



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fischer
EXECUTIVE DIRECTOR

MINUTES REORGANIZATION & REGULAR MEETING MONDAY, FEBRUARY 23, 2015

At 7:00 P.M., Chairman Khachaturian makes the following announcement:

The Reorganization Meeting of the Bayshore Regional Sewerage Authority will now come to order. 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 Newark Star Ledger and 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 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 called for a roll call of attendance:

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

Also In Attendance: Mr. Robert C. Fischer, Executive Director
Manuel Ponte, P.E., Consulting Engineer
Peter J. Canal, BRSA Engineer
Susan DuBey, Admin. Assistant

Executive Session

Chairman Khachaturian called for a **MOTION** to go into Closed Session at 7:02 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 contract negotiations. 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 Pisano, SECONDED BY: Commissioner McMullen, 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 COSED SESSION

At 7:30 PM Chairman Khachaturian called for a MOTION to End Closed Session.

OFFEDER 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 REORGANIZATION MEETING

At 7:31 PM Chairman Khachaturian called for a MOTION to Re-open the Reorganization Meeting

OFFEDER 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

MOTIONS FOR REORGANIZATION

Chairman Khachaturian called for a MOTION on the following:

MOTION - for the office of **CHAIRMAN: Commissioner Sutton**

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

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

ABSTAIN: Commissioner Sutton

Chairman Sutton called for MOTIONS on the following:

MOTION - for the office of **VICE-CHAIRMAN - Commissioner Pisano**

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

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

ABSTAIN: Commissioner Pisano

MOTION - for the office of **TREASURER - Commissioner Vella**

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

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

ABSTAIN: Commissioner Vella

MOTION - for the office of **ASSIST-TREASURER – Commissioner McMullen**

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

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

ABSTAIN: Commissioner McMullen

MOTION - for the office of **SECRETARY - Commissioner Steiner**

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

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

ABSTAIN: Commissioner Steiner

MOTION - for the office of **ASSIST-SECRETARY – Commissioner Khachaturian**

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

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

ABSTAIN: Commissioner Khachaturian

PUBLIC PORTION

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 accordingly.

Bill Shewin asked about Resolution #27/15. Chairman Sutton told him that it was tabled.

RESOLUTIONS

RESOLUTION: (07/15)-To Adopt a Non-Fair and Open Policy for Annual Professional Service Contracts

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Professional Services as a Non-Fair and Open Contract pursuant to the provisions of NJSA 19:44A-20.5, and

WHEREAS, the Executive Director has determined and certified in writing that the value of certain Professional Service Contracts may exceed \$17,500.00, and

WHEREAS, the anticipated term of the Professional Service Contracts are one year, and

WHEREAS, Professionals seeking contracts with the Authority under the Non-Fair and Open process must submit acceptable Business Entity Disclosure Certifications which certify that the Professionals have not made any reportable contributions to any Political or Candidate Committee in the Township of Hazlet and Holmdel or the Borough of Union Beach or to any of the Political Candidate Committees of customer Towns or Legislative District listed on the Bayshore Regional Sewerage Authority Disclosure Form in the previous one year and that each respective contract will

prohibit the Professional from making any reportable contribution through the terms of their respective contracts; and they have also submitted Political Contribution Disclosure Forms listing all reportable contributions made in the 12 months prior.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority adopt a Non-Fair and Open Policy for Professional Service Contracts as described in the Memorandum dated February 18, 2015 from the Executive Director.

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

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

RESOLUTION: (08/15) Designating the *Asbury Park Press*, as the Official newspaper of the Bayshore Regional Sewerage Authority and *Bayshorersa.com* as the Official Website for Public Notices and any other official informational postings of the Authority.

WHEREAS, the Bayshore Regional Sewerage Authority is required to make publication of various notices, bids and other items in a local newspaper from time to time and may also make publication of such notices, bids and other items on its official website

NOW THEREFORE BE IT RESOLVED that the official newspaper of the Bayshore Regional Sewerage Authority within which such notices shall be placed, be and is hereby designated as *The Asbury Park Press*,

BE IT FURTHER RESOLVED www.bayshorersa.com is the Official Website of the Bayshore Regional Sewerage Authority

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

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

RESOLUTION: (09/15) Re-adopt a Cash Management Plan as set forth pursuant to provisions of NJSA 40A: 5-14.

WHEREAS, pursuant to the provisions of NJSA 40A:5-14, the Bayshore Regional Sewerage Authority is required to establish a Cash Management Plan (the "Plan") and;

WHEREAS the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

WHEREAS, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14, and

WHEREAS, the Authority's Auditor and the Commissioners have reviewed the following Plan,
Cash Management Plan

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J. S.A. 40A: 5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Bayshore Regional Sewerage Authority (BRSA), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The further intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to ensure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments,

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Bayshore Regional Sewerage Authority:

Revenue Fund

Reserve Fund

Operating Fund

Payroll Fund

Other Trustee Funds/Trustee Accounts, as may be required by trust or bond indenture

The custodian of the accounts shall be the Treasurer. All disbursements shall be made by checks signed by three authorized signatures with the exception of Payroll, which requires two signatures. Authorized Signers shall be the Commissioners of the Authority and Executive Director.

III. DESIGNATION OF OFFICIALS OF THE BRSA AUTHORIZED TO MAKE DEPOSITS OR INVESTMENTS UNDER THE PLAN.

The Executive Director (the 'Designated Official') is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such official of the BRSA is directed to supply all depositories or, any other parties, with whom the Deposits or Permitted Investments are made a written copy of this Plan, which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

TD Bank, National Association

All such depositories shall acknowledge in writing receipt of this plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF INVESTMENT STRATEGY

In order to provide guidance with regard to investments of Authority funds, the following policies are established for each fund.

Incoming Revenue Fund - All revenue of the Authority shall be deposited in the Incoming Revenue Fund. From the Incoming Revenue Fund, monies may be transferred to other BRSA Accounts/Funds. Funds for the monthly Regular and Payroll payables shall be held in the Incoming Revenue Fund. Deposits or Investments shall be "laddered" in amounts required to cover approved bills in the paying accounts and shall be available on the Thursday after the Regular Meeting of the Authority. Funds are to be invested in U.S. Treasury Bills, Certificates of Deposit or Institutional Liquid Assets Treasury Obligations Portfolio.

