



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

Minutes of the Bayshore Regional Sewerage Authority Agenda Meeting Monday, January 9th, 2012

At 7:00 P.M. on Monday, January 9th, 2012 Vice Chairman Wells opened the Agenda Meeting of the Bayshore Regional Sewerage Authority, called the 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 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 Vice 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 (by teleconference), Colligas, DiNardo, Parsells, Vice Chairman Wells, and Chairman Pisano (arrived at approximately 7:55 P.M.)

Also Present: Incoming Commissioner Walter Vella of Hazlet

Also in Attendance: Robert C. Fischer, Executive Director
J. Michael Broyles, Plant Superintendent
Pete Canal, BRSA Engineer
Manuel Ponte, P.E., Consulting Engineer
Louis E. Granata, Esq., General Counsel
Kimberly Newins, Admin. Assistant, Board Recording Secretary

Mr. Fischer began discussions by requesting the January Regular Meeting originally scheduled for January 16th, 2012; be postponed until January 23rd, 2012. This will allow for receipt and possible award of the Niro Repairs Contract (#60), which will be received on January 17th, 2012. The Board unanimously agreed by consensus to move the Regular Meeting back one week. Mr. Fischer said a public notice would be placed in the newspaper and posted on the BRSA website.

On the topic of the Niro incinerator Mr. Fischer said it is hoped the skew blocks that support the windbox dome are in good condition as this will make the repair much smaller in scope, but this remains to be seen once the failed dome has been removed. The current estimate for the repair work is \$750,000 if the skew blocks require replacement. He said funds are available for this purpose and will not affect the 2012 Budget or the rate reductions the new budget provides for BRSA customers. A Capital Budget Amendment will need to be submitted to the Department of Community Affairs to allocate the funds for use in 2012 instead of 2014, as had been projected prior to the severity of the problems with the incinerator being discovered during the recent, scheduled, maintenance shut down.

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

BRSA staff, November 2006

Mr. Fischer then spoke about the January 4th, 2012 municipal meeting held here at the Authority to discuss the revised draft service agreement. A condensed version of his presentation was included in each Commissioner's package and he reviewed it with the Board. Eliminating the complex metering system for Hazlet and Union Beach and eliminating the adjustments for actual flow at year's end were the primary changes made to the second draft of the agreement presented to the towns. Any further comments from the towns were requested to be submitted no later than the end of February, 2012.

At the conclusion of this review, Mr. Fischer asked for authorization from the Board to release overfunded Rent Reserve reimbursement checks to eligible towns. The Board, by unanimous consensus, directed Mr. Fischer to notify any towns with overfunded rent reserves in 2012 and authorized refunds to any eligible town who presented a written request for same.

Mr. Canal was asked by the Vice Chairman to review his written Engineer's Report. Of note, the NJDEP conducted a January inspection of the WTE and WPCP Projects for compliance with ARRA and NJEIT requirements. No inconsistencies or problems were found with any aspect of either project.

Mr. Canal included BRSA Incinerator Consultant, Chavond Barry Engineering's ("CBE") proposals for engineering and construction management of the Niro Incinerator Dome Replacement and Contract #60 Niro Repairs for the Board's review.

The bid results for the Demolition of the Niro Incinerator Dome were received on January 4th, 2012, and the results were included in the Commissioner packages. The bids were reviewed by CBE, Mr. Canal, the Qualified Purchasing Agent and General Counsel. Recommendation from all was award to the lowest responsible bidder, Duddy Contracting. A brief discussion took place and Vice Chairman Wells then called for a **MOTION** on the following:

RESOLUTION No. (01/12) To award the Niro Incinerator Dome Demolition project to Duddy Contracting, Springfield, NJ for an amount not to exceed \$23,606.00.

WHEREAS, the Bayshore Regional Sewerage Authority ("BRSA") owns and operates a Niro Incinerator for the processing of sludge in accordance with NJPDES Permit No.: 0024708; ("the Permit"); and

WHEREAS, on December 12th, 2011, the Board of Commissioners of the BRSA authorized repairs to the Niro Incinerator to remain in compliance with Permit requirements; and

WHEREAS, the BRSA prepared and advertised on it's website a Request for Quotation ("RFQ") to solicit quotations for the Niro Incinerator's Dome Demolition as part of the Repairs to the Niro Incinerator; and

WHEREAS, Wednesday, January 4, 2012 at 1:30 P.M. prevailing time, the Bayshore Regional Sewerage Authority opened the RFQ's in accordance with Local Public Contracts Law as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. for the Niro Incinerator Dome Demolition; and

WHEREAS, two (2) quotes were received and publicly opened and read aloud, the quote from Duddy Contracting of Springfield, NJ was the lowest quote in the amount of \$23,606.00; and

WHEREAS, the Authority's Qualified Purchasing Agent, Consulting Engineer and Counsel have reviewed all the bids received and recommend award of the contract to Duddy Contracting of Springfield, NJ in the amount of \$23,606.00; and

WHEREAS the funds are available for this purpose

NOW THEREFORE BE IT RESOLVED that, Duddy Contracting of Springfield, NJ is hereby awarded the contract for the Niro Incinerator Dome Demolition for a total cost of \$23,606.00 in accordance with the terms and conditions of the RFQ document dated December 2011.

BE IT FURTHER RESOLVED the Executive Director and Treasurer of the Board are hereby authorized to execute the Purchase Order/Voucher in accordance with Local Public Contracts Law and as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4.

This **MOTION** was **OFFERED BY Commissioner Parsells** and **SECONDED BY Commissioner Colligas** and carried unanimously by voice vote recorded as follows: Ayes - Commissioners Cohen, Colligas, DiNardo, Parsells, and Vice Chairman Wells

Bid results for the Furnishing and Delivery of Caustic Soda had also been received and reviewed by the Engineer, QPA and General Counsel. A brief discussion of the results and recommendation took place. Vice Chairman Wells then called for a **MOTION** on the following:

RESOLUTION (02/12): To award the Contract for Furnishing and Delivery of Caustic Soda to Kuehne Chemical of South Kearny, NJ.

WHEREAS, in accordance with Local Public Contracts Law, Bayshore Regional Sewerage Authority had advertised and received bids at 1:00 P.M. on Wednesday, January 4th, 2012 for the Furnishing and Delivery of Caustic Soda Solution 25% for an one year period; and

WHEREAS, three (3) bids were received, publicly opened and read aloud, in accordance with Local Public Contracts Law as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq. with the lowest responsible bidder being Kuehne Chemical Company of South Kearny, NJ, having submitted a total bid price of \$14,100 for a one-year period, and

WHEREAS, the funds are available and budgeted for this purpose

WHEREAS, the Authority's Qualified Purchasing Agent, Engineer and Attorney have reviewed the quotations and recommend award of the contract to Kuehne Chemical Company of South Kearny, NJ

NOW THEREFORE BE IT RESOLVED that Kuehne Chemical Company is hereby awarded the Contract furnishing and delivering Caustic Soda Solution 25%, in accordance with the terms and conditions of the quotation documents.

BE IT FURTHER RESOLVED the Chairman and Secretary are hereby authorized to execute the contract documents in accordance with Local Public Contracts Law and as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4.

This **MOTION** was **OFFERED BY Commissioner DiNardo** and **SECONDED BY Commissioner Colligas** and carried unanimously by voice vote recorded as follows: Ayes - Commissioners Cohen, Colligas, DiNardo, Parsells, and Vice Chairman Wells

Mr. Canal reported on various chemical contracts about to expire and negotiations he and the Qualified Purchasing Agent were conducting to extend certain contracts for an additional year, in accordance with Local Public Contracts Law. Resolutions for these contracts will be prepared for the Regular Meeting voting agenda and the Board's consideration.

Under new business, Mr. Canal reported an application for the construction of a new PNC Bank in the Township of Aberdeen has been received and is currently pending municipal and subsequently, BRSA approval.

Vice Chairman Wells called for a **MOTION** - to approve the Minutes of the Agenda Meeting of December 12th, 2011.

