



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, MARCH 21, 2022

At 7:13 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 March 21, 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/join>

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

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

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, Mioduszewski, Sutton, Whalen, and Chairman Cavanagh

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
Roy Anderson, Superintendent
Michael Bart, CPA, Auditor
John Draikiwicz, Esq., Bond Counsel

AUDIT REPORT

Mr. Bart reported on the audit performed for 2020.

- The first section of the audit concluded the unmodified opinion of the firm performing the audit. The opinion concludes the Authority to be within compliance for their financial statements.
- The financial procedures of the Authority have also been found to be within compliance.
- Mr. Bart thanked Mr. Canal for preparing the Management Discussion and Analysis section of the Audit.
- Mr. Bart mentioned the following for the conclusion of 2020 Audit:
Statement Net Position of the Authority
\$109,636,268 in Assists
\$ 29,418,718 in Liabilities
Treatment Charges
\$9,465,986
Net Income
\$1,165,025
Net Position
\$73,760,177
- Mr. Bart went out the comparative statement of cash flow. It was mentioned the statement is required for the audit report to demonstration the cash on hand.
- The foot notes are on pages 15-33. The foot notes sum up the accounting principles and procedures of the Authority.
- Also mandatory to be included in the audit, is the supplementary information schedules, the schedules of cash flow, operating revenue, and budget to actual.
- The 2021 audit will be starting shortly and there are items such as resolutions on tonight regarding the 2020 audit for approval.

Chairman Cavanagh Thanked Mr. Bart for the presentation and enquired about the formatting of the audit.

Mr. Bart responded it is the same formatting used in prior years and stated Mr. Canal did a wonderful job in assuring Mr. Bart had all documents to complete the audit.

Issuance of Project Notes for Power Resiliency Generation Project

John Draikiwicz, Authority Bond Counsel reported:

- Mr. Draikiwicz thanked the Commissioners for their involvement. Mr. Draikiwicz also complimented Mr. Bart on his presentation of the 2020 audit.
- Mr. Draikiwicz stated the resolution on for tonight is to issue project notes to New Jersey Infrastructure Bank and NJDEP. This is required by NJ I-Bank and NJDEP for a short-term low interest loan which will result in financing for a long term bond not to exceed 31 million dollars.
- The loan is subject to federal funding and once the project is completed, 90% of the financial responsibility will be off the Authority and the balance will be converted into a long-term financing, which is significantly less than the 31+ million.
- An agreement is being drafted by John Napolitano, Esq. General Counsel between the Authority and MCBOA to ensure an equal amount of coverage.
- Chairman Cavanagh thanked Mr. Draikiwicz and requested future reports be submitted sooner to ensure an appropriate amount of time for review. Chairman Cavanagh then enquired if the I-Bank is government and if the funds could be repaid sooner then scheduled without penalty to the Authority. Mr. Draikiwicz stated that I-Bank has a special program and there would be no penalty for paying in advance. A small discussion was held regarding the rules for the loan and repayment options. Mr. Draikiwicz then stated this should all be concluded in May 2022.

Reports

BRSA Projects, Special Reports & Connection Applications

1. Executive Directors Report

- **COVID-19 Policy Update-** Nothing new to report. We are evaluating our policies and considering reopening to the public on May 1st 2022, with May's public meeting resuming in person.
- **Disaster Recovery Update-** We continue to work with NJ IBank. There is a Resolution on tonight for the Boards consideration to approve the NJ I-Bank project note as discussed earlier by Bond Counsel, John Draikiwicz. We plan to advertise for bids this summer.
- **FEMA Projects Worksheets Closeout-** PS&S are in the process of finishing the last Project Worksheet. Mr. Petti has taken the lead in providing PS&S with the necessary documentation to support the completion of this task.
- **Dorr Oliver-** HDR and their team are proceeding well with the design, the alternative analysis was presented on March 1, 2022 and once finalized, they will proceed with the design memorandum and 30% design level. Once the 30% design is

submitted, Hazen and Sawyer will provide Value Engineering Services prior to HDR continuing with the design.

