

**MINUTES FOR**  
**REGULAR MEETING**  
**via Zoom**  
**MONDAY, September 18, 2023**

At 7:02 P.M., Chairwoman McMullen makes the following announcement:

The Public 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.

Join Zoom Meeting:

<https://us02web.zoom.us/j/88944344251>

**Meeting ID: 889 4434 4251**

**Passcode: 187423**

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Please be advised that the Zoom link, Meeting ID and Passcode for each meeting are the same.

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.

Chairwoman McMullen 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.

Chairwoman McMullen calls for a roll call of attendance (via Zoom):

**PRESENT:** Commissioners Cavanagh, Lauro, Mioduszewski, Sutton, Whalen, and Chairwoman McMullen

Also In Attendance: Mr. Peter Canal, Executive Director  
Via Zoom J. Michael Broyles, Director of Operations  
Roy Anderson, Superintendent  
Thomas Petti, P.E., Principal Engineer  
John Napolitano, General Counsel  
Manuel Ponte, P.E., Consulting Engineer  
Carlos Nunez-Rojas, IT  
Chad Sprague, Regulatory Compliance Manager  
Michael Bart, CPA, Bart & Bart  
John Draikiwicz, Esq., Gibbons Law

## **Power Resiliency Generation short term bond closing Presentation**

### **John Draikiwicz, Esq. of Gibbons Law presented on the Power Resiliency Generation short term bond closing**

- A Resolution authorizing notes not to exceed \$31 Million was adopted in March of 2022.
- FEMA will be reimbursing the Authority 88-90 percent of cost of this project, ultimately resulting in the Authority borrowing only a couple of Million dollars.
- All requirements are now in place to allow us to fund the loan.
  - This loan differs from a traditional loan such that interest is only charged on amounts as they are drawn down upon.
  - Additionally, as funds are drawn down upon, FEMA reimbursements will follow in a relatively short time frame. This will allow the outstanding balance to be reduced by the amounts being reimbursed. As a result, the Authority will likely never realize outstanding loan balances near the high end of the \$31 Million that were authorized. The Authority may see loan balances of \$7-8 Million at any one time before being paid down to a couple of million dollars when the loan is permanently financed.
- The project is estimated to take two (2) years to complete.
- Approximately six (6) months after closeout of the project, the Authority will issue bonds estimated to be in the amount of a couple of million dollars (Approximately Spring of 2026). At that time, the loan interest would be at 50% market rate and 50% at zero percent interest.
- Loan closing is scheduled for September 27, 2023. No money will change hands at closing. The Authority will be permitted to draw down on those funds from that date forward to fund the project.

Chairwoman McMullen asked why FEMA reimbursement was stated to be between 88 – 90 percent as she believed it was 90 percent. Mr. Canal explained that FEMA will reimburse 90 percent of all approved work. However, the Authority included some additional small improvements in the project that made sense to complete at this time. These additional improvements were not approved for FEMA reimbursement. As a result, FEMA reimbursement

will equal approximately 88 percent of the total cost of the project when the unapproved items are included.

Commissioner Sutton asked if the entire cost of the project will count towards the Authority connection fees or if only the portion remaining after FEMA reimbursement will count. Mr. Bart stated that only the portion financed after FEMA reimbursement will count toward connection fees.

Commissioner Cavanagh asked what the loan face rate is and what the fees cost. A brief discussion concerning the loan fees followed.

