



# BAYSHORE REGIONAL SEWERAGE AUTHORITY

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

## MINUTES FOR REGULAR MEETING (via Zoom) MONDAY, November 14, 2022

At 7:05 P.M., Chairman Cavanagh 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 May 16, 2022 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 **860764**

Connect via your internet connected device at: <https://us02web.zoom.us/j/89866994932>  
Meeting PIN **860764**

Meeting #82595428520 PIN **860764** 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 Cavanagh 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 Cavanagh called for a roll call via Zoom:

**PRESENT:** Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

**LATE:** Commissioner Mioduszewski

Also, in attendance: Peter Canal, Executive Director

Via Zoom J. Michael Broyles, Director of Operations  
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

## Reports

### **BRSA Projects, Special Reports & Connection Applications**

#### **Executive Directors Report**

- **Administration-** We have no new employee COVID-19 cases to report. However, we do have a Commissioner sick with COVID.

-Commissioner McMullen wished the Commissioner with COVID well.

The Authority staff has made an update to our Rules and Regulations, which were last updated in 2012. There is a resolution for the Board's consideration to update the Authority Rules and Regulations.

- **Disaster Recovery Update- C.114-S, Power Resiliency Generation (PRG) Project,** we are finalizing the NJ State Comptroller's office's final review comments.

The MCBOA agreement is in attorney review and should be finalized soon. Mr. Canal informed the Board of Senator Booker and Senator Menendez's announcement on October 4, 2022, to award the Authority \$11,835,885.60 in funding from the Federal Emergency Management Agency (FEMA) to cover the cost of repairs after floods from Superstorm Sandy damaged the electrical distribution switchgear. The 11 million awarded to the authority is in addition to the 14 million, now totaling over 27 million in federal funding for the project.

-Chairman Cavanagh asked if the additional funding was part of the FEMA budget. Mr. Canal confirmed it was. Commissioner McMullen stated this was a good question. FEMA Project Worksheets (PW's) Closeout for Project Funds No. 1 & 2 continues to proceed well by PS&S. We have submitted Scope Changes for consideration to FEMA for reimbursements which they have verbally agreed to. We are expecting a total of \$1,659,086 in funds for closeout.

- **Dorr Oliver-** Hazen & Sawyer is conducting the required Value Engineering at the 30% design level. The first Value Engineering workshop meeting with HDR & Hazen was held on October 5, 2022. The Value Engineering speculative phase

meeting with Hazen and the Authority staff was held on October 31. Value Engineering is proceeding well.

- **Request for Expression of Interest-**On October 7, the Authority issued a request for proposals, for annual engineering services for capital improvement projects. We are expecting to receive those proposals on November 18, 2022, and hope to award them at our January/ February 2023 meeting.
- **Financial-** As previously discussed, our NJ Sustainable Energy Joint Meeting (NJSEM) group for natural gas issued a Request for Bids on August 22, 2022, all bids received were above the pre-established strike prices, and no awards were made. At the December meter reads, the utilities will be returning all the accounts to utility supply service prices. The NJSEM is preparing to rebid in December or early 2023, to solicit pricing starting spring 2023. On November 8, the NJDCA approved our budget for the adoption of the User Fees at the December 19, 2022, Public Hearing. The final flow report has been completed and will be presented by R3m Engineering. There are payments to approve this month for Project Fund (PF) No.3, for Power Resiliency Generation Project (PRG) for Cleary Giacobbe Alfieri Jacobs in the amount of \$1,165.50 and R3m engineering, inc. in the amount of \$457.50
- **Human Resources-** The Delta Dental renewal premiums were provided and are staying relatively flat for a 12-month period at less than a 1% increase. There is a resolution for the Board's consideration to approve the Delta Dental renewal. Our labor Counsel has completed an update of our Employee Policy Handbook and we have a resolution for the Board's consideration. The Authority would also like to consider a resolution to provide Licensed Operator Training to Authority staff to assist them in passing the NJDEP Operator licensing. The training would be provided by PS&S.
- **Security-** Phase 2 of the security cameras project is near completion. We now have fully functional cameras around the perimeter of the plant. We are currently preparing for phase 3, which will include installing additional cameras inside the various plant building.
- **Other-** The Authority plans to have an employee Christmas party on December 13, 2022, similar to that of past years where the food will be catered. All Authority Commissioners and Professionals are invited. The Authority hosted a small cookout to recognize the hard work and dedication of the employees who were here during Superstorm Sandy on October 29, 2012. The Municipal Excess Liability Joint Insurance Fund will provide a credit of \$250 against our invoice for each Commissioner and Director who attends the Elected Officials' Training Seminar at the League of Municipalities Conference and the AEA.