- **Financial** –NJSMUAESA handles the bid for electrical power to the wastewater treatment plant and our remote pump stations. The bid date that was pushed to March from the fall is now set for an April 7th meeting, where members will review the bids and possibly award.
 - As stated earlier by our Auditor, Michael Bart, CPA, the 2020 audit is completed and there are two (2) approval Resolutions on for tonight for the Boards consideration.
 - There are payments to approve this month for Project Fund (PF) No.3, for Power Resiliency Generation Project (PRG) for Cleary Giacobbe Alfieri Jacobs LLC in the amount of \$522.00 and R3m engineering, inc. in the amount of \$2,996.50. We also are making our 2nd Quarter Payment to MCBOA this month in the amount of \$225,797.66.
 - **Human Resources** – We have matters of personnel for closed session.
 - The Authority was selected as one of 50 Wastewater Facilities across the Country to attend this years Municipal Wastewater Summit in Nevada. The Summit will be covering the travel, lodging and food expenses. Our Regulatory Compliancy Manager will be attending from April 11-13th.
- No questions were asked

2. Principal Engineer Report

- **Contract 109 – NIRO Spare Primary Heat Exchanger Modifications** – The heat exchanger in the NIRO was replaced in November 2021 and the project is now complete. There is a resolution on tonight to close-out the project and accept the maintenance bond.
- **Contract 129 – WWTP Miscellaneous Structural Repairs** – The Authority has various structural concrete repairs needed throughout the facility. The bid opening took place in March. The lowest bidder was Waters and Bugbee of Hamilton NJ with an amount not to exceed \$263,025.00. Therefore, we have a resolution on to award that contract. There is also a resolution on tonight to award Continuing Engineering services to R3M in the amount of \$59,700.00.
- **RFQ 2022-08 – Main Pumping Station Rolling Door Replacements** – The Main Pumping Station has a garage area with rolling steel doors that are corroding and in need of replacement. Therefore, we have a resolution on to request advertising for quotes to repair.
- **RFQ 2022-09 – Administration Building HVAC Replacement** – The Administration Building main HVAC unit is over 25 years old and in need of replacement. We hope to complete the replacement of the HVAC unit prior to the roof replacement to avoid any new penetrations. Therefore we have a resolution on tonight to advertise for bids.
- **Raritan Valley Force Main Replacement** – The Raritan Valley Force Main conveys sewage from the Raritan Valley Pumping Station located off Briscoe Terrace in Hazlet, NJ to the Authority's Chingaroroa Creek Interceptor adjacent to the Beers Street School and to the plant for treatment. Chairman Cavanagh previously inquired about construction not interrupting the school year if possible. Mr. Petti stated the

design would take 9 to 10 months to complete and that we hope bids will be advertised late winter to early spring to have construction during the summer months. Mr. Petti also stated he would work with the school to the best of his abilities to avoid disruption.

- **NIRO Primary Heat Exchanger Rehabilitation** – The spare heat exchanger for the NIRO Incinerator needs rehabilitation. The Authority solicited a proposal from Chavond Barry Engineers (CBE), our incinerator engineer, for the specifications, on-site inspections at the manufactures' facility and construction services in the amount of \$61,600.00. There is a resolution on to award the engineering services to CBE.
- **Contract 110 – Annual Standby Repair & Service Contract** – The 2021-2022 contract extension is set to expire and there is a resolution to close out the project and accept the maintenance bond.
- **Contract 136 – Annual Standby Repair & Service Contract** – There is a need to have a new annual standby Contractor for repair and service work at the wastewater plant, pumping stations and/or with the collection system. We are seeking a resolution to authorize advertisement for bids for a contract for the 2022-2023 year.
- **Annual Stack Testing for NIRO Incinerator** – Our NIRO Fluidized Bed Incinerator is regulated by the State and Federal Government under an Air Pollution Control Operating Permit known as a Title V permit. This year the DEP is only requesting state testing. We have obtained a proposal from Chavond Barry Engineers (CBE) for the engineering services to perform the stack test in the amount of \$36,500.00. There is a resolution to award the engineering services to CBE.
- **Team Carwash, B. 122, L. 33, 6 Tennent Road, Marlboro** – The applicant, Team Express Marlboro, LLC proposes to the develop the site into a carwash. The carwash was calculated to have a total of 12 EDUs and is expected to generate 2,700 gallons of wastewater per day. The applicant has paid the connection fee of \$61,428.00. There is a resolution to approve the sanitary sewer connection application.

