



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES PUBLIC HEARING AND REGULAR MEETING MONDAY, December 15, 2014

At 7:00 P.M. on Monday, December 15, 2014 Chairman Khachaturian 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 Khachaturian 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 Khachaturian requested a roll call of attendance:

PRESENT: Commissioners Pisano, Steiner, Sutton, Vella and Chairman Khachaturian

ABSENT: Commissioner McMullen (arrived @ 7:05)

Also in Attendance: Robert C. Fischer, Executive Director
J. Michael Broyles, BRSA Superintendent
Peter Canal, BRSA Engineer
Manuel Ponte, R3M Engineering
Susan DuBey, Admin. Assistant

James Gorman, Esq.
Carly Foster, Arcadis US
Michael Bart, BRSA Auditor
Michael Samuels, R3M

Open Public Hearing

NOTE – Minutes of the Public Hearing are recorded separately by the Stenographer

At 7:03 P.M. Chairman Khachaturian called for a **MOTION to Open the Public Hearing**

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

BRSA staff, November 2006

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

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

ABSENT: Commissioner McMullen

ANNOUNCEMENT

Chairman Khachaturian announced that this portion of the meeting is the Public Hearing for the 2015 Budget. Mr. James Gorman, General Counsel for BRSA, will issued the Oath to Professionals and commence 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, 2015 Authority Meeting.

Public Portion

Chairman Khachaturian announced that this portion of the meeting is now open to the public for comments or questions related to the **2015 Budget only**. As a courtesy to all, please be mindful of limiting your comments to 3 minutes.

Resolution

RESOLUTION No. (125/14): to Adopt 2015 Budget Resolution for the 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, 2015 and ending, December 31, 2015 has been presented for adoption before the governing body of the Bayshore Regional Sewerage Authority at its Open Public Meeting on December 15th, 2014; 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 \$9,683,007 Total Appropriations, including any Accumulated Deficit, if any, of \$6,783,007 and Total Unrestricted Net Assets utilized of \$0.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$10,788,150 and Total Unrestricted Net position planned to be utilized of \$2,900,000.

THEREFORE BE IT RESOLVED by the governing body of the Bayshore Regional Sewerage Authority, at an Open Public Meeting held on December 15th, 2014 that the Annual Budget and Capital Budget/Program of the Bayshore Regional Sewerage Authority for the fiscal year beginning, January 1,

2015 and, ending, December 31, 2015 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.

<u>Governing Body Members</u>	<u>Recorded</u>	<u>Vote</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
	<u>ABSENT</u>				
Commissioner Marcy McMullen			X		
Commissioner Louis Pisano			X		
Commissioner Charles Steiner			X		
Commissioner Bart Sutton			X		
Commissioner Walter Vella			X		
Chairman Adam Khachaturian			X		

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

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

RESOLUTION No. (126/14): to Adopt 2015 User Charge Schedule

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 2015 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 2015 Exhibit "E" be, and is hereby adopted and approved for calendar year 2015.

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, 2015.

REVENUES	
Retained earnings appropriated	\$ 0
Anticipated revenues	\$9,683,007
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Total revenues and other financial sources	\$9,683,007
APPROPRIATIONS	
Operating Expenses	\$6,783,007
Capital Appropriations	\$2,900,000
Debt service, reserves, and deficit	\$ 0
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Total appropriations	\$9,683,007

Exhibit "E" Customer Flow Charges

The Bayshore Regional Sewerage Authority hereby establishes Customer User Charges as follows for 2015:

Aberdeen:	\$1,744,550
Hazlet:	\$2,720,001
Holmdel:	\$1,083,208
Keansburg:	\$ 854,020
Keyport:	\$1,037,965
Matawan:	\$ 991,762
Union Beach:	\$ 670,434
WMUA:	\$ 341,067

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

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

Close Public Hearing

At 7:10 P.M. Chairman Khachaturian called for a **MOTION to Close the Public Hearing**

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

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

Re-Open Regular Meeting

At 7:11 P.M. Chairman Khachaturian called for a **MOTION to Re-Open the Regular Meeting** of the Bayshore Regional Sewerage Authority.

