



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES PUBLIC HEARING AGENDA and REGULAR MEETING MONDAY, DECEMBER 16, 2013

At 7:00 P.M. on Monday, December 16, 2013 Chairman Vella called the meeting of the Bayshore Regional Sewerage Authority to order and makes 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 Asbury Park Press and is on the BRSA Official Website. 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 Vella asked all in attendance to stand for the Pledge of Allegiance and a Moment of Silence for the safety of US Troops all over the world.

Chairman Vella requested a roll call of attendance:

Present: Commissioners Khachaturian, McMullen, Pisano, Sutton, Steiner & Chairman Vella

Also in Attendance: Robert C. Fischer, Executive Director
Peter Canal, BRSA Engineer
J. Michael Broyles, BRSA Superintendent
Manuel Ponte, Consulting Engineer
James Gorman, BRSA Attorney
Michael Bart, BRSA Auditor
Susan DuBey, Admin. Assistant

At 7:02 P.M. Chairman Vella called for a **MOTION** to Open the Public Hearing

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

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

BRSA staff, November 2006

ANNOUNCEMENT (by Chairman Vella) This portion of the meeting is the Public Hearing for the 2014 Budget. Mr. James Gorman, General Counsel for BRSA, issued the Oath to Professionals and commences obtaining Testimony from the Executive Director, Auditor and Consulting Engineer. Public Hearing Minutes will be recorded by a Certified Court Stenographer and will be made available after formal adoption at the January, 2014 Authority Meeting.

Testimony and Public comments were recorded separately by a Certified Stenographer.

Public Portion

ANNOUNCEMENT (by the Chairman): This portion of the meeting is now open to the public for comments or questions related to the **2014 Budget only**. As a courtesy to all, please be mindful of limiting your comments to 3 minutes

RESOLUTION (158/13): to Amend Resolution #144/13 Approving the 2014 Budget

2014 Authority Amended Budget Resolution BAYSHORE REGIONAL SEWERAGE AUTHORITY FISCAL YEAR: 2014 FROM: JAN. 1, 2014 TO: DEC. 31, 2014

WHEREAS, the Annual Budget and Capital Budget for the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2014 and ending, December 31, 2014 has been presented before the governing body of the Bayshore Regional Sewerage Authority at its open public meeting of October 21, 2013; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 9,591,630, Total Appropriations, including any Accumulated Deficit if any, of \$7,016,630 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, on October 21, 2013 by Resolution No. 144/13 the Capital Budget was introduced reflecting total capital appropriations of \$2,575,000.00 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$2,575,000, and

WHEREAS, it is necessary to **amend** Resolution 144/13 to reflect total capital appropriations of \$17,415,386 and total Unrestricted Net Assets planned to be utilized as funding thereof, of \$2,575,000, and

WHEREAS, the Capital Budget as **amended** reflects Total Capital Appropriations of \$17,415,386 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$2,575,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Bayshore Regional Sewerage Authority, at an open public meeting held on December 16, 2013 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2014 and ending, December 31, 2014 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Bayshore Regional Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 16, 2013.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (159/13): to Adopted the 2014 Annual and Capital Budget of the Authority

**2014 Adopted Budget Resolution
BAYSHORE REGIONAL SEWERAGE AUTHORITY**

WHEREAS, the Annual Budget and Capital Budget/Program for the Bayshore Regional Sewerage Authority for the fiscal year beginning January 1, 2014 and ending, December 31, 2014 has been presented for adoption before the governing body of the Bayshore Regional Sewerage Authority at its open meeting on December 16th, 2013; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual budget as presented for adoption reflects Total Revenues of \$9,591,630.00 Total Appropriations, including any Accumulated Deficit, if any, of \$7,016,630.00 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$17,415,386.00 and Total Unrestricted Net Assets planned to be utilized of \$2,575,000.00.

NOW THEREFORE BE IT RESOLVED by the governing body of the Bayshore Regional Sewerage Authority, at an open Public Hearing held on December 16th 2013 that the Annual Budget and Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1, 2014 and, ending, December 31, 2014 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (160/13): to Adopt the 2014 User Charge Schedule of the Authority

WHEREAS, in accordance with the Sewerage Authorities Law, N.J.S.A. 40:14A-1, et seq., as amended, the Bayshore Regional Sewerage Authority has conducted a Public Hearing on its annual 2014 Fees and Budget, and will provide a transcript of said Hearing to any interested party; and

WHEREAS, the Bayshore Regional Sewerage Authority specifically finds it to be reasonable and necessary to adopt the annexed user charge schedule, and

NOW THEREFORE BE IT SOLVED that the user charge on the attached 2014 Exhibit "E" be, and is hereby adopted and approved for calendar year 2014.