Reserve Fund - Funds not immediately needed for Authority purposes shall be maintained in the Reserve Fund. Funds are to be "laddered" up to a maximum of 18 months and are to be invested in U.S. Treasury Bills, Certificate of Deposit and Notes or Institutional Liquid Assets Treasury Obligations Portfolio.

VI. PERMISSIBLE INVESTMENTS

A. Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A:5:15. 1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to Section I of P.L. 1977, c.281 (C. 52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
 - a. the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a.;
 - b. the custody of collateral is transferred to a third party,
 - c. the maturity of the agreement is not more than 30 days;

- d. the underlying securities are purchased through a public depository as defined in section I of P.L. 1970, c.236 (C. 17:19-41); and
- e. a master repurchase agreement providing for the custody and security of collateral is executed.

(9) Certificates of Deposit

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940", 15 U.S. C. sec. 80a- I et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which is rated by a nationally recognized statistical rating organization.

Local Government Investment Pool - An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec.270.2a.7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization,
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P. L. 1968, c. 4 10 (c. 52:1414- 1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchases or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c,93 (C49:3-56) and has at least \$25 Million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the BRSA, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey.

Such institution shall provide for the designation of such investments in the name of the BRSA to assure that there is no unauthorized use of the funds or the Permitted Investments of Deposits. Purchase of any Permitted Investments that involve Securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the BRSA or by a third party custodian prior to or upon the release of the BRSA funds.

To assure that all parties with whom the BRSA deals either by way of Deposits or Permitted Investments are aware of the authority and the Emits sets forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

VIII. REPORTING REQUIREMENTS

At the public meeting of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the Commissioners of the BRSA a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A.** The name of any institution holding funds of the BRSA as a Deposit or a Permitted Investment.
- B.** The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C.** The class or type of securities purchased or Deposits made.
- D.** The book value of such Deposits or Permitted Investments.
- E.** The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F.** The fees incurred to undertake such Deposits or Permitted Investments.
- G.** The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H.** All other information which may be deemed reasonable from time to time by the Commissioners of the BRSA.

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

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

RESOLUTION: (10/15) Designating TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the B.R.S.A.

WHEREAS, in accordance with N.J.S.A. 40A5:15 et seq. of the Local Fiscal Affairs Law, the Bayshore Regional Sewerage Authority ("the Authority") is required to designate an Official Depository; and

WHEREAS, the Authority deems it in the best interest of the customers it serves to designate TD Bank as the Official Depository but reserves the right to utilize any other bank which qualifies under the Government Unit Deposit Protection Act that would yield a higher rate of return on investments as a potential depository of the Bayshore Regional Sewerage Authority for investment purposes should such opportunity arise.

NOW THEREFORE BE IT RESOLVED that TD Bank qualifies under the Government Unit Deposit Protection Act as the Official Depository of the BRSA and is hereby designated the Official Depository of the

Authority's Incoming Revenue, Regular Operating, Payroll, Reserve and Rent Reserve Accounts of the BRSA.

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

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

RESOLUTION: (11/15) Designating Mr. Robert C. Fischer, Executive Director of the BRSA as the Authorized Representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth; and various offices and agencies of the U.S. Federal Government.

WHEREAS, it is necessary for this Authority to select an authorized representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth, and to various offices and agencies of the United States Federal Government; as well as various contract documents of the Authority.

NOW THEREFORE BE IT RESOLVED that Robert C. Fischer, Executive Director of the Bayshore Regional Sewerage Authority is hereby appointed authorized signatory and representative of the Bayshore Regional Sewerage Authority for the above listed purposes.

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

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

RESOLUTION: (12/15) Re-Adopt Procedures to be followed in the Payment of Invoices.

WHEREAS, (the Authority) is desirous of specifying procedures to be followed with regard to the payment of invoices for employee benefits and wages; and

WHEREAS, the Authority has determined that it is in its best interest to make such payments for benefits and wages as they come due.

NOW THEREFORE BE IT RESOLVED, the Authority will make those payments in accordance with the terms outlined above and will ratify those payments at the Authority's Regular Meeting in conjunction with invoices to be paid in accordance with the procedures outlined below,

BE IT FURTHER RESOLVED, the Authority is desirous of specifying procedures to be followed with regard to the payment of invoices for service rendered and materials and supplies delivered to the Authority; and such procedures shall be in accordance with NJSA40A:5-16, and

WHEREAS, it is the intention of the Authority to hereby specify the procedures for the payment of invoices and that this Resolution and the procedures herein specified, shall supersede all Resolutions and Bylaws related to the payment of invoices;

NOW THEREFORE BE IT RESOLVED by the B.R.S.A. as follows:

No check shall be executed by any Commissioner for disbursement of Authority funds except after compliance with the following procedure:

(a) Any person or entity seeking payment for services, materials, or supplies provided to the Authority, shall submit to the Authority, a fully executed voucher in form provided by the Authority, from time to time;

(b) The Executive Director shall review in association with said voucher, where same exists, a copy of the three written quotations where practicable or bids in excess of \$3,000; the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods or services. Said procedure shall constitute a complete payment package;

(c) The Executive Director shall then review each package and shall affix his signature thereto if he shall consider same to be in satisfactory form of payment;

(d) The Executive Director shall not later than the Thursday preceding the Regular Meeting of each month make the voucher, invoice and any additional items of said payment package so requested available to the Chairman of the Finance Committee or other member of the Authority at the Authority office;

(e) The Chairman of the Finance Committee or other member of the Authority shall review each voucher and the supporting documentation and, if he shall find same satisfactory, affix his signature thereto in time for consideration and discussion by the Commissioners at the monthly Regular Meeting of the Authority. In the event a member of the Finance Committee is not available for said purposes, any BRSA Board member may review and affix his/her signature thereto;

(f) The Executive Director shall prepare and make available to the Commissioners at the Regular Meeting in each month, a listing of all vouchers received by the Authority on or before the close of business on the Thursday immediately preceding the Regular Meeting;

