



BAYSHORE REGIONAL SEWERAGE AUTHORITY

100 Oak Street, Union Beach, NJ 07735
732-739-1095 OFFICE 732-739-2459 FAX

Robert C. Fischer
EXECUTIVE DIRECTOR

Bayshore Regional Sewerage Authority Agenda Meeting Minutes April 9th, 2012

At 7:00 P.M. on April 9th, 2012, Vice Chairman Cohen called the Agenda Meeting 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 BRSA Agenda Meeting has been sent to the Asbury Park Press and Newark Star Ledger. Notice has 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 B.R.S.A. Administrative Building.

Vice-Chairman Cohen then requested a **PLEDGE OF ALLEGIANCE** to the United States Flag and called for a Moment of Silence for all US Troops serving America around the world.

The Chair asked for an attendance roll call, recorded as follows:

Present – Commissioners Sutton, Tedeschi, Vella, and Vice Chairman Cohen
Absent – Chairwoman Parsells and Commissioner DiNardo

Also in Attendance: Robert C. Fischer, Executive Director
J. Michael Broyles, Plant Superintendent
Louis E. Granata, Esq. General Counsel
Jerry Mitchell, P.E. for Manuel Ponte, P.E., Consulting Engineer
Peter J. Canal, BRSA Engineer

Mr. Fischer introduced Michael Avalone of Connor Strong Risk Management Services who presented the Commissioners with the Municipal Excess Liability, Public Employees Liability Seminar in accordance with NJ Utility Authorities Joint Insurance Fund requirements.

Mr. Fischer reported Conti has received conditional approval from the Monmouth County Engineering Department contingent upon receipt of all approvals from the municipalities affected. Still outstanding are Matawan and Marlboro. A third extension request has been approved by the NJ Board of Public Utilities' Clean Energy Rebate Program for receipt of \$418,200 in rebate funds. That extension will require the BRSA meet certain milestones such as bringing the project to completion six months after resolving the transportation and litigation issues.

Committed to a Clean Environment for Today, Tomorrow and Generations to Come
BRSA staff, November 2006

Mr. Fischer reported on the BRSA v. Union Beach Planning Board litigation. Last week in Trenton a three Judge panel heard oral argument from Mr. Granata and Mr. Lieberman for the Borough of Union Beach. The Union Beach Planning Board attorney did not appear. A decision by the panel is expected in the short term.

Mr. Fischer said the final Expression of Interest ("EOI") document is near completion. Once the document is finalized, a Resolution authorizing advertising and solicitation to interested parties will be presented to the Board for adoption. A two-month window for submission from interested engineering firms will be followed by a two-month timeframe to review and select qualifying firms.

A brief discussion of the turbine delivery matter ensued. Vice Chairman Cohen voiced his dismay the ratepayers were missing out on the energy savings the wind turbine would have already provided; had its installation not been delayed by transportation obstacles.

The Vice-Chairman asked for the Engineer's report and Mr. Canal reviewed his report noting BRSA Contract 56, Wastewater Treatment Plant Improvements Project would be presented to the Board by way of a Resolution; to officially close-out the contract with D&D Utilities.

Mr. Canal deferred discussion of Contact 59, Reinforced Concrete Beam Replacement in Return Sludge Building #1 to the Consulting Engineer. He then updated the Board on the Niro Incinerator Repair, Contract 60. He said the dome demolition work has been completed within the timeframe required and under budget. On the Engineering side of the Contract, the Incinerator Consultants, CBE, will be in attendance at the next Regular Meeting to present a proposal to prepare public bid specifications for the transport, repair and reinstallation of the heat exchanger. A Resolution for the Board's consideration will also be presented at that time.

On the Operations side of his Engineer's Report, Mr. Canal said the Authority's roofing contractor performed inspection and repairs of various roofs at the facility in accordance with the bi-annual contract awarded in 2010. Repairs were made and completed on time and under budget.

In closing, Mr. Canal reported on the status of the Single Effluent Sampling Point Project. In accordance with requirements of the NJPDES Permit, the State is mandating a single sampling point for effluent flows from both treatment train outfalls. That sampling location is an outfall junction chamber in the wetlands. Planning Progress, LLC was retained to handle the general wetlands permitting of the project with the NJDEP. Recent changes to the NJDEP Permit requirements will necessitate a revision to permit drawings to remove the electrical duct bank and attach the electrical conduit to the catwalk. A Resolution addressing these modifications will be presented to the Board at the next Regular Meeting for the Board's consideration.

The Vice-Chairman moved to the Consulting Engineer's report. Jerry Mitchell, P.E., for Manuel Ponte, P.E., was present and reviewed the Consulting Engineer's report with the Board. Of note, Contract 59, Reinforced Concrete Beam Replacement in Return Sludge Building #1 is underway with placement of sandwich beams, filling blocks and beam supports, along with minor demolition.

The 2011 Annual Inspection Report was presented to the Board for discussion. A Resolution accepting the Report will be prepared for Board Consideration at the April Regular Meeting.

The Vice Chairman called for the Superintendent's Report. Mr. Broyles reported there were no odor complaints for the month of March. Annual Compliance Evaluation and Assistance Inspection was conducted by the NJDEP Central Bureau of Regional Enforcement on March 7, 2012. The tour and inspection of the BRSA facilities resulted in no issues of concern.

The Dorr Oliver Incinerator ran successfully and without incident for the entire month of March.

The USEPA Discharge Monitoring Report Quality Assurance Study (DMR-QA) is no longer required to be submitted by laboratories that are in compliance and accredited in accordance with the NJDEP's Laboratory Certification Program. The BRSA Laboratory is an NJDEP accredited lab.

Mr. Broyles reported continued monitoring of permitted industrial users. Cosmetic Essence Incorporated, ("CEI") met the Federal and State definition of Significant Non-Complier for ongoing Permit violations. The Authority was required to publish a Public Notice within BRSA service area jurisdiction and assess CEI a minimum mandatory penalty of \$5,000.00.

Mr. Broyles said a preventative maintenance inspection and calibration of the Continuous Emissions Monitoring System (CEMS) on the Dorr Oliver was performed in preparation for the Relative Accuracy Test Assessment (RATA Tests). Preliminary results indicate the equipment meets the requirements of the test. He noted similar testing will be required on the Niro Incinerator as soon as it is back in service.

Vice Chairman Cohen called for the Executive Director's Report. Mr. Fischer spoke about Employment Practices Liability compliance training that was presented to Authority Staff and changes to the BRSA Personnel Policies and Procedures Manual that will be presented upon adoption by the Commissioners. He said revisions to the BRSA Personnel Policies and Procedures Manual have been reviewed by the Authority's Labor Attorney. Formal adoption of the revisions will be presented to the Board by way of Resolution at the next Regular Meeting.

Mr. Fischer reviewed the 2010 – 2011 Audit in detail with the Board. No deficiencies were noted by the Auditors. A Resolution and Affidavit of Review will be presented for Board consideration, after the Auditor, Michael Bart, CPA formally presents the Audit to the Board at the April Regular Meeting. Following adoption, the affidavit and Audit will be submitted by the Auditor to the NJ Department of Community Affairs Division of Local Government Services and the synopsis will be publicly noticed in the Authority's official newspaper, *The Asbury Park Press*.

Mr. Fischer updated the Board on the status of the Monmouth County Bayshore Outfall Authority outfall pipe repairs. It appears more significant repairs than originally anticipated are required. During the repair process, there is a possibility MCBOA may need to discharge via their manhole on BRSA property. Mr. Fischer said he will keep the Board apprised of the matter.

Vice Chairman Cohen opened the meeting to the public for comment. Mr. Charles Hoffman of Hazlet addressed the Board and asked questions regarding the wind turbine project and the renewal of the service agreements. He also made statements regarding the Authority's Personnel Policy and Procedures Manual.

The Vice-Chairman called for a **MOTION** to go into Executive Session at 8:24 P.M. to discuss matters of employment and employee performance. This was **OFFERED BY** Commissioner Vella and **SECONDED BY** Commissioner Sutton and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Sutton, Tedeschi, Vella and Vice-Chairman Cohen.

Closed Session Minutes are recorded separately.

At 9:00 P.M., the Vice-Chairman called for a **MOTION** to end Executive Session. This was **OFFERED BY** Commissioner Tedeschi and **SECONDED BY** Commissioner Vella and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Sutton, Tedeschi, Vella and Vice-Chairman Cohen.

Vice-Chairman Cohen called for a **MOTION** to accept the recommendations of the Personnel Committee as presented. This was **OFFERED BY** Commissioner Valla and **SECONDED BY** Commissioner Tedeschi and carried by unanimous roll call vote recorded as follows:

Ayes: Commissioners Sutton, Tedeschi, Vella and Vice-Chairman Cohen.

At 9:06 P.M., Vice-Chairman Cohen called for a **MOTION** to Adjourn the Meeting. This was **OFFERED BY** Commissioner Vella and **SECONDED BY** Commissioner Sutton and carried by unanimous voice vote recorded as follows:

Ayes: Commissioners Sutton, Tedeschi, Vella and Vice-Chairman Cohen.

Respectfully submitted,



Kimberly A. Newins
Administrative Assistant
Board Recording Secretary