

REORGANIZATION
& REGULAR MEETING
MONDAY, FEBRUARY 25, 2019

At _____ P.M., Chairman Steiner makes the following announcement:

The Reorganization 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 Newark Star Ledger and 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.

Chairman Steiner 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 Steiner calls for a roll call of attendance:

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Khachaturian _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Steiner _____

Also In Attendance: Mr. Robert C. Fischer, Executive Director
J. Michael Broyles, Superintendent
John Napolitano, General Counsel
Manuel Ponte, P.E., Consulting Engineer
Peter J. Canal, BRSA Engineer
Susan DuBey, Admin. Assistant

MOTIONS FOR REORGANIZATION

Chairman Steiner calls for **MOTIONS** on the following:

MOTION - for the office of **CHAIRMAN**: **Commissioner Whalen**

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

Chairman Whalen calls for **MOTIONS** on the following:

MOTION - for the office of **VICE-CHAIRMAN** – **Commissioner Khachaturian**

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

MOTION - for the office of **TREASURER** – **Commissioner Cavanagh**

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

MOTION - for the office of **ASSIST-TREASURER** – **Commissioner Bart Sutton**

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

MOTION - for the office of **SECRETARY** - **Commissioner McMullen**

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

MOTION - for the office of **ASSIST-SECRETARY** – **Commissioner Charles Steiner**

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

PUBLIC PORTION

ANNOUNCEMENT (by Chairman Whalen): 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 accordingly.

RESOLUTIONS

Resolutions #13 through #28 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine. If discussion is desired by any Board member, that item will be removed and will be considered separately.

1. **RESOLUTION (13/19)**: To Adopt a Non-Fair and Open Policy for Annual Professional Service Contracts
2. **RESOLUTION (14/19)**: To Designating the *Asbury Park Press*, as the Official newspaper and [www. Bayshorersa.com](http://www.Bayshorersa.com) as the BRSA Official Website.
3. **RESOLUTION (15/19)**: Re-adopt a Cash Management Plan as set forth pursuant to provisions of NJSA 40A: 5-14.
4. **RESOLUTION (16/19)**: Designating TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the B.R.S.A.
5. **RESOLUTION (17/19)**: Designating Mr. Robert C. Fischer, Executive Director of the BRSA as the Authorized Representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth; and various offices and agencies of the U.S. Federal Government.
6. **RESOLUTION (18/19)**: Re-Adopt Procedures to be followed in the Payment of Invoices.
7. **RESOLUTION (19/19)**: Re-Adopt Procedures to be followed in the Purchase of Equipment, Supplies and Services.
8. **RESOLUTION (20/19)**: Re-Adopt the Schedule of Financial Reports.
9. **RESOLUTION (21/19)**: Adopting and Specifying the Annual Notice of Scheduled Meetings for 2019/2020 of the BRSA.
10. **RESOLUTION (22/19)**: To Re-Adopt TD Banks Resolution Payroll Account
11. **RESOLUTION (23/19)**: To Re-Adopt TD Banks Resolutions Incoming Revenue, Operating, Reserve, Rent Reserve, Bond Service Account and NJEIT Accounts.
12. **RESOLUTION (24/19)**: To Adopt Lakeland Bank Resolution Reserve Account

13. RESOLUTION (25/19): To Re-Adopt Authority Indemnification Resolution.

14. RESOLUTION (26/19): To Designate Robert C. Fischer as the Public Agency Compliance Officer for the State of NJ EEO Monitoring Program.

15. RESOLUTION (27/19): To Authorize Petty Cash Fund

16. RESOLUTION (28/19): To designate Carolann Weisel as the Authority Qualified Purchasing Agent

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

17. RESOLUTION (29/19): To Appoint a Labor/Employment Attorney – Weiner Law Group

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

18. RESOLUTION (30/19): To Appoint Auditor and Accountant Services to the Authority Bart & Bart, CPA.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

19. RESOLUTION (31/19): To Accept the Proposal from ARCADIS US for continuing service as Authority's FEMA Consultant

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

20. RESOLUTION (32/19): To Appoint a Bond Counsel to the Authority Gibbons P.C..

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

21. RESOLUTION (33/19): To Appoint a General Consulting Engineer to the Authority – R3M Engineering

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

22. RESOLUTION (34/19): To Appoint a Risk Management Consultant to the Authority – Connor, Strong & Buckelew.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

23. RESOLUTION (35/19): To Appoint a Consulting Instrumentation and Control Engineer to the Authority – Morehouse Engineering

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

24. RESOLUTION (36/19): To Appoint an Incinerator Consulting Engineer to the Authority – Chavond Barry Engineering.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

25. RESOLUTION (37/19): To Appoint a Financial Advisor to the Authority. – Acacia Financial Group

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

26. RESOLUTION (38/19): to Appoint a General Counsel to the Authority - Cleary, Giacobbe, Alfieri & Jacobs, LLC.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

27. RESOLUTION (39/19): To Appoint a Conflict Attorney, Manna and Bonello of Long Branch, NJ

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

SUB-COMMITTEE APPOINTMENTS

Chairman Whalen calls for a review of the recommended Sub-Committee Appointments offered and requested a **MOTION** of acceptance:

COMMITTEE APPOINTMENTS are offered by the Chairman who may preside over any Sub-Committee Meeting with adequate public notice.

