

MINUTES OF THE 793rd MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
September 24, 2012

Minute 1 - Opening of Meeting

The 793rd Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:30 P.M. by the Chairman, Edward Machala.

Minute 2 - Open Public Meetings Announcement - Executive Director

The Open Public Meeting Announcement was read by the Executive Director, Glen D. Petrauski.

Minute 3 - Roll Call

Arthur Quade	Present	Richard Mathews	Present
Richard DeLuca	Present	Robert McCray	Absent
Carlos Mosquera	Present	Joseph J. Lifrieri	Present
Philip Petrone	7:32 P.M.	Michael Impellizeri	Present
Peter F. Stires	Present	Gail Quabeck	Present
Carolann Garafola	Absent	Robert Albano	Present
Herbert Vollers	Absent	Edward Machala	Present

Professional Staff

Glen D. Petrauski, Executive Director	Present
John S. Thompson, Plant Superintendent	Present
Anthony Tambasco, Maintenance Supervisor	Present
Thomas Laustsen, P.E., CDM Smith, Consulting Engineer	Present
Joseph J. Maraziti, Jr., Esq. MFH, General Counsel (7:32)	Present
Ronald Anastasio, P.E., Assist. Exec. Dir./Facility Engineer	Present
Norma A. Smullen, Office/Human Resources Manager	Present
Peter Wozniak, Chief Financial Officer	Present

Others

Barry B. Bramble, Esq., Special Counsel

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutes

a. 792nd Meeting - August 27, 2012 - Regular Session

Upon motion of Mr. Albano, second of Ms. Quabeck, the Minutes of the 792nd Meeting (Regular Session) were approved by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Abstain	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

b. 792nd Meeting - August 27, 2012 - Closed Session

Upon motion of Ms. Quabeck, second of Mr. Quade, the Minutes of the 792nd Meeting (Closed Session) were approved by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Abstain	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

Minute 6 - Public Hearing(s) - (Including Public Notice/Support Information) - None

Minute 7 - Public Participation - Seeing no one from the public, the Chairman declared the Public Participation Portion of the meeting Closed.

Minute 8 - Resolutions for Consideration and Possible Formal Action

- a. Res. No. 12-0924-1 - Sewer Extension - Bridgewater Community; Proposed 3-Story/51 Unit Age Restricted Residential Building; Lot 23, Block 400

THIS RESOLUTION WAS TABLED

- b. Res. No. 12-0924-2 - Resolution Extending the Contract For The Removal of Incinerator Ash From Settling Basins and Loading Into Containers and Ash, Grit, Screenings and Garbage Hauling Fees

Upon motion of Mr. Stires, second of Mr. DeLuca, the above resolution was adopted by the following roll call vote following a brief discussion. The question was raised as to where the ash is taken. Mr. Petruski responded that all of the Authority's ash is removed to the Warren County Landfill.

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

The above resolution is attached hereto and made part of the Official Minutes.

- c. Res. No. 12-0924-3 - Resolution Extending The Contract For Wastewater Flow Metering System Maintenance, Calibration and Repair Services

Upon motion of Ms. Quabeck, second of Mr. Stires, the above resolution was adopted by the following roll call vote following a brief discussion. The question was raised regarding whether or not the issue over flows with Bridgewater had been resolved. Mr. Petruski responded that the Authority has been having conversations with Bridgewater and that this issue is being followed up on. Mr. Anastasio stated that the Authority is waiting for high flows to prove that the change made if a fix to the problem.

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

The above resolution is attached hereto and made part of the Official Minutes.

