

MINUTES FOR
PUBLIC PRESENTATION &
REGULAR MEETING (via Zoom)
MONDAY, August 16, 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 August 16, 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, Khachaturian, 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
Joseph Frissora, HDR

EXECUTIVE SESSION

Chairman Sutton called for a MOTION to go into Closed Session at 7:03 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.

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

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

END CLOSED SESSION

Chairman Khachaturian calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 7:20 P.M.

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

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

RESOLUTIONS

RESOLUTION No. (105/21): To approve Promotions and Salary Adjustments for Executive, Management, Supervisors and Office Personnel for 2021

WHEREAS, the Executive Director presented his annual review of performance of Executive, Management, Supervisory and Office Personnel and a succession plan to the Authority Personnel Committee; and

WHEREAS, the Personnel Committee has reviewed the performance evaluations, succession plan and recommendations of the Executive Director; and

WHEREAS, the Personnel Committee has discussed the evaluations and recommendations with the entire Authority Board of Commissioners; and

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

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Executive Director to make the salary adjustments in accordance with the memorandum dated August 12, 2021 and to implement the salary promotions effective September 5, 2021 and the salary adjustments retroactive to January 1, 2021.

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

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

**HDR Presentation on Power Resiliency Generation (PRG) Construction Services Proposal:
Joseph Frissora Reported:**

- The project is a new generation facility using wind turbine facility as a base and will provide power to MCBOA as well as the BRSA. The project will consist of three natural gas (3) generators. There will be a state of the art emission controls included with the generators. It will be elevated above flood level. The second floor will house the electrical gear to operate the BRSA as well as the MCBOA Site.
Commissioner Cavanagh asked if the urea tank is used for diesel? To which Mr. Frissora stated it would be used as part of the selective catalytic reduction (SCR) system emissions control. Commissioner Cavanagh responded what type of emissions? Mr. Frissora stated it would reduce the carbon dioxide.
- From the last presentation by HDR, a noise assessment was completed and adjustments have been made to reduce noise levels even further. Noise levels will be at or below local requirements at the property lines.
- The DEP has approved the land use permit. R3M has been in touch with IBank and FEMA for funding.
- Authorization to advertise the project from NJ IBank will need to be awarded prior proceeding.

- A Construction Inspection and Management (CM) proposal from HDR has been provided to the BRSA. Design comments have been received from MCBOA, BRSA and FEMA.
- Mr. Canal also reiterated the contract for the CM proposal needs to be fully executed prior to receiving IBank's authorizations.
- Commissioner Cavanagh inquired about other consultants completing permitting requirements. Mr. Frissora stated all the permitting is being completed by their sub-consultant, PS&S. Commissioner Cavanagh stated it seems to be a lot of effort if the permits are completed. Mr. Frissora responded that air permitting remains. Mr. Canal added that we haven't submitted a Title V permit for the power generation facility due to not knowing what the specified equipment is until after bids are received. Mr. Frissora then confirmed the permits we are still waiting on is Title V

REPORTS

Executive Directors Report

Peter Canal Reported:

COVID-19

- Recently, we have had one employee test positive for COVID-19 and they were vaccinated. The few exposed employees are currently feeling well. However, we are currently waiting on their test results. We remain following guidelines from the CDC and State, as well as taking extra precautions for the safety and best interest of our employees. We will consider month by month as to when we should reopen to the public.

Dorr Oliver Rehabilitation RFP

- We have received three (3) proposals on Friday, August 13 and plan to review and have a recommendation for award at a future public meeting.

Finance

- We have a resolution to approve our flood insurance with selective insurance for our main pump station and our administration building in the amount of \$14,010.00
- There is also a resolution on to update the phone system, which was budgeted in our capital improvement plan in the amount of \$18,669.00
- We have two (2) payments for approval; PS&S in the amount of \$710.00 and Clearly Giacobbe and Alfferi in the amount of \$1,008.00

Security

- We continue to install cameras from phase two (2) and we expect the installation to be completed by 2022.