## PRESENTATION

Ms. Jackie Giordano of Dynamic Engineering reported on a proposed assisted living facility in Holmdel that is on the agenda tonight for sanitary sewer connection approval.

- Ms. Giordano reported about the assisted living facility plans for Holmdel. Ms. Giordano informed the board the assisted living facility would hold 211 beds and has the ability to care for different levels of senior needs. The project has already been approved by Holmdel's planning board. The NJDEP permits are already being processed and Dynamic Engineering is hoping to receive approval from Bayshore Regional Sewerage Authority's Board.
- Mr. Petti added, the building is expected to be 3 stories, hold 211 beds, and this project is expected to have 117 EDUs. The connection fee of \$599,976.00 has been paid in full and there is a resolution tonight to consider sanitary sewer connection and Treatment Works Application approval.
- Commissioner McMullen asked if Dynamic Engineering had the approval of DRC for Monmouth County. Ms. Giordano stated that because Route 35 is a state highway the approval was from NJDOT.
- Chairman Cavanagh asked if there were any off-site sewer improvements. Also, how is the EDU calculated? Ms. Giordano stated there are off-site improvements to be made, which include adding a force main. Mr. Petti stated the EDUs were calculated as per the NJDEP flow criteria which is 125 gallons per day per bed. Chairman Cavanagh asked if the calculations were the same as a hospital. Mr. Petti stated they are different. Chairman Cavanagh asked if adding the new force main would affect the Authority. Mr. Petti stated we have the capacity. Mr. Canal stated that the force main will not go directly to the Authority and would connect to the Holmdel Township sanitary sewer line first. Chairman Cavanagh asked when it would tie into the Authority. Mr. Petti stated the closest was Holy Family. Chairman Cavanagh then asked if all of Holmdel's sewer ties into Holy Family. Mr. Petti stated it is one of our main connections.
- Commissioner Sutton asked if the developer would have to maintain the force main that was being added to support the assisted living facility. Ms. Giordano confirmed that to be correct.

### **1. Principal Engineer Report**

- **Contract 122 – Interceptor Sewer Rehabilitation Phase 3** – This project was started before Labor Day. We have completed 60% of the lining before we had a technical difficulty. We currently have five (5) shots and three (3) manholes left to complete. We are planning on remobilizing next week and have about two (2) weeks left of work to complete. Notice has been sent to the towns. We expect this project to be completed in December.
- **Contract 129 – WWTP Miscellaneous Structural Repairs** – This project is near completion. Change Order #1, a credit Change Order has been prepared by the

Staff for credits to the Main Pumping Station coating work and other miscellaneous allowance credits in the amount of \$16,050.80. We have the resolution to award the Change Order #1 to Waters & Bugbee in the credit amount of \$16,050.80, decreasing the total Contract Value to \$246,974.20.

- **Contract 142 – WWTP Odor Control Improvements** – This project is proceeding with the final design, and we expect the draft shortly. We have the resolution to authorize the Authority to advertise for public bid.
- **Contract 146 – NIRO Incinerator Rehabilitation** –The Authority staff has performed scheduled shutdowns for maintenance. In 2021, areas of the Niro incinerator needed to be observed for possible refractory repairs in the near future. This year’s maintenance has led to a few other areas requiring attention, which include replacing misc. items. Chavond-Barry Engineering is currently working on specifications for the repairs under their Annual Incinerator Engineering Contract. We expect to be ready to advertise for bids by the end of the year.
- **Contract 143-O – Annual Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1) Year Period** – Our annual Contract with Griffith-Allied Trucking LLC is set to expire in December 2022. Have advertised and received one (1) bid for the project in the amount of \$634,708.30 from Griffith-Allied Trucking. Our Attorney and Engineering Staff have revived the bid and are recommending the award of the Contract. Therefore, we are seeking a resolution to award Contract 143-O Annual Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1) Year Period to Griffith-Allied Trucking, LLC of Hillsborough, NJ in the amount of \$634,708.30.
- **Geographical Information Systems (GIS) Mapping** – We are continuing to build our GIS system within the collection system and wastewater treatment plant to upgrade our mapping and recordkeeping. Colliers Engineering & Design currently handles our GIS Services. Colliers has submitted a proposal for the 2023 GIS & GPS services in the amount of \$30,900.00. We have met internally to review the proposal and find it acceptable. We are seeking a resolution to award the 2023 GIS & GPS services to Colliers Engineering & Design in the amount of \$30,900.00.
- **Brightview Senior & Assisted Living Facility, B. 58, L. 29 & 29.01, NJSH Route 35 North, Holmdel** – As Ms. Giordano has reported, the Applicant, proposes to construct a new three-story senior and assisted living facility. We have a resolution on to approve the connection and endorse the TWA application.