(g) The Chairmen of the respective Committees, having general responsibility for the subject matter of a particular voucher, may review same on or before the second Thursday of each month and in case he shall find it in his opinion to be satisfactory, he shall affix his signature to this voucher;

(h) At each Regular Meeting of the Authority, prior to the Commissioners taking a formal vote on payment of all vouchers which have undergone the processing aforesaid, the Commissioners shall be advised by the Executive Director as to which vouchers shall not have endorsed thereon, the approval of the Executive Director or the approval of the Finance Chairman or assigns and in connection with such vouchers, they shall not be deemed approved for payment unless the Commissioners shall, by majority vote, direct their payment notwithstanding the lack of one or more of said signatures;

(i) No vouchers shall be considered for payment in any month unless such voucher shall have been delivered to the Authority in proper form **by 12:00 Noon of the Thursday** immediately preceding the Regular Meeting, provided however, that in special circumstances, upon Motion of any Commissioners, at any regular meeting, payment of any voucher or vouchers may be directed by a majority vote of the Commissioners;

(j) Immediately following approval of payment of vouchers at any meeting of the Commissioners, the Executive Director shall promptly attend to the obtaining of the necessary Commissioners' signatures upon the checks in question and shall promptly release such checks to the payees thereof and the Executive Director shall not, without the approval of at least one Commissioner, delay or withhold the delivery of any checks so approved; in the event checks shall be delayed or withheld with the approval of at least one Commissioner, the Executive Director shall immediately so advise all of the Commissioners in writing of such delay or withholding and the reasons therefore, and the same shall be discussed at the next meeting of the Authority; and in accordance with NJAC 5:31-4.1,e, all checks other than payroll checks shall be signed by the Secretary, Chairman or Executive Director, and at least two other Commissioners.

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

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

RESOLUTION: (13/15) Re-Adopt Procedures to be followed in the Purchase of Equipment and Supplies and Services.

WHEREAS, the Bayshore Regional Sewerage Authority is desirous of adopting a uniform procedure for the purchase of equipment and supplies and the provision of services to the Authority; and

WHEREAS, the Commissioners are desirous of setting forth this procedure to be applicable immediately upon adoption of this Resolution and to continue in full force and effect until the next reorganization meeting of the Authority held pursuant to N.J.S.A. 40:14A-1 et seq, at which time this Resolution shall terminate unless continued in its present or amended form;

NOW THEREFORE BE IT RESOLVED by the B.R.S.A. as follows:

1. The procedures and authorities herein provided shall be applicable to the purchase of any materials, supplies or services except for such as may exceed the cost of \$17,500.00 or for professional services such as legal, engineering, accounting and similar services or as noted in N.J.S.A. 40:A11-5 which shall only be upon Resolution of the Authority.

2. No purchase of or contract for materials, equipment, supplies or services shall be deemed binding upon the Authority or shall obligate the Authority for payment thereof except upon the following terms and conditions:

(a) The Executive Director shall cause to be attached to the voucher, where same exists, a copy of at least three written quotations or bids for items in excess of \$3,000.00, if practicable, the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods and services;

(b) Materials, services or supplies, the cost or obligation for which shall not exceed the sum of \$6,000 per item, may be purchased or contracted for on behalf of the Authority and payment therefore shall be made by the Authority upon the execution of a requisition for such materials, supplies or services by the Executive Director in accordance with (a) above;

(c) Materials, services or supplies, the cost or obligation for which exceeds \$6,000, but less than \$17,500, may only be purchased or contracted for upon execution of a Purchase Order by any Commissioner of the Authority and provided further, that three written quotations where practicable concerning the item or services authorized to be purchased shall have been obtained, except in cases of emergency, which emergency shall be stated in full on the Purchase Order executed by the Chairman, Vice-Chairman or any Commissioner;

(d) The purchase of any materials, supplies, equipment or contract for any services the cost or obligation for which is \$36,000 or more, to the extent same shall be applicable to the particular purchase or contract, shall be awarded only upon compliance with the bidding procedures provided by the Local Public Contracts Law except in those instances under the Local Public Contract Law where public bidding need not apply and then only upon specific Resolution of the Authority;

(e) except as otherwise resolved by the Commissioners of the Authority, all purchases of materials, supplies and equipment or the contracting of services; the cost or obligation for which is between \$17,500 and \$36,000 also known as "Window Contracts" in New Jersey's Pay-to-Play Laws shall be awarded at a public meeting only after a fair and open process whose minimum requirements are:

- Publicly advertised either conventionally in newspapers or posted on the BRSA
- website at least ten (10) calendar days prior to award (a copy of the website posting shall be kept on file);
- Awarded under a process that provides for public solicitation of proposals or qualifications;
- Established on the basis of an award and disclosure process documented in writing prior to any solicitation;
- Publicly opened and announced when awarded

3. Material, services, supplies may be purchased by emergency contract notwithstanding the cost or obligation provided the procurement process follows the emergency procurement policies of the Authority which policy is as follows:

Any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; provided that the awarding of such contracts is made in the following manner:

- A. The Executive Director or other authorized officer or employee shall notify the purchasing agent or designated representative of the Governing Body as to the need for an emergency contract, the nature of the emergency, the time of its occurrence, the notification must be reduced to writing;
- B. Furthermore, the emergency must be actual or imminent and must affect the public health, safety or welfare;
- C. The failure to plan cannot be the basis for an emergency purchase, the emergency must reasonably unforeseen, unforeseeable and immediate in nature;
- D. Quotations are not required but are suggested for emergency purposes;

All emergency purchases must be approved by the Executive Director and in his absence the Plant Engineer. If an emergency should arise in the absence of the Director and Engineer, the Plant Superintendent shall make the approval. For emergency purchases in excess of the bid threshold, the Executive Director shall endeavor to notify the Chairman or in his absence, the Vice-Chairman prior to any purchases.

