



# BAYSHORE REGIONAL SEWERAGE AUTHORITY

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Peter J. Canal  
EXECUTIVE DIRECTOR

## MINUTES FOR REGULAR MEETING (via Zoom) MONDAY, July 18, 2022

At 7:04 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 May 16, 2022 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 **860764**

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

Meeting PIN **860764**

Meeting #82595428520 PIN **860764** at <https://zoom.us/join>

Find your local number: <https://us02web.zoom.us/j/89866994932>

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.

*Committed to a Clean Environment for Today, Tomorrow and Generations to Come*  
*BRSA staff, November 2006*

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, Mioduszewski, Sutton, Whalen, and Chairman Cavanagh

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  
Michael Samuel, P.E. R3m Engineering  
Eric Ballou, InSite Engineering

## **Presentation**

### **Eric Ballou of InSite Engineering (Developer's Engineer) reported on Stone Rise**

- Mr. Ballou reported the project is located at 137 Texas Road in Marlboro and is a 33.5-acre lot that will be constructed in three phases into multifamily buildings with affordable housing units included. The project includes a total of 280 units. Of the 280 units, 56 of the units will be affordable housing. This project also includes a club house and many residential amenities.
  - Mr. Petti added the project has a total of 325 EDUs including the clubhouse and will generate 73,125 gallons of wastewater per day. The developer has paid the review fee of \$1,416.70. The total connection fee for this project will be \$1,499,940 and the Developer has paid for the first phase of the proposed Developer's Agreement in the amount of \$582,028.00.
  - Chairman Cavanagh asked if all the piping on the site will be new? Mr. Ballou responded all the piping is new and tying into existing piping.
  - Chairman Cavanagh also asked if we would require a pumping station for this project? Mr. Ballou responded it would not and that it would flow by gravity. Mr. Petti added flow would be conveyed through the Texas Road Meter Chamber and to the Matawan pumping station.
  - Chairman Cavanagh asked if there were any offsite improvements required? Mr. Ballou responded there are no additional improvements.

## Reports

### BRSA Projects, Special Reports & Connection Applications

#### 1. Executive Directors Report

- **COVID-19 Policy Update-** We did have a couple employees test positive for Covid and use time. Each employee was out about a week. They are both doing well and back to work. We are in the process of proceeding with policy updates for Covid.
- **Disaster Recovery Update-** C.114-S, Power Resiliency Generation (PRG) Project is waiting on the scope change approval from FEMA and NJOEM. We are also waiting on the final approval authorization to advertise from NJ IBank. The MCBOA agreement is in attorney review. We anticipate advertising the project this fall.
- **Dorr Oliver-** HDR continues to proceed well with the design. We are expecting the 30% design to be submitted soon for review. Following the review, Hazen and Sawyer will conduct the required value engineering at 30% design level.
- **Financial-** As previously discussed, we are a member of the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation (NJSMUAESA) group and bids came in well over the strike pricing resulting in not awarding a contract. We are currently paying market rates for the larger facilities, treatment plant and pump stations. Gabel Associates scheduled a meeting for June 29<sup>th</sup>. They are recommending making changes to the bid documents to allow the rates to include hybrid and fixed rates. Gabel has scheduled a follow up meeting for July 26 to review refreshed pricing. There are payments to approve this month for Project Fund (PF) No.2, for Power Resiliency Generation Project (PRG) for PS&S in the amount of \$185.00 and PF No. 3 for Arcadis in the amount of \$288.37 and R3m engineering, inc. in the amount of \$2,206.50.
- **Human Resources-**We have personnel matters for closed session.
  - Commissioner Mioduszewski asked about the current covid policy, in particular, how time is used for employees who test positive for covid? Mr. Canal responded during the height of Covid we had special covid time for employees in addition to their sick time. Currently, employees are expected to use their own time, union is allotted sick time and nonunion is given unlimited sick time.
  - Commissioner McMullen asked if the employees who returned to work were required to wear masks. Mr. Canal responded no, they were not.

