

MINUTES FOR
REGULAR MEETING (via Zoom)
MONDAY, SEPTEMBER 21, 2020

At 7:05 P.M., Chairman Khachaturian made the following announcement:

The 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 Asbury Park Press. Notice has also been sent to the Clerks of Aberdeen, Hazlet, Holmdel, Keansburg, Keyport, Matawan, Union Beach and Marlboro and the Western Monmouth Utilities Authority. This notice is also posted in the lobby of the Bayshore Regional Sewerage Authority Administration Building.

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

Chairman Khachaturian called for a roll call via Phone (Zoom):

ROLL CALL

PRESENT: Commissioners Cavanagh, McMullen, Russo, Sutton, Whalen and Chairman Khachaturian

Also, via Phone (Zoom): John Napolitano, Esq.
Manuel Ponte, P.E.
Michael Bart, CPA
Mark Tabakin, Esq.

Also, in attendance: Peter Canal, Executive Director
J. Michael Broyles, Superintendent
Thomas Petti, P.E., Principal Engineer
Susan DuBey, Administrative Assistant

REPORTS

1. Executive Directors Report:

Peter Canal Reported:

2019 Audit

- Mike Bart presented the 2019 Audit Report to the Board
Commissioner Cavanagh stated that last meeting the Board approved to update the Capital Plan. He asked Mike which rule does the Authority follow to determine what is deemed Capital and what is considered Operating.
Mike stated that an Operating Expense is one that is used to Operate the Plant. A Capital Expense is to extend the life of a Fixed Asset. A Fixed Asset is an item that lasts more than one year such as an

incinerator. Also any expenses associated with that Asset such as engineering, plans, specs, etc. would be considered Capital.

Coronavirus (COVID-19) Management Plan

- Continuing meeting weekly and implementing procedures already in place
- Facial recognition kiosk has been working and used by all employees
- Looking to replace the hand scanner for timecards.
- Received electric sprayers with weekly treatment being done.

Disaster Recovery Update

- Contract 81-S - Power Distribution System – complete, just waiting for the Engineers final sign-off with a close-out date of October/November.
- Contract 114-S –Power Resiliency Generation Project – just completed the 50% design and submitted comments back to HDR. We will try to get HDR in here to give an update soon. September 1st we received a Scope of Work Amendment from FEMA which authorizes the Authority to proceed with completion of the design. FEMA obligated a cost of \$14,340,889.40 for the design and construction of the project. Further adjustments to the obligated cost of the project can be made during final design and construction award.

Finance

- Bart & Bart has completed the 2019 Audit and it is on the Agenda for approval.
- Payments are on the Agenda for Project Fund #2 to PS&S in the amount of \$16,835.00 and for Project Fund #3 to Arcadis in the amount of \$8,214.74 and R3M Engineering in the amount of \$7,197.50.
- We received \$103,306.00 from NJEIT for an overcharge fee that was previously discussed.
- Started working on the 2021 Budget and enclosed in the package is the budget schedule.

Security

- Continuing to work in-house on Phase #2- Security Cameras Project – to cover the perimeter of the plant site and incinerator building.

2. Principal Engineer Report

Tom Petti Reported:

- Sludge Concentration Tank Rehab – Contract 106 – three tanks are complete and back on-line. Tank #2 has a crack in the sludge withdrawal line. Spectraserv is soliciting a quote from NA Pipeline Services to make the repairs.
- Virginia Avenue Interceptor Sewer Rehab – Contract 112 – Jacobs has reviewed reports and recommends a formal close-out of this project and accept the Maintenance Bond.
- Fuel Oil Tank #3 Replacement – Contract 119 – received 7 bids and are being reviewed. Discussion to be held in Closed Session.
Also seeking approval to award R3m Engineering for Continuing Engineering Services in the amount of \$41,497.00.
- Security Service Contract – Contract 113 – to be discussed in Closed Session – seeking a one-year extension.
- Lab Office HVAC Replacement – RFQ 2020-03 – received one quote from WSR Tech Service of Berkley Heights NJ in the amount of \$27,854.00
- Odor Identification & Mitigation Study – Trinity was here August 24th to 26th. They tested 12 different areas including along the fence line and troubled spots in the community. Waiting to review the report and Trinity will be out again in November to capture seasonal variations in odor.

- Power Distribution Improvements & Mitigation – Contract 81S – We received the 25 % design submittal and met with MCBOA to review their comments. HDR submitted the 50% design submittal and comments will be submitted to R3M and HDR.

