



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Peter J. Canal
EXECUTIVE DIRECTOR

MINUTES FOR REGULAR MEETING (via Zoom) MONDAY, September 20, 2021

At 7:03 P.M., Chairman Sutton made the following announcements:

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.

Remote Public Meeting

STATEMENT READ AT BEGINNING OF THE REMOTE MEETING

The meeting of September 20, 2021 of the Bayshore Regional Sewerage Authority is being held remotely at 7PM and is being recorded due to the COVID-19 pandemic and is in compliance with the provisions of Executive Orders 103 and 104; the Open Public Meetings Act; and N.J.A.C. 5:39-1.1 to 1.7.

The meeting will be accessible via phone or by computer:

Dial in by telephone without a computer at **(646) 518-9805** or **(646) 876-9923**

Meeting PIN **435470**

Connect via your internet connected device at: <https://us02web.zoom.us/j/89866994932>

Meeting PIN **435470**

Meeting #869 7968 6412 PIN **435470** at <https://zoom.us/join>

Find your local number: <https://us02web.zoom.us/u/kbmVJoQOiV>

During the public comment period, if you would like to make a public comment, please press the "Raise Hand" button on Zoom or dialing *9 on your telephone keypad to raise your hand. A representative of the Authority will address you by name or by the last 4 digits of your telephone number to state your comment. The Authority will unmute your microphone. You must state your name and address prior to making a public comment. You may also mute and unmute yourself by pressing the microphone icon on Zoom or dialing *6 on your telephone keypad. The Authority will not accept comments made through the "chat" feature available on Zoom remote meetings.

Members of the public are also permitted to submit written comments prior to the meeting via mail or e-mail, which will be read during the public comment period.

Chairman Sutton 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 Sutton called for a roll call via Zoom:

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

Also, in attendance: Peter Canal, Executive Director
Via Zoom J. Michael Broyles, Superintendent
Thomas Petti, P.E., Principal Engineer
John Napolitano, Esq. General Counsel
Manuel Ponte, P.E. Consulting Engineer
Victoria DuDasko, HR/Admin. Assistant
Carlos Nunes, IT

REPORTS

Executive Directors Report

Peter Canal Reported:

COVID-19

- There are no new COVID cases to report this month.

Disaster Recovery Update

- C.114-S, Power Resiliency Generation (PRG) Project – Final plans and specs have been received. On August 16 the NJDEP issued the CAFRA permit.

Dorr Oliver Rehabilitation RFP

- We have received three (3) proposals from Hazen, HDR & Jacobs. We hope to have a recommendation for award at the October or November public meeting.

Finance

- There is a Resolution on for flood insurance for the Lab and Fire Water Pump Station Building which needs to be maintained for FEMA assistance in the amount of \$4,857.00.
- Annual Audit cannot be finalized this month due to the State Health Benefits accruals not being received yet. We hope the audit will be finalized at the October meeting.
- The staff continue to work on the Operating and Capital Budget. We expect to have a draft for the October meeting, if approved will go to the DCA and then we hope to adopt the budget at the December Meeting.
- Payments to approve this month include Project Fund (PF) No.3 for Power Resiliency Generations Project (PRG) for R3M in the amount of \$5,462.50 and HDR in the amount of \$102,358.00

Human Resources

- On September 5, we posted for the position for the Assistant Superintended of Operations. We will hold interviews this week and hope to have recommendation for the October meeting.
- There is a Resolution on for JIF (our Joint Insurance Fund) which has recommended we adopt a Cyber Incident Response Plan.

Other

- Tropical Storm Ida did minimal damage to the Authority.
- On September 14, we received NJPDES permit to discharge from DEP.

Commissioner Cavanagh inquired about where the connection fees were identified on the draft Audit report. Mr. Canal stated the Auditors memorandum that was included in the Commissioner package was an update and not the full and final audit report. He also stated that once the Auditor has all the information he needs to conclude his report, he will present it to the Board of Commissioners at a Public Meeting.