This was **OFFERED BY Commissioner DiNardo** and **SECONDED BY Commissioner Parsells** and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells, and Vice Chairman Wells

Vice Chairman Wells addressed the next agenda item and called for a **MOTION:**
To approve payment of Operating Fund Req. No. 474 (Regular) in the amount of \$ 134,789.67 in accordance with the Requisition reviewed and recommended by Treasurer Parsells

This was **OFFERED BY Commissioner Colligas** and **SECONDED BY Commissioner Parsells** and carried by roll call vote recorded as follows: Ayes: Commissioners Cohen, Colligas, DiNardo, Parsells, and Vice Chairman Wells

Mr. Ponte gave a review of his Consulting Engineer's report. He said the Stack Test of the new Odor Control Unit had been completed and once test results are returned from the laboratory, a report will be prepared and submitted to the NJDEP. Once accepted by the NJDEP, final close out of the Treatment Plant Improvements Contract can be executed.

Mr. Ponte said an annual inspection of BRSA facilities has taken place and Arcadis is currently preparing a draft report for review by BRSA staff. Mr. Ponte then spoke about Contract 59, Replacement of the Reinforced Concrete Beam in Return Sludge Pump Station No. 1. Finalization of the contract documents is currently taking place and once completed, the replacement work will begin.

Mr. Broyles reviewed his Superintendent's Report with the Board. There were two odor complaints from residents on 9th Street that were investigated and addressed. No other complaints occurred during the month of December. Commissioner Cohen congratulated Mr. Broyles and his Staff for once again meeting all parameters of the NJPDES Permit. Total Suspended Solids Removal for the month averaged 99%, and the average removal range for 2011 has been 96%. He was commended by the entire Board for this outstanding record of effluent quality. Of note, the Annual Audit of the BRSA Industrial Pretreatment Program was conducted by the NJDEP and no deficiencies were found and all aspects of the program were determined to be "Acceptable" by the Agency.

Mr. Fischer reviewed his Executive Director's report. He spoke earlier about the member and customer town meeting, the 2012 Budget and the revised Service Agreement. He updated the Board on the BRSA Basic Generation Services bid put out by the Energy Aggregate Group and the General Staff Meeting held in December. At 8:00 P.M. Chairman Pisano arrived.

Mr. Granata updated the Board on discussions he had with Counsel for Pierro's Restaurant. Vice Chairman Wells suggested the information be verified with the Borough of Union Beach. Mr. Canal said he would address the concerns and discuss the matter further with Mr. Granata prior to the next Meeting.

The Chairman then opened the meeting to the public for comment. Comments were received from Mr. Hoffman of Hazlet regarding the hauling of ash, and he also thanked the outgoing

Commissioners of the Authority for their service. Vice Chairman Wells then closed the public portion of the meeting.

Commissioner Cohen excused himself from further discussion, but reiterated he had reviewed the Agenda and wanted the record to reflect his votes in the affirmative for the aforementioned Resolutions and Motions called for by the Vice Chair. He ended his teleconference at this time.

At 8:15 P.M. the Vice Chairman called for a **MOTION to enter 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 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 DiNardo** and **SECONDED BY Commissioner Parsells** and carried unanimously by voice vote recorded as follows:

Ayes - Commissioners DiNardo Colligas, Parsells, and Vice Chairman Wells

Incoming Commissioner Vella excused himself from the meeting at this time.

(Closed Session Minutes are recorded separately.)

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

With no further discussion before the Board, the Chairman made the following announcement:

The next **Regular Meeting** of the Authority will be publicly noticed for **two weeks from today; Monday, January 23rd, 2012 at 7:00 P.M.** The reason for the postponement of the Regular Meeting is to allow for the return of bids and possible award of Contract 60 - Niro Incinerator Repairs. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 9:16 P.M., Chairman Pisano called for a **MOTION** to adjourn: This was **OFFERED BY Commissioner Wells** and **SECONDED BY Commissioner Colligas** and carried by unanimous voice vote.

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

Respectfully submitted,



Kimberly A. Newins
Recording Secretary to the Board