BE IT RESOLVED that the following Statement of Revenues and Appropriations shall constitute the Budget of the Bayshore Regional Sewerage Authority for the Fiscal Year Ending December 31, 2014.

REVENUES	
Retained earnings appropriated	\$0.00
Anticipated revenues	\$9,591,630.00
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Total revenues and other financial sources	\$9,591,630.00
APPROPRIATIONS	
Operating Expenses	\$7,016,630.00
Capital Appropriations	\$2,575,000.00
Debt service, reserves, and deficit	\$0.00
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Total appropriations	\$9,591,630.00

Exhibit "E" Customer Flow Charges

The Bayshore Regional Sewerage Authority hereby establishes Customer (User) Flow Charges as follows for 2014:

Aberdeen:	\$1,703,589.00
Hazlet:	\$2,692,350.00
Holmdel:	\$1,102,229.00
Keansburg:	\$ 854,425.00
Keyport:	\$1,087,498.00
Matawan:	\$1,051,546.00
Union Beach:	\$ 654,849.00
WMUA:	\$ 325,144.00

OFFEDER BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

At 7:07 P.M. Chairman Vella calls for a **MOTION** to Close the Public Hearing

OFFEDER BY: Commissioner Sutton, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

AGENDA/REGULAR
MEETING

At 7:09 P.M. Chairman Vella called for a **MOTION** to Open the Agenda/Regular portion of this meeting.

OFFEDER BY: Commissioner McMullen, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Reports

BRSA Projects, Special Reports & Connection Applications

Mr. Fischer referenced the graph in Section 1 explaining the cost of Super Storm Sandy up to and including December 16, 2013. He explained that the cost is moving up as the projects are being complete such as the Dorr Oliver restoration. He said hauling sludge has been the biggest expense but equipment and buildings restoration will soon surpass that expense. Chairman Vella asked if the Dorr Oliver was running yet. Mike Broyles said that tomorrow they were testing components. Pete Canal said start up should be mid January.

Mr. Fischer announced that Proposal for Design of Pump Station Project Restoration and Mitigation will be received on January 6, 2014 and he would like to schedule a meeting on Monday, January 13, 2013 to award the contract.

Staff Engineer Report

Pete Canal reviewed the resolution he has on the agenda. The Single Sampling Point Construction Contract bids were received and to be awarded to Iron Hill Construction. Jim Gorman explained that one of the bidders (Shorelands Construction) objected to Iron Hills bid. He said that Iron Hill did not list the plumber they are using. Mr. Gorman said it's a minor deficiency and should be waived.

Consulting Engineer Report

Manuel Ponte coordinated with Arcadis on the construction cost estimates of Hazard Mitigation Project Scopes and the Design of Restoration & Mitigation of various buildings which were all submitted to FEMA.

BRSA Superintendent's Report

Mike Broyles reported that November had the lowest flow since 1998. He said the effluent was 98% removal and the sludge quality greatly improved, however, there was one odor complaint on 11-29-13.

Mike explained that IFF and CEI will be issued their new Permits. He feels that NJ Turnpike Authority is insignificant and that their flow is so low it's not worth having them on the permit program.

Executive Director's Report

Mr. Fischer explained the process used to solicit Engineering proposals for the Restoration and Mitigation of the Incineration facilities at Bayshore. The proposals were reviewed and graded according to stated criteria by the members of the evaluation Committee made up of Mr. Fischer, Mr. Canal and Mike Samuel of R3M. After individual scoring was completed they compared evaluations and arrived at a final score for each criteria. After that they conferenced with the Board Engineering Committee. The evaluation process was explained in greater detail to the Board by Mike Samuel of R3M and Commissioner Pisano reviewed the conference call with the Commissioners