Commissioner Cavanagh inquired about a \$90,000.00 expense found on the bill list for cartage. Mr. Canal stated that was from the ash removal. Mr. Broyles followed up with it was two (2) basins weighing close to 700/800 tons. Mr. Canal stated it was budgeted for and we expect to have two (2) basins again next year.

Principal Engineer Report

Tom Petti Reported:

- **Contract 120- Matawan Force Main Repairs at Clark Street-** This project is expected to start next week, it is expected to be a 24-hour job and should be complete within 4-5 days.
- **Contract 122 – Interceptor Sewer Rehabilitation Phase 3 –** On August 3, 2021 we received three (3) bids for this project. We are recommending a bid from National Water Main Cleaning Company and have a resolution on for award in the amount of \$493,235.00.
- **Contract 124- West Keansburg Pumping Station Bypass Facility & Improvements-** This project is going to bid at the end of August. We had to add design work required for concrete repairs, utility conflicts and additional CADD work. Therefor we have a resolution on for an amendment to the R3M design contract request in the amount of \$5,680.00

Commissioner Cavanagh asked why most bids were around the same amount and then there was an outlier of over one (1) Million? Mr. Petti then stated that the three (3) low bidders are around the same amount and we are awarding to the lowest. Commissioner Cavanagh then stated he needs to understand why someone would bid three (3) times what everyone else bid. Mr. Canal informed the group, some companies will bid on jobs they are not interested in, so the other companies do not know what jobs they are interested in.

- **Administration Building Roof Replacement-** Last year the lab roof was replaced by Weatherproofing Technologies Inc through a state contract. The Administration building has two (2) different roofing systems built 20 years apart with different elements, as well as the replacement of skylights and temporary support of HVAC units. Since the state contract cannot be used, we have used the proposal from last year to draft specifications for this project to be completed in house. We have reached out to R3M for assistance in the design and have a proposal as well as a resolution in the amount of \$46,000.00
- **Pumping Station & Force Main Condition Assessment & Planning Program-** Work Order #5, West Keansburg Force Main Investigations, was completed in July. The goal of this work order was to determine the full extent of suspected internal and external corrosion. Based on the test results we have found the last 200 to 250 feet of this force main will need to be replaced due to corrosion. R3M will prepare a proposal for the design on the replacement, and we hope to replace that next year.
- **Contract 113-O – Annual Security Services Contract –** This is a one (1) year contract with Wisdom Protective Services, LLC for the overnight security of the authority. The contract is set to expire, and Wisdom Protective services has agreed to extend the contract a second year at the same price which will extend to September 2022.
- **Contract 114-S - Power Resiliency Generation (NJEIT Phase 3) –** the total estimated construction cost is \$22.8 million dollars. The proposal HDR submitted for construction management is services is \$1,417,300.00 and the resolution is on for approval tonight. R3M has also been working with us as a design consultant, working with IBank as well as FEMA. R3M has submitted an amendment, for engineering support services in the amount of \$22,732.00 and we have a resolution on to support that amount.

Consulting Engineer- R3M

Manuel Ponte Reported:

- **Condition Assessment- Phase II Validation and Initial Repairs**

A Subcontract completed non-destructive test measurements which will reveal how much of the pipe needs to be repaired.

- **Fuel Oil Tank No. 3**

The contractors are having difficulty with the delivery of the double wall piping. The double wall piping will help prevent leaks. We are now expecting the delivery to be mid-September, and it should take a week to install.

- **West Keansburg Pump Station Bypass and Meter Facility**

Bids are due August 26, 2021.

- **WPCP- Miscellaneous Structural Repairs**

We submitted a structural Assessment Report which is being review by the BRSA staff.

- **WPCP- Site Specific Odor Control Study**

Task 1 has been completed, which involved smoke testing. Our recommendations included tightening of the enclosures, which we are expecting to have completed by the end of the year. Then task two (2) can be started.

