



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, SEPTEMBER 19, 2022

At 7:00 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, Mioduszewski, Sutton, Whalen, and Chairman Cavanagh

LATE: Commissioner McMullen

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
Michael Bart, CPA Authority Accountant

PRESENTATION

Mr. Michael Bart of Bart Management and Consulting, Inc. reported on the 2021 Annual Authority Audit.

- Mr. Bart reported the annual audit is currently not completed and we are waiting on post-employment benefit numbers from the state. 90% of the audit numbers are complete and demonstrates the Authority in a good financial position. As shown in the previous year, we expect to receive the numbers from the state in December. Mr. Bart presented the preliminary audit report, which he stated will assist in completing our 2023 budget.
 - Chairman Cavanagh asked if the application fee line was appropriately estimated. Mr. Bart explained many conditions could affect that line item and every case is different. Mr. Bart felt the Authority staff used a conservative and appropriate number.
 - Chairman Cavanagh asked what was the total for the line item? Mr. Bart responded \$150,000. Mr. Canal added the number has been increased since last year.

Reports

BRSA Projects, Special Reports & Connection Applications

1. Executive Directors Report

- **COVID-19 Policy Update-** We have three new cases at the Authority to report, totaling 5 cases in the past few months. We continue to follow the CDC guidelines and have increased our precautions.
- **Disaster Recovery Update-** C.114-S, Power Resiliency Generation (PRG) Project's final bid documents are complete and have been sent to NJ-IBank. We have a few details to resolve with NJ Comptroller's office prior to bidding out this project. All permits have been complete apart from the title 5 permit, which we will not need until we are operating. We recently received the FEMA/NJOEM approval of the scope change request, which has increased the project total by approximately 13 million dollars.
- **Dorr Oliver-** the design continues to proceed very well. We have submitted the 30% design review comments. We are waiting on the value engineering portion of the project to be completed by Hazen and Sawyer. We will have HDR attend a future public meeting to present to the commissioners the final 30% design documents. We have also applied for funding from IBank
- **Request for Expression of Interest-**This is a request for proposals, which we send to Engineering firms asking the firms to submit their response, rates, experience for the review committee to evaluate. We then interview the top firms. We are scheduled to issue the request for proposals on or about October 3, receive the proposals back on November 18, and award at the January or February 2023 meeting.
 - Chairman Cavanagh asked if this would include retainers? Mr. Canal responded no.
- **Financial-** As previously discussed, Mr. Bart has reviewed the draft audit, which we continue to wait on liability numbers from the State. The proposed 2023 Authority budget is being processed by Authority staff. We will have the budget to present for the October meeting. NJLM State Health Care Premiums are set to increase substantially, therefore we are looking into other options. Our NJ Sustainable Energy Joint Meeting (NJSEM) group for natural gas advertised bid, which we are to receive bids for September 21. We have a resolution on to renew our flood insurance as required by FEMA. Our agreement with JIF is set to expire, we have a resolution on tonight to renew that for another three-years. 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 \$1,850 and R3m engineering, inc. in the amount of \$2,302.5
- **Human Resources-** October 3rd we are expecting our newly hired employee for the lab to start. We also have personnel matters for closed session.
- **Other-** Commissioners, please let Victoria or myself know if you plan to attend the annual AEA meeting in Atlantic City on November 15th and 16th so we can make the necessary arrangements. Also, Tom and I are attending the annual WEFTEC Conference in NOLA on October 9-12, 2022.

2. Principal Engineer Report

- **Contract 124 – West Keansburg Pumping Station Bypass Facility & Improvements** – This project was on hold for material, which has recently been received. We expect to close out this project in a few weeks. We have a resolution on tonight to award an Amendment for the Engineering Services During Construction to R3M Engineering in the amount of \$16,500.00.
- **Contract 137 – West Keansburg Force Main Replacement Phase 2** – Our West Keansburg Force Main (WKFM), 210 linear feet of pipe needs to be replaced due to age, internal and external corrosion. We have received final land use permit from the NJDEP. We advertised the project for public bids beginning on September 1 and the Bid Opening is scheduled for October 6. We expect to award the project at the October meeting.
- **Contract 140 – Raritan Valley Force Main Replacement** – PS&S has submitted a preliminary set of drawings which the Staff and I have reviewed. We returned our comments to PS&S on September 1, which are being addressed. PS&S expects to submit permit applications for the NJ Turnpike Authority and the NJDEP Division of Land Use, which we expect the turnaround time of 4-6 months for each. We are keeping Beer Street school aware of the project. Hazlet Public Works and Police will be notified as we get closer to construction. We expect to be working on this project next summer.
- **Contract 144 – Pumping Station Transfer Switch Replacements & Electrical Upgrades**- Both Pump Stations are in need of replacements of automatic transfer switches. We have received a draft submittal from Mott MacDonald and we are reviewing it and expect to return it with comments in the next few weeks.
- **Contract 143-O – Annual Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1) Year Period** – Our current contract is set to expire in December. We expect to advertise a bid for a new contract in October. There is a resolution on tonight to authorize advertisement of a new contract.
- **Minor Subdivision, B. 29, L. 31.01, 31.02 & 31.03, 800 Holmdel Road, Holmdel** – The Applicant, Anthony Odunlami, is proposing a subdivision of the existing lot and the construction of three (3) new single-family homes. The applicant has paid the connection fee of \$15,384.00. This project is expected to have a total of 3 EDUs and is expected to generate 675 gallons per day of wastewater. There is a resolution on tonight to approve the Applicant's connection application.
- **Contract 114-S - Power Resiliency Generation (NJEIT Phase 3)** – We would like to advertise this project as soon as possible. We continue to work with I-Bank on final approvals, therefore we have a resolution on tonight to authorize advertisement of the project for public bids contingent on final I-Bank approval.
 - Commissioner McMullen joined the meeting at 7:29pm, during Mr. Petti's report.

3. Consulting Engineer – R3M

- **Power Resiliency System** – Mr. Canal and Mr. Petti have already reviewed, and the project is moving along.
- **WPCP – Misc. Structural Repairs** – The project continues to proceed well, and we expect completion late September to early October.
- **WPCP – Site Specific Odor Control Design** – We have completed the preliminary tasks and have started working on the design. We have also started the bid documents and expect to bid this year. We expect the project to cost \$400,000-\$500,000 and take 12 months to complete.
- **Administration Building Roof Replacement** – We would like to advertise this October.
- **West Keansburg Pump Station Bypass & Meter Facility Construction Services**- We have experienced challenges to close the valves and replace meters. We are seeking an alternate approach to complete this project.
- **Engineering Design Services for West Keansburg Force Main**- We will advertise this project September 1st with a bid opening October 6th.
- **Condition Assessment & Planning Program of Authority Force Mains: Phase III**- We are finalizing the hydraulic calculations for the force main. The lines need flushing, the pipes are only built for the current flow, and we believe there are obstructions in the pipes that flushing could repair.
 - Commissioner Lauro expressed concern for the length of time being taken on the odor control project Chairman Cavanagh stated there are 3 to 4 different projects in place. Mr. Petti stated the Authority has had two separate odor control construction projects completed in 2016 and 2018 that were over 1 million dollars in improvements. Trinity also did a facility wide odor study which resulted in one area that they recommended improvements. R3M used that study to complete a scope design for the improvements. We are currently on the third phase of our odor control study rehab and continue to make improvements from the two studies. Chairman Cavanagh stated it was a longer part. Commissioner Lauro stated he would like to see the odor still improve.

