

**MINUTES OF THE BOARD MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
September 21, 2015**

Minute 1 – Opening of Meeting

The Board Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:31 P.M. by the Chairman, Peter Stires.

Minute 2 – Open Public Meetings Announcement

The Open Public Meeting Announcement was read by the Executive Director, Ronald S. Anastasio.

Minute 3 – Roll Call

Present/Absent

_____ x _____	Todd Hay
x _____	Richard DeLuca
x _____	Philip Petrone
x _____	Edward Machala
_____ x _____	Carolann Garafola
x _____	Steven Mlenak

Present/Absent

x _____	Richard Mathews
x _____	Michael Merdinger
x _____	Joseph J. Lifrieri
x _____	Michael Impellizeri
x _____	Gail Quabeck
x _____	Robert Albano (in at 7:52)
x _____	Peter Stires

Professional Staff

Ronald Anastasio, P.E., Executive Director	Present
Sherwin Ulep, P.E., Facility Engineer	Present
Anthony Tambasco, Plant Superintendent	Present
Michael Ingenito, Supervisor-Wet End	Present
Thomas Laustsen, P.E., CDM Smith	Present
Joseph Maraziti, Esq., Maraziti Falcon, General Counsel	Present
Peter Wozniak, Chief Financial Officer	Present
Linda Hering, Human Resources Manager	Present
Anamia Myhre, Regulatory Compliance Officer	Present
Donna O’Shea, Administrative Assistant	Absent

Minute 4 – Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 – Approval of Minutes

A. Board Meeting – August 24, 2015 Regular Session

Upon motion of Mr. Machala, second of Mr. Mathews, the Minutes of the August 24th Meeting (Regular Session) were approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____X_____
Richard DeLuca	_____X_____	_____	_____X_____	_____
Philip Petrone	_____X_____	_____	_____	_____
Edward Machala	_____X_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____X_____
Steven Mlenak	_____	_____	_____X_____	_____
Richard Mathews	_____X_____	_____	_____	_____
Michael Merdinger	_____X_____	_____	_____	_____
Joseph Lifrieri	_____X_____	_____	_____	_____
Michael Impellizeri	_____X_____	_____	_____	_____
Gail Quabeck	_____X_____	_____	_____	_____
Robert Albano	_____	_____	_____	_____X_____
Peter Stires	_____X_____	_____	_____	_____

B. Board Meeting – August 24, 2015 Closed Session

Upon motion of Ms. Quabeck, second of Mr. Lifrieri the Minutes of the August 24th Meeting (Closed Session) were approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____X_____
Richard DeLuca	_____	_____	_____X_____	_____
Philip Petrone	_____X_____	_____	_____	_____
Edward Machala	_____X_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____X_____
Steven Mlenak	_____	_____	_____X_____	_____
Richard Mathews	_____X_____	_____	_____	_____
Michael Merdinger	_____X_____	_____	_____	_____
Joseph Lifrieri	_____X_____	_____	_____	_____
Michael Impellizeri	_____X_____	_____	_____	_____
Gail Quabeck	_____X_____	_____	_____	_____
Robert Albano	_____	_____	_____	_____X_____
Peter Stires	_____X_____	_____	_____	_____

Minute 6 – Public Hearings:

- A. **Res. No. 15-0921-1** -- Nitta Casings, Inc. in Bridgewater, NJ
- B. **Res. No. 15-0921-2** – RB Manufacturing, LLC in Hillsborough, NJ
- C. **Res. No. 15-0921-3** – Rebtex, Inc. in Branchburg, NJ
- D. **Res. No. 15-0921-4** – Symrise Inc. in Branchburg, NJ

IPP Coordinator, Anamia Myhre, explained about Nitta Casing’s new rules involving our inspections which occur when we are ready to renew the permits. Mr. Albano was concerned about these new rules. Discussion ensued about the “confidentiality disclosure” that was involved with the inspections.

One of the Commissioners asked “what if we had to take them to court because they were not in compliance, is that something that we would not be able to do because of the confidentiality agreement?” It was suggested by someone at the meeting that we not sign the confidentiality agreement not just for the reason stated above but it could expose the Authority to things it would not normally be exposed to.

