

**MINUTES FOR**  
**PUBLIC PRESENTATION &**  
**REGULAR MEETING (via Zoom)**  
**MONDAY, April 19, 2021**

At 7:01 P.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 April 19, 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/u/kbmVJoQOIV>

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.

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, McMullen, Whalen, Khachaturian, 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  
Joseph Frissora, P.E., Senior Vice President, HDR  
Jamie Zimmermann, P.E., Project Manager, HDR  
John Tabor, Lead Architect, HDR  
Michael Samuel, P.E., Consulting Engineer, R3M Engineering

## **REPORTS**

### **Power Resiliency Generation Project – Public Presentation via HDR Engineering:**

- Mr. Petti introduced the HDR/R3M Project team and mentioned the team previously gave a presentation of the project at the Union Beach Planning Board Meeting on February 24, 2021, who then requested the Authority advertise and hold a public presentation for the project.
- Mr. Canal also stated that the intent of the Power Resiliency project is to provide power to the BRSA & MCBOA in storm anticipation mode and ahead of any long-term power outages.
- Ms. Zimmermann reported the Power Resiliency Project includes two major components, an elevated generator building on BRSA site with 3-1500KW generators, as well as power over to the MCBOA site which includes flood proofing the pump station and elevating the power distribution center. This project will provide power to both locations in anticipation of storms with natural gas. The generation building will be located above the existing wind turbine pad and elevated above the 500-year flood level. The exhaust from the generator will be facing away from the residents.
- Mr. Tabor reported on the plans for the generator building, which included the 3 generators, located above the 500 year flood elevation level as well as the landing pad which will be used in the event a generator needs to be repaired or replaced. The electrical level of the building will contain high voltage and medium voltage switch gear.
- Mr. Tabor also reported on the expected noise level of the generator, which will face towards Raritan Bay in an effort minimize noise levels. The project is designed to be in compliance with the Union Beach noise ordinance of 65 decibels during the day, and 50 decibels at night. The generator decibels are expected to be 45 or less at the residential property lines. The generators are going to be tested every month for about two hours.
- Ms. Zimmermann reported on the soil erosion control plans for the generation building which will include a construction entrance (9<sup>th</sup> avenue/ Edmunds Avenue), concrete washdown and stockpile with a stilt fence. Ms. Zimmermann also mentioned to bring the power to the MCBOA site a horizontal directional drill will be used and will go 35 ft below grade as it provides least amount of disruption to the grounds above. The MCBOA pump station will have added flood protection, which will include flood proofing existing pump station walls, new PDE for electrical equipment and projectized to 500-year flood level. Similar to the generation building, the MCBOA site will also be in compliance with the noise ordinance and soil erosion control. The project is expected to begin in Fall 2021 with construction period of approximately 2 years.

- Mr. Sutton asked what the difference in height was for the building regarding a flood like Superstorm Sandy. Ms. Zimmermann replied that it will be built to the 500-year flood level, which is higher than Superstorm Sandy flood levels. Mr. Petti then elaborated that the mean high-water level is 5.6 ft. Ms. Zimmermann agreed and confirmed the first-floor elevation of the building is 16.5ft above grade with an 11ft difference for the mean high-water level. Mr. Canal then added Sandy was EL12.5 and the elevation of the first floor of the building is EL26.5, or a 14-foot difference from Sandy.
- Mr. Khachaturian asked if we have to consider the wave action zone. Ms. Zimmermann stated yes, it was incorporated into the design. Mr. Khachaturian then confirmed that there would be no chance of waves. Ms. Zimmermann stated not unless we hit the 1,000-year storm.
- Mr. Khachaturian then inquired about the location of the silencers, which resulted in a brief conversation on the silencers, ending with Mr. Khachaturian requesting a follow up about motorized dampers on the intake and what would happen in the event corrosion damages the generator. Ms. Zimmermann agreed that HDR would review this concern.
- Mr. Cavanagh then asked will this system be eligible to participate in electric demand response events and what admission standard is being applied. Mr. Canal stated there is a plan to investigate this and will be evaluated as a separate option by R3m engineering, inc. The evaluation will be completed before the design is complete.