## 2. Principal Engineer Report

- **Contract 122** – Interceptor Sewer Rehabilitation Phase 3 – This is our interceptor rehab, we are starting phase three the first week in August, which will begin with staging of a bypass and CIPP lining work. This will affect three areas of Hazlet, and the Contractor will be notifying the residents and coordinating a temporary shoulder closure with NJDOT for staging of equipment and deliveries. We expect this project to last 4 to 5 weeks.
  - **Contract 130** – Administration Building Roof Replacement – The design has a couple of structural and architectural challenges which Mr. Samuel will report on. We have a resolution on tonight for an amendment to the design for this project.
  - **Contract 138 – Recycle Pumping Station Improvements** – The recycle pump station project went to bid on June 24, 2022. The Pre-bid meeting was attended by some Contractors who showed some interest in the project, and the bid opening is scheduled for August 4th. There is a possibility of awarding the project at the August meeting.
  - **Fire Alarm System Replacement** – This is the fire alarm replacement project, all the base Contract work for this project has been completed. We are working to get the final permit to close this out. The construction official is requiring some additional work. The additional work includes the furnishing, program and testing of ten (10) dual monitor modules for waterflow and tamper switches. The Contractor has provided a proposal to complete the work and we have drafted Change Order #1 that includes the additional work and a credit to the unused allowance in the amount of \$1,689.82. We have a resolution on tonight to increase the contract by \$1,689.82 with the total Contract Value to \$197,962.98.
  - **Contract 128-O** – Annual Hauling & Disposal of Dewatered Sludge Cake – This is our Contract with Environmental Protection & Improvement Company for the hauling and disposal of dewatered sludge cake, which is set to expire in September 2022. This contract is an “as needed” contract and was not needed last year. The contract allows for a one (1) year extension, in accordance with the CPI and allows for an increase if requested by the Contractor. The Contractor has requested increase of 5.9% making the unit price from \$2,700 per load to \$2,864.70 per load and increasing the total Contract value to \$597,489.44. We have a resolution on to extend this contract.
  - **Stone Rise, B. 111, L. 4, 10, 11, 12 & 13, 137 Texas Road, Marlboro** – This is the developer for the residential units in Marlboro that was reported by Eric Ballou of InSite Engineering. We have two (2) resolutions on for connection TWA approval and to approve a Developer’s Agreement.
  - **226 Main Street, B. 29, L. 30, Main Street, Matawan** – This is a developer who is converting an older Victorian style house into eight (8) apartment units. After the development is complete the project is expected to produce 1800 gallons per day of wastewater. The developer has paid the connection fee in full of \$41,024. We have a resolution on tonight to approve the sewer connection.
- Commissioner McMullen asked the status of Bell Works. Mr. Petti deferred the question to Mr. Napolitano. Mr. Napolitano stated his attempts for correspondence from Michael Bruno, the council president of Bell Works, remains unresponsive.

- Chairman Cavanagh asked to revisit Interceptor Sewer Rehabilitation due to concerns on the possibility of traffic being affected and if police coverage was necessary. Mr. Petti responded that NJDOT is assisting the Contractor in accordance with our permit and the required temporary closure will only affect the shoulder of the highway. No other impacts to traffic are expected. Mr. Petti also mentioned that the bypass for the will be floated down the creek as per the NJDEP to avoid supporting the bypass pipe off of the bridge for the highway.
- Chairman Cavanagh asked about the Waste Removal contracts reservation fee. Mr. Petti responded that these types of fees are covered in the bonds and insurance line item and are capped at 1.5%. Mr. Petti also mentioned a requirement of the bid is to provide proof that a facility has the capacity to take any dewatered sludge cake needed by the Contractor.
- Commissioner Whalen asked where on 8<sup>th</sup> street is the project taking place and the expected length of time? Mr. Petti clarified the other affected streets aside from the Route 36 crossing are 9<sup>th</sup> Street, outside of our pump station and Hudson Avenue in Hazlet Township. The project is expected to take 4 to 5 weeks with one week of lining at each location and time for staging, set up and manhole rehabilitation.

### 3. Consulting Engineer – R3M

- **Power Resiliency System** – R3M is continuing to support design reviews with NJDEP, FEMA and the NJ Office of the State Comptroller (OSC).
- **WPCP – Misc. Structural Repairs** – Project continues to proceed well.
- **WPCP – Site Specific Odor Control Design** – R3M performed field work and is working on design memorandums for Task 3c & 3d. We had a meeting with the BRSA technical and laboratory staff to discuss fume hood replacement options.
- **Administration Building Roof Replacement** – Mr. Mike Samuel of R3M Engineering presented the design amendment for the project. Mr. Samuel explained that due to structural roofing concerns, the need for additional architectural details and continued correspondence with the Union Beach subcode official, additional efforts are needed to complete the design. R3M has partnered with their architectural firm to provide the most cost-effective approach to complete the design. The amendment request is in the amount of \$12,500.00. R3M expects to complete the design and award the project in the Fall 2022.
- **West Keansburg Pump Station Bypass Facility** – We continue to wait for the Contractor to remobilize.
- **West Keansburg Force Main Replacement Design Services** – We have incorporated BRSA's comments into the final design documents. Once we receive the permit from NJDEP we will be ready to bid.
- **Condition Assessment & Planning Program Phase 3** – We submitted the Task. 1 MFM Pipe Segment 300 Evaluation to the Authority this month. We are continuing to work on the Task 2 MPS Hydraulic Evaluation. A draft of the Task 3 Long Term Monitoring Plan was submitted to the Authority technical staff for review on June 29.

#### 4. Director of Operations Report

- **Plant Performance** -June was a very dry month. We received 40 million gallons less flow than May.
- **Effluent Quality**- Remains good as we maintained the process made over the last several months.
- **Odor Complaints**- We received four (4) odor complaints for this month.
- **Noise Complaints**- We have received a few noise complaints, which we are investigating.
- **Operations**- We had one unscheduled incinerator shut down due to high pressure in sludge ports. After spending a full day clearing the ports, we resumed burning the following day and made up for the unscheduled shutdown by running an over- night shift.

On June 29 and 30 we executed controlled electrical shutdowns of portions of the treatment plant for ASCO to perform repairs and upgrades to the transfer switches.

- **Compliance, Safety, and Training**- Colliers Engineering provided refresher training on the GIS. We also held confined space training for the staff. Due to a recent incident in Middletown, there was renewed interest in the confined space training which caused rescheduling of the lock out training. Some of the management staff attended a webinar for "How to Address Marijuana in the Workplace." NJDEP visited the Plant for the second Pre-Holiday Coastal Compliance Program Inspection with no issues to report.
- **Industrial Pretreatment Program**- The Authority staff met with Mr. Mark Schullstrom, Vice President of Saker Shoprite. They ran a second set of lab tests on their effluent for CBOD, TSS, COD, Oil & Grease, and pH. We have received the results and are reviewing them to determine the next course of action.
- **Computers, Instrumentation and Network Administration**- We have completed installation of our power monitoring PAC System at the Matawan Pump Station. We have upgraded our network firewall system. We have the management team participating in the KnowBe4 internet Security Awareness.
- **Treatment Plant**- We are continuing work on Grit Chamber #1. We installed a new upper fabric belt on Belt Filter Press #4.
- **Collection System**- The 2014 F-150 Pickup Truck had new brakes installed by Authority staff. At the Matawan Pump Station Staff removed a large tree branch from the diminutor. Matawan Department of Public discovered one of their manholes was open and believed that to be how the tree branch got in. New Jersey American Water changed the water meter at West Keansburg Pump Station.

#### 5. Legal Report - Closed Session

## TREASURER'S REPORT

### STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS

	<b>Balance</b>
<b><u>UNRESTRICTED INVESTMENTS</u></b>	<b><u>June 30, 2022</u></b>
TD Bank -CD#1	\$ 2,118,000.00
Lakeland Bank Reserved Checking	\$ 3,125,726.42
TOTAL UNRESTRICTED INVESTMENTS	\$ 5,243,726.42
<b><u>TD BANK UNRESTRICTED CASH</u></b>	
Incoming Revenue Account	\$ 676,198.04
Operating Regular Account	\$ 2,686,947.71
Operating Reserve Account	\$ 7,345,392.20
Operating Payroll Account	\$ 701,033.36
TOTAL UNRESTRICTED CASH	\$ 11,409,571.31
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 16,653,297.73
<b><u>RESTRICTED INVESTMENT</u></b>	
Cash Management	\$ 7,344,928.97
TOTAL RESTRICTED INVESTMENTS	\$ 7,344,928.97
<b><u>RESTRICTED CASH</u></b>	
NJEIT Project Fund	\$ 464,122.19
NJEIT Project Fund #II	\$ 3,678,008.63
NJEIT Project Fund #III	\$ 1,031,211.32
Bond Service Fund	\$ 104,434.43
TOTAL RESTRICTED CASH	\$ 5,277,776.57
TOTAL RESTRICTED CASH & INVESTMENTS	\$12,622,705.54
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b>\$29,276,003.27</b>