## **2022 Preliminary Annual Authority Audit Presentation**

### **Michael Bart, CPA of Bart & Bart presented on the 2022 Preliminary Annual Authority Audit**

- The packet includes a basic set of financial statements for the Authority as of December 31, 2022. We do not have a complete set of audited financial statements at this time because pension accruals and other post-employment benefit accruals are still being incorporated into the statements.
- At the end of 2022, the Authority had approximately \$110,667,010.00 in total assets and deferred outflows of resources, including:
  - \$15,400,000.00 in investments, cash, and receivables
  - \$18,615,000.00 in restricted assets
- The Authority's assets increased approximately \$361,000.00 between 12/31/2021 and 12/31/2022.
- Mr. Bart next discussed the Authority liabilities and net position.
  - Total current liabilities payable from unrestricted assets equal \$872,000.00
  - Total current liabilities payable from restricted assets equal \$3,464,000.00
  - Long term liabilities:
    - Bonds payable from 2018 series = \$8.1 Million
    - Bonds payable from 2019 series = \$2.7 Million
    - Net Pension Liability = \$3.8 Million
    - Net OPEB Liability = \$8.3 Million
      - Pension and OPEB liabilities are the numbers that we are waiting to get updated from the State of New Jersey.
- The Authority Net Position was discussed:
  - The Authority realized a total Operating Income loss of (\$901,000.00) in 2022.
  - Non-operating revenue, including interest income, connection fees, miscellaneous income, and interest expenses totaled \$1,923,000.00.
  - End of Year Net Position for 2022 calculates to \$76,792,194.00
    - Of this figure, \$57,368,000.00 is unrestricted Net Position, representing the Authority's retained earnings available for rate stabilization and budget processes.

- No issues with the Authority’s internal controls or financial statements have been identified and the Authority is in a healthy financial position.
- We hope to have the final report available within the next month or two.

## Reports

### BRSA Projects, Special Reports & Connection Applications

#### 1. Executive Director’s Report

- **Administration** – There is a Resolution on this month to approve our flood insurance with Selective Insurance for our Laboratory and Fire Water Pump Station, which is required for FEMA assistance. The insurance cost for Option A for both buildings is in the amount of \$6,896.
- **Disaster Recovery Update** – Loan closing for the Power Resiliency Generation Project is tentatively scheduled for September 27. A Pre-Construction meeting has been scheduled with the contractor for September 21. There are no formal actions required for the loan closing at this time. HDR submitted their cost proposal for full time engineering inspection for the project at the end of 2021. The proposal for inspection services, which are required to be in compliance with NJ I-Bank, has now expired. There is a Resolution on tonight to approve a no-cost amendment for a time extension to align the updated construction schedule with the newly awarded construction contract.
- **Finance** – We hope to have Bart & Bart back at the October or November Public Meeting to present the final audit. We have Bart & Bart present on the preliminary budget in September because the Authority budget must be approved at the October Public Meeting and submitted to the State of New Jersey by the end of October. This presentation allows the Board to see how the Authority faired financially during the previous year. There are payments to approve this month for Project Fund (PF) No.3, for Power Resiliency Generation Project (PR) for R3m Engineering, Inc. in the amount of \$918.00.
- **Human Resources** – No formal actions are required this month. We have begun our search for a new Electrician and the staff will begin interviewing candidates in the coming weeks. We also plan to advertise soon for the Custodian position. This position is one where we are targeting someone to grow into the role of Mechanic in the future.
- **Other** - Pete, Tom, and Chad will be attending the Water Environment Federation Technical Exhibition and Conference in Chicago later this month. The October 16<sup>th</sup> Public Meeting was moved to October 19<sup>th</sup> at 5:00 P.M. The budget will be presented to the Finance Committee next week.

#### 2. Principal Engineer’s Report

- **Contract 130 – Administration Building Roof Replacement** – This project is complete. We have the maintenance bond and we are ready to make final payment. There is a Resolution on tonight to close-out the project.
- **Contract 147 – Emergency Generator Radiator Repairs** – This project was a result of our annual generator inspection that identified radiators in two (2) of our Emergency Generators that needed to be replaced. The work was competed during the week of

August 21<sup>st</sup>. The Generators have been tested and we were happy with the performance of the work. There is a Resolution on tonight to close-out the Contract, accept the maintenance bond, and make final payment.

- **Contract 148 – Interceptor Sewer Rehabilitation Phase 4B** – When we first bid Phase 4 of this project, the bids came in higher than the Engineer’s Estimate. As a result, we decided to split the project into two (2) smaller Phases. Phase 4A went out to bid in June and is currently in progress. Phase 4B is the second half of this project. Jacobs Engineering has submitted a small design amendment for \$7,000.00 resulting from the need to split the project into phases. We have reviewed the amendment and find it to be reasonable. There is a Resolution on tonight to award Amendment #1 for the Engineering Design Services for Interceptor Sewer Rehabilitation Phase 4B to Jacobs Engineering Group, Inc. in the amount of \$7,000.00. Jacobs Engineering is currently finishing up the re-packaging of Phase 4B and we have a Resolution on tonight to authorize advertisement of the Contract for Public Bids.
- **Contract 149 – Plant HVAC Upgrades** – The Board passed a Resolution to advertise for this project last month. Advertisement is out as of this morning and bids are due on October 31, 2023 with a chance to award at the November Public Meeting.
- **Contract 150 – Dorr Oliver Incinerator Rehabilitation & Upgrades** – We are currently in the process of getting to the 90% design milestone. The Authority staff had some comments on the 60% design that resulted in a small design amendment by HDR in the amount of \$85,371.65. The four (4) components of this design amendment are as follows:
  - Design the addition of a fuel day tank to supply fuel to both the NIRO & Dorr Oliver Incinerators to eliminate the fuel delivery issue that we have when the fuel level in the storage tank outside the building gets low. Cost of this portion of the design amendment is approximately \$58,000.00
  - Evaluate replacement of existing exhaust fans with more efficient and quieter fans.
  - Upgrade the intake louver. The current louver is actually a vent that is permanently welded in the open position. A working intake louver would be beneficial to the operation of the exhaust fans being evaluated for replacement. This amounts to approximately \$6,000.00 of the total design amendment cost.
  - Design for converting the two (2) unused Operator Control Rooms into storage will cost approximately \$4,000.00.

This amendment will take HDR through the 90% design. There is a Resolution on tonight to award Amendment #1 for the Engineering Design & Bidding Services for the Dorr Oliver Incinerator Rehabilitation & Upgrades Project to HDR Engineering, Inc. in the amount of \$85,371.65, increasing the total design Contract value to \$1,228,761.65.

- **Contract 23-007 – Annual Hauling & Disposal of Dewatered Sludge Cake** – This is an annual Contract that was extended for an additional year in 2022. It is no longer feasible to extend it again so it needs to be bid again. This is an emergency contract that is only used in the event of an emergency or planned maintenance shutdown of the Incinerator. We will be utilizing this contract next year while repairs are being made to the NIRO Incinerator. This Contract includes a base bid and an alternate base bid. The base bid requires the contractor to find a location that will accept the sludge and provide this agreement in writing. The alternate bid is for the ACUA, which we know will accept

the sludge. The basis of award is either the low base or the low alternate base bid. There is also a small allowance in the Contract that will cover tipping and disposal fees if the contractor cannot dispose of sludge at the low base facility for any reason. We on July 31 and received two (2) bids on September 7. The low bid was from Spectraserv for the base bid in the amount of \$673,351.00. The alternate bid was for \$763,351.00. There is a Resolution on tonight to award Contract 23-007 Annual Hauling & Disposal of Dewatered Sludge Cake to Spectraserv, Inc. in the amount of \$673,351.00.

- **Contract 23-009 – Annual Furnishing & Delivery of No. Two (2) Fuel Oil** – The current Contract expires in December. We have a Resolution on tonight to authorize advertisement of the Contract for Public Bids with possible award at the November Public Meeting.

Chairwoman McMullen asked why there was such a drastic difference between the base bid and alternate base bid for Contract 23-007. Mr. Petti explained that the disposal cost was the biggest contributing factor in the cost difference. The cost difference per load between the base and alternate bid was \$400.00 and 200 loads are anticipated in the bids. Disposal at ACUA has been higher every time that we have bid this Contract, but we like to include that option in the event that the disposal sight in the base bid cannot take the sludge for any reason. We would then pay the additional difference, not the full cost of disposal at ACUA.

Chairman Cavanagh asked if we are still participating in the WastewaterSCAN program and if we have seen results. Mr. Petti deferred to Mr. Broyles for an answer to this question during the Director of Operations' Report.

