

**BERNARDS TOWNSHIP SEWERAGE AUTHORITY  
AGENDA**

**January 10, 2023**

**6:30 PM**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Open Public Meeting Statement
5. Approval of Minutes
  - a. Regular Meeting – December 13, 2022
  - b. Rate Hearing Meeting – November 22, 2022
6. Correspondence –
7. Public Comment
8. Action/Discussion Items:
  - a. Resolution #2308 Dish Wireless cellular lease
  - b. Resolution #2309 P2P Garden State Labs, Municipal Maintenance, John Garcia Construction, Rapid Pump & Meter Service, Miracle Chemical Co., TR Weniger
  - c. Resolution #2310 Buchart Horn Kirk Key System time extension
  - d. Resolution #2311 Buchart Horn Pipe Header time extension
  - e. Discussion – Plant flows and sump pumps
9. Operator's Report
10. Bill List – Resolution - #2312-
11. Member/Staff Comments
12. Adjournment

**Resolution #2308**  
Award of Lease on Existing Cell Tower  
Bernards Township Sewerage Authority  
to Dish Wireless LLC

**WHEREAS**, pursuant to a Lease Agreement dated May 19, 2010 between the Bernards Township Sewerage Authority ("BTSA") and T-Mobile Northeast, LLC ("TMO") ("Prime Lease Agreement"), TMO constructed a communications tower and related appurtenances on apportion of the property identified as Block 9204, Lot 2, located at 726 Martinsville Road, in the Township of Bernards (the "Property"); and

**WHEREAS**, the Prime Lease Agreement provided in pertinent part that it was intended to be a non-exclusive agreement anticipating utilization of the communications tower by other telecommunications companies for wireless communications purposes; and

**WHEREAS**, the Prime Lease Agreement further provided that the BTSA was the only party that may lease any portion of the leased premises, including space on the communications tower; and

**WHEREAS**, Dish Wireless approached the BTSA to co-locate its telecommunications facilities upon the existing tower on the Property pursuant to the terms of the Prime Lease Agreement; and

**WHEREAS**, after negotiations, the BTSA and Dish Wireless agreed upon the terms for the installation and co-location of Dish's telecommunications facilities; and

**WHEREAS**, the agreed upon terms have been memorialized in a Tower Lease Agreement, a copy of which is attached hereto; and

**WHEREAS**, it is the recommendation of the Authority Director to award and enter into the Tower Lease Agreement with Dish Wireless for the installation and co-location of Dish's telecommunications facilities upon the existing communications tower on the property; and authorizing the BTSA to enter into the Tower Lease Agreement which sets forth the terms and conditions for same.

**NOW, THEREFORE, BE IT RESOLVED** by the Bernards Township Sewerage Authority, Somerset County, New Jersey as follows:

1. The BTSA is hereby authorized to enter into the Tower Lease Agreement with Dish Wireless for the installation and co-location of Dish's telecommunications facilities and related appurtenances upon the existing communications tower on the Property.
2. The BTSA Chairperson and Director are hereby authorized and directed to execute the Tower Lease Agreement with Dish Wireless in substantially the form attached hereto.
3. Appropriate BTSA officials are hereby authorized to take all actions necessary to carry out and complete the terms of the Tower Lease Agreement.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

Agenda and Date Voted: January 10, 2023

**Certification**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 1/10/2023.

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Thomas Timko, Authority Director



# Bernards Township Sewerage Authority

## Resolution #2309

Bernards Township Sewerage Authority

Award of Purchase Order(s) for

Garden State Laboratories, Inc. John Garcia Construction, Miracle Chemical Company, Municipal Maintenance, Rapid Pump & Meter Service Co., T.R Weniger, Inc,

**WHEREAS**, the Township Committee of Bernards has adopted Ordinance # 1854 "Known as Pay to Play" and P. L. 2004, Chapter 19; and

**WHEREAS**, pursuant to the ordinance window contracts determined to exceed \$17,500.00 and within the bid threshold of \$44,000.00 requires Authority approval; and

**WHEREAS**, the purchasing agent has determined that the value of the expenditures with the vendor(s) listed below will exceed \$17,500.00 in purchases; and

Vendor	Not to Exceed	Vendor	Not to Exceed
Garden State Laboratories (lab testing)	\$44,000.00	Municipal Maintenance (pump service)	\$44,000.00
John Garcia Construction (small repairs)	\$44,000.00	Rapid Pump & Meter Service Co. (pump service)	\$44,000.00
Miracle Chemical Company (chemical supply)	\$44,000.00	T.R. Weniger, Inc. (peracetic acid study)	\$44,000.00

**WHEREAS**, in anticipation of the listed expenditure, a Business Entity Disclosure Certification has been secured in compliance with N.J.S.A.19:44A 20-4 et seq., and that the principals of the said companies, have not made any reportable contributions to a political or candidate committee in the Township of Bernards in the previous one year, and that the contract will prohibit the principals of said companies from making ANY contributions through the term of the contract pursuant to Bernards Township Ordinance # 1854 adopted on February 28, 2006, that would prohibit any business entity or professional that procures goods, services or contracts from the Township without the formal bid process from making "any" contribution whatsoever in the prior calendar year; and

**NOW 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 purchase orders to the vendor listed above to maintain continuity and facilitate the ordering process through November 30, 2023.

Agenda and Date Voted: January 10, 2023

### PURCHASING CERTIFICATION

I hereby certify that I have prepared this resolution and reviewed it for accuracy.

  
For Purchasing Agent

Francis J. Decibus, QPA, RPPO  
Purchasing Agent

Date: December 29, 2022

### CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 01/10/2023.

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Thomas Timko, Authority Director



## *Bernards Township Sewerage Authority*

**RESOLUTION #2310  
PROFESSIONAL SERVICES CONTRACT  
CHANGE ORDER #1  
TIME EXTENSION**

**KIRK KEY SYSTEM FOR TREATMENT PLANT PANELS PP-INLET & PP-SF  
Awarded to Michael V. Pullano, P.E., NJ Lic #24GE04616200 of the firm Buchart Horn**

**WHEREAS**, the Bernards Township Sewerage Authority required consulting engineering services for developing construction bid documents, bidding assistance and construction administration and inspection for the implementation of a kirk-key system between Panel PP-INLET and Panel PP-SF; and

**WHEREAS**, the Bernards Township Sewerage Authority adopted Resolution #2221 on February 15, 2022, awarding a professional services contract to Michael V. Pullano, P.E., NJ Lic #24GE04616200, of the firm Buchart Horn, 2 Eves Drive, Suite 110, Marlton, NJ 08053 in the not to exceed amount of \$22,051.00; and

**WHEREAS**, Change Order #1 is needed to extend the time of the contract for the ongoing project; and

**NOW, THEREFORE BE IT RESOLVED** by the Bernards Township Sewerage Authority that the contract for professional engineering services to Michael V. Pullano, P.E., NJ Lic #24GE04616200, of the firm Buchart Horn, 2 Eves Drive, Suite 110, Marlton, NJ 08053 be extended to August 30, 2023, at no additional cost.

**PURCHASING CERTIFICATION**

I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Francis J. Decibus, QPA, RPPO  
Purchasing Agent

Date:

Agenda and Date Voted: January 10, 2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 1/10/2023.

\_\_\_\_\_  
Thomas Timko, Authority Director



## *Bernards Township Sewerage Authority*

**RESOLUTION #2311  
PROFESSIONAL SERVICES CONTRACT  
CHANGE ORDER #1  
TIME EXTENSION REPLACEMENT OF PLANT HEADER PIPING  
Awarded to Michael V. Pullano, P.E., NJ Lic #24GE04616200 of the firm Buchart Horn**

**WHEREAS**, the Bernards Township Sewerage Authority required consulting engineering services for the replacement of the Plant Header Piping at the Harrison Brook Treatment Plant; and

**WHEREAS**, the Bernards Township Sewerage Authority adopted Resolution #2222 on February 15, 2022, awarding a professional services contract to Michael V. Pullano, P.E., NJ Lic #24GE04616200, of the firm Buchart Horn, 2 Eves Drive, Suite 110, Marlton, NJ 08053 in the not to exceed amount of \$43,070.00; and

**WHEREAS**, Change Order #1 is needed to extend the time of the contract for the ongoing project; and

**NOW, THEREFORE BE IT RESOLVED** by the Bernards Township Sewerage Authority that the contract for professional engineering services to Michael V. Pullano, P.E., NJ Lic #24GE04616200, of the firm Buchart Horn, 2 Eves Drive, Suite 110, Marlton, NJ 08053 be extended to August 30, 2023, at no additional cost.

**PURCHASING CERTIFICATION**

I hereby certify that I have prepared this resolution and reviewed it for accuracy.

Francis J. Decibus, QPA, RPPO  
Purchasing Agent

Date:

Agenda and Date Voted: January 10, 2023

**CERTIFICATION**

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Sewerage Authority on 1/10/2023.

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Thomas Timko, Authority Director