Superintendent's Report

Mike Broyles Reported:

- Flow reported for July was approximately 22 million gallons more then it was in June.
- The incinerator experienced some unexpected, delayed startups, which required a couple extra overnight shifts to make up for the lost operational time.
- Monmouth County Bayshore Outfall Authority completed a wet well cleaning which required us to stop our flow to their wet well. Our flow was held in a collection system for four hours and we were able to resume without incident.
- DEP has issued us a draft to permit. BRSA staff met to combined comments to submit to the DEP within the 30-day window to submit comments. We are waiting for a response from the DEP and expect a final permit soon.
- The lab procured a make-up sample from the proficiency test with will take place in September.
- IT department is working on Cyber Risk Management program for the Municipal Excess Liability Joint Insurance Fund to help with the reimbursement of deductible.
- The Maintenance department worked with PS&S on the recycled pump station system evaluation to confirm the pump capacity , which went as expected.

Commissioner Cavanagh noted that there were no odor complaints

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

| | Balance |
|---|-------------------------------|
| | July 31, 2021 |
| <u>UNRESTRICTED INVESTMENTS</u> | |
| Lakeland Bank-CD#1 | \$ 1,065,313.07 |
| Lakeland Bank-CD#2 | <u>\$ 1,046,248.31</u> |
| TOTAL UNRESTRICTED INVESTMENTS | \$ 2,111,561.38 |
| <u>TD BANK UNRESTRICTED CASH</u> | |
| Incoming Revenue Account | \$ 199,408.37 |
| Operating Regular Account | \$ 2,330,133.00 |
| Operating Reserve Account | \$ 8,359,239.18 |
| Operating Payroll Account | <u>\$ 748,497.08</u> |
| TOTAL UNRESTRICTED CASH | \$ 11,637,277.63 |
| TOTAL UNRESTRICTED CASH & INVESTMENTS | \$ 13,748,839.01 |
| | |
| <u>RESTRICTED INVESTMENT</u> | |
| Cash Management | \$ 7,330,053.90 |
| Lakeland Bank Reserved Checking | \$ 1,192.23 |
| Lakeland Bank Reserve CD#3 | <u>\$ 3,111,897.21</u> |
| TOTAL RESTRICTED INVESTMENTS | \$10,443,143.34 |
| | |
| <u>RESTRICTED CASH</u> | |
| NJEIT Project Fund | \$ 463,601.81 |
| NJEIT Project Fund #II | \$ 3,690,978.30 |
| NJEIT Project Fund #III | \$ 1,262,632.16 |
| Bond Service Fund | <u>\$ 134,921.41</u> |
| TOTAL RESTRICTED CASH | \$ 5,552,133.68 |
| TOTAL RESTRICTED CASH & INVESTMENTS | <u>\$15,995,277.02</u> |
| TOTAL AUTHORITY ACCOUNTS | <u>\$29,744,116.03</u> |

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 |
|--------------------------------------|----------------------|
| | July 31, 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 | <u>\$ 437,966.69</u> |

TOTAL \$ 437,966.69

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 | \$ 46,332.91 |

TOTAL \$ 46,332.91

RENT RESERVE ACCOUNTS as of June 30, 2021

| | |
|--------------------------------------|---------------|
| Hazlet Township Sewerage Utility | \$ 669,540.10 |
| Township of Holmdel | \$ 323,465.92 |
| Borough of Union Beach | \$ 198,490.42 |
| Borough of Keyport | \$ 270,409.58 |
| Borough of Keansburg | \$ 268,049.02 |
| Borough of Matawan | \$ 327,926.22 |
| Western Monmouth Utilities Authority | \$ 114,602.90 |
| Township of Aberdeen | \$ 484,628.69 |

TOTAL \$ 2,657,112.85

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

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

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

ABSENT: Commissioner McMullen

PAYMENT OF REQUISITIONS

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

| | |
|--|---------------|
| Operating Fund Req. No. 600 (Regular) | \$ 492,849.43 |
| Payroll Account Req. No. P 248 (Payroll) | \$ 226,245.62 |
| NJEIT Project Fund #II Req. #PF-57 | \$ 710.00 |
| NJEIT Project Fund #111 Req. #PF3-12 | \$ 1,008.00 |

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

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

ABSENT: Commissioner McMullen

APPROVAL OF MINUTES

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

Regular Meeting Minutes of July 19, 2021

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

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

ABSENT: Commissioner McMullen

NO PUBLIC IN ATTENDANCE.

