

MINUTES
REORGANIZATION
& REGULAR MEETING
MONDAY, FEBRUARY 26,2018

At 7:03 P.M., Chairwoman McMullen made 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.

Chairwoman McMullen 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.

Chairwoman McMullen called for a roll call of attendance:

PRESENT: Commissioners Cavanagh, Khachaturian, Steiner, Sutton, Whalen and Chairwoman McMullen

Also In Attendance: Mr. Robert C. Fischer, Executive Director
J. Michael Broyles, Superintendent
Peter J. Canal, BRSA Engineer
John Draikowicz, Bond Counsel
Manuel Ponte, P.E., Consulting Engineer
John Napolitano, Esq.
Susan DuBey, Admin. Assistant

MOTIONS FOR REORGANIZATION

Chairwoman McMullen called for a **MOTION** on the following:

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

Chairman Steiner called for **MOTIONS** on the following:

MOTION - for the office of **VICE-CHAIRMAN – Commissioner Whalen**

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

MOTION - for the office of **TREASURER – Commissioner Sutton**

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Whalen and Chairman Steiner

ABSTAIN: Commissioner Sutton

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

PUBLIC PORTION

Chairman Steiner announced that this portion of the meeting is now open to the public for comments or questions related to Reorganization 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.

No Comments from the Public

RESOLUTIONS

RESOLUTIONS No. 06/18 thru 17/18 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Authority's Commissioners and will be enacted by one motion

RESOLUTION No. (06/18): To Adopt a Non-Fair and Open Policy for Annual Professional Service Contracts

WHEREAS, the Bayshore Regional Sewerage Authority (“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 22, 2018 from the Executive Director.

RESOLUTION No. (07/18): Designating *The Asbury Park Press* as the Official newspaper and www.bayshorersa.com as *The BRSA Official Website*.

WHEREAS, the Bayshore Regional Sewerage Authority (“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 by the Commissioners of the Bayshore Regional Sewerage Authority 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 by the Commissioners of the Bayshore Regional Sewerage Authority www.bayshorersa.com is the Official Website of the Bayshore Regional Sewerage Authority.

RESOLUTION No. (08/18): Readopt 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 (“Authority”) is required to establish a Cash Management Plan (“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 its Commissioners have reviewed the following Plan,

NOW THEREFORE be it resolved by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

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

NJEIT Project Fund

NJEIT Project Fund II

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 AUTHORITY 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 Authority 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 Authority 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 36 months and are to be invested in U.S. Treasury Bills, Certificate of Deposit and Notes, The New Jersey Cash Management Fund 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 3 years 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 3 years 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. 18:19-41); 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 18 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 18 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 18 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 18 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 Authority, 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 Authority 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 Authority or by a third party custodian prior to or upon the release of the Authority funds.

To assure that all parties with whom the Authority 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 Authority 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 Authority 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 Authority.

RESOLUTION No. (09/18): To designate TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the Bayshore Regional Sewerage Authority

WHEREAS, in accordance with N.J.S.A. 40A5:15 et seq. of the Local Fiscal Affairs Law, the Bayshore Regional Sewerage Authority (“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 Authority for investment purposes should such opportunity arise.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that TD Bank qualifies under the Government Unit Deposit Protection Act as the Official Depository of the Authority and is hereby designated the Official Depository of the Authority’s Incoming Revenue, Regular Operating, Payroll, Reserve, Rent Reserve, NJEIT Project Fund and NJEIT Project Fund II Accounts of the Authority.

RESOLUTION No. (10/18): Confirming Robert C. Fischer, Executive Director as the Signatory and Authorized Representative of the Authority to sign and verify documents submitted to all 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 the Bayshore Regional Sewerage Authority (“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 by the Commissioners of the Bayshore Regional Sewerage Authority that Robert C. Fischer, Executive Director of the Authority is hereby appointed authorized signatory and representative of the Authority for the above listed purposes.

RESOLUTION No. (11/18): Procedures to be followed in the Payment of Invoices.

WHEREAS, the Bayshore Regional Sewerage Authority (“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 Meetings 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 Commissioners of the Bayshore Regional Sewerage Authority 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 \$4,500; 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 Authority 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 Wednesday 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 Wednesday 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 Wednesday** 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.

RESOLUTION No. (12/18): Procedures to be followed in the Purchase of Equipment Supplies and Services.

WHEREAS, the Bayshore Regional Sewerage Authority (“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 Commissioners of the Bayshore Regional Sewerage Authority 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 \$4,500.00, 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 two 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 \$40,000 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 \$40,000 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 Authority 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.

RESOLUTION No. (13/18): Schedule of Financial Reports.

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

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

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority 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.

RESOLUTION No. (14/18): ADOPTING AND SPECIFYING THE ANNUAL NOTICE OF SCHEDULED MEETINGS FOR 2018/2019 OF THE BAYSHORE REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Bayshore Regional Sewerage Authority (“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 Regular Meetings during 2018/2019. All meetings in 2018/2019 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.

2018

March 19-regular

April 16-regular

May 21-regular

June 18-regular

July 16-regular

August 20-regular

September 17-regular

October 15-regular

November 19- regular

December 17-User Charge Public Hearing/regular

2019

January 21-regular

February 25-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 25, 2019, 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.

