



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, January 23, 2023

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 January 23, 2023 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/kbmVJoQOjV>

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

BRS A 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- BRSA Auditor
Chad Sprague, Regulatory Compliance Manager

AUDIT REPORT PRESENTATION

Mr. Bart reported on the audit performed for 2021.

- The first section of the audit related to the Authority's financial statements resulted in a clean, unmodified, opinion.
- The opinion of the internal controls over the Authority's financial reporting and compliance is also a clean, unmodified, opinion.
- Mr. Bart discussed the Statement of Net Position:
\$110,305,000 in Assists & Deferred Outflow of Resources
\$ 28,054,493 in Liabilities
Net Income
\$2,009,918
Net Position
\$75,770,000
- Mr. Bart went over the comparative statement of cash flow. An increase of \$704,669 year over year was noted.
- The footnotes on pages 15-33 are a required disclosure that describes the Authority's accounting principles.
- The supplementary information found on pages 34-40 show the Authority's past history of liabilities and accruals pension and post employee benefits and a view of the Authority's receipts and disbursements to the cash funds throughout the year.
- Pages 41-47 contain reports requiring an opinion on the Authority's handling of Federal Awards. The audit resulted in another clean, unmodified, opinion.

Mr. Bart recommended that the Commissioners approve the resolution on the agenda tonight to approve the audit.

Chairman Cavanagh Thanked Mr. Bart for the presentation and inquired about the differences between this audit report and the one provided earlier. Mr. Bart responded that the numbers in the report from September for the pension and post-employment benefit accruals were based on last year's numbers and the current report was updated to reflect the current numbers provided recently by the state. The new report also includes the final opinions of the audit provided by the accounting firm. Chairman Cavanagh then asked to confirm that the connection fees that had a big impact are considered non-recurring. Mr. Bart confirmed. Chairman Cavanagh also asked if there were any outstanding liabilities related to the wind turbine project. Mr. Bart stated that there were not.

EXECUTIVE SESSION

Chairman Cavanagh called for a **MOTION** to go into Closed Session at 7:24 P.M. in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending or anticipated litigation, contract negotiations and matters of employment of public employees. It is anticipated at this time that the above stated subject matter shall be made public at such time as the need for non-disclosure no longer exists.

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

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

END CLOSED SESSION

Chairman Cavanagh calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 7:36 P.M.

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

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

Reports

BRSA Projects, Special Reports & Connection Applications

Executive Directors Report

- **Administration** - We continue to follow the CDC guidelines. We have had 2 employees out due to COVID-19 recently. Both have returned to work. There have been approximately 8 employees that have been out with COVID-19 since September. All have returned to work following CDC guidelines.

- **Disaster Recovery Update - C.114-S, Power Resiliency Generation (PRG) Project**, The MCBOA agreement is in attorney review and should be finalized soon. We are now waiting on NJDEP to complete their review and to issue authorization to advertise. HDR is planning to provide an update on the final design and bid schedule for the project at the March 20, 2023 public meeting.
- **Dorr Oliver Rehab** - We met with Hazen and HDR in December to discuss the 10 cost saving techniques proposed during the Value Engineering Evaluation phase. Some techniques included in the proposal are the elimination of the secondary heat exchanger and relocating some outdoor equipment indoors, creating cost savings by eliminating insulation and heat tracing as well as additional maintenance required for the equipment to be outdoors. On January 13, 2023, we met with HDR to finalize the Value Engineering items that we are moving forward with. HDR will also update the Board on the Dorris Oliver Rehab while presenting the Power Resiliency update at the March public meeting.
 - Chairman Cavanagh inquired about setting up a date and time for those interested to come see the incinerator. Mr. Napolitano advised that we may accommodate up to three (3) Commissioners at one time.
- **Request for Expression of Interest (REI)** - Thirteen (13) of the fifteen (15) engineering firms that we issued the REI proposals for annual engineering services for capital improvement projects responded. Proposals were reviewed by the engineering committee on January 19, 2023 and recommendations for award are detailed in the memorandum dated January 20, 2023. Mr. Canal reviewed the memorandum from January 20, 2023, including the ranking methodology used in the determination of the final recommendations.
 - Chairman Cavanagh asked where the idea for this list came from. Mr. Canal explained that we did something like this in 2012, just prior to Superstorm Sandy.
- **Financial** - On January 3, 2023, the NJDCA approved the Authority's 2023 capital and operating budgets. Mr. Canal will meet with the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation group to discuss the net electrical supply bid. The December 7, 2022 re-bid for natural gas supply was successful. UGI was the low bidder with a fixed upcharge of .2557/Therm over the commodity price. The contract will be effective beginning with the March 2023 meter reads and continue to December of 2025. We have two (2) resolutions on tonight for Trace Environmental Services. The first resolution is to approve an upgrade to the incinerator air monitoring software in the amount of \$27,850. The second resolution is to authorize payment for our annual software support in the amount of \$11,503. We made the February 1 bond payment for \$247,260.22 and the next payment is due by August 1, 2023 in the amount of \$592,506.70.
 - Chairman Cavanagh asked why the second bond payment was so much higher than the first. Mr. Canal stated that they are different bond series.
- **Other** - Mr. Canal stated his intentions to seek non-fair and open proposals along with the required pay-to-play forms from our existing professionals, similar to past annual requests. He also congratulated Commissioners Cavanagh, McMullen and Lauro on their re-appointment.