4. Director of Operations Report

- **Plant Performance** -August was another dry month with 11 million gallons less received than in July. August is the driest month we've had since October of 2016.
- **Effluent Quality**- Remains good
- **Odor Complaints**- We received three (3) odor complaints for this month. Mr. Broyles stated he would speak to the staff about their reported attitude when taking a complaint.
- **Personnel**- We have successfully hired a lab technician. We are expecting him to start the beginning of October.
- **Operations**- Sludge incineration burned 175 dry tons, using 35 tons of fuel oil per ton, 2 gallons per ton less than July. Approximately \$1,200 less in fuel oil cost. We

had 4 scheduled delays, or delayed startups of the incinerator. We had a fuel oil leak in the basement which caused an unscheduled shut down.

- **Compliance, Safety, and Training-** Some of our staff attended the Confined Space Entry Programs and Rescue Procedures hosted by JIF. The Final Coastal Compliance Program Inspection for 2022 was completed the end of August with no issues.
- **Industrial Pretreatment Program-** CEI was issued a NOV due to failure to perform sampling at their permit required frequency because of a shortage of contract lab staff.
- **Computers, Instrumentation and Network Administration-** Quarterly CGA has been completed for the Niro Incinerator CEMS. Our IT department is working hard to ensure our Cyber Risk Management Program meets the requirement of all three tiers required by the NJUA JIF.
- **Treatment Plant-** We have replaced the universal joints on the drive shaft for Raw Sewage Pump Number 4. To reduce noise pollution, we have changed out an exhaust fan and have ordered the parts to change out a second. Certified Infrared Inc performed Thermal Imaging of the Niro Incinerator and gave the report to our staff engineers.
- **Collection System-** The Authority staff assisted our contractor with the shutdown of the West Keansburg Pump Station to allow successful installation of replacement piping and valves. We are expecting the contractor to return for close out of that project.
 - Mr. Canal congratulated Mr. Broyles and Mr. Anderson on the obtaining of the NACWA Peak Performance Award for maintaining effluent quality for a second consecutive year. All Commissioners also congratulated Mr. Broyles and Mr. Anderson.
 - Chairman Cavanagh asked if the oil spill was reported to the NJDEP? Mr. Broyles answered it was not. Due to the spill being contained in the building there was no need to report it as a spill.

5. Legal Report - Closed Session

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
<u>UNRESTRICTED INVESTMENTS</u>	<u>August 31, 2022</u>
TD Bank -CD#1	\$ 2,118,000.00
Lakeland Bank Reserved Checking	\$ 2,422.03
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,120,422.03
<u>TD BANK UNRESTRICTED CASH</u>	
Incoming Revenue Account	\$ 2,211.50
Operating Regular Account	\$ 2,853,742.96
Operating Reserve Account	\$ 8,350,515.25

Operating Payroll Account	\$ 678,968.66
TOTAL UNRESTRICTED CASH	\$ 11,885,438.37
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 14,005,860.40

RESTRICTED INVESTMENT

Cash Management	\$ 7,364,402.97
TD Bank CD2	\$ 3,126,699.44
TOTAL RESTRICTED INVESTMENTS	\$10,491,102.41

RESTRICTED CASH

NJEIT Project Fund	\$ 464,653.85
NJEIT Project Fund #II	\$ 3,682,036.72
NJEIT Project Fund #III	\$ 1,027,823.01
Bond Service Fund	\$ 104,554.06
TOTAL RESTRICTED CASH	\$ 5,279,067.64
TOTAL RESTRICTED CASH & INVESTMENTS	\$15,770,170.05
TOTAL AUTHORITY ACCOUNTS	\$29,776,030.45

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
	August 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 August 31, 2022	
Hazlet Township Sewerage Utility	\$ 731,145.79
Township of Holmdel	\$ 323,694.82

Borough of Union Beach	\$ 198,630.88
Borough of Keyport	\$ 301,953.43
Borough of Keansburg	\$ 268,238.70
Borough of Matawan	\$ 328,157.88
Western Monmouth Utilities Authority	\$ 117,101.13
Township of Aberdeen	\$ 484,971.64
TOTAL	\$ 2,753,894.27

