

AUGUST 28, 2019

Public comments will be permitted for those specific resolutions to be removed from consent approval.

Please read the synopsis of the resolutions, which have been prepared by the Authority's Staff. Each is informative and self-explanatory. However, if you wish to address a specific resolution, the Board will entertain questions on it.

RESOLUTIONS

1. Resolution To Call Upon the New Jersey Legislature to Reject Senate Bill 3870 and Assembly Bill 5391 - **#72-19**
2. Resolution Amending the Hiring Policies of the LRSA - **#73-19**
3. Resolution Approving Agreement to License the LRSA's Dock to Brayco Marine - **#74-19**
4. Resolution Authorizing a contract with Elliott Lewis Corp. for Removal and Replacement of Lab Exhaust Fan in the amount of \$16,708.00 - **#75-19**
5. Resolution Authorizing purchase of Financial Software Package "E-Builder Program Management Information System" (PMIS) from SHI International Corp. who was awarded the New Jersey State Contract in the amount not to exceed \$50,000.00 - **#76-19**
6. Resolution Authorizing award contract to provide Management Services for the Implementation of the E-Builder Program Management Information System (PMIS) with CDM Smith for a sum not to exceed \$94,000.00 - **#77-19**
7. Resolution Authorizing award of a Non-Fair and Open contract to provide On-Call Program and Construction Management Services for the coordination and successful implementation of the Authority's various Capital Improvement Projects with Grant Engineering and Construction Group, LLC. for the amount of not to exceed \$90,000.00 - **#78-19**

APPROVAL FOR PAYMENTS

1. By Motion and "O&M Resolution", there is an Operating Fund Payment in the total amount of **\$570,215.30**
2. By Motion and "R&R Resolution", there are payments from the Authority's Renewal and Replacement Fund totaling of **\$25,749.45**

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #72-19

TO CALL UPON THE NEW JERSEY LEGISLATURE TO REJECT
SENATE BILL 3870 AND ASSEMBLY BILL 5391

WHEREAS, the mission of the Linden Roselle Sewerage Authority is to provide safe, reliable and cost-effective sewer service to our community; and

WHEREAS, the Linden Roselle Sewerage Authority believes that the public has a right to vote on important community concerns such as the ownership of its sanitary sewer systems; and

WHEREAS, the Linden Roselle Sewerage Authority believes that ratepayers of a sewer system should not be burdened with costs unrelated to the operation and maintenance of that system; and

WHEREAS, Senate Bill 3870 and Assembly Bill 5391 eliminate the public referendum currently required for the sale of a sewer system and so deprive the public of the opportunity to decide about the ownership and operation of one the most basic and important of local services; and

WHEREAS, Senate Bill 3870 AND Assembly Bill 5391 permit approaches to valuation of a sewer system that will unfairly inflate the sales price and burden ratepayers in the selling community and elsewhere in the State with paying for inflated cost; and

WHEREAS, Senate Bill 3870 AND Assembly Bill 5391 tilt the playing field in favor of an investor-owned utility purchaser; and

WHEREAS, Senate Bill 3870 AND Assembly Bill 5391 discourage municipalities from fully exploring the viability of other approaches to owning and maintaining a sewer system which may be less burdensome to ratepayers, such as continuing to own and operate the sewer system, regionalizing with other public units, entering into shared services agreements, or entering into a sales agreement with other public agencies such as authorities; and

NOW THEREFORE BE IT RESOLVED, that the Linden Roselle Sewerage Authority calls upon all Members of the New Jersey Senate and Assembly to protect the best interests of ratepayers and preserve, for the public good, public ownership and operation of sewer systems to vote "no" on S3870/A5391.

