



BAYSHORE REGIONAL SEWERAGE AUTHORITY

100 Oak Street, Union Beach, NJ 07735
732-739-1095 OFFICE 732-739-2459 FAX

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

MINUTES FOR REGULAR MEETING (via Zoom) MONDAY, AUGUST 15, 2022

At 7:02 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, 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

Reports

BRSA Projects, Special Reports & Connection Applications

1. Executive Directors Report

- **COVID-19 Policy Update-** We have no new cases at the Authority to report. Other Authorities are seeing a raise in cases with a loss of manpower.
- **Disaster Recovery Update-** C.114-S, Power Resiliency Generation (PRG) Project is moving forward slowly. FEMA had a few questions for our staff which we have reviewed and are in the process of returning the answers. We are also addressing additional comments made by NJ State Comptrollers office.
- **FEMA Project Worksheets (PW's) Closeout for Project Funds No. 1 & 2-** PS&S is proceeding well, we are awaiting FEMA for final review and approval.
- **Dorr Oliver-** the design continues to proceed very well. We have received the 30% design submittal from HDR, which the staff is reviewing and has a meeting scheduled after Labor Day for comments. Following the review, Hazen and Sawyer will conduct the required value engineering at 30% design level.
- **Financial-** As previously discussed, we are a member of the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation (NJSMUAESA) group for electrical power generation and the prior bids came in well over the strike pricing resulting in not awarding a contract. We have conducted a rebid, which resulted in determining to lock in the price at 50% at 0.12374/kwh and the other 50% is at market value for 8-months and then we will rebid again. We will also have an opportunity to negotiate the rate lower if the market rates drop. Our NJ Sustainable Energy Joint Meeting (NJSEM) group for natural gas will be issuing new Request for bids on August 22, 2022, for new contracts that will commence with the December 2022 meter read dates. We received a notice from the NJLM of the possibility of an increase for state health care which has not been adopted. We have a resolution on tonight for our flood insurance renewal for our Main Pump Station and

Administration Building. Two (2) CD investments have been made with TD Bank, which offered higher rates of 2.14% for a 13-month CD (June) and 2.87% for a 9-month CD (August).

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 \$795.50 and R3m engineering, inc. in the amount of \$1,276.50. We are making a payment to JCPL for 2 months of generation and distribution of our power for the plant and pump stations in the amount of \$173,155.32. We are also making our quarterly payment to MCBOA in the amount of \$245,959.44. JCPL, MCBOA and Endress + Hauser have requested electronic payments moving forward.

- **Human Resources**-We have personnel matters for closed session.

2. Principal Engineer Report

- **Contract 122 – Interceptor Sewer Rehabilitation Phase 3** –The Contractor has laid the by-pass piping. The Lining work of this section is scheduled to begin tomorrow August 16, 2022. Once all lining work is complete the Contractor will complete the associated manhole rehabilitation work. We expect the project will be complete by the end of the month or middle of September.

- **Contract 124 – West Keansburg Pumping Station Bypass Facility & Improvements** – This project remained dormant due to a delay on materials. We have finally received everything the week of July 25. The Contractor has remobilized to complete construction of the chamber, and the handrail and concrete pad repairs. All Contract work is expected to be complete by early September.

- **Contract 138 – Recycle Pumping Station Improvements** –We received three (3) bids for the project with a low bid of \$676,000.00 from CRS Contractors. Mr. Canal stated CRS Contractors are our emergency contractors. They have recently completed the repairs on Clark St and the Parkway. We are happy with their work. Mr. Petti continued; we have solicited a proposal from PS&S for Construction Administration & Inspection Services for the project. Their proposal is for \$125,000.00 which we find it to be fair and reasonable. Therefore, at tonight's meeting we are seeking resolutions to award both contracts.

- **Contract 139 – NIRO Incinerator Primary Heat Exchanger Rehabilitation** – Under Contract 74-S, NIRO Incinerator Repairs & Mitigation, the Contractor installed a new Primary Heat Exchanger that was placed into service in 2016. We have a need to rehabilitate the heat exchanger for standby when the unit is in need of replacing. We have already approved the proposal from Chavond-Barry Engineering Corp for specifications for public bid, on-site inspections of the rehabilitation work at the manufacturer's facility and inspection services during the construction. The bid specifications are nearly complete and once reviewed will be ready for bid. We have a resolution on tonight to authorize advertisement of the project for bids.

- **Fire Alarm System Replacement** – The inspection was completed by the Union Beach Construction Official which resulted in required changes. A change order has since been submitted in the amount of \$1,689.82. The work has been scheduled to start tomorrow, once complete we will schedule a reinspection and hopefully be able to close out this project.