Minute 9 - Board Committees

- a. Personnel Committee (PETRONE, Albano, DeLuca, McCray, Stires)

- (1) Review and discussion of salary & wage increases for supervisory and non-union personnel (**CLOSED SESSION - PERSONNEL**)
- (2) Res. No. 12-0924- -Resolution Authorizing Salary and Wage Increases for Supervisory and Non-Union Personnel
- (3) Review and discussion of Executive Director's contract renewal (**CLOSED SESSION- CONTRACT NEGOTIATIONS**)
- (4) Res. No. 12-0924- -Resolution Authorizing Agreement of Employment With Executive Director

Chairman Machala stated that Item 1 and Item 3 would be discussed in Closed Session and then the respective resolutions Item 2 and Item 4 would be acted upon in Open Session.

b. Finance Committee (QUABECK, Impellizeri, Mathews, Mosquera, Quade)

- (1) Recommendation Approving of Proposed FY 2013 Budget and Recommending its Introduction

Mr. Petruski reported that the numbers for salary and wage increases for Supervisory and Non-Union employees have been incorporated in the FY 2013 Budget so that members may wish to wait on the vote on the Budget but discussions can go forward on the FY 2013 Budget.

A Commissioner stated that when he was on town counsel there were certain rules about budgets and how they were introduced and whether the same rules would apply here. Ms. Quabeck stated that authorities have their own rules. The Commissioner went on to state that in a municipality the budget is introduced as given and then changes are made. Ms. Quabeck stated that the Authority Budget is introduced and then sent to Trenton for their review and approval. Ms. Quabeck stated that if the FY 2013 Budget was introduced at the September meeting then the Public Hearing would be held at the October Board Meeting. Attorney Maraziti reported that he agreed with what had been said by Ms. Quabeck and Mr. Petruski.

Ms. Quabeck reported that the budget had been prepared by the Authority's staff under the supervision of the Executive Director. She went on to state that even though the budget was prepared under the supervision of the Executive Director, he turned over a lot of its preparation to the Assistant Executive Director and the Chief Financial Officer with the input for the other management personnel.

Ms. Quabeck went on to report that a memo explaining exactly what was done was included in the packet, and that the budget was slightly lower than the 2012 budget.

Additionally, Ms. Quabeck stated that the budget requires no increase in the user rate and that there is a decrease in the anticipated revenue which varies from year to year. Commissioner Quabeck stated that if Board Members had any questions, the Executive Director, the Assistant Executive Director and the Chief Financial Officer were present to answer any questions Board Members might have. Ms. Quabeck restated that the memo was self explanatory.

The question was raised as to what would happen if Trenton had a comment/question regarding the introduced budget. Ms. Quabeck reported that Trenton would let us know and the adjustment would be made in the budget.

Mr. Petruski stated that the Authority has had very few comments, if any.

Ms. Quabeck stated that the budget is prepared and submitted to Trenton on the forms in the format they provide.

(2) Res. No. 12-0924-4 - Resolution Approving
(Introducing) FY 2013 Budget

Upon motion of Ms. Quabeck, second of Mr. Petrone, the above resolution was adopted by the following roll call vote;

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

c. Chairperson

Mr. Machala commented that recently some committee meetings were being held and the question was raised regarding meeting times. He went on to report that based on the various schedules involved, it is difficult to determine a mutually agreeable time. Chairman Machala stated that the committees are not asked to meet that often, so he asked that Board Members try, if possible, to attend the meetings. A brief discussion ensued. Mr. Machala stated that an effort would be made to try to accommodate everyone. Mr. Machala also stated that the committee meetings are held on an as need basis.

Minute 10 - Reports**a. Executive Director's Report**

(1) Update on Outfall Relocation Project

Mr. Anastasio stated that the Authority was trying to determine a means to test some of the joints and that eventually a way was determined how to do that and that on August 30th the Authority entered in with an inspection crew and were able to air test or retest eight (8) of the pipes in the line. Four (4) of the joints were the worst joints that had close to the maximum allowable joint rotation. They were tested and they all passed. There was some additional time so four (4) more joints that were in another range of joint rotation that was less severe but since time allowed they were tested. Eventually eight (8) joints were tested and they all passed. He went on to state that discussions were being held with CDM Smith regarding the results. A brief discussion ensued regarding the one (1) joint with the largest deviation. Mr. Anastasio stated that the testing of the joint can be done without repairing it, but the test costs more than the repair.