NO PUBLIC WAS IN ATTENDANCE

## **Executive Directors Report**

### **Peter Canal Reported:**

#### **Covid**

- The BRSA has had one new case of Covid since the last meeting with a total of nine (9) affected employees, all of which have recovered and returned to work with only one employee filing a worker's compensation claim.
- 16 employees have received their first vaccination. The county has also reached out in regard to additional employees/commissioners in need of the vaccination.

#### **Disaster Recovery Update**

- Contract.81-S, Power Distribution Systems work is complete. We are waiting on I-Bank for close out.
- C.114-S, Power Resiliency Generation Project, is at the 90%. We are waiting for FEMA's comments, as well as the permitting comments, and the electric demand response benefit that R3M is conducting.

#### **Dorr Oliver Rehabilitation RFP**

- We are in the final stages of drafting the design RFP and plan to solicit proposals to at least the three (3) qualified firms from the NIRO Incinerator project.

#### **Finance**

- We recently received our first FEMA reimbursement for Project Fund #3 for engineering design in the amount of \$544,846.72

- There are payments to approve this month for Project Fund (PF) No.2, for FEMA Project fund 1&2 closeout to PS&S in the amount of \$1,530.00 and PF No.3, Power Resiliency Generation Project (PRG) for R3m engineering in the amount of \$14,342.30 and Cleary Giacobbe Alfieri in the amount of \$252.00.
- The NJDCA has extended its deadline from April 30, 2021 to June 30, 2021. Submissions after the deadline may result in fines by the Department.
- Our January 2021, 3-month CD's are expiring soon and we are recommending changes. Since Lakeland Bank is offering better rates for the 12-month CD's we are proposing moving the two (2) Lakeland CDs there as well as the CD we have with TD Bank. Commissioner McMullen asked, "what are they (Lakeland) offering?" Mr. Canal replied Lakeland is offering .38% and TD Bank was offering .2%, which is expected to go down to .1% soon.

Mr. Canal stated he has a few personnel and legal items to discuss in closed session.

## **Principal Engineer Report**

### **Tom Petti Reported:**

- **Contract 106 - Sludge Concentration Tanks Rehabilitation-** Tank number 2 has a small crack in the sludge withdrawal line which needs to be repaired by a Sub-Contractor, otherwise this tank is done. Will expect to have more information on this the next meeting. Otherwise, only punch list work remains.
- **Contract 122 – Interceptor Sewer Rehabilitation Phase 3** –are awaiting comments from NJDOT and Jacobs continues to proceed towards the 100% design submittal. We have requested a proposal for construction administration and inspection services for the project from Jacobs and expect to have the proposal for consideration at the May 2021 Public Meeting
- **Dorr Oliver Incinerator Rehabilitation & Upgrades** –On March 22, 2021 we received the operating permit from the NJDEP for the project. The RFP is being finalized and we plan to issue it to at least 3 firms with Incineration experience shortly. The same firms that received the NIRO RFP will receive this one.
- **Grit & Flow Division Chamber Improvements** –The grit chambers have experienced corrosion and have a need for structural concrete repairs (spalling, cracking and exposed rebar) as well as repairs to the sluice gates. The flow division chamber slide gate and rails have also experienced corrosion. Due to the complexity of the repairs, bypassing of individual grit chambers and between both treatment trains is necessary. Previously, while working on the Combined Blower Building project (Contract 80-S), Hazen assisted the Operations Staff by performing a mass balance evaluation between the two treatment trains.. Because of Hazen's familiarity with the process evaluation of this project, we have requested a proposal from their firm for the design engineering services of the improvements. We hope to discuss the proposal for consideration at the May 2021 Public Meeting.
- **Pumping Station & Force Main Inspections** –. Lower Main Street Repairs in the Township of Aberdeen were successfully completed during the Week of October 26, 2020. The final paving was completed on April 13, 2021. We have also requested R3M prepare estimates to replace small sections of the West Keansburg Force Main due to potential external corrosion. Upon review of the estimates and conversations with the Staff regarding previous force main repairs, we have decided to pursue further investigation and testing to determine the full extent of internal and external corrosion. On March 30, 2021, R3M performed hand auguring and soil sampling at 5 locations between the last 150 to 350 feet of the force main. Based on those findings of the soil