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

	<b>Balance</b>
<b>BRSA CHARGES</b>	<b><u>June 30, 2022</u></b>
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 170,707.59
Borough of Keyport	\$ 274,100.70
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 277,974.91
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ 438,028.41
<b>TOTAL</b>	<b>\$ 1,160,811.61</b>

**OUTFALL AUTHORITY CHARGES**

Hazlet Township Sewerage Utility	\$	0.00
Township of Holmdel	\$	0.00
Borough of Union Beach	\$	17,246.73
Borough of Keyport	\$	27,692.62
Borough of Keansburg	\$	0.00
Borough of Matawan	\$	28,084.04
Western Monmouth Utilities Authority	\$	0.00
Township of Aberdeen	\$	44,254.38
<b>TOTAL</b>	\$	<u>117,277.77</u>

**RENT RESERVE ACCOUNTS as of June 30, 2022**

Hazlet Township Sewerage Utility	\$	730,999.18
Township of Holmdel	\$	323,629.91
Borough of Union Beach	\$	198,591.05
Borough of Keyport	\$	301,892.88
Borough of Keansburg	\$	268,184.91
Borough of Matawan	\$	328,092.08
Western Monmouth Utilities Authority	\$	117,077.65
Township of Aberdeen	\$	484,874.39
<b>TOTAL</b>	\$	<u>2,753,342.05</u>

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

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

**PAYMENT OF REQUISITIONS**

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

Operating Fund Req. No. 611 (Regular)	\$	312,369.91
Payroll Account Req. No. P259 (Payroll)	\$	251,044.36
NJIB Project Fund #II Req.#PF-64	\$	185.00
NJIB Project Fund #III Req. # PF-23	\$	2,494.87

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

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



## APPROVAL OF MINUTES

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

Regular Meeting Minutes of June 20, 2022  
Closed Session Minutes of June 20, 2022

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

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

### PUBLIC PORTION

**Chairman Cavanagh announces:** 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. (105/22): To Award the NX350 NEUROS BLOWER Annual Maintenance and Warranty Extension, in the amount of \$29,345.00**

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

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

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

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

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

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority authorize the renewal of the NX350 NEUROS BLOWER(S)

Annual Maintenance and Warranty Extension to APG-Neuros of Plattsburg, New York for year three (3) of ten (10), August 3, 2022 to August 2, 2023

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

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

**Resolution No. (106/22): To Award Change Order No. 1, in the amount of \$1,689.82 to Alarm & Communication Technologies, Inc. for the Fire Alarm System Replacement Project**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains a Wastewater Treatment Plant with a facility wide fire alarm system that is in need of replacement; and

**WHEREAS**, in accordance with the ESCNJ Contract No. 17/18-59, NJ State Co-op No. 65MCESCCPS, the Authority awarded the Fire Alarm System Replacement Project to Alarm & Communication Technologies, Inc. of Wharton, NJ, by Resolution No. 152/21 in the amount of \$196,273.16; and

**WHEREAS**, there is a need to amend the Contract for a change in scope that includes the installation of new dual monitor modules for the waterflow tamper switches, as required by the Local Building Subcode Official and as detailed in the Change Order No. 1 document, dated June 23, 2022; and

**WHEREAS**, the Authority Principal Engineer has prepared Change Order No. 1 to amend the Contract, in the amount of \$1,689.82; and

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

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority approve Change Order No. 1 for Alarm & Communication Technologies, Inc., in the amount of \$1,689.82, increasing the total Contract value to \$197,962.98.