## 2. Consulting Engineer – R3M

- **Power Resiliency System** – The project continues to move along. R3M continues to assist Authority staff and HDR with the loan application and supporting documentation for the project.
- **WPCP – Misc. Structural Repairs** – As Mr. Petti has reported we have a credit change order on the agenda for consideration tonight.
- **WPCP – Site-Specific Odor Control Design** – We are finishing up this project and will have a final review set submitted shortly.
- **Administration Building Roof Replacement** – We have advertised the need for a bid and expect those bids on December 7<sup>th</sup>.

- **West Keansburg Pump Station Bypass & Meter Facility Construction Services-** The contractor has experienced challenges finishing Contract work related to the new magmeter that are being addressed.
- **Engineering Design Services for West Keansburg Force Main-** The contract was awarded to Underground Utilities Corp. for \$379,610.00. The pre-construction meeting is scheduled for November 17, 2022.
- **Condition Assessment & Planning Program of Authority Force Mains: Phase III-** Continues to proceed well.
- **General Consulting Engineer Services-** The 4<sup>th</sup> quarter flow report has been completed and submitted. The annual inspections of the Collection Systems and plant are scheduled. The Dorr-Oliver Incinerator loan application is being processed. Developed construction details for anchoring universal base stations for a portable davit crane to be used by Authority staff to be lowered into confined space.
  - Chairman Cavanagh asked Mr. Ponte to further discuss the davit crane. Mr. Petti stated the current setup is extensive and the davit crane will simplify the setup for Authority staff. Mr. Canal stated we can visit more sites in a day. Mr. Anderson said it would save the Authority staff time and add to safety for staff.
- **4<sup>th</sup> Quarter Flow Report-** This quarter was a dry quarter. Which affects Hazlet and Union Beach, when it's dryer the two towns see an increase. The other percentages remain consistent.
  - Chairman Cavanagh asked about Keansburg's rates being different compared to the rest. Mr. Ponte stated without asking them directly he couldn't report. Chairman Cavanagh suggested it should be inspected. Mr. Ponte stated the numbers are consistent with the town's prior years and used the years 2018 and 2019 as an example. Mr. Canal stated the numbers are consistent with the rainfall. Chairman Cavanagh asked how much did Keansburg go up? Mr. Canal and Mr. Petti agreed it could have been caused by new developments and the numbers seen within range.

### 3. Director of Operations Report

- **Plant Performance** -The month of October realized four (4) inches of rain, with an increased total flow for the month of 41 million gallons more than September.
- **Effluent Quality-** Numbers are higher than usual.
- **Odor Complaints-** We received no odor complaints for this month.
- **Noise Complaints-** We have received eight (8) noise complaints this month. We are monitoring our noise with the meter to measure and record sound in an effort to create a baseline level.
  - Chairman Cavanagh asked if all the noise complaints were from the same individual. Mr. Broyles confirmed they are the same individual. Chairman Cavanagh stated his question was for information and not to discount the individual.
- **Personnel-** We have a resolution tonight to renew our contract with Cintas, our uniform service provider.
- **Operations** - The 4.56 inches of rain during the first five days of the month, and seventy five percent increase in influent flow, resulted in a significant degradation of effluent quality. We are making process control adjustments to lower the numbers to the figures we are more accustomed to seeing. We remain within the permit levels

with 96% removal of TSS and CBOD. The Niro had a shutdown for an annual inspection, including our Title V permit required annual air pollution control equipment inspection, which was performed by Chavond-Barry Engineers. The Authority staff did an excellent job completing the shutdown and sand removal process. The cause of several unexplained carbon unit emergency shutdowns are being investigated.

- **Compliance, Safety, and Training-** The representative from the NJUA JIF conducted a Loss Control Survey of the BRSA Wastewater Treatment Plant, and was satisfied with his visit. The only thing he mentioned was a crack in the sidewalk as a possible trip and fall hazard. The Authority staff has temporarily fixed the hazard and will complete the fix once scheduled construction in the area is completed. The lab has completed our annual NJPDES permit sampling, including the four IPP Permittees.
- **Industrial Pretreatment Program-** CEI was issued an NOV for exceeding their daily maximum permit level for Oil and Grease. We expect a response for the NOV with the result of their investigation and cause shortly.
- **Computers, Instrumentation, and Network Administration-** The seal water alarms for the West Keansburg Pump station have had a few miscellaneous repairs completed. A new tablet has been installed in the Administration Building lunchroom, so the Administration Staff can begin clocking in and out.
- **Treatment Plant-** In an effort to reduce the noise at the Authority, we have installed portions of our muscle wall on the roof of our Odor Control Building and around our Odor Control Tower #5. The Superintendent, Operations Supervisor, and Regulatory Compliance Manager accompanied R3M on the annual inspection of the treatment plant.

#### 4. Legal Report - Closed Session

## TREASURER'S REPORT

### STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	<b>Balance</b>
<b>UNRESTRICTED INVESTMENTS</b>	<b>October 31, 2022</b>
TD Bank -CD#1	\$ 2,118,000.00
Lakeland Bank Reserved Checking	\$ 2,427.87
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,120,427.87
<b>TD BANK UNRESTRICTED CASH</b>	
Incoming Revenue Account	\$ 2,168.56
Operating Regular Account	\$ 2,606,940.65
Operating Reserve Account	\$ 9,220,052.70
Operating Payroll Account	\$ 699,251.70
TOTAL UNRESTRICTED CASH	\$ 12,528,413.61
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 14,648,841.48

**RESTRICTED INVESTMENT**

Cash Management	\$ 7,396,114.24
TD Bank CD2	\$ 3,126,699.44
<b>TOTAL RESTRICTED INVESTMENTS</b>	<b>\$10,522,813.68</b>

**RESTRICTED CASH**

NJEIT Project Fund	\$ 465,473.40
NJEIT Project Fund #II	\$ 3,688,530.99
NJEIT Project Fund #III	\$ 1,020,069.85
Bond Service Fund	\$ 104,738.47
<b>TOTAL RESTRICTED CASH</b>	<b>\$ 5,278,812.71</b>
<b>TOTAL RESTRICTED CASH &amp; INVESTMENTS</b>	<b>\$15,801,626.39</b>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b>\$30,450,467.87</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>October 31, 2022</b>
<b>BRSA CHARGES</b>	
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
<b>TOTAL</b>	<b>\$ 0.00</b>

**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
<b>TOTAL</b>	<b>\$ 0.00</b>

**RENT RESERVE ACCOUNTS as of August 31, 2022**

Hazlet Township Sewerage Utility	\$ 73,292.44
Township of Holmdel	\$ 323,759.74
Borough of Union Beach	\$ 198,670.72
Borough of Keyport	\$ 302,013.99
Borough of Keansburg	\$ 268,292.50
Borough of Matawan	\$ 328,223.70



Western Monmouth Utilities Authority	\$ 117,124.62
Township of Aberdeen	\$ 485,068.91
<b>TOTAL</b>	<b>\$ 2,096,446.62</b>

**TREASURER’S REPORT**

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

**PAYMENT OF REQUISITIONS**

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

Operating Fund Req. No. 615 (Regular)	\$ 750,951.41
Payroll Account Req. No.P263 (Payroll)	\$ 238,527.39
NJEIT Project Fund #III Req.#PF-27	\$ 1,623.00

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

**APPROVAL OF MINUTES**

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

Regular Meeting Minutes of October 17, 2022  
 Closed Session Minutes of October 17, 2022

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

## **PUBLIC PORTION**

**Chairman Cavanagh announces:** This portion of the meeting is now open to the public for comments or questions related to agenda items only. The public is reminded, only questions or comments specific to the scope of the Agenda items are to be addressed at this time. As a courtesy to all, please be mindful of limiting your comments to 5 minutes.

NO PUBLIC IN ATTENDANCE.

## **RESOLUTIONS**

### **RESOLUTION No. (135/22): To Accept R3M's 2022/2023 Final Flow Report**

**WHEREAS**, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority ("Authority") have determined the quantity of sewage from each of the Towns and Authorities connected to the Authority's system for the Fourth and Final Quarter of the year 2022/2023; 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; and

**WHEREAS**, in accordance with the Service Agreement Union Beach and Hazlet have certified the number of respective EDU's connected to the system as of October 1, 2022.

**NOW THEREFORE BE IT RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for the Fourth and Final Quarter of the year 2022/2023.

**BE IT FURTHER RESOLVED**, that the Commissioners of the Bayshore Regional Sewerage Authority accept the EDU Certification of Union Beach identified in their report submitted by T&M Associates dated October 25, 2022 identifying structures demolished/rebuilt as of 10/1/22, as well as CO's issued between October 1, 2021 and October 1, 2022 for a net increase of 7 EDU's as well as the EDU Certification of Hazlet identified in their report submitted by CME Associates dated October 25, 2022 for a net of 0 EDU's.

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

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

ABSENT: Commissioner Mioduszewski,

### **RESOLUTION No. (136/22): Rules and Regulations**

**WHEREAS**, the Bayshore Regional Sewerage Authority ("Authority"), in accordance with Sewerage Authorities Law, N.J.S.A. 40:14A, governing the Authority have adopted Rules and Regulations to aide in the governance of the Authority, and in Section 23.01 of the Rules and Regulations the Authority "reserves the right to revise these Rules and Regulations to abide by

the Rules of regulatory agencies having jurisdiction in this regard, or for any other reason the Authority deems is desirable or necessary for performing its functions; and

**WHEREAS**, The Authority from time to time makes necessary updates, revisions and clarifications to its rules and regulations.

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority deem it in the best interest of the customers of the Authority to adopt the revisions along with various clarifying changes attached hereto.

-Chairman Cavanagh asked if this resolution had been discussed. Mr. Canal stated it was briefly mentioned during his report, minor updates have been made since it was last updated in 2012. These updates included minor edits, grammar and the updated equivalent dwelling unit (EDU) flow calculation of 225 gallons per EDU from a June 15, 2016 Evaluation Report prepared by R3m Engineering, Inc.

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

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

ABSENT: Commissioner Mioduszewski,

**RESOLUTION No. (137/22): To Authorize Dental Benefit Coverage with Delta Dental For 2022/2023**

**WHEREAS**, Bayshore Regional Sewerage Authority provides its employees with dental benefits through Delta Dental; and

**WHEREAS**, in a memorandum dated December 1, 2022 Delta Dental of New Jersey offered 12-month coverage rates at \$51.04 per month for one (1) party coverage, \$98.74 per month for two (2) party coverage, and \$169.88 per month for three (3) party coverage; and

**WHEREAS**, said rates represent an increase over the existing rates; and

**WHEREAS**, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds, the Authority Health Insurance line item, 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 accepts the 12-month rate offered by Delta Dental of New Jersey and contract with the same for the period December 1, 2022 to November 30, 2023.

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (138/22): To Award the uniform services to CINTAS Through Participation in the OMNIA Partners Government purchasing Alliance National Cooperative**

**WHEREAS**, the Bayshore Regional Sewerage Authority (Authority) as a contracting unit, may without advertising for bids, purchase goods and services entered into on our behalf by the

Omnia Partners Government Purchasing Alliance National Co-op (Omnia), 840 Crescent Centre Drive, Suite 600, Franklin, TN 37067, pursuant to the provision of P.L. 2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to in the area of procurement; and

**WHEREAS**, Cintas Corporation has been awarded a contract for Facilities Management and Solutions under contract #R-BB-19002 (maturity date is 10/31/25); and

**WHEREAS**, under Omnia contract #R-BB-19002, Cintas Corporation, 6800 Cintas Blvd., Mason, Ohio 45040, an authorized vendor, can provide Uniform Services for the rental, cleaning and maintenance to the uniformed employees of the Authority in the amount not to exceed \$31,000.00 for a three (3) year period; and

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

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of Bayshore Regional Sewerage Authority that Cintas Corporation under Omnia Contract #R-BB-19002, be utilized to provide Uniform Services to the Bayshore Regional Sewerage Authority at the cost not to exceed \$31,000.00.

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

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (139/22): To Award Contract 143-O, Furnishing & Delivering of No. 2 Fuel Oil for a One (1)-Year Period to Griffith-Allied Trucking, LLC of Hillsborough, NJ in the amount of \$634,708.30**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Fuel Oil in an uninterrupted fashion to supply fuel for the emergency generators and incinerator systems; and

**WHEREAS**, the Authority has a current Contract for the Furnishing and Delivering of Fuel Oil which expires on December 18, 2022; and

**WHEREAS**, the Authority Engineering Staff has developed Contract 143-O, Furnishing & Delivering of No. 2 Fuel Oil for a one (1)-year period with technical specifications for the solicitation of public bids; and

**WHEREAS**, in accordance with Local Public Contracts Law, the Authority advertised for Contract 126-O, Furnishing & Delivering of No. 2 Fuel Oil and one (1) sealed bid were received and publicly opened on November 2, 2022 at 11:00 A.M., with the low bidder being Griffith-Allied Trucking LLC of Hillsborough, NJ for a one (1)-year period in the amount not to exceed \$634,708.30; and

**WHEREAS**, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Griffith-Allied Trucking, LLC of Hillsborough, NJ in the amount not to exceed \$634,708.30; and

**WHEREAS**, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Fuel 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 that Griffith-Allied Trucking, LLC of Hillsborough, NJ is hereby awarded Contract 143-O, Furnishing & Delivering of No. 2 Fuel Oil for a One (1)-Year Period in the amount not to exceed \$634,708.30 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 McMullen, SECONDED BY: Commissioner Lauro, and carried by a unanimous voice vote recorded as follows:

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (140/22): To Approve Sanitary Sewer Connection Application for Brightview Senior Living Development, LLC, Developer of an Assisted Living Facility Project**

**WHEREAS**, Brightview Senior Living Development, LLC (“Applicant”), is the project developer of a proposed Assisted Living Facility located on NJSH Route 35 North, further designated as Block 58, Lots 29 & 29.01 in the Township of Holmdel, a 117 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 26,375 gallons of wastewater per day; 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 \$599,976.00.