Mr. Lifrieri questioned whether this joint could be the one causing the entire problem. Mr. Petruski responded that it was; that this is the closure piece. Mr. Lifrieri stated that the Authority is taking every reasonable step to show the NJDEP what could be the source of the leak. The question was raised, are we going the repair the joint and then test it? Mr. Petruski stated that he would like to bag it and then test it and show, "beyond the shadow of a doubt" that the joint failed. Attorney Maraziti suggested that the discussions go further, that further discussions be held in Closed Session

- (a) Discussion of request to renew Professional Services Agreement with Barry B. Bramble to provide Special Counsel Services in the Carbro Litigation

Mr. Petruski stated that Mr. Bramble was in attendance at the meeting. He went on to state that Mr. Bramble is a claims expert who had been retained by the Authority in the past, and that he has worked on a number of jobs for us. Mr. Petruski reported that Mr. Bramble was hired in November of 2011 as Special Counsel; reason being attorney client privilege and that he works closely with both Mr. Maraziti and Mr. Carney in developing strategies and implementing them.

Mr. Petruski stated that he wanted to give the Board Members an opportunity to meet Mr. Bramble and also regarding the resolution to renew his professional services contract. He went on to state that Professional Services Contracts are good for one (1) year and that it would be necessary to renew his contract.

Attorney Maraziti stated that any further discussion regarding this item be reserved for Closed Session.

[1] Res. No. 12-0924- - Resolution Retaining
Barry B. Bramble To Provide Special
Counsel Services

(2) Update on status of regulatory agency's oversight
regarding Pfizer's Super Fund Site and direct
discharge

Mr. Petruski reported that a letter and various attachments was sent to the EPA and that to date no response has been received from the EPA.

(3) Report on Meeting with County Representatives
Regarding How The New Wastewater Management Plan
Will Address Flow Needs From The Pfizer Super Fund
Site

Mr. Petruski stated that a letter was received from the County requesting that the Authority be in attendance at a meeting with the Clerk/Administrator. Mr. Petruski thought that representatives from the Authority were being invited to talk about Pfizer and its needs and how it will tie into the Wastewater Management Planning that is being done. He went on to state that the County is concerned because at the March Public Hearing it was felt that even though the Authority was doing a successful job at treating the groundwater from the Pfizer site, the groundwater from the Pfizer site should no longer come to the Authority but that the groundwater should be dealt with by Pfizer and they went forward and installed the plant to deal with the (shallow) perched groundwater that was seeping into the river.

The Authority wrote a letter regarding the permits and wrote a second letter following up to their first answer. In another letter the Authority was informed that Pfizer may have a change in plans and send the flow back to the Authority. The Authority responded that they stated that the flow would be going to their plant and if that was what they planned to do the Authority had no problem with it since the chemistry was getting so complex and the pollutants so difficult, they (Pfizer) should be responsible for it.

However, Mr. Petruski reported that what the meeting was really about was that the Clerk/Administrator wanted to hear what was going on with Pfizer. It was to inform the County Clerk about what was going on and what action was being taken by the Authority. Would the Authority be able to maintain permit and at a reasonable cost? The County was concerned about what impact Pfizer's discharge could have on the river. A brief discussion ensued.

Mr. Petrauski reported that his suggestion to the County was to go back to Pfizer and assume that 650,000 gallons/day will be coming to the Authority by the Administrative Consent Order. To date, we have not heard back from the County. Again, a discussion ensued.

Mr. Petrauski stated that the Authority agrees with EPA that Pfizer's flow should not come to the Authority.

Mr. Lifrieri questioned that what the Authority would be taking from Pfizer would be clean water.

Mr. Petrauski responded that what we are taking from Pfizer is contaminated deep groundwater and that we are telling Pfizer to pretreat it to remove the benzene and other contaminants down to an acceptable level that works within the Authority's permit.

The question was raised that whether we can refuse to take their water? Attorney Maraziti stated that that was a very interesting question. He went on to state that an agreement was entered into many years ago between the SRVSA and Pfizer that has language that can be interpreted a couple of ways. Mr. Petrauski stated that the Authority has the right to subject Pfizer to IPP regulations. A brief discussion ensued on permitting.

