

TOWNSHIP OF OCEAN SEWERAGE AUTHORITY REGULAR MEETING

Oakhurst, NJ

March 5 2019

A meeting of the Township of Ocean Sewerage Authority was held on the above date at the Authority Administration Building, 224 Roosevelt Avenue, Oakhurst, New Jersey.

Present: Bernhardt, Galvin, Stubbs, Theodora, Villapiano
Absent: Operations Manager Edward Kwityn
Others: Attorney John Bonello, Executive Director William Schmeling,
Secretary Ruth Finn, Licensed Plant Operator Thomas DiOrio

Chairman Galvin called the meeting to order and all recited The Pledge of Allegiance.

The Chairman announced that the Meeting was being held in conformance with the Open Public Meetings Act of 1975 and that adequate notice has been duly posted where required and mailed to the Asbury Park Press and the Coaster in accordance with the law.

WORK SESSION

Thomas DiOrio, Licensed Plant Operator, attended the meeting to report to the members on the sludge process. He also provided a handout on the subject. He advised that in mid April 2018, polymer was added to the final clarifiers. He noted that there was an increase in the percentage of solids in May and he feels that it was due to the addition of the polymer. During winter months a lower dose is used. The polymer was supposed to be temporary, but it worked so well they have continued to use it. There was discussion about sludge hauling costs/polymer. The Chairman asked Mr. DiOrio to review his report and come to the next meeting to discuss further.

Executive Director's Report. Director Schmeling advised that TOSA received the 2018 Safety Award for the safety training that we have been doing.

He advised that he received a notice from the JIF advising that there is a Federal law that requires the website to be ADA accessible. He sent the notice to the person handling the website. JIF also sent model language to be added to the handbook relative to the use of medical marijuana.

Mr. Schmeling noted that the 2019 meeting schedule added some additional meetings and advised that the extra meetings would be kept on the schedule until it was determined whether or not the members felt a second meeting was necessary. March is one of the months where a second meeting is scheduled, and he noted that the additional meetings would be held at 7:00 p.m.

The Chairman asked Mr. Schmeling when work on the outfall line would commence. Mr. Schmeling advised that work should begin in June with an anticipated completion date of October.

Mr. Galvin asked that the members log into the current practices seminar on line.

Attorney's Report. Mr. Bonello reported on the status of the reconstruction of the Interlaken pump station. He has unsuccessfully attempted to contact the attorney for Interlaken to discuss this matter. He noted that we are required to have building and electrical permits, and the contractor has to obtain them. He said that he was surprised that we did not have the opportunity to go before Interlaken to present the plan. It was

determined that this matter would be discussed further in Closed Session.

Review of resolutions. The Executive Director reviewed the resolutions on the agenda and some discussion followed.

BUSINESS SESSION

Communications. There were no communications.

Review of Bill List. There were some questions and discussion on the bill list.

Resolution

Mr. Bernhardt offered the following resolution and moved its adoption. Mr. Theodora seconded the motion.

**RESOLUTION 19 - 27
BILL LIST**

BE IT RESOLVED by the Township of Ocean Sewerage Authority, in the County of Monmouth, New Jersey (not less than three (3) members affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Executive Director and as set forth in this Resolution are hereby approved for payment.

2. The authorized signers of checks are hereby authorized and directed to sign checks in the payment of bills and claims, which are hereby approved.

The computer printout of the list of bills will be on file in the Purchasing Agent’s Office.

CURRENT FUND	\$ 185,281.66
REVIEW and INSPECTION	2,415.75
RENEWAL and REPLACEMENT	0.00
EIT and CONSTRUCTION	110,422.00
PAYROLL ACCOUNT	<u>251,804.42</u>

TOTAL BILLS PAYABLE \$ 549,923.83

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano

Yes Yes Yes Yes Yes

Resolution

Mr. Theodora offered the following resolution and moved its adoption. Mr. Bernhardt seconded the motion.