Principal Engineer Report

Tom Petti Reported:

- **Contract 106 – Sludge Concentration Tanks Rehabilitation** –Alternate liner has successfully been replaced. All four (4) concentration tanks are operating. We have expectations of closing out this project in a couple of months.
- **Contract 124 – West Keansburg Pumping Station Bypass Facility & Improvements** – We have received four (4) bids. Pact Two LLC was the low bidder at \$410,000.00. The bid was reviewed with R3M as well as our attorney have approved the bid. We also have a proposal from R3M for Construction Inspection Services in the amount of \$53,450.00. We have a resolution on tonight to award the contract to Pact Two LLC in the amount of \$410,000.00, as well as a resolution on for R3M in the amount of \$53,450.00.
- **Recycle Pumping Station Improvements** – Study was recently completed by PS&S to evaluate capacity. It was decided it is best to upsize the pumps, enhance improvements to controllers, as well as install a static overflow line to the Main Pumping Station. There is a resolution on for \$56,855.00 to award to PS&S for the engineering design and bidding services.
- **Contract 128-O – Annual Hauling & Disposal of Dewatered Sludge Cake** – This is a standby contract in the event the incinerator is inoperable, or we need an extended shutdown. We received two (2) types of bids on this contract, Base and Alternative Bids for hauling to two different locations. We have a resolution on to accept the lowest bid which is from EPIC in the amount of \$564,013.78. This is only in the event it is needed, if it is not needed the funds are not spent.

Commissioner Cavanagh inquired if the gross amount was the total. Mr. Petti responded that the total was a not to exceed amount to be used only if needed and that the reason for the base and alternate bid items was to establish rates for hauling of sludge to different locations with an allowance item to cover the difference in tipping and disposal fees.

- **RFQ 2021-06 – NIRO Incinerator Tuyere & Refractory Repairs** –The Tuyeres which provide fluidizing air to the incinerator during operation were found to be blocked and the refractory is due for inspection. We requested bids and have received one (1) bid from Industrial Furnace Company (IFCO) in the amount of \$30,250.00. The work will be done as part of an extended incinerator shutdown in November 2021.
- **Rolling Hill Estates, B. 194.04, L.24, Middle Road, between Seminole Drive and Shore Haven Road, Hazlet-** The Project was calculated to have eight (8) EDUs. We calculated the project flow based on 225 gal/EDU. The NJDEP calculates the total project flow based off of number of bedrooms for each unit. The BRSA Connection Approval is

for 1,800 gallons per day, the NJDEP indicates 2,400 gallons per day. The applicant has paid the connection fee of \$40,952.00. We have a resolution on to grant sanitary sewer connection approval to Duck Developments for the project.

- **The Place at Marlboro, B. 148, L. 31 & B. 149, L. 16, Tennent & Harnley Road, Marlboro & Verde Woods, B. 50.13, L. 1, South Laurel Avenue, Holmdel-** Our flow base and the NJDEP's flow base are different. Both applicants have paid prior to the updated calculations from the NJDEP. We are seeking an amended approval for each project.

Consulting Engineer- R3M

Manuel Ponte Reported:

- **Fuel Oil Tank No. 3**
Double wall piping is expected to arrive tomorrow. We expect to be complete the work in the next few weeks.
- **West Keansburg Pump Station Bypass and Meter Facility**
There is a resolution on for Engineering and construction management services for the project.
- **WPCP**
Task 1, Technical Memorandum on Smoke Testing is completed, and we are proceeding to task 2a, Air Flow Testing.

Superintendent's Report

Mike Broyles Reported:

- Flow was reported down 17million gallons calculating to about half a million gallons per day.
- We received one (1) odor complaints in the month of August.
- Effluent Quality was a bit lower this month due to tropical storm Henri.
- Ash removal was completed from July 26 to August 12.
- On August 31, the Authority was visited by NJDEP Central Bureau of Regional Enforcement for the Coastal Compliance Program inspection. There were no mentioned issues.
- PFAS report was sent to the NJDEP. We expect no exposures. Follow up meeting with the NJDEP this week.
- The AMETEK representative completed a tune up on the mercury Adsorber CO analyzer and no major issues were found
- The Authority' forklift has returned to service after being out a few weeks.
- Maintenance crew installed a flood barrier at the Matawan Pump Station
- Large rainstorm will affect numbers for September. All three (3) Raw Sewage Pumps were running at capacity for several hours. We should expect higher numbers.

Chairman Sutton inquired about the odor complaint and if it was during low tide. Mr. Broyles confirmed it was during low tide and a wind was present.

Commissioner Cavanagh asked the outcome should the pumps experience overload. Mr. Broyles explained that the lowest manholes would overflow first. Commissioner Cavanagh stated it would be a rare event.

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	Balance
<u>UNRESTRICTED INVESTMENTS</u>	<u>August 31, 2021</u>
Lakeland Bank-CD#1	\$ 1,065,313.07
Lakeland Bank-CD#2	\$ 1,046,248.31
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,111,561.38
<u>TD BANK UNRESTRICTED CASH</u>	
Incoming Revenue Account	\$ 19,852.81
Operating Regular Account	\$ 2,516,477.43
Operating Reserve Account	\$ 8,323,720.83
Operating Payroll Account	\$ 696,071.41
TOTAL UNRESTRICTED CASH	\$ 11,556,122.48
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 13,667,683.86

RESTRICTED INVESTMENT

Cash Management	\$ 7,330,309.89
Lakeland Bank Reserved Checking	\$ 1,192.49
Lakeland Bank Reserve CD#3	\$ 3,111,897.21
TOTAL RESTRICTED INVESTMENTS	\$10,443,399.59

RESTRICTED CASH

NJEIT Project Fund	\$ 463,641.18
NJEIT Project Fund #II	\$ 3,690,851.76
NJEIT Project Fund #III	\$ 1,261,731.37
Bond Service Fund	\$ 134,932.87
TOTAL RESTRICTED CASH	\$ 5,550,887.18
TOTAL RESTRICTED CASH & INVESTMENTS	\$10,443,399.59
TOTAL AUTHORITY ACCOUNTS	\$29,661,970.63

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, 2021
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 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	\$	<u>0.00</u>

RENT RESERVE ACCOUNTS as of August 31, 2021

Hazlet Township Sewerage Utility	\$	669,568.53
Township of Holmdel	\$	323,479.66
Borough of Union Beach	\$	198,498.85
Borough of Keyport	\$	270,421.06
Borough of Keansburg	\$	268,060.40
Borough of Matawan	\$	327,940.15
Western Monmouth Utilities Authority	\$	114,607.77
Township of Aberdeen	\$	484,649.28
TOTAL	\$	<u>2,657,225.70</u>

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

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

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

PAYMENT OF REQUISITIONS

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

Operating Fund Req. No. 601 (Regular)	\$	759,229.14
Payroll Account Req. No. P 249 (Payroll)	\$	234,304.62
NJEIT Project Fund #111 Req. #PF3-13	\$	107,820.50

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

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

APPROVAL OF MINUTES

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

Regular Meeting Minutes of August 16, 2021

Closed Session Minutes of August 16, 2021

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

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

NO PUBLIC IN ATTENDANCE.

RESOLUTIONS

RESOLUTION No. (106/21): Change of Date of the Regular October 2021 Meeting

WHEREAS, the Bayshore Regional Sewerage Authority previously advertised the October Regular Meeting of the Bayshore Regional Sewerage Authority for Monday, October 18th, 2021; and

WHEREAS, the Commissioners of the Bayshore Regional Sewerage Authority deemed it in the best interest of the Authority to change the meeting date to Monday, October 11th, 2021.

NOW THEREFORE BE IT RESOLVED, the October Regular Meeting of the Authority will be held on October 11th, 2021 at 7:00 P.M.

BE IT FURTHER RESOLVED, the Executive Director and Administrative Assistant are hereby authorized to advertise the meeting in the Asbury Park Press and the Authority Website.

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

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

RESOLUTION No. (107/21): To Secure Flood Insurance for the Authority 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 Laboratory and Fire Water Pump Station Buildings are eligible for flood insurance under the National Flood Insurance Program (“NFIP”); and

WHEREAS the Selective Insurance Company will provide total coverage of \$1,500,000 for a total premium of \$2,993.00 and \$1,864.00 respectively with a \$50,000 deductible for each building; 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 that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of the above stated premiums to secure flood insurance for the named Bayshore Regional Sewerage 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 Khachaturian, SECONDED BY: Commissioner McMullen, and carried by a unanimous vote recorded as follows:

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

RESOLUTION No. (108/21): To Award the NX350 NEUROS BLOWER Annual Maintenance and Warranty Extension

WHEREAS the Bayshore Regional Sewerage Authority (“Authority”) has two (2) NX350 NEUROS BLOWER(S) that are essential Proprietary Equipment for the daily operation of the Authority; and