3. Consulting Engineer – R3M

- **Power Resiliency System** – R3M is proceeding with regulatory and design support of the project with FEMA, MCBOA and the NJ I-Bank.
- **WPCP Miscellaneous Structural Repairs** – We received 5 bids for the project and R3M is reviewing the bids for award. R3M submitted proposal for continuing engineering services, including construction administration and inspection services.
- **WPCP Site Specific Odor Control Study Update** – Trinity completed an odor control study. The days the study was conducted there was little to no odor found. R3M completed a more comprehensible study with a smoke test from the tanks which revealed that the tanks are not airtight and there was a leak in odor. Odor scrubbers are not 100% effective, in preventing leaks. Recommendations were made, smoke testing was repeated, and the tanks are now airtight. The fume hoods in the lab were also evaluated. The hoods in the lab are 3 years old and responsible for burning tested sludge. After an investigation of the hood, it was recommended to add a carbon filter. R3M plans to submit a proposal for the design services of all the improvements for consideration next month.

4. Director of Operations Report

- **Plant Performance-** February was down 10 million gallons less than January due to dryer weather
- **Odor Complaints-** We received no odor complaints for this month. Last month's odor complaint by Commissioner Lauro was investigated. It was determined a brief operational issue with tower number 3 , plus that day was windy, may have contributed to the odor.
- **Lab-** The lab position remains open. We had made an offer to a potential candidate who declined. There is also an operator who is in a trial period for the other open position.
- **Industrial Pretreatment Program-** CEI issued a minor violation which we are handling appropriately.

Roy Anderson, Superintendent

- **Computers, Instrumentation and Network Administration-** A Gas Cylinder Audit was complete. All analyzers have passed. The KnowBe4 Security Awareness training program continues to be successful.
- **Treatment Plant-** We completed acid washing for tower #5 and installed a rehabilitated recirculation pump for odor control tower #1.
- **Collection System-** Control boxes, wiring and conduit have been installed by the Authority's electrician at the Matawan Pump Station. The Authority's vehicle's tracking system have been upgrades from a 3G network to a 5G network.

5. Legal Report - Closed Session

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
<u>UNRESTRICTED INVESTMENTS</u>	<u>February 28, 2022</u>
Lakeland Bank-CD#1	\$ 1,068,414.69
Lakeland Bank-CD#2	<u>\$ 1,049,298.35</u>
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,117,717.04
<u>TD BANK UNRESTRICTED CASH</u>	
Incoming Revenue Account	\$ 1,000,124.90
Operating Regular Account	\$ 2,461,238.67
Operating Reserve Account	\$ 6,912,807.25
Operating Payroll Account	<u>\$ 557,087.17</u>
TOTAL UNRESTRICTED CASH	\$ 10,931,257.99
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 13,048,975.03
<u>RESTRICTED INVESTMENT</u>	
Cash Management	\$ 7,332,203.43
Lakeland Bank Reserved Checking	\$ 1,193.97
Lakeland Bank Reserve CD#3	<u>\$ 3,117,911.25</u>
TOTAL RESTRICTED INVESTMENTS	\$10,451,308.65