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, Mioduszwski, 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. 613 (Regular)	\$ 834,316.19
Payroll Account Req. No.P261 (Payroll)	\$ 284,935.68
NJEIT Project Fund #III Req.#PF-25	\$ 4,152.50

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

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

APPROVAL OF MINUTES

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

Regular Meeting Minutes of August 15, 2022
Closed Session Minutes of August 15, 2022

OFFERED BY: Commissioner Sutton, 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

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. (124/22): To Renew Membership in the New Jersey Utility Authorities Joint Insurance Fund

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) is a member of the New Jersey Utility Authorities Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Authority and the Fund; and

WHEREAS, the Authority desires to renew said membership.

NOW THEREFORE, that the Commissioners of the Bayshore Regional Sewerage Authority hereby agree to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.

BE IT FURTHER RESOLVED that the Commissioners shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority's intention to renew its membership.

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

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

RESOLUTION No. (125/22): To Secure Flood Insurance for the Authority 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 Laboratory, Fire Water Pump Station Buildings are eligible for flood insurance under the National Flood Insurance Program (“NFIP”); and

WHEREAS the Selective Insurance Company will provide total coverage of \$984,000 for a total premium of \$2,145.00 and \$3,474.00 respectively with a \$5,000 deductible for each building; 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 that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of the above stated premiums to secure flood insurance for the named Authority Buildings for a one-year term according to the building renewal date and instruct the Executive Director to execute all necessary documentation to secure this coverage.

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

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

RESOLUTION No. (126/22): To Authorize Advertisement for Public Bids on Contract No. 143-O, Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1) Year Period

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 with Griffith-Allied Trucking, LLC for the Furnishing and Delivering of Fuel Oil which expires on December 18, 2022; and

WHEREAS, the Authority intends to rebid the Contract; and

WHEREAS, the Authority requires authorization to solicit public bids for a new Contract.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for Contract 143-O Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1) Year Period 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:

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

RESOLUTION No. (127/22): To Approve Sanitary Sewer Connection Application for Anthony Odunlami, Developer of 800 Holmdel Road Project

WHEREAS, Anthony Odunlami (“Developer”), is the project developer of a proposed subdivision consisting of three (3) new single family homes, further designated as Block 29, Lots 31.01, 31.02 & 31.03 in the Township of Holmdel, a 3 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 675 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 \$15,384.00.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Anthony Odunlami, Developer of the 800 Holmdel Road 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:

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

RESOLUTION No. (128/22): To Amend R3M Engineering Inc. Contract for Engineering Construction Administration & Inspection Services for Contract 124, West Keansburg Pumping Station Bypass Facility & Improvements in the amount of \$16,500.00.

WHEREAS, on September 20, 2021 the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering construction administration and inspection services proposal for the West Keansburg Pumping Station Bypass Facility & Improvements project, in the amount of \$53,450.00 to R3M Engineering, Inc. (“R3M”) of Old Bridge, NJ via Resolution #113/21 in accordance with the terms and conditions of their proposal dated September 9, 2021; and

WHEREAS, it was necessary for R3M to perform work beyond the scope of their contract including additional engineering support for locating the existing force mains, CAD layouts for survey field measurements, redesign of alternate pipe tapping methods due to utility conflicts and additional inspection services; and

WHEREAS, R3M has submitted an amendment request for this additional work dated September 7, 2022 in the amount of \$16,500.00; and

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

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

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve an amendment for the engineering construction administration and inspection services proposal for the West Keansburg Pumping Station Bypass Facility & Improvements project in the amount of \$16,500.00 to R3M Engineering, Inc. of Old Bridge, NJ in accordance with their letter dated September 7, 2022 increasing the total contract value to \$69,950.00.