19 - 31

AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT FOR LEGAL SERVICES AS SUBSTITUTE AND CONFLICT COUNSEL

WHEREAS, the Township of Ocean Sewerage Authority desires to acquire legal services as conflict or substitute counsel; and

WHEREAS, the Authority interviewed three (3) candidates for the position of conflict or substitute counsel; and

WHEREAS, the Authority finds that Douglas Long, Esq. meets the needs and requirements of the Authority for a conflict or substitute counsel; and

WHEREAS, the term of this contract shall be from March 1, 2019 to January 31, 2020; and

WHEREAS, Douglas Long, Esq. has completed and submitted or will complete and submit a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the Township of Ocean during the previous year, and the contract will prohibit the making of any reportable contributions during the term of the contract; and

WHEREAS, the services to be performed are “professional services” as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a(i); and

WHEREAS, the Authority’s Purchasing Agent has determined and certified in writing that the value of the legal services will not exceed \$17,500; and

WHEREAS, the Authority’s Executive Director has certified that funds are available for this contract under the legal services line (01-50-500-314).

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority that

1. Douglas Long, Esq. is hereby appointed as Authority conflict or substitute counsel in accordance with the attached proposed contract for the period March 1, 2019 to January 31, 2020.

2. This Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.

3. Notice of this appointment shall be published in the Authority’s official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano
Yes Yes Yes Yes Yes

Resolution

Mr. Bernhardt offered the following resolution and moved its adoption. Mr. Theodora seconded the motion.

19 - 32

AUTHORIZING AWARD OF A PROFESSIONAL SERVICES CONTRACT TO MOREHOUSE ENGINEERING, INC. FOR ENGINEERING SERVICES

WHEREAS, the Township of Ocean Sewerage Authority has a need to acquire engineering services to review, set up and integrate its pump station alarm system into its existing SCADA system; and

WHEREAS, Skylar Morehouse, P.E. of Morehouse Engineering, Inc. is a recognized expert in the field of pump station alarm communications; and

WHEREAS, the appointment is subject to Morehouse Engineering, Inc. completing and submitting a Business Entity Disclosure Certification certifying that it has not made any reportable contributions to a political or candidate committee in the Township of Ocean during the previous year, and the contract will prohibit the making of any reportable contributions during the term of the contract; and

WHEREAS, the services to be performed are “professional services” as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6) and therefore are exempted from the Local Public Contracts Law requirements for competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a(i); and

WHEREAS, the term of this contract is for one (1) year from March 1, 2019 to February 29, 2020; and

WHEREAS, the Authority’s Purchasing Agent has determined and certified in writing that the value of the engineering services will exceed \$17,500; and

WHEREAS, the Authority’s Executive Director has certified that funds are available for this contract under the GL line for SCADA Improvements (01-500-00-018).

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority that

1. Skylar Morehouse, P.E. of the firm Morehouse Engineering is hereby appointed an Authority Engineer in accordance with the attached proposal dated February 20, 2019.

2. This contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law because the services involved are of such a qualitative nature and are not readily susceptible or subject to competitive bidding and further, that the above named firm has been determined to have expertise in this area and, in the opinion of the Authority Members, this firm can best provide the appropriate legal services required.

3. Notice of this appointment shall be published in the Authority’s official newspaper within twenty (20) days of the appointment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano
Yes No Yes Yes Yes

Resolution

Mr. Theodora offered the following resolution and moved its adoption. Mr. Bernhardt seconded the motion.

19 - 34

AUTHORIZING PURCHASE OF 900-ECO 9 YARD TRUCK MOUNTED COMBINATION SEWER CLEANER UNDER SOURCEWELL CONTRACT NUMBER 122017-SCA

WHEREAS, the Authority presently owns a 2002 International Harvester jet vac truck; and

WHEREAS, the present jet vac truck is scheduled to be replaced in 2020 on the Authority's vehicle schedule; and

WHEREAS, the present jet vac truck continues to incur increased maintenance costs; and

WHEREAS, Sewer Equipment of America has a contract for a 900-ECO 9 yard truck mounted combination sewer cleaner that will satisfy the Authority's needs under contract number 122017-SCA with Cooperative Purchasing group Sourcewell; and

WHEREAS, Jet Vac Equipment is an approved distributor for Sewer Equipment of America and permitted to enter into a purchase under Sourcewell contract number 122017-SCA; and

WHEREAS, the Authority has a Qualified Purchasing Agent; and

WHEREAS, the Authority's Executive Director has certified that funds are available for this contract in GL line item Vehicle Acquisition (01-500-00-010).