RESTRICTED CASH

NJEIT Project Fund	\$ 463,871.14
NJEIT Project Fund #II	\$ 3,683,320.79
NJEIT Project Fund #III	\$ 1,092,643.64
Bond Service Fund	\$ 690,460.92
TOTAL RESTRICTED CASH	\$ 5,930,296.49
TOTAL RESTRICTED CASH & INVESTMENTS	\$16,381,605.14
TOTAL AUTHORITY ACCOUNTS	\$29,430,580.17

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

SCHEDULE OF ACCOUNTS RECEIVABLE

	Balance
BRSA CHARGES	February 28, 2022
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ 0.00

OUTFALL AUTHORITY CHARGES

Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ 0.00

RENT RESERVE ACCOUNTS as of February 28, 2022

Hazlet Township Sewerage Utility	\$ 730,843.98
Township of Holmdel	\$ 323,561.20
Borough of Union Beach	\$ 198,548.89
Borough of Keyport	\$ 301,828.78
Borough of Keansburg	\$ 268,127.98
Borough of Matawan	\$ 328,022.42
Western Monmouth Utilities Authority	\$ 117,052.79
Township of Aberdeen	\$ 484,771.45
TOTAL	\$ 2,752,757.49

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

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 607 (Regular)	\$ 561,701.97
Payroll Account Req. No. P 255 (Payroll)	\$ 172,914.46
NJEIT Project Fund #111 Req. #PF3-19	\$ 3,518.50

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

APPROVAL OF MINUTES

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

Regular Meeting Minutes of February 28, 2022
Closed Session Minutes of February 28, 2022

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

NO PUBLIC IN ATTENDANCE.

RESOLUTIONS

RESOLUTION No. (59/22): To Adopt the 2020 Annual Audit Report as presented by Bart and Bart, CPAs, BRSA Auditors

WHEREAS, N.J.S.A. 40:14A-7.1 requires the governing body of each local Authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2020 has been completed and will be filed with the members and customer towns served pursuant to N.J.S.A. 40:14A-7.1; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of

the audit entitled "General Comments" and "Recommendation," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority are the members of the governing body and have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the 2020 Annual Audit Report and certify to the Local Finance Board of the State of New Jersey that each member has personally reviewed the annual audit for the fiscal year ended December 31, 2020 and specifically has reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

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

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

RESOLUTION No. (60/22): To Execute the Local Finance Board Group Affidavit Form.

We, the Commissioners constitute the members of the governing body of the Bayshore Regional Sewerage Authority being of full age and being duly sworn according to law, upon our oath depose and say:

- We are duly appointed Commissioners of the Bayshore Regional Sewerage Authority.
- We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2020, and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

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

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

RESOLUTION No. (61/22): To Authorize Advertisement for RFQ 2022-08 Main Pumping Station Rolling Door Replacements

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and maintains a Wastewater Treatment Plant with a Main Pumping Station; and

WHEREAS, there is a need to replace three (3) rolling garage doors at the Main Pumping Station; and

WHEREAS, a Request for Quotes (RFQ 2022-08) is being developed by the Authority Engineering Staff; and

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

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Principal Engineer and Qualified Purchasing Agent are authorized to advertise for quotes for RFQ 2022-08 Main Pumping Station Rolling Door Replacements, on the Authority Website.

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

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

RESOLUTION No. (62/22): To Authorize Advertisement for RFQ 2022-09 Administration Building HVAC Replacement

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and maintains a Wastewater Treatment Plant with an Administration Building; and

WHEREAS, there is a need to upgrade the HVAC unit that services the Administration Building; and

WHEREAS, a Request for Quotes (RFQ 2022-09) is being developed by the Authority Engineering Staff; and

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

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Principal Engineer and Qualified Purchasing Agent are authorized to advertise for quotes for RFQ 2022-09 Administration Building HVAC Replacement, on the Authority Website.