RESOLUTION No. (15/18): TD Bank Resolution - Payroll Account

BE IT RESOLVED, by the Commissioners of 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	_____
CHARLES STEINER	Chairman	_____
SCOTT WHALEN	Vice-Chairman	_____
BARTHOLOMEW SUTTON	Treasurer	_____
MARCY MCMULLEN	Asst. Treasurer	_____
ADAM KHACHATURIAN	Secretary	_____
CHRIS CAVANAGH	Asst. Secretary	_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 26th day of February 2018

/s/ _____, **BRSA Secretary**
Adam Khachaturian

I, Charles Steiner, Chairman of the above named Authority, do hereby certify that Adam Khachaturian, 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**
Charles Steiner

RESOLUTION No. (16/18):TD Bank Resolution-Incoming Revenue, Operating, Reserve, Rent Reserve And NJEIT Project Fund Accounts

BE IT RESOLVED, by the Commissioners of 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, Rent Reserve, NJEIT Project Fund and NJEIT Project Fund II 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	_____
CHARLES STEINER	Chairman	_____
SCOTT WHALEN	Vice-Chairman	_____
BARTHOLOMEW SUTTON	Treasurer	_____
MARCY MCMULLEN	Asst. Treasurer	_____
ADAM KHACHATURIAN	Secretary	_____
CHRIS CAVANAGH	Asst. Secretary	_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 26th day of February 2018

/s/ _____, **BRSA Secretary**
Adam Khachaturian

I, Charles Steiner, Chairman of the above named Authority, do hereby certify that Adam Khachaturian, 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**
Charles Steiner

RESOLUTION No. (17/18): To Authorize the Bayshore Regional Sewerage Authority to Provide Legal Counsel and Indemnification for Officials, Employees and Appointees of the Authority in Certain Actions Brought Against Said Officials, Employees and Appointees.

WHEREAS, The Governing Body of the Bayshore Regional Sewerage Authority (“Authority”) declares that:

Section 1. Except as hereinafter provided, the Bayshore Regional Sewerage Authority, hereinafter known as the (Authority) shall, upon the request of any present or former official, employee or appointee of the Authority provide for indemnification and legal defense of any civil action brought against said person or persons arising from an act or omission falling within the scope of their public duties.

Section 2. Pursuant to NJSA 59:10-4, the indemnification and defense provided for in this ordinance shall include exemplary or punitive damages resulting from the employee's civil violation of State or federal law if, in the opinion of the Bayshore Regional Sewerage Authority the acts committed upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

Section 3. The terms of this Resolution and the definition of official, employee and appointee are to be construed liberally in order to effectuate the purposes of this Resolution except that these terms shall not mean a) any person who is not a natural person; b) any person while providing goods or services of any kind under any contract with the Authority except an employment contract; c) any person while providing legal or engineering services for compensation unless said person is a full-time employee of the Authority; and d) any person who as a condition of his or her appointment or contract is required to indemnify and defend the Authority and/or secure insurance.

Section 4. The Authority shall provide for defense of and indemnify any present or former official, employee or appointee of the Authority who becomes a defendant in a civil action if the person or persons involved a) acted or failed to act in a matter in which the Authority has or had an interest; b) acted or failed to act in the discharge of a duty imposed or authorized by law; and c) acted or failed to take action in good faith. For purposes of this resolution, the duty and authority of the Authority to defend and indemnify shall extend to a cross-claim or counterclaim against said person.

Section 5. In any other action or proceeding, including criminal proceedings, the Authority may provide for the defense of a present or former official, employee or appointee, if the Authority concludes that such representation is in the best interest of the Authority and that the person to be defended acted or failed to act in accord with the standards set forth in this resolution.

Section 6. Whenever the Authority provides for the defense of any action set forth herein and as a condition of such defense, the Authority may assume exclusive control over the representation of such persons defended and such person shall cooperate fully with the Authority.

Section 7. The Authority may provide for the defense pursuant to this Resolution by authorizing its attorney to act in behalf of the person being defended or by employing other counsel for this purpose or by asserting the right of the Authority under any appropriate insurance policy that requires the insurer to provide defense.

Section 8. This Resolution shall take effect immediately upon passage and publication as required by law.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (18/18): To appoint a Labor/Employment Attorney

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for 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 contract 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 Law Group, LLP of Parsippany, NJ has submitted a proposal indicating they will provide Labor/Employment Legal Counsel services at \$155.00 per hour; and

WHEREAS, Weiner Law Group, LLP has completed and submitted Business Entity Disclosure Certifications which certifies that Weiner Law Group, LLP has not made any reportable contributions in the previous one year, and that the contract will prohibit Weiner Law Group, LLP from making any reportable contributions through the term of the contract,

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Legal line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Weiner Law Group, LLP as described more specifically in their proposal dated January 24, 2018, and

BE IT FURTHER RESOLVED that the Contract with Weiner Law Group, LLP shall not exceed \$7,000 without prior authorization of the Commissioners, and

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (19/18): To appoint Accounting and Auditing Services to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for 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 contract 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 \$30,500.00 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 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, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Auditor/Accountant line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Bart & Bart as described more specifically in their proposal dated January 23, 2018.

BE IT FURTHER RESOLVED the Contract with Bart & Bart for Auditing Services shall not exceed \$30,500 without prior authorization of the Commissioners, and

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (20/18): To Accept the Proposal from ARCADIS US for continuing services as Authority FEMA Consultant

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

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract 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, there exists a need to continue services with ARCADIS US as FEMA Consultants to develop mitigation proposals for an Authority Power Resiliency System, obtain reimbursements from NJOEM, seek additional sources of funding and as more specifically described in their proposal dated February 22, 2018, and

WHEREAS, ARCADIS US. has completed and submitted Business Entity Disclosure Certifications which certifies that ARCADIS US has not made any reportable contributions in the previous one year, and that the contract will prohibit ARCADIS US from making any reportable contributions through the term of the contract,

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Engineers Unrestricted Net Position, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with ARCADIS US. as described more specifically in their proposal dated February 22, 2018.

BE IT FURTHER RESOLVED, the Contract with ARCADIS US shall not exceed \$49,000 without prior authorization of the Commissioners.

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (21/18): To appoint a Bond Counsel to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Bond 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 contract 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 indicting they will provide Bond Counsel services at \$295.00 per hour with a fee of \$30,000 for a traditional Note issue plus \$0.50 per \$1,000 of notes issued and with a fee of \$40,000 for a traditional Bond issue plus \$1.00 per \$1,000 of Bonds issued; 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 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, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds, the Legal line item as well as Unrestrictive Net Position, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Gibbons P.C. as described more specifically in their proposal dated January 23, 2018.

BE IT FURTHER RESOLVED that the Contract with Gibbons P.C. shall not exceed \$45,000 without prior authorization of the Commissioners; and,

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (22/18): To appoint a General Consulting Engineer to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for General Engineering 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 contract 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 indicting they will provide Engineering Consulting services at \$185.00 per hour; and

WHEREAS, R3M has completed and submitted Business Entity Disclosure Certifications which certifies that R3M has not made any reportable contributions in the previous one year, and that the contract will prohibit R3M from making any reportable contributions through the term of the contract,

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Engineering line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with R3M as described more specifically in their proposal dated February 20, 2018; and,

BE IT FURTHER RESOLVED that the Contract with R3M shall not exceed \$40,000 without prior authorization of the Commissioners; and,

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (23/18): To appoint a Risk Management Consultant to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Risk Management 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 contract 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 indicting 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 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, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Insurance line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Connor, Strong & Buckelew as described more specifically in their proposal dated January 23, 2018; and,

BE IT FURTHER RESOLVED that the Contract with Connor, Strong & Buckelew shall not exceed 6% of JIF Premium without prior authorization of the Commissioners; and,

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (24/18): To appoint a Consulting Instrumentation and Control Engineer to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for 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 contract 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 \$200 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 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, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Engineering line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Morehouse Engineering, Inc. as described more specifically in their proposal dated January 23, 2018.

BE IT FURTHER RESOLVED that the Contract with Morehouse Engineering shall not exceed \$10,000 without prior authorization of the Commissioners; 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 Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (25/18): To Appoint an Incinerator Consulting Engineer to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for 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 contract 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 \$240.00 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 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, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Engineering line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Chavond Barry Engineering Corp. as described more specifically in their proposal dated January 29, 2018.

BE IT FURTHER RESOLVED that the Contract with Chavond Barry Engineering Corp. shall not exceed \$30,000 without prior authorization of the Commissioners; and,

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (26/18): To appoint a Financial Advisor to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for 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 contract 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 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, and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Consultant-Other line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Acacia Financial Group, Inc. as described more specifically in their proposal dated January 23, 2018.

BE IT FURTHER RESOLVED that the Contract with Acacia Financial Group, Inc. shall not exceed \$8,000 without prior authorization of the Commissioners; and,

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (27/18): To appoint a General Counsel to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for 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 contract 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 23, 2018, indicating they will provide General Legal Counsel services at \$185.00 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 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,

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Legal line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman is authorized to enter into a contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC as described more specifically in his proposal dated January 23, 2018.

BE IT FURTHER RESOLVED that the Contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC shall not exceed \$45,000 without prior authorization of the Commissioners; and,

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (28/17): TABLED

SUB-COMMITTEE APPOINTMENTS

Chairman Steiner calls 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.

2018 Committee Appointments

FINANCE COMMITTEE: Chair Commissioner McMullen
Commissioner Steiner
Commissioner Whalen

LEGAL COMMITTEE: Chair Commissioner Whalen
Commissioner Khachaturian
Commissioner Steiner

ENGINEERING COMMITTEE: Chair Commissioner Khachaturian
Commissioner Cavanagh
Commissioner Sutton

PERSONNEL COMMITTEE: Chair Commissioner Sutton
Commissioner McMullen
Commissioner Cavanagh

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

Chairman Steiner calls for a **MOTION** – to Close the Reorganization Meeting of February 26, 2018 at 7:15PM and Open the Regular Meeting of February 26, 2018.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

REGULAR MEETING

February 26, 2018

REPORTS

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

Mr. Fischer Reported:

Mr. Fischer welcomed Chris Cavanagh, the new Commissioner from Hazlet, to the Board

Disaster Recovery Update

- Contract 74S-NIRO- is down to 8 punch list items left to be done including some drawings and termination labels and setting and testing of circuit breakers.
- Contract 80S-Combined Blower Building- is about 80% complete. All tanks are drained and diffusers are installed. Tanks 1,2,7,8 are on line and tanks 5 & 6 just has water in them. The contractor is working on the electrical portion of the project. By the end of May Blower Building #1 will become a storage unit and the Combined Blower Building will be operational.
- The final Project-Raising of the Power Distribution is well underway.

Dorr Oliver Incinerator Pre-Application Meeting

- Met with Hazen and Sawyer & Chavond Barry to discuss plans to rebuild the Dorr Oliver Incinerator. Met with NJDEP to present the Engineer evaluation that demonstrates to the DEP how the incinerator qualifies to meet the Federal Regs. The DEP hinted they may consider the Dorr Oliver Incinerator as a “New” incinerator being it was shut down in 2017. The Authority believes there is enough evidence to show that our intentions were to put the Dorr Oliver back on-line once the NIRO was up and running

Commissioner Cavanagh asked what pollutants are a concern.