Executive Director Anastasio stated that when Anamia is faced with this again, she won’t do the inspection that day and we’ll have to send them a letter to remind them of the conditions of the Permit that they have to let us in and we have to do inspections.

Upon Motion of Ms. Quabeck, Second of Mr. Merdinger, the above Resolutions were approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____x_____
Richard DeLuca	_____	_____	_____x_____	_____
Philip Petrone	_____x_____	_____	_____	_____
Edward Machala	_____x_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____x_____
Steven Mlenak	_____x_____	_____	_____	_____
Richard Mathews	_____x_____	_____	_____	_____
Michael Merdinger	_____x_____	_____	_____	_____
Joseph Lifrieri	_____x_____	_____	_____	_____
Michael Impellizeri	_____x_____	_____	_____	_____
Gail Quabeck	_____x_____	_____	_____	_____
Robert Albano	_____	_____	_____	_____x_____
Peter Stires	_____x_____	_____	_____	_____

A copy of the Resolutions are attached hereto and made part of the Official Minutes

Minute 7 – Resolutions for Consideration and Possible Formal Action -

- A. **Res. No. 15-0921-5 – Sewer Extension** – Bridgewater Community (Proposed 51-Unit Residential Complex) Route 28, Block 400 Lot 23, Bridgewater Township

Upon Motion from Mr. Mlenak, Second of Ms. Quabeck, the above Resolution was approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____x_____
Richard DeLuca	_____x_____	_____	_____	_____
Philip Petrone	_____x_____	_____	_____	_____
Edward Machala	_____x_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____x_____
Steven Mlenak	_____x_____	_____	_____	_____
Richard Mathews	_____x_____	_____	_____	_____
Michael Merdinger	_____x_____	_____	_____	_____
Joseph Lifrieri	_____x_____	_____	_____	_____
Michael Impellizeri	_____x_____	_____	_____	_____
Gail Quabeck	_____x_____	_____	_____	_____
Robert Albano	_____	_____	_____	_____x_____
Peter Stires	_____x_____	_____	_____	_____

A copy of the Resolution is attached hereto and made part of the Official Minutes.

B. Res. No. 15-0921-6 – Resolution Extending Contract for Polymer

Upon Motion of Mr. Mlenak, Second by Ms. Quabeck, the above Resolution was approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____x_____
Richard DeLuca	_____x_____	_____	_____	_____
Philip Petrone	_____x_____	_____	_____	_____
Edward Machala	_____x_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____x_____
Steven Mlenak	_____x_____	_____	_____	_____
Richard Mathews	_____x_____	_____	_____	_____
Michael Merdinger	_____x_____	_____	_____	_____
Joseph Lifrieri	_____x_____	_____	_____	_____
Michael Impellizeri	_____x_____	_____	_____	_____
Gail Quabeck	_____x_____	_____	_____	_____
Robert Albano	_____	_____	_____	_____x_____
Peter Stires	_____x_____	_____	_____	_____

A copy of the Resolution is attached hereto and made part of the Official Minutes.

Minute 8 - Board Committees - None

B. CHAIRPERSON

No further report.

Minute 9 – Public Participation - NONE

Minute 10 – Reports

A. Executive Director's Report

(1) SSO Project Update

Executive Director Anastasio referred everyone to the beginning of the Report Section of the Board Book to see the letter from the New Jersey Department of Environmental Protection. I've been talking to the Board on a monthly basis regarding the letter we've been waiting to receive from the DEP approving our selected alternative of the Storm Control Treatment Facility. NJDEP has approved and the preliminary effluent limits are listed in the letter. Jim Cosgrove has no concerns regarding the limits which are the result of numerous discussions with DEP. We don't feel that there are any conditions in here that are prohibitive for the new project. In this letter, they also mention that that they are looking to operate under the terms of the existing administrative consent order, which is all good news.

One wrinkle that did come up (if you look at the second letter with no letterhead on top) – it's a draft letter from DEP Enforcement, Northern Division, which is the lead Bureau overseeing the ACO. They said wait a minute – we didn't have a chance to get involved with this. They are concerned about the ACO and they reminded us that the original ACO mentioned that we would continue while we are negotiating a new one. What I suggested to them is why reinvent the wheel; why don't we amend this one, which would have all the terms that we all agree to (construction schedule and things of that nature). I think they liked that idea. I also proposed to them that we take the first shot at it in drafting it.