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

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

RESOLUTION No. (63/22): To Authorize Advertisement for Public Bids on Contract 136, Annual Standby Repair & Service Contract

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and operates a Wastewater Treatment Plant and Collection System that includes three Pumping Stations; and

WHEREAS, there is a need to have a standby Contractor for repair and service work; and

WHEREAS, the Authority Engineering Staff has developed Contract 136, 2022 Annual Standby Repair & Service Contract, with technical specifications for the work and public bidding documents for solicitation of public bids; 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 136, 2022 Annual Standby Repair & Service Contract in the Authority Official Newspaper and on the Authority Website.

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

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

RESOLUTION No. (64/22): To Approve Close-Out of Contract 110, Annual Standby Repair & Service Contract

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a Wastewater Treatment Plant & Collection System that includes three Pumping Stations; and

WHEREAS, in accordance with Local Public Contracts Law, CRS Contractors, Inc. was awarded Contract 110, Annual Standby Repair & Service Contract in the amount of \$352,602.74 by Resolution No. 2/20; and

WHEREAS, on February 22, 2021, the Authority awarded a one (1)-year extension of the Contract to CRS Contractors, Inc. in accordance with the same terms and conditions of the original Contract, including a 1.60% increase due to increased labor costs, for a the total Contract amount of \$358,244.38 by Resolution No. 42/21; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve acceptance of the Maintenance Bond and Close-Out of Contract 110, Annual Standby Repair & Service Contract.

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

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

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

RESOLUTION No. (65/22): To Award Contract to Perform Annual Stack Test of NIRO Incinerator to Chavond-Barry Engineering Corp., in the amount of \$36,500.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a NIRO Fluidized Bed Incinerator regulated by the State and Federal Government under an Air Pollution Control Operating Permit otherwise known as Title V permit (“the permit”); and

WHEREAS, the Authority is required by the New Jersey Department of Environmental Protection to perform emission testing of NIRO incinerator to remain in compliance with the permit; and

WHEREAS, the firm of Chavond-Barry Engineering Corp. (“CBE”), the Authority’s Consulting Incinerator Engineer has submitted a proposal to conduct a stack test using a certified stack testing company; and

WHEREAS, the Authority has reviewed the proposal submitted by CBE dated March 11, 2022 in the amount of \$36,500.00 and has found it reasonable for the services to be provided and consistent with prior stack testing costs; and

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

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Testing and Analysis line item of the Authority Operating 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 Authority hereby award the Contract for Annual Stack Test of NIRO Incinerator to Chavond-Barry Engineering Corp., at the not to exceed amount of \$36,500.00 in accordance with the terms and conditions of its correspondence dated March 11, 2022.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute the contract agreement CBE of Blawenburg, 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 McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION No. (66/22): To Approve Sanitary Sewer Connection Application for Team Express Marlboro, LLC, Developer of the Team Carwash Project

WHEREAS, Team Express Marlboro, LLC (“Applicant”), is the project developer of a proposed carwash located at 6 Tennent Road, further designated as Block 122, Lot 33 in the Township of Marlboro, a 12 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 excepted the generate 2,740 gallons of wastewater per day; and

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

WHEREAS, the Developer has paid the connection fee of \$61,428.00; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Team Express Marlboro, LLC, Developer of the Team Carwash project is hereby granted Bayshore Regional Sewerage Authority sanitary sewer connection approval.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

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

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

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

RESOLUTION No. (67/22): To Award Engineering Construction Administration and Inspection Services for Contract 129, Wastewater Treatment Plant Miscellaneous Structural Repairs to R3M Engineering Inc., in the amount of \$59,700.00

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

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

WHEREAS, by Resolution No. 52/21, the Authority contracted with R3M Engineering, Inc., of Old Bridge, NJ for the engineering design services for the Wastewater Treatment Plant Miscellaneous Structural Repairs; and

WHEREAS, R3M Engineering, Inc. has submitted an engineering construction administration and inspection services proposal for the Wastewater Treatment Plant Miscellaneous Structural Repairs Project, dated March 11, 2022, in the amount of \$59,700.00; and