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

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

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

**Resolution No. (107/22): To Award a One (1)-Year Extension for Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake to Environmental Protection & Improvement Company, LLC of Flanders, NJ in the amount of \$597,489.44.**

**WHEREAS**, in accordance with Local Public Contracts Law at 11:00 A.M. on Friday, September 10, 2021, the Bayshore Regional Sewerage Authority (“Authority”) received bids for Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake; and

**WHEREAS**, on September 20, 2021, the Authority awarded Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake for a one (1)-year period to the lowest responsible bidder being Environmental Protection & Improvement Company, LLC (“EPIC”) of Flanders, NJ, by Resolution #109/21, in the amount of \$564,013.78; and

**WHEREAS**, on September 19, 2022 the Contract is scheduled to expire; and

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

**WHEREAS**, the Authority and EPIC mutually agreed to extend the original Contract under the same terms with an increase in price of 5.9% for a period of one (1)-year; and

**WHEREAS**, the original Contract unit price of \$2,700 per load is increasing to \$2,864.70 per load for a total Contract value of \$597,489.44; and

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

**WHEREAS**, the Qualified Purchasing Agent and Principal Engineer have reviewed the correspondence with EPIC accepting the one (1)-year extension in accordance with the same product, terms and conditions as the original Contract with a 5.9% increase in total Contract value and are recommending the first one (1)-year extension; and

**WHEREAS**, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the Ash & Sludge Removal 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 EPIC of Flanders, NJ is hereby awarded the first one (1)-year extension of Contract 128-O, Annual Hauling & Disposal of Dewatered Sludge Cake in accordance with the terms and conditions of the original bid and Contract Documents, for a total Contract value of \$597,489.44.

**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:

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

**Resolution No. (108/22): To Approve SPG Marlboro Urban Renewal, LLC for a Developer Agreement for the Stone Rise Marlboro**

**WHEREAS**, SPG Marlboro Urban Renewal, LLC (“Developer”) has requested to be allowed to enter into a Developer’s Agreement with the Bayshore Regional Sewerage Authority (“Authority”) to provide sanitary sewer service to Stone Rise Marlboro located at 137 Texas Road, further designated as Block 111, Lots 4, 10, 11, 12 & 13 in the Township of Marlboro, a 325 Equivalent Dwelling Units (EDU’s) Project with 280 Residential Units and a Clubhouse; and

**WHEREAS**, the Development will be built as twenty percent (20%) affordable housing units that qualify for a 50% reduction in connection fees; and

**WHEREAS**, the Developer is requesting payment for connection fees in a phased matter; and

**WHEREAS**, the Authority’s Attorney will prepare a Developer’s Agreement that is acceptable to the Authority Board of Commissioners and SPG Marlboro Urban Renewal, LLC; and

**WHEREAS**, the Commissioners of the Authority deem it is in the best interest of the Authority to enter into said Developer’s Agreement; and

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

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the execution of the Developer’s Agreement with SPG Marlboro Urban Renewal, LLC contingent upon satisfaction of the above-mentioned terms and conditions.

**BE IT FURTHER RESOLVED** upon satisfaction of the above terms and conditions, the Chairman, Secretary and Executive Director are hereby directed to execute the Agreement and to file it with the Monmouth County Clerk’s Office.

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

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

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

**Resolution No. (109/22): To Approve Sanitary Sewer Connection and Treatment Works Approval Application to SPG Marlboro Urban Renewal, LLC, Developer of Stone Rise Marlboro**

**WHEREAS**, SPG Marlboro Urban Renewal, LLC (“Developer”), is the developer of a project located at 137 Texas Road, further designated as Block 111, Lots 4, 10, 11, 12 & 13 in the Township of Marlboro, a 325 Equivalent Dwelling Units (“EDUs”) Project with 280 Residential Units and a Clubhouse; and

**WHEREAS**, the Development will be built as twenty percent (20%) affordable housing units that qualify for a 50% reduction in connection fees; and

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

**WHEREAS**, for the purposes of the Bayshore Regional Sewerage Authority (“Authority”) Sanitary Sewer Connection and any subject Developer’s Agreement, the Project is expected to generate 73,050 gallons per day of wastewater, which is calculated using the Authority’s projected flow criteria of 225 gallons per day per EDU; and

