

MINUTES
REGULAR MEETING
MONDAY, APRIL 16, 2018

At 7:00 P.M., Chairman Steiner made the following announcement:

The Regular Meeting of the Bayshore Regional Sewerage Authority will now come to order. I hereby announce that pursuant to Section 5 of the Open Public Meetings Act, that adequate notice of this meeting has been sent to the Newark Star Ledger and Asbury Park Press. Notice has also been sent to the Clerks of Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach and Marlboro and the Western Monmouth Utilities Authority. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

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

Chairman Steiner called for a roll call of attendance:

PRESENT: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

ABSENT: Commissioners Khachaturian & McMullen

Also In Attendance: Mr. Robert C. Fischer, Executive Director
J. Michael Broyles, Superintendent
Manuel Ponte, P.E., Consulting Engineer
Mike Samuels, P.E., R3M Engineers
John Napolitano, Esq.
Susan DuBey, Admin. Assistant

REPORTS

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

Mr. Fischer Reported:

Disaster Recovery Update

- Contract 74S-NIRO- is the only project left in Phase I and is very close to being closed out. We are currently working on getting a warrantee extension on the Mercury Scrubber.
- Contract 80S-Combined Blower Building- they are taking Blower Building #1 apart and all the piping and blowers have been removed. It will be converted to a controlled climate storage unit. All 4 blowers are installed and they are working on some communication issues. The completion date still stands at May 18th.
- PKF continues working on elevating the Power Distribution System. They are waiting on the steel for the structural support. Once the switchgear housing arrives they will raise the housing up to the

500 year flood elevation and place half of the new system on line. They will then dismantle the other half.

Disaster Funding

- Stone Hill-Combined Blower Building-Contract 80S-submitted payment #19 in the amount of \$434,648.62.
- Northeast Remsco Contract 73S - final claim in the amount of \$90,987.36 with \$70K being retainage.

Long Term Loan – Phase I

- Received exhibits for Long Term Loan in the amount of \$11,561,502. NJEIT will provide \$317,802 in principal forgiveness leaving the Long Term Loan amount at \$11,243,700

Other

- The Stack Test on the NIRO Incinerator was conducted on April 4th to April 6th.
- Cornerstone and Waverly Agencies were quote solicited for a Temporary Office worker; filing, typing, answering phones – general office work. Three interviews were conducted and a candidate was selected for the position. Both agencies have similar pricing structure; we chose the agency with the best response.
- Bart & Bart is working with the staff to complete the 2017 audit. A meeting next week is being held to go over Sandy financing questions. Wait on the State Pension Employers Allocation for 2019.
- Capital Budget amendment was approved by the State. No additional funds were needed

Staff Engineer Report

Given By Robert Fischer:

- Northeast Remsco-Contract 73S- Restoration and Mitigation of the Pump Stations - close-out contract final payment in the amount of \$90, 987.36 (mostly retainage). Contract amount was \$3,379,000 plus \$206,636 in change orders bringing the Contract amount to \$3,585,636 in which 80% was Sandy related and FEMA paid for 90% of that.
- Metra Industries-Contract 90-Collection System Rehab-final Change Order #5 in the credit amount of (\$19,953.48). Additional costs in this contract was due to police traffic control and additional paving work required by the Towns. Total contract amount \$2,391,510.
- Authorization to advertise for Public Bids for Annual Ash Hauling Contract that will expire in May, 2018.
- Glassworks in Aberdeen - approve the reduction of payment bond in the amount of \$1,295,872 due to payment and the reduction of our connection fee.
- Hazen and Sawyer proposal to upgrade the Dorr Oliver Incinerator – prepare modification of the Title V Air Permit in the amount of \$75,310. Hazen & Sawyer will calculate emissions expected from the new Dorr Oliver, control efficiencies, risk screening along with an air modeling and analyze the dispersion according to the stack height and the distance to property line for each parameter. It will probably take 2 or 3 meeting with NJDEP so depending on the time spent the cost could be more or less.

Chairman Steiner asked about the Emergency Power Backup that was discussed at prior meetings.

Mr. Fischer said that he met with MCBOA and explained how we would tie their system into the new Generator. Arcadis did a benefit cost analysis and R3M did a conceptual design and completed Hazard Mitigation proposal. Many calls with FEMA about the project and their preliminary view is that it's a good project. Two weeks ago R3M submitted a formal proposal and we are waiting for FEMA to obligate the funds for the project.

