

JUNE 18, 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 approve Shared Services Agreement with City of Linden for Sewer Collector Services - **#62-19**
2. Resolution to approve Escrow Agreement with IMTT for Relocation of Pipeline within Easement on LRSA property - **#63-19**
3. Resolution to approve Relocation of Pipeline owned by IMTT within easement on LRSA Property - **#64-19**
4. Resolution to award a one year contract for Removal, Barge Transport and Disposal of Sludge to Spectraserv, Inc. in the amount not to exceed \$1,881,600.00 - **#65-19**
5. Resolution to authorize a one year extension of a contract for the Support & Maintenance of the Supervisory Control and Data Acquisition (SCADA) System to Pumping Services, Inc., in the sum of not to exceed \$10,000.00 - **#66-19**
6. Resolution to authorize Disposal of Surplus Property - **#67-19**
7. Resolution to award a two year contract to Furnish and Deliver Dry Polymer to Polydyne, Inc., in the sum of not to exceed \$156,337.50 - **#68-19**

APPROVAL FOR PAYMENTS

1. By Motion and "O&M Resolution", there is an Operating Fund Payment in the total amount of **\$595,973.44**
2. By Motion and "R&R Resolution", there are payments from the Authority's Renewal and Replacement Fund totaling of **\$14,244.75**

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #03-19

EXECUTIVE SESSION

WHEREAS, THE Linden Roselle Sewerage Authority has determined at a meeting of June 18, 2019 to which the public is admitted, that it is necessary to **exclude the public** from a portion of that said meeting for the following reasons;

The Authority will discuss:

**Personnel Matters,
Contract Negotiation with Aries,
and
Any other matters as may come before the Members**

NOW, THEREFORE BE IT RESOLVED, that this meeting be closed to the public until such discussion will be made available to the public within thirty (30) days, unless it is determined by the Authority that disclosure of those Minutes would defeat the intent and purpose of N.J.S.A. 10:14-12(b).

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on June 18, 2019.


~~Derek Armstead, Secretary~~

Edward Mikolajczyk, Acting Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #62-19

Shared Services Agreement with City of Linden for Sewer Collector Services

WHEREAS, the Linden Roselle Sewerage Authority (the” LRSA” or “Authority”) is the owner and curator of a sewerage treatment plant and employs individuals who are experts in the operation of sewerage treatment plans as well as licensed operators of sewer collections systems; and

WHEREAS, the City of Linden is one of two member jurisdictions of the LRSA for which the LRSA provides sewerage treatment services; and

WHEREAS, the City of Linden is the owner of a C-4 Sewer Collection System (the “Collection System”) that collects sewer waste and rainwater that is provided to the LRSA for treatment; and

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) requires that each municipality in the State that owns a Collection System employ or contract the services of a licensed operator (an “Operator” or “Licensed Operator”) and back up licensed operator (a “Back Up Operator”) to operate and maintain its Collection System; and

WHEREAS, the City of Linden is currently without the services of an Operator and Back Up Operator; and

WHEREAS, the LRSA has a licensed Operator that possesses the necessary licenses from the State of New Jersey for the operation and maintenance of the Collection System as required by NJDEP. The Authority also has access to a licensed Back Up Operator that possesses the necessary licenses from the State of New Jersey for the operation and maintenance of the Collection System as required by NJDEP; and

WHEREAS, the City of Linden desires to engage the Authority and its Operator and Back Up Operator to perform certain services for the City of Linden relating to the Collection System; and

WHEREAS, the City of Linden and the Authority have negotiated a Collection System Operation Agreement (the "Agreement") for the Authority to serve as the City of Linden's Operator and Back Up Operator, and such draft agreement is annexed hereto as Exhibit A; and

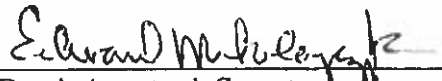
WHEREAS, pursuant to the Agreement, the Authority's Licensed Operator shall devote a minimum of 16 hours per month to inspection, reporting and operation of the Collection System Unless otherwise required by NJDEP. Anything to the contrary notwithstanding, the Authorities Licensed Operator shall devote only such time, in excess of 16 hours per month, as may be required by the City (i) to supervise the maintenance of or repairs to, the Collection System of (ii) due to emergencies occurring in the Collection System, (iii) required by NJDEP. In the event the Authorities Licensed Operator is required to devote more than 16 per month pursuant to (i) and (ii) above, than the City of Linden shall provide the Authority with additional compensation at the rate of \$50.00 per hour of service in excess of 16 hours; and

WHEREAS the City Council of the City of Linden has been presented with a resolution for their consideration to adopt the Agreement.

