



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Robert C. Fisher
EXECUTIVE DIRECTOR

MINUTES **REGULAR MEETING** **MONDAY, January 19, 2015**

At 7:00 P.M. on Monday, January 19, 2015 Chairman Khachaturian called the meeting of the Bayshore Regional Sewerage Authority to order and makes the following announcement:

I hereby announce that pursuant to Section 5 of the Open Public Meetings Act, that adequate notice of this meeting has been sent to the Asbury Park Press and is on the BRSA Official Website. Notice has also been sent to the Clerks of Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach and Marlboro and the Western Monmouth Utilities Authority. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

Chairman Khachaturian asked all in attendance to stand for the Pledge of Allegiance and a Moment of Silence for the safety of US Troops all over the world.

Chairman Khachaturian requested a roll call of attendance:

PRESENT: Commissioners McMullen (by phone), Pisano, Sutton, Steiner, Vella and Chairman Khachaturian

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

RESOLUTION PRESENTED TO JAMES KROESSIG BY CHAIRMAN
KHACHATURIAN

**RESOLUTION (01/15): to Present Mr. James Kroessig with a 25 Years of Service
Appreciation Award**

WHEREAS, the Bayshore Regional Sewerage Authority and its Commissioners wish to formally acknowledge the contributions of their longstanding employees, and

WHEREAS, Mr. James Kroessig has served the public as an employee of the Bayshore Regional Sewerage Authority for Twenty-Five Years; beginning on December 18, 1989, and

WHEREAS, James Kroessig has served the Authority in many ways and continues to serve in his capacity as Operator.

NOW THEREFORE BE IT RESOLVED, the Bayshore Regional Sewerage Authority, its Commissioners and Employees hereby express sincere appreciation to Mr. James Kroessig and gratitude for his many years of service with the Authority and present him with a 25 Years of Service Appreciation Award of \$500.00.

BE IT FURTHER RESOLVED, a copy of this Resolution will be entered into the permanent records of the Authority.

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

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

Mr. Hoffman called for a Point of Order. He asked what the BRSA By-Laws said about the 6 Commissioners being deadlocked on a Vote. Jim Gorman said any by-laws or Roberts Rule of Order state that it means nothing, just as if no vote was taken.

Reports

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

- Disaster Recovery Update - \$11,413,393 was spent to date. We received authorization from NJEIT to advertise the NIRO Project which was advertised on December 15, 2014. Bids were due tomorrow, January 20th, but several contractors asked for an extension. The bid opening has been rescheduled to February 10, 2015
- Requested proposals from R3M and Gannett Fleming for the preliminary design of the Combined Blower Building 1 & 2 and to submit the funding application to NJEIT. R3M proposal came in at \$44,800.00, the lower of the two proposals.
- NJOEM quarterly report on FEMA funds expended was submitted 2 weeks ago.
- Matawan Pump Station - HRU was denied FEMA Funds for repair however Arcadis, R3M and BRSA submitted an appeal. FEMA reversed their decision and funds will be provided for this project.
- Commissioner Steiner spoke about changing to an Electronic Meeting Package such as an iPad or Tablet. A discussion took place about the pros and cons and Commissioner Steiner will be getting additional information.
- Proposals from Professionals for 2015/2016 – James Gorman, Esq. notified BRSA he will not be General Counsel after Reorganization. A draft proposal for Legal Services was submitted to the Legal Committee for review. BRSA will post RFP on the Web-Site to receive proposals by Friday, February 6th, for review by the Board on Monday February 9th. Select candidates to interview for possible appointment on February 23rd. Criteria for the Legal Counsel Position was reviewed.

A discussion took place regarding the criteria for the appointment of Legal Counsel and it was agreed that the criteria would be used in selecting the next

Legal Counsel but the Authority would not restrict the request to only those with Wastewater experience.

