



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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

REORGANIZATION & REGULAR MEETING MONDAY, FEBRUARY 26, 2024

At _____ P.M., Chairwoman McMullen 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 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.

Join Zoom Meeting:

<https://us02web.zoom.us/j/88944344251>

Meeting ID: 889 4434 4251

Passcode: 187423

One tap mobile

+16468769923,,88944344251#,,,,*187423# US (New York)

+12678310333,,88944344251#,,,,*187423# US (Philadelphia)

Dial by your location

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+1 646 518 9805 US (New York)

Find your local number: <https://us02web.zoom.us/j/88944344251>

Please be advised that the Zoom link, Meeting ID and Passcode for each meeting are the same.

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.

Committed to a Clean Environment for Today, Tomorrow and Generations to Come

BRS A staff, November 2006

Chairwoman McMullen 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.

Chairwoman McMullen calls for a roll call of attendance (via Zoom):

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

Also In Attendance: Mr. Peter Canal, Executive Director
Via Zoom J. Michael Broyles, Director of Operations
Thomas Petti, P.E., Principal Engineer
John Napolitano, General Counsel
Manuel Ponte, P.E., Consulting Engineer
Carlos Nunez, IT
Roy Anderson, Superintendent
Chad Sprague, Superintendent
Raquel Dunn, Administrative Assistant/HR Representative
Joseph Mele, P.E., MidAtlantic Engineering Partners
Greg Votta, Sackman Enterprises
Walter Hopkin, P.E., WJH Engineering

MOTIONS FOR REORGANIZATION

Chairwoman McMullen calls for **MOTIONS** on the following:

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

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

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

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

MOTION - for the office of **TREASURER**: **Commissioner Lauro**

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

MOTION - for the office of **ASSIST-TREASURER**: **Commissioner McMullen**

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

MOTION - for the office of **SECRETARY**: **Commissioner Cavanagh**

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

MOTION - for the office of **ASSIST-SECRETARY**: **Commissioner Mioduszewski**

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Sutton _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner Mioduszewski _____ Chairwoman McMullen _____

PUBLIC PORTION

ANNOUNCEMENT (by Chairman Sutton): 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.

RESOLUTIONS

Resolutions # 16 through # 31 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 (16/24)**: To Adopt a Non-Fair and Open Policy for Annual Professional Service Contracts
2. **RESOLUTION (17/24)**: 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 (18/24)**: Re-adopt a Cash Management Plan as set forth pursuant to provisions of NJSA 40A: 5-14
4. **RESOLUTION (19/24)**: Designating TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the B.R.S.A.
5. **RESOLUTION (20/24)**: Designating Mr. Peter Canal, 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 (21/24)**: Re-Adopt Procedures to be followed in the Payment of Invoices
7. **RESOLUTION (22/24)**: Re-Adopt Procedures to be followed in the Purchase of Equipment, Supplies and Services
8. **RESOLUTION (23/24)**: Re-Adopt the Schedule of Financial Reports
9. **RESOLUTION (24/24)**: Adopting and Specifying the Annual Notice of Scheduled Meetings for 2023/2024 of the BRSA
10. **RESOLUTION (25/24)**: To Re-Adopt TD Banks Resolution Payroll Account
11. **RESOLUTION (26/24)**: To Re-Adopt TD Banks Resolutions Incoming Revenue, Operating, Reserve, Rent Reserve, Bond Service Account and NJEIT/I-Bank Accounts
12. **RESOLUTION (27/24)**: To Adopt Lakeland Bank Resolution Reserve Account
13. **RESOLUTION (28/24)**: To Re-Adopt Authority Indemnification Resolution
14. **RESOLUTION (29/24)**: To Designate Peter Canal as the Public Agency Compliance Officer for the State of NJ EEO Monitoring Program
15. **RESOLUTION (30/24)**: To Authorize Petty Cash Fund

16. RESOLUTION (31/24): To designate Carolann Weisel as the Authority Qualified Purchasing Agent

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

17. RESOLUTION (32/24): To Appoint a Labor/ Special Counsel – Weiner Law Group

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

18. RESOLUTION (33/24): To Appoint Auditor and Accountant Services to the Authority - Bart & Bart, CPA.

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

19. RESOLUTION (34/24): 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 Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

20. RESOLUTION (35/24): To Appoint a Bond Counsel to the Authority - Gibbons P.C.

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

21. RESOLUTION (36/24): To Appoint a General Consulting Engineer to the Authority – R3M Engineering

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

22. RESOLUTION (37/24): To Appoint a Risk Management Consultant to the Authority – Connor, Strong & Buckelew

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

23. RESOLUTION (38/24): To Appoint a Consulting Instrumentation and Control Engineer to the Authority – Morehouse Engineering

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

24. RESOLUTION (39/24): To Appoint an Incinerator Consulting Engineer to the Authority – Chavond Barry Engineering.

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

25. RESOLUTION (40/24): To Appoint a Financial Advisor to the Authority – Acacia Financial Group

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

26. **RESOLUTION (41/24):** to Appoint a General Counsel to the Authority - Cleary, Giacobbe, Alfieri & Jacobs, LLC.