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

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. (129/22): To Authorize Advertisement for Public Bids on Contract 114-S, Power Resiliency Generation Project, Contingent Upon Authorization from the NJDEP Infrastructure Bank

WHEREAS, as a result of Superstorm Sandy, and to avoid future prolonged power loss, flooding and damage to their facilities, the Bayshore Regional Sewerage Authority (“Authority”) and the Monmouth County Bayshore Outfall Authority (“MCBOA”) propose to construct a Power Resiliency Generation System, consisting of three (3) 1,500 kW natural gas-fired generators in an enclosed Generator Building located at the Authority’s wastewater treatment plant to maintain continuous power supply to the Authority and MCBOA for a minimum of seven (7) consecutive days; and

WHEREAS, the Authority has contracted with HDR Engineering, Inc. (“HDR”) to develop Contract 114-S, Power Resiliency Generation Project with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 106/19; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) is currently reviewing the final set of Contract Documents; and

WHEREAS, the Authority has applied to the New Jersey Department of Environmental Protection (“NJDEP”) Infrastructure Bank (“I-Bank”) for short term funding while awaiting FEMA reimbursement for the project; and

WHEREAS, HDR has completed the design of the project and is awaiting approval from the NJDEP for Authorization to Advertise; and

WHEREAS, the project will be publicly bid through a fair and open process in accordance with New Jersey Local Public Contracts Law and in accordance with the requirements of the NJDEP I-Bank and FEMA; and

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

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Authority Staff to advertise for Public Bids for Contract 114-S, Power Resiliency Generation Project in the Authority Official Newspaper and on the Authority Website, subject to receiving authorization to advertise from the NJDEP I-Bank.

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

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 7:59 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 Sutton, 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 @ 8:21 P.M.

OFFERED BY: Commissioner Sutton, 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

RESOLUTIONS

RESOLUTION NO. (130/22): To Approve the Transfer of Authority Vehicle to Union Beach Borough

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has determined the 2006 Ford F-250, which is owned by the Authority is no longer needed; and

WHEREAS, the Borough of Union Beach Public Works Department has expressed a need for the vehicle in a letter dated September 9, 2022 (Attached); and

WHEREAS, Union Beach understands the vehicle is not currently working and in need of repair, and

WHEREAS, the Commissioners are prepared to transfer the vehicle in “as is” condition without express or implied warranties to the Borough of Union Beach in the amount of \$1.00; and

WHEREAS, the Borough of Union Beach will execute a Hold Harmless and Indemnification Agreement concerning use of surplus vehicle; and

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve the transfer the Authority vehicle, a 2006 Ford 250 to the Borough of Union Beach, NJ in the amount of \$1.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to transfer the vehicle from the Authority to Union Beach Borough.

OFFERED BY: Commissioner Sutton, 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

RESOLUTION NO. (131/22): To Amend the Authority COVID-19 Policy

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, on March 9, 2020, New Jersey Governor Phil Murphy declared a public health emergency for the State of New Jersey in responding to COVID-19; and

WHEREAS, on March 16, 2020, the Bayshore Regional Sewerage Authority (the "Authority") Board of Commissioners passed Resolution 60/20 declaring an emergency due to COVID-19 and ordering the Authority to manage the labor force as necessary to protect the health, safety and welfare of the employees, community and facility; and

WHEREAS, on March 4, 2022, New Jersey Governor Phil Murphy issued Executive Order No. 292, which lifted the COVID-19 Public Health Emergency; and

WHEREAS, in a Memorandum to the staff dated September 19, 2022, the Authority has amended its COVID-19 Policy in accordance with CDC recommendations and New Jersey Executive Order No. 292; and

NOW, THEREBY, BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Commissioners hereby adopt the aforementioned and attached changes to the Authority's policies and procedures, effective September 20, 2022.

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

ADJOURNMENT

ANNOUNCEMENT (by Chairman Cavanagh):

The next B.R.S.A. Public Meeting is scheduled for Monday, October 17, 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 8:24 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

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

Respectfully submitted,
Victoria DuDasko, Administrative Assistant/HR