



BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Peter J. Canal, *EXECUTIVE DIRECTOR*
J. Michael Broyles, *DIRECTOR OF OPERATIONS*

MINUTES FOR REGULAR MEETING (via Zoom) MONDAY, FEBRUARY 28, 2022

At 7:01 P.M., Chairman Cavanagh 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 Cavanagh 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 Cavanagh called for a roll call via Zoom:

PRESENT: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

Also, in attendance: Peter Canal, Executive Director

Via Zoom J. Michael Broyles, Director of Operations
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
Roy Anderson, Superintendent

MOTIONS FOR REORGANIZATION

Chairman Sutton called for a **MOTION** for the following:

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

Chairman Cavanagh, thanked Commissioner Sutton for a job well done as chairman in the year 2021

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

MOTION - for the office of **SECRETARY** - **Commissioner Whalen**

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

PUBLIC PORTION

ANNOUNCEMENT (by **Chairman Cavanagh**): This portion of the meeting is now open to the public for comments or questions related to 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 to 5 minutes.

NO PUBLIC IN ATTENDANCE

RESOLUTIONS

RESOLUTION No. (23/22): To Adopt a Non-Fair and Open Policy for Annual Professional Service Contracts

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to acquire Professional Services as a Non-Fair and Open Contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of certain Professional Service Contracts may exceed \$17,500.00; and

WHEREAS, the anticipated term of the Professional Service Contracts is one year; and

WHEREAS, Professionals seeking contracts with the Authority under the Non-Fair and Open process must submit acceptable Business Entity Disclosure Certifications which certify that the Professionals have not made any reportable contributions to any Political or Candidate Committee in the Township of Hazlet and Holmdel or the Borough of Union Beach or to any of the Political Candidate Committees of customer Towns or Legislative District listed on the Bayshore Regional Sewerage Authority Disclosure Form in the previous one year and that each respective contract will prohibit the Professional from making any reportable contribution through the terms of their respective contracts; and they have also submitted Political Contribution Disclosure Forms listing all reportable contributions made in the 12 months prior.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority adopt a Non-Fair and Open Policy for Professional Service Contracts as described in the Memorandum dated February 17, 2022 from the Executive Director.

RESOLUTION No. (24/22): Designating *The Asbury Park Press* as the Official newspaper and www.bayshorersa.com as *The BRSA Official Website*

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) is required to make publication of various notices, bids and other items in a local newspaper from time to time and may also make publication of such notices, bids and other items on its official website.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the official newspaper of the Bayshore Regional Sewerage Authority within which such notices shall be placed, be and is hereby designated as *The Asbury Park Press*.

BE IT FURTHER RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority www.bayshorersa.com is the Official Website of the Bayshore Regional Sewerage Authority

RESOLUTION No. (25/22): Readopt a Cash Management Plan as set forth pursuant to provisions of NJSA 40A:5-14

WHEREAS, pursuant to the provisions of NJSA 40A:5–14, the Bayshore Regional Sewerage Authority (“Authority”) is required to establish a Cash Management Plan (“Plan”); and

WHEREAS the Plan is required in order to set forth the basis for deposits and investments of public funds of said Authority; and

WHEREAS, the Plan is intended to assure that all public funds identified within it are deposited and invested in compliance with the terms set forth and required by N.J. S.A. 40A:5-14; and

WHEREAS, the Authority’s Auditor and its Commissioners have reviewed the following Plan.

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

Cash Management Plan

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J. S.A. 40A: 5-14 in order to set forth the basis for the deposits (“Deposits”) and investment (“Permitted Investments”) of certain public funds of the Bayshore Regional Sewerage Authority (“Authority”), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The further intent of the Plan is to provide that the decisions made with regard to the Deposits and Permitted Investments will be done to ensure the safety, liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Bayshore Regional Sewerage Authority:

| | |
|---|-------------------------|
| Revenue Fund | NJ Cash Management Fund |
| Reserve Fund | NJEIT Project Fund |
| Operating Fund | NJEIT Project Fund II |
| Payroll Fund | NJEIT Project Fund III |
| Debt Service Fund | Lakeland Bank CD |
| TD Bank CD | |
| Other Trustee Funds/Trustee Accounts, as may be required by trust or bond indenture | |

The custodian of the accounts shall be the Treasurer. All disbursements shall be made by checks signed by three authorized signatures with the exception of Payroll, which requires two signatures. Authorized Signers shall be the Commissioners of the Authority and Executive Director.

III. DESIGNATION OF OFFICIALS OF THE AUTHORITY AUTHORIZED TO MAKE DEPOSITS OR INVESTMENTS UNDER THE PLAN.

The Executive Director (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such official of the Authority is directed to supply all depositories or, any other parties, with whom the Deposits or Permitted Investments are made a written copy of this Plan, which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan.

TD Bank, National Association
Lakeland Bancorp, Inc.

All such depositories shall acknowledge in writing receipt of this plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF INVESTMENT STRATEGY

In order to provide guidance with regard to investments of Authority funds, the following policies are established for each fund.

Incoming Revenue Fund - All revenue of the Authority shall be deposited in the Incoming Revenue Fund. From the Incoming Revenue Fund, monies may be transferred to other Authority Accounts/Funds. Funds for the monthly Regular and Payroll payables shall be held in the Incoming Revenue Fund. Deposits or Investments shall be "laddered" in amounts required to cover approved bills in the paying accounts and shall be available on the Thursday after the Regular Meeting of the Authority. Funds are to be invested in U.S. Treasury Bills, Certificates of Deposit or Institutional Liquid Assets Treasury Obligations Portfolio.

Reserve and Restricted Funds - Funds not immediately needed for Authority purposes shall be maintained in the Reserve and Restricted Funds. Funds are to be "laddered" up to a maximum of 36 months and are to be invested in U.S. Treasury Bills, Certificate of Deposit and

Notes, The New Jersey Cash Management Fund or Institutional Liquid Assets Treasury Obligations Portfolio.

VI. PERMISSIBLE INVESTMENTS

- A. Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A: 5:15.1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds ,
 - (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 3years from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 3 years from the date of purchase, approved by the Division of Investment of the Department of Treasury for investment by Local Units;
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section I of P.L. 2177, c.281 (C. 52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities if:
 - a. the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a.;
 - b. the custody of collateral is transferred to a third party,
 - c. the maturity of the agreement is not more than 30 days;
 - d. the underlying securities are purchased through a public depository as defined in section I of P.L. 2170, c.236 (C. 18:21-41); and
 - e. a master repurchase agreement providing for the custody and security of collateral is executed.

(9) Certificates of Deposit

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 2140", 15 U.S. C. sec. 80a- I et seq., and operated in accordance with 18 C.F.R. sec 270.2a-7.
- (b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 18 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which is rated by a nationally recognized statistical rating organization.

Local Government Investment Pool - An investment pool:

- (a) which is managed in accordance with 18 C.F.R. sec.270.2a.7;

- (b) which is rated in the highest category by a nationally recognized statistical rating organization,
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 18 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P. L. 2168, c. 4 10 (c. 52:1414- 1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchases or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 2167 c,93 (C49:3-56) and has at least \$25 Million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Authority, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Authority to assure that there is no unauthorized use of the funds or the Permitted Investments of Deposits. Purchase of any Permitted Investments that involve Securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Authority or by a third-party custodian prior to or upon the release of the Authority funds.

To assure that all parties with whom the Authority deals either by way of Deposits or Permitted Investments are aware of the authority and the Emits sets forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

VIII. REPORTING REQUIREMENTS

At the public meeting of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the Commissioners of the Authority a

written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Authority as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the Commissioners of the Authority.

