

**TWO RIVERS WATER RECLAMATION AUTHORITY
ONE HIGHLAND AVENUE
MONMOUTH BEACH, NEW JERSEY 07750**

The Regular Meeting of the Two Rivers Water Reclamation Authority was held on **Tuesday, April 12, 2022**, at 6:00 pm, at One Highland Avenue, Monmouth Beach, New Jersey and using Microsoft Teams considering the circumstances surrounding COVID-19.

Mr. Barry J. Berdahl, Ph.D., Chairman - Presided:

Present: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

Others present: Mr. Michael A. Gianforte, Executive Director
Mr. Dennis Galvin, Authority Engineer
Mr. Johnny Rodriguez, Financial Manager
Mr. Nick Gizzi, Operations Technician
Ms. Anne Wallington, Executive Assistant (**remote**)
Mr. David Laughlin, Esq., Birdsall & Laughlin
Mr. John Vena, PS&S
State of NJ Court Reporter – Carmen Wolfe

NOTICE OF REGULAR MEETING

Statement is hereby made that adequate Notice of Meetings has been provided by publishing the same in the **AsburyPark Press on Wednesday, December 22, 2021**, and emailing the same on December 28, 2021 to the Clerks of the participant municipalities of the Boroughs of Fair Haven, Little Silver, Monmouth Beach, Oceanport, Shrewsbury and West Long Branch, and all customer communities whose geographic boundaries are co-extensive with those of this Authority, and by prominently posting said Notice in the entry way of the Authority's office building on **Wednesday, December 22, 2021**.

CHAIRMAN RULES OF QUORUM

Mr. Berdahl declared that a quorum was present. All present saluted the American Flag.

OPENING STATEMENT TO THE CHAIRMAN OF THE BOARD

Mr. Gianforte addressed the Chairman of the Board: In addition to Published notice, access to the meeting via computer and telephone, was prominently displayed to the public by posting it on the front door of the office, as well as the front entrance gate, and on the first page of the TRWRA website.

APPROVAL OF THE REGULAR MONTHLY MEETING

MINUTES OF MARCH 15, 2022

Mr. Tocci moved that the minutes from the regular monthly meeting held on March 15, 2022, be approved. The motion was seconded by Mr. MacStudy:

AYES: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

CORRESPONDENCE

1st Item: Mr. Gianforte reported that Sharon Ham, Regulatory Compliance Manager was awarded the 2022 WEF Laboratory Analyst Excellence Award.

2nd Item: The Authority received notice that Maple Direct assigned all of its accounts receivables to another firm. Maple Direct is no longer in business with Two Rivers Water Reclamation Authority, and we are currently using another firm that Mr. Rodriguez, Finance Manager recommended, and it is working out very well. Wells Fargo sent TRWRA a letter to inform us of an incident involving TRWRA's lockbox. Items processed through our lockbox account were inappropriately accessed by an employee who took a check for \$90.00 and has been recovered. Mr. Rodriguez, Finance Manager is working with Wells Fargo to ensure future protection for TRWRA and its customers.

3rd Item: TRWRA went out for bid for electric with other entities, and the fact that bid process for all, but one bid group came in higher than the pre-established Trigger Prices, the decision was collectively made by the Members to reject all bids and to not award any contracts.

Mr. Berdahl turned the meeting over to Mr. Laughlin to conduct a Public Hearing regarding the Revised Connection Fee. Carmen Wolfe, CSR recorded the attached transcript.

FINANCE AND INSURANCE

RESOLUTION NO: 2022-04-45 TO AMEND THE RULES AND REGULATIONS SECTION 10 CONNECTION CHARGE SCHEDULE FOR SEWER SERVICE AND SECTIION 11 SCHEDULE OF CHARGES AND TO FIX THE CONNECTION FEE.

Mr. Berdahl moved **Resolution No. 2022-04-45** for approval. The motion was seconded by Mr. Tocci and carried by the following vote on call:

Ayes: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

RESOLUTION NO. 2022-04-46 AUTHORIZING PAYMENT OF BILLS

Mr. MacStudy moved **Resolution No. 2022-04-46** for approval. The motion was seconded by Mr. Hartman and carried by the following vote on call:

Ayes: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

Mr. Gianforte pointed out that **Res. No. 2022-04-58 and Res No. 2022-04-59** are previous resolutions, being the same resolutions, we passed previously. The mentioned resolutions are increasing the total value, but they are not authorizing any spending or setting a value on the Bonds we are applying for.

Mr. Laughlin expressed his opinion that **Res. No. 2022-04-58 and Res. No. 2022-04-59** can stay in the Consent Agenda.

Mr. Gianforte briefly explained **Res. No. 2022-04-59 I-Bank** is to declare the intent that the Authority will utilize Bond Proceeds to reimburse itself for money spent prior to issuance of bonds.