Chairman Vella called for a **MOTION** to approve the Treasure's Report

8. TREASURER'S REPORT
STATEMENT OF CASH RECEITPS AND CASH DISBURSEMENTS

TD BANK TRUSTEE ACCOUNTS	Balance 11-30-2013
<u>UNRESTRICTED</u>	
Revenue Fund	\$7,995,817.78
General Fund	\$ 871,791.35
Total Unrestricted	\$8,867,609.13
<u>RESTRICTED</u>	
1985 Bond Service Fund	\$ 817.08
2002 Bond Service Fund	\$ 0.00
Total Bond Service Funds	\$ 817.08
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$1,357,118.74
Bond Service	\$ 0.00
Total NJEIT	\$1,357,118.79
<u>TOTAL TRUSTEE ACCOUNTS</u>	\$10,225,544.95
<u>AUTHORITY ACCOUNTS</u>	
Incoming Revenue Account	\$ 8.49
Operating Regular Account	\$ 529,503.11
Operating Payroll Account	\$ 136,753.88
<u>TOTAL AUTHORITY ACCOUNTS</u>	\$ 666,265.48
<u>TOTAL</u>	\$10,891,810.43

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

SCHEDULE OF ACCOUNTS RECEIVABLE

<u>SERVICES CHARGES</u>	Balance as of 11-30-13
Hazlet Township Sewer Dept.	\$ 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	\$ 0.00
<u>TOTAL</u>	\$ 0.00

OUTFALL AUTHORITY CHARGES

Hazlet Township Sewer Dept.	\$ 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	\$ 0.00
<u>TOTAL</u>	\$ 0.00

BALANCE OF RENT RESERVE ACCOUNTS AS OF OCTOBER 25, 2013

Hazlet Township Sewer Dept.	\$ 727,884.71
Township of Holmdel	\$ 317,280.18
Borough of Union Beach	\$ 193,767.81
Borough of Keyport	\$ 321,808.03
Borough of Keansburg	\$ 301,966.29
Borough of Matawan	\$ 321,655.19
Western Monmouth Utilities Authority	\$ 111,698.18
Township of Aberdeen	\$ 466,844.10
<u>TOTAL</u>	<u>\$2,762,904.49</u>

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

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner Pisano, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

9. Payment of Bills

Chairman Vella called for a **MOTION** for payment of the following:

Operating Fund Req. No. P150	\$ 133,486.59
Operating Fund Req. No. 502 (Regular)	\$ 302,202.11
Operating Fund Req. No. S-14 (Sandy)	\$ 278,024.12

OFFERED BY: Chairman Vella, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

10. Approval of Minutes

Chairman Vella called for a **MOTION** to approve the following Minutes:

Agenda Meeting	October 21, 2013
Agenda/Regular Meeting	November 25, 2013
Closed Session	November 25, 2013

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Public Portion

ANNOUNCEMENT (by the Chairman): This portion of the meeting is now open to the public for comments or questions related to Agenda items only. As a courtesy to all, please be mindful of limiting your comments to 3 minutes.

Charles Hoffman of Florence Avenue, Hazlet asked if the conversion from fuel oil to natural gas was considered for the NIRO incinerator.

Mr. Fischer explained that natural gas is more dangerous than fuel oil and the Authority will not pursue it. He said the BRSA does not have methane digesters; therefore they do not produce off gases on site either.

11. Resolutions

RESOLUTION (161/13): to Award Engineering Design of the Niro Incinerator Restoration, Mitigation and Improvement Project to Hazen and Sawyer of New York

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) solicited Expression of Interest documents from 21 engineering firms seeking to provide engineering services on the Authority Capital Improvement Plans and,

WHEREAS, the documents were reviewed by a committee of staff and commissioners and reduced to a short list of engineering firms qualified to provide engineering services for the Authority Capital Improvement Plans and,

WHEREAS, Hurricane Sandy severely damaged the Authority buildings and processes on October 29, 2012 requiring engineering services for design of restoration and repair of these buildings and processes and

WHEREAS, the Authority has utilized a Request for Proposal (RFP) Process to seek engineering proposals for the Restoration, Mitigation and Improvement of the NIRO Incinerator Process (NIRO Incinerator Project) from the short -list of qualified engineering firms and two others solicited due to the conflict of Interest of two of the short-listed firms and,

WHEREAS, the RFP advertised the criteria for the review and award of the engineering proposals for the NIRO Incinerator Project with weight assigned as 10% for Workload capacity, 20% for Experience of the firm, 30% for Experience of the individuals assigned to the project and 40% for Cost and,

WHEREAS, the Authority has assembled an evaluation committee of the Plant Engineer, Executive Director and Consulting Engineer, R3M to review the proposals and recommend award based upon the weighted criteria and