4. Services may also be procured using a Non Fair and Open Process only by authorizing Resolution of the Commissioners of the Authority

BE IT FURTHER RESOLVED that this Resolution shall supersede all prior Resolutions of the Authority and all By Law provisions that may be in conflict with any of the terms and conditions specified; and

BE IT FURTHER RESOLVED that this Resolution shall continue in full force or effect until the next organization meeting of the Authority pursuant to NJSA 40:14A-1 et seq. at which time it shall terminate unless re-instituted in its existing or in an amended form by appropriate Resolution of the Commissioners.

Mr. Fischer advised the Board of the new language added this year to the Resolution – any item over \$17,500 under the Non-Fair and Open Policy would only be approved by Resolution of the Commissioners - #4

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

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

RESOLUTION: (14/15) Re-Adopt the Schedule of Financial Reports.

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority (BRSA) are desirous of fully and faithfully discharging their duties and obligations and;

WHEREAS, the Commissioners wish to formalize the financial reporting procedures of the BRSA.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the BRSA that the schedule of reports listed below be adopted and henceforth all affected employees and consultants shall adhere to the schedule.

SCHEDULE OF FINANCIAL REPORTS

- 1. Schedule of Accounts Receivable:** This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report.
- 2. Statement of Cash Receipts and Cash Disbursements:** This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report.
- 3. Un-audited Financial Statement:** This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report. This financial statement shall contain the year to date expenditures, the year to date budget allocation, and the expenditures for the same period for each account. An explanation is to accompany this statement whenever unusual transfers are made among accounts or when unusual expenditures are made.
- 4. Summary of Investments:** This report shall be prepared quarterly, and shall be in the Commissioners' hands Friday before the Regular Meeting in the month that the report is due. This report shall indicate such pertinent information as:
 - A. Investment Institution.
 - B. Amount invested.
 - C. Interest rate for the investment.
- 5. Bills to be Paid:** This report shall contain a listing of each bill to be paid, indicating the check number, the amount to be paid, the payee, and the reason for the payment. The report shall be in the hands of the Commissioners on the Friday before the Regular Meeting during which these payments will be approved.

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

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

RESOLUTION: (15/15) Adopt and Publish the Annual Notice of Scheduled Authority Meetings for the period March 2015, through February 2016.

WHEREAS, the Bayshore Regional Sewerage Authority is required to adopt, publish and disseminate annually, a notice of its scheduled Agenda and Regular Meetings;

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the following schedule of Agenda and Regular Meetings during 2015/2016. All

meetings in 2015/2016 will commence at 7:00 P.M. prevailing time, All meetings will be held at the Authority offices, Administration Building, 100 Oak Street, Union Beach, NJ.

BE IT FURTHER RESOLVED, In accordance with Open Public Meetings Act N.J.S.A. 10:4-6, participation by Commissioners may take place by means of telephone communications equipment and formal action may be taken at any of the listed meetings.

2015

March 16-regular

April 20-regular

May 18-regular

June 15-regular

July 20-regular

August 17-regular

September 21-regular

October 13-Tuesday agenda

October 19-regular

November 16-regular

December 21-public hearing-budget/regular

2016

January 18-regular

February 8-agenda

February 22-reorganization/regular

BE IT FURTHER RESOLVED that the Organizational Meeting of the Bayshore Regional Sewerage Authority shall commence at 7:00 P.M., prevailing time, immediately before the Regular Meeting on Monday February 22, 2016, at the Authority offices, 100 Oak Street, Union Beach, NJ, and

BE IT FURTHER RESOLVED that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to forthwith publish a true copy of this Resolution in the official newspaper so designated by the Authority and be posted on its official website, www.bayshorersa.com; and

BE IT FURTHER RESOLVED that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to post a true copy of this Resolution in a public place designed for such purposes; and

BE IT FURTHER RESOLVED that the Secretary of the Bayshore Regional Sewerage Authority is hereby directed to forthwith transmit a true copy of this Resolution to: the Municipal Clerks of Aberdeen, Hazlet, Holmdel, and Marlboro, Union Beach, Keyport, Keansburg, and Matawan; and the Western Monmouth Utilities Authority.

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

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

RESOLUTION: (16/15) To Re-Adopt TD Banks Resolution for the B.R.S.A. Payroll Account together with appropriate signature cards.

BE IT RESOLVED, by the Bayshore Regional Sewerage Authority:

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Payroll Account**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any two of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, or Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority.

BE IT FURTHER RESOLVED that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
BARTHOLOMEW SUTTON	Chairman	_____
LOUIS PISANO	Vice Chairman	_____
CHARLES STEINER	Secretary	_____
ADAM KHACHATURIAN	Asst. Secretary	_____
WALTER VELLA	Treasurer	_____
MARCY McMULLEN	Asst. Treasurer	_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 23rd day of February 2015

/s/ _____, **BRSA Secretary**
Charles Steiner

I, Bart Sutton, Chairman of the above named Authority, do hereby certify that Charles Steiner, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

WITNESS my hand and the seal of said Authority the day and year above written.

(seal)

/s/ _____, **BRSA Chairman**
Bart Sutton

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

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

RESOLUTION: (17/15) To Re-Adopt TD Banks Resolutions for B.R.S.A. Incoming Revenue, Operating, Reserve, and Rent Reserve accounts together with appropriate signature cards.

BE IT RESOLVED, by the Bayshore Regional Sewerage Authority:

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Incoming Revenue, Operating Account, Reserve and Rent Reserve Accounts**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for

safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any one person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any three of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority, except that in the wire transfer of funds for the payment of taxes, employee payroll, benefits or other such obligation as may be required of the Authority, the Executive Director is authorized to make such wire transfers using the financial institutions' secured portals. All such wire transfers shall be ratified at the first Authority meeting subsequent to transfer of funds.

BE IT FURTHER RESOLVED that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

ROBERT C. FISCHER	Executive Director	_____
BARTHOLOMEW SUTTON	Chairman	_____
LOUIS PISANO	Vice Chairman	_____
CHARLES STEINER	Secretary	_____
ADAM KHACHATURIAN	Asst. Secretary	_____
WALTER VELLA	Treasurer	_____
MARCY McMULLEN	Asst. Treasurer	_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 23rd day of February 2015

/s/ _____, **BRSA Secretary**
Charles Steiner

I, Bart Sutton, Chairman of the above named Authority, do hereby certify that Charles Steiner, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

WITNESS my hand and the seal of said Authority the day and year above written.

(seal)

/s/ _____, **BRSA Chairman**
Bart Sutton

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

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

RESOLUTION: (18/15) to Appoint Weiner Lesniak as Labor Attorney, and authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Labor/Employment Legal Counsel services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Weiner Lesniak, LLP of Parsippany, NJ has submitted a proposal indicating they will provide Labor/employment legal counsel services at \$150.00 per hour; and

WHEREAS, Weiner Lesniak, LLP has completed and submitted Business Entity Disclosure Certifications which certifies that Weiner Lesniak, LLP has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Weiner Lesniak, LLP from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Weiner Lesniak, LLP as described more specifically in their proposal dated February 4, 2015, and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION: (19/15) to Appoint Bart & Bart, CPAs as Auditors and Accountants, and authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Accounting and Auditing services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Bart & Bart of Woodbridge, NJ has submitted a proposal indicating they will provide Auditing Services at \$28,500 and Accounting Services at \$130.00 per hour; and

WHEREAS, Bart & Bart has completed and submitted Business Entity Disclosure Certifications which certifies that Bart & Bart has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that

the contract will prohibit Bart & Bart from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Bart & Bart as described more specifically in their proposal dated January 28, 2015.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION: (20/15) to Appoint Gibbons P.C. as Bond Counsel, and to authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Bond Counsel services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Gibbons P.C. of Newark, NJ has submitted a proposal indicating they will provide Bond Counsel services at \$295.00 per hour; and

WHEREAS, Gibbons P.C. has completed and submitted Business Entity Disclosure Certifications which certifies that Gibbons P.C. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Gibbons P.C. from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Gibbons P.C. as described more specifically in their proposal dated January 20, 2015.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION: (21/15) to Appoint R3M as our Consulting Engineer, and to authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Engineering Consulting services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, R3M of Old Bridge, NJ has submitted a proposal indicating they will provide Engineering Consulting services at \$180.00 per hour; and

WHEREAS, R3M has completed and submitted Business Entity Disclosure Certifications which certifies that R3M has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit R3M from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with R3M as described more specifically in their proposal dated February 4, 2015; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION: (22/15) to Appoint Conner Strong Buckelew Services, as Risk Management Consultant and to authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Risk Management Consulting services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Connor, Strong & Buckelew of Toms River, NJ has submitted a proposal indicating they will provide Risk Management Consulting services at 6% of the fund assessment; and

WHEREAS, Connor, Strong & Buckelew has completed and submitted Business Entity Disclosure Certifications which certifies that Connor, Strong & Buckelew has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union

Beach in the previous one year, and that the contract will prohibit Connor, Strong & Buckelew from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Connor, Strong & Buckelew as described more specifically in their proposal dated February 18, 2015; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION: (23/15) to Appoint Morehouse Engineering as the Process and Instrumentation Control Consultant and authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Instrumentation and Control Engineer Consulting services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Morehouse Engineering, Inc. of Hopewell, NJ has submitted a proposal indicating they will provide Instrumentation and Control Engineer Consulting services at \$195.00 per hour; and

WHEREAS, Morehouse Engineering, Inc. has completed and submitted Business Entity Disclosure Certifications which certifies that Morehouse Engineering, Inc. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Morehouse Engineering, Inc. from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Morehouse Engineering, Inc. as described more specifically in their proposal dated February 4, 2015.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION: (24/15) to Appoint Chavond Barry as Incinerator Engineering Consultants and authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Incinerator Consulting Engineer services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Chavond Barry Engineering Corp. of Blawenburg, NJ has submitted a proposal indicating they will provide Incinerator Consulting Engineer services at \$238.00 per hour; and

WHEREAS, Chavond Barry Engineering Corp. has completed and submitted Business Entity Disclosure Certifications which certifies that Chavond Barry Engineering Corp. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Chavond Barry Engineering Corp. from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Chavond Barry Engineering Corp. as described more specifically in their proposal dated February 5, 2015.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION (25/15): to Appoint Acacia Financial Group, Inc. as Financial Advisor and authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire Financial Advisory services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Acacia Financial Group, Inc. of Marlton, NJ has submitted a proposal indicating they will provide Financial Advisory services at \$250.00 per hour; and

WHEREAS, Acacia Financial Group, Inc. has completed and submitted Business Entity Disclosure Certifications which certifies that Acacia Financial Group, Inc. has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union

Beach in the previous one year, and that the contract will prohibit Acacia Financial Group, Inc. from making any reportable contributions through the term of the contract,

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Acacia Financial Group, Inc. as described more specifically in their proposal dated February 3, 2015.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION - A MOTION was made by Commissioner Steiner, Seconded by Commissioner McMullen to appoint Rick Denoia as the Authority General Counsel which did not receive a majority vote – recorded vote as follows:

AYES: Commissioners McMullen, Steiner, and Chairman Sutton

NEYS: Commissioners Khachaturian, Pisano and Vella

A MOTION subsequently made by Commissioner Vella and Seconded by Commissioner Pisano as Follows:

RESOLUTION (26/15): to Appoint Cleary, Giacobbe, Alfieri, Jacobs, LLC as General Counsel and authorize the Chairman and Secretary to execute the contract.

WHEREAS, the Bayshore Regional Sewerage Authority has a need to acquire General Legal Counsel services to be provided as an non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Cleary, Giacobbe, Alfieri, Jacobs, LLC has submitted a proposal dated January 30, 2015 indicating they will provide General Legal Counsel services at \$175.00 per hour; and

WHEREAS, Cleary, Giacobbe, Alfieri, Jacobs, LLC has completed and submitted Business Entity Disclosure Certifications which certifies that Cleary, Giacobbe, Alfieri, Jacobs, LLC has not made any reportable contributions to any political or candidate committee in the Townships of Hazlet and Holmdel or the Borough of Union Beach in the previous one year, and that the contract will prohibit Cleary, Giacobbe, Alfieri, Jacobs, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, funds are available for this purpose, in accordance with NJAC 5:30-5.4

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chairman to enter into a contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC as described more specifically in his proposal dated January 30, 2015.