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

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

Reports

Executive Director Report, BRSA Projects, Special Reports & Connection Applications

Disaster Recovery Update:

Mr. Fischer discussed:

- Monthly Recovery Chart – amount spent from 10-29-12 thru 12-15-14 is \$11,155,850.02. NJDEP and NJEIT gave approval to advertise for bids for the NIRO Mitigation/Restoration Project. The Notice to Bidders will be advertised on our Web-site, the Star Ledger and the Asbury Park Press. A Pre-Construction Meeting is scheduled for January 7, 2015, bid opening on January 20, 2015 and a possible award at our February Meeting.
- Arcadis and R3M received approval from FEMA in the amount of \$1,397,612 for Hazard Mitigation Projects that were initially not approved due to the 100% rule. A presentation and discussion took place to summarize the scope of work Arcadis has performed to acquire additional funds from FEMA and to improve the level of protection against future storms.

Staff Engineer Report

Pete Canal Discussed:

Resolutions:

- RFP's were sent out to 3 of BRSA's Capital Improvement Engineers for the West Keansburg Pump Station Odor Control and Corrosion Project. After an evaluation by Pete and Mr. Fischer, CH2MHill Engineer received the best ranking at price.
- Annual Bids were received for Caustic Soda Contract. Possible award (Resol. #132.14) to Kuehne Chemical Co. in the amount not to exceed \$13,880.00.
- BRSA will to extend the JCI Jones Chemical contract for Sodium Hypochlorite for an addition 1 year period (Resol. #131/14) at the same price and terms.
- Proposals went out to 3 Capital Improvement Engineering Firms for Engineering Services and Repair of 3 Stand-By Generators. Maser, PS&S and R3M prepared proposals, and R3M received the best ranking in the amount not to exceed \$56,721.00. We are doing 1 Generator at a time.
- RFQ for the Generator Repair at Matawan Pump Station went out and we received 2 quotes. Cumming Power System, Inc. submitted the lowest quote at a cost of \$16,230.

Pete addressed the Dorr Oliver Incinerator stating the investigating work is being done through testing of tuyeres sand and smoke tests between the walls. We are starting at the beginning to eliminate possible causes.

Engineer Report

Manuel Ponte, R3M discussed:

- Lab/Office and Matawan Pump Station HVAC Update-continued struggle with WHL to get the work done. Invoices are on the pay list this month for payment this month basically because they have completed some work since our notice to terminate as an incentive to get the jobs finished. Manuel Ponte of R3M submitted an addendum for additional engineering fees for the additional work.

Pete said that since the Bond Company was notified, WHL has done substantially more work on both Contracts.

Commissioner McMullen asked how confident is he that the Project will be done in January? Manuel said that we could send notification to WHL and their Bonding Company about the delays. Manuel handed out a list of outstanding work still needed to be done. Mike Samuels of R3M said it is impossible to tell when WHL will complete the Projects however R3M is willing to do anything they can to see this project complete.

BRSA Superintendent's Report

Mike Broyles Discussed:

- Flow into the plant still pretty low, less than 7mgd.
- We incinerated some sludge in November
- Spectraserv removed approx. 5,000 tons of ash and did a pretty good job moving ash around to get it dried out.
- Mike and Chuck did their IPP annual inspection of the NJ Highway Authority vehicle/truck wash facility. A Pre-Draft Permit was issued to them to make changes and submit comments. If no change or comments are submitted, a Public Notice will be placed in the newspaper and a draft Renewal Permit will be issued.
- The NJDEP finally issued a Pre-Draft NJPDES Permit, the current Permit which expired in September, 2013 is still enforceable.

Chairman Khachaturian asked how did the kids open the manhole. Mike spoke about neighborhood children getting into our Collection System dumping debris in the lines. Mike said it takes a crowbar, hooks and 3 men to open a manhole. These kids just do it, even though the manhole is locked

Chairman Khachaturian called for a MOTION to approve the Treasurer's Report

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	November 30, 2014
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 1,357,254.58
Bond Service	\$.05
TOTAL TRUSTEE	\$ 1,357,254.63
<u>TD BANK</u>	
Incoming Revenue Account	\$ 188,309.65
Operating Payroll Account	\$ 155,099.57
Operating Regular Account	\$ 160,244.53
Reserve Account (NEW)	<u>\$12,024,720.25</u>
TOTAL AUTHORITY ACCOUNTS	<u>\$12,528,374.00</u>
TOTAL	\$13,885,628.63