RESOLUTIONS

RESOLUTION NO. (96/21): Resolution Providing for the Declaration of the official Intent Under Treasury Regulation Section 1.150-2 to Reimburse Prior Expenditures Related to Various System Improvements- Power Resiliency Generator Project

Adopted: August 16, 2021

WHEREAS, the Bayshore Regional Sewerage Authority (the “Authority”) intends to issue debt obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and that will be used to finance various capital improvements to its sewer system in connection with Super Storm Sandy, specifically the power resiliency generator project (the debt obligations herein referred to as “Project Debt Obligations” herein referred to as the “Project”); and

WHEREAS, the Authority intends to finance the Project, in part, with the Project Debt Obligations but may pay for certain costs of the Project (“Project Costs”) prior to the issuance of the Project Debt Obligations with funds of the Authority which are not borrowed funds; and

WHEREAS the Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141-150 of the Code.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Authority as follows:

Section 1. The Authority reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Authority’s official intent to reimburse the Authority for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations, in accordance with Treasury Regulation Section 150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$25,000,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be “capital expenditures” in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulation Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Project Debt Obligations used to reimburse the Authority for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds”, or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulation Section 1.148-1) of the Project Debt Obligations or another issue of debt obligations of the Authority, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulation Section 1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of: (i) the date the expenditure from a source other than the Project Debt Obligations is paid; or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulation Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution will take effect immediately.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (97/21): To Secure Flood Insurance for Authority Main Pump and Administration Buildings Eligible for National Flood Insurance Program Coverage

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns several buildings at the Treatment Plant located at 100 Oak Street in Union Beach, NJ; and

WHEREAS, the buildings further identified as Main Pump Station Addition and Administration Building are eligible for flood insurance under the National Flood Insurance Program (NFIP); and

WHEREAS, the Selective Insurance Company will provide total coverage of \$1,000,000 for Buildings and \$417,400 for contents for a total premium of \$14,010 with a \$90,000 deductible; and

WHEREAS, as a condition of FEMA funding the Authority is required to obtain and maintain flood insurance on all eligible buildings; and

WHEREAS, the quoted premiums and coverages have been reviewed by the Authority Risk Management consultants, Conner Strong & Buckelew who has recommended binding these coverages; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of the above stated premiums to secure flood insurance for the named Authority Buildings for a one-year term according to the building renewal date and instruct the Executive Director to execute all necessary documentation to secure this coverage.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (98/21): To Award Authority Phone System Upgrade by NJ State Contract to RFP Solutions, LLC of Woodbury, NJ in the amount of \$18,669.00.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need for upgrades and replacement of the current Telephone System; and

WHEREAS, the Authority can purchase equipment under State Contract without competitive bidding in accordance with Local Public Contract Law; and

WHEREAS, RFP Solutions, LLC of Woodbury, NJ has submitted a proposal for the Authority Telephone System Upgrades Project that includes the complete installation, programming, training, manufacturer’s user guides, one year warranty, and 24/7 support, under State Contract No. A80801 in the amount of \$18,669.00; and

WHEREAS, the Authority staff find the State Contract price to be lower than similar offers; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Vehicles and Equipment 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, that the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Contract for the Telephone System Upgrade to RFP Solutions, LLC of Woodbury, NJ in accordance with the terms and conditions of their State Contract, in the amount not to exceed \$18,669.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to RFP Solutions, LLC of Woodbury, NJ.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (99/21): To Award a One (1) Year Extension for Contract 113-O for Security Services to Wisdom Protective Services, LLC in the amount of \$53,564.27

WHEREAS, in accordance with Local Public Contracts Law at 2:00 P.M. on Tuesday, August 13, 2019, the Bayshore Regional Sewerage Authority (“Authority”) received bids for Contract 113-O, Security Services for a One (1) Year Period; and

WHEREAS, on August 19, 2019 the Authority awarded the Security Services for a One (1) Year Period to the lowest responsible bidder being Wisdom Protective Services, LLC of Westbury, NY by Resolution #99/19; and