Consulting Engineer – R3M

Manuel Ponte Reported:

- Preparing for the inspection of the Authority’s three Force Mains with Pure Technologies starting in June
- Standby Construction awarded to Karl Deigert – attended pre construction meeting
- Working on the 2nd Quarter Flow Report that will be ready for May’s meeting

Superintendent’s Report

Mike Broyles Reported:

- The flow for March was is up, 13th largest flow in two decades.
- Effluent quality is a little higher mainly because of Combine Blower Building shut-downs
- Incinerator operation running well
- There was one odor complaint from Mr. Lauro on March 4th.
- General maintenance was done on the Sludge Belt Filter Presses prior to the Stack Test
- At the end of March an overflow was reported on First Street. We responded with pumping equipment – it was Aberdeen Force Main, as it connects to the manhole upstream of our system. The work, which is being handled by Aberdeen, will last approx. 2 weeks.
- Performed the NIRO Stack Test-had issues with keeping the temperature down. It will take a few days to receive the results of the metal tests. During this Stack Test we bypassed the Mercury Scrubber to determine compliance without this unit on line.

Chairman Steiner asked about the Solar Panels on the IFF property.

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

TREASURER’S REPORT

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

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

TD BANK	Balance
TRUSTEE ACCOUNTS	March 31, 2018
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2010 NJEIT BONDS	
Construction	\$ 1,360,311.64
Bond Service	\$ _____ .05
Total NJEIT	\$ 1,360,311.69

TD BANK

Lakeland Bank-CD	\$ 1,000,000.00
Cash Management	\$ 2,002,514.81
NJEIT Project Fund	\$ 5,802,575.42
NJEIT Project Fund #2	\$ 2,045,146.78
Incoming Revenue Account	\$ 1,155,286.61
Operating Regular Account	\$ 1,754,667.66
Operating Reserve Account	\$ 9,352,375.47
Operating Payroll Account	\$ 726,278.84
TOTAL AUTHORITY ACCOUNTS	\$ 22,838,845.59
TOTAL	\$ 24,199,157.28

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
	<u>March 31, 2018</u>
SERVICE CHARGES:	
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	\$ 0.00
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	\$ 0.00
TOTAL	\$ 0.00
Balance of Rent Reserve Accounts as of March 31, 2018	
Hazlet Township Sewerage Utility	\$ 755,845.26
Township of Holmdel	\$ 319,673.97
Borough of Union Beach	\$ 195,229.73
Borough of Keyport	\$ 279,199.12
Borough of Keansburg	\$ 304,244.55
Borough of Matawan	\$ 324,081.99
Western Monmouth Utilities Authority	\$ 96,706.64
Township of Aberdeen	\$ 457,402.78
TOTAL	\$ 2,732,284.04

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 560(Regular)	\$ 361,266.99
Payroll Account Req. No.P208 (Payroll)	\$ 208,070.83
NJEIT Project Fund Req. #PF-34	\$ 108,343.57
NJEIT Project Fund #2 Req. #PF-20	\$ 519,216.67
NJEIT Project Fund-Wire Transfer-WT#24	\$ 211,549.36
NJEIT Project Fund II-Wire Transfer-WT#2	\$1,140,784.85

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

APPROVAL OF MINUTES

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

Regular Meeting Minutes of March 19, 2018

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

AYES: Commissioners Cavanagh, 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 **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 COMMENTS FROM THE PUBLIC

RESOLUTIONS

RESOLUTION No. (56/18): To Appoint a Conflict Attorney, Manna and Bonello of Long Branch, NJ

WHEREAS, the Bayshore Regional Sewerage Authority has a need to contract for a conflict attorney to provide legal counsel services whenever a conflict of interest arises with the Authority General Counsel; and

WHEREAS, these services are to be provided as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Manna and Bonello of Long Branch, NJ has submitted a proposal indicting John Bonello will provide Legal Counsel services as a Conflict Attorney at \$160.00 per hour; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the legal line item, to cover the maximum dollar value of the pending contract as set forth in this 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 Manna and Bonello as described more specifically in their proposal dated March 29, 2018.

BE IT FURTHER RESOLVED that the Contract with Manna and Bonello shall not exceed \$5,000 without prior authorization of the Commissioners.