I'm waiting to get the "green light" and we'll proceed on it. All the while, they want us to proceed in filing for permits. The first permit we are going to file for is our NJPDES permit; our discharge permit (which would lock in the effluent limits for the new plant). Jim Cosgrove is working on that application right now. When that is complete, we will submit that and get that ball rolling. Now that we have this letter, we can really move forward on serious talks with the County and nail down what we're going to do with the land where I'll be talking to the Planning Committee and other Committees about what arrangements we are going to make for obtaining the County-owned piece that we need. There are other things that we need to do – you'll see that there is a Resolution here that we have for consideration for the hiring the firm of Amy Greene Environmental to do some work on another parcel which is on the adjacent lot (which is a Somerville Borough-owned piece). We need a 100 x 100 piece – a quarter-acre parcel which will be an easement containing a valve station that is part of the new treatment plant. We need to do wetlands and tree assessment on that property so that's what that Resolution is for.

I also need to reach out to GRA Associates which performed all the archeology work. We're going to have to get a small amount of archeology work done on that lot. When we were originally laying out the preliminary design of this project, we didn't envision having to need other land. We looked to put the valve station, which would have been completely underground, within the road right-of-way. There is a 36-inch water main and the water company indicates that they don't know exactly where it is. We talked about doing some tests, but we also feel that we don't want to get into a situation where when the contractor

shows up to build it, there are other unknowns there. We're looking to be out of the road right-of-way. It complicates things a little because it means that we need another Green Acres application for this quarter-acre parcel, but it's not that much. It will parallel the application we're going to have for the big piece (which is a couple of acres). There's really not a lot more work but it is going to be a lot cleaner for construction with nothing in the way.

We'll continue to update the Board. This is good news – we've got the green light. One more thing I want to mention – I have CDM looking at updating the Financing Applications because we submitted our Planning Documents last October to be in the queue for financing in 2015. Now that we've received approval by DEP of the selected alternative, we want to be eligible for financing in 2016; so, we're working on updating those documents to be sure we are in the queue. We're moving on a variety of fronts with this project and now it's going to get busy.

One of the Commissioners inquired as to who is handling the updates in the application. Mr. Anastasio answered that CDM is handling for Green Acres. There will be a separate application on that one – Somerville will be the applicant for that and the County piece will be handled by the County. When we've had meetings with Somerville Borough and we've met with the Mayor this past spring discussing the update on this project, the Borough seemed to indicate that whatever we needed (land-wise) would not be an issue. We're not looking to take the ownership and fee; we're looking for an easement there. Either way, it's what's called "a disposal" of the Green Acres Program because it's over 5,000 sq. feet. It's treated the same as if we were buying that piece of land.

Attorney Maraziti added as a reminder of the importance of the continuation of the ACO and the language should be negotiated in the original ACO. That enables us to continue to issue TWA's and prevents us from being exposed to a building ban which would otherwise be applicable because we won't have full transmission capacity at all time. It also insulates us against buying some penalties which could be imposed by DEP. So, as Ron said at the beginning of this conversation, it's very important about the ACO.

Commissioner Quabeck also added that it's very important that we keep that Northern Enforcement happy because regardless of what we are being told from the DEP officials down in Trenton. Director Anastasio said that he just spoke to Northern Enforcement today. We have a good working relationship with them. Whatever they need, we will work out.

Commissioner Lifrieri inquired about the status of the temporary SSO construction. Director Anastasio answered that we had our kick-off meeting about a week ago and they got their Notice to Proceed and our contract documents. They're ordering the necessary materials. We're not going to touch anything until we have all the necessary materials and then it should be (weather permitting) a job that lasts several weeks.

Commissioner Quabeck added that Executive Director Anastasio, SRVSA Staff and consultants all did an excellent job – it was difficult and you did real well. Mr. Anastasio said that it had all started under the direction of Executive Director Glen Petruski and that we've all been working on it for a long time. We still have a lot of work today. Commissioner Quabeck answered that this is a critical part.