RESOLUTION No. (26/22): To designate TD Bank, qualified under the Government Unit Deposit Protection Act, as the Official Depository of the Bayshore Regional Sewerage Authority

WHEREAS, in accordance with N.J.S.A. 40A5:15 et seq. of the Local Fiscal Affairs Law, the Bayshore Regional Sewerage Authority (“Authority”) is required to designate an Official Depository; and

WHEREAS, the Authority deems it in the best interest of the customers it serves to designate TD Bank as the Official Depository but reserves the right to utilize any other bank which qualifies under the Government Unit Deposit Protection Act that would yield a higher rate of return on investments as a potential depository of the Authority for investment purposes should such opportunity arise.

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

RESOLUTION No. (27/22): Confirming Peter J. Canal, Executive Director as the Signatory and Authorized Representative of the Authority to sign and verify documents submitted to all Departments of the State of New Jersey, County of Monmouth; and various offices and agencies of the U.S. Federal Government

WHEREAS, it is necessary for the Bayshore Regional Sewerage Authority (“Authority”) to select an authorized representative to sign and verify documents submitted to various Departments of the State of New Jersey, County of Monmouth, and to various offices and agencies of the United States Federal Government; as well as various contract documents of the Authority.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that Peter J. Canal, Executive Director of the Authority is hereby appointed authorized signatory and representative of the Authority for the above listed purposes.

RESOLUTION No. (28/22): Re-Adopt Procedures to be followed in the Payment of Invoices

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) is desirous of specifying procedures to be followed with regard to the payment of invoices for employee benefits and wages; and

WHEREAS, the Authority has determined that it is in its best interest to make such payments for benefits and wages as they come due; and

WHEREAS, the Authority will make those payments in accordance with the terms outlined above and will ratify those payments at the Authority's Regular Meetings in conjunction with invoices to be paid in accordance with the procedures outlined below; and

WHEREAS, the Authority is desirous of specifying procedures to be followed with regard to the payment of invoices for service rendered and materials and supplies delivered to the Authority; and such procedures shall be in accordance with NJSA 40A:5-16; and

WHEREAS, it is the intention of the Authority to hereby specify the procedures for the payment of invoices and that this Resolution and the procedures herein specified, shall supersede all Resolutions and Bylaws related to the payment of invoices.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

No check shall be executed by any Commissioner for disbursement of Authority funds except after compliance with the following procedure:

(a) Any person or entity seeking payment for services, materials, or supplies provided to the Authority, shall submit to the Authority, a fully executed voucher in form provided by the Authority, from time to time;

(b) The Executive Director shall review in association with said voucher, where same exists, a copy of the three written quotations where practicable or bids in excess of \$6,600; the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods or services. Said procedure shall constitute a complete payment package;

(c) The Executive Director shall then review each package and shall affix his signature thereto if he shall consider same to be in satisfactory form of payment;

(d) The Executive Director shall, no later than the Friday preceding the Regular Meeting of each month, make the voucher, invoice and any additional items of said payment package so requested available to the Chairman of the Finance Committee or other member of the Authority at the Authority office;

(e) The Chairman of the Finance Committee or other member of the Authority shall review each voucher and the supporting documentation and, if he shall find same satisfactory, affix his signature thereto in time for consideration and discussion by the Commissioners at the monthly Regular Meeting of the Authority. In the event a member of the Finance Committee is not available for said purposes, any Authority Board member may review and affix his/her signature thereto;

(f) The Executive Director shall prepare and make available to the Commissioners at the Regular Meeting in each month, a listing of all vouchers received by the Authority on or before the close of business on the Wednesday immediately preceding the Regular Meeting;

(g) The Chairmen of the respective Committees, having general responsibility for the subject matter of a particular voucher, may review same on or before the second Wednesday of each month and in case he shall find it in his opinion to be satisfactory, he shall affix his signature to this voucher;

(h) At each Regular Meeting of the Authority, prior to the Commissioners taking a formal vote on payment of all vouchers which have undergone the processing aforesaid, the Commissioners shall be advised by the Executive Director as to which vouchers shall not have endorsed thereon, the approval of the Executive Director or the approval of the Finance Chairman or assigns and in connection with such vouchers, they shall not be deemed approved for payment unless the Commissioners shall, by majority vote, direct their payment notwithstanding the lack of one or more of said signatures;

(i) No vouchers shall be considered for payment in any month unless such voucher shall have been delivered to the Authority in proper form **by 12:00 Noon of the Wednesday** immediately preceding the Regular Meeting, provided however, that in special circumstances, upon Motion of any Commissioners, at any regular meeting, payment of any voucher or vouchers may be directed by a majority vote of the Commissioners;

(j) Immediately following approval of payment of vouchers at any meeting of the Commissioners, the Executive Director shall promptly attend to the obtaining of the necessary Commissioners' signatures upon the checks in question and shall promptly release such checks to the payees thereof and the Executive Director shall not, without the approval of at least one Commissioner, delay or withhold the delivery of any checks so approved; in the event checks shall be delayed or withheld with the approval of at least one Commissioner, the Executive Director shall immediately so advise all of the Commissioners in writing of such delay or withholding and the reasons therefore, and the same shall be discussed at the next meeting of the Authority; and in accordance with NJAC 5:31-4.1(e), all checks other than payroll checks shall be signed by the Secretary, Chairman or Executive Director, and at least two other Commissioners.

RESOLUTION No. (29/22): Re-Adopt Procedures to be followed in the Purchase of Equipment Supplies and Services

WHEREAS, the Bayshore Regional Sewerage Authority ("Authority") is desirous of adopting a uniform procedure for the purchase of equipment and supplies and the provision of services to the Authority; and

WHEREAS, the Authority is desirous of setting forth this procedure to be applicable immediately upon adoption of this Resolution and to continue in full force and effect until the next reorganization meeting of the Authority held pursuant to N.J.S.A. 40:14A-1 et seq, at which time this Resolution shall terminate unless continued in its present or amended form.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority as follows:

1. The procedures and authorities herein provided shall be applicable to the purchase of any materials, supplies or services except for such as may exceed the cost of \$17,500.00 or for professional services such as legal, engineering, accounting and similar services or as noted in N.J.S.A. 40A: 11-5 which shall only be upon Resolution of the Authority.

2. No purchase of or contract for materials, equipment, supplies or services shall be deemed binding upon the Authority or shall obligate the Authority for payment thereof except upon the following terms and conditions:

(a) The Executive Director shall cause to be attached to the voucher, where same exists, a copy of at least three written quotations or bids for items in excess of \$6,600, if practicable, the supporting requisition and/or purchase order, and the packing slip, invoice, or requisition signed by the person receiving the goods or services thus indicating the full receipt of such goods and services;

(b) Materials, services or supplies, the cost or obligation for which shall not exceed the sum of \$6,600 per item, may be purchased or contracted for on behalf of the Authority and payment therefore shall be made by the Authority upon the execution of a requisition for such materials, supplies or services by the Executive Director in accordance with (a) above;

(c) Materials, services or supplies, the cost or obligation for which exceeds \$6,600, but less than \$17,500, may only be purchased or contracted for upon execution of a Purchase Order by any Commissioner of the Authority and provided further, that two written quotations where practicable concerning the item or services authorized to be purchased shall have been obtained, except in cases of emergency, which emergency shall be stated in full on the Purchase Order executed by the Chairman, Vice-Chairman or any Commissioner;

(d) The purchase of any materials, supplies, equipment or contract for any services the cost or obligation for which is \$44,000 or more, to the extent same shall be applicable to the particular purchase or contract, shall be awarded only upon compliance with the bidding procedures provided by the Local Public Contracts Law except in those instances under the Local Public Contract Law where public bidding need not apply and then only upon specific Resolution of the Authority;