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>	<u>Balance</u> <u>November 30, 2014</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	\$ -100.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	<u>\$ 0.00</u>
TOTAL	\$ -100.00

MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY CHARGES

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 November, 2014

Hazlet Township Sewerage Utility	\$ 740,829.56
Township of Holmdel	\$ 317,756.46
Borough of Union Beach	\$ 194,058.68
Borough of Keyport	\$ 322,291.10
Borough of Keansburg	\$ 302,419.58
Borough of Matawan	\$ 322,138.03
Western Monmouth Utilities Authority	\$ 111,865.85
Township of Aberdeen	<u>\$ 468,762.51</u>
TOTAL	\$2,780,121.77

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

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

Approval of Minutes

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

Regular Meeting	November 17, 2014
Closed Session	November 17, 2014

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

AYES: Commissioners Pisano, Sutton, Vella and Chairman Khachaturian

ABSTAIN: Commissioners McMullen & Steiner

Public Portion

ANNOUNCEMENT by Chairman Khachaturian: 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 commented about the CAFRA Permit Renewal vote last month. He asked for a revote to have on public record how Commissioner McMullen's would vote. Jim Gorman commented that there's no legal requirement for everyone to be present for a vote. That was just a precaution he had so that votes don't go back and forth on big items.

Commissioner Vella stated that the vote was not on a big item.

Mr. Hoffman said he understood but this matter is the foundation for his and your other attorney to do what you want with the turbine.

Jim Gorman commented that he didn't want to be the source of the problem but there is a difference of opinion amongst the Commissioners on this item and other items. He said he was just concerned that on big items the full Board should be present for the vote. This was not a big item.

Mr. Hoffman asked if the emission on the new generators were taken into consideration.

Pete Canal said the generators were not out to bid yet, an engineering firm was just awarded to do the design.

RESOLUTIONS

RESOLUTION No. (127/14): to Award Engineering Alternatives Analysis for the Control of Odors and Corrosion at the West Keansburg Pump Station to CH2MHILL for a Cost of \$53,935

WHEREAS, the Bayshore Regional Sewerage Authority owns and operates a sewage pump station at #15-10th Street in Hazlet known as the West Keansburg Pump Station, and

WHEREAS, the West Keansburg Pump Station (WKPS) is in need of improvements to the Odor Control and Ventilation system which services the wetwell and forcemain, and

WHEREAS, the Authority issued an RFP for an *Engineering Alternatives Analysis for the Control of Odors and Corrosion at the West Keansburg Pump Station* to three (3) of the Capital Improvement Plan short-list engineering firms, CDM Smith, CH2MHILL and Gannett Fleming, and

WHEREAS, the proposals were reviewed independently by the Executive Director and the BRSA Engineer (the evaluation team), against weighted criteria which included the firms; workload and understanding of the project, the experience of the staff assigned, the overall experience of the firm and the fee proposed, and

WHEREAS, the independent evaluation by the evaluation team found the proposal submitted by CH2MHill to be most advantageous with cost and other stated factors considered, receiving an overall rating of 90 points, and

WHEREAS funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the contract for *Engineering Alternatives Analysis for the Control of Odors and Corrosion at the West Keansburg Pump Station* to CH2MHill of 119 Cherry Hill Road, Parsippany, NJ as a Professional Service for a cost of \$53,935.

BE IT FURTHER RESOLVED a copy of this award be advertised in the Official Authority Newspaper and on the Authority Website.

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

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

RESOLUTION No. (128/14): to Award Engineering Services for Service and Repair of Three Stand-By Generators to R3M Engineering in the amount not to exceed \$56,729

WHEREAS, the Bayshore Regional Sewerage Authority owns and operates three (3) emergency power generators at the treatment plant located at 100 Oak Street in Union Beach, which are essential to the health and safety of the staff, community and environment, and

WHEREAS, the emergency generators have operated during power failures since installation in 1996 and most recently for seven (7) straight days during Hurricane Sandy, and

WHEREAS, various repairs are required to the generators and the Authority staff desires to perform a full evaluation of the condition, reliability and repairs necessary to bring the emergency generators into peak performance and reliability status, and

WHEREAS, the Authority issued an RFP for *Engineering Services for Service and Repair of Three Stand-By Generators*, to three (3) of the engineering firms on the Capital Improvement Short list, Maser Consulting, PS&S and R3M Engineering, and

WHEREAS, the proposals were reviewed independently by the Executive Director and the BRSA Engineer (the evaluation team), against weighted criteria which included the firms; workload and understanding of the project, the experience of the staff assigned, the overall experience of the firm, responsiveness and the fee proposed, and

WHEREAS, the independent evaluation by the evaluation team found the proposal submitted by R3M Engineering to be most advantageous with cost and other stated factors considered, receiving an overall rating of 82.5 points, and

WHEREAS funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the contract for *Engineering Services for Service and Repair of Three Stand-By Generators* as a Professional Service for a cost not to exceed \$56,729.

BE IT FURTHER RESOLVED a copy of this award be advertised in the Official Authority Newspaper and on the Authority Website.

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

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

RESOLUTION No. (129/14): to accept the Proposal from ARCADIS US for continuing services as Authority FEMA Consultant

WHEREAS, the Bayshore Regional Sewerage Authority has contracted with ARCADIS US for FEMA Consulting Services to support the recovery from Superstorm Sandy and mitigate against future flood events, and

WHEREAS, there exists a need to continue services with ARCADIS US as FEMA Consultants to develop mitigation proposals for the protection of the Authority Power Distribution System, obtain reimbursements from NJOEM, seek additional sources of funding and as more specifically described in their proposal dated December 11, 2014, and

WHEREAS, the Authority has realized significant FEMA approval of requests and proposals with the assistance of ARCADIS US as FEMA consultants, and

WHEREAS, the Authority desires to continue the services of ARCADIS US as FEMA consultants in accordance with their proposal dated December 11, 2014, and

WHEREAS, funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the proposal submitted by ARCADIS US to act as FEMA Consultants at a not to exceed cost of \$76,000.

BE IT FURTHER RESOLVED, a copy of this award be placed in the official Authority newspaper and on the Authority Website.

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

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

RESOLUTION No. (130/14): to award Request for Quotation for Emergency Generator Repair at Matawan Sewer Pump Station to Cummins Power Systems, Inc. in the amount of \$16,430.00

WHEREAS the Emergency Generator at the Matawan Sanitary Sewer Pump Station is in need of repairs, and

WHEREAS, Request for Quotation (RFQ) #2014-04, Generator Repair at Matawan Sewer Pump Station was advertised on the BRSA Web Site, and

WHEREAS, on December 5, 2014 at 1pm, two (2) sealed quotes were publically opened and read aloud, one for \$16,430 and the other at \$17,837.60, and

WHEREAS, Cummins Power Systems, LLC of Newark, NJ (CPS) submitted the lowest responsive responsible quote, in the amount of \$16,430, and

WHEREAS, the Qualified Purchasing Agent and the BRSA Engineer have reviewed the RFQ's and are recommending the project be awarded to CPS, in an amount not to exceed \$16,430, and

WHEREAS funds are available for this purpose.

NOW THEREFOR BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority award the Request for Quotation to Cummins Power Systems, LLC of Newark, NJ for a total amount of \$16,430.00, in accordance with the terms and conditions of the RFQ, and

BE IT FURTHER RESOLVED that the Executive Director of the Authority execute any and all necessary documentation to initiate the project.

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

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

RESOLUTION No. (131/14): to Extend the Contract with Jones Chemicals, Inc. for Furnishing & Delivery of Sodium Hypochlorite for a one year period

WHEREAS, on February 25, 2013 the BRSA awarded the Sodium Hypochlorite contract to the lowest responsible responsive bidder being Jones Chemicals Inc. of Warwick NY, for a total contract price of \$216,000 at .72 cents per gallon, via Resolution No. 50/13; and

WHEREAS, on January 20, 2014 the Contract was extended for a one year period via Resolution No. 5/14, and

WHEREAS, on February 24, 2015 the contract is scheduled to expire and Jones Chemicals, Inc. and BRSA are mutually agreeable to extend the original Contract under the same terms and with the same prices for a period of one (1) year extension; and

WHEREAS, the original contract provides by mutual agreement and, the Local Public Contracts Law allow for one (1) year contract extension for a maximum of two (2) years; and

WHEREAS, the Qualified Purchasing Agent and the BRSA Engineer have reviewed the correspondence from Jones Chemicals Inc., accepting one (1) year extension in accordance with the same product, price, terms and conditions as the original contract and are recommending one final extension.