- a) **Res. No. 15-0921-7** – Resolution Accepting Proposal from Amy S. Greene of Environmental Consultants, Inc. for the Wetlands Delineation and Green Acres Tree Survey Related to the Proposed Storm Control Treatment Facility

Upon Motion from Ms. Quabeck, Second of Mr. Machala, the above Resolution was then approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay				x
Richard DeLuca	x			
Philip Petrone	x			
Edward Machala	x			
Carolann Garafola				x
Steven Mlenak	x			
Richard Mathews	x			
Michael Merdinger	x			
Joseph Lifrieri	x			
Michael Impellizeri	x			
Gail Quabeck	x			
Robert Albano				x
Peter Stires	x			

A copy of the Resolution is attached hereto and made part of the Official Minutes.

(2) Update on the Incinerator No. 2 Mercury Emission Control System Project

Executive Director Anastasio had the Board refer to the preliminary incinerator engineering report from CDM Smith. We've talked about this report when Tom did his presentation on the incinerator. We talked about the nature of this project and that we really have to know which vendor we will go with because the equipment configurations are so different. There is also a second memo there from Tom Laustsen regarding the procurement of the incinerator emissions components. What we've been working on is that we have been participating in team conference calls to discuss how to procure this. We've boiled it down to our putting out a bid to purchase the emission control equipment and also (while we're at it) the firm that will be responsible for the emission compliance.

We had a meeting recently with our Legal team discussing that side of the project to discuss what exposures might be introduced if we're going to go with this style of procurement. Attorneys Maraziti and Carney are on board with this style of procurement. We're looking to put contract documents together in about six weeks and get on the street around November 1st for the bidding of the Control System. It could be one of these two predominant vendors. There may be a third one out there, but there are two main vendors out there that are likely to bid on this. What we expect is that we'll open bids around the beginning of December anticipating award at the December Board Meeting should everything go well.

From that point, we should know which equipment we're going with and the design will be finalized around that incorporating shop drawings and it will be a much more exacting design. The second

project – the construction work – will be a bid probably around April 1st, 2016. All the while, the equipment is in the queue; fabrication drawings are being reviewed & approved and then it will be fabricated. We expect the carbon system equipment should be delivered around June/July of next year. We will need to keep all the equipment outside in a single building to greatly simplify the construction. It's a busy piping arrangement in that incinerator building. We would have been snaking these ducts through and it would not have been easy, which means it would not have been the cheaper alternative. Putting the equipment outside is more direct with connections in and out of the secondary and tertiary heat exchangers which is where the point of connection through the carbon system.

(3) Update on the Blower Study – Final Report

We have issued the final memo for the blowers. That is also in the Board Book behind the incinerator memo. I know Commissioner Albano has some concerns about the interest rate used. We looked at the 2% and it still is the same conclusion – it's still not financially feasible to upgrade the blowers at this point. As long as the maintenance costs are level, it pays to leave things as they are. We wanted to finalize this discussion and issue a final memo. We will keep the Board advised if the condition of the blowers changes.

(4) ACCO Carbon Tower Demolition – Pfizer Dispute of Ash Handling Charges – (CLOSED SESSION – Anticipated Litigation)

- B. **Engineer/Consultants** – Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for August, 2015– No additional comments.
- C. **Attorney** - Joseph J. Maraziti, Jr., Esq., Maraziti Falcon, LLP – No additional comments.
- D. **Department Reports** –
- E. **Facility Engineer Reports** – No additional comments.
 - (1) Capacity Allocation
 - (2) Capacity Assurance
 - (3) Monthly Flow Report
 - (4) Facility Engineer's Monthly Report

Minute 11 – Communications – No additional comments.

- A. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period: 8/1/15-8/31/15
- B. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Re: Reporting Period: 8/1/15-8/31/15
- C. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period: 8/1/15-8/31/15

Minute 12 – Res. No. 15-0921-8 - Payroll

Upon motion of Mr. Lifrieri, second of Mr. Mathews, the above Resolution was approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	<u> x </u>
Richard DeLuca	<u> x </u>	_____	_____	_____
Philip Petrone	<u> x </u>	_____	_____	_____
Edward Machala	<u> x </u>	_____	_____	_____
Carolann Garafola	_____	_____	_____	<u> x </u>
Steven Mlenak	<u> x </u>	_____	_____	_____
Richard Mathews	<u> x </u>	_____	_____	_____
Michael Merdinger	<u> x </u>	_____	_____	_____
Joseph Lifrieri	<u> x </u>	_____	_____	_____
Michael Impellizeri	<u> x </u>	_____	_____	_____
Gail Quabeck	<u> x </u>	_____	_____	_____
Robert Albano	<u> x </u>	_____	_____	_____
Peter Stires	<u> x </u>	_____	_____	_____

A copy of the Resolution is attached hereto and made part of the official Minutes.