Mr. Fischer said Mercury, Lead, Nickel, Chromium and Particulates.

Disaster Funding

- Stone Hill-Combined Blower Building-submitted payment #17 in the amount of \$426,318.62.
- Getting to the end of Phase I work. We took out a \$28M short term loan from NJEIT and drew out approx. \$26M with FEMA reimbursement of \$14.5M.; we owe approx. \$12M long term.

John Draikowicz of Gibbons presented & explained Resolution 44/18 – BRSA Resolution Authorizing the Issuance of Revenue Bonds and Resolution 45/18-BRSA Supplemental Resolution Authorizing the issuance of an amount no to exceed \$14M aggregate principal amount of Sewer Revenue Bonds, Series 2018.

Other

- Senate Bill #848-2% Cap of Regional Sewerage Authorities- this bill made it through the Senate and the Assembly at the end of 2017. This Bill caps our Budget at no more than 2% from last year (with exceptions) and the amount billed to the customers cannot exceed 2% from last year for similar amount of use or services. Unless clarified the term “Similar amount of use or service” will create a problem since Regional Sewerage Authorities bill on a proportionate share. The DEP called the Association of Environmental Authorities about their concerns and the DEP was asked to set up a meeting with the DCA the agency responsible for writing the regulations to

implement the Bill.

Last week the Association members, DEP and DCA met and discussed the concerns. The DCA Asst-Commissioner said they will allow us to craft the language that will make this rule work for us provided it doesn't run contrary to the law. The AEA is represented by John Napolitano and a couple of other attorneys.

John Draikowicz commented that Debt Service does not fall under the 2% cap.

Mr. Fischer explained that we have 3 Pump Stations in our Collection System with three main Forcemain lines of lengths anywhere from 3,000 ft. to 10,000 ft. Matawan Pump Station has pre-stress concrete cylinder pipe (PCCP). Since the forcemains are pressurized pipe there is no way to get inside the pipe to inspect it unless you bypass the flow. Pure Technologies has an electro-magnetic device as well as an acoustical device that can travel the length of forcemains to detect deficiencies or wire breaks. Mike gave the Board a presentation on Pipeline Assessment needs and the location of the forcemains as well as the condition assessment tools that R3M and Pure have used successfully in the past.

Staff Engineer Report

Pete Canal Reported:

- Award Change Order #1 to Shorelands Construction for Ash Basin Valve Replacement in the amount not to exceed \$19,343.00
- Award RFQ 2018-02 – Ash Pad Trench Drain installation to Karl Deigert Enterprises in the amount not to exceed \$27,069.11
- Award ABB a one year extension for the Calibration & Repair of Flow Meter Instruments in the amount no to exceed \$19,307.00
- Authorization to advertise by public bid to Furnish & Delivery Polymer – Ctr. 92
- Award RFQ 2018-01 to Foley, Inc. for the Generator Service & Repair in the amount not to exceed \$35,199.62
- Award RFQ 2018-03 to North American Pipeline Services, Inc. for the Jet Vacuuming Services in the amount not to exceed \$24,000.00
- Award Conti Roofing an extension for the Roofing Inspection & Repairs in the amount not to exceed \$10,990.00
- Authorization to advertise by public bid to provide a Standby Repair & Service Contract

Commissioner McMullen asked about Item #19 – Bell Works Developers Agreement – why is the agreement taking so long. John Napolitano said we may have to take further action on this.

- Approve Developer Project & signing the TWA Consent form for 2089 Florence Avenue, Hazlet
- Approve Developer Project at 26-28 W. Front St., 7 Main Realty, Keyport
- Approve Developer Project Pier 260, Keansburg

Consulting Engineer – R3M

Manuel Ponte Reported:

- The Odor Control Building – out of 5 Authority Odor Control Scrubbers this is the first one refurbished. Our next to be refurbished are 2,3 &4. Scrubber #5 was installed about 6 years ago.

1st Quarter 2017/2018 Flow Report

- The percentage in the flows are consistent with other reported quarters

Superintendent's Report

Mike Broyles Reported:

- Settlement Agreement with the DEP for \$1,000 on a Effluent Permit Violation back in July, 2017 when we had a biological upset. This is the minimum fine they can impose on us.

Mr. Fischer explained that this upset came during the Combined Blower Building phase where we were redirecting flows frequently which disturbed the biological system

- The flow was 214 mg for the month which is low.
- 96 % removal Suspended Solids and BOD's are running good
- There were 3 odor complaints from Mr. Lauro. On January 25 we had an ice issue and lost Hypo to the Odor Control
- DEP Enforcement had their Annual Compliance Evaluation and Assistance Inspection and he did not indicate any areas of concern
- A letter was sent out to the NJ Turnpike Authority informing them that their permit will not be renewed because their flows are so low as to have minimal impact. We informed them that we reserve the right to inspect at any time
- CEI was issued a Notice of Violation for Oil & Grease. No response has been received.

