



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fisher
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING MONDAY, August 18, 2014

At 7:20 P.M. on Monday, August 18, 2014 Vice-Chairman Sutton called the 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 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.

Vice-Chairman Sutton 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.

Vice-Chairman Sutton requested a roll call of attendance:

PRESENT: Commissioner McMullen, Pisano, Steiner, Sutton, & Vella

ABSENT: Chairman Khachaturian

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

Reports

Executive Directors Report, BRSA Projects, Special Reports

Mr. Fischer discussed:

- **Short Term Funding** – design Engineers Hazen & Sawyer, R3M and PS&S submitted all the specifications to NJEIT. The NJEIT hired Tetra Tech to review the technical aspects of the projects prior to authorization to advertise

(ATA) the project. September 15th is the target date to have everything submitted, prior to ATA

- Dept. of Community Affairs (DCA) has new requirements on Sandy and SAIL projects. We are awaiting these requirements so specs can be adjusted properly.
- The Trust is requiring a specific Schedule of Values on each project to breakdown the total costs into categories of FEMA reimbursable Restoration, FEMA reimbursable Mitigation, Non FEMA Fundable, resiliency.
- Local Finance Board had a hearing last week at DCA and approved our application. Tentative schedule at this point is to advertise in September, Award in November, Issue Notice to Proceed in December and Break ground in January.
- **Destruction of Records** – a memo was sent explaining the need to destroy BRSA records from 1970's, 1980's and 1990's. A record of documents and their issuance date have been recorded and sent to the State for authorization to destroy, which was granted. BRSA will seek an appropriate company. Commissioner McMullen asked if the company takes the records or destroys them on site. Mr. Fischer said on site.
- **Disaster Recovery Update** – all requests for reimbursement have been paid. A new payment request will be submitted this week for about \$500,000.
- Arcadis and R3M are working on the Hazard Mitigation Proposal. Every damaged building must have a FEMA approved proposal to mitigate that building.
- FEMA generally uses the 100% rule to determine funding eligibility for mitigation if the building had \$1 million dollars in damage, then FEMA would give us \$1 million dollars to protect it(mitigate) from happening again. Under this rule FEMA approved the Main Pump Station, the Primary Pump Station and the Incinerator Buildings. FEMA was not going to approve the Administration Building, Return #2, Primary #2 Hypo Building, Fire Water Pump Station, Lab/Office Building and the Odor Control Building. Arcadis and R3M have submitted a Benefit Cost Analysis to FEMA with good success. We are waiting for approval on the Administration Bldg., Return #2, Pump Station #2 and Lab/Office Buildings.

Staff Engineer Report

Pete Canal discussed:

- **Dorr Oliver Incinerator** was working fine until Friday, Aug. 15th. It was shut down because of the fluidizing bed and we are hauling again. Chavond Barry came in, did a smoke test on the heat exchanger finding no leaks. There is a conference call next week to discuss Chavond Barry's findings.
- **Blower Buildings** – Jeff Ulrich from Gannett Fleming handed out their report and did a slide presentation on the Blower Building Project. Mr. Ulrich said it's not only feasible but recommended. FEMA is trying to get funding for this project.
- Pete reviewed his report and discussed the necessity for Resolutions 90/14 to Resolution 94/14.

- 3 main projects through NJEIT are 71-S Various Buildings, 73-S Main Pump and Sludge Return Building and 74-S Niro Incinerator are complete in the design. The Projects were submitted to the Trust for authorization to advertise. A conference call with the Engineering Committee, Bob and Pete to discuss the Construction Management and Inspection Services -the 3 Design Engineers should submit proposals and they will be reviewed and evaluated. All present approved to have Pete solicit for proposals.

Consulting Engineer Report

Manuel Ponte discussed:

- Close-out of the Fire Alarm System which just needs some troubleshooting and the main pump rebuild by Longo.
- 2 A/C units at the Lab/Office Building were put in place and awaiting the electric and gas line work to be done.
- Matawan Pump Station shop prints were approved and waiting for the unit to be delivered

BRSA Superintendent's Report

Mike Broyles discussed:

- A typical flow for the month of July with effluent stable
- Plant #1 was only flowing at 17 to 20 % capacity. Division Chamber was cleaned out which improved the ratio 1/3 – 2/3 between the plants. And the flow to plant #1 increased significantly
- The incinerator burned 194 dry tons of sludge and 2.8 million gallons dewatered.

Correspondance

Mr. Fischer said there was an article from the NJDEP about the SAIL Programs and BRSA is mentioned in it.

Attorney Report

Jim Gorman reported that he and Pete Canal went to the Union Beach meeting about the Capital Review Air Pollution Control Equipment. Union Beach Board said everything looks OK but next time just give them some more time.

Jim received copies of the Union Beach litigation Petition of Certification from the Supreme Court and a Brief in Opposition from Lou Granata. The court will take their time reviewing the case and may or may not hear it.

Public Portion

Vice-Chairman Sutton 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.

NO PUBLIC IN ATTENDANCE

Executive Session

Vice-Chairman Sutton called for a MOTION to go into Closed Session at 8:25 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. 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 Vella, SECONDED BY: Commissioner McMullen, and carried by
a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

At 8:42 P.M. Vice-Chairman Sutton called for a MOTION to end Closed Session.

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

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

Vice-Chairman Sutton called for a MOTION to approve the Treasure's Report

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	July 31,
<u>2014</u>	
<u>2010 NJEIT BONDS</u>	
Revenue	\$
0.00	
Construction	\$
1,357,208.74	
Bond Service	\$
<u>.05</u>	
TOTAL TRUSTEE	\$
1,357,208.79	

TD BANK

Incoming Revenue Account	\$
476,533.89	
Operating Payroll Account	\$
138,186.68	
Operating Regular Account	\$
163,629.36	
Reserve Account (NEW)	
<u>\$11,261,045.99</u>	

TOTAL AUTHORITY ACCOUNTS
\$12,039,395.92

TOTAL
\$13,396.604.71

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

SCHEDULE OF ACCOUNTS RECEIVABLE

<u>SERVICE CHARGES:</u>	Balance July 31, 2014
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	

MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY CHARGES

0.00	Hazlet Township Sewerage Authority	\$
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 March, 2014	
	Hazlet Township Sewerage Utility	\$
740,455.18		
	Township of Holmdel	\$
317,595.88		
	Borough of Union Beach	\$
193,960.61		
	Borough of Keyport	\$
322,128.23		
	Borough of Keansburg	\$
302,266.75		
	Borough of Matawan	\$
321,975.24		
	Western Monmouth Utilities Authority	\$
111,809.32		
	Township of Aberdeen	\$
<u>468,525.62</u>		
	TOTAL	
\$2,778,716.83		

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

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

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

Payment of Bills

Vice-Chairman Sutton called for a MOTION for payment of the following:

Operating Fund Req. No. P161	\$197,981.94
Operating Fund Req. No. 512Regular)	\$300,165.77
Operating Fund Req. No. S-21 (Sandy)	\$196,524.96

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

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

Approval of Minutes

Vice-Chairman Sutton called for a MOTION to approve the following Minutes:

Regular Meeting	June 16, 2014
Regular Meeting	July 21, 2014
Closed Session	June 16, 2014
Closed Session	July 21, 2014

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

AYES: Commissioners McMullen, Pisano, Steiner, Sutton and Vella

Resolutions

RESOLUTION NO. (87/14):To authorize the Executive Director and Qualified Purchasing Agent to procure a Records Disposal Service

WHEREAS, the New Jersey State Records Committee (committee) regulates the retention and disposal of all State and Local public records, and