Staff Engineer Report

- Lab HVAC- WHL late on submittal, and BRSA asked them to do additional work on the Air Intake in the amount of \$18,963.07
- NIRO Incinerator Project Update – bids are out, getting a lot of interest. Addendum #1 was sent out and we are working on Addendum #2 (clarification). Bid opening is February 10th @ 2 PM.
- Dorr Oliver Incinerator – close to finishing inspection. There is one more smoke test to be done to determine if there are leaks between the floor and the walls.
- TV and Inspection of Collection System – completed and waiting for additional information from National Water Main. Next step is to prepare an RFP for an Engineer to design the repairs.
- Annual Meter Calibration – requesting second and last contract extension from ABB.
- Combined Blower Building Project – waiting for FEMA authorization for the funding. BRSA requested proposals from Gannett Fleming and R3M on preliminary design. Deadline is March 6th for the submittal of the Design, Plans & Specs. The 2 Proposals came in and R3M lump sum amount is \$39,000 with a \$5,000 design allowance totaling \$44,800 was substantially less than Gannett Fleming.

Consulting Engineer Report

- Lab/Office HVAC Update – Lab Building HVAC is moving ahead and should be completed sometime in February.
- Matawan HVAC Update – The new unit is in and working. Employees said the building is warm and dry. Several punch list items need to be done. Chairman Khachaturian asked when WHL will be asking for final payment. Mr. Ponte said a lien has been issued and we have to discuss liquidated damages before anything is settled. Chairman Khachaturian asked if there was any way the Change Order, to extend the air intake duct to the edge of the building, could be negotiated at a better price. Pete Canal said they knocked it down to \$18,000 from \$22,000. Mr. Ponte explained the work involve in the change order.

BRSA Superintendent's Report

- Plant flow is up from last month. We had a couple of odor complaints due to wind direction. All three ash basins had the ash removed-52 truckloads-over 1,000 tons.
- Mike and Chuck performed their annual IPP inspections. We had no issues with any of the facilities. The Highway Authority had no comments on their Pre-draft permit, if no objections from the Board, he will Public Notice their Renewed Permit for 30 day comment period.

Mr. Fischer reported that the Boro of Union Beach has been TV inspecting and cleaning of their collection system (per the service agreement) They are in year two of a 3 year program. Denise Dayback of T&M Assoc. reported they made severe repairs on leaking joints and cracks.

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

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

TD BANK	Balance
TRUSTEE ACCOUNTS	December 31, 2014
<u>2010 NJEIT BONDS</u>	
Revenue	\$ 0.00
Construction	\$ 357,265.78
Bond Service	<u>\$.05</u>
TOTAL TRUSTEE	\$1,357,265.83
<u>TD BANK</u>	
Incoming Revenue Account	\$ 197,499.30
Operating Payroll Account	\$ 108,209.12
Operating Regular Account	\$ 160,261.12
Reserve Account (NEW)	<u>11,371,902.86</u>
TOTAL AUTHORITY ACCOUNTS	<u>\$11,837,872.40</u>
TOTAL	\$13,195,138.23

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

SERVICE CHARGES:	Balance
<u>2014</u>	<u>December 31,</u>
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ -100.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	<u>\$ 0.00</u>
TOTAL	\$ -100.00
 MONMOUTH COUNTY BAYSHORE OUTFALL AUTHORITY CHARGES	
Hazlet Township Sewerage Authority	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00

Township of Aberdeen	\$	<u>0.00</u>
TOTAL	\$	0.00

Balance of Rent Reserve Accounts as of December, 2014

Hazlet Township Sewerage Utility	\$	740,920.90
Township of Holmdel	\$	317,795.63
Borough of Union Beach	\$	194,082.60
Borough of Keyport	\$	322,330.84
Borough of Keansburg	\$	302,456.87
Borough of Matawan	\$	322,177.75
Western Monmouth Utilities Authority	\$	111,879.65
Township of Aberdeen	\$	<u>468,820.30</u>
TOTAL		\$2,780,464.54

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

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

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

Payment of Bills

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

Operating Fund Req. No. P166	\$226,176.20
Operating Fund Req. No.517 (Regular)	\$411,993.03
Operating Fund Req. No. S-27 (Sandy)	\$270,359.38