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

TREASURER'S REPORT

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

**TREASURER'S REPORT
STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS**

TD BANK	Balance
TRUSTEE ACCOUNTS	January 31, 2018
<u>2010 NJEIT BONDS</u>	
Construction	\$ 1,359,293.65
Bond Service	\$ <u> .05</u>
Total NJEIT	\$ 1,359,293.70
TD BANK	
NJEIT Project Fund	\$ 4,595,946.97
NJEIT Project Fund #2	\$ 1,192,859.10
Incoming Revenue Account	\$ 1,416,454.49
Operating Regular Account	\$ 1,856,078.65
Operating Reserve Account	\$12,445,777.85
Operating Payroll Account	\$ <u> 740,252.32</u>
TOTAL AUTHORITY ACCOUNTS	\$22,247,369.38
TOTAL	\$23,606,663.08

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:	<u>January 31, 2018</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	\$	0.00
Borough of Matawan	\$	0.00
Western Monmouth Utilities Authority	\$	0.00
Township of Aberdeen	\$	<u>0.00</u>
TOTAL	\$	0.00
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	\$	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 January, 2018		
Hazlet Township Sewerage Utility	\$	755,439.92
Township of Holmdel	\$	319,544.82
Borough of Union Beach	\$	195,150.86
Borough of Keyport	\$	279,086.31
Borough of Keansburg	\$	304,121.63
Borough of Matawan	\$	323,951.05
Western Monmouth Utilities Authority	\$	96,667.57
Township of Aberdeen	\$	<u>457,217.98</u>
TOTAL	\$	2,731,180.14

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 556(Regular)	\$687,977.11
Payroll Account Req. No.P206 (Payroll)	\$171,413.45
NJEIT Project Fund Req. #PF-32	\$ 3,223.09
NJEIT Project Fund #2 Req. #PF 18	\$474,425.96
NJEIT Project Fund WT# 23	\$114,551.05

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

APPROVAL OF MINUTES

Chairman Steiner called for a **MOTION** to approve the following Minutes:
Regular Meeting Minutes of January 30, 2018
Closed Session Minutes of January 30, 2018

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

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

ABSTAIN: Commissioner Cavanagh

PUBLIC PORTION

Chairman Steiner announced that this portion of the meeting is now open to the public for comments or questions related to **Regular Meeting 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.

NO One from the Public Spoke

RESOLUTIONS

RESOLUTION No. (29/18): To Accept the First Three (3) Month Flow Report for 2017/2018

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (“Authority”) have determined the quantity of sewerage from each of the Towns and Authorities connected to the Authority’s system for the period October 1, 2017 to December 31, 2017 (First Quarter of 2017/2018), and

WHEREAS, said flow figures have been calculated from actual meter readings, maintenance service reports, meter calibration reports and other data, and

WHEREAS, said flow figures have been reviewed by the Commissioners of this Authority.

NOW THEREFORE BE IT RESOLVED that this Authority hereby accepts the flow calculations, certified by R3M for the period October 1, 2017 to December 31, 2017 (First Quarter of 2017/2018).

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO. (30/18): To Extend the Contract with ABB for Meter Calibration for a one (1) year period

WHEREAS, in accordance with Local Public Contracts Law at 1:30 P.M. on Tuesday, March 15, 2016, the Bayshore Regional Sewerage Authority (“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 21, 2016 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 43/16); and

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

WHEREAS, on March 21, 2018 the contract expires and ABB Inc. and the Authority were mutually agreeable to extend the original Contract under the same terms and with the same prices for a one (1) additional and final year extension; and

WHEREAS, the Authority’s Chief Engineer has reviewed the correspondence from ABB, Inc., accepting a one (1) year and final extension in accordance with the same price, terms and conditions as the original contract and is recommending a one year extension.

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Service Contract line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution; and

NOW THEREFORE BE IT RESOLVED, that ABB, Inc. of Warminster, PA is hereby awarded a (1) one year and final 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 \$19,307.00.

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO (31/18): To Award the Request for Quotation 2018-03 for the Jet Vacuuming Services of the BRSA Plant and Collection System for a one (1) year period on a Regular and Emergency Basis to North American Pipeline Services, LLC

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need for Jet Vacuuming Services for the Treatment Plant and Collection System on a Regular and Emergency Basis; and

WHEREAS, in accordance with Local Public Contracts Law the Authority publicly advertised and on Wednesday, February 15, 2018 at 2:00 PM received quotes for the Jet Vacuuming of Authority Treatment Plant and Collection System ; and

WHEREAS, North American Pipeline Services, LLC of Freehold, NJ was one of two quotation received; and

WHEREAS, the two quotes were received ranging in price from a low of \$24,000 to a high of \$25,720; and

WHEREAS, North American Pipeline Services, LLC submitted the lowest responsible responsive quote of \$24,000; and

WHEREAS, the Authority’s Chief Engineer and Staff have reviewed the quotation and found it to be acceptable; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Service Contract line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution; and

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that the Request for Quotation 2018-03 for the Jet Vacuuming of the Authority Treatment Plant and Collection System on a as needed basis is awarded to North American Pipeline Services, LLC of Freehold, NJ, in accordance with the terms and conditions of the RFQ at a not to exceed price of \$24,000.00.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (32/18): To Extend the Contract with Conti Roofing Company, Inc., for Facility Roofing Repairs in the amount of \$10,990.