- **Contract 135 – 2022 Annual TV & Cleaning of Authority Interceptor Sewer System, Phase 3** – This is our TV cleaning phase 3, third year. This year’s work started on June 27 and was completed July 19. The reports have been completed and the video is currently being review by Van Cleef, Engineering Associates with nothing major to report. We expect a full report sometime in the Fall.
- **Contract 141-O – Annual Security Services Contract** – This is our annual security contract which was recently rebid, and we received two (2) bids. The low bid was from Wisdom Protective Services in the amount of \$60,140.00. The last three (3) years we have used Wisdom for this contract, and we are happy with their work, in the three years we have had them they have not increased the price. We have a resolution on tonight to award that contract.
 - Chairman Cavanagh asked about the contractor for Contract 122, Interceptor Sewer Rehabilitation Phase 3 considering working multiple daily shifts to compress work. Mr. Petti explained the contractor decided to work long single shifts. We are expecting work to be completed the first/second week of September. The road has and will remain open with only the shoulder closed. We have had no traffic issues to report with the closure of the shoulder.
 - Chairman Cavanagh asked if the contractor decided to move forward with the multiple daily shifts, would that have costed the Authority? Mr. Petti stated No, the schedule was something the contractor approached us about but lacked the manpower to follow through.

3. Consulting Engineer – R3M

- **Power Resiliency System** – Mr. Canal Reviewed and the project is moving along
- **WPCP – Misc. Structural Repairs** – The project continues to proceed well, and we expect completion on August 26.
- **WPCP – Site Specific Odor Control Design** – We are proceeding with tasks and final design.
- **Administration Building Roof Replacement** – As we are aware, we have had difficulties with a solution for the two (2) different roofs. We are working out those details and expect the final design the end of the month.
- **West Keansburg Pump Station Bypass Facility** – Has already been reported on. We expect completion early to mid-September.
- **West Keansburg Force Main Replacement Design Services** – We have obtained our Freshwater Wetlands – General Permit 2 and Flood Hazard area Permit by rule 3. We are waiting to receive the official permit and once we have received the permit. We will have the design documents and can proceed to bids.
- **Condition Assessment & Planning Program Phase 3** – We are internally reviewing, and it is proceeding well. The Long-Term Monitoring plan, has been reviewed by the Authority and we are incorporating their comments into the final plan.
- **General Consulting Engineer Services-** The 3rd Qtr. Report is well in line with previous years and nothing unusual to report.
 - Chairman Cavanagh asked as of when the Flow report is for? Mr. Ponte stated the report was as of June. Chairman Cavanagh asked if rain had an effect on the report? Mr. Point said it has been a very dry year. Chairman Cavanagh stated last year was a wet year, shouldn’t there be a difference? Mr. Ponte stated in the case

of Union Beach and Hazlet the weather didn't affect those towns. Other towns saw a slightly lower flow.

4. Director of Operations Report

- **Plant Performance** -July was the driest month we have seen since November of 2019.
 - **Effluent Quality**- Remains good three months in a row we remain in the single digits for effluent suspended solids and carbonaceous biochemical oxygen demand.
 - **Odor Complaints**- We received three (3) odor complaints for this month.
 - **Operations**- We had two (2) scheduled and two (2) unscheduled shutdowns of the incinerator. Both unscheduled incinerator shut downs occurred during the weekend. During both events, due to low solids inventories, we were able to wait till Monday to repair and restart. Authority staff has attended a variety of different meetings such as Recycle Pump Station Improvements, USEPA Supply Chain, Site Specific Odor Control Study, Regional Confined Space Capabilities Discussion, Grit & Flow Diversion Chamber Improvements, Power Resiliency Project, and Division of Water Quality PFAS Access Database Review.
 - **Compliance, Safety, and Training**- We collected the required data for the Title V Operating Permit Semi-annual Compliance Certification Report as well as the 1st half 40 CFR 62 LLL Deviation Report and submitted it to Chavond Barry Engineers for preparation. The reports have been submitted to NJDEP and EPA. We have completed and submitted the required annual right to know survey. We have also completed and submitted the quarterly Electronic Excess Emissions and Monitoring Performance Reports.
 - **Industrial Pretreatment Program**- All IPP permittees submitted complete permit renewal applications.
 - **Computers, Instrumentation and Network Administration**- Asea Brown Boveri Ltd competed the third quarter flow meter and chart recorders calibrations. The automatic sludge withdrawal valve for Sludge Concentration Tank #3 stopped responding to control commands and has been repaired. The Carbon Monoxide detector cell in the for the NIRO Incinerator exhaust gas carbon bed mercury adsorber has been replaced. The IT department is also working on software to improve cyber security.
 - **Treatment Plant**- 3 of the 5 Odor Control Towers have been acid washed and were returned to service within 24 hours. The steering roller and bearings on Belt Filter Press #3 have been replaced.
 - **Collection System**- The Scum Pump at the West Keansburg Pump Station required extensive repairs, it was removed and rebuilt by Authority staff and returned to service
- Chairman Cavanagh asked if the reduction in flow shows what towns have leaky pipes? Mr. Broyles and Mr. Canal stated they have a good idea who has the leaking pipes. Mr. Broyles stated the leaking pipes is better shown in wetter months and drier months show the sewerage flow better. Mr. Canal then stated that August is known for being a dry month. Mr. Broyles agreed adding July is also very dry.