**WHEREAS**, for the purposes of the New Jersey Department of Environmental Protection Treatment Works Approval (“TWA”) Application, the Project is expected to generate 73,125 gallons per day of wastewater, which is calculated using the projected flow criteria from N.J.A.C. 7:14A-23.3; and

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

**WHEREAS**, the Developer has paid the review fee of \$1,416.17; and

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

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the Bayshore Regional Sewerage Authority that SPG Marlboro Urban Renewal, LLC is hereby granted sanitary sewer approval for the above referenced project, contingent on the above requirements, the execution of the aforementioned Developer’s Agreement and the payment of the first installation of connection fees.

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

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

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

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

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

**Resolution No. (110/22): To Approve Sanitary Sewer Connection Application for 226 Main Street Associates LLC, Developer of 226 Main Street Project, Matawan**

**WHEREAS**, 226 Main Street Associates, LLC (“Applicant”), is the project developer of a proposed residential apartment building, further designated as Block 29, Lot 30 in the Borough of Matawan, an 8 Equivalent Dwelling Units (“EDUs”) project; and

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

**WHEREAS**, the project is expected to generate 1,800 gallons of wastewater per day; and

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) Principal Engineer has reviewed the Developer’s application and is recommending sanitary sewer connection approval; and

**WHEREAS**, the Developer has paid the connection fee of \$41,024.00; and

**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Bayshore Regional Sewerage Authority that 226 Main Street Associates, LLC, Developer of the 226 Main Street Project is hereby granted Bayshore Regional Sewerage Authority sanitary sewer connection approval.

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

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

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

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

**Resolution No. (111/22): To Amend R3M Engineering Inc. Contract for Engineering Design Services for the Administration Building Roof Replacement in the amount of \$12,500.00.**

**WHEREAS**, on August 16, 2021 the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering design services proposal for the Administration Building Roof Replacement project, in the amount of \$46,900.00 to R3M Engineering, Inc. (“R3M”) of Old Bridge, NJ via Resolution #102/21 in accordance with the terms and conditions of their proposal dated August 12, 2021; and

**WHEREAS**, it is necessary for R3M to perform work beyond the scope of their contract including additional design work to accommodate the original separate roofing systems, a structural evaluation of the existing roof, addition of architectural details and additional coordination with the local Building Sub Code official; and

**WHEREAS**, R3M has submitted an amendment request for this additional work dated July 8, 2022 in the amount of \$12,500.00; and

**WHEREAS**, the Executive Director and Principal Engineer have met with R3M to review the amendment and find it to be fair and reasonable for the additional scope added to the project; and

**WHEREAS**, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Treatment Plant Equipment & Improvements line item of the

Authority Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in the Resolution.

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority hereby approve an amendment for the engineering design services proposal for the Administration Building Roof Replacement project in the amount of \$12,500.00 to R3M Engineering, Inc. of Old Bridge, NJ in accordance with their letter dated July 8, 2022 increasing the total contract value to \$59,400.00.

**BE IT FURTHER RESOLVED** that the Executive Director is hereby authorized to execute any necessary contract amendment documents.

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

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

### **PUBLIC PORTION**

**Chairman Cavanagh announces:** This portion of the meeting is open to the public to discuss any BRSA matters the public may care to address. The public is reminded, only questions or comments not previously addressed; and/or specific to the scope of BRSA's operations or projects will be addressed. As a courtesy to all members of the public wishing to speak, please be mindful of limiting your comments to 5 minutes.

NO PUBLIC IN ATTENDANCE

### **EXECUTIVE SESSION**

Chairman Cavanagh called for a MOTION to go into Closed Session at 8:05 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 Whalen, and carried by a unanimous voice vote recorded as follows:

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

## **END CLOSED SESSION**

**Chairman Sutton** calls for a **MOTION** to End Closed Session and Re-Open the Regular Meeting @ 8:14 P.M.

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

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

## **ADJOURMENT**

### **ANNOUNCEMENT (by Chairman Cavanagh):**

The next B.R.S.A. Public Meeting is scheduled for Monday, August 15, 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 8:15 P.M. Chairman Cavanagh called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,

Victoria DuDasko, Administrative Assistant/HR