sampling, the Standby Contractor will be utilized for excavating to the pipeline for non-destructive testing and ultrasonic thickness testing. We hope to have this complete in the next few months.

- **Contract 123 – 2021 Annual TV & Cleaning of Authority Interceptor Sewer System, Phase 2** –We received three (3) bids for the project ranging from a low bid of \$99,000.00 to a high of \$130,125.00 with the low bidder being Vortex Services, LLC (formerly North American Pipeline Services) of Freehold, NJ. Our Attorney and Engineering Staff have reviewed the bid and recommending award of the Contract. We do have a resolution to award the Annual TV Cleaning to Vortex Services, LLC of Freehold, NJ not to exceed \$99,000.00. Similar to last year, we have a need for construction management and inspection services during this Contract. This year, cleaning work will take place during the day and TV inspection work will follow each night with the Contractor working multiple shifts. All work is expected to take up to 4 weeks to complete. We have solicited a proposal from Van Cleef Engineering Associates, LLC, the firm who was awarded the project last year and scored highest in the RFP process. Their scope of work includes full-time inspection of the cleaning and TV inspection work followed by a detailed review of the reports and videos submitted by the Contractor. Following a review of the Contractor’s reports, a summary report including recommendations on the next phases of collection system repairs will be submitted. Van Cleef has submitted a proposal for this year’s work in the amount of \$53,700.00. We have a resolution on to award the services for Contract 123 to Van Cleef Engineering Associates, LLC of Tom’s River, NJ in the amount of \$53,700.00.
- **Site Specific Odor Control Study** –At the March 15, 2021 Public Meeting, Trinity Consultants presented their Odor Identification & Mitigation study they performed in 2020 to the Board. Overall, their investigation found minimal detectable odors throughout the facility. Some detectable odors were found near Primary Clarifiers #1-4 & #5-6; these clarifiers are all serviced by Odor Control Scrubber #2 (OCS #2). OCS #2 also handles the sludge storage tank located adjacent to the Plant Control Building. In an effort to continue our evaluation, we are looking to perform a Site-Specific Odor Control Study, based on the findings from Trinity. R3M has submitted a proposal in the amount of \$37,950.00 which we have found to be fair and reasonable. We have a resolution to award the Site-Specific Odor Control Study to R3M Engineering, Inc. of Old Bridge, NJ in the amount of \$37,950.00.
- **Contract 114-S - Power Resiliency Generation (NJEIT Phase 3)** – During the week of March 15, 2021, the 90% submittal was sent to FEMA and MCBOA for comments. We finalized our review comments on March 18, 2021. On April 1, 2021 we conducted a 90% design review meeting with HDR and R3M. FEMA submitted questions on the 90% design submittal on April 7, 2021 and a review meeting was held with MCBOA & FEMA on April 8, 2021. We intend to review those questions in more detail with FEMA prior to authorizing HDR to proceed with the 100% design submittal. As previously discussed, HDR attended the April 2021 Public Meeting to provide the Board with a general project update, answer any questions from the Public and discuss comments received from Union Beach.
- Commissioner McMullen inquired what the status of the Bell Works project. Mr. Canal responded that the Developer Agreement is in legal review between our law office and the Developer. Mr. Napolitano agreed with Mr. Canal and was hopeful that it would be resolved.
- Commissioner McMullen also inquired what the odor project has costed the BRSA to date? Mr. Petti responded with the two contracts and construction; it has cost a little over a million dollars on the rehab of the four scrubbers plus the study. Everything is working well. Mr. Canal Agreed with Mr. Petti.