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

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

Approval of Minutes

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

Regular Meeting	December 15, 2014
Closed Session	December 15, 2014

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

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

Public Portion

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

Resolutions

RESOLUTION (02/15): to Award Change Order No.2 in the amount of \$18,963.70 to WHL Enterprises, Inc. for Laboratory/Office HVAC Improvements, Contract No.72

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

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

WHEREAS, in accordance with Local Public Contract Law, Contract 72 Laboratory/Office HVAC Improvements, was awarded to WHL Enterprises, Inc./TA Bill Leary AC & Heating (WHL) on March 17, 2014 for a total price of \$289,900 via Resolution No. 42/14, and

WHEREAS, on August 18, 2014, Change Order No. 1 was approved via Resolution 92/14, which changed the named electrical sub-contractor from Roman Electric to Power and Automation Electrical Contractor, with no change in Contract price, and

WHEREAS, there is a need to relocate the buildings fresh air intake away from the existing laboratory fume hood exhaust, and

WHEREAS, WHL has submitted a proposal to extend and support the duct work for the fresh air intake, in the amount of \$18,963.70, and

WHEREAS, the BRSA staff and R3m engineering have reviewed the proposal and are recommending Change Order No.2, in the amount of \$18,963.70, and

NOW THEREFORE BE IT RESOLVED the Commissioners approve Change Order No.2 for WHL Enterprises, Inc./TA Bill Leary AC & Heating, in the amount of \$18,963.70, increasing the total Contract value to \$308,863.70.

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

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

RESOLUTION (03/15): To Extend the Contract with ABB for Meter Calibration for a 1-Year Period

WHEREAS, in accordance with Local Public Contracts Law at 2:00 P.M. on Tuesday, March 5, 2013, the Bayshore Regional Sewerage Authority advertised and received quotes for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment for a (1) one year period; and

WHEREAS, on March 18, 2013 the BRSA awarded the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment to the lowest responsible responsive bidder being ABB Inc. of Warminster, PA (Resolution 68/13); 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 March 17, 2014 the contract expired and ABB Inc. and the BRSA were mutually agreeable to extend the original Contract under the same terms and with the same prices for a (1) one additional year extension (Resolution 4/14); and

WHEREAS, the extension is due to expire on March 16, 2015; and

WHEREAS, ABB, Inc. and the BRSA are mutually agreeable to extend the Contract one final time under the same terms and with the same prices for a period of one (1) year extension; and

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

NOW THEREFORE BE IT RESOLVED, that ABB, Inc. of Warminster, PA is hereby awarded a one (1) year extension of the contract for the Annual Preventive Maintenance Calibration and Repair of Instrument Equipment in accordance with the terms and conditions of the original bid and contract documents, for the total contract price of \$19,306.84.

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

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

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

RESOLUTION (04/15): To Award Preliminary Design of the Combined Blower Building Project to R3M Engineering for \$44,800 and to Submit Funding Application to the NJEIT.

WHEREAS, the Bayshore Regional Sewerage Authority Blower Buildings #1 and #2 were damaged by Superstorm Sandy, and

WHEREAS, Blower Building #1 (BB1) sustained substantially greater damage than Blower Building #2 (BB2) due to the lower elevation at which BB1 was built compared to BB2, and

WHEREAS, the Authority contracted with Gannett Fleming Engineers to conduct a Feasibility Study to combine BB1 into BB2 (The Combined Blower Building Project) and Gannett Fleming concluded the project will result in a more energy efficient and practical blower layout, and

WHEREAS, ARCADIS US and R3M Engineers have determined a Combined Blower Building Project will be more efficient and less costly than the restoration and mitigation of BB1 and BB2 separately, and

WHEREAS, the Authority desires to apply for funding through the New Jersey Environmental Infrastructure Trust for a short term loan while the Authority awaits FEMA funding for the Combined Blower Building Project, and

WHEREAS, Design Plans and Specifications must accompany the funding application to the NJEIT, and

WHEREAS, the Authority received proposals from Gannett Fleming Engineers and R3M Engineers to submit an application along with preliminary design plans and specifications, to the NJEIT for the Combined Blower Building Project, and

WHEREAS, the firm of R3M Engineering submitted the lowest proposal at a lump Sum cost of \$44,800, and

WHEREAS, funds are available for this purpose and the Authority has applied to FEMA for Public Assistance for this project

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority award the contract for submitting a funding application to the NJEIT for 2015 funding along with preliminary plans and specifications for the Combined Blower Building Project to R3M Engineering at a lump sum cost of \$44,800.