WHEREAS, in accordance with Local Public Contracts Law at 1:30 P.M. on November 13, 2015, the Bayshore Regional Sewerage Authority (“Authority”) prepared a Request for Quotation #2015-04.1 for the Facility Roofing Repairs for a (2) two year period; and

WHEREAS, on December 21, 2015 the Authority awarded the Facility Roofing Repair Contract to Conti Roofing Company, Inc. of Fairview, NJ (Resolution 143/15); and

WHEREAS, the contract provides by mutual agreement and, the Local Public Contracts Law allow for (2) two year extension; and

WHEREAS, on December 21, 2017 the contract expired and Conti Roofing Company, Inc. and the Authority are mutually agreeable to extend the original Contract under the same terms and with the same prices for one additional year; and

WHEREAS, the Authority Engineering Staff have reviewed the correspondence from Conti Roofing Company, Inc. accepting the (2) two year extension in accordance with the same, price, terms and conditions as the original contract; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Service Contract line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution; and

NOW THEREFORE BE IT RESOLVED that Conti Roofing Company, Inc. of Fairview, NJ is hereby awarded a (2) two year extension of the contract for the Facility Roofing Repair in accordance with the terms and conditions of the original quote and contract documents, for the total contract price of \$10,990.00.

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (33/18): To Authorize Advertising for bids for the Furnishing and Delivery of Polymer

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) currently has a contract for the furnishing and delivery of Polymer with Polydyne, and

WHEREAS, that Contract expires in March 2018; and

WHEREAS, the Authority requires authorization to advertise for bids for a new contract for a (2) two-year period, and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Chemical line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution;

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Authority’s Chief Engineer and Staff are hereby authorized to prepare bid specifications for the furnishing and delivery of Polymer in accordance with Public Contract Law.

BE IT FURTHER RESOLVED upon review and approval of the Executive Director, a Notice to Bidders may be placed in the Authority’s official newspaper for solicitation of the furnishing and delivery of Polymer.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (34/18): To Award Installation of the Ash Basin Trench Drain project to Karl Deigert Enterprises, Inc. for \$27,069.11

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates Ash Settling Basin Facilities to separate inert ash from scrubbing water and to provide ash storage during incineration; and

WHEREAS, the ash settling basin facility consists of three-(3) ash channels and an adjacent ash dewatering and storage area which is bordered by a perimeter drain; and

WHEREAS, the perimeter drain isolates and protects the adjacent areas from the ash settling basin facilities with the exception of one fifty – (50) foot long section between the end wall and Ash Channel #1; and

WHEREAS, stormwater and wash-down water runoff can transport ash from the ash settling basin facilities to surrounding areas through this unprotected section of the ash settling basin facility;

WHEREAS, the Authority desires to close this opening to protect the surrounding facilities from ash during stormwater or wash-water occurrences by installing an ash basin trench-drain; and

WHEREAS, on Tuesday, February 13, 2018 at 2:00 P.M. the Authority received quotes for the installation of an ash basin trench drain from two-(2) contractors; and

WHEREAS, the firm Karl Deigert Enterprises, Inc. of Tinton Falls, NJ submitted the lowest quote of \$27,069.11; and

WHEREAS, the quote was reviewed by the Authority Engineering department and the Authority attorney and found to be acceptable; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Major Projects line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution, and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority hereby award the installation of the Ash Basin Trench Drain to Karl Deigert Enterprises of Tinton Falls, NJ in the amount of \$27,069.11.

BE IT FURTHER RESOLVED, the Executive Director is authorized to execute any and all documents necessary to complete the project in accordance with the proposal dated February 15, 2018.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (35/18):o Award the Contract for Annual Generator Maintenance to Foley Inc. for \$35,199.62

WHEREAS, in accordance with the Local Public Contracts Law, Bayshore Regional Sewerage Authority (“Authority”) advertised and received quotes at 1:30 PM on Tuesday, February 13, 2018 for providing Annual Generator Service for a two-year period beginning; and

WHEREAS, the quotes were publically opened and read aloud and the lowest responsible and responsive quote was provided by Foley Inc. of Piscataway, NJ having submitted a total quote price of \$ 35,199 for a two year period, and

WHEREAS, the Authority Engineer has reviewed the quotations and recommends award to Foley Inc.; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Service Contracts line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution, and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority hereby award the contract for furnishing Annual Generator Service to Foley Inc. in accordance with the term and conditions of the quotation documents in the amount of \$35,199.62

BE IT FURTHER RESOLVED, the Executive Director is authorized to execute any and all documents necessary to effectuation the contract in accordance with the proposal dated February 13, 2018.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO. (36/18): To Acknowledge Commissioner Louis Pisano For His Years of Service

WHEREAS, Walter Vella has served the public as a Commissioner of the Bayshore Regional Sewerage Authority (“Authority”) for five years from February 1, 2013 to January 31, 2018 including the position as Chairman for one year; and

WHEREAS, during a critical time in the history of the Authority, Commissioner Pisano helped to bring to fruition enormous undertakings and was instrumental in resolving challenging issues relative to the Restoration and Mitigation of the Authority’s Treatment facility and many other important matters due to the destruction from Superstorm Sandy; and

WHEREAS, Commissioner Louis Pisano through his years of service to the Authority has helped guide its activities and contributed invaluable to its progress.

NOW THEREFORE BE IT RESOLVED, the Bayshore Regional Sewerage Authority, its Commissioners, and employees hereby express sincere appreciation to Commissioner Pisano for a job well done and gratitude for his years of service and a dedication above and beyond the expectations of a Commissioner in the performance of his duties.