**Consulting Engineer – R3M**  
**Manuel Ponte Reported:**

- **Condition Assessment- Phase II Validation and Initial Repairs-** Mr. Petti has already reviewed this project and we continue working of the West Keansburg Force Main Work Order for the BRSA.
- **Power Resiliency System-** We continue to support the BRSA staff. We are also reviewing the design.
- **Fuel Tank No. 3-** Everything is completed, and we are still waiting on the new fuel oil tank to arrive.
- **West Keansburg Pump Station Bypass and Meter Facility-** Is in progress, we have conducted a meeting with the Mr. Petti and the BRSA staff. We are proceeding with final design.
- **Second Quarter Flow Report-** Which was found to be standard with the previous years.
- **Site Specific Odor Control Study** –In the Odor Control Study, the courtyard was identified with an odor, resulting in R3M with the BRSA staff to identifying the need to perform a site-specific odor control study. A smoke-test will be scheduled to visually observe where the emissions as part of the study. Primary Clarifiers 1-6, the sludge storage tank and Odor Control Scrubber #2 are all being reviewed as part of the study.

**Superintendent’s Report**  
**Mike Broyles Reported**

- Due to the extra days the total flow from March is higher than February.
- Effluent Quality- Similar to last month the numbers are not as usual, but they are well within the permit limits. We are experiencing some separation/settling issues, and the cause at this time is unknown. We are in attempt to try to resolve without using hypochlorite and killing the entire biomass.
- The incinerator routinely has sand removed. A majority of the sand was also replaced with new sand in an effort to improve the NOx numbers.
- We received two (2) odor complaints this month (March 15 & 29) from the same resident. The odor was consistent with the wind direction.
- The Laboratory has completed the proficiency test. The results have been sent to the vendor and we are waiting for the study to close. We are expecting the test went well and will have the results the end of April.
- Industrial Pretreatment Program, the DEP is initiating a program to located PFAS, because we are a local government agency. We are going to be surveying our IPP permittees for anything that can contribute PFAS to the facility.
- Morehouse Engineering completed the final testing of the Matawan and West Keansburg Pump Station. The testing simulated a complete failure of the automated system to insure correct operation of a switch to the “emergency backup mode”.
- APG -Neuros performed the annual preventative maintenance to the Process Air Blowers. They will have a report with suggestions on improvements for operating.

# TREASURER'S REPORT

## STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	<b>Balance</b>
	<b>March 31, 2021</b>
<b><u>UNRESTRICTED INVESTMENTS</u></b>	
Lakeland Bank-CD#1	\$ 1,063,360.22
Lakeland Bank-CD#2	<u>\$ 1,044,330.51</u>
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,107,690.73
<b><u>TD BANK UNRESTRICTED CASH</u></b>	
Incoming Revenue Account	\$ 1,152,168.01
Operating Regular Account	\$ 2,437,689.43
Operating Reserve Account	\$ 5,248,641.59
Operating Payroll Account	<u>\$ 719,323.71</u>
TOTAL UNRESTRICTED CASH	\$ 9,557,822.74
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 11,665,513.47
<b><u>RESTRICTED INVESTMENT</u></b>	
Cash Management	\$ 7,325,151.28
TD Bank-CD	<u>\$ 3,112,897.21</u>
TOTAL RESTRICTED INVESTMENTS	\$10,438,048.49
<b><u>RESTRICTED CASH</u></b>	
NJEIT Project Fund	\$ 463,446.89
NJEIT Project Fund #II	\$ 3,692,670.16
NJEIT Project Fund #III	\$ 606,463.96
Bond Service Fund	<u>\$ 690,072.26</u>
TOTAL RESTRICTED CASH	\$ 5,452,653.27
TOTAL RESTRICTED CASH & INVESTMENTS	<u>\$15,890,701.76</u>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b><u>\$27,556,215.23</u></b>

