

**BAYSHORE REGIONAL SEWERAGE AUTHORITY**  
**Regular Meeting Minutes**  
**of May 16<sup>th</sup>, 2011**

At 7:05 P.M., Chairman Pisano called the Regular Meeting of the Bayshore Regional Sewerage Authority to order and made the following announcement:

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 Pisano then called for a **Pledge of Allegiance to our Flag** and a **Moment of Silence** for the safety of US Troops serving all over the world.

Chairman Pisano requested a roll call recorded as follows:

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

Also In Attendance: Mr. Robert C. Fischer, Executive Director  
Kimberly Newins, Admin. Assistant (Recording Secretary to the Board)

The Chairman then called for **MOTIONS** on the following:

**APPROVAL OF MINUTES** –Regular Meeting Minutes of April 18<sup>th</sup>, 2011

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

**TREASURER'S REPORT** (by Commissioner Parsells for April, 2011)

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

## STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

<b>TD BANK</b>	<b>Balance</b>
<b>TRUSTEE ACCOUNTS</b>	<b>4-30-11</b>
<b><u>UNRESTRICTED</u></b>	
Revenue Fund	804,333.78
General Fund	<u>3,504,091.41</u>
Total Unrestricted	4,308,425.19
<b><u>RESTRICTED</u></b>	
<b>Bond Service Fund</b>	
1985 Bond Service Fund	817.16
2002 Bond Service Fund	<u>3,350,805.00</u>
<b>Total Bond Service Funds</b>	<b>3,351,622.16</b>
<b>Bond Reserve Funds</b>	
1985 Bond Reserve Fund	<u>7,342,275.26</u>
<b>Total Bond Reserve Funds</b>	<b><u>7,342,275.26</u></b>
<b><u>2010 NJEIT BONDS</u></b>	
Revenue	0.00
Construction	1,106,381.26
Bond Service	<u>0.00</u>
<b>TOTAL NJEIT</b>	<b>1,106,381.31</b>
<b>TOTAL TRUSTEE ACCOUNTS</b>	<b>16,108,703.92</b>
<b><u>AUTHORITY ACCOUNTS</u></b>	
Incoming Revenue Account	1,191,486.79
Operating Regular Account	62,618.89
Operating Payroll Account	<u>137,307.57</u>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b><u>1,391,413.25</u></b>
<b>TOTAL</b>	<b>17,500,117.17</b>

**SCHEDULE OF ACCOUNTS RECEIVABLE**

<b>SERVICE CHARGES:</b>	<b>Balances as of <u>April 30<sup>th</sup>, 2011</u></b>	
Hazlet Township Sewer 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	\$	<u>0.00</u>
<b>TOTAL</b>	\$	0.00
<b>OUTFALL AUTHORITY CHARGES</b>		
Hazlet Township Sewer 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	\$	<u>0.00</u>
<b>TOTAL</b>	\$	0.00
<b>Balance of Rent Reserve Accounts as of April 30<sup>th</sup>, 2011</b>		
Hazlet Township Sewer Utility	\$	1,875,360.69
Township of Holmdel	\$	705,285.37
Borough of Union Beach	\$	469,880.46
Borough of Keyport	\$	805,553.30
Borough of Keansburg	\$	750,272.02
Borough of Matawan	\$	819,969.88
Western Monmouth Utilities Authority	\$	180,194.09
Township of Aberdeen	\$	<u>832,643.06</u>
<b>TOTAL</b>	\$	6,439,158.87

Detail of the Trustee accounts, receipts and disbursements, including investment activity, are on file in the Administrative Office of the Bayshore Regional Sewerage Authority.

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Chairman Pisano then opened the meeting to the public for comments or questions related to Agenda items. He reminded the public only questions or comments specific to the scope of the Agenda items are to be addressed at this time.

Mr. Bill Shewan of Hazlet, NJ has questions answered regarding the Treasurer's Report and the Hazlet Sewer Utility's Rent Reserve. Mr. Shewan wanted to know why Hazlet's Rent Reserve is larger in comparison to other municipalities. Mr. Fischer explained that the Rent Reserve is based upon an obligation equal to two (2) Quarters of the annual charge due from each municipality; therefore the Rent Reserve is proportional to the Sewer Charge.