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certifications, and the Political Contribution Disclosure Certifications be placed on file with this Resolution; and,

BE IT FURTHER RESOLVED notice of this award will be publicly advertised within ten (10) days of this award.

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

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

RESOLUTION (27/15): to Appoint Granata and Zaccardi as Special Counsel - TABLED

SUB-COMMITTEES

Chairman Sutton called for a review of the recommended Sub-Committee Appointments offered and requested a **MOTION** of acceptance:

COMMITTEE APPOINTMENTS are offered by the Chairman who may preside over any Sub-Committee Meeting with adequate public notice.

2015 Committee Appointments

FINANCE COMMITTEE:

Commissioner McMullen Chair
Commissioner Vella
Commissioner Sutton

LEGAL COMMITTEE:

Commissioner Sutton-Chair
Commissioner McMullen
Commissioner Pisano

ENGINEERING COMMITTEE:

Commissioner Khachaturian Chair
Commissioner Pisano
Commissioner Steiner

PERSONNEL COMMITTEE:

Commissioner Vella-Chair
Commissioner Steiner
Commissioner Khachaturian

MOTION - to accept Chairman's appointments:

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

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

At 7:48 PM Chairman Sutton called for a **MOTION** - to Close the Reorganization Meeting of 2015.

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

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

REGULAR MEETING **February 23, 2015**

At 7:48 P.M. Chairman Sutton called for a **MOTION** to Open Regular Meeting of the Bayshore Regional Sewerage Authority

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

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

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

TREASURER'S REPORT (by Commissioner Vella)

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

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

TREASURER'S REPORT
STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	January 31, 2015
<u>2010 NJEIT BONDS</u>	
Construction	\$ 1,357,265.78
Bond Service	\$.05
Total NJEIT	\$ 1,357,265.83
TD BANK	
Incoming Revenue Account	\$ 1,232,425.43
Operating Regular Account	\$ 157,549.20
Operating Reserve Account	\$11,890,801.64
Operating Payroll Account	\$ 157,103.28
TOTAL AUTHORITY ACCOUNTS	\$13,437,879.55
TOTAL	\$ 14,795,145.38

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

	Balance
SERVICE CHARGES:	January 31, 2015
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	\$ 213,405.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ 213,405.00

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	\$ 22,360.20
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 0.00
TOTAL	\$ 22,360.20

Balance of Rent Reserve Accounts as of January, 2015

Hazlet Township Sewerage Utility	\$ 741,015.30
Township of Holmdel	\$ 317,836.12
Borough of Union Beach	\$ 943,107.33
Borough of Keyport	\$ 322,371.90
Borough of Keansburg	\$ 302,495.40
Borough of Matawan	\$ 322,218.80
Western Monmouth Utilities Authority	\$ 111,893.90
Township of Aberdeen	\$ <u>481,931.35</u>
TOTAL	\$ 2,793,870.10

PAYMENT OF REQUISITIONS

Chairman Sutton called for a MOTION to approve payment of bills listed on:

Operating Fund Req. No.518 (Regular)	\$ 519,576.73
Operating Fund Req. No.28-S (Sandy)	\$ 219,566.23
Payroll Account Req. No.P168 (Payroll)	\$ 95,621.15

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

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

APPROVAL OF MINUTES

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

- Regular Meeting Minutes of January 19, 2015
- Closed Session Minutes of January 19, 2015
- Agenda Meeting Minutes of February 9, 2015

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

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

RESOLUTIONS

RESOLUTION (28/15) – to Name J. Michael Broyles as the Safety Employee of the Year

WHEREAS, J. Michael Broyles has served the Bayshore Regional Sewerage Authority since March, 2004 in the capacity of Superintendent; and

WHEREAS, J. Michael Broyles has consistently taken the initiative to participate in the Authority's Safety Program making suggestions and assisting in the implementation of protective measures to ensure the health, safety and well-being of his fellow employees; and

WHEREAS, J. Michael Broyles has consistently exhibited a positive attitude with which to promote a safe environment and implement safety standards by example to his fellow employee.

NOW THEREFORE BE IT RESOLVED, the Bayshore Regional Sewerage Authority, its Commissioners, and employees hereby award J. Michael Broyles as the Safety Employee of the Year Award along with this Resolution and a \$100 gift card and express sincere appreciation to him for a job well done and this valuable contribution to Bayshore Regional Sewerage Authority.

BE IT FURTHER RESOLVED, this Resolution is hereby formally adopted by the Board and will be entered into the permanent records of the Authority.

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

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

RESOLUTION (29 /15) – Resolution of Bayshore Regional Sewerage Authority authorizing filing of application for interim and permanent loans and to the extent available, grants, from the State FY 2016 New Jersey Environmental Infrastructure Trust Financing Program for Restoration and Flood Mitigation for the Bayshore Regional Sewerage Authority

WHEREAS, the Bayshore Regional Sewerage Authority (the “Authority”) is currently in the design stage for restoration and mitigation improvements and its blower building project (the “Project”); and

WHEREAS, the project and related costs generally entail the work. to implement restoration and flood mitigation improvements; and

WHEREAS, the New Jersey Environmental Infrastructure Trust (“NJEIT”) conducts annual conduit financing programs which afford local governments undertaking qualified environmental infrastructure projects with temporary and permanent loans at economically advantageous terms which generate significant savings for such local governments and their infrastructure system users; and.

WHEREAS, the Authority now desires to submit all required financing applications for the Projects to the New Jersey Department of Environmental Protection (“NJDEP”) and the NJEIT for inclusion in the State FY 2016 NJEIT financing program, in order to maximize the Authority’s opportunities to finance the Project at the lowest possible “cost of funds” for its wastewater system users.