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

	<b>Balance</b>
	<b>March 31, 2021</b>
<b>BRSA CHARGES</b>	
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 270,431.53
Borough of Union Beach	\$ 179,337.95
Borough of Keyport	\$ 244,350.15
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 258,538.33
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	<u>\$ 437,966.69</u>
<b>TOTAL</b>	\$ 1,390,624.65
 <b>OUTFALL AUTHORITY CHARGES</b>	
Hazlet Township Sewerage Authority	\$ 0.00

Township of Holmdel	\$ 28,609.21
Borough of Union Beach	\$ 18,976.56
Borough of Keyport	\$ 25,850.03
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 27,351.02
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ <u>46,332.91</u>
<b>TOTAL</b>	\$ 147,119.73

**RENT RESERVE ACCOUNTS as of March 31, 2021**

Hazlet Township Sewerage Utility	\$ 669,417.21
Township of Holmdel	\$ 323,406.55
Borough of Union Beach	\$ 198,453.99
Borough of Keyport	\$ 312,979.93
Borough of Keansburg	\$ 267,999.82
Borough of Matawan	\$ 327,866.04
Western Monmouth Utilities Authority	\$ 114,581.87
Township of Aberdeen	\$ <u>484,539.74</u>
<b>TOTAL</b>	\$ 2,699,245.15

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, Khachaturian, Whalen, McMullen, Russo and Chairman  
Sutton

**PAYMENT OF REQUISITIONS**

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

Operating Fund Req. No. 595 (Regular)	\$ 479,763.49
Payroll Account Req. No. P 243 (Payroll)	\$ 263,785.07
NJEIT Project Fund #2 Req. #PF-53	\$ 1,530.00
NJEIT Project Fund #3 Req. #PF-7	\$ 15,232.80

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

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



## **APPROVAL OF MINUTES**

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

Regular Meeting Minutes of March 15, 2021

Closed Session Minutes of March 15, 2021

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

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

## **RESOLUTIONS**

### **RESOLUTION No. (57/21): To Accept the Second Three (3) Month Flow Report for 2020/2021**

**WHEREAS**, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (“Authority”) have determined the quantity of sewerage from each of the Towns and Authorities connected to the Authority’s system for the period December 30, 2020 to March 31, 2021 (second Quarter of 2020/2021); and

**WHEREAS**, said flow figures have been calculated from actual meter readings, maintenance service reports, meter calibration reports and other data; and

**WHEREAS**, said flow figures have been reviewed by the Commissioners of this Authority.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for the period December 30, 2020 to March 31, 2021 (second Quarter of 2020/2021).

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

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

### **RESOLUTION No. (58/21): To Award a Site-Specific Odor Control Study to R3M Engineering, Inc., in the amount of \$37,950.00**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a 16 million gallon per day secondary wastewater treatment facility in Union Beach, NJ; and

**WHEREAS**, in January 2020, through Resolution No. 5/20, the Authority contracted with Trinity Consultants of Princeton, NJ to conduct an Odor Identification & Mitigation study; and

**WHEREAS**, Trinity completed the study in March 2021 and identified potential odor sources and preliminary improvements to the Authority odor control systems; and

**WHEREAS**, the Authority wishes to further evaluate the recommendations with a site-specific odor control study that includes air flow testing and evaluation of specific odor control equipment; and

**WHEREAS**, the Authority has solicited a proposal from R3M Engineering, Inc. of Old Bridge, NJ for a Site-Specific Odor Control Study, dated March 30, 2021, in the amount of \$37,950.00; and

**WHEREAS**, the Executive Director and Principal Engineer have reviewed the proposal and found it to be fair and reasonable; and

**WHEREAS**, in accordance with NJAC 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 as set forth in the Resolution.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve the engineering proposal for the Site-Specific Odor Control Study, in the amount of \$37,950.00 to R3M Engineering, Inc., of Old Bridge, NJ in accordance with the terms and conditions of the proposal dated March 30, 2021.