### 3. Consulting Engineer – R3M Report

- **Power Resiliency System** – The I-Bank loan has been finalized and funding is in place.
- **WPCP-Site Specific Odor Control Design** – We continue to review shop drawings and, as indicated last month, the fans have been released for fabrication. We continue to follow-up with the contractor and manufacturer to see if we can expedite the delivery of the fans.
- **Administration Building Roof Replacement** – This project is now completed.
- **Engineering Design Services for West Keansburg Force Main Replacement** – Field work is no longer on-hold due to NJDEP's no-work restrictions, which ended on August 31. The contractor is awaiting delivery of materials and remains committed to completing the project within the Contract period by November 16, 2023.
- **Condition Assessment and Planning Program of Authority Force Mains: Phase IV** – We continue to review data supplied by Authority staff.
- **Proposal for Engineering Design Services: Final Clarifiers No. 1-4 Rehabilitation** – We conducted a field visit to inspect the clarifiers.
- **General Consulting Engineer Services** – We attended the August Board Meeting, provided the 3<sup>rd</sup> Quarterly Flow Report, and scheduled the Annual Inspection of the Plant and Collection System for September.

#### 4. Director of Operation's Report

- **Plant Performance** – The flow for August was roughly 6 million gallons (or 190,000 gallons per day) less than what was seen in July. IFF R&D flow for the month of August was 481,000 gallons.
- **Effluent Quality** – Effluent quality remains exceptional. TSS concentration was 1 mg/L higher than last month and BOD remained the same. Even though TSS was 1 mg/L higher, the percent removal of TSS was 1% higher, indicating a greater influent concentration with better removal percentage.
- **Biosolids Removal** – Fuel oil usage in the incinerator was up slightly in August, but still very close to the usage in July.
- **Odor Complaints** – We received two (2) odor complaints in August. Wind direction and speed was consistent with previous odor complaints. There have also been several odor complaints during the month of September. We continue to investigate each odor complaint. The only change within the treatment plant involves the set-up of the bypass for the Grit Facility Rehabilitation Project. Set-up of the bypass system required them to run piping into the doorways of the Plant #2 Primary Clarifiers and into the influent channel of the Plant #1 Primary Clarifiers. The contractor made efforts to close up the openings around the piping and we will revisit these areas to see if we can tighten them up. Additionally, we began removing ash from the ash storage basins. Due to the recent rains, the ash has been relatively wet. In an effort to reduce the cost by eliminating excess water, the contractor has piled up ash on the ash pad to allow for better drainage. However, the ash itself is inert and should not have an odor.
- **Noise Complaints** – There was one noise complaints in August. The complainant stated that the plant has been noisier than normal for the week prior to his complaint. Investigation of the complaint did not reveal any excessive noises. We have been seeing sound level readings on the trend from the sound meter that are slightly higher than they have been. The meter has been in service for a while and we intend to bring the meter back to the plant and calibrate it then put it back in service.
- **Incineration** – We had one unscheduled and one scheduled shutdown of the Incinerator. On August 22, we experienced a blocked sludge port. The port was cleared and operation resumed in the early afternoon. On August 2, startup was delayed to allow for completion of a Cylinder Gas Audit.
- **Operations** – Operators drained and washed out Final Tank #5 and maintenance performed a thorough inspection and completed necessary repairs.
- **Compliance, Safety, and Training** – The first Oil & Grease sample analyzed for August was 29.9 mg/L, above our instantaneous maximum limit of 15 mg/L. 99% of the time, the Oil & Grease result is less than 5 mg/L. The laboratory confirmed the result, indicating that there were no issues with the analysis of the sample. We also have a monthly average limit of 10 mg/L and we performed additional sampling in an effort to reduce the monthly average to below this limit. Same day samples were sent to Eurofins as well as APL to double check the results from APL. The four results that we have received so far are all below the reporting limit. The monthly average including the results that we have received so far is approximately 8 mg/l. We spoke to our NJDEP Compliance Officer when he was here for the Pre-Labor Day Coastal Compliance Inspection and he indicated that they do not typically take enforcement actions on instantaneous maximums and he was pleased that we were performing additional sampling to bring the average down.

- **Laboratory** – We received the audit report from the DEP Office of Quality Assurance, which is attached to the back of the Director of Operations’ Report. The Chemist/Quality Control Officer has completed the necessary responses and the document was submitted at the beginning of September. As indicated last month, there were several minor comments that were easily addressed in our response.
- **Industrial Pretreatment Program** – The IFF Compounding Facility received a Penalty Assessment for a missed sampling event. The long time Authorized Agent for the facility has stepped down and a new Authorized Agent has taken over, which may have led to some confusion. However, the laboratory has indicated that the analyses requested by IFF and what was performed by the lab do not match. The lab has accepted responsibility for the error and has indicated that they will reimburse IFF for the cost of the Penalty Assessment. Sampling of the discharge from the Saker ShopRite’s Facility in Holmdel were significantly higher than what is typically seen in domestic wastewater. We have asked for water use records so that we may determine the loading rates. We will perform additional sampling once we receive the requested information.

Mr. Broyles addressed the question asked by Commissioner Cavanagh concerning the Wastewater SCAN program. He explained that we did see an uptick in the COVID results in the wastewater during the time period where there was an uptick in confirmed cases of COVID. That trend has since started to decline. Mr. Broyles yielded to Mr. Anderson to complete the Director of Operation’s Report. Mr. Anderson reported.

- **Computers, Instrumentation, and Network Administration** – ARCADIS performed the third quarter Cylinder Gas Audit (CGA) on the NIRO Incinerator Continuous Emissions Monitoring System (CEMS). No issues were indicated. Trace Environmental along with the Authority IT Staff installed the new WebDAS2K system for the incinerator emissions monitoring. The new system will run concurrently with the old system for testing. A radar unit for the bar screen failed. We are currently running the screen on the timer instead of operating based on level differential. The parts have been ordered. Ocean Computer Group performed a cybersecurity analysis of our system. The analysis did not indicate any significant security issues and we are currently in the process of implementing the suggestions that were recommended as a result of the analysis.
- **Treatment Plant Maintenance** – While Final Clarifier #5 was offline, we changed a couple of the internal scrapers and replaced approximately 40 steel brackets that are below the water line with stainless steel hardware. We also cleared a blockage in the drain line from the clarifier with assistance from the Hazlet Sewer Department. We have been assisting the contractor working on the Grit & Flow Diversion Chamber Project bypass as needed. We changed the drive belts on Odor Control Tower # 3. The motor for Process Water Pump #2 failed and was removed and sent out for evaluation. New grating was installed on the effluent overflow channel for Ash Basin #2.
- **Collection’s System Maintenance** – We started disconnecting the old potassium permanganate system at the West Keansburg Pump Station to prepare for installation of the new Bioxide storage tanks. Batteries were replaced in the Uninterrupted Power Supplies (UPS) at all pump stations and meter chambers.



Commissioner Lauro indicated that the odors have been worse than normal lately. A discussion concerning the odors and the steps being taken to mitigate the issues followed.

**5. Legal Report – Closed Session**

**6. TREASURER’S REPORT**

**STATEMENT OF CASH RECEIPTS AND CASH DISBURSEMENTS**

	<b>Balance</b>
	<b>August 31, 2023</b>
<b><u>UNRESTRICTED INVESTMENTS</u></b>	
TD Bank -CD#1	\$ 2,167,731.82
Lakeland Bank Reserved Checking	\$ <u>2,475.86</u>
TOTAL UNRESTRICTED INVESTMENTS	\$ 2,170,207.68
<b><u>TD BANK UNRESTRICTED CASH</u></b>	
Incoming Revenue Account	\$ 436,285.93
Operating Regular Account	\$ 7,561,431.83
Operating Reserve Account	\$ 3,011,919.31
Operating Payroll Account	\$ <u>795,798.86</u>
TOTAL UNRESTRICTED CASH	\$ 11,805,435.93
TOTAL UNRESTRICTED CASH & INVESTMENTS	\$ 13,975,643.61
<b><u>RESTRICTED INVESTMENT</u></b>	
Cash Management	\$ 7,680,047.34
TD Bank CD2	\$ <u>3,194,001.65</u>
TOTAL RESTRICTED INVESTMENTS	\$10,874,048.99
<b><u>RESTRICTED CASH</u></b>	
NJEIT Project Fund #I	\$ 1,576.27
NJEIT Project Fund #II	\$ 5,543.63
NJEIT Project Fund #III	\$ 5,192,425.36
Bond Service Fund	\$ <u>113,722.56</u>
TOTAL RESTRICTED CASH	\$ 5,313,267.82
TOTAL RESTRICTED CASH & INVESTMENTS	<u>\$16,187,316.81</u>
<b>TOTAL AUTHORITY ACCOUNTS</b>	<b><u>\$30,162,960.42</u></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>August 31, 2023</b>
<b>BRSA CHARGES</b>	
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ <u>0.00</u>
<b>TOTAL</b>	<b>\$ 0.00</b>
<b>OUTFALL AUTHORITY CHARGES</b>	
Hazlet Township Sewerage Utility	\$ 0.00
Township of Holmdel	\$ 0.00
Borough of Union Beach	\$ 0.00
Borough of Keyport	\$ 0.00
Borough of Keansburg	\$ 0.00
Borough of Matawan	\$ 0.00
Western Monmouth Utilities Authority	\$ 0.00
Township of Aberdeen	\$ <u>0.00</u>
<b>TOTAL</b>	<b>\$ 0.00</b>
<b>RENT RESERVE ACCOUNTS as of August 31, 2023</b>	
Hazlet Township Sewerage Utility	\$ 804,369.87
Township of Holmdel	\$ 328,699.16
Borough of Union Beach	\$ 207,384.76
Borough of Keyport	\$ 306,621.64
Borough of Keansburg	\$ 273,791.77
Borough of Matawan	\$ 333,231.22
Western Monmouth Utilities Authority	\$ 121,211.49
Township of Aberdeen	\$ <u>504,044.78</u>
<b>TOTAL</b>	<b>\$ 2,879,354.69</b>

Chairwoman McMullen called for a **MOTION** to approve the Treasurer’s report.

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

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

## **7. PAYMENT OF REQUISITIONS**

Chairwoman McMullen calls for a **MOTION** to approve payment of bills listed on:

Operating Fund Req. No. 624 (Regular)	\$ 965,129.53
Payroll Account Req. No. P272 (Payroll)	\$ 223,392.43
NJIB Project Fund #III Req.#PF-36	\$ 918.00

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

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

## **8. APPROVAL OF MINUTES**

Chairwoman McMullen calls for a **MOTION** to approve the following Minutes:

Meeting Minutes of August 21, 2023  
Closed Session Minutes of August 21, 2023

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

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

**ANNOUNCEMENT** (by Chairwoman McMullen): 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 (119/23): To Secure Flood Insurance for the Authority Buildings Eligible For National Flood Insurance Program Coverage**

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

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

**WHEREAS** the Selective Insurance Company will provide total coverage of \$1,500,000 for a total premium of \$4,281.00 and \$2,615.00 respectively with a \$50,000 deductible for each building; and

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

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

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

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby authorize the payment of the above stated premiums to secure flood insurance for the named Authority Buildings for a one-year term according to the building renewal date and instruct the Executive Director to execute all necessary documentation to secure this coverage.

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

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

**RESOLUTION (120/23): To Authorize Advertisement for Public Bids for Contract 23-009 Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1)-Year Period**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) has a need to continue the delivery of Fuel Oil in an uninterrupted fashion to supply fuel for the emergency generators and incinerator systems; and

**WHEREAS**, the Authority has a current Contract with Griffith-Allied Trucking, LLC for the Furnishing and Delivering of Fuel Oil which expires on December 18, 2023; and

**WHEREAS**, the Authority intends to rebid the Contract; and

**WHEREAS**, the Authority requires authorization to solicit public bids for a new Contract.

**NOW THEREFORE BE IT RESOLVED** the Commissioners of the Bayshore Regional Sewerage Authority authorize the Qualified Purchasing Agent and Principal Engineer to advertise for public bids for Contract 23-009 Furnishing & Delivering of No. Two (2) Fuel Oil for a One (1)-Year Period in the Authority Official Newspaper and on the Authority Website.

