



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

Minutes of the Bayshore Regional Sewerage Authority Agenda Meeting July 11th, 2011

At 7:00 P.M. on July 11th, 2011 Chairman Pisano called the Agenda Meeting of the Bayshore Regional Sewerage Authority to order and made the following announcement: "I hereby announce pursuant to Section 5 of the Open Public Meetings Act, that adequate notice of this Meeting has been sent to the Asbury Park Press and the Newark Star Ledger. Notice has also been sent to the Clerks of the Aberdeen, Hazlet, Holmdel, Keyport, Matawan, Keansburg, Union Beach and Marlboro, and the W.M.U.A. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building". The Chairman requested a **PLEDGE OF ALLEGIANCE** to the Flag and a Moment of Silence for the Troops serving our Country around the World. The Chairman then asked for an attendance roll call recorded as follows:

Present: Commissioners Cohen, Colligas, DiNardo, Wells and Chairman Pisano
Absent: Commissioner Parsells

Also in Attendance: Robert C. Fischer, Executive Director'
J. Michael Broyles, Plant Superintendent
Kimberly Newins, Adm. Asst., Recording Secretary
Louis E. Granata, Esq., General Counsel
Manuel Ponte, P.E., Consulting Engineer

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Mr. Fischer reported on the Water Pollution Control Plant (WCPC) Improvements and the Wind-to-Energy (WTE) Projects. Mr. Fischer said the Auditing Consultant for the Federal Government from "Tetrattech" was in on June 14th, 2011 to conduct an audit of the Projects to ensure compliance with the ARRA Act requirements, specifically the Buy American and the Bacon-Davis Act. A tour was conducted and the auditor also met with all the professionals and contractors involved in all projects. Mr. Fischer complimented Mr. Canal for coordinating the attendance of all of the professionals and contractors involved in the projects and the Auditor was complimentary and appreciative of the ease with which the audit took place because everything necessary was available to him for review. Mr. Fischer asked Mr. Canal to convey the Auditor's comments to the Board. Mr. Canal reported the Auditor found no deficiencies and thanked the Authority for making the process go so smoothly.

Mr. Canal was asked to provide his Engineer's report. He said Mr. Ponte would be reporting on the Change Order requested by D&D Utilities on the WPCP Project during his report.

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BRS&A staff, November 2006

On other matters, Mr. Canal reported the Dorr Oliver Repair Projects were going well and should be completed later this month.

Mr. Canal said the BRSA Final NJPDES Permit requires the Authority to establish a change to the method by which it conducts effluent sampling. The DEP is requiring the Authority to continuously sample effluent flows from both treatment trains outfalls at a single location. The outfall junction chamber is located in the wetlands and there is no electrical power or piping out into that area. A professional planner; Planning Progress, LLC, submitted a proposal to assist the Authority with the application process for wetlands access. Mr. Canal said he has reviewed the proposal and finds it acceptable. He said a Resolution for the Board's consideration will be placed on the agenda for the next Regular Meeting. Mr. Fischer spoke about a request he has sent to the Monmouth County Bayshore Outfall Authority's Licensed Operator to request permission to locate a sampler at their Outfall Authority until the BRSA junction chamber in the wetlands is approved and updated for use. A discussion ensued and it was agreed a second letter request should be mailed to the MCBOA Commissioners.

Chairman Pisano thanked Mr. Canal for his update and asked Mr. Ponte for his Consulting Engineer's Report. Mr. Ponte said the Water Pollution Control Plant Improvements were essentially complete save for a few minor punch list items and the Stack Test. He said the protocol for the Stack Test for the new Odor Control Unit has been submitted to the NJDEP and once approved by the Department, can be scheduled to take place. He presented a Change Order request from the WPCP Improvement Contractor, D&D Utilities. The Change Order request encompasses a time extension request until October 31, 2011 to allow for the Stack Test to take place, provides a credit of \$8,000 off the total contract price because the Contractor found an acceptable high density linear polyethylene tank at a lesser price and a contract price increase of \$938.25 for removal and replacement of steel safety plates in Concentration Tank #3 that was not part of the original scope of work. He said the net adjustment in the contract price associated with the Change Order would be a savings of \$7,061.75 overall. He recommended the Board consider approving the Change Order (No. 56-01) at the next Regular Meeting of the Authority. The Board agreed to consider a Resolution on July 18th, 2011.

Mr. Ponte then discussed the 2010 Annual Inspection Report with the Board members and answered any questions they may have had regarding the recommendations contained therein. Most items of note are already included in the five-year Capital Improvement Budget of the Authority. Mr. Canal said a Resolution to accept the 2010 Inspection Report would be prepared by the Authority and placed on the agenda of the next Regular Meeting for the Board's consideration.

The Chairman asked Mr. Broyles to review his Superintendent's Report. Commissioner Cohen congratulated Mr. Broyles for meeting all parameters of the NJPDES Permit. Mr. Broyles thanked Commissioner Cohen once again for his praise. He noted flows were low at 6.942 on average for the month of June. Mr. Broyles said oil usage for sludge incineration was also low at 16 gallons of oil used per ton of sludge processed; indicating optimum operations under the current conditions.