NOW THEREFORE BE IT RESOLVED by the Bayshore Regional Sewerage Authority as follows:

1. For all future reference the title of this resolution shall be “Bayshore Regional Sewerage Authority Authorizing Filing of Applications for Interim and Permanent Loans, and to the Extent Available, Grants, from the State FY 2016 — New Jersey Environmental Infrastructure Trust Financing Program, for Restoration and Flood Mitigation for the Bayshore Regional Sewerage Authority”, and all subsequent documents associated with the matters herein shall reference this title.
2. Robert C. Fischer, Executive Director be authorized to act as the Authority Representative to represent the Bayshore Regional Sewerage Authority in all matters relating to the Project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at: Bayshore Regional Sewerage Authority, 100 Oak Street, Union Beach, NJ 07735 – 732-739-1095.
3. The Authority administration, assisted as applicable by the Authority counsels, engineers and auditors, is hereby authorized and directed to submit Authority’ application(s) for the Project to the

NJDEP and NJEIT for all available NJEIT financial assistance, including interim and permanent loans, and to extent available, grants. The Executive Director of the Authority is hereby authorized to execute all such applications and all other written submissions required in connection with the applications.

4. The resolution shall take effect immediately.

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

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

RESOLUTION (30/15) - RESOLUTION PROVIDING FOR THE DECLARATION OF OFFICIAL INTENT UNDER TREASURY REGULATION SECTION 1.150-2 TO REIMBURSE PRIOR EXPENDITURES RELATED TO VARIOUS SYSTEM IMPROVEMENTS - BLOWER BUILDING PROJECT

Adopted: February 23, 2015

WHEREAS, the Bayshore Regional Sewerage Authority (the "Authority") intends to issue debt obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and that will be used to finance various capital improvements to its sewer system caused by Super Storm Sandy, specifically the blower building project (the debt obligations herein referred to as "Project Debt Obligations" herein referred to as the "Project");

WHEREAS, the Authority intends to finance the Project, in part, with the Project Debt Obligations but may pay for certain costs of the Project ("Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Authority which are not borrowed funds;

WHEREAS, the Authority desires to preserve its rights to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid by the Authority prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141-150 of the Code.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Authority as follows:

Section 1. The Authority reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Authority's official intent to reimburse the Authority for expenditure of Project Costs by the Authority paid prior to the issuance of the Project Debt Obligations with the proceeds of the Project Debt Obligations, in accordance with Treasury Regulation Section 150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$3,400,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

Section 5. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulation Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the Project Debt Obligations used to reimburse the Authority for Project Costs, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds", or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulation Section 1.148-1) of the

Project Debt Obligations or another issue of debt obligations of the Authority, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulation Section 1.148-1).

Section 6. All reimbursement allocations will occur not later than 18 months after the later of: (i) the date the expenditure from a source other than the Project Debt Obligations is paid; or (ii) the date the Project is “placed in service” (within the meaning of Treasury Regulation Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 7. This resolution will take effect immediately.

RECORDED VOTE:

<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Khachaturian			
Commissioner McMullen			
Commissioner Pisano			
Commissioner Steiner			
Commissioner Vella			
Chairman Sutton			

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

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

RESOLUTION (31/15) – To Extend the Contract with Evoqua Water Tech. LLC for a one year period

WHEREAS, in accordance with Local Public Contracts Law at 3:00 P.M. on Thursday, February 14, 2013 the Bayshore Regional Sewerage Authority advertised and received bids for the furnishing and delivery of Bioxide for a (1) one year period and

WHEREAS, on February 25, 2013 the BRSA awarded the Bioxide Contract to the lowest responsible bidder being Evoqua Water Tech. LLC of Sarasota, Florida (Resolution #51/13); and

WHEREAS, the 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, on February 24, 2014 the contract expired and Evoqua Water Tech. LLC and the BRSA were mutually agreeable to extend the original Contract under the same terms and with the same prices for one (1) additional year extension (Resolution 06/14); and

WHEREAS, the first extension is due to expire on February 24, 2015; and

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

WHEREAS, the Qualified Purchasing Agent and the BRSA Engineer have reviewed the correspondence from Evoqua Water Tech. LLC of Sarasota FL, 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.

NOW THEREFORE BE IT RESOLVED, the Evoqua Water Tech. LLC of Sarasota, FL is hereby awarded a one (1) year extension of the contract for the furnishing and delivery of Bioxide in accordance with the terms and conditions of the original bid and contract documents, for a total contract price of \$28,200.00 at \$2.35 per gallon.

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, Vella and Chairman Sutton

RESOLUTION (32/15) – To Authorize the Emergency Hauling of Liquid Sludge by Accurate Waste Systems at 4.5¢ per Gallon

WHEREAS, the Bayshore Regional Sewerage Authority incineration system was damaged by flooding from Superstorm Sandy, and

WHEREAS, the Dorr Oliver Incinerator was repaired of damage to Pre-Sandy conditions but has experienced fluidization problems forcing shut down while the problems are investigated, and

WHEREAS, the Authority staff have contracted for the hauling and disposal of sludge cake to Stony Brook RSA while the incinerator problems are investigated, and

WHEREAS, the recent records low temperatures have made the outdoor storage of sludge cake unachievable, forcing the Authority to contract for the hauling of liquid sludge on an emergency basis until either the Dorr Oliver incinerator is operating once again or the temperature increases to allow outdoor storage and hauling, and

WHEREAS, Authority staff took three quotes for the emergency hauling of liquid sludge with Accurate Waste Systems being the least expensive at 4.5¢ per gallon.

NOW THEREFORE BE IT RESOLVED the Commissioners authorize the emergency contract for liquid hauling of sludge to Stony Brook RSA by AWS Services of Lake Hopatcong, NJ at a price of 4.5¢ per gallon until the record low temperatures increase or the Dorr Oliver incinerator is restarted.

BE IT FURTHER RESOLVED a Public Notice of this award be placed in the Asbury Park Press, the official newspaper of the Authority

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

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

RESOLUTION (33/15) - To authorize advertisement for Request for Quotation of the Generator Set Inspection and Load Testing at the Wastewater Treatment Plant

WHEREAS, the Bayshore Regional Sewerage Authority (BRSA) 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, safety and welfare 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 and maintenance are required to the generators and the BRSA 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 (the Generator Project), and

WHEREAS, as part of the project, it is necessary to test the generators under full load, and

WHEREAS, R3m Engineering, Inc. (R3m) of Old Bridge, NJ was awarded the design of the Generator Project on December 15, 2015 via Resolution No. 128/14, and

WHEREAS, R3m has prepared Request for Quotation (RFQ) documents to load test the generators, and

WHEREAS, it is necessary to advertise the RFQ's on the Authority web site, and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the BRSA Staff and R3m to advertise the Generator Project on the Authority web site.