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

27. **RESOLUTION (42/24):** To Appoint an Air Quality Consultant to the Authority – All 4, LLC

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

SUB-COMMITTEE APPOINTMENTS

Chairman Sutton 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.

2024 Committee Appointments

FINANCE COMMITTEE: Chair Commissioner McMullen
Commissioner Lauro
Commissioner Whalen

LEGAL COMMITTEE: Chair Commissioner Sutton
Commissioner Cavanagh
Commissioner Mioduszewski

ENGINEERING COMMITTEE: Chair Commissioner Cavanagh
Commissioner Lauro
Commissioner Mioduszewski

PERSONNEL COMMITTEE: Chair Commissioner Whalen
Commissioner McMullen
Commissioner Sutton

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

Chairman Sutton calls for a **MOTION** – to Close the Reorganization Meeting of February 26, 2024 at ____ P.M. and Open the Regular Meeting of February 26, 2024.

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

PRESENTATIONS

- Presentation from Joseph Mele, P.E., MidAtlantic Engineering Partners for 19 Carr Avenue Project
- Presentation from Walter Hopkin, P.E., WJH Engineering for Hudson Pointe Project

REGULAR MEETING

Reports

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

- Administrative Update
- Disaster Recovery Update
- NJCCIC Cybersecurity Award
- MEL Banking Best Practices Policy
- AEA Individual and GIS Wave Awards

2. Staff Engineers Report

- Award Annual Polymer Contract 24-004
- Award Two-Year Preventative Maintenance, Calibration & Repair Contract 24-005
- Approve Sewer Connection and TWA Application for 19 Carr Avenue
- Approve Sewer Connection, TWA and Developer Agreement for Hudson Pointe and Keyport Projects
- Project Updates

3. Consulting Engineer – R3M

- Project Updates
- Final Quarter (2023/2024) Sewage Flow Report

4. Director of Operations Report

- Plant Performance

5. Legal/Personnel Report – Executive Session

6. TREASURER'S REPORT

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

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

7. PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 630 (Regular)	\$1,483,228.56
Payroll Account Req. No. P278 (Payroll)	\$294,012.64
NJIB Project Fund #III Req.#PF-42	\$42,547.97

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

8. APPROVAL OF MINUTES

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

Agenda Meeting Minutes of January 22, 2024

Closed Session Minutes of January 22, 2024

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

RESOLUTIONS

28. RESOLUTION (43/24): To Accept NJCCIC AEP Solution Award

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

29. RESOLUTION (44/24): To Accept R3M's 2023/2024 First Quarter Flow Report

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

30. RESOLUTION (45/24): To Award Contract 24-005 Preventative Maintenance, Calibrations & Repair of Instrumentation Equipment for a Two (2)-Year Period, to Miller Energy, Inc. of South Plainfield, NJ in the amount of \$63,526.70

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

30. RESOLUTION (46/24): To Award Contract 24-004 Furnishing & Delivering of Liquid Polymer for a One (1)-Year Period, to Polydyne, Inc. of Riceboro, GA in the amount of \$102,500.00

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

31. RESOLUTION (47/24): To Approve Sanitary Sewer Connection and Treatment Works Approval Application to 19 Carr Avenue Urban Renewal, LLC, Developer of Matawan Junction

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

32. RESOLUTION (48/24): To Approve Hudson Pointe at Keyport, LLC for a Developer Agreement for the Hudson Pointe at Keyport Project

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

33. RESOLUTION (49/24): To Approve Sanitary Sewer Connection and Treatment Works Approval Application to Hudson Pointe at Keyport, LLC, Developer of Hudson Pointe at Keyport

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

40. RESOLUTION (/24): (If Needed)

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

PUBLIC PORTION – VIA ZOOM

Chairman Sutton 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 5 minutes.

EXECUTIVE SESSION

Chairman Sutton 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 Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

END CLOSED SESSION

Chairman Sutton 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 Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

1. RESOLUTION NO. (50/24): Recognition of Roy Anderson Retirement

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

2. RESOLUTION (51/24): To Approve Roy Anderson Time Owed

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____

ADJOURMENT

ANNOUNCEMENT (by Chairman Sutton):

The next B.R.S.A. Regular Meeting is scheduled for Monday, March 18, 2024, at 7:00 P.M. All meetings take place virtually on Zoom in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At _____ P.M., Chairman Sutton calls for a **MOTION** to Adjourn the meeting.

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

ROLL CALL: Commissioner Cavanagh _____ Commissioner Mioduszewski _____
Commissioner Lauro _____ Commissioner Whalen _____
Commissioner McMullen _____ Chairman Sutton _____