WHEREAS, on September 21, 2020 the Authority awarded a one (1)-year extension for Security Services to Wisdom Protective Services, LLC of Westbury, NY in accordance with the same product, price terms and conditions as the original Contract by Resolution #103/20; and

WHEREAS, on September 17, 2021 the Contract extension is scheduled to expire; and

WHEREAS, the Contract provides by mutual agreement, and the Local Public Contracts Law allows for up to two (2) one-year extensions, where the extension is available, and the total price shall not exceed the change in the index rate for the twelve (12) months preceding the most recent quarterly calculation and price available; and

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

WHEREAS, the Qualified Purchasing Agreement and Principal Engineer have reviewed the correspondence with Wisdom Protective Services, LLC accepting the second one (1) year extension in accordance with the same product, price, terms and conditions as the original Contract and are recommending the second one (1) year extension; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Service Contracts line item of the Authority Operating Budget to cover the maximum dollar value of the pending Contract as set forth in the resolution; and

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that Wisdom Protective Services, LLC of Westbury, NY is hereby awarded the first, one (1) year extension of Contract 113-O Security Services in accordance with the terms and conditions of the original bid and Contract Documents, for a total Contract price of \$53,564.27.

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

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (100/21): To Amend R3M Engineering Inc. Contract for Engineering Design Services for the West Keansburg Pumping Station Bypass Facility & Improvements in the amount of \$5,680.00.

WHEREAS, on October 19, 2020 the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering design services proposal for the West Keansburg Pumping Station Bypass Facility & Improvements project, in the amount of \$50,990.00 to R3M Engineering, Inc. (“R3M”) of Old Bridge, NJ via Resolution #116/20 in accordance with the terms and conditions of their proposal dated October 13, 2020; and

WHEREAS, it is necessary for R3M to perform work beyond the scope of their contract including additional design work for the repair of concrete stairways and handrail rehabilitation and coordination of the bypass chamber location with existing utilities; and

WHEREAS, R3M has submitted an amendment request for this additional work dated August 10, 2021 in the amount of \$5,680.00; and

WHEREAS, the Executive Director and Principal Engineer have met with R3M to review the amendment and find it to be fair and reasonable for the additional scope added to the project; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Pump Station 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 an amendment for the engineering design services proposal for the West Keansburg Pumping Station Bypass Facility & Improvements project in the amount of \$5,680.00 to R3M Engineering, Inc. of Old Bridge, NJ in accordance with their letter dated August 10, 2021 increasing the total contract value to \$56,670.00.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to execute any necessary contract amendment documents.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (101/21): To Amend R3M Engineering Inc. Contract for Engineering & Design Support Services for the Power Resiliency Generation Project in the amount of \$22,751.00

WHEREAS, on September 16, 2019 the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering & design support services proposal for the Power Resiliency Generation project, in the amount of \$76,860.00 to R3M Engineering, Inc. (“R3M”) of

Old Bridge, NJ via Resolution #116/19 in accordance with the terms and conditions of their proposal dated September 10, 2019; and

WHEREAS, it is necessary for R3M to perform work beyond the scope of their contract including additional work to finalize the bid documents, coordination with regulatory agencies, and financial coordination activities with FEMA and the New Jersey Infrastructure Bank; and

WHEREAS, R3M has submitted an amendment request for this additional work dated August 10, 2021 in the amount of \$22,751.00; and

WHEREAS, the Executive Director and Principal Engineer have met with R3M to review the amendment and find it to be fair and reasonable for the additional scope added to the project; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Power Resiliency Generation project line item of the Authority Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in the Resolution; and

NOW THEREFORE BE IT RESOLVED that the Commissioners of Bayshore Regional Sewerage Authority hereby approve an amendment for the engineering & design support services for the Power Resiliency Generation project in the amount of \$22,751.00 to R3M Engineering, Inc. of Old Bridge, NJ in accordance with their letter dated August 10, 2021 increasing the total contract value to \$99,611.00.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to execute any necessary contract amendment documents.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (102/21): To Award Engineering Design Services for the Administration Building Roof Replacement Project to R3M Engineering in the amount of \$46,900.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains an Administration Building within the Wastewater Treatment Plant that has a need to replace the roof; and