WHEREAS the Authority requested and received a proposal from APG-NEUROS of Plattsburg, New York in response to RFQ #2020-06; and

WHEREAS the Authority awarded the Proprietary Annual Maintenance Service and Warranty Extension for a ten (10) year term via Resolution # 114/20 to APG -NEUROS to ensure continued Maintenance Service and Warranty coverage; and

WHEREAS the years two (2) through ten (10) of said Proprietary agreement will be at a cost not to exceed \$29,345.00 each year renewing every August 2nd, 2022 through 2030; and

WHEREAS in accordance with NJAC 5:30-5.4 (a)(3), the Authority certifies the availability of funds in the Authority “Service Contracts” line item, to cover the maximum yearly amount of the agreement set forth in the resolution.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority authorize the renewal of the NX350 NEUROS BLOWER(S) Annual Maintenance and Warranty Extension to APG-Neuros of Plattsburg, New York for year two (2) of ten (10), August 3, 2021 to August 2, 2022.

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

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

RESOLUTION No. (109/21): To Award Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake to Environmental Protection & Improvement Company, LLC of Flanders, NJ in the amount of \$564,013.78

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates a Wastewater Treatment Plant with a Dewatering and Incineration Building and two (2) fluidized bed sewage sludge incinerators for the thermal destruction of biosolids; and

WHEREAS, there is a need for an annual Contract for hauling and disposal of dewatered sludge cake during planned maintenance shutdowns and when the NIRO Incinerator is in need of major repairs; and

WHEREAS, the Authority Engineering Staff has developed Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake with technical specifications for the solicitation of public bids; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake and two (2) sealed bids were received and publicly opened on September 10, 2021 at 11:00 A.M., with the low bidder being Environmental Protection & Improvement Company, LLC of Flanders, NJ in the amount of \$564,013.78; and

WHEREAS, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Environmental Protection & Improvement Company, LLC of Flanders, NJ in the amount of \$564,013.78; 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.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that Environmental Protection & Improvement Company of Flanders, NJ is hereby awarded Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake in the amount of \$564,013.78 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 Russo, and carried by a unanimous vote recorded as follows:

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

RESOLUTION No. (110/21): To Amend Resolution No. 51/21 Approving Sanitary Sewer Connection and Treatment Works Approval Application to A&E Associates, LLC, Developer of Verde Woods and to Approve an Amended Sanitary Sewer Connection and Treatment Works Approval for A&E Associates, LLC, Developer of Verde Woods

WHEREAS, A&E Associates, LLC (“Developer”), is the project developer of a residential development located at 739 S. Laurel Avenue, further designated as Block 50.13, Lot 1 in the Township of Holmdel, and is calculated to be an eight (8) Equivalent Dwelling Units (“EDU”) Project; and

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

WHEREAS, for the purposes of the Bayshore Regional Sewerage Authority (“Authority”) Sanitary Sewer Connection and any subject Developer’s Agreement, the Project is expected to generate 1,800 gallons per day of wastewater, which is calculated using the Authority’s projected flow criteria of 225 gallons per day per EDU; and

WHEREAS, for the purposes of the New Jersey Department of Environmental Protection Treatment Works Approval (“TWA”) Application, the Project is expected to generate 2,400 gallons per day of wastewater, which is calculated using the projected flow criteria from N.J.A.C. 7:14A-23.3 of 300 gallons per day per EDU; and

WHEREAS, the Authority’s Principal Engineer has reviewed the Developer Application and previously recommended sanitary sewer connection approval; and

WHEREAS, the Developer has paid the connection fee of \$40,160.00.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that A&E Associates, LLC is hereby granted amended sanitary sewer approval for the above-referenced project.

BE IT FURTHER RESOLVED, that 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.