- (4) Update on Preparation For a Meeting With The NJDEP Regarding Proposed SSO for Meter Chamber No. 4

Mr. Petrauski reported that the draft Memorandum of Agreement was included in the Board Book (critical path chart) showing that the project will go into 2018 to get from where we are to where we want to be. He went on to report that a meeting had been scheduled, however, enforcement representatives were not included and the meeting is going to be rescheduled for a future date.

Mr. Petrauski stated that personnel attending the WEFTEC Conference in New Orleans will be talking with manufacturers dealing with SSO equipment/technologies.

- (5) Update on status of litigation with Carbro Constructors Corp. regarding Outfall Relocation Project **(CLOSED SESSION) LITIGATION**

b. Engineer/Consultants

- (1) Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for September 2012 - No questions and no additional comments.

C. Attorney - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP (MFH)

d. Department Reports

- | | |
|----------------|----------------------------|
| (1) Operations | (3) Maintenance/Electrical |
| (2) Laboratory | (4) Special Projects |

No additional comments regarding Department Reports.

e. Facility Engineer Reports

- (1) Capacity Allocation
- (2) Capacity Assurance
- (3) Monthly Flow Report
- (4) Facility Engineer's Monthly Report

No questions or comments regarding the Facility Engineer's Reports.

f. Budget Reports

No comments on the Budget Reports.

Minute 11 - Communications

- a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; dated August 24, 2012; Re: Reporting Period July 2012
- b. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated August 24, 2012; Re: Reporting Period July 2012
- c. NJDEP, Division of Water Quality; Residual Transfer Report; dated August 24, 2012; Re: Reporting Period July 2012
- d. NJDEP, Division of Water Quality; Residuals DMR; dated August 24, 2012; Re: Reporting Period July 2012

No questions or comments relating to the Communications.

Minute 12 - Payroll (Res. No. 12-0924-5)

Upon motion of Ms. Quabeck, second of Mr. Stires, the above resolution was adopted by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

Minute 13 - Cancellation of Checks - NoneMinute 14 - Bills (Res. No. 12-0924-6)

Prior to passage of the resolution, Mr. Petruski stated that a correction needed to be made.

Upon motion of Mr. Stires, second of Mr. Mathews, the above resolution was adopted by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

Minute 15 - Motion to Adjourn to Closed Session

Attorney Maraziti stated that the reasons for Closed Session were: an update on status of litigation with Carbro Constructors, review and discussion of salary and wage increases for supervisors and non-union personnel and a review and discussion of the Executive Director's contract renewal.

Upon motion of Ms. Quabeck, second of Mr. Lifrieri, the meeting was adjourned to Closed Session by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

Upon motion of Mr. Petrone, second of Mr. Impellizeri, the meeting was reconvened in Regular Session at 9:30 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

Prior to adjournment the following resolutions were adopted:

Res. No. 12-0924-7 - Resolution Retaining Barry B. Bramble To Provide Special Counsel Services

Upon motion of Mr. Albano, second of Mr. Mathews, the above resolution was adopted by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

Res. No. 12-0924-8 - Resolution Authorizing Salary and Wage Increases For Supervisory And Non-Union Personnel

Prior to adopting the resolution, Attorney Maraziti read the change that should be made to the resolution; second paragraph should now read as amended: WHEREAS, The Somerset Raritan Valley Sewerage Authority Board of Commissioners has received a report and recommendation from the Personnel Committee dated September 20, 2012 attached hereto;

Upon motion of Mr. Stires, second of Mr. Quade, the above resolution was adopted by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	No	Joseph J. Lifrieri	No
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	No*
Herbert Vollers	Absent	Edward Machala	Yes

*Prior to voting, Mr. Albano stated that he wanted the record to show that he does not object to the performance or salary of these people but that he objects to the way it is being done and for two resolutions and for that reason he is voting No.

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

Res. No. 12-0924-9 - Resolution Authorizing Agreement of Employment With Executive Director

Upon motion of Mr. Stires, second of Mr. Petrone, the above resolution was adopted by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	No	Joseph J. Lifrieri	No
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes

Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

Minute 18 - Adjournment

Upon motion of Ms. Quabeck, second of Mr. Stires, the meeting was adjourned at 9:43 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes