTHER RESOLVED that the Authority’s Executive Director, or in his absence the Authority’s General Counsel, John Napolitano, Esq. Cleary, Giacobbe, Alfieri and Jacob, LLC, is hereby authorized to act in his sole discretion as the Authority’s designated representative to award a contract for the applicable Bid Group(s) 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 bid receipt and subsequently executing the Model Supply Contract, or reject an electricity bid, in conjunction with the NJSMUAESA Request for Bids to be issued on or about March 8, 2022. Such authorization to award a contract to the low bidder as the Authority’s designated representative is subject to the low bid being equal to or less than the Trigger Price(s) to be established for the applicable Bid Group(s) containing the Authority’s accounts prior to the date of receipt of bids by the NJSMUAESA, under the advisement of the Energy Agent.

BE IT FURTHER RESOLVED that, notwithstanding the foregoing, the Authority’s Executive Director or in his absence the Authority’s General Counsel, John Napolitano, Esq. Cleary, Giacobbe, Alfieri and Jacob, LLC, may reject any bid, including, if necessary, all bids (and not award a contract), and if desirable, to authorize the NJSMUAESA to rebid the contract, provided that such rejection is in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*

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

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

ABSENT: Commissioner Russo

RESOLUTION No. (148/21): Consenting to Proposed Monmouth County Wastewater Management Plan Amendment

WHEREAS, the Bayshore Regional Sewerage Authority (the “Authority”) was advised via correspondence dated November 5, 2021 that Ashbel Associates, LLC (“Ashbel”) and Pallu Associates, LLC (“Pallu”) are requesting consent for site-specific amendments to the Monmouth County Wastewater Management Plan; and

WHEREAS, the Water Quality Management Planning rules, specifically N.J.A.C. 7:15-3.5(g)(6), require amendment applicants to request a written statement of consent from all identified “governmental entities, sewerage agencies, and BPU-regulated sewer and water utilities

... that may be affected by, or otherwise have a substantial interest in, approval of the proposed amendment"; and

WHEREAS, the proposed amendments would expand the Authority's sewer service area by approximately 72.27 acres to serve 2 new residential developments located at Block 119, Lot 16 and Block 146, Lots 25 & 26 in the Township of Marlboro, consisting of 120 residential units (the Ashbel Project) and 387 residential units (the Pallu Project), respectively; and

WHEREAS, the Western Monmouth Utilities Authority owns and operates the sanitary sewer collection system located within the subject sites and the flow is conveyed to the Authority's wastewater treatment plant; and

WHEREAS, the Authority is desirous of consenting to the proposed amendment to the Monmouth County Wastewater Management Plan.

NOW THEREFORE, be it Resolved by the Baysshore Regional Sewerage Authority as follows:

1. The Authority hereby consents to the Proposed Amendment to the Monmouth County Wastewater Management Plan, for the purpose of its incorporation into the applicable Water Quality Management Plan(s).
2. This consent shall be submitted to: the Township of Marlboro; the County of Monmouth; and the New Jersey Department of Environmental Protection in accordance with N.J.A.C. 7:15-3.4.

OFFERED BY: McMullen, SECONDED BY: Khabhatnuran, and carried by a 5-Roll call voice vote recorded as follows:
AYES: 5; NAYS: _____; ABSTAIN: _____; ABSENT: 1

RESOLUTION NO. (149/21): To Purchase SCADA & Telemetry Equipment Through Participation in the PVSC North Jersey Wastewater Cooperative Pricing System to Neal System, Inc. of Newtown, PA in the amount of \$36,337.50.

WHEREAS, the Baysshore Regional Sewerage Authority ("Authority") owns and maintains a Wastewater Treatment Plant and Collection System that utilizes Supervisory Control & Data Acquisition ("SCADA") & telemetry equipment to communicate with remote pumping stations and metering chambers; and

WHEREAS, there is need to upgrade the equipment for improved communication and data acquisition; and

WHEREAS, the Authority as a contracting unit, may without advertising for bids, purchase goods and services on our behalf by the Passaic Valley Sewerage Commission ("PVSC") North Jersey Wastewater Cooperative Pricing System, which permits contracting units to use contracts awarded by state or local cooperatives that were competitively bid; and

WHEREAS, Neal Systems, Inc. ("NSI") of Newtown, PA has submitted a proposal to furnish and deliver the SCADA & Telemetry Equipment, dated December 6, 2021, which includes the replacement seventeen radios and other appurtenant equipment required under PVSC Contract No. B295-6, in the amount of \$36,337.50; and

WHEREAS, the Authority Principal Engineer and Staff have reviewed the proposal and find it to be acceptable; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Contract to furnish and deliver SCADA & Telemetry Equipment to Neal Systems, Inc. of Newtown, PA in accordance with the terms and conditions of their proposal submitted under the PVSC North Jersey Wastewater Cooperative Purchasing System, in the amount not to exceed \$36,337.50.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to Neal Systems, Inc. of Newtown, PA

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

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

ABSENT: Commissioner Russo

RESOLUTION No. (150/21): To Approve Sanitary Sewer Connection Application for the Hindu American Temple & Cultural Center, Developer of the Pole Barn #2 Food Service Building Project

WHEREAS, Hindu American Temple & Cultural Center (“Applicant”), is the project developer of a proposed food service building (“Pole Barn #2”), located at an existing campus on Wooleytown Road, further designated as Block 147, Lots 13, 17 & 28.01 in the Township of Marlboro, a 3 Equivalent Dwelling Units (“EDUs”) project; 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 585 gallons of wastewater per day; and

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) Principal Engineer has reviewed the Developer’s application and is recommending sanitary sewer connection approval; and

WHEREAS, the Developer has paid the connection fee of \$15,357.00.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Hindu American Temple & Cultural Center, Developer Pole Barn #2 is hereby granted Bayshore Regional Sewerage Authority sanitary sewer connection approval.

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 is good for a one-year period.

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

RESOLUTION No. (151/21): To Approve Sanitary Sewer Connection and Treatment Works Approval Application to Thomas J. Knox, Developer of 97 Aberdeen Road Major Subdivision

WHEREAS, Thomas J. Knox ("Developer"), is the developer of a project located at 97 Aberdeen Road, further designated as Block 64.02, Lot 7 in the Borough of Matawan, and is calculated to be an four (4) Equivalent Dwelling Units ("EDU's") Major Subdivision; and **WHEREAS**, the Developer has indicated they have received all local approvals including local sanitary sewer approval; and

WHEREAS, for the purposes of the Baysshore Regional Sewerage Authority ("Authority") Sanitary Sewer Connection and any subject Developer's Agreement, the Project is expected to generate 900 gallons per day of wastewater, which is calculated using the Authority's projected flow criteria of 225 gallons per day per EDU; and **WHEREAS**, for the purposes of the New Jersey Department of Environmental Protection Treatment Works Approval ("TWA") Application, the Project is expected to generate 1,200 gallons per day of wastewater, which is calculated using the projected flow criteria from N.J.A.C. 7:14A-23.3; and

WHEREAS, the Authority's Principal Engineer has reviewed the Developer Application and is recommending sanitary sewer connection approval; and **WHEREAS**, the Developer has paid the connection fee of \$20,476.00. **NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Baysshore Regional Sewerage Authority that Thomas J. Knox is hereby granted sanitary sewer approval for the above referenced project.

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection. **BE IT FURTHER RESOLVED**, that the Developer must properly maintain its sanitary sewer system in accordance with the Baysshore Regional Sewerage Authority Rules and Regulations. **BE IT FURTHER RESOLVED**, that this approval is good for a one-year period.

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

RESOLUTION No. (152/21): To Award the Fire Alarm System Replacement Project Through Participation in the ESCNJ Cooperative Purchasing Agreement to Alarm & Communication Technologies, Inc. of Wharton, NJ in the amount of \$196,273.16.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a facility wide fire alarm system that is in need of replacement; and

WHEREAS, the Authority as a contracting unit, may without advertising for bids, purchase goods and services on our behalf by the Educational Services Commission of New Jersey (ESCNJ) cooperative purchasing agreement, which permits contracting units to use contracts awarded by state or local cooperatives that were competitively bid; and

WHEREAS, Alarm & Communication Technologies, Inc. (“ACT”) of Wharton, NJ has submitted a proposal for the Fire Alarm System Replacement Project, dated November 9, 2021, which includes the replacement of the facility wide fire alarm control panel network, dialer, annunciators, smoke detectors and all appurtenant equipment under ESCNJ Contract No. 17/18-59, NJ State Co-op No. 65MCESCCPS in the amount of \$196,273.16; and

WHEREAS, the Authority Principal Engineer and Staff have reviewed the proposal and find it to be acceptable; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Contract for the Fire Alarm System Replacement Project to Alarm & Communication Technologies, Inc. of Wharton, NJ in accordance with the terms and conditions of their proposal submitted under the ESCNJ State Co-op, in the amount not to exceed \$196,273.16.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to Alarm & Communication Technologies, Inc. of Wharton, NJ.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Khachaturian, and carried by

a unanimous voice vote recorded as follows:

ROLL CALL: Commissioners Cavanagh, McMullen, Whalen, Khachaturian and Chairman Sutton

ABSENT: Commissioner Russo

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

RESOLUTION No. (153/21): To Hire a New Plant Operator

RESOLUTIONS

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Whalen, and carried by a unanimous voice vote recorded as follows:
AYES: Commissioners Cavanagh, McMullen, Whalen, Khachatryan and Chairman Sutton
ABSENT: Commissioner Russo
Chairman Sutton calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:31 P.M.

END CLOSED SESSION

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

Chairman Sutton called for a **MOTION** to go into Closed Session at 7:53 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.

EXECUTIVE SESSION

Chairman Sutton 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 PUBLIC IN ATTENDANCE

PUBLIC PORTION

WHEREAS, for the more efficient operation of the Authority the Bayshore Regional Sewerage Authority has a need to hire a new employee in the position of Plant Operator; and

WHEREAS, the Authority management staff have interviewed qualified candidates for the position of Plant Operator; and

WHEREAS, Nolan Smith of Brick, NJ has demonstrated through his resume and interview the qualities for the position of Plant Operator; and

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

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority authorize the hiring of Nolan Smith of Brick, NJ as Plant Operator with a start date to be determined pending the results of the Authority Criminal History, Drug and Alcohol Screening.

BE IT FURTHER RESOLVED subsequent to an acceptable 180-day probationary period Nolan Smith be granted all of the benefits of employment as a regular full-time employee of the Bayshore Regional Sewerage Authority.

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

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

ABSENT: Commissioner Russo

ADJOURNMENT

ANNOUNCEMENT (by Chairman Sutton):

The next B.R.S.A. Public Meeting is scheduled for Monday, December 20, 2021, 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 8:32 P.M. Chairman Sutton called for a **MOTION** to Adjourn the meeting.

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

ROLL CALL: Commissioners Cavanagh, McMullen, Whalen, Khachaturian and Chairman Sutton

ABSENT: Commissioner Russo

Respectfully submitted,
Victoria DuDasko, Administrative Assistant/HR