I hereby certify that the foregoing is a true and accurate copy of a Resolution adopted by the Linden Roselle Sewerage Authority at its meeting held on August 28, 2019


Derek Armstead, Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #73-19

AMENDING THE HIRING POLICIES OF THE LRSA

WHEREAS, in order to promote the public trust, the reality of fairness, and to ensure the hiring of the most qualified candidates for employment at the Linden Roselle Sewerage Authority (the “LRSA” or “Authority”) maintains a written statement of its Hiring Policies, a copy of which is annexed hereto as Exhibit A; and

WHEREAS, in order to further its goals of promoting the public trust, the reality of fairness, and to ensure the hiring of the most qualified candidates for employment at the Authority, the Commissioners of the Authority voted to approve the adoption of an Anti-Nepotism Policy on November 22, 2016, that prevented relatives of a Commissioner from being hired; and

WHEREAS, the Authority has found that qualified and deserving candidates are not being hired by the Authority due to the Anti-Nepotism Policy; and

WHEREAS, Authority desires to amend its Hiring Policies and its Anti-Nepotism Policy to permit the Authority to hire qualified employees for both open entry level positions and non-entry level positions regardless of whether such an employee candidate is a relative of a Commissioner of the Authority; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Linden Roselle Sewerage Authority affirm an amendment to the Hiring Policies as follows:

1. Section 6 shall state, “The hiring of all employees shall be made and approved by formal action of the Authority members based upon the recommendation of the Executive Director. The Executive Director’s recommendation shall not be arbitrarily rejected. If the Commissioners are tasked with making an employment decision for an employee or a prospective employee who is

a relative of one of the Authority's Commissioners, the Commissioner related to the employee shall recuse themselves from participating in the discussion and vote on the employment matter for that employee or prospective employee before the Authority.

2. Section 7, as currently written in the Hiring Policy most recently revised on December 19, 2017, shall be deleted in its entirety.

AND THAT IT IS FURTHER RESOLVED, that the Executive Director and other staff of the Authority are authorized to proceed in accordance with the provisions set forth in this Resolution.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on August 28, 2019.


Derek Armstead, Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #74-19

APPROVING AGREEMENT TO LICENSE THE LRSA'S DOCK TO
BRAYCO MARINE LLC

WHEREAS, the Linden Roselle Sewerage Authority (“LRSA” or “Authority”) is the owner of a dock facility (the “Dock Facility”) located on real property owned by the LRSA and the Arthur Kill waterway in Linden, New Jersey; and

WHEREAS, Brayco Marine LLC (“Brayco”), an affiliate of Brayco, Inc., having an address at 25 E 21st St, Linden, NJ, is a New Jersey limited liability company, engaged in the business of welding and steel fabrication, and

WHEREAS, the LRSA is not using the Dock Facility to its full capacity; and

WHEREAS, Brayco desires to use the Dock Facility for its operations including loading and unloading of a barge and vessel carrying equipment and products used in its operations and for use as a staging area, subject to the right of LRSA to use the Dock Facility to load and unload Sewage Sludge onto barges from time to time; and

WHEREAS, the Dock Facility needs to be repaired, upgraded and maintained in good condition; and

WHEREAS, Brayco is qualified, equipped and capable of performing such repairs, upgrades and maintenance; and

WHEREAS, LRSA and Brayco have determined that it is in the best interests of LRSA and Brayco to enter into a Dock Use Agreement (the “Agreement”), as shown in Exhibit A annexed hereto, wherein the LRSA shall provide a license to Brayco for the shared use of LRSA’s Dock Facility and to provide for the terms and conditions for such use in the nature of a license; and

WHEREAS, the Agreement provides for an obligation of Brayco to perform the needed repairs, upgrades and maintain in good condition; and

WHEREAS, Brayco will pay to the LRSA just compensation for its use of the Dock Facility with offsets to the just compensation for the value of the repairs, upgrades and maintenance that Brayco will provide to the Dock Facility; and

WHEREAS, the proposed Dock Use Agreement has been reviewed by the Authority's Executive Director, Plant Superintendent, General Counsel, Insurance Advisor and Financial Advisor; and

WHEREAS, the LRSA's Consulting Engineer shall certify to the Bond Trustee under the 1984 Refunding Bonds that such Dock Use Agreement and the license rights provided thereunder will not interfere with the operation of the treatment plant, which Certification shall be in accordance with Section 9.09 of the Bond Trust Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Dock Use Agreement between the LRSA and Brayco as attached hereto and incorporated herein is hereby approved in substantially similar form and the Chairman and Secretary are authorized and directed to execute the same subject to the approval of the Bond Trustee pursuant to Section 9.09 of the Bond Trust Agreement.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on August 28, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #75-19

AUTHORIZING REMOVAL AND REPLACEMENT OF EXHAUST FAN

WHEREAS, by Resolution #59-19, the Authority awarded a contract to Fisher Scientific, for the purchase of laboratory equipment (iCAP 74 Duo) in order to ensure accurate testing to meet NJDEP reporting requirements; and

WHEREAS, it was determined that the installation of this equipment requires the removal and replacement of the existing exhaust fan located in the ceiling of the Laboratory; and

WHEREAS, after a solicitation of quotes, Elliott Lewis Corporation was selected and authorized to perform said work, for an amount not to exceed \$16,708.00; and

WHEREAS, as the purchase exceeds the Executive Director's approval limit of \$10,000.00, authorization by the Board is required; and

WHEREAS, the Certifying Finance Office has certified that sufficient funds are available in the Renewal and Replacement Fund (A/C # 2574000681) as evidenced by the Certification of Funds attached; and

NOW THEREFORE BE IT RESOLVED, by the Linden Roselle Sewerage Authority that the Executive Director is authorized to issue a Purchase Order to effectuate the award of this contract.

I certify that the foregoing is a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on August 28, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY
CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for a contract with Elliott Lewis Corporation, for the exhaust fan removal and replacement, in the amount of \$16,708.00 now pending approval.

DATED: August 28, 2019

A handwritten signature in blue ink, appearing to read "David G. Brown II", is written over a horizontal line.

David G. Brown II
Certifying Finance Officer

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #76-19

AUTHORIZING PURCHASE OF FINANCIAL SOFTWARE PACKAGE

WHEREAS, the Linden Roselle Sewerage Authority has identified the need to procure a software program to manage the coordination and implementation of the Authority's various Capital Improvement Projects;

WHEREAS, the purchase of goods and services by local contracting units through Cooperative and State contracts is authorized pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, SHI International Corp., 300 Davidson Avenue, Somerset, New Jersey has been awarded New Jersey State Contract No. A89851 (M0003) and is an authorized vendor thereunder for the purchase of software products and associated services; and

WHEREAS, the Authority's Consulting Engineer, CDM Smith, has recommended that the purchase of the e-Builder Program Management Information System (PMIS) from the State of New Jersey Cooperative Purchasing Program would be in the best interest of the Authority; and

WHEREAS, the actual cost for the purchase of this software is for an amount not to exceed \$50,000.00; and

WHEREAS, the Linden Roselle Authority has further resolved to pursue funding to cover all costs for these services, through application to the New Jersey Infrastructure Bank (NJIB); and

WHEREAS, the Certifying Finance Office has certified that sufficient funds are available in the Renewal and Replacement Fund (A/C # 2574000681) as evidenced by the Certification of Funds attached; and

NOW THEREFORE BE IT RESOLVED, by the Linden Roselle Sewerage Authority that the Executive Director is authorized to issue a Purchase Order to effectuate the award of this contract.

I certify that the foregoing is a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on August 28, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for a contract with SHI International Corp. in the amount of not to exceed \$50,000.00 for the purchase of e-Builder Program Management Information System (PMIS) software under the State of New Jersey Cooperative Purchasing program now pending approval to be reimbursed from the proceeds of a loan from the New Jersey Infrastructure Bank (NJIB).

A handwritten signature in blue ink, appearing to read 'David G. Brown II', is written over a horizontal line.

David G. Brown II
Certifying Finance Officer

DATED: August 28, 2019

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #77-19

AUTHORIZING AWARD OF CONTRACT TO PROVIDE MANAGEMENT SERVICES FOR THE IMPLEMENTATION OF THE E-BUILDER PROGRAM MANAGEMENT INFORMATION SYSTEM (PMIS)

WHEREAS, in accordance with N.J.S.A. 40A:11-2(6), the Linden Roselle Sewerage Authority, a body politic and corporate of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the Authority pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20; and

WHEREAS, pursuant to the fair and open process, the Authority solicited proposals and by resolution at its February 2019 Organizational Meeting qualified and approved engineering firms to provide consulting services by separate resolution approving each individual specific contract to be considered by the Members of the Authority; and

WHEREAS, there exists a need for the Authority to retain the services of a Consulting Engineer to provide for the initial implementation, administration and maintenance of the e-Builder Program Management Information System (PMIS); and

WHEREAS, the Authority requested a proposal from CDM Smith for said services and the Executive Director recommends that the best interests of the Authority are served by the selection of CDM Smith to provide these services for a sum not to exceed \$94,000.00; and

WHEREAS, the Linden Roselle Authority has further resolved to pursue funding to cover all costs for these services, through application to the New Jersey Infrastructure Bank (NJIB); and

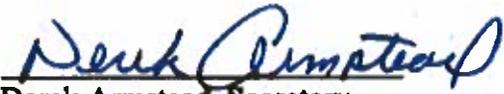
WHEREAS, sufficient funds are available in the Authority's Renewal and Replacement Fund (Account No. 2574000681), as evidenced by the Certification of Funds attached; and

WHEREAS, the Local Public Contract Law (N.J.S.A.11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" and the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority as follows:

1. The Linden Roselle Sewerage Authority authorizes the execution of an Agreement to retain CDM Smith as Consulting Engineers to provide Management Services for the implementation of the e-Builder PMIS.
2. The Chairman is hereby authorized and directed to sign the Agreement.
3. This contract is awarded without competitive bidding as a "Professional Service"; in accordance with N.J.S.A. 40:11-5(1)(A) of the Local Public Contracts Law.
4. A Notice of this action shall be printed once in the Local Source.
5. This contract is awarded pursuant to a fair and open process as set forth and in accordance with the provisions of N.J.S.A. 19:44A-20.4 et seq. and a copy of a resolution of qualification is attached hereto.

I certify that the foregoing is a true and exact copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on August 28, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY
CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for a contract award to CDM Smith in an amount not to exceed \$94,000.00 now pending approval to be reimbursed from the proceeds of a loan from the New Jersey Infrastructure Bank (NJIB).

Dated: August 28, 2019

A handwritten signature in blue ink, appearing to read 'D. G. Brown II', written over a horizontal line.

David G. Brown II
Certifying Finance Officer

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #78-19

**AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT
TO PROVIDE ON-CALL PROGRAM AND CONSTRUCTION
MANAGEMENT SERVICES**

WHEREAS, the Linden Roselle Sewerage Authority, has a need to acquire the services to be provided hereunder as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, it has been determined that the value of these services may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is six months; and

WHEREAS, Grant Engineering and Construction Group, LLC, has submitted a proposal to provide on-call Program Management and Construction Management Services for the coordination and successful implementation of the Authority's various Capital Improvement Projects for the not to exceed amount of \$90,000.00; and

WHEREAS, Grant Engineering and Construction Group, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the City of Linden and the Borough of Roselle in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, sufficient funds are available in the Authority's Renewal and Replacement Fund (Account No. 2574000681), as evidenced by the Certification of Funds attached; and

WHEREAS, the Linden Roselle Authority has further resolved to pursue funding to cover all costs for these services, through application to the New Jersey Infrastructure Bank (NJIB); and

WHEREAS, the Local Public Contract Law (N.J.S.A.11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" and the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority as follows:

1. The Linden Roselle Sewerage Authority authorizes the execution of an Agreement to retain Grant Engineering and Construction Group, LLC to provide on-call Program and Construction Management Services.
2. The Chairman is hereby authorized and directed to sign the Agreement.
3. This contract is awarded without competitive bidding as a "Professional Service"; in accordance with N.J.S.A. 40:11-5(1)(A) of the Local Public Contracts Law.
4. A Notice of this action shall be printed once in the Local Source.
5. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

I certify that the foregoing is a true and exact copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on August 28, 2019.


Derek Armstead, Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Linden Roselle Sewerage Authority's Renewal and Replacement Fund (Account No. 2574000681) for a contract award to Grant Engineering and Construction Group, LLC, in an amount not to exceed \$90,000.00 now pending approval to be reimbursed from the proceeds of a loan from the New Jersey Infrastructure Bank (NJIB).

Dated: August 28, 2019



David G. Brown II
Certifying Finance Officer

DETERMINATION OF VALUE

The Purchasing Agent has determined that the value of the contract listed below will exceed \$17,500.00

VENDOR	NOT TO EXCEED CONTRACT AMOUNT
Grant Engineering & Construction LLC	\$90,000.00