Principal Engineer Report

- **Contract 131 – Grit Facility Repairs & Improvements** – This contract was awarded this past summer. The project has not begun as of yet due to the amount of paperwork involved with submittals, particularly the Bypass and Maintenance of Plant Operations Plans. We continue to review the submittals and expect to have the contractor mobilize in February or March.
- **Contract 140 – Raritan Valley Force Main Replacement** – 90% drawings have been received from PS&S. We received the final permitting comments from the NJTA on our License to Cross Agreement. These comments were minimal. On January 10, 2023, we received the signed Temporary Construction Easement Agreement and Land Use Application from Hazlet Township. We can now complete the NJDEP permitting work and hope to be able to bid in the spring.
- **Contract 145 – Interceptor Sewer Rehabilitation Phase 4** – This phase includes approximately 4100 linear feet of Reinforced Concrete Pipe (RCP). We met with Jacobs Engineering Group on January 19, 2023 to review the 90% submittal. We issued some comments to Jacobs on the submittal and expect to be ready for bid once these comments are addressed. We met with the Borough of Union Beach and the Monmouth County Road Department to solicit comments from them. No significant comments were received. We have a resolution on tonight to authorize advertisement for bids.
- **RFQ 2023-01 – Furnish & Deliver Force Main Repair Inventory – R3M**
Engineering has developed a Long-Term Force Main Monitoring Program and Emergency Response Plan. The plan recommends maintaining an inventory of critical pipeline repair pieces for emergency repairs. We have two (2) different types of force mains. Our West Keansburg force main is ductile iron and the Matawan force main is pre-stressed concrete cylinder pipe (PCCP), each requiring different materials for repairs. This RFQ was for the furnishing of the inventory for repairs to the ductile iron pipe only. A separate contract will be prepared for the PCCP repair inventory. We received three (3) quotes with the low bidder being Raritan Group, Inc in the amount of \$16,300.04. The second quote was for \$17,000 and the high quote was for \$42,400. We have a resolution on to award RFQ 2023-01 to Raritan Group, Inc. of Edison, NJ in the amount of \$16,300.04
- **2023 Various Chemical Contract** – Contracts for Sodium Hypochlorite, Caustic Soda and Bioxide all expire at the same time. We packaged the three contracts into one bid package with three (3) separate bid openings.
 - For Sodium Hypochlorite, we received two (2) bids. The low bidder was excluded due to an exception in their bid due to the volatility of the hypochlorite market at the attorney's recommendation. We have a resolution on to award the one (1) year contract to our second bidder, Kuehne Chemical Co., in the amount of \$457,600.00.
 - For Caustic, there is a resolution on to award the one (1) year contract to the low bidder, Kuehne Chemical Co., in the amount of \$50,575.00.
 - For Bioxide, we received one bid. We have a resolution on to award the one (1) year contract to Evoqua Water Technologies in the amount of \$18,720.00
- **Contract 2023-004 – Furnish & Deliver Polymer** – Our contract for Polymer expires in March of 2023. There is a resolution on for the authorization to advertise the contract for public bids.
- **Annual Stack Testing for Niro Incinerator** – Chavond-Barry Engineering Corp. submitted a proposal, dated January 13, 2023, to conduct the stack test in the amount of \$80,000.00. We have a resolution on to award the 2023 Annual Stack Testing of the Niro Incinerator to Chavond-

Barry Engineering Corporation in the amount of \$80,000.00 with hopes to schedule the test in late spring or early summer.

