



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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

Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES MEETING OF 6-17-13

PUBLIC HEARING 2013/2014 CONNECTION FEE

At 7:00 P.M., on Monday, June 17, 2013 Chairman Vella called the Public Hearing & 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 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 Vella calls for all in attendance to stand for the Pledge of Allegiance and a Moment of Silence for the safety of US Troops serving all over the world.

Chairman Vella requested a roll call:

PRESENT: Commissioner Khachaturian, McMullen, Pisano, Steiner, Sutton, Chairman Vella

Also in Attendance:

Robert C. Fischer, Executive Director

Peter J. Canal, Engineer

James Gorman, Esq., General Counsel

Manuel Ponte, P.E., Consulting Engineer

Michael J. Bart, CPA, Authority Auditor

Stephanie Towns, Court Stenographer

Jim Wancho – PS&S

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

BRSA staff, November 2006

Connection Fee Public Hearing

THE CHAIRMAN TURNS THE MEETING OVER TO GENERAL COUNSEL TO CONDUCT PROCEEDINGS.

MINUTES OF THE PUBLIC HEARING ARE RECORDED SEPERATELY

Chairman Vella called for a **MOTION** to adopt the following Resolution:

RESOLUTION (98/13): to approve 2013/2014 Connection Fee

WHEREAS, in accordance with the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq., governing B.R.S.A., as amended, N.J.S.A. 40:14A-8 I and Rules and Regulations of the Bayshore Regional Sewerage Authority, the B.R.S.A. has conducted a Public Hearing on its Revised Connection Fee based on the 2012 Audit and Flow Report, and will provide a transcript of said Hearing to any interested party; and

WHEREAS, the B.R.S.A. specifically finds it to be reasonable and necessary to adopt the annexed connection fee charge.

NOW THEREFORE BE IT RESOLVED by the Bayshore Regional Sewerage that the Revised Connection Fee of the Authority is hereby adopted and approved.

BE IT FURTHER RESOLVED that the Connection Fee on the attached Exhibit "E" (partial) be, and is hereby incorporated and made part of the Section 7 "Fees" of the Rules and Regulations of the Authority until such time that a revised connection fee is adopted by the Authority.

BAYSHORE REGIONAL SEWERAGE AUTHORITY EXHIBIT "E" (partial)

Connection Fees

In accordance with NJSA 40:14A-8, the Bayshore Regional Sewerage Authority hereby establishes connection fees for a direct or indirect connection with, or the use of services of the BRSA Sewerage System for the Year 2013/2014.

Connection fee \$8466 for the year 2013/2014 fiscal year.

By Order of Resolution (/13)
Bayshore Regional Sewerage Authority
100 Oak Street
Union Beach, NJ 07735

Louis Pisano, Secretary

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

Chairman Vella called for a MOTION to adjourn 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

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REGULAR MEETING

Chairman Vella called the Regular Meeting of the Bayshore Regional Sewerage Authority to order.

Chairman Vella calls for a MOTION to approve the Treasurer's Report

TREASURER'S REPORT (by Commissioner Sutton)

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

Payment of Bills

Chairman Vella calls for a MOTION for payment of the following:

Operating Fund Req. No. 496 (Regular)	\$186,790.77
Operating Fund Req. No. S-8 (Sandy)	\$310,897.81

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

Approval of Minutes

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

Regular Meeting- May 20, 2013

Commissioner Steiner remarked that in several spots Commissioners are referred to as Chairman

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

Chairman Vella announced that this portion of the meeting is now open to the public for comments or questions related to Agenda items only. The public is reminded; only questions or comments specific to the scope of the Agenda items are to be addressed at this time. As a courtesy to all, please be mindful of limiting your comments to 3 minutes.

Charles Hoffman of Hazelt stated that in the newspaper there have been questions about school superintendents accrued time when the leave. He recommended that the account be audited before funds are distributed. Chairman Vella said it has been audited.