(e) except as otherwise resolved by the Commissioners of the Authority, all purchases of materials, supplies and equipment or the contracting of services; the cost or obligation for which is between \$17,500 and \$44,000 also known as "Window Contracts" in New Jersey's Pay-to-Play Laws shall be awarded at a public meeting only after a fair and open process whose minimum requirements are:

- Publicly advertised either conventionally in newspapers or posted on the Authority website at least ten (10) calendar days prior to award (a copy of the website posting shall be kept on file);
- Awarded under a process that provides for public solicitation of proposals or qualifications;
- Established on the basis of an award and disclosure process documented in writing prior to any solicitation;
- Publicly opened and announced when awarded

3. Material, services, supplies may be purchased by emergency contract notwithstanding the cost or obligation provided the procurement process follows the emergency procurement policies of the Authority which policy is as follows:

Any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; provided that the awarding of such contracts is made in the following manner:

- A. The Executive Director or other authorized officer or employee shall notify the purchasing agent or designated representative of the Governing Body as to the need for an emergency contract, the nature of the emergency, the time of its occurrence, the notification must be reduced to writing;
- B. Furthermore, the emergency must be actual or imminent and must affect the public health, safety or welfare;
- C. The failure to plan cannot be the basis for an emergency purchase, the emergency must reasonably unforeseen, unforeseeable and immediate in nature;

D. Quotations are not required but are suggested for emergency purposes; All emergency purchases must be approved by the Executive Director and in his absence the Plant Engineer. If an emergency should arise in the absence of the Director and Engineer, the Plant Superintendent shall make the approval. For emergency purchases in excess of the bid threshold, the Executive Director shall endeavor to notify the Chairman or in his absence, the Vice-Chairman prior to any purchases.

4. Services may also be procured using a Non-Fair and Open Process only by authorizing Resolution of the Commissioners of the Authority.

BE IT FURTHER RESOLVED that this Resolution shall continue in full force or effect until the next organization meeting of the Authority pursuant to NJSA 40:14A-1 et seq. at which time it shall terminate unless re-instituted in its existing or in an amended form by appropriate Resolution of the Commissioners.

RESOLUTION No. (30/22): Schedule of Financial Reports

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

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

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority that the schedule of reports listed below be adopted and henceforth all affected employees and consultants shall adhere to the schedule.

SCHEDULE OF FINANCIAL REPORTS

1. **Schedule of Accounts Receivable**: This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report.

2. **Statement of Cash Receipts and Cash Disbursements**: This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report.

3. **Un-audited Financial Statement**: This report shall be made at the end of each month and shall be in the hands of the Commissioners on the Friday before the Regular Meeting of the month following the month of the report. This financial statement shall contain the year to date expenditures, the year to date budget allocation, and the expenditures for the same period for each account. An explanation is to accompany this statement whenever unusual transfers are made among accounts or when unusual expenditures are made.

4. **Summary of Investments**: This report shall be prepared quarterly, and shall be in the Commissioners' hands Friday before the Regular Meeting in the month that the report is due. This report shall indicate such pertinent information as:

- A. Investment Institution.
- B. Amount invested.
- C. Interest rate for the investment.

5. **Bills to be Paid**: This report shall contain a listing of each bill to be paid, indicating the check number, the amount to be paid, the payee, and the reason for the payment. The report shall be in the hands of the Commissioners on the Friday before the Regular Meeting during which these payments will be approved.

RESOLUTION No. (31/22): ADOPTING AND SPECIFYING THE ANNUAL NOTICE OF SCHEDULED MEETINGS FOR 2022/2023 OF THE BAYSHORE REGIONAL SEWERAGE AUTHORITY

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) is required to adopt, publish, and disseminate annually, a notice of its scheduled Agenda and Regular Meetings.

NOW THEREFORE BE IT RESOLVED the Commissioners of the Bayshore Regional Sewerage Authority hereby adopt the following schedule of Regular Meetings during 2022/2023. All meetings in 2022/2023 will commence at 7:00 P.M. prevailing time (via ZOOM from March 21, 2022 thru February 27, 2023). All meetings will be held at the Authority offices Administration Building (and/or ZOOM), 100 Oak Street, Union Beach, NJ.

Join Zoom Meeting:
Meeting ID: 825 9542 8520
Passcode: 860764
Join Zoom Meeting:
<https://us02web.zoom.us/j/82595428520>
Dial by your location
+1 646 518 9805 US (New York)
+1 646 876 9923 US (New York)
+1 267 831 0333 US (Philadelphia)
Find your local number: <https://us02web.zoom.us/u/keEbcCjL0>
Please be advised that the Zoom link, Meeting ID and Passcode for each meeting are the same.

BE IT FURTHER RESOLVED, in accordance with Open Public Meetings Act N.J.S.A. 10:4-6, participation by Commissioners may take place by means of telephone communications equipment and formal action may be taken at any of the listed meetings; and

2022

- March 21 - Regular
- April 18 - Regular
- May 16 - Regular
- June 20 - Regular-Connection Fee Hearing/Regular
- July 18 - Regular
- August 15 - Regular
- September 19 - Regular
- October 17 - Regular
- November 14 - Regular
- December 19 - User-Charge Public Hearing/Regular

2023

- January 23 - Regular
- February 27 - Reorganization/Regular

BE IT FURTHER RESOLVED that the Organizational Meeting of the Bayshore Regional Sewerage Authority shall commence at 7:00 P.M., prevailing time, immediately before the Regular Meeting on Monday February 27, 2023, (via Zoom) at the Authority offices, 100 Oak Street, Union Beach, NJ; and

BE IT FURTHER RESOLVED that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to forthwith publish a true copy of this Resolution in the official newspaper so designated by the Authority and be posted on its official website, www.bayshorersa.com; and

BE IT FURTHER RESOLVED that the Secretary of the Bayshore Regional Sewerage Authority be and is hereby directed to post a true copy of this Resolution in a public place designed for such purposes; and

BE IT FURTHER RESOLVED that the Secretary of the Bayshore Regional Sewerage Authority is hereby directed to forthwith transmit a true copy of this Resolution to: Municipal Clerks of Aberdeen, Hazlet, Holmdel, and Marlboro, Union Beach, Keyport, Keansburg, and Matawan; and the Western Monmouth Utilities Authority.

RESOLUTION No. (32/22): Re-Adopt TD Bank Resolution Payroll Account

BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority (“Authority”):

1. That an account or accounts be continued and maintained with **TD BANK** (hereinafter called the Bank) titled **Payroll Account**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any two of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, or Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority.

BE IT FURTHER RESOLVED that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

| | | |
|----------------------|--------------------|-------|
| PETER CANAL | Executive Director | _____ |
| CHRISTOPHER CAVANAGH | Chairman | _____ |
| MARCY MCMULLEN | Vice-Chairman | _____ |
| BART SUTTON | Treasurer | _____ |
| SAM LAURO | Asst. Treasurer | _____ |
| SCOTT WHALEN | Secretary | _____ |
| JOHN MIODUSZEWSKI | Asst. Secretary | _____ |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 28th day of February 2022

/s/ _____, **BRSA Secretary**
Scott Whalen

I, Chris Cavanagh, Chairman of the above-named Authority, do hereby certify that Scott Whalen, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

WITNESS my hand and the seal of said Authority the day and year above written.