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

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

RESOLUTION (05/15): To Solicit Proposal for Design of Plans and Specifications for Collection System Improvements 2015

WHEREAS, on November 17, 2014 the Authority adopted Resolution 123/14, awarding the Cleaning and Televised Inspection of Collection System Interceptors to National Water Main Cleaning Co., and

WHEREAS, on November 17, 2014 the Authority adopted resolution 122/14 awarding Engineering Inspection Services for Cleaning and Televised Inspection of the Collection System Interceptors to Gannett Fleming of South Plainfield, NJ, and

WHEREAS, the cleaning and inspection was completed and high priority areas have been identified for corrective action by National Water Main and Gannett Fleming., and

WHEREAS, the Authority requires an engineering firm to review the findings and develop plans and specifications for public bidding to correct the deficiencies identified in the report, and

NOW THEREFORE BE IT RESOLVED, the Commissioners authorize the BRSA Engineer and Qualified Purchasing Agent to solicit a request for proposals from Gannett Fleming, R3M, and CDM, three of the Capital Improvement Plan authorized engineering firms to develop plans and specifications for the repair of deficiencies identified by Gannett Fleming and National Water Main.

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

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

RESOLUTION (06/15): TAKEN OFF THE AGENDA

Public Portion

ANNOUNCEMENT (by Chairman Khachaturian) – This portion of the meeting is **OPEN TO THE PUBLIC** to discuss any BRSA matters the public may care to address specific to the scope of BRSA’s operations or projects which were not previously addressed. As a courtesy to all, please be mindful of limiting your comments to 3 minutes. Charles Hoffman of Hazlet said he heard that the turbine had been scrapped. He asked if that money comes back to Bayshore. Jim Gorman, Esq. said that Bayshore cannot discuss the turbine because there is still litigation with Conti. According to Mr. Hoffman, Commissioner Vella once mentioned the possibility of getting 2 smaller turbines. Mr. Hoffman said a group from Hazlet was down in Sea Girt where they have 2 small turbines and they were noisy. He also said an academic study of 3 months showed the decrease in funds at \$10,000 per month. He suggested BRSA do an extensive Cost Benefit Analysis on the turbine project.

Executive Session

Chairman Khachaturian calls for a **MOTION** to go into Closed Session at 8:15 P.M. in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending and anticipated litigation. It is anticipated at this time that the above stated subject matter shall be made public at such time as the need for non-disclosure no longer exists. Action may be taken in Closed Session.

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

CLOSED SESSION MINUTES ARE RECORDED SEPERATELY

End Closed Session

At 8:35 P.M. Chairman Khachaturian calls 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 Regular Meeting

At 8:36 P.M. Chairman Khachaturian calls 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

End Regular Meeting and Re-Open Closed Session

Chairman Khachaturian called for a **MOTION** to go into Closed Session at 8:37P.M to discuss Personnel Matters.

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

End Closed Session

At 8: 8:42 P.M. Chairman Khachaturian calls 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

Adjournment

ANNOUNCEMENT (by Chairman Khachaturian) The next Agenda Meeting of the Bayshore Regional Sewerage Authority is scheduled for Monday, February 9, 2015. The next Reorganization Meeting of the BRSA is scheduled for Monday, February 23, 2015, immediately followed by the Regular Meeting of the BRSA. All meetings are held in the Administration Building at 100 Oak Street, Union Beach, NJ at 7:00 PM.

At 8:43 PM Chairman Khachaturian calls for a **MOTION** to adjourn the meeting.

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

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

Respectfully Submitted,
Susan A. DuBey, Administrative Assistant