5. Legal Report - Closed Session

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
	July 31, 2022
<u>UNRESTRICTED INVESTMENTS</u>	
TD Bank -CD#1	\$ 2,118,000.00
Lakeland Bank Reserved Checking	\$ 3,127,899.44
TOTAL UNRESTRICTED INVESTMENTS	\$ 5,245,899.44
<u>TD BANK UNRESTRICTED CASH</u>	
Incoming Revenue Account	\$ 191,181.20
Operating Regular Account	\$ 2,600,581.31
Operating Reserve Account	\$ 9,404,682.59
Operating Payroll Account	\$ 711,575.96
TOTAL UNRESTRICTED CASH	\$ 12,908,021.06
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 18,153,920.50
 <u>RESTRICTED INVESTMENT</u>	
Cash Management	\$ 7,353,088.44
TOTAL RESTRICTED INVESTMENTS	\$ 7,353,088.44
<u>RESTRICTED CASH</u>	
NJEIT Project Fund	\$ 464,338.99
NJEIT Project Fund #II	\$ 3,679,541.69
NJEIT Project Fund #III	\$ 1,029,197.79
Bond Service Fund	\$ 104,483.21
TOTAL RESTRICTED CASH	\$ 5,277,561.68
TOTAL RESTRICTED CASH & INVESTMENTS	\$12,630,650.12
TOTAL AUTHORITY ACCOUNTS	\$30,784,570.62

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

SCHEDULE OF ACCOUNTS RECEIVABLE

	Balance
	July 31, 2022
BRSA CHARGES	
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ 0.00

OUTFALL AUTHORITY CHARGES

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

RENT RESERVE ACCOUNTS as of July 31, 2022

Hazlet Township Sewerage Utility	\$	731,071.28
Township of Holmdel	\$	323,661.83
Borough of Union Beach	\$	198,610.64
Borough of Keyport	\$	301,922.65
Borough of Keansburg	\$	268,211.37
Borough of Matawan	\$	328,124.44
Western Monmouth Utilities Authority	\$	117,089.20
Township of Aberdeen	\$	484,922.22
TOTAL	\$	2,753,613.63

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

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

ABSENT: Commissioner McMullen

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 612 (Regular)	\$1,027,790.94
Payroll Account Req. No. P260 (Payroll)	\$ 228,160.57
NJIB Project Fund #III Req. # PF-24	\$ 2,072.00

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

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

ABSENT: Commissioner McMullen

APPROVAL OF MINUTES

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

Regular Meeting Minutes of July 18, 2022

Closed Session Minutes of July 18, 2022

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

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

ABSENT: Commissioner McMullen

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. (112/22): To Accept the Third Three (3) Month Flow Report for 2021/2022

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (“Authority”) have determined the quantity of sewerage from each of the Towns and Authorities connected to the Authority’s system for the period September 29, 2021, to June 29, 2022 (Third Quarter of 2021/2022); and

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

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

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for the period September 29, 2021, to June 29, 2022 (Third Quarter of 2021/2022).