WHEREAS, the evaluation committee has evaluated the proposals during the week of December 9, 2013, and

WHEREAS, based on the weighted criteria, the evaluation committee recommends the award of the contract for Engineering Services to the firm of Hazen and Sawyer of New York, NY, with total points of 76, and

WHEREAS, this contract can be awarded as a Professional Service Contract without Public Bidding.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Design of the NIRO Incinerator Project to Hazen and Sawyer at the LUMP SUM Price of 1,085,351.00, and the Chairman is authorized to execute the Contract Agreement, and

BE IT FURTHER RESOLVED, the award is contingent upon Hazen and Sawyer providing the Authority with the required insurance and signing the Authority Standard Agreement.

OFFERED BY: Commissioner Khachaturian, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (162/13): to Adopt & Issue Final Permits for IFF

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is a Designated Local Agency (DLA) administering an Industrial Pretreatment Program(IPP) Program pursuant to the General Pretreatment Regulations 40 CFR Part 403 and N.J.A.C 7:14A-1 et seq, and

WHEREAS, in accordance with the NJDEP Permit NO. NJ0024708 Part IV (F) -5, the Authority is required to re-issue permits within 180 days of the expiration date of the IPP Permit issued to an existing industrial user, and

WHEREAS, International Flavors and Fragrances (IFF) with (2) two locations in Hazlet and (1) one location in Union Beach (permittees) are significant industrial users with expired permits, and

WHEREAS, the Authority has issued draft permits to all (3) three permittees setting forth the rules, conditions, limits and other requirements in accordance with N.J.A.C. 7:14A-19.8 (b) by which their respective industrial wastes are permitted to discharge to the Authority system, and

WHEREAS, the Authority Public Noticed its intention to reissue Industrial permits to IFF and provided a 30 day comment period and opportunity for a public hearing for any interested party, and

WHEREAS, the draft permits provided for a 30-day comment period during which the permittees reviewed the draft permits and submitted comments to the Authority Pretreatment Coordinator, and

WHEREAS, the Pretreatment Coordinator has reviewed the comments received by the industrial discharger and there were no comments received from any other party nor a request for a hearing, and

WHEREAS, the Authority has developed a final permit for all 3 IFF permits based upon the draft permit and the comments submitted, and

WHEREAS, the Authority deems it desirable to reissue permits to IFF's (3) three industries to (1) prevent of discharge of pollutants that would interfere with the attainment of effluent limitations, (2) pass through the treatment plant and impair water quality, and (3) affect sludge quality so as to interfere with the Authority's management of sludge.

NOW THEREFORE BE IT RESOLVED the commissioners hereby reissue final permits to IFF's industrial dischargers under permit No. 000001, Union Beach Facility, 000004 R&D Facility, and 000003 Compounding Facility, and

BE IT FURTHER RESOLVED a copy of this resolution and the final permits shall be sent to the New Jersey Department of Environmental Protection, Division of Pretreatment and Residuals and to International Flavors and Fragrances.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (163/13): to Award Construction on the Authority Single Sampling Point Contract to Iron Hills Construction

WHEREAS, the BRSA has a New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0024708 issued by the NJDEP for its treatment plant effluent discharge, and

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) was constructed in two phases and has two (2) separate treatment trains and therefore two (2) separate outfall pipes for its treated effluent, and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) by way of permit conditions

IV (D) (3) of NJPDES Permit NO. NJ0024708, requires the Authority to modify its sampling and reporting practices to achieve data results that are representative of the combined effluent discharges from Plant 1 and 2 at the facility, and

WHEREAS, the Plant 1 and 2 outfall pipes join together in a junction chamber located in the wetlands, and

WHEREAS, in order to meet its NJPDES permit conditions, the BRSA must construct a continuous combined effluent monitoring system known as Treatment Plant Effluent Sampling Point, and

WHEREAS, our consulting engineer, PS&S prepared and advertised public contract documents for Treatment Plant Effluent Sampling Point, Contract 62, and

WHEREAS, two (2) sealed bids were received and publically opened on December 10, 2013 at 2pm EST, in the amounts of \$230,000 and \$246,000, and

WHEREAS, Iron Hills Construction, Inc. (IHC) of Wayne, NJ submitted the lowest bid of \$230,000, and