Resolutions

RESOLUTION (99/13): to approve payment of accrued days owed to retired Administrative Assistant

WHEREAS, On February 1, 2013 Administrative Assistant Kimberly Newins officially retired from the Bayshore Regional Sewerage Authority; and

WHEREAS, Authority Policy provides payout at retirement of accrued pro-rata Vacation benefits up to the date of retirement, and any remaining Personal Days; and

WHEREAS, Ms. Kimberly Newins accrued pro-rata Vacation benefits and remaining Personal Days have been calculated and recorded in a memorandum submitted by Mrs. Susan DuBey, Payroll Clerk to the Authority to the Executive Director, dated April 10, 2013; and

WHEREAS, the Executive Director has reviewed the calculated time owed with the Payroll Clerk and finds the calculation of Vacation and Personal Days accurate.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Authority hereby authorize the payment of accrued pro-rata Vacation and Personal Days owed Kimberly Newins as detailed in the attached memorandum dated April 10, 2013 in the amount of \$5,943.88.

(attachment on file in the Administrative Offices of the Authority)

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 (100/13): to approve annual salary increases to non-union personnel

WHEREAS, the Personnel Committee of the Bayshore Regional Sewerage Authority have met with the Executive Director to review annual non-union personnel performance evaluations; and

WHEREAS, the Executive Director has made annual salary increase recommendations to the Sub-Committee for those individuals; and

WHEREAS, the Personnel Committee reviewed those recommendations and discussed their recommendations with the full Board of Commissioners.

NOW THEREFORE BE IT RESOLVED that the salary increase as recommended by the Personnel Committee be and are hereby accepted by the Commissioners of the Bayshore Regional Sewerage Authority at 2 %.

BE IT FURTHER RESOLVED the Executive Director is hereby directed to provide a one-time 1.5% bonus for exemplary response and continued diligent efforts to restore the Authority facility following the disaster of Hurricane Sandy and to implement the salary recommendations retroactive to January 1, 2013 and proactively beginning with pay-date of June 20, 2013.

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

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

RESOLUTION (101/13): to modify Resolution 60/13 for FEMA Consulting Service

WHEREAS, the Bayshore Regional Sewerage Authority hired Arcadis US, Inc. by Resolution No. 60/13 on March 13, 2013 to provide Hurricane Sandy Recovery and Mitigation Services; and

WHEREAS, for better control of costs and to realize reimbursement of these services by FEMA, the Authority has asked Arcadis to provide a detailed Cost Breakdown for each task of their original proposal and provide a not to exceed overall fee; and

WHEREAS Arcadis presented their revised proposal to the Board of Commissioners at a Public Meeting on June 10, 2013; and

WHEREAS, these services are a necessary component of determining the proper cost effective mitigation proposal to present to FEMA for protection of Authority assets against future flooding events.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority accept the proposal as modified on June 7, 2013 to provide task breakdown costs for Hurricane Sandy Recovery and Mitigation FEMA Consulting Services.

OFFERED 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

RESOLUTION (102/13): to award the Various Laboratory Analysis Contract to Aqua Pro-Tech Laboratory (APL)

WHEREAS, in accordance with Local Public Contracts Law, Bayshore Regional Sewerage Authority had advertised and received quotes at 2:00 P.M. on Wednesday, June 12, 2013 for providing Various Laboratory Analysis for a two-year period beginning July 16, 2013, and

WHEREAS, the quotes were publicly opened and read aloud and the lowest responsible and responsive quote was provided by Aqua Pro-Tech Laboratories, Inc. (APL) of Fairfield, NJ having submitted a total quote price of \$ 24,960.00 for a two-year period, and

WHEREAS, the funds are available and budgeted for this purpose

WHEREAS, the Authority's Staff Engineer and Purchasing Agent have reviewed the quotations and recommend award to Aqua Pro-Tech Laboratories, Inc. (APL).

NOW THEREFORE BE IT RESOLVED that Aqua Pro-Tech Laboratories, Inc. (APL) is hereby awarded a contract for furnishing Various Laboratory Analyses, in accordance with the terms and conditions of the quotation documents for a total cost of \$ 24,960.00.

BE IT FURTHER RESOLVED the Chairman and Secretary are hereby authorized to execute the said documents.

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 (103/13): to award the Annual Generator Service Contract to Foley, Inc.