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby authorizes the purchase of a 900-ECO 9 yard truck mounted combination sewer cleaner under contract number 122017-SCA with Cooperative Purchasing group Sourcewell for \$387,893.69 with Jet Vac Equipment.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano
Yes Yes Yes Yes Yes

CONSENT AGENDA

Mr. Bernhardt moved the approval of the Minutes, the Operation Managers Report and the adoption of Resolutions 19-28 through 19-30 and 19-33 through 19-39 as a Consent Agenda. Mr. Stubbs seconded the adoption of the Consent Agenda

- a. Approval of Minutes of February 5, 2019 regular meeting.
- b. Motion to receive and file Operation Manager's Report.

**Operations Managers Report
March 2019**

Plant:

Installed a new video flow recorder in the control room.

We are having issues with the Effluent and Influent flow meters. Effluent keeps freezing and needs to be powered on and off to get going. The influent ones do not read in the control room and one is not working outside. Ordered replacements for both should be installed in 5 to 6 weeks. This should not be an issue as long as we keep an eye on Effluent and reboot as needed.

Solution Werks was in to assist installation of a new water separator to the PSA system.

We had our annual DEP inspection. I was not made aware of any major problems at that time.

Spoke to Bruce about Meg testing the power line to Main Pump Building. It cannot be done with out a complete shut down to building. The power cable has to be disconnected at both ends to run the test. I was asked to do this when I was looking at a generator for Main Pump building.

Operations:

Contacted Oceanside CPR to schedule training for all personal. We will be having a joint CPR/AED/ First Aid class on April 9 and April 11 with Bayshore Regional Sewerage Authority.

Harry Smith was in and gave Confined Space and Lock Out / Tag Out training to all field personal. I would like to bring him back over the summer for Fork Lift and Ladder Safety.

All CDL Drivers are scheduled for JIF training in the up coming months. This will be for rules and regulations and flagger training.

Shore Wellness Physical Therapy will be coming in on Mar.12 to give a class on proper lifting, bending and other techniques to reduce back injuries. They are doing this as a community outreach program.

All department heads met on Feb. 28 to go over getting the authority ready for the upcoming season, projects coming up and things that need to be address after the winter.

Lucity was in and we rolled out the program to the departments for a soft start.

I will be getting price for complete Monyo pump system soon, still waiting for mechanical and electrical pricing.

Will be getting pricing for the following: Level indicators for hypo tanks and new auto dialer system.

Collections:

Cleaned several problem areas around town.

Cleaned all pump station wet wells this month.

I have been in contact with Rich Bernhardt throughout the modem installation. When the antennas arrive, we should be able to go to phase 2, trying to get the T-boxes connected. The T-box is the PLC communication system of the pump stations.

The following home laterals were repaired 539 Trenton Ave. and 1901 Logan Rd.

Jetted the following lines (grease problem areas) Route 35 to Deal Test Site and Route 35 to Logan Rd.

RESOLUTIONS

**19 - 28
ADJUSTING EMPLOYEE HEALTH INSURANCE
CONTRIBUTION FOR 2019**

WHEREAS, Resolution 19-3 set employee health insurance contributions at eighty percent (80%) of the applicable Tier 4 percentage; and

WHEREAS, that amount was in error.

NOW, THEREFORE, BE IT RESOLVED, that employees participating in the State Health Benefits Program shall pay seventy-seven and a half percent (77.5%) of the applicable Tier 4 percentage, effective January 1, 2019.

**19 - 29
AUTHORIZING BUY-BACK OF SICK DAYS
UNDER CERTAIN CONDITIONS**

WHEREAS, the Authority has determined that it is advantageous to the Authority and employees to buy back sick days under certain conditions; and

WHEREAS, participation in the offer shall be voluntary on behalf of the employee.

NOW, THEREFORE, BE IT RESOLVED, that the Authority will buy back from employees having thirty (30) or more sick days on December 31, 2017 all or a portion of the sick days in excess of thirty (30) at the employee's salary on December 31, 2018; and

BE IT FURTHER RESOLVED that eligible employees shall make such irrevocable election on the form attached to this Resolution on or before March 25, 2019; and

BE IT FURTHER RESOLVED that payment under the offer shall be approved at the April 2, 2019 meeting with payment available to participating employees the next day.