Consulting Engineer – R3M

- **Power Resiliency System** – We continue to work with BRSA staff, HDR, I-Bank, NJDEP and MCBOA to complete administrative work.
- **WPCP – Site-Specific Odor Control Design** – We have finalized design and are looking into sound attenuating blankets for the blowers that may help reduce the noise.
- **Administration Building Roof Replacement** – Project was awarded to MTB, LLC of Neptune, NJ at the December board meeting.
- **West Keansburg Pump Station Bypass & Meter Facility Construction Services-** Parts to repair the leak in the force main at the mag meter have been ordered and the work is expected to be completed in February.
- **Engineering Design Services for West Keansburg Force Main-** Shop drawings are being reviewed and the contractor will be digging test pits to verify the correct length of pipe that needs to be replaced and then the section of pipe will be custom made.
- **Condition Assessment & Planning Program of Authority Force Mains: Phase III-** On January 5, 2023, we presented the report to the BRSA staff. The report is now being finalized based upon the comments made by the staff.
- **General Consulting Engineer Services** – On January 9, 2023, we submitted the draft 2022 Annual Inspection Report to BRSA staff for review. We also had a conference call with the Dorr Oliver rehab engineer (HDR) discussing the Treatment Works Approval and the NJ Water Bank loan application.
- **Accept First Quarter 2022/2023 Flow Report** – This period was dry, with an average flow to the treatment plant of seven (7) MGD.
 - Chairman Cavanagh noted a significant change in the flow from Keansburg, while the flow from Keyport, which is similar in age, remained nearly the same. He thought that they would see similar results. Mr. Canal stated that it was only the first quarter and Chairman Cavanagh replied that it was something to think about.

Director of Operations Report

- **Plant Performance** - The total flow for December was 56 MG, or approximately 1.5 million gallons per day, higher than November's flows due to 2 wet weather events.
- **Effluent Quality** - Effluent quality improved slightly with reductions in suspended solids of 3 mg/L, CBOD of 2 mg/L, and a 1% increase in percent removal.
- **Odor Complaints** - We received 2 odor complaints for this month. At the time of the two complaints, the wind was blowing from the bay into the surrounding neighborhoods with speeds of 14 mph and 7 mph respectfully.
- **Noise Complaints** - We received two noise complaints this month. We are continuing to investigate the source of the noise and correcting any issues that arise.
 - Chairman Cavanagh asked for examples of what we have been able to improve in the past. Mr. Broyles stated that we have repaired loose, squealing, belts and loose covers. He also pointed at that we run 5 major odor control unit blowers continuously, which are responsible for the majority of the noise.

- **Operations** – We had 2 unscheduled incinerator shutdowns, both related to the sludge dewatering equipment that were resolved quickly. Freehold Cartage removed approximately 900 tons of ash in November through most of December.
- **Compliance, Safety, and Training** - Chuck Theodora performed the annual Stormwater Pollution Prevention Plan training. Trace Environmental will no longer be supporting our current incinerator air monitoring software soon. We are upgrading to their new web-based software, which will only be available through our private intranet for security.
- **Laboratory** - We met with a representative for the WastewaterScan program to discuss the requirements.
- **Industrial Pretreatment Program** - IPP inspections were conducted by the Regulatory Compliance Manager and Assistant Superintendent for Operations. IPP Renewal permits were issued as final on December 22, 2023. CEI was issued an Notice of Violation (NOV) for pH. They are investigating the cause. We met virtually with NJDEP for review of their audit of our 2021 Industrial Pretreatment Program. A few minor issues were identified. These issues were addressed in the permit renewals.
- **Computers, Instrumentation, and Network Administration** - Annual calibration and certification of the Endress and Hauser monitoring equipment for the incinerator that is required under our Title V Air permit, was performed on December 5, 2023. The CPU power supply for Belt Filter Press #4 was replaced. IT began installing monitoring devices on the transformers that will allow us to monitor them via our SCADA system.
- **Treatment Plant Maintenance** – Staff installed a new video monitor in the conference room for use during meetings. A new gear box was installed on the inline grinder on the Sludge Concentration Tank withdrawal line. During excavation for the Recycle Pump Station Static Overflow Line project, a leak in the heating system hot water supply line for the Grit Building was discovered. The system was drained and temporary infrared heaters were used until repairs were made after the holidays. The system was then put back in service.
- **Collection System Maintenance** – All holes have been drilled for the installation of the fall protection davit arms at the meter chambers. We are now awaiting fabrication of the base plates for final installation. We continue to monitor the water usage at the West Keansburg Pump Station. The water was turned off for a period of time and the flow meter was observed to verify that there is no leak between the meter and the building. Everything was observed to be okay.
 - Mr. Canal added that he received a call informing him that the Manasquan Regional Sewerage Authority will be taking over the operation of the Township of Holmdel’s collection’s system and he has contact information.

Legal Report - Closed Session

NO LEGAL REPORT

TREASURER’S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
	December 31, 2022
<u>UNRESTRICTED INVESTMENTS</u>	
TD Bank -CD#1	\$ 2,118,000.00
Lakeland Bank Reserved Checking	\$ 2,435.11
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,120,435.11
<u>TD BANK UNRESTRICTED CASH</u>	
Incoming Revenue Account	\$ 4,003.60
Operating Regular Account	\$ 2,687,002.27
Operating Reserve Account	\$ 7,850,855.41
Operating Payroll Account	\$ 706,077.09
TOTAL UNRESTRICTED CASH	\$ 11,247,938.37
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 13,368,373.48

RESTRICTED INVESTMENT

Cash Management	\$ 7,441,733.56
TD Bank CD2	\$ 3,126,699.44
TOTAL RESTRICTED INVESTMENTS	\$ 10,568,433.00

RESTRICTED CASH

NJEIT Project Fund	\$ 466,739.95
NJEIT Project Fund #II	\$ 3,698,567.44
NJEIT Project Fund #III	\$ 1,021,219.30
Bond Service Fund	\$ 105,023.46
TOTAL RESTRICTED CASH	\$ 5,291,550.15
TOTAL RESTRICTED CASH & INVESTMENTS	\$ 15,859,983.15
TOTAL AUTHORITY ACCOUNTS	\$ 29,228,356.63

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
	December 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 December 31, 2022

Hazlet Township Sewerage Utility	\$	732,425.70
Township of Holmdel	\$	324,261.46
Borough of Union Beach	\$	198,978.59
Borough of Keyport	\$	302,482.01
Borough of Keansburg	\$	268,708.27
Borough of Matawan	\$	328,732.33
Western Monmouth Utilities Authority	\$	117,306.12
Township of Aberdeen	\$	485,281.85
TOTAL	\$	2,758,176.33

TREASURER'S REPORT

OFFERED BY: Commissioner Lauro, 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

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 617 (Regular)	\$	1,245,776.35
Payroll Account Req. No.P265 (Payroll)	\$	303,924.09
NJEIT Project Fund #II Req.#PF-29	\$	2,979.00
NJ IBank Debt Service Payment #DS-23	\$	22,722.79
NJ IBank Debt Service Payment #DS-24	\$	165,840.20
NJ IBank Debt Service Payment #DS-25	\$	58,679.23

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

APPROVAL OF MINUTES

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

Regular Meeting Minutes of December 19, 2022
Closed Session Minutes of December 19, 2022

OFFERED BY: Commissioner Whalen, 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

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. (1/23): To Adopt the 2021 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, 2021 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 2021 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, 2021 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 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. (2/23): 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, 2021, and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

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

RESOLUTION No. (3/23): To Accept the First Three (3) Month Flow Report for 2022/2023

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 28, 2022, to December 28, 2022 (First Quarter of 2022/2023); and

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

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

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, 2022 to December 29, 2022 (First Quarter of 2022/2023).

OFFERED BY: Commissioner Lauro, 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

RESOLUTION No. (4/23): To Award Trace Environmental Systems, Inc. the Data Acquisition software upgrade for the Continuous Emission Monitoring System

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is in need to upgrade and maintain the proprietary, data acquisition software for the Continuous Emission Monitoring System as needed for the daily operations of the plant; and

WHEREAS, a proposal has been submitted by Trace Environmental of Sparta, NJ for the Authority to upgrade from the obsolete DAS 2000 program to the WEBDAS2K computer program, which includes one (1) licensed copy of the software, user access for ten (10), and installation of the same, including transfer existing data from DAS 2000 to new WEBDAS2K program, quality check, data migration/collection, and report generation in the amount of \$27,850.00; and

WHEREAS, the Authority staff find the proposal from Trace Environmental Systems to be an acceptable proprietary solution to our systems in need of upgrade; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(i)(dd) a contract for maintenance of proprietary hardware and software may be awarded without public advertising for bids; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Incinerator 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 award the Contract for the Data Acquisition software upgrade for the Continuous Emission Monitoring System to Trace Environmental Systems of Sparta, N.J. in accordance with the terms and conditions in the amount not to exceed \$27,850.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to Trace Environmental Systems, Sparta, N.J.