WHEREAS, the BRSA staff, attorney and consulting engineer, PS&S have reviewed the bids and are recommending award to IHC in the amount of \$230,000, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the BRSA finds that the low bidder failed to provide a Financial Statement, but this deficiency is minor and insubstantial, and is waived.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award the Contract to Iron Hills Construction, Inc. of Wayne, NJ in accordance with the terms and conditions of the Contract Documents, in the amount not to exceed \$230,000.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to Iron Hills Construction, Inc. of Wayne, NJ.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (164/13): to Award #2 Fuel Oil Contract to Allied Oil, LLC

WHEREAS, The Bayshore Regional Sewerage Authority advertised and received bids for Furnishing and Delivery of #2 Fuel Oil for a one year period according to the Local Public Contracts Law at 2:00 pm Wednesday, December 11, 2013; and

WHEREAS, four bidders, Allied Oil, Rachles/Michele's Oil, Riggins and Petroleum Traders submitted bids that comply with the Bid Specifications and have been reviewed by the Authority's General Counsel, and

WHEREAS, after review of all the bids, it appears Allied Oil, LLC of Parlin, N.J. has submitted the lowest responsible bid in compliance with the Bid Specifications with a bid price of \$534,513.00; and

WHEREAS, the Certified Purchasing Agent, the Staff Engineer and the General Counsel recommend the Contract be awarded to Allied Oil, LLC.

NOW THEREFORE BE IT RESOLVED that Allied Oil, LLC of Parlin New Jersey be and is hereby awarded the Contract for Furnishing and Delivery of #2 Fuel Oil for a one year period according to the terms and conditions of the bid and contract documents.

BE IT FURTHER RESOLVED the Executive Director and Secretary are here by authorized to execute the Contract.

OFFERED BY: Commissioner Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (165/13): to Purchase a 2014 Ford F150 XL under State Contract

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) has allocated Capital funds for the purchase of an Operations pick-up truck for 2014 and,

WHEREAS, the Authority is authorized in accordance with the Local Public Contracts Law at N.J.S.A. 40A:11-12 to purchase goods or services from a vendor having a contract with the State Department of Treasury, Division of Purchase and Property and,

WHEREAS, Chas S Winner Inc. DBA Winner Ford of Cherry Hill, NJ is an approved vendor under State Contract number 85437 for the purchase of a 2014 Ford F-150 XL 4WD at a price of \$18,899.00 and,

WHEREAS, the Authority requires emergency equipment options bringing the price to \$22,794.00 and

WHEREAS, the new pick-up truck will replace an existing pick-up truck which is 10 years old with over 140,000 miles and experiencing problems requiring costly repair.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve the purchase of a 2014 Ford F-150 4WD Pick up and award the contract to Winner Ford of Cherry Hill N.J. as a State Contract Vendor for this vehicle.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (166/13): to Advertise an Open Public Meeting of January 13, 2014

WHEREAS, it has become necessary to conduct public business prior to the next regularly scheduled Bayshore Regional Sewerage Authority (Authority) public meeting of January 20, 2014 to award contracts for the engineering design for the Restoration and Mitigation of the Pump Stations Project and Various Authority Buildings and Structures Project.

NOW THEREFORE BE IT RESOLVED, The Commissioners of the Authority hereby schedule an open public meeting of the Bayshore Regional Sewerage Authority for January 13, 2014 at 7:00 PM at the Authority Offices at 100 Oak Street, Union Beach, NJ to award engineering design contracts for the Pump Stations Project and the Various Authority Buildings and Structures Project and any other business that may so arise.

BE IT FURTHER RESOLVED, the Secretary shall cause adequate notice of the January 13, 2014 meeting to be sent to the Authority Official newspapers, posted in the Authority Lobby and on the Authority Website and mailed to the Clerks of the participating municipalities and authorities of the Bayshore Regional Sewerage Authority.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (167/13): to Award a second (1) year extension to Kuehne Chemical for Caustic Soda Solution

WHEREAS, in accordance with Local Public Contracts Law at 1:00 P.M. on Wednesday, January 4, 2012, the Bayshore Regional Sewerage Authority advertised and received bids for the furnishing and delivery of Caustic Soda Solution for a (1) one year period and (2) one year extensions; and

WHEREAS, on January 4, 2012 the BRSA awarded the Caustic Soda Solution contract to the lowest responsible bidder to Kuehne Chemical Co. Inc. of South Kearny, NJ, and