(seal)

/s/ _____, BRSA Chairman
Chris Cavanagh

RESOLUTION No (33/22): Re-Adopt TD Bank Resolution Incoming Revenue, Operating, Reserve, Rent Reserve, Bond Service and NJEIT/I-Bank Project Fund Accounts

BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority (“Authority”):

1. That an account or accounts be continued and maintained with TD BANK (hereinafter called the Bank) titled **Incoming Revenue, Operating Account, Reserve, Rent Reserve, NJEIT/I-Bank Project Fund, Bond Service Account, NJEIT/I-Bank Project Fund II Account and NJEIT/I-Bank Project Fund III Accounts** and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any one person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any three of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority, except that in the wire transfer of funds for the payment of taxes, employee payroll, benefits or other such obligation as may be required of the Authority, the Executive Director is authorized to make such wire transfers using the financial institutions' secured portals. All such wire transfers shall be ratified at the first Authority meeting subsequent to transfer of funds.

BE IT FURTHER RESOLVED that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

PETER CANAL Executive Director _____

CHRISTOPHER CAVANAGH Chairman _____

| | | |
|-------------------|-----------------|-------|
| MARCY MCMULLEN | Vice-Chairman | _____ |
| BART SUTTON | Treasurer | _____ |
| SAM LAURO | Asst. Treasurer | _____ |
| SCOTT WHALEN | Secretary | _____ |
| JOHN MIODUSZEWSKI | Asst. Secretary | _____ |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 28th day of February 2022

/s/ _____, **BRSA Secretary**
 Scott Whalen

I, Chris Cavanagh, Chairman of the above-named Authority, do hereby certify that Scott Whalen, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

WITNESS my hand and the seal of said Authority the day and year above written.

(seal)

/s/ _____, **BRSA Chairman**
 Chris Cavanagh

RESOLUTION No. (34/22): Lakeland Bank Resolution

BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority (“Authority”):

1. That an account or accounts be continued and maintained with **LAKELAND BANK** (hereinafter called the Bank) titled **BRSA Reserve**, and there may be deposited to its credit in one or more accounts with the Bank, any money, check and other instruments which may come into possession of this Authority. Any other property may be deposited with the Bank for safe keeping, custody and other purposes. Items for deposit, collection or discount may be endorsed by any one person authorized to sign checks, or endorsements thereof, may be made in writing or by a stamp without designation of the person so endorsing.

2. Any three of the following: Executive Director, Chairman, Vice-Chairman, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer of this Authority are authorized, on behalf of this Authority and in its name, (a) to sign checks, savings withdrawals, drafts, notes, acceptances, and other instruments and orders for the payment of money or for the withdrawal or delivery of funds or other property at any time held by the Bank for the account of this Authority, and to receive any thereof, and to issue instructions for the conduct of any account of this Authority with the Bank, (b) to accept drafts, and other instruments payable at the Bank; and to waive demand, protest, and notice of protest or dishonor of any instrument made, drawn, or endorsed by this Authority; and (c) to endorse, negotiate, and receive, or authorize the payment of, the proceeds of, any negotiable or other instruments or orders for the payment of money payable to or belonging to this Authority, except that in the wire transfer of funds for the payment of taxes, employee payroll,

benefits or other such obligation as may be required of the Authority, the Executive Director is authorized to make such wire transfers using the financial institutions' secured portals. All such wire transfers shall be ratified at the first Authority meeting subsequent to transfer of funds.

BE IT FURTHER RESOLVED that the foregoing Resolution shall continue in full force and effect and Bank may rely on them until a certified copy of a subsequent Resolution of the Board of Directors of this Authority modifying or rescinding any or all such Resolutions shall have been actually received by the Bank.

I FURTHER CERTIFY that the names of the persons who respectively hold the offices or positions mentioned in the foregoing Resolutions and their actual signatures are as follows:

| | | |
|----------------------|--------------------|-------|
| PETER CANAL | Executive Director | _____ |
| CHRISTOPHER CAVANAGH | Chairman | _____ |
| MARCY MCMULLEN | Vice-Chairman | _____ |
| BART SUTTON | Treasurer | _____ |
| SAM LAURO | Asst. Treasurer | _____ |
| SCOTT WHALEN | Secretary | _____ |
| JOHN MIODUSZEWSKI | Asst. Secretary | _____ |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the said corporation this 28th day of February 2022

/s/ _____, **BRSA Secretary**
Scott Whalen

I, Chris Cavanagh, Chairman of the above-named Authority, do hereby certify that Scott Whalen, the Secretary of said Authority, is duly authorized to sign as above stated, without other signature, according to the above Resolution.

WITNESS my hand and the seal of said Authority the day and year above written.

(seal)

/s/ _____, **BRSA Chairman**
Chris Cavanagh

RESOLUTION No. (35/22): To Authorize the Bayshore Regional Sewerage Authority to Provide Legal Counsel and Indemnification for Officials, Employees and Appointees of the Authority in Certain Actions Brought Against Said Officials, Employees and Appointees.

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

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

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

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

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

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

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

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

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

RESOLUTION No. (36/22): To Re-Appoint Peter J. Canal as the Authority's Public Agency Compliance Officer

BE IT RESOLVED by the Commissioners of the Bayshore Regional Sewerage Authority ("Authority") that Peter J. Canal be and is hereby re-appointed as the Bayshore Regional Sewerage Authority Public Agency Compliance Officer ("PACO") for all matters concerning Affirmative Action Regulations pursuant to P.L. 2175 c.127.

BE IT FURTHER RESOLVED, a copy of this resolution be filed with the State of New Jersey Department of Treasury Affirmative Action Officer.

RESOLUTION No. (37/22): To Authorize an Authority Petty Cash Fund

WHEREAS, for the greater efficiency of the Bayshore Regional Sewerage Authority (“Authority”) there exists a need to purchase supplies at minimal cost on a day to day basis; and

WHEREAS, the Authority desires to maintain a Petty Cash Fund for the purposes of paying those minimal expenses from time to time as they occur; and

WHEREAS, the Authority desires to establish or reestablish a Petty Cash Fund in an amount not to exceed \$500; and

WHEREAS, receipts into the Petty Cash Fund that exceed a balance of \$500 shall be deposited into the Authority Incoming Revenue Account within 48 hours; and

WHEREAS, the Authority shall maintain a journal of receipts and expenses related to the petty cash fund which shall be reconciled by two signatures on a periodic basis.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby establish or reestablish a petty cash fund in the amount not to exceed \$500.

BE IT FURTHER RESOLVED that the Executive Director and Financial Administrative Assistant are authorized to be custodians of the petty cash fund.

RESOLUTION No. (38/22): To Designate Carolann Weisel as the Authority Qualified Purchasing Agent

WHEREAS NJAC 5:34-5 et seq establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Carolann Weisel possesses the designation of qualified purchasing agent as issued by the Director of the Division of Local Government Services in accordance with NJAC 5:34-5 et seq.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority that Carolann Weisel is appointed Qualified Purchasing Agent for the Bayshore Regional Sewerage Authority and is Authorized to exercise the duties of a purchasing agent pursuant to NJSA 40A:11-2(30).

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (39/22): To Appoint a Labor/Employment Attorney

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Labor/Employment Legal Counsel services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Weiner Law Group, LLP of Parsippany, NJ has submitted a proposal indicting they will provide Labor/Employment Legal Counsel services at \$170.00 per hour; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Weiner Law Group, LLP as described more specifically in their proposal dated February 8, 2022.

BE IT FURTHER RESOLVED that the Contract with Weiner Law Group, LLP shall not exceed \$30,000 without prior authorization of the Commissioners, and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (40/22): To Appoint Accounting and Auditing Services to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Accounting and Auditing services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Bart & Bart of Woodbridge, NJ has submitted a proposal indicting they will provide Auditing Services at \$30,500.00 and Accounting Services at \$130.00 per hour; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized

to enter into a contract with Bart & Bart as described more specifically in their proposal dated February 8, 2022.

BE IT FURTHER RESOLVED the Contract with Bart & Bart for Auditing Services shall not exceed \$43,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (41/22): To Accept the Proposal from ARCADIS US for continuing services as Authority FEMA Consultant

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

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, there exists a need to continue services with ARCADIS US as FEMA Consultants to develop mitigation proposals for an Authority Power Resiliency System, obtain reimbursements from NJOEM, seek additional sources of funding and as more specifically described in their proposal dated February 10, 2022; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with ARCADIS US as described more specifically in their proposal dated February 10, 2022.

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

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh
ABSENT: Commissioner Mioduszewski

RESOLUTION No. (42/22): To Appoint a Bond Counsel to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Bond Counsel services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Gibbons P.C. of Newark, NJ has submitted a proposal indicating they will provide Bond Counsel services at \$295.00 per hour with a fee of \$30,000 for a traditional Note issue plus \$0.50 per \$1,000 of notes issued and with a fee of \$40,000 for a traditional Bond issue plus \$1.00 per \$1,000 of Bonds issued; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Gibbons P.C. as described more specifically in their proposal dated February 10, 2022.

BE IT FURTHER RESOLVED that the Contract with Gibbons P.C. shall not exceed \$55,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh
ABSENT: Commissioner Mioduszewski

RESOLUTION No. (43/22): To Appoint a General Consulting Engineer to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for General Engineering Consulting services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, R3M of Old Bridge, NJ has submitted a proposal indicating they will provide Engineering Consulting services at \$190.00 per hour; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with R3M as described more specifically in their proposal dated February 14, 2022.

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

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (44/22): To Appoint a Risk Management Consultant to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Risk Management Consulting services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Connor, Strong & Buckelew of Toms River, NJ has submitted a proposal indicating they will provide Risk Management Consulting services at 6% of the fund assessment; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority, the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Connor, Strong & Buckelew as described more specifically in their proposal dated February 17, 2022; and

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

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (45/22): To Appoint a Consulting Instrumentation and Control Engineer to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Instrumentation and Control Engineer Consulting services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Morehouse Engineering, Inc. of Hopewell, NJ has submitted a proposal indicating they will provide Instrumentation and Control Engineer Consulting services at \$206 per hour; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Morehouse Engineering, Inc. as described more specifically in their proposal dated February 3, 2022.

BE IT FURTHER RESOLVED that the Contract with Morehouse Engineering shall not exceed \$10,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (46/22): To Appoint an Incinerator Consulting Engineer to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Incinerator Consulting Engineer services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Chavond Barry Engineering Corp. of Blawenburg, NJ has submitted a proposal indicating they will provide Incinerator Consulting Engineer services at \$240.00 per hour; anBARRR

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Chavond Barry Engineering Corp. as described more specifically in their proposal dated February 4, 2022.

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

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (47/22): To Appoint a Financial Advisor to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Financial Advisory services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Acacia Financial Group, Inc. of Marlton, NJ has submitted a proposal indicating they will provide Financial Advisory services at \$250.00 per hour; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Acacia Financial Group, Inc. as described more specifically in their proposal dated February 17, 2022.

BE IT FURTHER RESOLVED that the Contract with Acacia Financial Group, Inc. shall not exceed \$10,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (48/22): To Appoint a General Counsel to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for General Legal Counsel services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 21:44A-21.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, Cleary, Jacobbe, Alfieri, Jacobs, LLC has submitted a proposal dated January 25, 2022, indicating they will provide General Legal Counsel services at \$185.00 per hour; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC as described more specifically in his proposal dated January 25, 2022.

BE IT FURTHER RESOLVED that the Contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC shall not exceed \$50,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (49/22): To Appoint a Conflict Attorney, Manna and Bonello of Long Branch, NJ

WHEREAS, the Bayshore Regional Sewerage Authority (“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 21:44A-21.5; 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 Authority Legal line item, to cover the maximum dollar value of the pending contract as set forth in the Resolution.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Bayshore Regional Sewerage Authority the Chairman, Secretary and/or Executive Director are authorized to enter into a contract with Manna and Bonello as described more specifically in their proposal dated February 15, 2022.

BE IT FURTHER RESOLVED that the Contract with Manna and Bonello shall not exceed \$10,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (50/22): To Appoint an Air Quality Permitting Consultant to the Authority

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to contract for Air Quality Permitting Consultant services to be provided as a non-fair and open contract pursuant to the provisions of NJSA 20:44A-20.5; and

WHEREAS, the Executive Director has determined and certified in writing that the value of the contract may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one (1) year and may be extended at times as approved by this governing body; and

WHEREAS, All 4, LLC of Philadelphia, PA has submitted a proposal indicating they will provide Air Quality Permitting Consulting services at \$160 per hour and in accordance with their proposal dated February 16, 2022; and

WHEREAS, All 4, LLC has completed and submitted Business Entity Disclosure Certifications which certifies that All 4, LLC has not made any reportable contributions in the previous one year, and that the contract will prohibit All 4, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, in accordance with N.J.S.A. 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Engineering line item of the Authority Operating & Capital Budgets 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 the Chairman is authorized to enter into a contract with All 4, LLC as described more specifically in their proposal dated February 16, 2022.

BE IT FURTHER RESOLVED, that the Contract with All 4, LLC shall not exceed \$20,000 without prior authorization of the Commissioners; and

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

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

AYES: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

SUB-COMMITTEE APPOINTMENTS

Chairman Cavanagh calls for a review of the recommended Sub-Committee Appointments offered and requested a **MOTION** of acceptance:

COMMITTEE APPOINTMENTS are offered by the Chairman who may preside over any Sub-Committee Meeting with adequate public notice.

2022 Committee Appointments

- | | | |
|--------------------------------------|-------|---|
| <u>FINANCE COMMITTEE:</u> | Chair | Commissioner McMullen Commissioner Lauro Commissioner Whalen |
| <u>LEGAL COMMITTEE:</u> | Chair | Chairman Sutton Commissioner Cavanagh Commissioner Mioduszewski |
| <u>ENGINEERING COMMITTEE:</u> | Chair | Commissioner Cavanagh Commissioner Sutton Commissioner Lauro |
| <u>PERSONNEL COMMITTEE:</u> | Chair | Commissioner Whalen Commissioner McMullen Chairman Mioduszewski |

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

A YES: Commissioners Lauro, McMullen, Sutton, Whalen and Chairman Cavanagh

ABSENT: Commissioner Mioduszeski

Chairman Cavanagh calls for a **MOTION** – to Close the Reorganization Meeting of February 28, 2022 at 7:16 P.M. and Open the Regular Meeting of February 28, 2022.

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

A YES: Commissioners Lauro, McMullen, Sutton, Whalen and Chairman Cavanagh

ABSENT: Commissioner Mioduszeski

Reports

BRSA Projects, Special Reports & Connection Applications

1. **Executive Directors Report**
 - COVID-19 Policy Update- No new cases to report. We continue to monitor and manage Covid-19 with the intention to reopen
 - Disaster Recovery Update- We are currently working with NJ IBank. We plan on having a resolution on for March or April meeting. With the intention to collect bids this summer.
 - Dorr Oliver- Is proceeding well. We have an Alternative Analysis Meeting, scheduled for tomorrow.

- Financial – We Met with NJSMUAESA to discuss the next contract. GASB 75 has released the information needed to finalize the audit. We anticipate presenting the audit at the March 2022 Public Meeting, We have payments on for approval, Project Fund II to PS&S for FEMA PW and Project Fund III to HDR for designs. We also have our final payment to our NJ Joint Insurance Fund.
- Mr. Canal then welcomed the new commissioners to the team.