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

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

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

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

RESOLUTION No. (111/21): To Approve Sanitary Sewer Connection and Treatment Works Approval Application to Duck Developments, LLC, Developer of Rolling Hill Estates

WHEREAS, Duck Developments, LLC (“Developer”), is the developer of a project located at Middle Road, between Seminole Drive and Shore Haven Road, further designated as Block 194.04, Lot 24 in the Township of Hazlet, and is calculated to be an eight (8) Equivalent Dwelling Units (“EDU’s”) Residential Development Project; and

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

WHEREAS, for the purposes of the Bayshore Regional Sewerage Authority (“Authority”) Sanitary Sewer Connection and any subject Developer’s Agreement, the Project is expected to generate 1,800 gallons per day of wastewater, which is calculated using the Authority’s projected flow criteria of 225 gallons per day per EDU; and

WHEREAS, for the purposes of the New Jersey Department of Environmental Protection Treatment Works Approval (“TWA”) Application, the Project is expected to generate 2,400 gallons per day of wastewater, which is calculated using the projected flow criteria from N.J.A.C. 7:14A-23.3; and

WHEREAS, the Authority’s Principal Engineer has reviewed the Developer Application and is recommending sanitary sewer connection approval; and

WHEREAS, the Developer has paid the connection fee of \$40,952.00.

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

BE IT FURTHER RESOLVED, that 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.

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

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

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

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

RESOLUTION No. (112/21): To Amend Resolution No. 73/21 Approving Sanitary Sewer Connection and Treatment Works Approval Application for The Place at Marlboro, LLC, Developer of The Place at Marlboro and to Approve an Amended Sanitary Sewer Connection and Treatment Works Approval for The Place at Marlboro, LLC, Developer of The Place at Marlboro

WHEREAS, The Place at Marlboro, LLC (“Developer”) is the developer of a project located at Tennent Road and Harnley Road further designated as Block 148, Lot 31 & Block 149 Lot 16 in the Township of Marlboro, and is calculated to be a 292 Equivalent Dwelling Units (“EDU”) Project with 258 Residential Units and a Clubhouse; and

WHEREAS, the Development will be built entirely as affordable housing units that qualify for a 50% reduction in connection fees; and

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

WHEREAS, for the purposes of the Bayshore Regional Sewerage Authority (“Authority”) Sanitary Sewer Connection and the subject Developer’s Agreement, the Project is expected to generate 65,625 gallons per day of wastewater, which is calculated using the Authority’s projected flow criteria of 225 gallons per day per EDU for Residential Units and 75 gallons per day per person for the Clubhouse (capacity of 101); and

WHEREAS, for the purposes of the New Jersey Department of Environmental Protection Treatment Works Approval (“TWA”) Application, the Project is expected to generate 70,350 gallons per day of wastewater, which is calculated using the projected flow criteria from N.J.A.C. 7:14A-23.3 of 300 gallons per day per EDU for 81 three-bedroom units, 225 gallons per day per EDU for 159 two-bedroom units, 150 gallons per day per EDU for 18 one-bedroom units, and 75 gallons per day per EDU for 101 person capacity Clubhouse; and

WHEREAS, the Authority’s Principal Engineer has reviewed the Developers application and previously recommended sanitary sewer connection approval; and

WHEREAS, the Developer has paid the review fee of \$898.53; and

WHEREAS, the Developer will execute the Developer’s Agreement, pay all review and Attorney fees, provide the Authority’s Attorney with acceptable guarantees and submit the initial payment of connection fees under the terms and conditions of the Developer’s Agreement; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that The Place at Marlboro, LLC is hereby granted amended sanitary sewer approval for the above-referenced project, contingent upon the above requirements, the execution of the aforementioned Developer’s Agreement and the payment of the first installment of connection fees.

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 execution of the Developer’s Agreement and payment of all aforementioned fees.

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

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

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

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

RESOLUTION No. (113/21): To Award Engineering Construction Administration and Inspection Services for Contract 124, West Keansburg Pumping Station Bypass Facility & Improvements to R3M Engineering Inc., in the amount of \$53,450.00

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") owns and maintains a sewage pumping station in Hazlet, NJ known as the West Keansburg Pumping Station; and

WHEREAS, there is a need for a bypass facility to allow for the pumping of sewage in an emergency and other miscellaneous pump station metering upgrades; and

WHEREAS, by Resolution No. 116/20, the Authority contracted with R3M Engineering, Inc., of Old Bridge, NJ for the engineering design services for the West Keansburg Pumping Station Bypass Facility & Improvements; and

WHEREAS, R3M Engineering, Inc. has submitted an engineering construction administration and inspection services proposal for the West Keansburg Pumping Station Bypass Facility & Improvements Project, dated September 9, 2021, in the amount of \$53,450.00; and

WHEREAS, the Executive Director and Principal Engineer have reviewed 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 Pump Stations Improvements line item of the Authority Capital Budget, to cover the maximum dollar value of the pending Contract set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED, that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve the proposal for Engineering Construction Administration and Inspection Services for Contract 124, West Keansburg Pumping Station Bypass Facility & Improvements Project to R3M Engineering, Inc., of Old Bridge, NJ in accordance with the terms and conditions of their proposal, dated September 9, 2021, in the amount not to exceed \$53,450.00.