WHEREAS, funds are available for this purpose

NOW THEREFORE BE IT RESOLVED, that Jones Chemicals Inc. of Warwick NY is hereby awarded a one (1) year extension of the contract for the furnishing and delivery of Sodium Hypochlorite in

accordance with the terms and conditions of the original bid and contract documents, for the total contract price of \$216,000.00 at .72 cents per gallon.

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

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

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

RESOLUTION No. (132/14): to Award Contract #79-O for Furnishing and Delivering Caustic Soda 25% to Kuehne Chemical Company, for an amount not to exceed \$13,880

WHEREAS, in accordance with Local Public Contracts Law at 10:00 A.M. on Tuesday, December 9, 2014, the Bayshore Regional Sewerage Authority advertised and received bids for the furnishing and delivery of Caustic Soda Solution 25% (Sodium Hydroxide) for a one (1) year period; and

WHEREAS, two (2) bids were publicly opened and read aloud, with the lowest responsible responsive bidder being Kuehne Chemical Company, Inc. of South Kearny, NJ, having submitted a unit price of \$699 per dry ton and a one (1) year total of \$13,880, and

WHEREAS, the Qualified Purchasing Agent, BRSA Engineer and Attorney have reviewed the bids and are recommending award of the Contract to Kuehne Chemical Co. Inc. of South Kearny, NJ.

WHEREAS, funds are available for this purpose

NOW THEREFORE BE IT RESOLVED that Kuehne Chemical Co. Inc. of South Kearny, NJ is hereby awarded Contract #79-O for Furnishing and Delivering Caustic Soda 25% for a one (1) year period, in the amount of \$13,880, in accordance with the terms and conditions of the bid and contract documents.

BE IT FURTHER RESOLVED, that the Chairman, Secretary and Executive Director are hereby authorized to execute the Contract documents.

Jim Gorman commented that BOTH bidders had office staff/sales men sign the bid documents. He said this is a waive able defect and recommends Kuehne be granted the waiver.

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

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

RESOLUTION No.(133/14): to Develop and Solicit a Request for Proposal for Banking Services

WHEREAS, the Bayshore Regional Sewerage Authority desires to evaluate banking institutions in order to obtain a banking relationship that provides maximum services and competitive pricing to the Authority, and

WHEREAS, the Authority desires to evaluate the banking services of institutions fully qualified as a "Public Depository" in accordance with NJSA 17:9-41, the "Government Unit Protection Act", and

WHEREAS, a request for proposal (RFP) process may be used to solicit, evaluate and assist in determining the Public Depository best suited to meet the needs of the Authority.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority authorize the Executive Director to work with the Authority financial professionals to develop and solicit a request for proposal for banking services.

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

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

RESOLUTION No. (134/14): to award Amendment No.1 to R3m Engineering, Inc. for engineering services with the Laboratory/Office HVAC Improvements, Contract 72, in an amount not to exceed \$30,000

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, the BRSA approved Resolution No. 42/14 awarding Contract No. 72 to WHL Enterprises, Inc. T/A Bill Leary A/C & Heating (WHL) of Metuchen, NJ for an amount not to exceed \$289,000, and

WHEREAS, the BRSA approved Resolution No. 72/14 awarding Construction Management and Inspections services to R3m Engineering, Inc. (R3m), for an amount not to exceed \$34,983, and

WHEREAS, on November 4, 2014 the BRSA issued WHL a 10-day Notice of Intent to Terminate the Contract due to Contractor's Material Delay and default in performance of the provisions of the Contract Documents and thus has failed to meet its contractual milestones, and