19 - 30

AUTHORIZING EXECUTION OF CLOSE OUT CHANGE ORDER IN THE NET REDUCTION AMOUNT OF \$50,716.29 AND PAYMENT IN THE AMOUNT OF \$33,803.39 TO LUCAS CONSTRUCTION GROUP, INC. FOR 2013 COLLECTION SYSTEM UPGRADES PROJECT

WHEREAS, the Authority awarded a contract for its 2013 Collection System Upgrades project to Lucas Construction Group, Inc. in the amount of \$4,575,575.00 (the "Project") on December 6, 2016; and

WHEREAS, Lucas has completed the Project work; and

WHEREAS, the Authority's engineer has prepared a Closeout Change Order in the net reduction amount of \$50,716.29 reducing the total contract cost to \$4,524,819.21; and

WHEREAS, Lucas has provided a one-year maintenance bond number S303347 issued by NGM Insurance Company in the amount of \$678,722.88 in accordance with the Authority engineer's instructions; and

WHEREAS, by letter dated February 15, 2019, the Authority engineer has recommended execution of the Closeout Change Order in the net reduction amount of \$50,716.29 and payment in the amount of \$33,803.39 pursuant to its Payment Estimate No. 13.

THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby authorizes execution of Closeout Change Order in the net reduction amount of \$50,716.29; and

BE IT FURTHER RESOLVED that payment in the amount of \$33,803.39 be made to Lucas Construction Group for the 2013 Collection System Upgrades Project in accordance with Payment Estimate No. 13; and

BE IT FURTHER RESOLVED that Performance Bond Number S303347 issued by The Main Street America Group in the amount of \$4,575,575.00 is released; and

BE IT FURTHER RESOLVED that Maintenance Bond Number S303347 issued by NGM Insurance Company in the amount of \$678,722.88 be accepted.

19 - 33

AUTHORIZING PAYMENT TO SPECTRASERV FOR BAR SCREEN MECHANICAL REPAIRS

WHEREAS, the mechanical bar screens in the main pump building are integral to the proper operation of the treatment process at the Authority's treatment plant; and

WHEREAS, the Authority recently noted that the bar screens were not operating properly; and

WHEREAS, the Authority contacted the manufacturer of the bar screens to discuss needed maintenance; and

WHEREAS, the manufacturer recommended that the maintenance work be performed by SpectraServ; and

WHEREAS, SpectraServ has previously performed maintenance on the Authority's bar screens; and

WHEREAS, the Authority's Executive Director has certified in writing that the maintenance of the bar screens is necessary for the continued proper operation and maintenance of the Authority's treatment process; and

WHEREAS, SpectraServ provided a quote with material included in the amount of \$19,028; and

WHEREAS, an additional day's work was required because of unanticipated delays.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority hereby authorizes payment in the amount of \$21,428.00 to SpectraServ for mechanical repairs on two (2) bar screens in the Main Pump Building.

19 - 35

AUTHORIZING EXECUTIVE DIRECTOR TO SIGN TREATMENT WORKS APPROVAL APPLICATION FOR OAKHURST COUNTRY DAY ESTATES - APPLICATION NUMBER 172

WHEREAS, a treatment works approval for Oakhurst Country Day Estates was issued on October 15, 2012; and

WHEREAS, the treatment works approval may have expired; and

WHEREAS, Matrix Development proposes to commence construction of the seventeen (17) proposed single family dwellings known as Oakhurst Country Day Estates.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority that the Authority's Executive Director is authorized to sign any forms required by the New Jersey Department of Environmental Protection relative to providing sewer service to the Oakhurst Country Day Estates development.

19 - 36

AUTHORIZING REVISION TO PERMANENT ADJUSTMENT FOR COMMERCIAL ACCOUNT 18828-1

WHEREAS, Kane Brewing Company operates at 1750 Bloomsbury Avenue, sewer account number 18828-1; and

WHEREAS, Kane Brewing Company estimates that fifty percent (50%) of the water consumption results in finished product or is absorbed and retained in malted barley during the brewing process; and

WHEREAS, an article in the December 2012 WE&T magazine states that craft brews consume an average of 5 to 6 gallons of water for every gallon of beer produced; and

WHEREAS, Resolution 18-105 provided for a permanent correction to the water reading of seventy percent (70%) of the annual water usage for excess usage computation; and

WHEREAS, a review of that computation has determined that it is incorrect.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby authorizes that the annual water usage for account number 18828-1 be reduced to fifty percent (50%) of the annual water usage for purposes of determining an annual excess usage charge.