Mr. Broyles and the Board members discussed three separate odor complaints (June 13th, 15th and 29th, 2011) from the plant's neighbor Mr. Lauro on Ninth Street. He said on the 15th, a Monmouth County Health Department Official arrived at the plant in response to a complaint they had received.

Mr. Broyles said the Inspector inspected the entire operations, did not issue a violation; and indicated on a scale of one to five, five being the worst; he would categorize the BRSA as a "less than one."

Mr. Broyles said new Plexiglas covers have been placed over all exhaust vents on the concentration tanks and this seems to be having a positive effect on stopping odors from escaping when the winds are at high speeds and their direction moves towards the front of the plant and surrounding neighborhood. He said he and his staff continue to strive for odor free conditions as much as possible.

Mr. Broyles said on June 28th, 2011, Thomas Sweeney, and Inspector from the NJDEP Central Bureau of Regional Enforcement visited the treatment plant for a pre-4th of July inspection. He was very pleased with the quality of the effluent and did not indicate any issues of concern.

Mr. Broyles spoke about the BRSA Industrial Pretreatment Program with the Board and noted Cosmetic Essence Incorporated in Holmdel continues to have problems with their Discharge Monitoring Reports and compliance. He said mandatory violations will be imposed as a result of these deficiencies and the Authority will continue to work with CEI to assist them in resolving their problems with compliance.

The Chairman thanked Mr. Broyles for his report and moved to the Executive Director. Mr. Fischer spoke about the initial discussions held with the founding municipalities and customer towns regarding the renewal of service agreements and a subsequent presentation he made at a Bayshore Council of Mayors meeting hosted by Holmdel Township. He spoke at length about the content of his presentation. He said it went very well and presented a unique opportunity to speak collectively to the Mayors about billing methods and budgeting certainty going forward. A draft service renewal agreement will be completed in July and submitted to all municipalities and utility authorities for comment. Mr. Fischer said he would like to meet with the Legal Sub-Committee of the Board once those comments have been received and hopes a final service agreements will be in place no later than November of 2011.

Chairman Pisano thanked Mr. Fischer for his report and asked Mr. Granata for an Attorney's update. Mr. Granata presented a letter he received from Pierro's Restaurant's attorney regarding a payment plan for violations imposed upon the establishment. The Board discussed the matter and recommended Mr. Granata contact the attorney for the Borough of Union Beach to ensure all outstanding obligations to the Borough are also satisfied. They agreed the payment plan was acceptable; but to inform the violator that interest will be assessed until the penalty is completely satisfied. Mr. Granata said he would inform the relevant parties accordingly.

Chairman Pisano thanked Mr. Granata for his report and opened the meeting to the public for any comment they might have. (Retired) Captain Charles Hoffman of Hazlet, NJ was present and asked how the Authority financed its operation. Mr. Fischer explained that service charges to customer towns are calculated based upon the costs for operation of the wastewater treatment facilities and collection system, along with any debt service obligations of the Authority, and assessed at a cost per million gallons of flow. Mr. Fischer went further to explain the difference between fixed costs and variable costs.

At 8:20 P.M. the Chairman called for a **MOTION** to enter Closed Session discussions 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 was taken to discuss matters of pending litigation and personnel. 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.

This **MOTION** was **OFFERED BY** Commissioner Cohen and **SECONDED BY** Commissioner Colligas and carried unanimously by voice vote recorded as follows:

Ayes - Commissioners Cohen, Colligas, DiNardo, Wells and Chairman Pisano
(Closed Session Minutes are recorded separately.)

At 9:15 P.M., a **MOTION** to end Closed Session was **OFFERED BY** Commissioner DiNardo and **SECONDED BY** Commissioner Wells and carried unanimously by voice vote recorded as follows:

Ayes - Commissioners Cohen, Colligas, DiNardo, Wells and Chairman Pisano

The Chairman informed the Recording Secretary that by consensus of the Board members present, Resolution No. 62/11: To accept the recommendations of the Personnel Committee, was to be tabled until the Regular Meeting of the Authority on July 18th, 2011.

With no further discussion before the Board, Chairman Pisano made the following announcement: **A Public Hearing on the 2011 Connection Fee** will be held on **Monday, July 18th, 2011 at 7:00 P.M.**, the next **Regular Meeting** of the BRSA will take place immediately thereafter. All Meetings take place in the Administration Building located at 100 Oak Street, Union Beach, NJ 07735.

The Chairman then called for a **MOTION** to adjourn:

This was **OFFERED BY** Commissioner Cohen and **SECONDED BY** Commissioner DiNardo and carried by unanimous voice vote.

Ayes - Commissioners Cohen, Colligas, DiNardo, Wells and Chairman Pisano

Respectfully submitted,

Kimberly A. Newins
Recording Secretary to the Board