No questions were asked

2. Principal Engineer Report

- Contract 122 – Interceptor Sewer Rehabilitation Phase 3 –3,375 linear feet (LF) in need of rehabilitation. The contractor is in the process of finalizing the bypass and liner submittals. Affected residents have been informed and will continue to remain informed once construction begins.
- Contract 129 – WWTP Miscellaneous Structural Repairs – We received authorization to advertise in December. The project was advertised in January. There was on-site pre-bid meeting was held on February 15, 8-10 Contractor attended. We have the bid opening scheduled for March 8 at 2pm. We anticipate awarding the project during the March meeting.
- Contract 131 – Grit Facility Repairs & Improvements – Hazen continues work on the design. We are undertaking updates to the mechanical equipment within the Grit Chamber as well as concrete repairs, air flow improvements, and slide gate repairs. Hazen as modeled better ways to operate and maintain the chamber. We have received 90% submittal.
- Fire Alarm System Replacement – Contractor expects to complete the project within 6-8 weeks and all equipment has been ordered.
- Pumping Station Transfer Switch Replacements – The Matawan (MPS) and West Keansburg Pumping Stations (WKPS) have standby generators which are controlled by automatic transfer switches (ATS) for switching to emergency power as required. Both ATS are over 25 years old and are in need of replacement. We have it in the budget this year and would like to send an RFP to three firms for proposal.
- Contract 134-O – Annual Furnish and Delivery of Liquid Polymer – Our annual Contract with Polydyne, Inc. is set to expire in March 2022. We received one bid from Polydyne, Inc. with one- and two-year contract options, with the one-year contract being the low-priced option. Therefore, we have a resolution on for approval of the one-year contract in the amount of \$89,760.00.
- Contract 135 – 2022 Annual TV & Cleaning of Authority Interceptor Sewer System, Phase 3 –This year we plan to clean and TV 10,230 linear feet of interceptor sewer pipe in Hazlet and Holmdel.
- RFQ 2022-03 – Generator Inspection, Service & Repairs for a Two (2)-Year Period – Our Annual Generator Service Contract is scheduled to expire in February 2022. We received two (2) bids and have a resolution on to award to Raw Power Generator Services, LLC of Brick, NJ in the amount of \$27,000.00.
- RFQ 2022-04 – Jet Vacuuming Services of the BRSA Plant & Collection System on a Regular & Emergency Basis for a One (1) Year Period – Our annual Jet/Vac Service Contract for the Plant & Collection System is scheduled to expire in February 2022. We have received three (3) bids and have a resolution on to award to Vortex Services, LLC of Freehold, NJ in the amount of \$12,000.00.

- RFQ 2022-05 – Roof Inspection & Preventative Maintenance for a One (1) Year Period – Our Annual Roof Inspection Service Contract is scheduled to expire in February 2022. We have received one quote in the amount of \$28,268.00 from Roof Maintenance Systems, Inc. of Freehold, NJ and have a resolution on to award the RFQ.
- RFQ 2022-06 – HVAC Systems Inspection and Preventative Maintenance for a One-Year Period – There is a need for annual inspection and repair work on the various HVAC systems throughout the facility. We received one (1) quote in the amount of \$16,720.00 from Hutchins HVAC, Inc. of Union Beach, NJ and have a resolution on to award the RFQ.
- RFQ 2022-07 – Preventative Maintenance, Calibration & Repair of Instrumentation Equipment for a One (1)-Year Period – There is a need for annual preventative maintenance and calibrations of flow meter chambers and other instrumentation equipment. We received one (1) quote in the amount of \$25,708.00 from ABB, Inc. of Warmister, PA and have a resolution on to award that RFQ

Commissioner Cavanagh inquired if the schedule for Raritan Valley Force Main Replacement had been established. Mr. Petti stated they had a kickoff meeting scheduled for March 2. Commissioner Cavanagh requested construction take place in the summer to not disrupt the school schedule. Mr. Petti responded that he did not have the detailed project schedule yet but would ask for one during the kickoff meeting and would inform PS&S to adjust their schedule as needed so the school would not be affected during construction.

Commissioner McMullen then inquired about an outstanding contract with Bell Works of Holmdel. Mr. Napolitano then stated it can be discussed in executive session.

3. Consulting Engineer – R3M

- Power Resiliency System – We continue to assist the BRSA staff with I-Bank
- Fuel Oil Tank No. 3 – the project is complete.
- WPCP Miscellaneous Structural Repairs – We have advertised for public bids.
- WPCP Site Specific Odor Control Study Update – Odor control study was completed by Trinity. The study has been reviewed by BRSA staff and R3M. We are working with the BRSA staff to correct the errors that Trinity has identified. Lab Hoods are 30 years old and in need of replacing.

Commissioner Cavanagh asked if anything resulted in the smoke test. A brief discussion was held on the air flow tests.

Commissioner Lauro stated there was an intense odor on Friday.

- Mr. Ponte then proceeded to review the Flow Report.

4. Director of Operations Report

- Plant Performance- January 30 million gallons more than December due to weather
- Effluent Quality- The same as the previous month. Still making process adjustments to increase quality.

- Odor Complaint- we received no odor calls for this month. Due to Commissioner Lauro's comment, Mr. Broyles stated he would investigate what happened on Friday that caused an odor
- Finance- The Financial Administrator position has been filled and the candidate started today
- Lab- The proficiency test samples have been ordered for March.
- Industrial Pretreatment Program- CEI reported a minor violation which we are handling appropriately.
- Niro Incinerator- unscheduled shut down one day due to a delay in a Polymer delivery

Roy Anderson, Superintendent

IT

- Asea Brown Boveri Ltd. (ABB), performed the 1st quarter flow meter and chart recorder calibrations and certifications. He found all units to be performing within acceptable limits.
- The Ashbrook wash water pressure transmitter failed. Since we can't monitor or control this unit from the System Control and Data Acquisition (SCADA) we choose to re-engineer the interlock. We will procure, install and connect a new Vegabar 28 universal pressure transmitter to the Programmable Logic Controller (PLC) allowing monitoring of the wash water pressure and adjustment of the interlock setpoint remotely.
- The Continuous Emissions Monitoring System (CEMS) sample chiller had difficulty functioning. We have used parts we had available to temporarily repair it until the new unit arrives.
- After reviewing and "test driving" multiple Computerized Maintenance Management Systems (CMMS) the Superintendent recommended we continue with MP2, our current CMMS program. Our existing maintenance software contains more options and functionality to track equipment, work orders, and inventory. We will update the program the latest software patches and add new barcoding label capabilities.

Treatment Plant

- During January the Authority's Odor Control Systems #1 - #4 received their semi-annual acid washing maintenance.
- During the delay in receiving the Polymer delivery the Maintenance Staff worked with Operations in development of a polymer removal system to assist with utilizing the polymer as the viscosity becomes an issue. This system will also come in handy for occasional cleaning of the Polymer Storage Tanks. Additionally, the Maintenance staff replaced the mixer motor on Polymer Pump #1 and the gear reducer and DC drive motor on Polymer Pump #2.
- We exercised the valves on the Recycle Pump Station discharge to the Raw Sewage Wetwell. Additionally, in the presence of PS&S Engineers, we completed a pump down test using the bypass line to the main pump station wet well.
- In order to investigate cross collector overload alarms on Primary Settling Tank #1 we removed and drained the unit. Our investigation revealed a buildup of rags and debris was causing the drive to trip. We removed the rags and debris from the cross collector and the influent channel and put the tank back in service.