3. Consulting Engineers Report

Manuel Ponte Reported:

Force Mains

- Condition Assessment of the Force Mains in Matawan and West Keansburg. Working on Work Order #3- investigate and repair pipe segment #177 and #4 investigate and replace air release valve at Air Pocket #1.
- Preparing and coordinate traffic control for Work Order #3 & #4 at Lower Main Street in Matawan.
- Pipe Segment #446 at Clark Street Traffic Control Plan; verification with Pure-pipe location and initiate NJDEP permit application for BRSA.

Power Resiliency

- 50% design drawings and specifications has been reviewed and comments were submitted.

Fuel Oil Tank #3

- Received 7 bids from \$289,000 to \$517,000. Engineers estimated cost was \$357,000.
- Award will be discussed in Closed Session.

Commissioner Cavanagh asked Manuel how big is the tank? Manuel said about 4,000 gallons. Commissioner Cavanagh asked if it is fiberglass. Manuel said no, it is a dual containment tank outside is concrete with steel inner layer with a gap between the two layers so you can monitor any leaks. The new one will be placed outdoors by the NIRO Building and connected in the basement of the building.

Commissioner Cavanagh asked if this set up requires a fire sprinkler system. Manuel said it does not require a fire sprinkler system but FPA requires a 5 ft. clearing between the tank and the building.

Commissioner Cavanagh asked if that's all in the pricing and Manuel said Yes.

4. Superintendents Report

Mike Broyles Reported:

- The flow for August is up for the month. It finally exceeded 7 mgd, first time in a while.
- Effluent Quality is pretty stable, 5 & 5 with 98% removal.
- There were NO odor complaints for the month of August. The last reported complaint was in July.
- We supplied Trinity with 8 months of historical odor investigations from complaints we received and from the meteorological tower five-minute data for the three days of their visit so they can incorporate it into their investigation.
- During August 3 candidates were interviewed for the Operators Position, one was recommended for the position. Just waiting for per-employment testing to be completed.
- We shut down the incinerator and opened the scrubber for Albert of Chavond Barry. We had a couple of days with higher than normal sulfur dioxide exhaust. We were adding a significant amount of caustic to bring the numbers down. We opened the scrubber and found a small amount of debris, cleaned it out and put the incinerator back online.
- Our muffle furnace in the lab had issues. This is the third piece of equipment that has failed.
- DEP had teleconference to discuss problems dealing with sampling or inspections with COVID restrictions.

TREASURER'S REPORT

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

TREASURER'S REPORT STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
UNRESTRICTED INVESTMENTS	August 31, 2020
Lakeland Bank-CD#1	\$ 1,052,066.24
Lakeland Bank-CD#2	<u>\$ 1,036,387.61</u>
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,088,453.85
<u>TD BANK UNRESTRICTED CASH</u>	
Incoming Revenue Account	\$ 319,765.58
Operating Regular Account	\$ 2,084,364.70
Operating Reserve Account	\$ 8,495,125.52
Operating Payroll Account	<u>\$ 672,887.10</u>
TOTAL UNRESTRICTED CASH	\$ 11,572,142.90
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 13,660,596.75
<u>RESTRICTED INVESTMENT</u>	
Cash Management	\$ 7,326,776.11
TD Bank-CD	<u>\$ 3,071,479.17</u>
TOTAL RESTRICTED INVESTMENTS	\$10,398,255.28
<u>RESTRICTED CASH</u>	
NJEIT Project Fund	\$ 344,316.81
NJEIT Project Fund #2	\$ 3,895,932.06
Bond Service Fund	<u>\$ 111,281.63</u>
TOTAL RESTRICTED CASH	\$ 4,351,530.50
TOTAL RESTRICTED CASH & INVESTMENTS	<u>\$14,749,785.78</u>
TOTAL AUTHORITY ACCOUNTS	\$28,410,382.53

Detail of the 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
BRSA CHARGES	August 31, 2020
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	\$	0.00
TOTAL	\$	<u>0.00</u>

RENT RESERVE ACCOUNTS as of August 31, 2020

Hazlet Township Sewerage Utility	\$	668,746.58
Township of Holmdel	\$	323,082.56
Borough of Union Beach	\$	197,311.41
Borough of Keyport	\$	312,666.38
Borough of Keansburg	\$	267,731.34
Borough of Matawan	\$	327,537.58
Western Monmouth Utilities Authority	\$	102,972.33
Township of Aberdeen	\$	<u>480,035.02</u>
TOTAL	\$	2,680,083.20

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

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

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 589 (Regular)	\$988,447.37
Payroll Account Req. No. P 237 (Payroll)	\$199,533.64
NJEIT Project Fund #2 Req. #PF-48	\$ 16,835.00
NJEIT Project Fund #3 Req. #PF-1	\$ 15,736.24

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

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

APPROVAL OF MINUTES

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

- Regular Meeting Minutes of August 17, 2020
- Closed Session Minutes of August 17, 2020

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

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

PUBLIC PORTION

Chairman Khachaturian announces: This meeting is open to the public to discuss any BRSA matter on the agenda 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 5 minutes.

NO ONE WAS PRESENT VIA ZOOM FROM THE PUBLIC

RESOLUTIONS

RESOLUTION No. (96/20): To Approve Close-Out of Virginia Avenue Interceptor Sewer Rehabilitation, Contract 112

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") owns and operates and interceptor sewer in the Township of Hazlet; and

WHEREAS, in accordance with Local Public Contracts Law, North American Pipeline Services, LLC. was awarded Contract 112, Virginia Avenue Interceptor Sewer Rehabilitation in the amount of \$295,573.00 by Resolution No. 1/20; and

WHEREAS, Authority previously approved Resolution No. 87/20 for Change Order No. 1 in the credit amount of \$15,993.00 decreasing the total Contract Value to \$279,580.00; and

WHEREAS, all work is complete, and the Principal Engineer and staff are recommending acceptance of the Maintenance Bond and close-out of the Contract; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve acceptance of the Maintenance Bond and Close-Out of the Virginia Avenue Interceptor Sewer Rehabilitation Project, Contract 112.

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute any necessary documents to approve close-out of this project.

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

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

RESOLUTION No. (97/20): To Adopt the 2019 Annual Audit Report as presented by Bart and Bart, CPAs, BRSA Auditors

WHEREAS, N.J.S.A. 40:14A-7.1 requires the governing body of each local Authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2019 has been completed and will be filed with the members and customer towns served pursuant to N.J.S.A. 40:14A-7.1; and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit entitled "General Comments" and "Recommendation," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority are the members of the governing body and have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17.

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the 2019 Annual Audit Report and certify to the Local Finance Board of the State of New Jersey that each member has personally reviewed the annual audit for the fiscal year ended December 31, 2019 and specifically has reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

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

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

RESOLUTION No. (98/20): To Execute the Local Finance Board Group Affidavit Form

We, the Commissioners constitute the members of the governing body of the Bayshore Regional Sewerage Authority being of full age and being duly sworn according to law, upon our oath depose and say:

- We are duly appointed Commissioners of the Bayshore Regional Sewerage Authority.
- We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2019 and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

ADAM KHACHATURIAN Chairman

BARTHOLOMEW SUTTON Vice-Chairman

CHRISTOPHER CAVANAGH Secretary

MARCY MCMULLEN Asst. Secretary

MADELINE RUSSO Treasurer

SCOTT WHALEN Asst. Treasurer

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

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

RESOLUTION No. (99/20): To Secure Flood Insurance for Authority Main Pump Station And Administration Buildings Eligible For National Flood Insurance Program Coverage

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns several buildings at the Treatment Plant located at 100 Oak Street in Union Beach, NJ; and

WHEREAS, the buildings further identified as Main Pump Station Addition and Administration Building are eligible for flood insurance under the National Flood Insurance Program (NFIP); and

WHEREAS, the Selective Insurance Company will provide total coverage of \$1,000,000 for Buildings and \$417,400 for contents for a total premium of \$13,177 with a \$90,000 deductible; and

WHEREAS, as a condition of FEMA funding the Authority is required to obtain and maintain flood insurance on all eligible buildings; and

WHEREAS, the quoted premiums and coverages have been reviewed by the Authority Risk Management consultants, Conner Strong & Buckelew who has recommended binding these coverages; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the insurance 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 the above stated premiums to secure flood insurance for the named Authority Buildings for a one-year term according to the building renewal date and instruct the Executive Director to execute all necessary documentation to secure this coverage.

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

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

RESOLUTION No. (100/20): To Secure Flood Insurance for Authority Fire Water Pump Station and Laboratory Buildings Eligible For National Flood Insurance Program Coverage

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns several buildings at the Treatment Plant located at 100 Oak Street in Union Beach, NJ; and

WHEREAS, the buildings further identified as Fire Water Pump Station and the Laboratory Building are eligible for flood insurance under the National Flood Insurance Program (NFIP); and

WHEREAS, the Selective Insurance Company will provide total coverage of \$808,400 for Buildings and \$175,000 for contents for a total premium of \$4,803 with a \$15,000 deductible; and

WHEREAS, as a condition of FEMA funding the Authority is required to obtain and maintain flood insurance on all eligible buildings; and

WHEREAS, the quoted premiums and coverages have been reviewed by the Authority Risk Management consultants, Conner Strong & Buckelew who has recommended binding these coverages; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the insurance 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 the above stated premiums to secure flood insurance for the named Authority Buildings for a one-year term according to the building renewal date and instruct the Executive Director to execute all necessary documentation to secure this coverage.