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. (5/23): To Award Contract to Perform Annual Stack Test of NIRO Incinerator to Chavond-Barry Engineering Corp., in the amount of \$80,000.00

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 January 13, 2023 in the amount of \$80,000.00 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 \$80,000.00 in accordance with the terms and conditions of its correspondence dated January 13, 2023.

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 Mioduszewski, 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. (6/23): To Award Contract 23-001 Furnishing & Delivering of Sodium Hypochlorite for a One (1)-Year Period to Kuehne Chemical Co., Inc. of Kearny, NJ in the amount of \$457,600.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Sodium Hypochlorite in an uninterrupted fashion for daily operations; and

WHEREAS, the Authority has a current Contract for the Furnishing and Delivering of Sodium Hypochlorite which expires on February 23, 2023; and

WHEREAS, the Authority advertised for bids for the furnishing and delivery of three (3) required chemicals required for daily operations; and

WHEREAS, in accordance with the Local Public Contracts Law, the Authority advertised for 2023 Various Chemical Contract and two (2) sealed bids were received and publicly opened on January 13, 2023 at 11:00 A.M., with the low bidder for Contract 23-001, Sodium Hypochlorite for a One (1)-Year Period being JCI Jones Chemicals, Inc. (“JCI”) of Sarasota, FL in the amount of \$449,218.00; and

WHEREAS, the Authority Attorney has reviewed JCI’s bid and determined it to be non-responsive; and

WHEREAS, Kuehne Chemical Co., Inc. of Kearny, NJ was the second low bidder in the amount of \$457,600.00; and

WHEREAS, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Kuehne Chemical Co., Inc. of Kearny, NJ in the amount of \$457,600.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Chemicals 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, by the Commissioners of the Bayshore Regional Sewerage Authority that Kuehne Chemical Co., Inc. of Kearny, NJ is hereby awarded Contract 23-001 Furnishing & Delivering of Sodium Hypochlorite for a One (1)-Year Period, as part of the 2023 Various Chemicals Contract, in the amount of \$457,600.00 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 Lauro, 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. (7/23): To Award Contract 23-002 Furnishing & Delivering of Caustic Soda for a One (1)-Year Period, to Kuehne Chemical Co., Inc. of Kearny, NJ in the amount of \$50,575.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Caustic Soda in an uninterrupted fashion for daily operations; and

WHEREAS, the Authority has a current Contract for the Furnishing and Delivering of Caustic Soda which expires on February 23, 2023; and

WHEREAS, the Authority advertised for bids for the furnishing and delivery of three (3) required chemicals required for daily operations; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for the 2023 Various Chemicals Contract and two (2) sealed bids were received and publicly opened on January 13, 2023 at 11:00 A.M., with the low bidder for Contract 23-002, Caustic Soda for a One (1)-Year Period being Kuehne Chemical Co., Inc. of Kearny, NJ for a one (1)-year period in the amount of \$50,575.00; and

WHEREAS, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Kuehne Chemical Co., Inc. of Kearny, NJ in the amount of \$50,575.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Chemicals 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 Kuehne Chemical Co., Inc. of Kearny, NJ is hereby awarded Contract 23-002 Furnishing & Delivering of Caustic Soda for a One (1)-Year Period, as part of the 2023 Various Chemicals Contract, in the amount of \$50,575.00 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. (8/23): To Award Contract 23-003 Furnishing & Delivering of Bioxide for a One (1)-Year Period, to Evoqua Water Technologies, LLC of Sarasota, FL in the amount of \$18,720.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Bioxide in an uninterrupted fashion for daily operations; and

WHEREAS, the Authority has a current Contract for the Furnishing and Delivering of Bioxide which expires on February 25, 2023; and

WHEREAS, the Authority advertised for bids for the furnishing and delivery of three (3) required chemicals required for daily operations; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for the 2023 Various Chemicals Contract and one (1) sealed bid was received and publicly opened on January 13, 2023 at 11:00 A.M., with the low bidder for Contract 23-003, Bioxide for a One (1)-Year Period being Evoqua Water Technologies, LLC of Sarasota, FL for a one (1)-year period in the amount of \$18,720.00; and

WHEREAS, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Evoqua Water Technologies, LLC of Sarasota, FL in the amount of \$18,720.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Chemicals 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 Evoqua Water Technologies, LLC of Sarasota, FL is hereby awarded Contract 23-003, Furnishing & Delivering of Bioxide for a One (1)-Year Period, as part of the 2023 Various Chemicals Contract in the amount of \$18,720.00 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 Mioduszewski, 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. (9/23): To Authorize Advertisement for Public Bids for Contract 23-004 Furnishing & Delivering of Polymer

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Polymer in an uninterrupted fashion to supply chemicals for daily operations; and

WHEREAS, the Authority has current Contract with Polydyne, Inc. for the furnishing and delivery of Polymer which expires on March 17, 2023; 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 the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for Contract 23-004 Furnishing & Delivering of Polymer in the Authority Official Newspaper and on the Authority Website.