Minute 13 – CANCELLATION OF CHECKS: None

Minute 14 – Res. No. 15-0921-9 – Resolution – BILLS

Upon Motion of Mr. Mlenak, Second of Mr. Impellizeri, the above Resolution was approved by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	<u> x </u>
Richard DeLuca	<u> x </u>	_____	_____	_____
Philip Petrone	<u> x </u>	_____	_____	_____
Edward Machala	<u> x </u>	_____	_____	_____
Carolann Garafola	_____	_____	_____	<u> x </u>
Steven Mlenak	<u> x </u>	_____	_____	_____
Richard Mathews	<u> x </u>	_____	_____	_____
Michael Merdinger	<u> x </u>	_____	_____	_____
Joseph Lifrieri	<u> x </u>	_____	_____	_____
Michael Impellizeri	<u> x </u>	_____	_____	_____
Gail Quabeck	<u> x </u>	_____	_____	_____
Robert Albano	<u> x </u>	_____	_____	_____
Peter Stires	<u> x </u>	_____	_____	_____

A copy of the Resolution is attached hereto and made part of the official Minutes.

Minute 15 – Motion to Adjourn to Closed Session

Upon Motion of Mr. Albano, Second of Mr. Machala, the Regular Session was Adjourned at 7:52 p.m. and the meeting was Reconvened in Closed Session to discuss matters by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____x_____
Richard DeLuca	_____x_____	_____	_____	_____
Philip Petrone	_____x_____	_____	_____	_____
Edward Machala	_____x_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____x_____
Steven Mlenak	_____x_____	_____	_____	_____
Richard Mathews	_____x_____	_____	_____	_____
Michael Merdinger	_____x_____	_____	_____	_____
Joseph Lifrieri	_____x_____	_____	_____	_____
Michael Impellizeri	_____x_____	_____	_____	_____
Gail Quabeck	_____x_____	_____	_____	_____
Robert Albano	_____x_____	_____	_____	_____
Peter Stires	_____x_____	_____	_____	_____

Minute 16 – Motion to Reconvene to Open Session

Upon Motion of Ms. Quabeck, Second of Mr. Machala, the Closed Session was Adjourned at 8:27 p.m. and the meeting was Reconvened in Open Session by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____x_____
Richard DeLuca	_____x_____	_____	_____	_____
Philip Petrone	_____x_____	_____	_____	_____
Edward Machala	_____x_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____x_____
Steven Mlenak	_____x_____	_____	_____	_____
Richard Mathews	_____x_____	_____	_____	_____
Michael Merdinger	_____x_____	_____	_____	_____
Joseph Lifrieri	_____x_____	_____	_____	_____
Michael Impellizeri	_____x_____	_____	_____	_____
Gail Quabeck	_____x_____	_____	_____	_____
Robert Albano	_____x_____	_____	_____	_____
Peter Stires	_____x_____	_____	_____	_____

Minute 17 - Adjournment

Upon a motion of Ms. Quabeck, Second of Mr. Machala, the meeting was adjourned at 8:28 p.m. by the following roll call vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	_____	_____	_____	_____x_____
Richard DeLuca	_____x_____	_____	_____	_____
Philip Petrone	_____x_____	_____	_____	_____
Edward Machala	_____x_____	_____	_____	_____
Carolann Garafola	_____	_____	_____	_____x_____
Steven Mlenak	_____x_____	_____	_____	_____
Richard Mathews	_____x_____	_____	_____	_____
Michael Merdinger	_____x_____	_____	_____	_____
Joseph Lifrieri	_____x_____	_____	_____	_____
Michael Impellizeri	_____x_____	_____	_____	_____
Gail Quabeck	_____x_____	_____	_____	_____
Robert Albano	_____x_____	_____	_____	_____
Peter Stires	_____x_____	_____	_____	_____

NEXT REGULAR BOARD MEETING – OCTOBER 26, 2015