19 - 37

AUTHORIZING ADJUSTMENT TO ACCOUNT NUMBER 18515-0

WHEREAS, the property located at 208 Norwood Avenue is identified as sewer account number 18515-0, which is billed for two (2) units; and

WHEREAS, the 2018 water reading was 151,000 gallons; and

WHEREAS, usage for 2015, 2016 and 2017 were 74,000 gallons, 85,000 gallons and 79,000 gallons as adjusted respectively; and

WHEREAS, in or around December 7, 2018 the owner contacted New Jersey American Water Company ("NJAWC") regarding a large monthly bill; and

WHEREAS, NJAWC determined there was a water main break underground outside the building; and

WHEREAS, the owner of the property had the water line replaced.

NOW, THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby authorizes that the water usage for account number 18515-0 be adjusted to 79,000 gallons for 2018 resulting in an excess usage charge of \$0.00, and 2019 quarterly bills of \$230.

19 - 38

AUTHORIZING EXECUTION OF AMENDMENT TO SERVICE AGREEMENT WITH THE BOROUGH OF TINTON FALLS FOR SINGLE FAMILY CONNECTIONS TO THE TOSA COLLECTION SYSTEM

WHEREAS, the Authority previously entered into a service agreement dated May 12, 2010 with the Borough of Tinton Falls and the Township of Neptune Sewerage Authority to provide sewer service to seven (7) homes in Tinton Falls, on the border of the Township of Ocean Sewerage Authority (the "Original Service Agreement"); and

WHEREAS, the Original Service Agreement was amended on or about March 28, 2018 adding 421 Green Grove Road to the list of homes eligible to connect to the Authority's collection system; and

WHEREAS, the Authority has received a request from 501 Green Grove Road in Tinton Falls to connect to the Township of Ocean Sewerage Authority's collection system because of a failing septic system; and

WHEREAS, 501 Green Grove Road is in the service area of the Township of Neptune Sewerage Authority.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority hereby agrees to an amendment to the Original Service Agreement adding 501 Green Grove Road to the Original Service Agreement in a form substantially similar to the attached amendment subject to the following:

1. The owner of 501 Green Grove Road in the Borough of Tinton Falls providing sufficient evidence to the Authority's engineer that a proper connection in accordance with acceptable engineering practices and New Jersey Department of

Environmental Protection regulations to the Authority's collection system is available;
and

2. The Borough of Tinton Falls assuming payment of the connection fee and annual service charge for 501 Green Grove Road; and

3. The Township of Neptune Sewerage Authority agreeing to the inclusion of 501 Green Grove Road to the list of homes in the Original Service Agreement; and

4. The Borough of Tinton Falls, the Township of Neptune Sewerage Authority and the Township of Ocean agreeing to the form and content of the attached amendment to the Original Service Agreement.

19 - 39

AUTHORIZING PAYMENT IN THE AMOUNT OF \$40,342.62 TO DeMAIO ELECTRICAL COMPANY, INC. FOR INTERLAKEN PUMP STATION RECONSTRUCTION PROJECT

WHEREAS, the Authority awarded a contract for the Interlaken Pump Station Reconstruction project to DeMaio Electrical Company, Inc. (“DeMaio”) in the amount of \$3,265,000 (the “Project”) on September 4, 2018; and

WHEREAS, the DeMaio has provided equipment and material for the Project; and

WHEREAS, the Authority’s engineer by letter dated February 20, 2019 has recommended payment in the amount of \$40,342.62 pursuant to its Payment Certificate No. 2.

THEREFORE, BE IT RESOLVED that the Township of Ocean Sewerage Authority hereby approves payment in the amount of \$40,342.62 to DeMaio Electrical Company, Inc. for the Interlaken Pump Station Reconstruction project in accordance with Payment Certificate No. 2.

Resolution

Mr. Stubbs offered the following Resolution and moved its adoption. Mr. Theodora seconded the motion.

RESOLUTION DECLARING CLOSED SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township of Ocean Sewerage Authority as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter-specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

- Personnel
- Potential litigation

3. It is anticipated at this time that the above stated subject matter would be made public when matters are resolved.

This resolution shall take effect immediately.

Roll Call: Bernhardt, Galvin, Stubbs, Theodora, Villapiano
Yes Yes Yes Yes Yes

There being no further business to come before the Authority, Mr. Villapiano moved that the meeting be adjourned. Mr. Stubbs seconded the motion and all voted in favor of adjournment.

Respectfully submitted,

RALPH E. STUBBS, Secretary