WHEREAS, due to WHL delays and default in performance, it was necessary for R3m to spend additional time and resources on the project, which were not anticipated, and

WHEREAS, R3m has submitted an amendment dated December 11, 2014 in the amount of \$30,000 for expenses rendered and for sufficient budget to complete the project, and

WHEREAS, the BRSA staff have reviewed Amendment No.1 in the amount of \$30,000 and find the proposal to be fair and reasonable, and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award Amendment No. 1 in the amount of \$30,000 to R3m engineering, Inc. of Old Bridge, NJ, in accordance with the terms and conditions of their proposal dated December 11, 2014, increasing their contract amount from \$34,983 to \$64,983.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the proposal to R3m engineering, Inc. of Old Bridge, NJ.

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

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

RESOLUTION No. (135/14): to award Amendment No.1 to R3m Engineering, Inc. for engineering services with the Matawan Pump Station HVAC Improvements, Contract 75-S, in an amount not to exceed \$10,000

WHEREAS, The Bayshore Regional Sewerage Authority (BRSA) Matawan Pump Station Building was upgraded in 1995, and

WHEREAS, the building is serviced by a HVAC unit that is 18 years old, and

WHEREAS, the BRSA approved Resolution No. 52/14 awarding Contract No. 75-S to WHL Enterprises, Inc. T/A Bill Leary A/C & Heating (WHL) of Metuchen, NJ for an amount not to exceed \$144,300, and

WHEREAS, the BRSA approved Resolution No. 71/14 awarding Construction Management and Inspections services to R3m Engineering, Inc. (R3m), for an amount not to exceed \$26,472, and

WHEREAS, due to various delays with WHL and its vendors, R3m has very little budget remaining to complete the project, and

WHEREAS, R3m has submitted an amendment dated December 11, 2014 in the amount of \$10,000 for sufficient budget to complete the project, and

WHEREAS, the BRSA staff have reviewed Amendment No.1 in the amount of \$10,000 and find the proposal to be fair and reasonable, and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award Amendment No. 1 in the amount of \$10,000 to R3m Engineering, Inc. of Old Bridge, NJ, in accordance with the terms and conditions of their proposal dated December 11, 2014, increasing their contract amount from \$26,472 to \$36,472.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the proposal to R3m Engineering, Inc. of Old Bridge, NJ.

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

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

Public Portion

ANNOUNCEMENT (by Vice-Chairman Sutton) – This portion of the 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's operations 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.

NO PUBLIC PARTICIPATED.

Open Executive Session

At 8:05 P.M. Chairman Khachaturian called for a **MOTION** to go into Closed Session in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action 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 McMullen, **SECONDED BY:** Commissioner Vella, and carried by a unanimous voice vote recorded as follows:

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

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

End Closed Session

At 8:35 P.M. Chairman Khachaturian called for a **MOTION** to end Closed Session.

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

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

Re-Open Regular Meeting

At 8:36 P.M. Chairman Khachaturian called for a **MOTION** to Re-Open the Regular Meeting.

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

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

Payment of Bills

Chairman Khachaturian calls for a **MOTION** for payment of the following:

Operating Fund Req. No. P165	\$177,304.74
Operating Fund Req. No. 516(Regular)	\$312,680.58
Operating Fund Req. No. S-26 (Sandy)	\$164,320.96

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

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

Mr. Fischer asked the Commissioners about the Annual Christmas Party and invited all to come on Thursday, December 18th from noon to 3:00 PM in the BRSA Admin. Conference Room. He mentioned the presentation of the gift Cards to all the employees. Mr. Fischer also informed the Board that the NJWEA will be celebrating their 100th Anniversary in May, 2015 and asked if BRSA would like to put a quarter page ad in their Anniversary Book at a cost of \$250, all agreed. Commissioner Steiner asked to put the iPads discussion on the January agenda. He will get updated information and pricing.

Adjournment

ANNOUNCEMENT (by Chairman Khachaturian)

The next Regular Meeting of the Bayshore Regional Sewerage Authority is scheduled for Monday, January 19, 2015.

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

At 9:44 PM Chairman Khachaturian called for a MOTION to adjourn the meeting.

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

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

Respectfully Submitted,
Susan A. DuBey
Administrative Assistant