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (113/22): To Authorize “Transfer” CD 1 Investments to TD Bank

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has established a Cash Management Plan (“Plan”) pursuant to the provisions of NJSA 40A:5-14; and

WHEREAS the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

WHEREAS, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14; and

WHEREAS, Certificates of Deposit (“CD’s”) are permissible investments under Article VI- (9) of the Plan; and

WHEREAS, for the better safety, liquidity and maximum investment return the Authority desires to transfer and consolidate the following unrestricted CD investments from Lakeland Bank into a CD investment with TD Bank in accordance with the Financial Administrator Memorandum dated 7/27/2022:

1. \$2,118,000.00 for a 13 month period (maturing 7/14/2023) CD with TD Bank at an interest rate of 2.14%

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

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (114/22): To Authorize “Transfer” CD 2 Investments with TD Bank

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has established a Cash Management Plan (“Plan”) pursuant to the provisions of NJSA 40A:5-14; and

WHEREAS the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

WHEREAS, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14;and

WHEREAS, Certificates of Deposit (“CD’s”) are permissible investments under Article VI- (9) of the Plan; and

WHEREAS, for the better safety, liquidity and maximum investment return the Authority desires to transfer and consolidate the following unrestricted CD investments from Lakeland Bank into a CD investment with TD Bank in accordance with the Financial Administrator Memorandum dated 8/11/2022

1. \$3,126,699.44 for a 9-month CD with TD Bank at an interest rate of 2.87%.

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

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (115/22): To Secure Flood Insurance for Authority Main Pump Station and Administration Buildings Eligible for National Flood Insurance Program Coverage

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

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

WHEREAS, the Selective Insurance Company will provide total coverage of \$1,000,000 for Buildings and \$418,000 for contents for a total premium of \$4,823 with a \$70,000 deductible; and

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

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

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

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

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (116/22): To Award Contract 141-O, Security Services for a One (1)-Year Period to Wisdom Protective Services of Westbury, NY in the amount of \$60,140.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need for security services that will monitor the Wastewater Treatment Plant site, buildings and alarm system during the night shift for 8 hours per day, 7 days per week; and

WHEREAS, the Authority has a current Contract for Security Services that will expire on September 18, 2022; and

WHEREAS, the Authority Engineering Staff has developed Contract 141-O, Security Services 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 141-O, Security Services and two (2) sealed bids were received and publicly opened on August 3, 2022 at 11:00 A.M., with the low bidder being Wisdom Protective Services of Westbury, NY in the amount of \$60,140.00; and

WHEREAS, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Wisdom Protective Services of Westbury, NY in the amount of \$60,140.00; and

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

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority that Wisdom Protective Services of Westbury, NY is hereby awarded Contract 141-O, Security Services for a One (1)-Year Period in the amount of \$60,140.00 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 Sutton, SECONDED BY: Commissioner Lauro, and carried by a unanimous voice vote recorded as follows:

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

RESOLUTION No. (117/22): To Award Engineering Construction Administration and Inspection Services for Contract 138, Recycle Pumping Station Improvements to PS&S in the amount of \$125,000.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a Recycle Pumping Station for plant drainage and process sidestreams; and

WHEREAS, there is a need for various mechanical and process improvements within the Recycle Pumping Station; and

WHEREAS, by Resolution No. 114/21, the Authority contracted with PS&S of Wall, NJ for the engineering design services for the Recycle Pumping Station Improvements; and

WHEREAS, PS&S has submitted an engineering construction administration and inspection services proposal for the Recycle Pumping Station Improvements Project, dated August 4, 2022, in the amount of \$125,000.00; 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 138, Recycle Pumping Station

Improvements Project to PS&S of Wall, NJ in accordance with the terms and conditions of their proposal, dated August 4, 2022, in the amount not to exceed \$125,000.00.

BE IT FURTHER RESOLVED, that the Chairman and Secretary are hereby authorized to execute the Contract agreement with PS&S of Wall, 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 Sutton, SECONDED BY: Chairman Cavanagh, and carried by a unanimous voice vote recorded as follows:

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

ABSENT: Commissioner McMullen

RESOLUTION No. (118/22): To Award Contract 138, Recycle Pumping Station Improvements to CRS Contractors, Inc. of Colts Neck, NJ in the amount of \$676,000.00.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a Recycle Pumping Station for plant drainage and process sidestreams; and

WHEREAS, there is a need for various mechanical and process improvements within the Recycle Pumping Station; and

WHEREAS, the Authority has contracted with PS&S to develop Contract 138, Recycle Pumping Station Improvements with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 114/21; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Contract 138, Recycle Pumping Station Improvements, and three (3) sealed bids were received and publicly opened on August 4, 2022 at 11:00 A.M., with the low bidder being CRS Contractors, Inc. of Colts Neck, NJ in the amount of \$676,00.00; and