**BE IT FURTHER RESOLVED** that the Chairman and Secretary are hereby authorized to execute the contract agreement with R3M Engineering, Inc., of Old Bridge, NJ.

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (59/21): To Award Engineering Construction Management Services for Contract 123, 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2 to Van Cleef Engineering Associates, LLC in the amount of \$53,700.00**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains more than 12 miles of interceptor sewers throughout its service area; and

**WHEREAS**, the Authority Engineering Staff has developed Contract 123, 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2, with technical specifications for the work and public bidding documents for solicitation of public bids; and

**WHEREAS**, the Authority identified the need for on-site, full time construction inspection and repair recommendations as a result of the Contract; and

**WHEREAS**, the Authority has solicited a proposal from Van Cleef Engineering Associates, LLC of Tom’s River, NJ for the engineering construction management services for Contract 123, dated March 26, 2021, in the amount of \$53,700.00; and

**WHEREAS**, the Executive Director and Principal Engineer have reviewed the proposal and found it to be fair and reasonable; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-5.4(a)(3), the Authority certifies the availability of funds in the TV Inspection & Cleaning line item of the Authority Operating Budget to cover the maximum dollar value of the pending Contract as set forth in the Resolution.

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Contract for Engineering Construction Management Services for Contract 123, 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2 to Van Cleef Engineering Associates, LLC of Tom’s River, NJ in

accordance with the terms and conditions of their proposal, in the amount not to exceed \$53,700.00

**BE IT FURTHER RESOLVED** that the Chairman and Secretary are hereby authorized to execute the Contract agreement to Van Cleef Engineering Associates, LLC of Tom's River, NJ.

**BE IT FURTHER RESOLVED** notice of this award will be publicly advertised within ten (10) days of this award.

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

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

**RESOLUTION No. (60/21): To Award Contract 123, 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2 to Vortex Services, LLC in the amount of \$99,000.00**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains more than 12 miles of interceptor sewers throughout its service area; and

**WHEREAS**, there is a need to clean and video inspect the interceptor sewer system on a periodic basis for condition assessment and determination of necessary repairs; and

**WHEREAS**, the Authority Staff has developed a plan to clean and video inspect the entire interceptor system over a five (5)-year period; and

**WHEREAS**, the Authority Engineering Staff has also developed Contract 123, 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2, with technical specifications for the work and public bidding documents for solicitation of public bids; and

**WHEREAS**, in accordance with Local Public Contracts Law, the Authority advertised for the 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2 Project and three (3) sealed bids were received and publicly opened on April 7, 2020 at 2:00 P.M., with the low bidder being Vortex Services, LLC of Freehold, NJ in the amount of \$99,000.00; and

**WHEREAS**, the Authority Attorney and Principal Engineer have reviewed the bids and are recommending award to Vortex Services, LLC in the amount of \$99,000.00; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-5.4(a)(3), the Authority certifies the availability of funds in the TV Inspection & Cleaning line item of the Authority Operating Budget to cover the maximum dollar value of the pending Contract as set forth in the Resolution.

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that Vortex Services, LLC of Freehold, NJ is hereby awarded Contract 123, 2021 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 2 Project in the amount of \$99,000.00 in accordance with the terms and conditions of the bid and Contract Documents.

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

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

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

**RESOLUTION No. (62/21): To Authorize “Roll Over” CD Investments with Lakeland Bank**

**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; and

**WHEREAS**, for the better safety, liquidity and maximum investment return the Authority desires to Roll Over the following investments:

1. \$1,063,360.32 for a one-year period (maturing 4/27/2022) CD with Lakeland Bank at an interest rate of 0.38%; and
2. \$1,044,330.51 for a one-year period (maturing 4/27/2022) with Lakeland Bank at an interest rate of 0.38%.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize and ratify the investments so stated in Lakeland Bank.