Collection System

- The sanitary drains for the bathroom at West Keansburg Pump Station rotted away causing sewer gases to enter the building. Staff installed new PVC piping routed to the wet well instead of the manhole outside of the building.
- We adjusted the level controls at Matawan Pump Station in an effort to slow down the pumps during low flow conditions and reduce excessive on/off operation. Additionally, staff replaced the upper and lower u-joints on the drive shaft for Raw Sewage Pump #3. Staff discovered, and patched, some small leaks on the volutes for Raw Sewage Pumps #1 and #2 until we can procure the necessary repair parts.

Commissioner Cavanagh asked about the rags getting in the pipes and how we can better educate the public. Mr. Anderson agreed, and Mr. Broyles stated we have a video on our website. All agreed it is something we can further look into.

5. Legal Report - Closed Session

TREASURER'S REPORT

STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

| | Balance |
|---|-------------------------|
| | January 31, 2022 |
| <u>UNRESTRICTED INVESTMENTS</u> | |
| Lakeland Bank-CD#1 | \$ 1,067,383.15 |
| Lakeland Bank-CD#2 | \$ 1,048,281.34 |
| TOTAL UNRESTRICTED INVESTMENTS | \$ 2,115,664.49 |
| <u>TD BANK UNRESTRICTED CASH</u> | |
| Incoming Revenue Account | \$ 188,996.70 |
| Operating Regular Account | \$ 2,552,496.51 |
| Operating Reserve Account | \$ 6,912,277.30 |
| Operating Payroll Account | \$ 716,740.73 |
| TOTAL UNRESTRICTED CASH | \$ 10,370,511.24 |
| TOTAL UNRESTRICTED CASH & INVESTMENTS | \$ 12,486,175.73 |
| <u>RESTRICTED INVESTMENT</u> | |
| Cash Management | \$ 7,331,628.58 |
| Lakeland Bank Reserved Checking | \$ 1,193.50 |
| Lakeland Bank Reserve CD#3 | \$ 3,117,911.25 |
| TOTAL RESTRICTED INVESTMENTS | \$10,450,733.33 |
| <u>RESTRICTED CASH</u> | |
| NJEIT Project Fund | \$ 463,875.65 |
| NJEIT Project Fund #II | \$ 3,683,320.79 |
| NJEIT Project Fund #III | \$ 1,092,559.83 |
| Bond Service Fund | \$ 690,407.96 |
| TOTAL RESTRICTED CASH | \$ 5,930,164.23 |
| TOTAL RESTRICTED CASH & INVESTMENTS | \$16,380,897.56 |
| TOTAL AUTHORITY ACCOUNTS | \$28,867,073.29 |

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 |
|---|-------------------------|
| | January 31, 2022 |
| BRSA 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 | \$ 277,974.91 |
| Western Monmouth Utilities Authority | \$ 0.00 |
| Township of Aberdeen | \$ <u>438,028.41</u> |
| TOTAL | \$ 716,003.32 |
| | |
| 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 | \$ 28,804.04 |
| Western Monmouth Utilities Authority | \$ 0.00 |
| Township of Aberdeen | \$ <u>44,254.38</u> |
| TOTAL | \$ 73,058.42 |
| | |
| RENT RESERVE ACCOUNTS as of January 31, 2022 | |
| Hazlet Township Sewerage Utility | \$ 730,812.95 |
| Township of Holmdel | \$ 323,547.46 |
| Borough of Union Beach | \$ 198,540.46 |
| Borough of Keyport | \$ 301,815.97 |
| Borough of Keansburg | \$ 268,116.59 |
| Borough of Matawan | \$ 328,008.49 |
| Western Monmouth Utilities Authority | \$ 117,047.82 |
| Township of Aberdeen | \$ <u>484,750.86</u> |
| TOTAL | \$ 2,752,640.60 |

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

PAYMENT OF REQUISITIONS

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

| | |
|--|---------------|
| Operating Fund Req. No. 606 (Regular) | \$ 591,847.70 |
| Payroll Account Req. No. P 245 (Payroll) | \$ 262,209.82 |
| NJEIT Project Fund #11 Req. #PF-61 | \$ 3,515.00 |
| NJEIT Project Fund #111 Req. #PF3-18 | \$ 22,690.00 |

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszowski

APPROVAL OF MINUTES

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

Regular Meeting Minutes of January 24, 2022

Closed Session Minutes of January 24, 2022

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

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

ABSTAINED: Commissioner Lauro

ABSENT: Commissioner Mioduszowski

NO PUBLIC IN ATTENDANCE.

RESOLUTIONS

RESOLUTION No. (51/22): To Accept the First Three (3) Month Flow Report for 2021/2022

WHEREAS, R3M Engineering, Consulting Engineers for the Bayshore Regional Sewerage Authority, (“Authority”) have determined the quantity of sewerage from each of the Towns and Authorities connected to the Authority’s system for the period September 29, 2021, to December 29, 2021 (First Quarter of 2021/2022); and

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

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

NOW THEREFORE BE IT RESOLVED that the Commissioners of the Bayshore Regional Sewerage Authority hereby accept the flow calculations, certified by R3M for the period September 29, 2021 to December 29, 2021 (First Quarter of 2021/2022).

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (52/22): To Award Request for Quotation 2022-03 Generator Inspection, Service & Repairs for a Two (2)-Year Period to Raw Power Generator Services, LLC in the amount of \$27,000.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains six (6) emergency diesel and natural gas generators for standby power in the Treatment Plant and Collection System; and

WHEREAS, there is a need for a service Contract for generator inspection, service and repair; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2022-03 Generator Inspection, Service & Repairs for a Two (2)-Year Period; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority publicly advertised on its web site for a minimum of 10 days and on Wednesday, February 9, 2022 at 2:00 P.M. received quotes for the Generator Inspection, Service & Repairs for a Two (2)-Year Period; and

WHEREAS, two (2) quotes were received with a low quote in the amount of \$27,000.00 from Raw Power Generator Services, LLC of Brick, 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 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, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Generator Inspection, Service & Repairs for a Two (2)-Year Period to Raw Power Generator Services, LLC of Brick, NJ in accordance with the terms and conditions of the Request for Quotation #2022-03 in the amount not to exceed \$27,000.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Raw Power Generator Services, LLC of Brick, NJ.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (53/22): To Award Request for Quotation 2022-04 Jet Vacuuming Services of the BRSA Plant & Collection System on a Regular & Emergency Basis for a One (1) Year Period to Vortex Services, LLC in the amount of \$12,000.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Facility and Interceptor Sewer Collection System; and

WHEREAS, there is a need for a service Contract for Jet Vacuuming and Cleaning Services for the Treatment Plant & Collection System; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2022-04 Jet Vacuuming Services of the BRSA Plant & Collection System on a Regular & Emergency Basis for a One (1) Year Period; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority publicly advertised on its web site for a minimum of 10 days and on Wednesday, February 9, 2022 at 2:30 P.M. received quotes for the Jet Vacuuming Services of the BRSA Plant & Collection System on a Regular & Emergency Basis for a One (1) Year Period; and

WHEREAS, three (3) quotes were received with a low quote in the amount of \$12,000.00 from Vortex Services, LLC of Freehold, 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 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, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Jet Vacuuming Services of the BRSA Plant & Collection System on a Regular & Emergency Basis for a One (1) Year Period to Vortex Services, LLC of Freehold, NJ in accordance with the terms and conditions of the Request for Quotation #2022-04 in the amount not to exceed \$12,000.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Vortex Services, LLC of Freehold, NJ.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTON No. (54/22): To Award Request for Quotation 2022-05 Roof Inspection & Preventative Maintenance for a One (1) Year Period to Roof Maintenance Systems, Inc. in the amount of \$28,268.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains multiple office and process buildings within the Wastewater Treatment Plant; and