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

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

ABSENT: Commissioner McMullen

RESOLUTION No. (10/23): To Award Request for Quotation 2023-01 Furnish & Deliver Emergency Force Main Repair Inventory to Raritan Group, Inc. in the amount of \$16,300.04.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains three (3) remote Sanitary Sewer Pumping Stations (PS) with force main pipelines, designated as the Matawan PS, the West Keansburg PS and the Raritan Valley PS; and

WHEREAS, as part of the Condition Assessment & Planning Program of the Authority force mains, R3M Engineering, Inc., the Authority’s Consulting Engineer, prepared a Long-Term Monitoring Program & Emergency Response Plan; and

WHEREAS, the Long-Term Monitoring Program & Emergency Response Plan recommends the Authority maintain an inventory of critical pipeline repair pieces for emergency repairs; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised and on Thursday, January 12, 2023 at 2:00 P.M. received quotes for the Furnish & Deliver Emergency Force Main Repair Inventory; and

WHEREAS, three (3) quotes were received with the low quote being Raritan Group, Inc. of Edison, NJ in the amount of \$16,300.04; and

WHEREAS, the Authority Engineer and Staff have reviewed the quotation and found it to be reasonable and acceptable; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Pump Stations 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 hereby award the Furnish & Deliver Emergency Force Main Repair Inventory to Raritan Group, Inc. of Edison, NJ in accordance with the terms and conditions of the Request for Quotation #2023-01 in the amount not to exceed \$16,300.04.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Raritan Group, Inc. of Edison, NJ.

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner Mioduszewski, 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. (11/23): To Approve a List of Pre-Qualified Engineering Firms for Capital Improvement Projects

WHEREAS, on October 7, 2022, the Bayshore Regional Sewerage Authority (“Authority”) issued an Expression of Interest (“EOI”) to fifteen (15) professional Engineering Firms with the intent of selecting a pre-qualified list of Engineering Firms with qualifications to work on Authority Capital Improvement Projects for a five (5)-year period; and

WHEREAS, On November 18, 2022, the Authority received thirteen (13) responses to the EOI; and

WHEREAS, On January 18, 2023, the Executive Director, Principal Engineer and Authority Board Engineering Sub-Committee (“Authority Engineering Sub-Committee”) reviewed the responses to the EOI and developed the list of pre-qualified Engineering Firms; and

WHEREAS, the Authority Engineering Sub-Committee’s recommendations are summarized in a memorandum (“Award Memorandum”) from the Executive Director to the Board of Commissioners dated January 20, 2023 attached hereto.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority deem it in the best interest of the customers it serves to select the pre-qualified engineering firms listed in the Award Memorandum to assist the Authority in accomplishing the goals of the Authority Capital Improvement Plan for a five (5)-year period.

BE IT FURTHER RESOLVED, this action does not constitute a procurement contract or proposal, however, in the future, the Authority may conduct a Non-Fair and Open Procurement in the form of a professional services contract or may request proposals from one or more of the engineering firms listed in the Award Memorandum for future Capital Improvement work.

OFFERED BY: Commissioner Sutton, 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. (12/23): To Authorize Advertisement for Public Bids on Contract 145, Interceptor Sewer Rehabilitation – Phase 4

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates interceptor sewers in the Borough of Union Beach; and

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

WHEREAS, the Authority has contracted with Jacobs Engineering Group, Inc. to develop Contract 145, Interceptor Sewer Rehabilitation – Phase 4 with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 14/22; 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 145, Interceptor Sewer Rehabilitation – Phase 4 in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Lauro, 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

ADJOURMENT

ANNOUNCEMENT (by Chairman Cavanagh):

The next B.R.S.A. Reorganization/Public Meeting is scheduled for Monday, February 27, 2023, 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 8:30 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

OFFERED BY: Commissioner Lauro, 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

Respectfully submitted,

Chad Sprague / Regulatory Compliance Manager