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

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

**PUBLIC PORTION**

**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

## **EXECUTIVE SESSION**

**Chairman Sutton** called for a **MOTION** to go into Closed Session at 8:21 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 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 McMullen, SECONDED BY: Commissioner Russo, and carried by a unanimous voice vote recorded as follows:

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

**EXECUTIVE SESSION MINUTES ARE RECORDED SEPARATELY**

## **END CLOSED SESSION**

**Chairman Sutton** called for a **MOTION** to End Closed Session and Re-Open the Regular Meeting@ 9 P.M.

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

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

## **RESOLUTIONS**

### **RESOLUTION No. (61/21): Authoring a Settlement Agreement & Mutual Release by and Between the Bayshore Regional Sewerage Authority and Cotugno**

**WHEREAS**, James Cotugno was previously employed by the Bayshore Regional Sewerage Authority (the “Authority”); and

**WHEREAS**, James Cotugno was involved in an incident occurring on or about September 13, 2008, which led to a dispute between James Cotugno, Jennifer Parsells Cotugno, the Authority, Charles Steiner, Robert C. Fischer, J. Michael Broyles, Roy Anderson, Charles P. Theodora, Jr., Patrick Keefe, and Robert Ostervich (together known as “the Parties”); and

**WHEREAS**, the Parties’ dispute culminated in litigation captioned and entitled as *Jennifer Parsells Cotugno, et al. v. Bayshore Regional Sewerage Authority*, MON-L-2336-18 and *United Property & Casualty Insurance Company v. Justin Broyles, et al.*, Civil Action No. 3:19-cv-18950-AET-TJB; and

**WHEREAS**, the Parties negotiated in good faith in an effort to amicably resolve the dispute; and

**WHEREAS**, the Executive Director and Counsel for the Authority recommend that this matter be resolved in accordance with the terms set forth in the Settlement Agreement and General Release;

**NOW THEREFORE, BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority, hereby approve the Settlement Agreement and Release between the Parties; and

**BE IT FURTHER RESOLVED** that the Executive Director is hereby directed to execute the Settlement Agreement and General Release.

**BE IT FURTHER RESOLVED** that the Authority's Administration and Counsel are hereby directed to take the necessary and appropriate action to effectuate the terms of the Settlement Agreement and General Release.

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

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

**RESOLUTION (63/21): To Authorize Management to Hire Summer Interns for Engineering and Administration**

**WHEREAS**, the Bayshore Regional Sewerage Authority ("Authority") is in need of summer assistance in the Engineering Department to advance our Asset Management and GIS system goals and in the front office to assist with administration; and

**WHEREAS**, The Universities and Colleges of New Jersey have Career Development Departments for the placement of Students in permanent or temporary positions; and

**WHEREAS**, the Authority wishes to hire qualified students for summer employment to assist the engineering department with specific engineering projects and for the front office to assist with administration and special assignments; and

**WHEREAS**, the Authority will advertise with the Career Development Departments at NJ State Colleges for the positions; and

**WHEREAS**, the Authority will interview prospective candidates and find the most qualified candidate for the position;

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

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority hereby Authorizes the Executive Director to hire a summer intern to work in the Engineering Department and also another to work in the Administration office, at a rate of \$16 per hour, commencing on or after May 3rd and ending the last week of August, 2021.

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

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

## **ADJOURMENT**

### **ANNOUNCEMENT (by Chairman Khachaturian):**

The next B.R.S.A. Public Meeting is scheduled for Monday, May 17, 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 9:02 P.M. Chairman Sutton called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,  
Victoria DuDasko  
Administrative Assistant/ HR