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that Brightview Senior Living Development, LLC, Developer of the Assisted Living Facility project is hereby granted sanitary sewer connection 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** the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

**BE IT FURTHER RESOLVED** that this approval is good for a one-year period.

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (141/22): To Authorize Advertisement for Public Bids on Contract 142, WWTP Odor Control Improvements**

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

**WHEREAS**, as a result of Odor Control Studies conducted by the Authority and its Consultants, there is a need for additional site-specific improvements to the Authority Odor Control Systems; and

**WHEREAS**, the Authority has contracted with R3M Engineering, Inc. to develop Contract 142, WWTP Odor Control Improvements with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 77/22; 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 142, WWTP Odor Control Improvements in the Authority Official Newspaper and on the Authority Website.

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (142/22): To Award Engineering Services for 2023 Geographic Information Systems (eGIS) and Global Positioning Systems (GPS) Professional Enterprise to Colliers Engineering & Design, Inc. of Red Bank, NJ in the amount of \$30,900.00**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) maintains paper records of its mapping and as-built drawings; and

**WHEREAS**, the Authority has a need to upgrade its paper record infrastructure and standardize an overall master file containing all sewer and treatment plant assets; and

**WHEREAS**, by Resolution No. 132/21, the Authority contracted with Colliers Engineering & Design, Inc. (d.b.a. Maser Consulting, P.A.) for the 2022 Annual Engineering Services for Geographic Information Systems (eGIS), Global Positioning Systems (GPS) and Network Hosting in the amount of \$39,905.00; and

**WHEREAS**, the existing agreement with Colliers Engineering & Design, Inc. is for a one (1)-year term and is due to expire at the end of the year; and

**WHEREAS**, the Authority desires to continue building and utilizing its GIS mapping; and

**WHEREAS**, Colliers Engineering & Design, Inc. has submitted a Proposal dated November 3, 2022 to provide Geographic Information Systems (eGIS) and Global Positioning Systems (GPS) services for 2023 for an amount not to exceed \$30,900.00; and

**WHEREAS**, the Executive Director and Principal Engineer have met with Colliers Engineering & Design, Inc. to review the proposal and find it to be fair and reasonable; 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 & Equipment line item of the Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in this Resolution.

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Engineering Services for 2023 Geographic Information Systems (eGIS) and Global Positioning Systems (GPS) services, for an amount not to exceed \$30,900.00 to Colliers Engineering & Design, Inc. of Red Bank, NJ in accordance with the terms and conditions of their proposal dated November 3, 2022.

**BE IT FURTHER RESOLVED**, that the Chairman and Secretary are hereby authorized to execute the Contract agreement with Colliers Engineering & Design, Inc. of Red Bank, NJ.

**BE IT FURTHER RESOLVED**, that a copy of this award shall be placed in the official Authority newspaper and on the Authority web site within ten (10) days of award.

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (143/22): To Award Change Order No. 1, in the Credit Amount of \$16,050.80 to Waters & Bugbee, Inc. of Hamilton, NJ for Contract 129, Wastewater Treatment Plant Miscellaneous Structural 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**, in accordance with Local Public Contracts Law, Waters and Bugbee, Inc., was awarded Contract No. 129, Wastewater Treatment Plant Miscellaneous Structural Repairs by Resolution No. 69/22 in the amount of \$263,025.00; and

**WHEREAS**, there is a need to amend the Contract for miscellaneous allowance and scope change credits as detailed in the Change Order No. 1 document, dated October 19, 2022; and

**WHEREAS**, the Authority and its Consulting Engineer, R3M Engineering, Inc., have prepared Change Order No. 1 to amend the Contract, in the credit amount of \$16,050.80 decreasing the total Contract Value to \$246,974.20; 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 approve Change Order No. 1 for Waters & Bugbee, Inc., in the credit amount of \$16,050.80, decreasing the total Contract Value to \$246,974.20.

**BE IT FURTHER RESOLVED**, the Executive Director is hereby authorized to execute any necessary documents to approve this Change Order.