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 Cavanagh, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (57/18): To Authorize the Staff to prepare and advertise contract specifications for the Annual Removal of Ash, Contract No.104-O

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need for an annual Contract for the Removal of Incinerator Ash; and

WHEREAS, the existing Contract with SpectraServ, Inc. will expire in May, 2018; and

WHEREAS, the estimated costs for this work shall exceed the public bidding threshold; and

WHEREAS, the Authority requires authorization to solicit bids for a Public Contract.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority, that the Chief Engineer and Qualified Purchasing Agent are hereby authorized to advertise for Public Contract in the Authority’s official newspaper and web site for Contract No. 104-O, Annual Removal of Incinerator Ash for a period of two years, with the option for one extension, in accordance with Local Public Contracts law.

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (58 /18): To Contract with Cornerstone Staffing Services to Provide Temporary Secretarial Services

WHEREAS, Bayshore Regional Sewerage Authority (“Authority”) is in need of additional Secretarial staff in the Administration Office due to recent vacancies; and

WHEREAS, the Authority has received quotes from two temp agencies whose prices are the same for similar services; and

WHEREAS, Cornerstone Staffing Services provides such staffing and has provided Bayshore Regional Sewerage Authority with several candidate to interview; and

WHEREAS, Cornerstone Staffing will provide a Secretary at a rate of \$22.40 per hour wherein such fee includes all workers comp insurance, social security, payroll taxes, liability insurance and handling of reference checks; and

WHEREAS, the Temporary Secretary will provide services such as typing, filing, coping, scanning and answering phones; and

WHEREAS, following the interview of 3- candidates provided by Cornerstone Staffing Services the Authority finds the candidate Kelsey Mallow most qualified; and

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

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority, Cornerstone Staffing Services is hereby awarded a contract on a temporary basis to provide Kelsey Mallow as a Secretary to serve until the Authority has completed its search for a full time Administrative Assistant.

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (59/18): To reduce the payment Bond for Somerset Anchor, LLC, Developer for Glassworks

WHEREAS, Somerset Anchor, LLC (“Somerset”), is the project developer for Glassworks, located at Block 155, Lot 1 in Township of Aberdeen, a 511 Equivalent Dwelling Unit project; and

WHEREAS, Somerset has entered into a Developers Agreement with the Bayshore Regional Sewerage Authority (“Authority”) and provided a payment Bond to cover the outstanding connection fee balance; and

WHEREAS, in accordance with the Developers Agreement, connection fee payments of \$1,579,482, representing Phase 1A, 1B and 1C, have been made, bringing the adjusted balance due to \$1,295,872, as further detailed in the Authority Engineer letter dated November 21, 2016; and

WHEREAS, the BRSA finds it appropriate to reduce the amount of Bond No. 44BCSFA8315 to \$1,295,872.

NOW THEREFORE BE IT RESOLVED that Toll Holmdel, LLC is hereby granted a Bond reduction for the balance of \$1,295,872.

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (60/18): To Award Contract to Submit Title V Air Permit Modification for Dorr Oliver Incinerator to Hazen Engineers at a Cost Not-To-Exceed \$ 75,300

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates two-(2) fluidized bed incinerators for the destruction of residual sewage sludge solids at its treatment plant in Union Beach, NJ; and

WHEREAS, the Dorr Oliver incinerator (“Dorr”) commenced operation in 1974 and the NIRO Incinerator (“NIRO”) commenced operation in 1996 and both incinerators operated until damaged by flood during Hurricane Sandy in October of 2012; and

WHEREAS, the new federal Sewage Sludge Incinerator regulations at 40 CFR Part 62, also known as the SSI regs, requires all incinerators in the U.S. to meet new, more stringent emission standards as of March 21, 2017; and

WHEREAS, as of March 21, 2017 the restored and upgraded NIRO incinerator has been meeting these regulations and the Dorr has been shut down until upgrades can be achieved; and

WHEREAS, a preliminary investigation conducted by Hazen Engineers with subcontractor Chavond Barry Engineers (“CBE”) indicated the Dorr Oliver incinerator can be upgraded as an existing incinerator as per the definitions at 40 CFR Part 62 consistent with the NIRO Incinerator; and

WHEREAS, a Title V Air Permit (“Permit”) Application must be submitted to the New Jersey Department of Environmental Protection (NJDEP) to amend the Permit to allow for the upgrade and operation of the Dorr Incinerator consistent with the SSI regs; and

WHEREAS, Hazen Engineers has submitted a proposal to the Authority dated April 10, 2018 to submit a Permit application to the NJDEP to upgrade the Dorr incinerator; and

WHEREAS, the Chief Engineer and Executive Director have reviewed the proposal and find it fair and reasonable for the defined scope of work; and

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

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby award the contract to submit a permit application for the upgrade of the Dorr Oliver incinerator to Hazen Engineers for the Cost of \$75,300 as further detailed in their proposal dated April 10, 2018.