WHEREAS, in accordance with Local Public Contracts Law, Bayshore Regional Sewerage Authority had advertised and received quotes at 2:30 P.M. on Wednesday, June 12, 2013 for providing Annual Generator Service for a two-year period beginning July 1, 2013; and

WHEREAS, the quotes were publicly opened and read aloud and the lowest responsible and responsive quote was provided by Foley, Inc. of Piscataway, NJ having submitted a total quote price of \$ 22,728.92 for a two-year period, and

WHEREAS, the funds are available and budgeted for this purpose

WHEREAS, the Authority's Staff Engineer and Purchasing Agent have reviewed the quotations and recommend award Foley, Inc.

NOW THEREFORE BE IT RESOLVED that Foley, Inc. is hereby awarded a contract for furnishing Annual Generator Service, in accordance with the terms and conditions of the quotation documents for a total cost of \$ 22,728.92.

BE IT FURTHER RESOLVED the Chairman and Secretary are hereby authorized to execute the said documents.

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 (104/13): to award the Annual Disposal of Grit & Screening Contract to Spectraserv, Inc.

WHEREAS, in accordance with Local Public Contracts Law, Bayshore Regional Sewerage Authority had advertised and received bids at 2:00 P.M. on Thursday, June 6, 2013 for providing Annual Disposal of Grit and Screening for a two-year period beginning on July 20, 2013, and

WHEREAS, the bids were publicly opened and read aloud and the lowest responsible and responsive bid was provided by Spectraserv, Inc. of Kearny, NJ having submitted a total bid price of \$34,800.00 for a two-year period, and

WHEREAS, the funds are available and budgeted for this purpose

WHEREAS, the Authority's Staff Engineer, Purchasing Agent and Attorney have reviewed the bids and recommend award of the contract to Spectraserv, Inc.

NOW THEREFORE BE IT RESOLVED that Spectraserv, Inc. is hereby awarded a contract for furnishing Annual Disposal of Grit and Screening, in accordance with the terms and conditions of the bid document for a total cost of \$34,800.00.

BE IT FURTHER RESOLVED that the bid bond of the second low bidder, Freehold Cartage, Inc., shall be retained until a contract is executed with the low bidder.

BE IT FURTHER RESOLVED the Chairman and Secretary are hereby authorized to execute the said documents.

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 (105/13): to award the Hauling & Disposal for Dewatered Sludge Cake to Russell Reid

WHEREAS, the Bayshore Regional Sewerage Authority has a need to Haul and Dispose of Dewatered Sludge Cake from its facility at 100 Oak Street, Union Beach, NJ to the disposal site located at the Stony Brook Regional Sewerage Authority at 290 River Road in Princeton, NJ; and

WHEREAS, the Authority Commissioners authorized the advertisement of Public Bids for the Hauling and Disposal of Sludge Cake on April 15, 2013 by Resolution 74/13; and

WHEREAS, on June 5, 2013 at 2:00 P.M. two sealed bids were received with the lowest responsible bid being from Russell Reid with a bid price of \$241,600.00; and

WHEREAS, the funds are available for this purpose; and

WHEREAS, the Authority's Staff Engineer, Consulting Engineer, Purchasing Agent and Attorney have reviewed the bids and recommend award of the contract to Russell Reid; and

WHEREAS, both bids contained minor, non-material deficiencies which are being waived by the Authority.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority award the contract 66-S for Hauling and Disposal of Dewatered Sludge Cake to Russell Reid of Keasbey, NJ, in accordance with the terms and conditions of the bid documents and defects as noted in the Authority's Attorney letter dated June 13, 2013 are non-material and are being waived.

BE IT FURTHER RESOLVED that the bid bond of the second low bidder, Gary W. Gray Trucking, Inc., shall be retained until a contract is executed with the low bidder.

BE IT FURTHER RESOLVED that the Chairman and Secretary of the Authority execute the contract documents.

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 (106/13): to advertise a Request For Proposal for Remedial Investigation Activities

WHEREAS, the Bayshore Regional Sewerage Authority has a need to hire a Licensed Site Remediation Professional (LSRP) to complete remedial investigation activities at the facility site located at 100 Oak Street, Union Beach, NJ; and

WHEREAS, the RI activities will be based upon the findings of the preliminary assessment report recently completed for the site and is anticipated to include a non-invasive geophysical survey, groundwater investigation and an NJDEP and USEPA file review; and

WHEREAS, the Authority desires to seek proposals from qualified Engineering Firms for the performance at a Remedial Investigation by a Licensed Site Remediation Professional.