WHEREAS, the Executive Director and Principal Engineer have reviewed 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 Treatment Plant Equipment & Improvements line item of the Authority Capital Budget, to cover the maximum dollar value of the pending Contract set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve the proposal for Engineering Construction Administration and Inspection Services for Contract 129, Wastewater Treatment Plant Miscellaneous Structural Repairs Project to R3M Engineering, Inc., of Old Bridge, NJ in accordance with the terms and conditions of their proposal, dated March 11, 2022, in the amount not to exceed \$59,700.00.

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

BE IT FURTHER RESOLVED, 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 McMullen, SECONDED BY: Commissioner Whalen, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION No. (68/22): To Award Engineering Services for the NIRO Incinerator Primary Heat Exchanger Rehabilitation to Chavond-Barry Engineering Corp., in the amount of \$61,600.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a fluidized bed incineration system for thermal destruction of organic solids generated and removed from the treatment process; and

WHEREAS, the primary heat exchanger is an integral and necessary component of the fluidized bed system and the existing heat exchanger was recently replaced the spare unit; and

WHEREAS, the Authority has a need to rehabilitate the primary heat exchanger; and

WHEREAS, the Authority has solicited a proposal from Chavond-Barry Engineering Corp. (“CBE”), the Authority’s Consulting Incinerator Engineer, of Blawenburg, NJ for engineering services for the NIRO Incinerator Heat Exchanger Rehabilitation, dated March 10, 2022, in the amount of \$61,600.00; 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 Incinerator Equipment & Improvements line item of the Authority Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in the Resolution; and

NOW THEREFORE BE IT RESOLVED the Commissioners of Authority hereby approve the engineering proposal for the NIRO Incinerator Primary Heat Exchanger Rehabilitation, in the amount of \$61,600.00 to Chavond-Barry Engineering Corp., of Blawenburg, NJ in accordance with the terms and conditions of the proposal dated March 10, 2022.

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby authorized to execute the contract agreement with CBE of Blawenburg, 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 McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION No. (69/22): To Award Contract 129, Wastewater Treatment Plant Miscellaneous Structural Repairs to Waters & Bugbee, Inc. of Hamilton, NJ in the amount of \$263,025.00

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

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

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

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Contract 129, Wastewater Treatment Plant Miscellaneous Structural Repairs project and five (5) sealed bids were received and publicly opened on March 8, 2022 at 2:00 P.M., with the low bidder being Waters & Bugbee, Inc. of Hamilton, NJ in the amount of \$263,025.00; and

WHEREAS, the Authority Attorney, Principal Engineer and R3M Engineering, Inc. have reviewed the bids and are recommending award of the Contract to Waters & Bugbee, Inc. of Hamilton, NJ in the amount of \$263,025.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Treatment Plant Equipment & Improvements line item of the

Authority Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority that Waters & Bugbee, Inc. of Hamilton, NJ is hereby awarded Contract 124, West Keansburg Pumping Station Bypass Facility and Improvements project in the amount of \$263,025.00 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 McMullen, SECONDED BY: Commissioner Whalen, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION No. (70/22): To Approve Close-Out of Contract 109, Modifications to the Authority Standby PHE

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a fluidized bed incineration system for thermal destruction of organic solids generated and removed from the treatment process; and

WHEREAS, in accordance with Local Public Contracts Law, Iron Hills Construction, Inc. was awarded Contract 109, Modifications to the Authority Standby PHE in the amount of \$128,634.00 by Resolution No. 72/19; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve acceptance of the Maintenance Bond and Close-Out of Contract 109, Modifications to the Authority Standby PHE.