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

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

**RESOLUTION (121/23): To Award Contract 23-007 Annual Hauling & Disposal of Dewatered Sludge Cake to Spectraserv, Inc. of Kearny, NJ in the amount of \$673,351.00**

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

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

**WHEREAS**, the Authority Engineering Staff has developed Contract 23-007, Annual Hauling & Disposal of Dewatered Sludge Cake with technical specifications for the solicitation of public bids; and

**WHEREAS**, in accordance with Local Public Contracts Law, the Authority publicly advertised for the Annual Hauling & Disposal of Dewatered Sludge Cake and two (2) sealed bids were received and publicly opened on September 6, 2023 at 11:00 A.M., with the low bidder being Spectraserv, Inc. of Kearny, NJ in the amount of \$673,351.00; and

**WHEREAS**, the Authority Attorney, Principal Engineer and Qualified Purchasing Agent have reviewed the bid and are recommending award of the Contract to Spectraserv, Inc. of Kearny, NJ in the amount of \$673,351.00; and

**WHEREAS**, in accordance with N.J.S.A 5:30-5.4 (a) (3), the Authority certifies the availability of funds in the 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 Spectraserv, Inc. of Kearny, NJ is hereby awarded Contract 23-007 Annual Hauling & Disposal of Dewatered Sludge Cake in the amount of \$673,351.00 in accordance with the terms and conditions of the bid and Contract Documents.

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

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

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

**RESOLUTION (122/23): To Approve Close-Out of Contract 147, Emergency Generator Radiator Repairs**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains three (3) emergency diesel generators for standby power in the Wastewater Treatment Plant; and

**WHEREAS**, in accordance with Local Public Contracts Law, BGR Radiator, Inc. was awarded Contract 147, Emergency Generator Radiator Repairs in the amount of \$105,618.30 by Resolution No. 95/23; and

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

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve acceptance of the Maintenance Bond and Close-Out of Contract 147, Emergency Generator Radiator Repairs.

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

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

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

**RESOLUTION (123/23): To Amend Jacobs Engineering Group Inc. Contract for Engineering Design Services for Contracts 145 & 148, Interceptor Sewer Rehabilitation – Phases 4A & 4B in the amount of \$7,000.**

**WHEREAS**, on January 24, 2022, the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering design services proposal for the Interceptor Sewer – Rehabilitation Phase 4 project, in the amount of \$112,000.00 to Jacobs Engineering Group, Inc. (“Jacobs”) of Morristown, NJ via Resolution #14/22 in accordance with the terms and conditions of their proposal dated December 17, 2021; and

**WHEREAS**, it was necessary for Jacobs to perform work beyond the scope of their contract including coordination to separate the Contract into two sub Phases, 4A& 4B, rebidding and award recommendation of Phase 4A due to original bids exceeding the engineering cost estimate, and rebidding of Phase 4B; and

**WHEREAS**, Jacobs has submitted an amendment request for this additional work dated August 25, 2023 in the amount of \$7,000.00; and

**WHEREAS**, the Executive Director and Principal Engineer have met with Jacobs 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 Collection System Improvements line item of the Authority Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in the Resolution.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve an amendment for the engineering design services proposal for the Interceptor Sewer Rehabilitation – Phases 4A & 4B projects in the amount of \$7,000.00 to Jacobs Engineering Group, Inc. of Morristown, NJ in accordance with their letter dated August 25, 2023 increasing the total contract value to \$119,000.00.

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

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

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

**RESOLUTION (124/23): To Amend HDR Engineering, Inc. Contract for Engineering Design & Bidding Services for Contracts 150, Dorr Oliver Incinerator Rehabilitation & Upgrades in the amount of \$85,371.65.**

**WHEREAS**, on October 11, 2021, the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering design & bidding services proposal for the Dorr Oliver Incinerator Rehabilitation & Upgrades project, in the amount of \$1,143,390.00 to HDR Engineering, Inc. (“HDR”) of Mahwah, NJ via Resolution #124/21 in accordance with the terms and conditions of their proposal dated August 13, 2021; and

**WHEREAS**, it was necessary for HDR to perform work beyond the scope of their contract including the additional design of a new fuel day tank system to service both incinerators, relocation and replacement of new exhaust fans, the replacement of a new air intake louver and the conversion of control rooms to storage areas; and

**WHEREAS**, HDR has submitted an amendment request for this additional work dated September 11, 2023 in the amount of \$85,371.65; and

**WHEREAS**, the Executive Director and Principal Engineer have met with HDR 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 Incinerator 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 Authority hereby approve an amendment for the engineering design & bidding services proposal for the Dorr Oliver Incinerator Rehabilitation & Upgrades project in the amount of \$85,371.65 to HDR Engineering, Inc. of Mahwah, NJ in accordance with their letter dated September 11, 2023 increasing the total contract value to \$1,228,761.65.