NOW, THEREFORE, BE IT RESOLVED, the Agreement is approved in form and substance by the LSRA, subject to the Agreement being approved in form and substance by the City Council of the City of Linden. Upon the City Council of the City of Linden adopting and executing the Agreement, the Chairman of the LSRA is authorized to execute the Agreement in substantially similar form and substance to the Agreement annexed hereto.

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 and in the Escrow 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 June 18, 2019.


~~Derek Armstead, Secretary~~
Edward Mikolajczyk, Acting Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #63-19

**Escrow Agreement with IMTT for Relocation of Pipeline within
Easement on LRSA Property**

WHEREAS, the Linden Roselle Sewerage Authority (the “LRSA” or “Authority”) is the owner of real property known and designated as Lot 21 in Block 587 (the “LRSA PROPERTY”), as shown and designated on the official tax maps of the City of Linden; and

WHEREAS, IMTT is the holder of an easement (the “IMTT Easement”) as recorded in the Office of the Clerk of Union County in Deed Book 2785, Page 224, and on which it owns and maintains a 12-inch pipeline; and

WHEREAS, IMTT desires to abandon and remove the existing 12-inch pipeline and install a new 12-inch pipeline adjacent to the old pipeline as shown the plans annexed hereto as Exhibit A; and

WHEREAS, IMTT has agreed to deposit an escrow (the “Escrow”) with the LRSA to pay all the costs and expenses of the LRSA and its professionals, including but not limited to legal, engineering, design, construction management and administrative costs (hereinafter the “Escrow Costs”) in reviewing the abandonment and removal of the old 12-inch pipeline and installing a new 12-inch pipeline; and

WHEREAS, the parties have estimated that the initial Escrow Costs will be \$15,000.00, subject to replenishment as hereinafter described; and

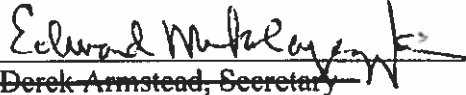
WHEREAS the LSRA and IMTT have negotiated a mutually acceptable form of escrow agreement (the “Escrow Agreement”) substantially similar to the form attached hereto as Exhibit B; and

NOW, THEREFORE, BE IT RESOLVED, the Escrow Agreement is approved in form and substance by the LSRA, and the Chairman of the LSRA is authorized to execute the Escrow Agreement in substantially similar form and substance to the Escrow Agreement annexed hereto.

AND THAT IT IS FURTHER RESOLVED, that all of the Authority's Escrow Costs relating to the removal of the 12-inch pipeline and the installation of the new 12-inch pipeline by IMTT on the IMTT Easement, including the professional fees, shall be paid out of the Escrow.

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 and in the Escrow 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 June 18, 2019.


~~Derek Armstead, Secretary~~
Edward Mikolajczyk, Acting Secretary

THE LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #64-19

Relocation of Pipeline owned by IMTT within Easement on LRSA Property

WHEREAS, the Linden Roselle Sewerage Authority (the “LRSA” or “Authority”) is the owner of real property known and designated as Lot 21 in Block 587 (the “LRSA Property”), as shown and designated on the official tax maps of the City of Linden; and

WHEREAS, IMTT is the holder of an easement (the “IMTT Easement”) on the LRSA Property as recorded in the Office of the Clerk of Union County in Deed Book 2785, Page 224, and

WHEREAS, within the bounds of the IMTT Easement IMTT owns and maintains a 12-inch pipeline; and

WHEREAS, the existing IMTT Easement is generally across the LRSA Property and is not limited to metes and bounds contained in a legal description or boundaries shown on a survey; and

WHEREAS, IMTT desires to abandon and remove an existing 12-inch pipeline in the IMTT Easement and install a new 12-inch pipeline adjacent to the old pipeline in the IMTT Easement as shown on the plans provided to the LRSA by IMTT and annexed hereto as Exhibit A; and

WHEREAS, IMTT has agreed to deposit an escrow (the “Escrow”) with the LRSA to pay all the costs and expenses of the LRSA and its professionals, including but not limited to legal, engineering, design, construction management and administrative costs (hereinafter the “Escrow Costs”) in reviewing the abandonment and removal of the old 12-inch pipeline and installing a new 12-inch pipeline; and

WHEREAS, the Authority’s engineer has reviewed the plans provided by IMTT’s engineers showing the location of the new, relocated pipeline, and the Authority’s engineer approves of the removal of the old pipeline and installation of the new pipeline in the IMTT Easement with certain conditions listed hereafter; and

WHEREAS, the Authority has requested of IMTT that the IMTT Easement be amended to be defined by plotting the IMTT Easement on a survey and/or in a legal description that is to be recorded in the Union County Clerk's Office, with such IMTT Easement extending for 10 feet on either side of the newly installed 12-inch pipeline and IMTT has agreed that it will amend the IMTT Easement to be defined once the new 12-inch pipeline is installed.

NOW, THEREFORE, BE IT RESOLVED, that IMTT be permitted to remove the old 12-inch pipeline across the IMTT Easement and install a new 12-inch pipeline across the IMTT Easement so long as the following conditions are met.

1. The removal of the old 12-inch pipeline and installation of the new 12-inch pipeline across the IMTT Easement shall be at no cost to the LRSA. All Escrow Costs incurred by the LRSA in accordance with the work to be performed by IMTT shall not occur unless the Escrow is funded and all Escrow Costs incurred by the LRSA are paid through the Escrow.
2. The construction of the receiving pit for the jacking of the IMTT pipeline under the railroad will be excavated adjacent to the existing LRSA Main Interceptor Sewer as shown on the plans annexed hereto as Exhibit B.
3. IMTT's contractor will utilize means that will not require the driving of sheeting or piles or any other similar methods in order to maintain the receiving pit open excavation.
4. IMTT shall defend, indemnify and hold harmless the Authority for any claims or actions filed against the Authority resulting out of the removal of the existing 12-inch pipeline and installation of the new 12-inch pipeline, and shall repair or replace any damage done to Authority property.
5. Prior to work commencing IMTT shall provide an Insurance Certificate for liability insurance of at least \$5,000,000.00 naming the LRSA as an additional insured for the work to be performed by IMTT.


6. The Authority is provided with at least 48-hours' notice prior to any construction occurring on the IMTT Easement and no construction may take place unless a representative of the Authority is present onsite during construction.

7. Within 30 days of the completion of the installation of the new 12-inch pipeline, IMTT shall provide a survey and/or legal description showing that the IMTT Easement is limited to 10-feet on either side of the newly installed pipeline, and agrees to amend the IMTT Easement to limit IMTT's Easement to the boundaries shown in the survey or described in the metes and bounds legal description.

8. Prior to the work commencing, IMTT shall provide written notice to the Authority of its ability and willingness to comply with each of these conditions.

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 June 18, 2019.


~~Derek Armistead, Secretary~~

Edward Mikolajczyk, Acting Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #65-19

**AWARDING A CONTRACT FOR REMOVAL, BARGE TRANSPORT AND
DISPOSAL OF SLUDGE**

WHEREAS, by Resolution #36-18, the Authority awarded a one year contract to Spectraserv, Inc. , that commenced July 1, 2018, for the removal, barge transport and disposal of sludge, in the amount of \$1,826,880.00 at a price of \$38.06 per wet ton, with the option to renew at the Authority's discretion for two additional one year periods, for a maximum contract term of three years; and

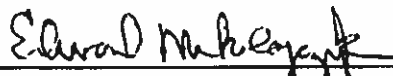
WHEREAS, the Executive Director and Plant Superintendent are recommending that the renewal of said contract for an additional year (Year 2) in the amount of \$1,881,600.00 at a price of \$39.20 per wet ton is in the best interest of the Authority; and

WHEREAS, the Certifying Finance Officer has certified that sufficient funds are available for the Contract in the Authority's 2019 Budget in Account No. 01- 215-6660 (Sludge Barging) as evidenced by the attached Certification of Funds.

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority that a one-year contract for Removal, Barge Transport and Disposal of Sludge, be awarded to Spectraserv, Inc. in the amount of \$1,881,600.00 at a price of \$39.20 per wet ton; and

BE IT FURTHER RESOLVED, that the Chairman and Secretary are authorized and directed to execute the 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 June 18, 2019.


~~Derek Armstead, Secretary~~

Edward Mikolajczyk, Acting Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I certify that sufficient funds are available in the Linden Roselle Sewerage Authority's 2019 Budget in Account No. 215-6660 entitled "Sludge Barging" for a contract with Spectraserv, Inc. in the sum of \$1,881,600.00 now pending approval.

DATED: June 18, 2019

A handwritten signature in black 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 #67-19

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

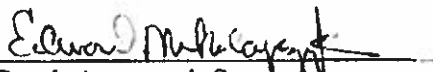
WHEREAS, the Linden Roselle Sewerage Authority is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Members are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

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

- (1) The sale of surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available at the Authority's Main Office.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached as Exhibit A.
- (5) The surplus property as identified shall be sold in "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Authority reserves the right to accept or reject any bid submitted.

I hereby certify that the foregoing Resolution is a true and exact copy of the Resolution adopted at the meeting held on June 18, 2019.


~~Derek Armstead, Secretary~~

Edward Mikolajczyk, Acting Secretary

EXHIBIT A

Pitney Bowes Digital Mailing System DM200L

Telephones

Miscellaneous Laboratory Equipment

Miscellaneous Computer Equipment

LINDEN ROSELLE SEWERAGE AUTHORITY

RESOLUTION #68-19

**AWARDING A TWO YEAR CONTRACT FOR FURNISHING AND
DELIVERING DRY POLYMER**

WHEREAS, the Linden Roselle Sewerage Authority issued a request for bids to Furnish and Deliver Dry Polymer for a two-year period, to be publicly opened and read aloud on June 4, 2019 at 10 A.M. prevailing time; and

WHEREAS, 3 bids were received, and it was determined that Polydyne, Inc. was the lowest responsible and responsive bidder on its bid of \$156,337.50 for two years; and

WHEREAS, the Members of the Board have reviewed a memorandum recommending the award of a contract to Polydyne, Inc. on its bid of \$156,337.50; and

WHEREAS, the Certifying Finance Officer has certified that sufficient funds are available in the Authority's 2019 budget in Account Number 01-215-8710 (Polymer-Waste Activated) and 01-215-8730 (Polymers-Digested Sludge) as evidenced by the attached Certification of Funds.

NOW THEREFORE, BE IT RESOLVED, by the Linden Roselle Sewerage Authority that the contract for furnishing and delivering Polymer be and the same is hereby awarded to Polydyne, Inc. in the sum of \$156,337.50 for a two-year period, on its bid of \$1.65 per pound. The Chairman and Secretary are authorized and directed to execute the contract.

I certify the foregoing to be a true copy of a Resolution adopted by the Linden Roselle Sewerage Authority at a meeting held on June 18, 2019.


~~Derek Armstead, Secretary~~

Edward Mikolajczyk, Acting Secretary

LINDEN ROSELLE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

I hereby certify that sufficient funds are available in the Authority's 2019 budget in Account No. 01-215-8710 entitled Polymers-Waste Activated and Account No. 01-215-8730 entitled Polymers-Digested Sludge for a two-year contract with Polydyne, Inc. in the sum of \$156,337.50 now pending approval.

Dated: June 18, 2019

A handwritten signature in black ink, appearing to read "David G. Brown II", is written over a horizontal line. The signature is somewhat stylized and includes a large, loopy initial.

David G. Brown II
Certifying Finance Officer