**1. RESOLUTION (52/11) To award a two-year extension to Aqua-Pro Tech Laboratories for Various Laboratory Analyses in accordance with Public Contracts Law.**

**WHEREAS**, in accordance with Local Public Contracts Law, Bayshore Regional Sewerage Authority had advertised and received quotes at 10:30 A.M. on Wednesday, July 15, 2009 for providing Various Laboratory Analyses for a two-year period, and

**WHEREAS**, the lowest responsible bidder was from Aqua Pro of Fairfield, NJ who submitted a total bid price of \$25,554.00 with an option to extend the existing contract for one, additional two-year period, and

**WHEREAS**, Aqua Pro of Fairfield, NJ, was awarded the contract by way of Resolution 47/09; and

**WHEREAS**, the BRSA has requested and Aqua-Pro has agreed to the option of a two year extension of the existing contract for an extension price of \$25,554.00 plus a 2.5% increase which is allowable and in compliance with Local Public Contracts Law; and

**WHEREAS**, the Authority finds the current services are being performed in an effective and efficient manner and the terms and conditions of the current contract remain essentially the same; and

**WHEREAS**, this contract cannot be extended again; and

**WHEREAS**, the Authority's Staff Engineer, Purchasing Agent and Attorney have reviewed the extension documents and recommend award to Aqua Pro of Fairfield, NJ for a total price of \$26,192.85; and

**WHEREAS**, the funds are available and budgeted for this purpose; and

**NOW THEREFORE BE IT RESOLVED** that Aqua Pro is hereby awarded a two-year extension of the existing contract for furnishing Various Laboratory Analyses, in accordance with the terms and conditions of the original contract and the extension documents.

**BE IT FURTHER RESOLVED** the Treasurer and Executive Director are hereby authorized to execute the Purchase documents.

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

**2. RESOLUTION (53/11) To award a two-year contract extension to Foley Generator, Inc. for annual Generator Inspections and Service in accordance with Public Contracts Law.**

**WHEREAS**, in accordance with Local Public Contract Law, at 2:00 P.M. on Thursday, June 4, 2009, the Bayshore Regional Sewerage Authority received quotes for Annual Generator Testing and Maintenance to maintain the Authority's six (6) Emergency Generators;

**WHEREAS**, the lowest responsible quote was from Foley Generator Incorporated of Piscataway, NJ who submitted a price of \$22,728.87 for a two year period; and

**WHEREAS**, Foley Generator Incorporated was awarded the contract by way of Resolution 65/09; and

**WHEREAS**, the original Contract provides by mutual agreement, and Local Public Contracts Law, a one-time contract extension for a maximum of 2 years; and

**WHEREAS**, the BRSA has requested and Foley Generator, Inc. has agreed to a one-time, two year extension of the existing contract at the current price of \$22,728.87 which is allowable and in compliance with Local Public Contracts Law; and

**WHEREAS**, the Authority finds the current services are being performed in an effective and efficient manner and the terms and conditions of the current contract remain essentially the same; and

**WHEREAS**, this contract cannot be extended again; and

**WHEREAS**, the Authority's Staff Engineer, Purchasing Agent and Attorney have reviewed the extension documents and recommend award to Foley Generator, Inc. for a total extension price of \$22,728.87; and

**WHEREAS**, the funds are available for this purpose; and

**BE IT FURTHER RESOLVED** that the Secretary and Executive Director of the Authority are hereby authorized to execute said contract documents.

**NOW THEREFORE BE IT RESOLVED** that Foley Generator, Inc is hereby awarded a one-time, two-year extension of the existing contract for Annual Generator Testing and Maintenance in accordance with the terms and conditions of the original contract and the extension documents.

**BE IT FURTHER RESOLVED** the Treasurer and Executive Director are hereby authorized to execute the Purchase documents.

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

**3. RESOLUTION (54/11) To grant permanent status to Steven Spano, having satisfied his required probationary period in the position of Custodian.**

**WHEREAS**, Steven Spano was hired as a probationary employee in the job title of Custodian on January 3, 2011; and

**WHEREAS**, the probationary period expired on April 2, 2011, and

**WHEREAS**, the Superintendent and Maintenance Superintendent have reviewed Mr. Spano's work performance and has recommended that Mr. Spano be granted Regular Status effective April 2, 2011

**NOW THEREFORE BE IT RESOLVED** that Steven Spano is hereby granted Regular Status as an employee of the Bayshore Regional Sewerage Authority, and is further granted the rights and privileges, and responsibilities of the position.