WHEREAS, the Committee has developed retention schedules to regulate the length of time public records must be maintained as well as the procedure for the proper disposal of public records that have exceeded the retention period, and

WHEREAS, an important part of a good records management program is the timely destruction of records once their retention period has expired, and

WHEREAS, the Bayshore Regional Sewerage Authority has made application to, and has received authorization No. 516295 from the State Records Committee dated 7/14/2014 to dispose of certain records that appear on the approved retention schedules of the Committee, and

WHEREAS, the Authorization, hereinafter made part of this resolution, permits the disposal of records dating from 1974 to 2008 as identified on the authorization form.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the Executive Director, as the Records Custodian and the Qualified Purchasing Agent to procure the services of a Records Disposal Service to dispose of the records listed on the attached Authorization of the New Jersey State Records Committee.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by

a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

RESOLUTION NO. (88/14): to authorize the Executive Director to Post the Position of Utility Worker

WHEREAS, a Bayshore Regional Sewerage Authority (Authority) employee has applied for retirement in the Public Employee Retirement System as a result of health conditions that prevent his returning to work in any capacity, and

WHEREAS, the employee is a Utility worker in the Maintenance Department of the Authority and has worked for the Authority since February 17, 1997, and

WHEREAS, the vacancy in the position leaves a manpower shortage that must be filled, and

WHEREAS, the Authority Policy is to advertise vacant positions among the current staff prior to accepting outside applications.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Authority authorize the Executive Director to “Post” the position of Utility Worker among the current Authority staff and recommend a qualified replacement at the September Regular meeting.

OFFERED BY: Commissioner Steiner, SECONDED BY: Commissioner McMullen, and carried by

a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

RESOLUTION NO. (89/14): to Accept the Third Quarter flow report for 2013/2014

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (BRSA) have determined the quantity of sewerage from each of the

Towns and Authorities connected to the BRSA system for the period October 1, 2013 to June 30, 2014.

WHEREAS, said flow figures have been calculated from actual meter readings, maintenance service reports, meter calibration 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 R3M for the Third Quarter of the year 2013/2014.

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

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

RESOLUTION NO. (90/14): to award Change Order No. 1, line item adjustment with no increase in total contract price for Annual Hauling & Disposal of Dewatered Sludge Cake, Contract No. 77-S.

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) facility was severely damaged during Super Storm Sandy on October 29, 2012, and

WHEREAS, both incinerators, the NIRO and Dorr Oliver were damaged and taken out of service, and

WHEREAS, the BRSA has a need for a Contract 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, in accordance with Local Public Contract Law, Contract 77-S Annual Hauling & Disposal of Dewatered Sludge Cake, was awarded to Russell Reid on June 16, 2014 for a total price of \$322,200 via Resolution No. 73/14, and

WHEREAS, the Dorr Oliver Incinerator has recently been repaired and the BRSA does not presently need to haul & dispose of dewatered sludge cake, and

WHEREAS, the BRSA no longer has a functioning standby incinerator, therefore, the staff is recommending this contract be kept open in the event the Dorr Oliver fails, and

WHEREAS, Russell Reid has agreed to keep this contract open for its duration, provided they are reimbursed for their bonding costs, and

WHEREAS, the Contractor is requesting they be permitted to move the bonding cost of \$6,057 out of its hauling cost from Bid Item 2 and into the overhead costs in Bid Item 1, with no change to the total contract award amount of \$322,000, and

WHEREAS, the BRSA staff have reviewed Change Order No.1, line item adjustment of \$6,057 and find it to be fair and reasonable.

NOW THEREFORE BE IT RESOLVED the Commissioners approve Change Order No.1 for Russell Reid, line item adjustment, Bid Item No. 1 at \$6,057 for bonding costs and Bid Item No. 2 at \$526.91 per load at 600 loads totaling \$316,143, with the total contract amount to remain at \$322,200.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to approve this Change Order.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by

a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

RESOLUTION NO. (91/14): to award Contract Final Quantities Change Order No. 2 in the credit amount of <\$259> and accept the Maintenance Bond for Influent Pumps Rehabilitation in Main Pump Station, Contract No. 65-S.