BE IT FURTHER RESOLVED, the Bayshore Regional Sewerage Authority hereby proclaims Louis Pisano, Commissioner Emeritus; and

BE IT FURTHER RESOLVED, a copy of this Resolution will be sent to the Governing Body of the Township of Hazlet to be entered into their permanent records.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTIO No. (37/18): To Execute a Settlement Agreement with the New Jersey Department of Environmental Protection

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) is authorized to discharge to the surface waters of the State of New Jersey by the New Jersey Department of Environmental Protection (DEP) under Surface Water Permit No. NJ0024708 (the Permit); and

WHEREAS, a Total Suspended Solids violation of the Permit occurred in July of 2017 while the Authority was changing flow patterns to accommodate the Sandy reconstruction of the Activated Sludge Aeration system; and

WHEREAS, the Authority and the NJDEP have reached a tentative agreement to settle the outstanding issue for a fee of \$1,000 which the Authority finds fair and reasonable; and

WHEREAS, the entry into the settlement agreement or the paying of the fee constitutes an admission of liability on the part of the Authority and the Authority is entering into this agreement in the interest of resolving this matter.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority consent to the execution of the settlement agreement dated February 13, 2018 for exceedance of the Suspended Solids permit limit in the month of July and instructs the Executive Director to execute the agreement and submit same to the NJDEP and take all steps necessary and reasonable to effectuate the terms of the settlement.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (38/18): To Authorize Advertisement for Bids on the Annual Standby Repair & Service Contract

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and operates a Wastewater Treatment Plant and Collection System that includes three Pumping Stations; and

WHEREAS, there is a need to have a standby contractor for repair and service work; and

WHEREAS, the Authority Consulting Engineer, R3m engineering, inc. and Staff are developing a contract specification for an Annual Standby Repair & Service Contract; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Capital line item, to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority authorize the Chief Engineer and R3m engineering, inc. to advertise for bids for the Annual Standby Repair & Service Contract, in the Authority Official Newspaper and on the Authority Website.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (39/18): To Approve Sanitary Sewer Connection Application for RDS Realty Keansburg, LLC, Developer for Pier 260 Keansburg

WHEREAS, RDS Realty Keansburg, LLC (“Developer”), is the project developer of Pier 260, located at 260 Beachway Avenue, further designated as Block 13, Lot 1 in the Borough of Keansburg, a 120 seat Bar/Restaurant with 17 Equivalent Dwelling Units (“EDU’s”) Project; and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval; and

WHEREAS, the project is expected to generate 3,750 gallons per day of wastewater; and

WHEREAS, the project is receiving a credit of 15 EDU’s for existing usage, and

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) Chief Engineer has reviewed the Developers application and is recommending sanitary sewer connection approval; and

WHEREAS, the Developer has paid the review fee of \$72.20 and connection fee of \$10,002; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that RDS Realty, LLC is hereby granted Bayshore Regional Sewerage Authority sanitary sewer approval for the above referenced project.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

BE IT FURTHER RESOLVED that this approval is good for a one-year period.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (40/18): To Approve Sanitary Sewer Connection Application for 7 Main Realty, LLC, Developer for New Apartment Units & Commercial, Keyport

WHEREAS, 7 Main Street, LLC (“Developer”), is the project developer of New Apartments Units and Commercial – Offices Spaces, located at 26-28 West Front Street and 7 Main Realty, further designated as

Block 61, Lot 18, 20 & 23 in the Borough of Keyport, a 6 apartment, office/retail space and gym project with 10 Equivalent Dwelling Units (“EDU’s”); and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval; and

WHEREAS, the project is expected to generate 2,260 gallons per day of wastewater; and

WHEREAS, the project is receiving a credit of 5 EDU’s for existing usage, and

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) Chief Engineer has reviewed the Developers application and is recommending sanitary sewer connection approval; and

WHEREAS, the Developer has paid the connection fee of \$25,005; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that 7 Main Realty, LLC is hereby granted Bayshore Regional Sewerage Authority sanitary sewer approval for the above referenced project.

BE IT FURTHER RESOLVED the Developer must properly maintain its sanitary sewer System in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

BE IT FURTHER RESOLVED that this approval is good for a one-year period.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (41/18): To award Change Order No. 1 in the amount of \$19,343.00 to Shorelands Construction, Inc. for Contract 100, Ash Basin Valve Chambers

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and operates an incineration system that includes three Ash Basins and associated valves; and

WHEREAS, the valves that operate the Ash Basin are buried, inaccessible and are not functioning properly; and

WHEREAS, in accordance with Local Public Contracts Law, Shorelands Construction, Inc. (Shorelands) was awarded Contract No. 100, Ash Basin Valve Chambers in the amount of \$130,000.00 by Resolution No. 111/17; and

WHEREAS, there is a need to amend the Contract and perform additional work such as structural improvements, additional stairs and valve adapters; and

WHEREAS, Shorelands has submitted a proposal for Change Order No. 1 to amend the Contract work in the amount of \$19,343.00; and

WHEREAS, the Authority’s Engineering staff has reviewed the proposal and are recommending Change Order No. 1, in the amount of \$19,343.00; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Capital line item, to cover the maximum dollar value of the pending contract as set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve Change Order No. 1 for Shorelands Construction, Inc., in the amount of \$19,343.00, increasing the total Contract value to \$149,343.

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO. (42/18): To approve Sanitary Sewer Connection and Treatment Works Approval Application for 2089 Florence Ave., Hazlet

WHEREAS, Yen Quen Chen and Taimis Group, LLC (Developer), are the project developers of 2089 Florence Ave., located on Florence Ave, further designated as Block 64.04, Lot 6.02 and 6.03 in Hazlet Township, a 3 lot subdivision with one existing home to remain; and

WHEREAS, the Developer has indicated they have received all local approvals including local sanitary sewer approval; and

WHEREAS, the project is expected to generate 450 gallons per day of wastewater, and

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) Chief Engineer has reviewed the Developers application and is recommending sanitary sewer connection approval, and

WHEREAS, the Developer has paid the connection fees of \$10,002, and

NOW THEREFORE BE IT RESOLVED that Yen Quen Chen and Taimis Group, LLC are hereby granted Bayshore Regional Sewerage Authority sanitary sewer approval for the above referenced project, contingent upon the Chief Engineer approving any physical connections to the Authority's interceptor sewer main.