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

**4. RESOLUTION (55/11) To endorse the Safety Incentive Program rewards system for 2010/2011.**

**WHEREAS**, the Bayshore Regional Sewerage Authority has initiated a Safety Incentive Program as part of their ongoing efforts to establish a safe workplace; and

**WHEREAS**, a Safety Incentive Program has been established for members of the Operating, Maintenance, Laboratory and Administrative Staff; and

**WHEREAS**, the Safety Incentive Program makes available to all members of the Authority Staff who choose to participate, a Personal Day off if they achieve a proven level of commitment to their own safety, the safety of others and the enhancement of safety practices at the Authority facilities; and have demonstrated through active, continuous involvement, a desire to maintain the Authority as an accident-free workplace; and

**WHEREAS**, each year by April 1, the Safety Committee evaluates all points awarded during the prior and establishes the list of members eligible for award; and

**WHEREAS**, the Safety Committee Chairman has presented such a list to the Executive Director for the year April 1, 2010 to March 31, 2011 which shows seven (7) members of the Staff are eligible; and

**WHEREAS**, the Executive Director has reviewed the list and recommends the Board adopt a Resolution providing award to all those who have successfully demonstrated their commitment to their own safety, the safety of others and the enhancement of safety practices at the Authority facilities

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority hereby endorses the Safety Incentive Program for the year April 1, 2010 to March 31, 2011 and congratulates and encourages all employees to continue to practice safety consciousness.

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

**MOTION** - to approve payment of bills listed on:

Operating Fund Req. No.465 (Regular)	\$ 255,167.05
Payroll Account Req. No. P 117	\$ 156,574.77
Construction Requisition #12	\$ 166,430.34

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

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

Chairman Pisano then opened the meeting to the public to discuss any BRSA matters the public might care to address.

(Retired) Captain Charles Hoffman of Hazlet asked the Authority to explain why he and his housekeeper could not understand her sewer bill from Keansburg. The Chairman explained again that the BRSA does not bill individual homeowners - it bills the municipalities. Mr. Hoffman said he believes the Authority hired a consultant to deceive the NJDEP and accused that consultant of fraud. The accusation was refuted by the Executive Director and Board members with facts Mr. Hoffman had misinterpreted.

Mr. Jim Walsh, Keansburg, NJ, State Director of Food and Water Watch, New Brunswick, NJ and Co-Chair of the Bayshore Watershed Council took the floor. Mr. Walsh presented copies of a report from Food and Water Watch on Fracking Water from Shale Gas drilling. He explained his Groups' effort to ban Shale Gas drilling in New Jersey and prevent any byproduct waste from out-of-state drilling to enter New Jersey or its waters. He had a Resolution prepared and asked the Board to consider adopting it. A discussion took place about the issue. Mr. Fischer explained that the BRSA is a Delegated Local Agency for the NJDEP and has the authority to issue Industrial Pretreatment Permits and to restrict wastewater that does not comply with the Authority's and/or the

NJDEP's restrictions and established standards. The Authority does not accept outside wastewater in any manner other than through its infrastructure. Mr. Fischer asked Mr. Walsh to provide him with any information he might have on wastewater treatment facilities that actually do accept fracking water. The discussion ended with Mr. Walsh offering to provide any additional information he had on the matter. There was not a full Board present at this evening's meeting. Mr. Walsh was advised his information would be shared with the absent Board members and the impact of shale drilling would be researched by the Authority. Mr. Fischer invited Mr. Walsh to tour the facilities. He accepted and will tour the plant's operation on Friday morning.

Mr. Bill Shewan, Hazlet, NJ told the Board what he knew about fracking discharges he has heard about in Pennsylvania; near his daughter's home. He also asked if the Authority had any responsibility for the pumping stations owned and operated by Hazlet Township. Mr. Fischer replied it did not.

At 7:48 PM Chairman Pisano called for a **MOTION** - to go into Closed Session 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. 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 was **OFFERED BY:** Commissioner Wells and **SECONDED BY** Commissioner Cohen and carried by voice vote recorded as follows: Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

Closed Session Minutes are recorded separately.

At 7:58 P.M. Chairman Pisano called for a **MOTION** to end Closed Session. This was **OFFERED BY:** Commissioner Cohen and **SECONDED BY** Commissioner Wells and carried by voice vote recorded as follows: Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

Chairman Pisano then opened the meeting to the public to discuss any BRSA matters the public might care to address. There were no longer any members of the public present. The Chairman then closed the public portion of the meeting.

At 8:00P.M., Chairman Pisano made the following announcement and called for a **MOTION** to Adjourn the meeting.

The next Agenda Meeting of the B.R.S.A. is scheduled for **Monday, June 13<sup>th</sup>, 2011 @ 7:00 P.M.** The next Regular Meeting of the Authority will be held on **Monday, June 20<sup>th</sup>, 2011 @ 7:00 PM.** All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

At 8:00P.M., Chairman Pisano called for a **MOTION** to Adjourn the meeting. This was **OFFERED BY** Commissioner Cohen and **SECONDED BY** Commissioner Wells and carried unanimously by voice vote recorded as follows:

Ayes: Commissioners Cohen, Colligas, Wells and Chairman Pisano

Respectfully submitted,

Kimberly A. Newins  
Recording Secretary to the Board