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

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

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

RESOLUTION No. (75/22): Resolution Authorizing The Issuance of Project Notes of the Bayshore Regional Sewerage Authority in Connection with the Water Bank Construction Financing Loan Program of the New Jersey Infrastructure Bank

(Attachment on file in the Administrative Offices of the Authority)

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

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

PUBLIC PORTION

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

NO PUBLIC IN ATTENDANCE

EXECUTIVE SESSION

Chairman Cavanagh called for a MOTION to go into Closed Session at 8:30 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 Lauro, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTIONS

RESOLUTION No. (71/22): To approve the Payment of Time Owed to Aina Yadva on Resignation of Employment

WHEREAS, On February 21, 2022, Laboratory Technician, Aina Yadva officially resigned from the Bayshore Regional Sewerage Authority ("Authority"); and

WHEREAS, Authority Policy provides payout upon resignation of accrued pro-rated Vacation benefits, and any remaining Sick time (capped at 240 hours) and Personal Days; and

WHEREAS, Miss Yadva's remaining Sick & Personal Days and accrued Vacation benefits have been calculated and recorded in a memorandum submitted by Mrs. Victoria DuDasko, HR/Administrative Assistant to the Executive Director, dated March 15, 2022; and

WHEREAS, the Executive Director has reviewed the calculated time owed and finds the calculation of 20.37 hours owed to be accurate; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Salary 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 remaining Sick, Personal and Vacation

time owed to Aina Yadva as detailed in the attached memorandum dated March 15, 2022 in the amount of \$768.36.

(Attachment on file in the Administrative Offices of the Authority)

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

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

RESOLUTION No. (72/22): To approve the Payment of Time Owed to Josette Hutcheson on Resignation of Employment

WHEREAS, On March 5, 2022, Laboratory Technician, Josette Hutcheson officially resigned from the Bayshore Regional Sewerage Authority (“Authority”); and

WHEREAS, Authority Policy provides payout upon resignation of accrued pro-rated Vacation benefits, and any remaining Sick time (capped at 240 hours) and Personal Days; and

WHEREAS, Miss Hutcheson’s remaining Sick & Personal Days and accrued Vacation benefits have been calculated and recorded in a memorandum submitted by Mrs. Victoria DuDasko, HR/ Administrative Assistant to the Executive Director, dated March 15, 2022; and

WHEREAS, the Executive Director has reviewed the calculated time owed and finds the calculation of 102.66 hours owed to be accurate; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Salary 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 remaining Sick, Personal and Vacation time owed to Josette Hutcheson as detailed in the attached memorandum dated March 15, 2022 in the amount of \$3,872.34

(Attachment on file in the Administrative Offices of the Authority)

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

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

RESOLUTION No. (73/22): To Hire a New Laboratory Technician

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, for the more efficient operation of the Authority the Bayshore Regional Sewerage Authority has a need to hire a new employee in the position of Laboratory Technician to fill a vacated position; and

WHEREAS, the Authority posted the position of Laboratory Technician for plant personnel prior to accepting applications; and

WHEREAS, the Authority management staff have interviewed qualified candidates for the position of Laboratory Technician; and

WHEREAS, Tiffany Sultan of Farmingdale, NJ has demonstrated through her resume and interview the qualities for the position of the Laboratory Technician; and

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

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the hiring of Tiffany Sultan of Farmingdale, NJ as Laboratory Technician at a starting pay rate of \$29.06 per hour, with a 180 day probationary period and pending the results of the Authority Criminal History, Drug and Alcohol Screening.

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

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

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

RESOLUTION No. (74/22): To approve Salary Adjustments for Executive, Management, Supervisors and Office Personnel for 2022

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 non-union personnel salary adjustments in accordance with the Personnel Committee memorandum dated March 18, 2022, retroactive to January 1, 2022.

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

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

END CLOSED SESSION

Chairman Sutton calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:46 P.M.

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

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

ADJOURMENT

ANNOUNCEMENT (by Chairman Cavanagh):

The next B.R.S.A. Public Meeting is scheduled for Monday, April 18, 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 8:48 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,
Victoria DuDasko, Administrative Assistant/HR