WHEREAS, there is a need for annual inspections and repair work on the various building roofs through the facility; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2022-05 Roof Inspection & Preventative Maintenance for a One (1) Year Period; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority publicly advertised on its web site for a minimum of 10 days and on Wednesday, February 10, 2022 at 2:00 P.M. received quotes for the Roof Inspection & Preventative Maintenance for a One (1) Year Period; and

WHEREAS, one (1) quote was received in the amount of \$28,268.00 from Roof Maintenance Systems, Inc. of Freehold, 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 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, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Roof Inspection & Preventative Maintenance for a One (1) Year Period to Roof Maintenance Systems, Inc. of Freehold, NJ in accordance with the terms and conditions of the Request for Quotation #2022-05 in the amount not to exceed \$28,268.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Roof Maintenance Systems, Inc. of Freehold, NJ.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh
ABSENT: Commissioner Mioduszewski

RESOLUTION No. (54/22): To Award Request for Quotation 2022-06 HVAC Systems Inspection and Preventative Maintenance for a One-Year Period to Hutchins HVAC, Inc. in the amount of \$16,720.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains multiple office and process buildings within the Wastewater Treatment Plant; and

WHEREAS, there is a need for annual inspections and repair work on the various HVAC systems through the facility; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2022-06 HVAC Systems Inspection and Preventative Maintenance for a One-Year Period; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority publicly advertised on its web site for a minimum of 10 days and on Wednesday, February 10, 2022 at 2:30 P.M. received quotes for the HVAC Systems Inspection and Preventative Maintenance for a One-Year Period; and

WHEREAS, one (1) quote was received in the amount of \$16,720.00 from Hutchins HVAC, Inc. of Union Beach, 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 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, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the HVAC Systems Inspection and Preventative Maintenance for a One-Year Period to Hutchins HVAC, Inc. of Union Beach, NJ in accordance with the terms and conditions of the Request for Quotation #2022-06 in the amount not to exceed \$16,720.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to Hutchins HVAC, Inc. of Union Beach, NJ.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (56/22): To Award Request for Quotation 2022-07 Annual Preventative Maintenance, Calibration & Repair of Instrumentation Equipment for a One (1)-Year Period to ABB, Inc. in the amount of \$25,708.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with numerous flow meter chambers; and

WHEREAS, there is the need for annual preventative maintenance and calibrations of flow meter chambers and other instrumentation equipment; and

WHEREAS, the Authority Engineering Staff developed a Request for Quotation (RFQ) 2022-07 Annual Preventative Maintenance, Calibration & Repair of Instrumentation Equipment for a One (1)-Year Period; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority publicly advertised on its web site for a minimum of 10 days and on Wednesday, February 10, 2022 at

3:00 P.M. received quotes for the Annual Preventative Maintenance, Calibration & Repair of Instrumentation Equipment for a One (1)-Year Period; and

WHEREAS, one (1) quote was received in the amount of \$25,708.00 from ABB, Inc. of Warmister, PA; 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 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, the Commissioners of the Bayshore Regional Sewerage Authority hereby award the Annual Preventative Maintenance, Calibration & Repair of Instrumentation Equipment for a One (1)-Year Period to ABB, Inc. of Warmister, PA in accordance with the terms and conditions of the Request for Quotation #2022-07 in the amount not to exceed \$25,708.00.

BE IT FURTHER RESOLVED, the Executive Director is hereby authorized to execute any necessary documents to award the project to ABB, Inc. of Warmister, PA.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszewski

RESOLUTION No. (57/22): To Award Contract 134-O, Furnishing & Delivering of Polymer for a One (1)-Year Period to Polydyne, Inc. of Riceboro, GA in the amount of \$89,760.00

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Polymer in an uninterrupted fashion for daily operations; and

WHEREAS, the Authority has a current Contract for the Furnishing and Delivering of Polymer which expires on March 18, 2022; and

WHEREAS, the Authority Engineering Staff has developed Contract 134-O, Furnishing & Delivering of Polymer for either a one (1) or two (2)-year period with technical specifications for the solicitation of public bids; and

WHEREAS, in accordance with Local Public Contracts Law, the Authority publicly advertised in the Asbury Park Press for Contract 134-O, Furnishing & Delivering of Polymer and one (1) sealed bid was received and publicly opened on February 15, 2022 at 2:00 P.M., with the low bidder being Polydyne, Inc. of Riceboro, GA for a one (1)-year period in the amount of \$89,760.00; and

WHEREAS, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Polydyne, Inc. of Riceboro, GA in the amount of \$89,760.00; and

WHEREAS, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Chemicals 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, the Commissioners of the Bayshore Regional Sewerage Authority that Polydyne, Inc. of Riceboro, GA is hereby awarded Contract 134-O, Furnishing & Delivering of Polymer for a One (1)-Year Period in the amount of \$89,760.00 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 Lauro, and carried by a unanimous voice vote recorded as follows:

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh
ABSENT: Commissioner Mioduszewski

RESOLUTION No. (58/22): To Authorize Advertisement for Public Bids on Contract 135, 2022 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 3

WHEREAS, the Bayshore Regional Sewerage Authority (Authority) owns and maintains more than 12 miles of interceptor sewers throughout its service area; and

WHEREAS, there is a need to clean and video inspect the interceptor sewer system on a periodic basis for condition assessment and determination of necessary repairs; and

WHEREAS, the Authority Staff has developed a plan to clean and video inspect the entire interceptor system over a five (5)-year period; and

WHEREAS, the Authority Engineering Staff has also developed Contract 135, 2022 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 3, with technical specifications for the work and public bidding documents for solicitation of public bids; and

WHEREAS, the Authority requires authorization to solicit public bids for Contracts.

NOW THEREFORE BE IT RESOLVED, the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the Principal Engineer and Qualified Purchasing Agent to advertise for Public Bids for Contract 135, 2022 Annual TV & Cleaning of Authority Interceptor Sewer System – Phase 3 in the Authority Official Newspaper and on the Authority Website.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton, Whalen, and Chairman Cavanagh
ABSENT: Commissioner Mioduszewski

PUBLIC PORTION

Chairman Cavanagh 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 Cavanagh called for a MOTION to go into Closed Session at 8:04 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 Sutton, SECONDED BY: Commissioner McMullen, and carried by a unanimous voice vote recorded as follows:

ROLL CALL: Commissioners Lauro, McMullen, Sutton Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

END CLOSED SESSION

Chairman Sutton calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:36 P.M.

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

ROLL CALL: Commissioners Lauro, McMullen, Sutton Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

MOTIONS

MOTION: To Grant Permission to Hire Julia Malos of Middletown, NJ as a Laboratory Technician with an Hourly Wage not to Exceed \$30.99 per hour.

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

AYES: Commissioners Lauro, McMullen, Sutton Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszwski

MOTION: To Wave Late Charges to the Towns Due to a Change in Staff at the Authority

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

AYES: Commissioners Lauro, McMullen, Sutton Whalen, and Chairman Cavanagh

ABSENT: Commissioner Mioduszowski

ADJOURNMENT

ANNOUNCEMENT (by Chairman Cavanagh):

The next B.R.S.A. Public Meeting is scheduled for Monday, March 21, 2022, 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 8:38 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

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

ROLL CALL: Commissioners Lauro, McMullen, Whalen, Sutton and Chairman Cavanagh

ABSENT: Commissioner Mioduszowski

Respectfully submitted,
Victoria DuDasko, Administrative Assistant/HR