WHEREAS, there is a need in the Contract for various structural repairs, including the removal of skylights, adjustment of roof curbs and temporary supports of HVAC equipment; and

WHEREAS, the Authority has solicited a proposal from R3M Engineering, Inc. of Old Bridge, NJ for engineering design services in developing the Administration Building Roof Replacement Project, dated August 12, 2021, in the amount of \$46,9000.00; 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 Roofing Replacements 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 Administration Building Roof Replacement Project in the amount of \$46,900.00 to R3M Engineering, Inc. of Old Bridge, NJ in accordance with the terms and conditions of the proposal dated August 12, 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.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (103/21): To Award Engineering Construction Management and Inspection Services for Contract 114-S, Power Resiliency Generation Project to HDR Engineering, Inc. in the amount of \$1,417,300.00.

WHEREAS, on August 19, 2019 the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering design services proposal for the Power Resiliency Generation project, in the amount of \$1,028,220.00 to HDR Engineering, Inc. (“HDR”) of Mahwah, NJ via Resolution #106/19 in accordance with the terms and conditions of their proposal dated August 9, 2019; and

WHEREAS, HDR has completed the design of the project and has submitted a proposal for Engineering Construction Management and Inspection Services dated August 12, 2021 in the amount of \$1,417,300.00; and

WHEREAS, the Executive Director and Principal Engineer have met with HDR to review the proposal and find 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 Power Resiliency Generation project 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 proposal for Engineering Construction Management & Inspection Services for Contract 114-S, Power Resiliency Generation Project to HDR Engineering, Inc. of Mahwah, NJ in accordance with terms and conditions of their proposal, dated August 12, 2021 in the amount not to exceed \$1,417,300.00.

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized to execute the Contract agreement with HDR Engineering, Inc. of Mahwah, NJ.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (104/21): To Award Contract 122, Interceptor Sewer Rehabilitation – Phase 3 to National Water Main Cleaning Company of Kearny, NJ in the amount of \$493,235.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates interceptor sewers in the Township of Hazlet; and

WHEREAS, the Authority has identified and prioritized the results of inspection of interceptor sewer pipelines to determine the areas in need of rehabilitation and repair; and

WHEREAS, the Authority has contracted with Jacobs Engineering Group, Inc. to develop Contract 122, Interceptor Sewer Rehabilitation – Phase 3 with technical specifications for the work and public bidding documents for solicitation of public bids by Resolution No. 72/20; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Contract 122, Interceptor Sewer Rehabilitation – Phase 3 project and five (5) sealed bids were received and publicly opened on August 3, 2021 at 2:00 P.M., with the low bidder being National Water Main Cleaning Company of Kearny, NJ in the amount of \$493,235.00; and

WHEREAS, the Authority Attorney, Principal Engineer and Jacobs Engineering Group, Inc. have reviewed the bids and are recommending award of the Contract to National Water Main Cleaning Company of Kearny, NJ in the amount of \$493,235.00; 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 as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that National Water Main Cleaning Company of Kearny, NJ is hereby awarded Contract 122, Interceptor Sewer Rehabilitation – Phase 3 project in the amount of \$493,235.00 in accordance with the terms and conditions of the bid and Contract Documents.

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

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

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

ABSENT: Commissioner McMullen

Commissioner Whalen called for a **Motion** to change the October 18, 2021 Authority Public Meeting date to October 11, 2021 at 7pm.

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

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

ABSENT: Commissioner McMullen

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

ADJOURMENT

ANNOUNCEMENT (by Chairman Sutton):

The next B.R.S.A. Public Meeting is scheduled for Monday, September 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 8:12 P.M. Chairman Sutton called for a **MOTION** to Adjourn the meeting.

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

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

ABSENT: Commissioner McMullen

Respectfully submitted,
Victoria DuDasko
Administrative Assistant/ HR