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

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

RESOLUTION No. (102/20): To Award Continuing Engineering Services for Contract 119, Replacement of Fuel Oil Tank #3 Project to R3M Engineering, Inc., in the amount of \$41,497.00.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains four (4) fuel oil tanks that service the standby generators and incineration buildings; and

WHEREAS, Fuel Oil Tank #3 services the Dorr Oliver and Niro Incinerator and has a need to be replaced and relocated; and

WHEREAS, through Resolution No. 56/20, the Authority contracted with R3M Engineering, Inc., of Old Bridge, NJ for the engineering design services for Contract 119, Replacement of Fuel Oil Tank #3 Project; and

WHEREAS, R3M Engineering, Inc., has submitted a continuing engineering services proposal for construction administration and inspection for Contract 119, Replacement of Fuel Oil Tank #3 Project, dated September 8, 2020, in the amount of \$41,497.00; and

WHEREAS, the Executive Director and Principal Engineer have met with R3M Engineering, Inc., to review the proposal and find it to be fair and reasonable; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Unrestricted Net Position line item of the Authority Capital Budget, 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 approve a proposal for Continuing Engineering Services for Contract 119, Replacement of Fuel Oil Tank #3 Project, in the amount of \$41,497.00 to R3M Engineering, Inc., of Old Bridge, NJ in accordance with the terms and conditions of its proposal dated September 8, 2020.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to R3M Engineering, Inc. of Old Bridge, NJ.

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

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

RESOLUTION No. (104/20): To Award Request for Quotation 2020-03 Lab Office HVAC Unit Replacement to WSR Technical Services Inc. in the amount of \$27,854.00.

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and maintains a Laboratory Office Building for testing and analysis of wastewater samples; and

WHEREAS, there is a need to replace the HVAC unit in the building that is beyond repair; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2020-03 Lab Office HVAC Unit Replacement; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised and on Wednesday, September 9, 2020 at 11:00 A.M. received quotes for the Lab Office HVAC Unit Replacement; and

WHEREAS, one (1) quote was received in the amount of \$27,854.00 from WSR Technical Services Inc., of Berkeley Heights, NJ; and

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

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Unrestricted Net Position line item of the Authority Capital Budget to cover the maximum dollar value of the pending Contract as set forth in the resolution; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby award Lab Office HVAC Unit Replacement to WSR Technical Services Inc. of Berkeley Heights, NJ in accordance with the terms and conditions of the Request for Quotation #2020-03 in the amount not to exceed \$27,854.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to WSR Technical Services Inc. of Berkeley Heights, NJ.

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

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

PUBLIC PORTION

Chairman Khachaturian 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 5 minutes.

NO ONE WAS PRESENT VIA ZOOM FROM THE PUBLIC

EXECUTIVE SESSION

Chairman Khachaturian called for a **MOTION** to go into Closed Session at 8:02 P.M. in accordance with Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permitting the exclusion of the public from a meeting in certain circumstances. This action is 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.

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

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

EXECUTIVE SESSION MINUTES ARE RECORDED SEPARATELY

END CLOSED SESSION

Chairman Khachaturian called for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:17 P.M.

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

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

RESOLUTION

RESOLUTION No. (101/20): To Award Contract 119, Replacement of Fuel Oil Tank #3 Project to Shorelands Construction, Inc. in the amount of \$309,119.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains four (4) fuel oil tanks that service the standby generators and incineration buildings; and

WHEREAS, Fuel Oil Tank #3 services the Dorr Oliver and Niro Incinerator and has a need to be replaced and relocated; and

WHEREAS, through Resolution No. 56/20, the Authority contracted with R3M Engineering, Inc., of Old Bridge, NJ for the engineering design services for Contract 119, Replacement of Fuel Oil Tank #3 Project; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Contract 119, Replacement of Fuel Oil Tank #3 Project and seven (7) sealed bids were received and publicly opened on September 10, 2020 at 2:00 P.M., with the low bidder being T.R. Weniger, Inc. of Piscataway, NJ in the amount of \$289,000.00; and

WHEREAS, the Authority Attorney has recommended that T.R. Weniger’s bid be rejected for the failure to provide a Master Plumbing License or list a Licensed Plumbing Sub-Contractor in their bid; and

WHEREAS, Shorelands Construction Inc. of Monmouth Beach, NJ was the second low bidder with a bid of \$309,119.00; and

WHEREAS, the Authority Attorney, Principal Engineer and R3M Engineering are recommending award to Shorelands Construction Inc. of Monmouth Beach, NJ in the amount of \$309,119.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Unrestricted Net Position line item of the Authority Capital Budget, 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 that Shorelands Construction Inc, of Monmouth Beach, NJ is hereby awarded Contract 119, Replacement of Fuel Oil Tank #3 Project in the amount of \$309,119.00 in accordance with the terms and conditions of the bid and Contract Documents.