BE IT FURTHER RESOLVED, that the Chairman and Secretary are hereby authorized to execute the Contract agreement with R3M Engineering, Inc. of Old Bridge, NJ.

BE IT FURTHER RESOLVED, that a copy of this award shall be placed in the official Authority newspaper and on the Authority web site within ten (10) days of award.

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

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

RESOLUTION No. (114/21): To Award Engineering Design Services for the Recycle Pumping Station Improvements to PS&S in the amount of \$56,855.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a Recycle Pumping Station for plant drainage and process side streams; and

WHEREAS, PS&S completed an alternatives analysis to increase the efficiency of the Recycle Pumping Station, evaluate capacity and is recommending various improvements; and

WHEREAS, the Authority has solicited a proposal from PS&S of Wall, NJ for the engineering design services for the Recycle Pumping Station Improvements, dated September 9, 2021, in the amount of \$56,855.00; and

WHEREAS, the Executive Director and Principal Engineer have reviewed the proposal and found it to be fair and reasonable; and

WHEREAS, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Treatment Plant & Equipment Improvements 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, that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve the engineering proposal for the Recycle Pumping Station Improvements, in the amount of \$56,855.00 to PS&S of Wall, NJ in accordance with the terms and conditions of the proposal dated September 9, 2021.

BE IT FURTHER RESOLVED, that the Chairman and Secretary are hereby authorized to execute the contract agreement with PS&S of Wall, NJ.

BE IT FURTHER RESOLVED, that a copy of this award shall be placed in the official Authority newspaper and on the Authority web site within ten (10) days of award.

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

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

RESOLUTION No. (115/21): To Award Request for Quotation 2021-06 NIRO Incinerator Tuyere and Refractory Repairs to Industrial Furnace Company, Inc. in the amount of \$30,250.00.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a sewage sludge incinerator known as the NIRO Incinerator; and

WHEREAS, there is a need for various repairs to the NIRO incinerator tuyeres and refractory; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2021-06 NIRO Incinerator Tuyere and Refractory Repairs; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised and on Tuesday, August 31, 2021 at 2:00 P.M. received quotes for the NIRO Incinerator Tuyere and Refractory Repairs; and

WHEREAS, one (1) quote was received in the amount of \$30,250.00 from Industrial Furnace Company, Inc. of Rochester, NY; 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 Treatment Plant & Equipment Improvements 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, that the Commissioners of the Bayshore Regional Sewerage Authority hereby award the NIRO Incinerator Tuyere and Refractory Repairs to Industrial Furnace Company, Inc. of Rochester, NY in accordance with the terms and conditions of the Request for Quotation #2021-06 in the amount not to exceed \$30,250.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Industrial Furnace Company, Inc. of Rochester, NY.

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

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

RESOLUTION No. (116/21): To Award Contract 124, West Keansburg Pumping Station Bypass Facility and Improvements to Pact Two, LLC of Ringoes, NJ in the amount of \$410,000.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a sewage pumping station in the Township of Hazlet known as the West Keansburg Pumping Station; and

WHEREAS, there is a need for a bypass facility to allow for the pumping of sewage in an emergency and other miscellaneous pump station metering upgrades; and

WHEREAS, the Authority has contracted with R3M Engineering Inc. to develop Contract 124, West Keansburg Pumping Station Bypass Facility and Improvements with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 116/20; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority advertised for Contract 124, West Keansburg Pumping Station Bypass Facility and Improvements project and four (4) sealed bids were received and publicly opened on August 26, 2021 at 2:00 P.M., with the low bidder being Pact Two, LLC of Ringoes, NJ in the amount of \$410,000.00; and