WHEREAS, the Authority Attorney, Principal Engineer and PS&S have reviewed the bids and are recommending award of the Contract to CRS Contractors, Inc. of Colts Neck, NJ in the amount of \$676,00.00; 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 CRS Contractors, Inc. of Colts Neck, NJ is hereby awarded Contract 138, Recycle Pumping Station Improvements in the amount of \$676,000.00 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 Sutton, SECONDED BY: Commissioner Lauro, and carried by a unanimous voice vote recorded as follows:
ROLL CALL: Commissioners Lauro, Mioduszewski, Sutton, Whalen and Chairman Cavanagh
ABSENT: Commissioner McMullen

RESOLUTION No. (119/22): To Authorize Advertisement for Public Bids on Contract 139, NIRO Incinerator Primary Heat Exchanger Rehabilitation

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains 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 NIRO incinerator unit is in need of rehabilitation; and

WHEREAS, the Authority has contracted with Chavond-Barry Engineering Corp., to develop Contract 139, NIRO Incinerator Primary Heat Exchanger Rehabilitation with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 68/22; 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 139, NIRO Incinerator Primary Heat Exchanger Rehabilitation in the Authority Official Newspaper and on the Authority Website.

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

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 7:43 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 Mioduszewski, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

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

ABSENT: Commissioner McMullen

END CLOSED SESSION

Chairman Sutton calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:02 P.M.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (120/22): To Grant Nolan Smith Regular Employment Status Effective July 31, 2022

WHEREAS, Nolan Smith was hired as a probationary employee in the job title of Operator on January 31, 2022; and

WHEREAS, the probationary period expired on July 30, 2022; and

WHEREAS, in a memorandum to the Executive Director dated August 1, 2022 the Plant Assistant Superintendent has recommended that Mr. Smith be granted Regular Status.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (121/22): To approve Salary Adjustment for Daniel Bongiovanni, Financial Administrator

WHEREAS, The Bayshore Regional Sewerage Authority (“Authority”) is a public body corporation and politic organized and existing under and pursuant to the “Sewerage Authorities Law”; and

WHEREAS, in accordance with Resolution 19/22, the Authority hired Daniel Bongiovanni as their Financial Administrator; and

WHEREAS, in accordance with Resolution 103/22, the Authority granted Daniel Bongiovanni Regular Status after successfully completing his 90-day probation period; and

WHEREAS, the Authority agreed to perform a salary review after 6-months of employment; and

WHEREAS, the Executive Director and Personnel Committee of the Authority is recommending a salary increase of \$3,000 per year, effective September 1, 2022; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Salary line item of the Operating Budget, to cover the maximum dollar value of the pending salary increase 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 a salary increase for Daniel Bongiovanni, Financial Administrator, in the amount of \$3,000, increasing his annual salary to \$71,000.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (122/22): To Accept NJDEP Penalties and Settlement

WHEREAS, the Bayshore Regional Sewerage Authority (“BRSA”) has a Preconstruction Permit (PCP140001) and Certificate to Operate regulating the discharge of emissions from the Niro Incinerator; and

WHEREAS, the Authority and the NJDEP have reached a Settlement Agreement in the amount of \$26,437.50 for (1) failing to conduct a relative accuracy test audit (RATA) on the Niro Incinerator stack/CEMS system within the first quarter after starting back up after the Superstorm Sandy Rebuild contract back in October 2016, and (2) failing to conduct a quarterly cylinder gas audit (CGA) in 3rd quarter of 2017; and

WHEREAS, the Authority desires to execute the Settlement Agreement in accordance with the terms as stated in a letter dated August 9, 2022.

NOW THEREFORE BE IT RESOLVED, the Bayshore Regional Sewerage Authority hereby accepts the Settlement as set forth by the Department and herewith agrees to pay the NJDEP penalties assessed at \$26,437.50.

BE IT FUTHER RESOLVED, the Authority hereby authorizes the Executive Director to execute the Settlement Agreement, contingent upon attorney review.

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

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

ABSENT: Commissioner McMullen

RESOLUTION NO. (123/22): To Hire Michael Planko as a 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, Michael Planko of Brick, NJ has demonstrated through his 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 Michael Planko of Brick, 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 Michael Planko be granted all of the benefits of employment as a regular full-time employee of the Bayshore Regional Sewerage Authority.

OFFERED BY: Commissioner Mioduszewski, SECONDED BY: Commissioner Sutton, and carried by

a unanimous voice vote recorded as follows:

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

ABSENT: Commissioner McMullen

ADJOURMENT

ANNOUNCEMENT (by Chairman Cavanagh):

The next B.R.S.A. Public Meeting is scheduled for Monday, September 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 8:04 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

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

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

ABSENT: Commissioner McMullen

Respectfully submitted,
Victoria DuDasko, Administrative Assistant/HR