2019 Committee Appointments

FINANCE COMMITTEE: Chair Commissioner McMullen
Commissioner Steiner
Commissioner Whalen

LEGAL COMMITTEE: Chair Commissioner Steiner
Commissioner Khachaturian
Commissioner Whalen

ENGINEERING COMMITTEE: Chair Commissioner Khachaturian
Commissioner Cavanagh
Commissioner Sutton

PERSONNEL COMMITTEE: Chair Commissioner Cavanagh
Commissioner McMullen
Commissioner Sutton

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

Chairman Whalen calls for a **MOTION** – to Close the Reorganization Meeting of February 25, 2019 at _____ P.M. and Open the Regular Meeting of February 25, 2019.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

REGULAR MEETING

Reports

1. Executive Directors Report, BRSA Projects, Special Reports & Connection Applications

- Disaster Recovery Update
- Rent Reserve Balance – Keansburg
- Destruction of Records – State Records Committee

2. Staff Engineer Report

- Modification of Standby Primary Heat Exchanger
- 2019 Stack Test

3. Consulting Engineer – R3M

- 1st Quarter Flow Report

4. Superintendent’s Report

- Plant Performance

5. Legal Report - Closed Session

- Personnel

6. TREASURER'S REPORT

Chairman Whalen calls for a **MOTION** to approve the Treasurer's Report

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

7. PAYMENT OF REQUISITIONS

Chairman Whalen calls for a **MOTION** to approve payment of bills listed on:

Operating Fund Req. No. 570 (Regular)	\$685,192.09
Payroll Account Req. No.P218 (Payroll)	\$257,036.28
NJEIT Project Fund #1 Req.#PF- 39	\$ 2,290.40
NJEIT Project Fund #2 Req.#PF-30	\$234,787.43
Wire Transfer FEMA Phase II-NJIB WT#6	\$131,569.95

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

8. APPROVAL OF MINUTES

Chairman Whalen calls for a **MOTION** to approve the following Minutes:

Closed Session Minutes of January 21, 2019
Agenda Meeting Minutes of January 21, 2019

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

RESOLUTIONS

28. RESOLUTION (40/19): To Accept the First Three (3) Month Flow Report for 2018/2019

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

29. RESOLUTION (41/19): To Award the Request for Quotation 2019-02 for Annual Preventative Maintenance, Calibration & Repair of Instrumentation Equipment for a One Year Period to ABB, Inc.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

30. RESOLUTION (42/19): To Award Contract for the Modifications of the PHE to Chavond Barry for the Not-to-Exceed Amount of \$32,000

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

31. RESOLUTION (43/19): To Return Excess Rent Reserve Funds to the Borough of Keansburg

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavvnagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

32. RESOLUTION (44/19): To Authorize Destruction of Records in Accordance with State Records Committee and Procure Records Disposal Services

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

33. RESOLUTION (45/19): To Award Contract to Perform Annual Stack Test of NIRO Incinerator to Chavond-Barry Engineering Corp., at a cost not to exceed \$67,300

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

34. ~~RESOLUTION (46/19): To approve Amendment for Sanitary Sewer Connection and Treatment Works Approval Application for Emlenrich, LLC, Developer for Matawan Town Center~~

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

PUBLIC PORTION

Chairman Whalen announces: This 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 3 minutes.

EXECUTIVE SESSION

Chairman Whalen calls for a **MOTION** to go into Closed Session at _____ 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 _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

END CLOSED SESSION

Chairman Whalen calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ _____ P.M.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

35. RESOLUTION (47/19): To Grant Josette Hutcheson Regular Employment Status Effective February 5, 2019

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

36. RESOLUTION (48/19): To Approve the Payment of Accrued Days Owed to James Cotugno at Termination of Employment

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____

ADJOURNMENT

ANNOUNCEMENT (by Chairman Whalen):

The next Regular Meeting of the B.R.S.A. is scheduled for Monday, March 19, 2019, 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 _____ P.M., Chairman Whalen calls for a **MOTION** to Adjourn the meeting.

OFFERED BY: Commissioner _____ **SECONDED BY:** Commissioner _____

ROLL CALL: Commissioner Cavanagh _____ Commissioner Steiner _____
Commissioner Khachaturian _____ Commissioner Sutton _____
Commissioner McMullen _____ Chairman Whalen _____