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (61/18): To approve Metra Industries, Inc. Change Order No. 5 FINAL for Contract No. 95, Interceptor Sewer Rehabilitation Project, Phase 1 for a Credit of \$19,953.48

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates interceptor sewers in Keyport, Hazlet and Union Beach that are in need of rehabilitation; and

WHEREAS, in accordance with Local Public Contract Laws, Contract 95, Interceptor Sewer Rehabilitation Project, Phase 1 was awarded to Metra Industries, Inc. (“MII”) on December 19, 2016 for a total price of \$2,147,000 via Resolution 136/16; and

WHEREAS, the Authority previously approved Change Orders 1 through 4 in the amount of \$264,463.56 increasing the total contract value to \$2,411,463.56; and

WHEREAS, there is a need to amend the Contract to perform additional traffic control and paving work and credit the unused portion of the allowances as described in the change order No. 5 documentation; and

WHEREAS, MII has submitted a proposal for Change Order No.5 to amend the contract work, in the credit amount of \$19,953.48; and

WHEREAS, the Authority staff and Consulting Engineer, Gannett Fleming have reviewed the proposal and are recommending Change Order No.5, in the amount of \$19,953.48; 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 Bayshore Regional Sewerage Authority approve Change Order No.5 FINAL for Metra Industries, Inc., in the credit amount of \$19,953.48 decreasing the total Contract value to \$2,391,510.08.

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

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

RESOLUTION No. (62/18): To Approve Close-Out of the Main Pump Station and Sludge Return Bldg. & PS#1, Repairs & Mitigation, Contract No. 73S for Northeast Remsco Construction, Inc.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) needs to perform repairs & mitigation on Main Pump Station and Sludge Return Bldg. & PS #1 due to damages caused by Hurricane Sandy; and

WHEREAS, in accordance with Local Public Contract Laws, Contract 73-S Restoration & Mitigation of Main Pump Station and Sludge Return Bldg. & PS #1 was awarded to Northeast Remsco Construction, Inc. (NER) on April 20, 2015 for a total price of \$3,379,000 via Resolution 58/15; and

WHEREAS, the Authority previously approved four (4) Change Orders totaling \$206,636, increasing the total contract value to \$3,585,636; and

WHEREAS, all work is completed and the Authority Chief Engineer and its Consulting Engineer, PS&S are recommending acceptance of the Maintenance Bond and closeout of the Contract, subject to NJEIT approval.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority approve acceptance of the Maintenance Bond and closeout of the Main Pump Station and Sludge Return Bldg. & PS #1, Repairs & Mitigations, Contract No. 73s, for Northeast Remsco Construction, Inc., subject to NJEIT approval.

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

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

AYES: Commissioners Cavanagh, 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 of Florence Avenue, Hazlet asked how many Natural Gas Generators will we be getting. Mr. Fischer said we would probable get two maybe three generators.

Mike Samuels of R3M explained that one additional generator will be installed as a stand-by in case one goes out.

Charles asked what the back-hoes are doing on the plant.

Mr. Fischer told him that we are raising all the Power Distribution equipment up to the 500 year flood mark.

Executive Session

Chairman Steiner called for a **MOTION** to go into Closed Session at 7:47 P.M. in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending 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 Cavanagh, SECONDED BY: Commissioner Sutton, and carried by a unanimous voice vote recorded as follows:

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

Closed Session Minutes are Recorded Separately.

END CLOSED SESSION

Chairman Steiner calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 7:50 P.M.

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

ANNOUNCEMENT (by Chairman Steiner):

The next Regular Meeting of the B.R.S.A. is scheduled for Monday, May 21, 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 7:51 P.M., Chairman Steiner called for a **MOTION** to Adjourn the meeting.

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

AYES: Commissioners Cavanagh, Sutton, Whalen and Chairman Steiner

Respectfully submitted,
Susan DuBey
Administrative Assistant