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

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

ABSENT: Commissioner Mioduszewski

### **PUBLIC PORTION**

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

NO PUBLIC IN ATTENDANCE

### **EXECUTIVE SESSION**

Chairman Cavanagh called for a MOTION to go into Closed Session at 8:03 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 McMullen, SECONDED BY: Commissioner Lauro, and carried be a unanimous voice vote recorded as follows:

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

ABSENT: Commissioner Mioduszewski

### **END CLOSED SESSION**

**Chairman Sutton** calls for a MOTION to End Closed Session and Re-Open the Regular Meeting @ 8:18 P.M.

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



AYES: Commissioners Lauro, McMullen, Sutton, Whalen and Chairman Cavanagh  
ABSENT: Commissioner Mioduszewski

## **RESOLUTIONS**

### **RESOLUTION No. (144/22): To Grant Deana Ball Regular Employment Status Effective November 20, 2022**

**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

**WHEREAS**, Deana Ball (formally Deana Hornig) was hired as a probationary employee in the job title of Laboratory Technician on May 31, 2022; and

**WHEREAS**, in a memorandum to the Executive Director dated November 9, 2022 the Plant Assistant Superintendent has recommended that Mrs. Ball be granted Regular Status effective November 20, 2022.

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

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen and Chairman Cavanagh  
ABSENT: Commissioner Mioduszewski

### **RESOLUTION No. (145/22): To Readopt Bargaining Unit and Managerial Unit Personnel Policies and Procedures Manuals**

**WHEREAS**, it is the policy of The Bayshore Regional Sewerage Authority (“BRSA”) to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

**WHEREAS**, the BRSA has determined that there is a need to revise, modify and update personnel policies and procedures from time to time to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

**NOW, THEREFORE, BE IT RESOLVED** by the BRSA that the amended Bargaining Unit and Managerial/Supervisory Unit Personnel Policies and Procedures Manuals attached hereto are hereby adopted; and

**BE IT FURTHER RESOLVED** that these personnel policies and procedures shall apply to all BRSA officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

**BE IT FURTHER RESOLVED** that this manual is intended to provide guidelines covering public service by BRSA employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the BRSA; and

**BE IT FURTHER RESOLVED** that to the maximum extent permitted by law, employment practices for the BRSA shall operate under the legal doctrine known as “employment at will;” and

**BE IT FURTHER RESOLVED** that the Executive Director and all managerial/supervisory personnel are responsible for these employment practices, and Legal Counsel shall assist the BRSA Executive Director in the implementation and enforcement of the policies and procedures set forth in the Bargaining Unit and Managerial/Supervisory Unit Personnel Policies and Procedures Manuals.

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (146/22): Resolution Authorizing the Bayshore Regional Sewerage Authority to Enter into a Contract with PS&S, LLC TO Conduct Training of Operations for State Licensing Exams**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) employs Plant Operators, some of which have not passed the New Jersey Department of Environmental Protection’s Licensed Operator Examination (“State Exam”); and

**WHEREAS**, the Authority wishes to implement a Licensed Operator Training program, taught by a licensed professional, for the period of December 1, 2022 through December 31, 2023, to prepare Authority Operators for the State Exam and to better familiarize them with the operations of the BRSA; and

**WHEREAS**, the cost of the services for the Licensed Operator Training program is estimated to not exceed \$17,000.00, which is below the current bid threshold applicable to the Authority as set forth in N.J.S.A. 40A:11-3a; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-6.1a and N.J.S.A. 40A:11-5(1)(a)(i), said services are of the nature of a professional service and, therefore, a contract for the services may be negotiated and awarded by the Authority without public advertising for bids and bidding therefore; and

**WHEREAS**, said services are of the type contemplated by the New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4, et. seq.), and, therefore, a contract for the services may be awarded pursuant to a “fair and open” or “non-fair and open” process, both of which are defined in the law; and

**WHEREAS**, PS&S, LLC submitted a proposal to the Authority, dated November 1, 2022, to perform the professional services of implementing a Licensed Operator Training program, taught by a licensed professional (Robert Fischer, Senior Director of Water Resources), for the period of December 1, 2022 through December 31, 2023, to prepare Authority Operators for the State Exam and to better familiarize them with the operations of the BRSA, which was reviewed and evaluated by the Executive Director; and

**WHEREAS**, the Executive Director has recommended, and the Commissioners of the Authority deem it necessary and in the best interest of the Authority to authorize and proceed with the award of a professional services contract and authorization for PS&S, LLC to provide a Licensed Operator Training program, as indicated in its proposal submitted, at a cost not to exceed seventeen thousand dollars (\$17,000); and

**WHEREAS**, the Executive Director has certified that there are sufficient funds for such contract and authorization contained herein and is available and is designated from Current Fund Adopted Budget.