NOW THEREFORE BE IT RESOLVED the Commissioners at the Bayshore Regional Sewerage Authority authorize the qualified Purchasing Agent to advertise a Request For Proposal (RFQ) for Remedial Investigation Activities at the Authority facility site.

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 (107/13): to award Engineering Amendment for Wind-to-Energy Contract #54 to PS&S

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) entered into an Agreement with Paulus, Sokolowski and Sartor, LLC (PS&S) to provide engineering services for the Wind-to-Energy Project, Contract 54, by Resolution (100/09) dated November 16, 2009; and

WHEREAS, the BRSA wind turbine components and ancillary equipment were damaged by flooding from Super Storm Sandy, and

WHEREAS, there exists a need to evaluate the damaged foundation and equipment and assess the impact of the FEMA Advisory Base Flood Elevations on the Wind-To-Energy project, and

WHEREAS, PS&S has the resources necessary to perform the damage assessment report and project engineering, and

WHEREAS, PS&S has submitted an amendment to their proposal, dated June 7, 2013, in the amount of \$34,500 for a damage assessment and impact evaluation, and additional engineering management going forward, and

WHEREAS, funds are available for this work, and

WHEREAS, the proposal has been reviewed by BRSA Staff and found to be fair and reasonable.

NOW THEREFORE BE IT RESOLVED the Commissioners award Engineering Amendment for Wind-To-Energy Contract No. 54, to PS&S at a cost of \$34,500.

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 (108/13): to authorize the Staff & Consulting Engineers (R3M) to prepare and advertise contract specifications for the repair & replacement of the HVAC in the Laboratory/Office Building.

WHEREAS, the Bayshore Regional Sewerage Authority is in need to repair and replace its existing HVAC unit at the Laboratory/Office Building; and

WHEREAS, the Authority's Consulting Engineer, R3M, has evaluated the HVAC units in the Laboratory/Office Building and provided a recommendation to replace them due to age condition.

WHEREAS, the estimated costs of this work will exceed the public bidding threshold; and

WHEREAS, the Authority requires authorization to solicit bids for a Public Contract; and

WHEREAS, the Authority has funding available for this project.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Staff Engineer and the Consulting Engineer (R3M) are hereby authorized to advertise through Public Contract in the Authority's official newspaper and web

site for Contract NO. 13-70, the HVAC repair and replacement in the Laboratory/Office Building.

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

Chairman Vella announced this meeting is open to the public to discuss any BRSA matters the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA operation or projects will be addressed.

As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments to 3 minutes.

Charles Hoffman of Hazlet said he has a problem with the trucks going down Florence Avenue from Middle Road. He said there is a 4 ton limitation and most thru traffic trucks are for service to the BRSA. He asked that the truck drivers be told to use Poole Avenue.

Commissioner Sutton informed Charles Hoffman that the Engineer checked the base of the turbine. Mr. Hoffman said Mr. Lavin asked about BRSA addressing NJEIT about the turbine project. He asked if BRSA received any answers, he said he has a right to know what they said. Jim Gorman stated that it's a complex litigation and a matter of confidentiality.

Charles Hoffman asked if he could go to the state with an OPRA request. Jim Gorman said OPRA is for records not conversations.

Closed Session

Chairman Vella calls for a MOTION to go into Closed Session @ 8:17 P.M. 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 will be taken to discuss matters falling within attorney-client privileges, specifically, pending and anticipated litigation, matters of employment and the terms and conditions of the collective bargaining agreement. 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.

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

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

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

Chairman Vella calls for a MOTION to end Closed Session @ 7:45 P.M.

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

Chairman Vella made the following announcement:

The next Agenda Meeting of the B.R.S.A. is scheduled for Monday, July 8, 2013 @ 7:00 P.M.
The next Regular Meeting of the B.R.S.A. is scheduled for Monday, July15, 2013 @ 7:00 P.M.
All meetings take place in the Administration Building of the BRSA located at 100 Oak Street, Union Beach, NJ, 07735.

Adjournment

Chairman Vella calls for a MOTION to Adjourn the meeting @ 7:45 P.M.

OFFEDER 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

Respectfully submitted,

Susan A. DuBey
Admin. Assistant