Mr. MacStudy commented on the current lockbox situation and suggested that the Authority explore other options because it is just not about a check disappearing, but also the timeliness of Wells Fargo making the actual deposits. Mr. Gianforte assured the Board that Mr. Rodriguez is working with other Authorities who are willing to participate to produce a solution to the lockbox issue.

LEGAL AFFAIRS

Mr. Sena had nothing to report, and asked Mr. Gianforte for any updates. Mr. Gianforte reported that the Authority needs an easement for the Fort Monmouth Project, and because of the lack of cooperation from the Credit Union, Mr. Gianforte authorized Attorney David Laughlin to proceed with taking of the easement.

ENGINEERING

The Chairman pulled the following **Resolutions 2022-04-49, 2022-04-52 and 2022-04-55** from the Consent Agenda for discussion and asked Attorney Laughlin if they can be voted on at the same time. Attorney Laughlin replied, yes, they can. Mr. Gianforte briefly discussed the following:

Res No. 2022-04-49: Regarding the Clarifier Coatings, PS&S has consulted with Walker Process Equipment to evaluate the existing structural conditions of the Final Clarifiers. The Authority will move forward with the coating of the concrete at this time and perform the mechanism replacement in the future.

Res No. 2022-04-52: Referring to the sludge removal, the Authority has only three sites to take cake sludge and we have experienced where all three locations were shut down or otherwise unavailable. The alternatives have been limited since the Title 5 Air Regulations were updated and many incinerators in the State have shutdown permanently. Therefore, a work order to PS&S to evaluate the options available for disposal of sludge is on the agenda.

Res No. 2022-04-55: Contract 189 – Pump Station 12 Infrastructure Upgrades, PS&S has certified that the contractor, Rapid Pump and Meter Inc. has completed the work based on the unit prices in the contract. One final quantity change order for additional work to integrate grinder and level indicator systems at the pump station is included to pay application 9 which is the final pay request.

Mr. Berdahl moved **Resolution Nos. 2022-04-49, 2022-04-52 and 2022-04-55** for approval. The motion was seconded by Mr. Tocci and carried by the following vote on call:

Ayes: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

RES NO: 2022-04-49 RESOLUTION TO AUTHORIZE ADVERTISEMENT FOR CLARIFIER TANK REHAB – CONTRACT 203

RES NO: 2022-04-52 RESOLUTION APPROVING THE EXECUTIVE DIRECTOR TO ISSUE A WORK ORDER TO PAULUS, SOKOLOWSKI & SARTOR TO PERFORM A SLUDGE DISPOSAL EVALUATION

RES NO: 2022-04-55 RESOLUTION APPROVING FINAL CHANGE ORDER NO. 3 AND AUTHORIZING FINAL CLOSEOUT OF CONTRACT # 189 PUMP STATION 12 INFRASTRUCTURE UPGRADES

The Chairman advised that **Resolutions 2022-04-50, 2022-04-53, 2022-04-54** can remain in the Consent Agenda.

Mr. Christopher had a question regarding the Solids Handling Building and Sludge Storage Tank and asked Mr. Gianforte as to how it's going. Mr. Gianforte explained that the contractor, CMS, is moving too slow. CMS was notified by Hazen of their continuing failure to submit schedules and resubmittals in a timely manner and their failure to complete the project on time. The Bonding Company has also been notified. According to the schedule submitted by CMS, the project is 60 days behind schedule. CMS has submitted a Time-Extension request to Hazen which has been denied. Mr. Christopher asked how much have we paid on this contract already. Mr. Galvin responded \$300,000.00 total. Discussion ensued.

Mr. Jaeger asked did we have to use CMS because they came in with the lowest bid? Mr. Gianforte answered yes. Mr. Jaeger also asked how do we protect ourselves on much larger projects in the future. Mr. Gianforte replied that all interested contractors must be pre-qualified and not have a bad reputation.

PERSONNEL

RESOLUTION NO. 2022-04-47 RESOLUTION APPROVING A PAY ADJUSTMENT FOR A CERTAIN EMPLOYEE

Mr. Hartman moved **Resolution No. 2022-04-47** for approval. The motion was seconded by Mr. MacStudy and carried by the following vote on call:

Ayes: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

CAPITAL IMPROVEMENT COMMITTEE

RESOLUTION NO. 2022-04-51 RESOLUTION APPROVING THE EXECUTIVE DIRECTOR TO ISSUE A WORK ORDER TO HAZEN AND SAWYER TO PERFORM AN ASSESSMENT OF THE PLEASURE BAY INTERCEPTOR

Mr. Hartman moved **Resolution No. 2022-04-51** for approval. The motion was seconded by Mr. Tocci and carried by the following vote on call:

Ayes: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Abstain: Mr. Greg Christopher

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

Mr. Hartman explained very briefly that there are questions coming back on the condition of the current Pleasure Bay Interceptor, and we have asked Hazen and Sawyer to evaluate the current condition in order to answer FEMA questions for the \$20-million-dollar grant.