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

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

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

RESOLUTION No. (103/20): To Award a One (1) Year Extension for Contract 113-O for Security Services to Wisdom Protective Services, LLC in the amount of \$53,564.27

WHEREAS, in accordance with Local Public Contracts Law at 2:00 P.M. on Tuesday, August 13, 2019, the Bayshore Regional Sewerage Authority (“Authority”) received bids for Contract 113-O, Security Services for a One (1) Year Period; and

WHEREAS, on August 19, 2019 the Authority awarded the Security Services for a One (1) Year Period to the lowest responsible bidder being Wisdom Protective Services, LLC of Westbury, NY by Resolution #99/19; and

WHEREAS, on September 17, 2020 the Contract is scheduled to expire; and

WHEREAS, the Contract provides by mutual agreement, and the Local Public Contracts Law allows for up to two (2) one-year extensions, where the extension is available and the total price shall not exceed the change in the index rate for the twelve (12) months preceding the most recent quarterly calculation and price available; and

WHEREAS, the extension of the original Contract will require authorization from the Commissioners and the completion of Contract extension documents; and

WHEREAS, the Qualified Purchasing Agreement and Principal Engineer have reviewed the correspondence with Wisdom Protective Services, LLC accepting the one (1) year extension in accordance with the same product, price, terms and conditions as the original Contract and are recommending the first one (1) year extension; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Service Contracts line item of the Authority Operating Budget to cover the maximum dollar value of the pending Contract as set forth in the resolution; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority that Wisdom Protective Services, LLC of Westbury, NY is hereby awarded the first, one (1) year extension of Contract 113-O Security Services in accordance with the terms and conditions of the original bid and Contract Documents, for a total Contract price of \$53,564.27.

BE IT FURTHER RESOLVED, the Chairman and Secretary are hereby authorized to execute the Contract Extension Documents.

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

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

RESOLUTION No. (105/20): To Grant Austin Carroll Regular Employment Status Effective August 30, 2020

WHEREAS, in accordance with Resolution 52/20, Austin Carroll was hired as a probationary employee in the job title of Staff Engineer on June 1, 2020; and

WHEREAS, the probationary period expired on August 30, 2020; and

WHEREAS, in a memorandum to the Executive Director dated September 2, 2020 the Principal Engineer has recommended that Mr. Carroll be granted Regular Status effective August 30, 2020; and

WHEREAS, the Executive Director is recommending a salary adjustment from \$60,000 to \$63,000 per year; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Salary line item of the Authority Operating Budget as set forth in the resolution; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Austin Carroll is hereby granted Regular Status as an employee of the Bayshore Regional Sewerage Authority, and is further granted the rights, privileges and responsibilities of the position with a salary of \$63,000 per year.

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

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

RESOLUTION No. (106/20): To Approve Settlement Agreement with Dan Maher and Teamsters Local 641

WHEREAS, Daniel Maher is employed by the Bayshore Regional Sewerage Authority (the “Authority”) and is a member of Teamsters Local 641 (collectively referred to as the “parties”); and

WHEREAS, a dispute between the parties arose regarding Maher’s continued employment with the Authority; and

WHEREAS, the parties negotiated in good faith in an effort to amicably resolve the dispute; and

WHEREAS, the Executive Director and Counsel for the Authority recommend that this matter be resolved in accordance with the terms set forth in the Settlement Agreement and General Release;

BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority, hereby approve the confidential Settlement Agreement and Release between the Authority, and Maher and Teamsters Local 641; and

BE IT FURTHER RESOLVED that the Chairman and Secretary are hereby directed to execute the Settlement Agreement and General Release.

BE IT FURTHER RESOLVED that the Authority’s Administration and Counsel are hereby directed to take the necessary and appropriate action to effectuate the terms of the Settlement Agreement and General Release.

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

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

ADJOURNMENT

ANNOUNCEMENT (by Chairman Khachaturian):

The next Regular Meeting of the B.R.S.A. is scheduled for Monday, October 19, 2020, at 7:00 P.M. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 8:20 P.M. Chairman Khachaturian called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,
Susan DuBey
Administrative Assistant