WHEREAS, the Authority Attorney, Principal Engineer and R3M Engineering, Inc. have reviewed the bids and are recommending award of the Contract to Pact Two, LLC of Ringoes, NJ in the amount of \$410,000.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Pump Station Improvements 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 Pact Two, LLC of Ringoes, NJ is hereby awarded Contract 124, West Keansburg Pumping Station Bypass Facility and Improvements project in the amount of \$410,000.00 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 Whalen, SECONDED BY: Commissioner Khachaturian, and carried by a unanimous vote recorded as follows:

ROLL CALL: Commissioners Cavanagh, McMullen, Khachaturian, Whalen, Russo and Chairman Sutton

PUBLIC PORTION

Chairman Sutton 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 PUBLIC IN ATTENDANCE

EXECUTIVE SESSION

Chairman Sutton 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.

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

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

END CLOSED SESSION

Chairman Khachaturian calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 7:56 P.M.

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

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

RESOLUTIONS

RESOLUTION No. (117/21): To Adopt an Incident Response Plan

WHEREAS, The Bayshore Regional Sewerage Authority (Authority) desired to be in a higher security tier with lower deductibles from our insurance carrier, Municipal Express Liability Joint Insurance Fund (JIF); and

WHEREAS, the JIF is recommending the Authority to adopt an Incident Response Plan; and

WHEREAS, The Incident Response Plan defines methods for identifying, tracking, and responding to technology-based security incidents; and

WHEREAS, The Incident Response Plan is established to assist in protecting the integrity, availability, and confidentiality of technology and assist in complying with statutory, regulatory and contractual obligations; and

WHEREAS, The Incident Response Plan will respond quickly and effectively to an incident which is critical to minimizing the spread of the Incident and/or the business, financial, legal, and/or reputational impact; and

WHEREAS, the Authority has deemed it necessary for cyber protection to prevent any unauthorized access to, use, or misuse of, modification to the network, and/or denial of network resources by attacks perpetuated through malware, viruses, worms, Trojan horses, spyware, adware, zero-day attack, hacker attack, or denial of service attack; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby adopts the attached Incident Response Plan, titled Cyber Incident Response Plan.

BE IT FURTHER RESOLVED, the Information Technology Department of Bayshore Regional Sewerage Authority are hereby authorized to execute the Contract Documents.

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

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

RESOLUTION No. (118/21): To Adopt a Master Technology Policy

WHEREAS, adopting this policy affirms our commitment to technology security by specifying the policies and standards necessary to achieve our security objectives, including compliance with all Federal and State requirements, as well as the Municipal Excess Liability Joint Insurance Fund's (MEL) Minimum Technology Proficiency Standards.

WHEREAS, The Technology Policy defines the technology security practices necessary to ensure the security of the member's technology systems and the information it stores, processes, and/or transmits and;

WHEREAS, the Authority has deemed it necessary for a Master Technology Policy to be implemented for the protection of the Authority to prevent any unauthorized access to, use, or misuse of, modification to the network, and/or denial of network resources by attacks perpetuated through malware, viruses, worms, Trojan horses, spyware, adware, zero-day attack, hacker attack, or denial of service attack; and

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby adopts the attached Master Technology Policy, titled Bayshore Regional Sewerage Authority Master Technology Policy Version 2.2, MEL Cyber Risk Management Program

BE IT FURTHER RESOLVED, the Information Technology Department of Bayshore Regional Sewerage Authority are hereby authorized to execute the Contract Documents.

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

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

RESOLUTION No. (119/21): To Grant Chad Sprague Regular Employment Status Effective September 12, 2021

WHEREAS, Chad Sprague was hired as a probationary employee in the job title of Regulatory Compliance Manager on June 14, 2021; and

WHEREAS, the probationary period expired on September 12, 2021; and

WHEREAS, in a memorandum to the Executive Director dated September 16, 2021 the Director of Operations has recommended that Mr. Sprague be granted Regular Status effective September 13, 2021; and

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Chad Sprague is hereby granted Regular Status as an employee of the Bayshore Regional Sewerage Authority, and is further granted the rights and privileges, and responsibilities of the position.

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

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

ADJOURMENT

ANNOUNCEMENT (by Chairman Sutton):

The next B.R.S.A. Public Meeting is scheduled for Monday, October 11, 2021, 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 7:58 P.M. Chairman Sutton called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,
Victoria DuDasko
Administrative Assistant/ HR