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

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

RESOLUTION (34/15)- To Release Payment Bond for C&M County Road, LLC

WHEREAS, C&M County Road, LLC (C&M) is the project developer for The Bluffs at Aberdeen townhouse development in Aberdeen, NJ being Block 196.04, Lot 27 & Block 228, Lot 1&2; and

WHEREAS, C&M has entered into a Developers Agreement with Bayshore Regional Sewerage Authority dated December 30, 2010, and

WHEREAS, C&M has made connection fee payments in accordance with the Developers Agreement, and

WHEREAS, C&M provided a payment bond to cover the outstanding connection fee balance, and

WHEREAS, in accordance with the payment schedule letter dated February 13, 2015, C&M has paid a total of \$794,298 in connection fees and has a current balance of \$0, and

WHEREAS, the BRSA staff are recommending release of Payment Bond No. 1096344, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby grant the release of Payment Bond No. 1096344 to C&M County Road, LLC for The Bluffs at Aberdeen.

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

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

RESOLUTION (35/15)-To award NIRO Incinerator Repairs & Mitigation Contract 74-S to Stone Hill Contracting, Inc. in the amount of \$16,445,997

WHEREAS, Hurricane Sandy severely damaged the Bayshore Regional Sewerage Authority (BRSA) buildings and processes on October 29, 2012 requiring engineering services for design of restoration and mitigation of these buildings and processes, and

WHEREAS, Hazen & Sawyer Engineers (H&S) of New York was awarded the design of the NIRO Incineration Repairs and Mitigation (NIRO) Project on December 16, 2013 via Resolution No. 161/13, and

WHEREAS, the NIRO Project will be funded through the New Jersey Environmental Infrastructure Trust Loans (NJEIT) and partially reimbursed through FEMA, and

WHEREAS, the NIRO design documents were submitted to the New Jersey Department of Environmental Protection (NJDEP) for Authorization to Advertise public bids, and

WHEREAS, the BRSA approved Resolution No. 93/14 authorizing the staff and consulting engineer, H&S to prepare specifications and advertise a Public Contract, and

WHEREAS, in accordance with Local Public Contracts Law, the BRSA advertised for The NIRO Incinerator Repairs & Mitigation, Contract No. 74-S and two (2) sealed bids were received and publically opened on February 10, 2015 at 2pm EST, for \$16,445,997 and \$17,994,300, and

WHEREAS, Stone Hill Contracting Co., Inc. (Stone Hill) of Doylestown, PA submitted the lowest bid of \$16,445,997 and

WHEREAS, the BRSA staff, attorney and H&S have reviewed the bids and recommend award to Stone Hill in the amount of \$16,445,997, subject to NJDEP approvals and

WHEREAS, on October 20, 2014, The BRSA authorized the issuance of project notes in connection with the NJEIT, who are providing funding for this project.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the BRSA hereby award the Contract to Stone Hill Contracting Co., Inc., Doylestown, PA in accordance with the terms and conditions of the Contract Documents, in the amount not to exceed \$16,445,997, subject to receiving Authorization to Award from NJDEP.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the Contract to Stone Hill Contracting Co., Inc., Doylestown, PA.

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

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

RESOLUTION (36/15)- To Authorize the Solicitation of Bids for the Annual Emergency Hauling of Liquid and Caked Sludge

WHEREAS, Superstorm Sandy has rendered the Sludge Incinerations inoperable, and

WHEREAS, as the Incinerators are being rebuilt the Authority has contracted for the alternate removal of sludge using liquid and cake hauling services, and

WHEREAS, instances have arisen whereby the Authority has had to make further alternate plans due to process inhibition caused by record low temperatures or the shutdown of offsite receiving facilities of liquid or cake sludge, and

WHEREAS, in these instances the Authority has had to invoke the Emergency Purchasing Policy for the immediate removal of sludge in either liquid or cake form by alternate means, and

WHEREAS, the Authority can competitively bid for the emergency hauling of liquid and cake sludge in advance, and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority authorize the Authority Qualified Purchasing Agent and Engineer to develop specifications and advertise for the receipt of bids for the emergency hauling of liquid and cake sludge as an annual contract.

BE IT FURTHER RESOLVED the Advertisement be placed in the official newspaper of the Authority and on the Authority website at www.bayshorersa.com.

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

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

PUBLIC PORTION

Chairman Sutton announced that 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'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.

Charles Hoffman of Hazlet stated to the Board that Clark Street is a disaster. He asked who owns the Pump Station on that road. Commissioner Vella told him that Hazlet owns it.

Bill Shewin of Hazlet thanked Commissioner Khachaturian for a job well done as Chairman and to Mr. Fischer for all his help. Mr. Shewin asked about the forecast regarding Resolution #36/15, the hauling of sludge. Chairman Sutton said BRSA had hoped to be on line by now but have come across some problems, however everything is being done to get to that point. He asked if the trucks use the same traffic pattern. Chairman Sutton said they are required to use certain roads. Mr. Shewin asked if the new Attorney met all the qualifications that was put out by the Authority. Chairman Sutton said yes and then some. Mr. Shewin said he's involved in the development of the 26 areas known as Stone Road Meadows and feels the turbine project would be a danger to several eagles & nesting birds in the area. Mr. Shewin asked for the complete accounting of the expenditures from 2009 on the Wind to Energy Project. Mr. Fischer said Yes but advised him to come in and fill out an OPRA Request for the specific records.

AJOURMENT

ANNOUNCEMENT (by Chairman Sutton):

The next Agenda/Regular Meeting of the B.R.S.A. is scheduled for Monday, March 16, 2015, at 7:00 P.M. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 8:03 P.M., Chairman Sutton 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 Khachaturian, McMullen, Pisano, Steiner, Vella and Chairman Sutton

Respectfully submitted,
Susan A. DuBey
Administrative Assistant