CYBER SECURITY AND SOCIAL MEDIA COMMITTEE

In Mr. Peter's absence, Mr. Gianforte answered questions pertaining to the latest Cyber-Security measures that the Authority has in place in the event of an attack in addition to Mr. JnoBaptiste's Cyber Security Report.

OUTREACH COMMITTEE

Mr. Barham reported the following items:

Item #1: The Outreach Committee is working with the Governor's office and local officials regarding the anticipated receipt and press conference for the \$20-million-dollar grant awarded to the Authority. The Committee has presented a draft Press Release to be distributed to the Commissioners as well as Member and Customer towns. In the meantime, the Chairman asks to please not make any comments about the \$20-million-dollar grant until the Governor makes the announcement.

Item#2: In honor of Earth Day the Outreach Committee conducted a tour for the Monmouth Beach Elementary School.

Item#3: The Outreach Committee is working behind the scenes regarding the resurgence of the Colt's Neck affordable housing issue. The new administrator for Tinton Falls has been alerted to the potential impact on Tinton Falls.

CONSENT AGENDA: (for Resolutions 2022-04-48, 2022-04-50, 2022-04-53, 2022-04-54, 2022-04-56 through 2022-04-59)

Resolutions are routine and will be considered together, by Roll Call Vote, without discussion. If any Commissioner wishes to have any "discussion" on any of these routine matters, please identify any such Resolution and it will be removed from the Consent Agenda and addressed immediately thereafter.

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|---------------------------|---|
| RES NO: 2022-04-48 | RESOLUTION APPROVING CONFERENCE AND TRAINING REQUESTS |
| RES NO: 2022-04-50 | RENEWAL OF INDUSTRIAL WASTEWATER DISCHARGE PERMIT FOR MEDTRONIC, INC., FOR PROPERTY KNOWN AS 201 INDUSTRIAL WAY; IN THE BOROUGH OF EATONTOWN |
| RES NO. 2022-04-53 | RESOLUTION GRANTING PRELIMINARY AND FINAL SITE PLAN APPROVAL TO SOMERSET PULTE LODGING JV, LLC. BLOCK 110.15 LOT 1; BLOCK 110.16 LOT 1; BLOCK 110.10 LOT 1, BOROUGH OF OCEANPORT |
| RES NO. 2022-04-54 | RESOLUTION AUTHORIZING CHARGES AGAINST THE ENGINEERING INSPECTION ACCOUNT FOR NORWOOD KB, LLC |
| RES NO: 2022-04-56 | RESOLUTION AWARDED ANNUAL LAWN MAINTENANCE FOR TREATMENT PLANT AND OUTLYING SITES |
| RES NO: 2022-04-57 | RESOLUTION AUTHORIZING RELEASING OF PERFORMANCE GUARANTEE OF KKF UNIVERSITY ENTERPRISE, LLC RELATIVE TO NJCU FORT MONMOUTH CAMPUS |
| RES NO. 2022-04-58 | RESOLUTION OF THE TWO RIVERS WATER RECLAMATION AUTHORITY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM |

RES NO. 2022-04-59

RESOLUTION OF THE TWO RIVERS WATER RECLAMATION AUTHORITY AMENDING AND SUPPLEMENTING RESOLUTION NO: 2019-11-111 FOR THE ISSUANCE OF REVENUE BONDS (JUNIOR LIEN) THROUGH THE NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM BY AUTHORIZING AND INCREASING THE AMOUNT OF JUNIOR LIEN BONDS TO BE ISSUED TO AN AMOUNT NOT TO EXCEED \$90,000,000 AND DETERMINING VARIOUS OTHER MATTERS IN CONNECTION THEREWITH

Mr. Berdahl moved **Resolutions 2022-04-48, 2022-04-50, 2022-04-53, 2022-04-54, 2022-04-56 through 2022-04-59** for approval. The motion was seconded by Mr. MacStudy and carried by the following vote on call:

Ayes: Mr. Barry J. Berdahl, Ph.D., Chairman
Mr. Thomas (Burt) Barham, Vice Chairman (**remote**)
Mr. Scott Hartman, Secretary
Mr. Michael MacStudy, Treasurer
Mr. Richard Tocci, Asst. Treasurer
Mr. Greg Christopher
Mr. Eric Jaeger (**remote**)
Mr. Jason Sena (**via phone**)

Absent: Mr. John Bonforte
Mr. James Mazza
Mr. Brian McPeak
Mr. Jonathan Peters (Asst. Secretary)

OLD BUSINESS

There was no old business to report.

NEW BUSINESS

There was no new business to report.

OPEN TO THE PUBLIC

No Public was present.

Mr. MacStudy moved that the meeting adjourn at approximately 6:55 p.m. The motion was seconded by Mr. Tocci and carried by voice vote.

Mr. Berdahl stated that final copies of approved Resolutions will be available in the main office during the Authority's regular hours of business.

Respectfully submitted,



Mr. Scott Hartman, Secretary

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