



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

REGULAR MEETING MINUTES of the BAYSHORE REGIONAL SEWERAGE AUTHORITY

June 18th, 2012

At 7:03 PM on Monday, June 18th, 2012 Vice Chairman Cohen stated: This Meeting of the Bayshore will now come to order. I hereby announce that pursuant to Section 5 of the Open Public Meetings Act and N.J.S.A. 40:14A-8, adequate notice of this meeting has been published in *The Asbury Park Press*, on the BRSA website, and has been sent to the Clerks of the Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach, Marlboro; and the W.M.U.A., This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

Vice Chairman Cohen requested a **PLEDGE OF ALLEGIANCE** and a Moment of Silence for the US Troops serving around the world. The Recording Secretary was asked to conduct a roll call of attendees and is recorded follows:

Present: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen

Absent: Commissioner Tedeschi and Chairwoman Parsells

Also in Attendance: Robert C. Fischer, Executive Director
Louis E. Granata, Esq. General Counsel
Peter J. Canal, Staff Engineer
Kimberly A. Newins, Admin. Asst., Board Recording Secretary

Vice Chairman Cohen called for **MOTIONS** on the following:

APPROVAL OF MINUTES of the Regular Minutes of May 21st, 2012

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner Sutton and carried by roll call vote recorded as follows:

Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

MOTION to accept the **TREASURER'S** (Commissioner Vella) **REPORT** for May, 2012

OFFERED BY: Commissioner DiNardo and **SECONDED BY:** Commissioner Vella and carried by roll call vote recorded as follows:

Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

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

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	<u>5-31-12</u>
<u>UNRESTRICTED</u>	
Revenue Fund	\$ 3,246,487.69
General Fund	<u>\$ 4,125,255.75</u>
Total Unrestricted	\$ 7,371,743.44
<u>RESTRICTED</u>	
Bond Service Fund	
1985 Bond Service Fund	\$ 817.08
2002 Bond Service Fund	<u>\$ 0.00</u>
Total Bond Service Funds	\$ 817.08
Bond Reserve Funds	
1985 Bond Reserve Fund	<u>\$ 46,943.89</u>
Total Bond Reserve Funds	\$ 46,943.89
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,332,690.54
Bond Service	\$.05
TOTAL NJEIT	\$ 1,332,690.59
TOTAL TRUSTEE ACCOUNTS	<u>\$ 8,752,195.00</u>
<u>AUTHORITY ACCOUNTS</u>	
Incoming Revenue Account	\$ 8.78
Operating Regular Account	\$ 61,162.55
Operating Payroll Account	<u>\$ 109,376.83</u>
TOTAL AUTHORITY ACCOUNTS	<u>\$ 170,548.16</u>
TOTAL	<u>\$ 8,922,743.16</u>

TREASURER'S REPORT (Continued)

SCHEDULE OF ACCOUNTS RECEIVABLE

SERVICE CHARGES:	Balances as of <u>May 31st, 2012</u>	
Hazlet Township Sewerage 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>
TOTAL	\$	0.00
OUTFALL AUTHORITY CHARGES		
Hazlet Township Sewerage 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>
TOTAL	\$	0.00
Balance of Rent Reserve Accounts as of May 31st, 2012		
Hazlet Township Sewerage Utility	\$	1,520,719.27
Township of Holmdel	\$	724,319.86
Borough of Union Beach	\$	417,352.59
Borough of Keyport	\$	624,605.53
Borough of Keansburg	\$	602,883.79
Borough of Matawan	\$	821,749.24
Western Monmouth Utilities Authority	\$	190,327.22
Township of Aberdeen	\$	<u>822,527.36</u>
TOTAL	\$	5,802,529.86

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

Vice Chairman Cohen then opened the meeting to the public for comments or questions regarding the following Resolutions. As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments and time accordingly. There were no public comments. Vice Chairman Cohen then called for **MOTIONS** on the following:

1. RESOLUTION (62/12) To accept the 2012 First Quarter Flow Report as presented by Arcadis – US.

WHEREAS, Arcadis - US, Consulting Engineers for the Bayshore Regional Sewerage Authority (BRSA) have determined the quantity of sewage from each of the Towns and Authorities connected to the BRSA system for the First Quarter of the year 2012; and

WHEREAS, said flow figures have been calculated from actual meter readings, maintenance service reports, and other data, and

WHEREAS, said flow figures have been reviewed by the Commissioners of this Authority,

NOW THEREFORE BE IT RESOLVED that this Authority hereby accepts the flow calculations, certified by Arcadis – US for the First Quarter of the year 2012.

OFFERED BY: Commissioner DiNardo and **SECONDED BY:** Commissioner Sutton and carried by roll call vote recorded as follows: Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

2. RESOLUTION (63/12) To award Contract 61 – Niro Incinerator Heat Exchanger Repairs with contingencies.

WHEREAS, the Bayshore Regional Sewerage Authority ("BRSA") owns and operates a Niro Incinerator for the processing of sludge in accordance with NJPDES Activity Permit No.: PCP030001; ("the Permit"); and

WHEREAS, on April 16th, 2012, the Board of Commissioners of the BRSA adopted Resolution No. 42/12 authorizing repairs to the Heat Exchanger of the Niro Incinerator to remain in compliance with Permit requirements; and

WHEREAS bids for the Niro Heat Exchanger Repairs, Contract No. 61 will be received at the Bayshore Regional Sewerage Authority Administration Building, on June 21, 2012 at 1 P.M., prevailing time, and

WHEREAS, in accordance with Local Public Contracts Law, the lowest responsive, responsible bidder; will be notified of award of the contract work for an amount not to exceed \$500,000.00 and contingent upon review, recommendation and certification by BRSA Staff, Incinerator Consultants, Chavond Barry Engineering and BRSA General Counsel.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Authority hereby authorize notification of award of Contract No 61, Niro Heat Exchanger Repairs to the lowest responsive, responsible bidder; for an amount not to exceed \$500,000.00 and contingent upon review, recommendation and certification by BRSA Staff, Incinerator Consultants, and General Counsel and will ratify the Contract's award at its Regular Meeting of the Authority held on July 16th, 2012.

OFFERED BY: Commissioner Sutton and **SECONDED BY:** Commissioner DiNardo and carried by roll call vote recorded as follows: Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

3. RESOLUTION (64/12): To amend the 2012 Capital Budget to allow for Repairs to the Niro Incinerator Heat Exchanger.

WHEREAS, the Bayshore Regional Sewerage Authority owns and operates a Niro Incinerator for the processing of sludge in accordance with NJPDES Permit No.: PCP110001; ("the Niro Air Permit"); and

WHEREAS, the Niro Incinerator is the primary thermal oxidation unit for the Authority; and

WHEREAS, subsequent to the adoption of the 2012 Capital Budget, the Authority conducted repairs to the Niro Incinerator and determined the Heat Exchanger is in need of repair; and

WHEREAS, the Commissioners deem it in the best interest of the Authority to repair the Niro Incinerator's Heat Exchanger which is an integral component of the Niro Incinerator; and

WHEREAS, the Division of Local Government Services allows for Capital Budget Amendments to address increases in Capital Project costs or additional projects with identification and timing of anticipated funding sources; and

WHEREAS, NJAC 5:31-2.8 provides that the Director of Local Government Services may, at the request of or with consent from the governing body of an Authority, to make such correction of the title, text, or amount of any appropriation appearing in the Budget as may be necessary, make said item of appropriation available for the purposes required or the needs of any such Authority; and

WHEREAS, the funds are available for this purpose

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of NJAC 5:31-2.8, the Bayshore Regional Sewerage Authority hereby requests the Director of the Division of Local Government Services to make the following amendment in the Capital Budget for the year 2012:

Increase the Capital Budget Line Item for "Upgrade Sludge Incinerator" from \$691,000 to \$1,191,000 with the funding source coming from unrestricted net assets.

BE IT FURTHER RESOLVED that the foregoing corrections are, in the opinion of the governing body, warranted and authorized by the statute above referred to and is necessary for the orderly operation of the Authority for the reasons hereinafter set forth:

1. The Niro Incinerator cannot operate without a properly functioning primary Heat Exchanger

OFFERED BY: Commissioner Sutton and **SECONDED BY:** Commissioner DiNardo and carried by roll call vote recorded as follows: Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

Vice Chairman Cohen called for a **MOTION** - to approve payment of bills listed on:

Operating Fund Req. No. 481 (Regular)	\$ 191,717.60
Payroll Account Req. No. P130	\$ 203,121.31

OFFERED BY: Commissioner Vella and **SECONDED BY:** Commissioner DiNardo and carried by roll call vote recorded as follows: Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

There were no items for Closed Session discussion at this Regular Meeting.

Vice Chairman Cohen opened the meeting to the public once again for any questions or comments. Mr. Charles Hoffman, Hazlet NJ questioned terms and conditions of Contract 54 relative to project delays and offered his opinion regarding same. Mr. Hoffman asked if the BRSA facilities were equipped with security cameras. Mr. Fischer said it was.

Mr. Bill Shewan, Hazlet NJ had questions regarding municipal Rent Reserve accounts. He asked if the Authority had a program in place regarding same and if Hazlet Township received its reimbursement. Mr. Fischer explained the program in place and stated Hazlet received a refund at the beginning of January.

Mr. Bill Heller of Union Beach, NJ provided each Board member with a CD regarding wind turbines and also distributed documents related to the Union Beach Planning Board litigation he thought the newly appointed Commissioners should review. He distributed one set to Commissioner Vella and provided one for Commissioner Tedeschi who was not in attendance. Commissioner Vella asked Mr. Heller if he had another set for Commissioner Sutton. Mr. Heller said Commissioner Sutton was already aware of its content. Commissioner Vella suggested, should Mr. Heller care to submit documents to Commissioners in the future, he do so equally and not selectively. With no more comments or questions posed, Vice Chairman closed the public portion of the meeting.

Vice Chairman Cohen then made the following **ANNOUNCEMENT** :


The next Agenda Meeting of the B.R.S.A. is scheduled for **Monday, July 9th, 2012 @ 7:00 P.M.** The next **Regular Meeting** will be held on **Monday, July 16th, 2012 @ 7:00 PM.** All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

At 7:48 P.M., Vice Chairman Cohen called for a **MOTION** to Adjourn.

OFFERED BY: Commissioner Sutton and **SECONDED BY:** Commissioner DiNardo and carried by roll call vote recorded as follows:

Ayes: Commissioners DiNardo, Sutton, Vella and Vice Chairman Cohen.

Respectfully submitted,


Kimberly A. Newins
Administrative Assistant
Board Recording Secretary

These Minutes are highlights of the meeting's proceedings. Audiotaped recordings of all meetings are available upon OPMA request to the Authority; subsequent to Board adoption.