**NOW THEREFORE, BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

1. The Authority hereby awards PS&S, LLC, a professional services contract to provide a Licensed Operator Training program, taught by a licensed professional (Robert Fischer, Senior Director of Water Resources), for the period of December 1, 2022 through December 31, 2023, in accordance with N.J.S.A 40A:11-1 et seq. and in accordance with the PS&S Proposal dated November 1, 2022; and
2. That the compensation for such a Contract shall be in an amount not to exceed \$17,000.00.
3. The Executive Director is authorized to execute and the Secretary to attest a contract between the Authority and PS&S, a professional services contract consistent with the proposal submitted (dated November 1, 2022), the terms and conditions of the within resolution and acceptable in form to Executive Director, and such other officers, employees and officials of Authority are hereby authorized to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution, and
4. The foregoing contract is awarded in accordance with the Local Public Contracts Law and as the result of a non-fair and open process; and
5. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the Authority as required by law within ten (10) days of its passage; and
6. This Resolution shall take effect immediately or as otherwise provided by law.

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

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

ABSENT: Commissioner Mioduszewski

**RESOLUTION No. (147/22): Resolution Authorizing the Bayshore Regional Sewerage Authority to Pay a One-Time Inflationary Retention Stipend to Employees and to Enter into a Commensurate Sidebar Agreement with Local 641**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) currently employs thirty-two (32) people; and

**WHEREAS**, Authority employees have faced an unexpected high rise in inflationary costs over the past two (2) years; and

**WHEREAS**, despite rising inflationary costs, Authority employees have continued to perform the duties required of them; and

**WHEREAS**, the Authority acknowledges that its employees have continued to perform the duties required of them despite rising inflationary costs and, therefore, would like to provide its employees with a one-time inflationary retention stipend, to alleviate the financial burden caused by recent inflation; and

**WHEREAS**, the Executive Director has recommended, and the Commissioners of the Authority deem it necessary and in the best interest of the Authority to authorize a one-time inflationary retention stipend payment to its 32 employees in the amount of one thousand two hundred dollars (\$1,200) per employee for a total one-time cost of thirty-eight thousand four hundred dollars (\$38,400); and

**WHEREAS**, certain Authority employees are members of a bargaining unit (Local 641) and, therefore, covered by the terms of the collective negotiation agreement entered into between the Authority and Local 641 (inclusive of salary); and

**WHEREAS**, the Authority wishes to provide all employees, inclusive of those in the bargaining unit, with the one-time inflationary retention stipend; and

**WHEREAS**, the Authority must negotiate with, and enter into and execute a sidebar agreement with Local 641, with regards to implementing the one-time inflationary retention stipend and to clarify that the one-time stipend does not amend the terms of any collective negotiations agreement entered into between the Authority and Local 641 and;

**WHEREAS**, the Executive Director has recommended, and the Commissioners of the Authority deem it necessary and in the best interest of the Authority to enter into a sidebar agreement with Local 641, the terms of which shall be agreed to by the Authority and Local 641, to implement the one-time inflationary retention stipend; and

**WHEREAS**, the Executive Director has certified that there are sufficient funds for such contract and authorization contained herein and is available and is designated from Current Fund Adopted Budget.

**NOW THEREFORE, BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

1. The Authority hereby agrees to provide to its 32 employees, employed as of September 1, 2022, a one-time non-pensionable stipend of \$1,200.00 to offset the unexpected rise in inflationary costs affecting its employees over the past two (2) years; and
2. The Executive Director is authorized to negotiate with Local 641 with regards to implementing the one-time non-pensionable stipend for bargaining unit members, and to enter into and execute a sidebar agreement with Local 641 with regards to same; and
3. Provided the Authority and Local 641 have entered into and executed the side bar agreement referenced in Par. (2) on or before December 12, 2022, the one-time

stipends shall be paid to employees on or before December 31, 2022. If the Authority and Local 641 enter into and execute a sidebar agreement after the December 12, 2022, date, the one-time stipends shall be payable 30 days thereafter. If the Authority and Local 641 do not agree on the terms of a sidebar agreement, the Authority is under no obligation to make the one-time stipend payments and the terms of this Resolution shall be of no further force and effect.

4. The one-time stipend payments shall not be precedential and shall not establish any past practice between the Authority and Local 641, nor shall it amend the terms of any collective negotiation's agreement entered into between the authority and Local 641.
5. This Resolution shall take effect immediately or as otherwise provided by law.

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

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

ABSENT: Commissioner Mioduszewski

## **ADJOURMENT**

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

The next B.R.S.A. Public Meeting is scheduled for Monday, December 19, 2022, 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 8:21 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

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

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

ABSENT: Commissioner Mioduszewski

Respectfully submitted,

Victoria DuDasko, Administrative Assistant/HR