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) influent pumps were severely damaged by flooding from Super Storm Sandy on October 29, 2012, and

WHEREAS, there exists a need to rehabilitate three (3) damaged influent pumps as a result of the flooding, and

WHEREAS, in accordance with Local Public Contract Law, Contract 65-S, Influent Pumps Rehabilitation in Main Pump Station was awarded to Longo Electrical-Mechanical on May 20, 2013 for a total price of \$63,663 by Resolution No. 94/13, and

WHEREAS, the BRSA approved Change Order No. 1 on November 25, 2013 for a total amount of \$4,479, bringing the total contract value to \$68,142 by Resolution No.151, and

WHEREAS, during the work our construction management firm, R3m engineering identified additional repairs and credits necessary for the completion of the project, which netted a credit of <\$259>, and

WHEREAS, R3m and BRSA staff have reviewed Change Order No.2 and find it to be fair and reasonable, and

WHEREAS, Longo Electrical-Mechanical has submitted the required project closeout documents and Maintenance Bond in the amount of \$68,142, and

NOW THEREFORE BE IT RESOLVED the Commissioners approve Final Quantities Change Order No.2 for Longo Electrical-Mechanical, in amount of <\$259>, decreasing the contract amount from \$68,142 to \$67,883 and approve acceptance of the Maintenance Bond No. B 015-040-350M, subject to BRSA attorney review.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to approve this Change Order and closeout the project.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Pisano, and carried by

a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

RESOLUTION NO. (92/14): to award Change Order No. 1, electrical sub-contractor substitution with no increase in total contract price for Laboratory/Office HVAC Improvements, Contract No. 72.

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) Laboratory and Operations Office Building was constructed in 1992, and

WHEREAS, the BRSA is in need to replace its existing HVAC units in the Laboratory/Office Building, and

WHEREAS, in accordance with Local Public Contract Law, Contract 72 Laboratory/Office HVAC Improvements, was awarded to WHL Enterprises, Inc./TA Bill

Leary AC & Heating (WHL) on March 17, 2014 for a total price of \$289,900 via Resolution No. 42/14, and

WHEREAS, on July 14, 2014, the electrical sub-contractor named in the bid, Roman Electric (Roman) submitted a letter stating that they are unable to perform the work for this project due to the lack of manpower, and

WHEREAS, WHL has proposed another electrical sub-contractor, Power and Automation Electrical Contractor (P&A), and

WHEREAS, P&A has submitted all of the required documentation, and

WHEREAS, the BRSA Attorney, staff and R3m engineering are recommending Change Order No.1, electrical sub-contractor substitution, P&A for Roman, with no increase in total contract value or duration, and

NOW THEREFORE BE IT RESOLVED the Commissioners approve Change Order No.1 for WHL Enterprises, Inc./TA Bill Leary AC & Heating, electrical sub-contractor substitution, Power & Automation for Roman Electric, with no increase in total contract value or duration and the total contract amount to remain at \$289,900.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to approve this Change Order.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by

a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

Adjournment

Vice-Chairman Sutton announced - The next Regular Meeting of the Bayshore Regional Sewerage Authority is on Monday, September 15, 2014. Commissioner McMullen said she will not be able to attend the meeting. All meetings are held at 7:00 PM in the Administration Building at 100 Oak Street, Union Beach, NJ.

At 8:45 P.M. Chairman Khachaturian called for a MOTION to Adjourn the Meeting.

OFFERED BY: Commissioner McMullen, SECONDED BY: Commissioner Steiner, and carried by

a unanimous voice vote recorded as follows:

AYES: Commissioners McMullen, Pisano, Steiner, Sutton, and Vella

Respectfully submitted,

Susan A. DuBey
Assistant Administrator