WHEREAS, in January 2013 the contract is scheduled to expire and the BRSA (Resolution #136/12) and Kuehne Chemical were mutually agreeable to extending the original Contract under the same terms and with the same prices for a period of (1) one additional year; and

WHEREAS, in January 2014 the contract is scheduled to expire and the BRSA and Kuehne Chemical are mutually agreeable to extending the original Contract under the same terms and with the same prices for a second and final (1) one additional year extension; and

WHEREAS, the original Contract provides by mutual agreement and, the Local Public Contracts Law allows for (1) one year contract extensions for a maximum of 2 years, this being the final year extension; and

WHEREAS, extension of the original Contract will require authorization from the Commissioners and the completion of contract extension documents; and

WHEREAS, the Staff Engineer and Qualified Purchasing Agent have reviewed the correspondence from Kuehne Chemical Co. Inc. of South Kearny, NJ accepting the second (1) one-year extension in accordance with the same product, price, terms and conditions as the original contract.

NOW THEREFORE BE IT RESOLVED that Kuehne Chemical Co. Inc. of South Kearny, NJ is hereby awarded a second and final (1) one-year extension of the contract for the furnishing and delivery of Caustic Soda Solution in accordance with the terms and conditions of the original bid and contract documents.

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute the Contract extension documents.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

RESOLUTION (168/13): to Adopt & Issue Final Permits for CEI

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is a Designated Local Agency (DLA) administering an Industrial Pretreatment Program (IPP) Program pursuant to the General Pretreatment Regulations 40 CFR Part 403 and N.J.A.C 7:14A-1 et seq, and

WHEREAS, in accordance with the NJDEP Permit NO. NJ0024708 Part IV (F) -5, the Authority is required to re-issue permits within 180 days of the expiration date of the IPP Permit issued to an existing industrial user, and

WHEREAS, Cosmetic Essence International (CEI) with (1) one location in Holmdel (permittee) is a significant industrial user with an expired permit, and

WHEREAS, the Authority has reissued a draft permit to CEI setting forth the rules, conditions, limits and other requirements in accordance with N.J.A.C. 7:14A-19.8 (b) by which their industrial waste is permitted to discharge to the Authority system, and

WHEREAS, the Authority Public Noticed its intention to reissue an Industrial User permit to CEI and provided a 30 day comment period and opportunity for a public hearing for any interested party, and

WHEREAS, the draft permit provided for a 30-day comment period during which the permittee reviewed the draft permit and did not submit comments to the Authority Pretreatment Coordinator, and

WHEREAS, there were no comments received from any other party nor a request for a hearing, and

WHEREAS, the Authority has developed a final permit for CEI based upon the draft permit, and

WHEREAS, the Authority deems it desirable to reissue a permit to CEI to (1) prevent of discharge of pollutants that would interfere with the attainment of effluent limitations, (2) pass through the treatment plant and impair water quality, and (3) affect sludge quality so as to interfere with the Authority's management of sludge.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Authority hereby reissue a final permit to CEI under permit No. 000005, and

BE IT FURTHER RESOLVED a copy of this resolution and the final permits shall be sent to the New Jersey Department of Environmental Protection, Division of Pretreatment and Residuals and to CEI.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Public Portion

ANNOUNCEMENT (by Chairman Vella) – This portion of the meeting is OPEN TO THE PUBLIC to discuss any BRSA matters the public may care to address specific to the scope of BRSA's operations or projects which were not previously addressed. As a courtesy to all, please be mindful of limiting your comments to 3 minutes.

Charles Hoffman of Florence Avenue, Hazlet asked if the BRSA obtained CAFRA Permits for the Single Sampling Project.

Pete Canal said it's an existing chamber that needs a walkway and lighting to get to it and is permitted under the existing CAFRA Permit with a modification.

Mr. Fischer announced that the annual Christmas Party will be on Thursday, December 19th from Noon to 3:00 P.M. and asked to distribute the annual Gift Cards. All were in favor.

Adjournment

ANNOUNCEMENT (by Chairman Vella)

A Special Meeting of the Bayshore Regional Sewerage Authority is scheduled for Monday, January 13, 2014.

The next Agenda/Regular meeting of the Bayshore Regional Sewerage Authority is on Monday, January 20, 2014.

All meetings are held in the Administration Building at 100 Oak Street, Union Beach, NJ at 7:00 PM.

At 8:08 PM Chairman Vella called for a **MOTION** to Adjourn the meeting.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Respectfully Submitted,

Susan A. DuBey