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

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

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

**RESOLUTION (125/23): To Approve Amendment #1 for a No-Cost Amendment & Time Extension to HDR Engineering, Inc. for Construction Management & Inspection Services for Contract 114-S. Power Resiliency Generation Project**

**WHEREAS**, on August 16, 2021 the Bayshore Regional Sewerage Authority (“Authority”) approved an engineering construction management & inspection services proposal for the Power Resiliency Generation Project, in the amount of \$1,417,300.00 to HDR Engineering, Inc. (“HDR”) of Mahwah, NJ via Resolution #103/21 in accordance with the terms and conditions of their proposal dated August 12, 2021; and

**WHEREAS**, due to delays of the construction phase of the project, resulting from NJDEP permitting, NJ I-Bank and Office of the State Comptroller reviews, HDR is requesting a time extension of their proposal to December 31, 2025 or the end of the project; and

**WHEREAS**, HDR has submitted a no-cost amendment for the time extension dated September 6, 2023; and

**WHEREAS**, the Executive Director and Principal Engineer have reviewed the amendment and time extension request and find it to be fair and reasonable; and

**WHEREAS**, in accordance with NJAC 5:30-5.4(a)(3), the Authority certifies the availability of funds in the Power Resiliency Generation Project line item of the Authority Capital Budget, to cover the maximum dollar value of the pending Contract as set forth in the Resolution.

**NOW THEREFORE BE IT RESOLVED** that the Commissioners of the Bayshore Regional Sewerage Authority hereby approve a no-cost design amendment and time extension to HDR Engineering, Inc. of Mahwah, NJ in accordance with their letter dated September 11, 2023.

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

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

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

**RESOLUTION (126/23): To Authorize Advertisement for Public Bids on Contract 148, Interceptor Sewer Rehabilitation – Phase 4B**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and operates interceptor sewers in the Borough of Union Beach; and

**WHEREAS**, the Authority has identified and prioritized the results of recent inspections of the interceptor sewer pipelines to determine the areas in need of rehabilitation and repair; and

**WHEREAS**, the Authority has contracted with Jacobs Engineering Group, Inc. (“Jacobs”) to develop Contract 148, Interceptor Sewer Rehabilitation – Phase 4B with technical specifications for the work and design documents for the solicitation of public bids, by Resolution No. 14/22; 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 148, Interceptor Sewer Rehabilitation – Phase 4B in the Authority Official Newspaper and on the Authority Website.

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

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

**RESOLUTION (127/23): To Approve Close-Out of Contract 130, Administration Building Roof Replacement**

**WHEREAS**, the Bayshore Regional Sewerage Authority (“Authority”) owns and maintains an Administration Building within the Wastewater Treatment Plant that has a need to replace the roof, including the removal of skylights, adjustment of roof curbs and temporary supports of HVAC equipment; and

**WHEREAS**, in accordance with Local Public Contracts Law, MTB, LLC. was awarded Contract 130, Administration Building Roof Replacement in the amount of \$251,580.00 by Resolution No. 159/22; and

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

**NOW THEREFORE BE IT RESOLVED**, the Commissioners of the Bayshore Regional Sewerage Authority hereby approve acceptance of the Maintenance Bond and Close-Out of Contract 130, Administration Building Roof Replacement.

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

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

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

**PUBLIC PORTION**

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

NO PUBLIC IN ATTENDANCE

## **EXECUTIVE SESSION**

NO EXECUTIVE SESSION REQUIRED

## **ADJOURMENT**

### **ANNOUNCEMENT (by Chairwoman McMullen):**

The next B.R.S.A. Public Meeting is scheduled for Thursday, October 19, 2023, at 5:00 P.M. All meetings take place in the Administration Building of the Authority located at 100 Oak Street, Union Beach, NJ 07735.

At 8:16 P.M. Chairwoman McMullen called for a **MOTION** to Adjourn the meeting.

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

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

Respectfully submitted,  
Chad Sprague, Regulatory Compliance Manager