

BERNARDS TOWNSHIP SEWERAGE AUTHORITY
AGENDA
October 12, 2021
6:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call

4. Open Public Meeting Statement

5. Closed session – Resolution #2149 Cyber Security

6. Approval of Minutes
 - a. Regular Meeting – September 14, 2021

7. Correspondence – 41 Harrison Brook Dr – request for check valve

8. I&I Program Update – Michael McAloon, P.E., Suburban Consulting

9. Public Comment

10. Action/Discussion Items:
 - a. Resolution #2150 - Information Security Plan, Disaster Recovery Plan and Cyber Incident Response Plan
 - b. Resolution #2151 – Mystic Lobster, 403 King George Rd, grease trap waiver
 - c. Resolution #2152 – Interim Payment of Bills
 - d. Resolution #2153 – Arold Construction E Oak Force Main II CO#1 & Final
(\$79,996.10)

9. Consulting Engineer’s Report

10. Operator’s Report

11. Bill List – Resolution - #2154 -

12. Member/Staff Comments

13. Adjournment



Bernards Township Sewerage Authority Resolution

Resolution #2149

Authorizing an Executive Session Meeting of the Bernards Township Sewerage Authority

WHEREAS, NJSA 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Bernards Township Sewerage Authority has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public; and

WHEREAS, the regular meeting of the Bernards Township Sewerage Authority will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Bernards Township Sewerage Authority will go into closed session for the following reason(s) as outlined in NJSA 10:4-12; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Bernards Township Sewerage Authority hereby declares that the discussion of subject(s) may be made public at a time when the Authority Attorney advises the Authority that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion. That time is currently estimated as the time of said matter.

NOW THEREFORE BE IT FINALLY RESOLVED that the Bernards Township Sewerage Authority, hereby declares that the public is excluded from the portion of the meeting during which the discussion(s) shall take place and hereby directs the Director to take the appropriate action to effectuate the terms of this resolution.

Reason for Closed Session

Estimated Time of Disclosure or Upon Occurrence Of

- Any matter which by express provisions of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public provision relied upon .
- Any matter in which the release of information would impair a right to receive funds from the federal government.
- Any matter involving Attorney-Client privilege.
- Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.
- Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.
- Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. *Cyber Security*



Bernards Township Sewerage Authority Resolution

- Any investigations of violations or possible violations of the law.

- Any pending or anticipated litigation or contract negotiations which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as lawyer. *Under certain circumstances, if public disclosure of the matter would have a potentially negative impact on the Township's position in the litigation or negotiation, this information may be withheld until such time that the matter is concluded or the circumstances no longer present a potential impact.*

- Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose right could be adversely affect request in writing that such matter or matters be discussed at a public meeting subject to the balancing of the public's interest and the employee's privacy rights under *South Jersey Publishing*, 124 NJ 478.
The employee(s) and nature of discussion is:
- Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility.

- Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy.

Agenda and Date Voted: October 12, 2021

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 10/12/2021.

Thomas Timko, Authority Director



Bernards Township Sewerage Authority

RESOLUTION #2150

Adopting an Information Security Policy,
Cyber Incident Response Plan and Disaster Recovery Plan

WHEREAS, the purpose of creating an Information Security Policy, Cyber Incident Response Plan, and Disaster Recovery Plan is to formally establish the objectives and practices for sound data systems procedures for the Authority, and to clearly establish standard procedures in the event of a malicious cyber incident; and

WHEREAS, the Authority is a member of the Suburban Municipal Joint Insurance Fund (Suburban JIF) and the Municipal Excess Liability Joint Insurance Fund (MEL) who provide cyber insurance coverage for the Authority; and

WHEREAS, the Suburban Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance fund recommend such policies and response plans be formally adopted by the Authority; and

WHEREAS, compliance with the practices established in these policies will enable the Authority to claim reimbursement of a paid insurance deductible in the event the member files a claim against the Authority's cyber insurance policy, administered through the New Jersey Utility Authorities Joint Insurance fund and the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the State of New Jersey considers it a "Best Practice" to have a formal cyber incident response plan.

NOW THEREFORE BE IT RESOLVED, by the Bernards Township Sewerage Authority of the Township of Bernards, Somerset County, New Jersey that there be and is hereby adopted an Information Security Policy, a Cyber Incident Response Plan, and a Disaster Recovery Plan for the Bernards Township Sewerage Authority subject to future revisions, a copy of both which are attached hereto and made a part hereof by reference.

EXPLANATORY STATEMENT

This resolution is a standard operating procedure for handling a cyber security incident. These step by step instructions are necessary for contacting the Municipal Excess Liability Joint Insurance Fund and providing the Authority assistance via the breach council and forensics and recovery professionals.

Date: 10/12/21

Thomas Timko, Director

Agenda and Date Voted: 10/12/21

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 10/12/2021.

Thomas Timko, Authority Director



Bernards Township Sewerage Authority Resolution

RESOLUTION #2151
WAIVER OF GREASE TRAP REGULATION

WHEREAS, Mystic Lobster Roll Company, 403 King George Road, Suite 5, Basking Ridge, NJ 07920 has requested a waiver from the required 750 gallon grease trap to install a smaller, undersink grease trap; and

WHEREAS, Mystic Lobster Roll Company, a prepared foods take out store, has provided a description of store operations and plan of the kitchen; and

WHEREAS, Mystic Lobster Roll Company has provided the Authority with information demonstrating the sizing of the smaller grease trap; and

BE IT RESOLVED, by the Bernards Township Sewerage Authority, Somerset County, New Jersey that the waiver for Mystic Lobster Roll Company, 403 King George Road, Basking Ridge, NJ 07920 is hereby approved; and

BE IT RESOLVED, that should Mystic Lobster Roll Company, change their service menu or operation or not maintain the smaller trap, the Authority may at its sole discretion require the installation of a larger grease trap; and

BE IT FURTHER RESOLVED, the undersink grease trap shall be subject to the same rules and regulations and inspections as any other grease trap installation and the Authority may require the installation of a 750 gallon grease trap within 30 days notice, at anytime the Authority deems necessary;

BE IT FURTHER RESOLVED, that a copy of this resolution be on file, available for public inspection in the office of the Bernards Township Sewerage Authority Director, 277 S. Maple Avenue, Basking Ridge, New Jersey 07920.

EXPLANATORY STATEMENT	
This resolution approves the installation of a smaller grease trap at Mystic Lobster Roll Company instead of the required 750 gallon grease trap.	
October 12, 2021	Thomas Timko, Director

Agenda and Date Voted: October 12, 2021

<u>Certification</u>
I hereby certify this is a true and exact copy of a resolution adopted by the Bernards township Sewerage Authority on 10/12/2021.
_____ Thomas Timko, Authority Director

BERNARDS TOWNSHIP SEWERAGE AUTHORITY

**Resolution #2152
Giving the CFO Authority to Approve Payment of Bills
on or About November 9, 2021
Due to Authority Meeting Cancellation**

WHEREAS, the annual meeting schedule of the Bernards Township Sewerage Authority adopted pursuant to Resolution #2101, sets the meeting dates for the Authority; and

WHEREAS, at each scheduled meeting, the Sewerage Authority votes on the payment of bills; and

WHEREAS, the regularly scheduled monthly meeting for November is scheduled two weeks later on November 23, 2021, to allow for the payment of the majority of November bills at the end of the Authority's financial year, which ends November 30th, as recommended by the Auditor; and

WHEREAS, the CFO advises that failure to pay certain bills for a four week period will result in delinquencies on Authority accounts; and

WHEREAS, the CFO recommends that the Sewerage Authority give the authority to approve payment of bills on or about November 9, 2021, to avoid delinquencies on Sewerage Authority accounts.

NOW THEREFORE BE IT RESOLVED, by the Bernards Township Sewerage Authority that we do hereby authorize Sean McCarthy, CFO, to audit, approve, and make payment of the bills scheduled for payment on or about November 9, 2021; and,

NOW THEREFORE BE IT FURTHER RESOLVED, by the Bernards Township Sewerage Authority that the payment of bills authorized by the CFO on or around November 9, 2021, be memorialized in a resolution to be adopted by the Sewerage Authority on October 12, 2021.

Agenda and Date Voted: October 12, 2021

Certification

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 10/12/2021.

Thomas Timko, Authority Director



Bernards Township Sewerage Authority

BERNARDS TOWNSHIP SEWERAGE AUTHORITY RESOLUTION #2153

CHANGE ORDER #1 and FINAL DECREASE IN THE AMOUNT OF **(\$79,996.10)** FOR EAST OAK FORCE MAIN REHABILITATION PHASE II IN THE NEW NOT TO EXCEED AMOUNT OF **\$421,503.90**

WHEREAS, the Bernards Township Sewerage Authority approved resolution #2113 on January 7, 2021, awarding the East Oak Force Main Rehabilitation Phase II Project to Arold Construction Company, Inc., 51 Powder Mill Bridge Road, Kingston, NY 12401 in the amount of \$501,500.00; and

WHEREAS, Change Order #1 is required to document the decrease in the scope of work for construction services for the project as outlined in correspondence from Suburban Consulting dated September 7, 2021; and

THEREFORE BE IT RESOLVED by the Bernards Township Sewerage Authority of the Township of Bernards, Somerset County, New Jersey that the Purchasing Agent is hereby authorized to issue a change order to Arold Construction Company, Inc., 51 Powder Mill Bridge Road, Kingston, NY 12401 in the amount of \$501,500.00; decreasing the original contract price from \$501,500.00 for a new not to exceed amount of \$421,503.90 and a contract completion date of August 2, 2021.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Bernards Township Sewerage Authority of the Township of Bernards that a copy of this resolution is on file, available for public inspection, in the office of the Bernards Township Sewerage Authority Director, Basking Ridge, NJ 07920

PURCHASING CERTIFICATION

I hereby certify that I have reviewed this resolution for accuracy.

Francis J. Decibus, QPA, RPPO
Purchasing Agent

Date: October 6, 2021

Dated Voted: October 12, 2021

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 10/12/2021.

Thomas Timko, Authority Director