BE IT FURTHER RESOLVED the Executive Director is hereby authorized to execute the Statement of Consent documents and return the Treatment Works Approval application to the applicant for processing by the New Jersey Department of Environmental Protection upon payment of all aforementioned fees, and

BE IT FURTHER RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Developer must properly maintain its sanitary sewer system in accordance with the Bayshore Regional Sewerage Authority Rules and Regulations, and

BE IT FURTHER RESOLVED that this approval is good for a one-year period.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO. (43/18): To Adopt Changes to the Authority Personnel Policy and Procedure Manual for 2018

WHEREAS, it is the policy of Bayshore Regional Sewerage Authority (Authority) to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) and

WHEREAS, the Authority has previously determined a need for and adopted personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations, and

WHEREAS, it is necessary to amend those Policies and Procedures to reflect changes related to employment of certain non-union employees, and

WHEREAS, said changes include additions to the Wage and Salary Policies to incorporate a compensatory policy for certain non-union employees for work in excess of 12 hours during emergency conditions.

NOW, THEREBY, BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the Personnel Policies and Procedures Manual additions attached hereto are hereby adopted.

BE IT FURTHER RESOLVED that these Personnel Policies and Procedures shall apply to all Authority officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that the Policy manual is intended to provide guidelines covering public service by the Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Authority.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO. (44/18): To Adopt a Resolution Authorizing the Issuance of Revenue Bonds of the Bayshore Regional Sewerage Authority.

RESOLUTION NOT COPIED DUE TO SIZE. ORIGINAL ON FILE

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION NO. (45/18): To Adopt a Supplemental Resolution Authorizing the Issuance of an Amount Not to Exceed \$14,000,000 Aggregate Principal amount of Sewer Revenue Bond Series 2018 of the Bayshore Regional Sewerage Authority

RESOLUTION NOT COPIED DUE TO SIZE. ORIGINAL ON FILE

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

PUBLIC PORTION

Chairman Steiner announces: 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, Florence Avenue, Hazlet wished everyone a Happy New Year and wanted to know if Commissioner Cavanagh was a new 5 year appointment or filling in a vacancy. Mr. Fischer said he was a new appointment.

Executive Session

Chairman Steiner called for a **MOTION** to go into Closed Session at 9:06P.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 or anticipated litigation, contract negotiations and matters of employment of public employees. 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.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

CLOSED SESSION MINUTES ARE RECORDED SEPERATLY

END CLOSED SESSION

Chairman Steiner called for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 9:31 P.M.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTIONS

RESOLUTION NO. (46/18): To approve the Payment of Accrued Days Owed to the Purchasing Agent Denise Vasce

WHEREAS, On January 22, 2018 Purchasing Agent Denise Vasce officially resigned from the Bayshore Regional Sewerage Authority 9' Authority"); and

WHEREAS, Authority Policy provides payout at resignation of accrued pro-rated Vacation benefits, and any remaining Sick time (capped at 240 hours) and Personal Days; and

WHEREAS, Ms. Denise Vasce's remaining Sick & Personal Days and accrued Vacation benefits have been calculated and recorded in a memorandum submitted by Mrs. Susan DuBey, Administrative Assistant to the Authority to the Executive Director, dated January 25, 2018; and

WHEREAS, the Executive Director has reviewed the calculated time owed and finds the calculation of Sick (112 hours), Vacation (80 hours), Pro-rated Vacation (6 hours) and Personal Days (24 hours) accurate; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Authority Salary line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution;

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of remaining Sick and Personal Days and accrued Vacation time owed Denise Vesce as detailed in the attached memorandum dated January 25, 2018 in the amount of \$6,793.30.

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

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (47/18): Authorization to Hire Michelle Izzo as QPA as a Temporary part-time Employee

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) has a need for the services of a Qualified Purchasing Agent (QPA) on a temporary part-time basis; and

WHEREAS, the QPA designation is a State Certification administered by the Department of Community Affairs; and

WHEREAS, the services of a QPA will provide the Authority with efficient and effective public purchasing while allowing the Authority to maintain its QPA status with the Department of Community Affairs. Division of Local Government Services (DLGS); and

WHEREAS, Michelle Izzo is a QPA certified by the Department of Community Affairs; and

WHEREAS, Ms. Izzo has agreed to provide the Authority with QPA services as a part time, temporary employee at a rate of \$42.00 per hour on a not to exceed 40 hours per month basis for eight-(8) months; and

WHEREAS, Ms. Izzo will not receive Health Benefits, Pension or any other benefit afforded a full-time employee with the Authority; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Salary line item, to cover the maximum dollar value of the employee cost as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby hire the services of Michelle Izzo as a temporary, part-time employee to provide QPA services for a period not to exceed 40 hours per month for eight-(8) months.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

ANNOUNCEMENT (by Chairman Steiner):

The next Regular Meeting of the B.R.S.A. is scheduled for Monday, March 20, 2018, 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 9:32 P.M., Chairman Steiner called for a **MOTION** to Adjourn the meeting.

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

AYES: Commissioners Cavanagh, Khachaturian, McMullen, Sutton, Whalen and Chairman Steiner

Respectfully submitted,

Susan DuBey
Administrative Assistant