

MINUTES OF THE 796th MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
December 17, 2012

Minute 1 - Opening of Meeting

The 796th 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 | Absent | Richard Mathews | Present |
| Richard DeLuca | Entered 7:35 p.m. | Robert McCray | Present |
| Carlos Mosquera | Present | Joseph J. Lifrieri | Present |
| Philip Petrone | Present | Michael Impellizeri | Present |
| Peter F. Stires | Present | Gail Quabeck | Present |
| Carolann Garafola | Entered 7:38 p.m. | 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, CDM Smith, Consulting Engineer | Present |
| Joseph J. Maraziti, Jr., Esq. MFH, General Counsel | Present |
| Ronald Anastasio, P.E., Assist. Exec. Dir./Facility Engineer | Present |
| Norma A. Smullen, Office/Human Resources Manager | Absent |
| Peter Wozniak, Chief Financial Officer | Present |

Others

Anamia Myhre, Regulatory Compliance Officer
Roberta E. Lake, Administrative Assistant

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutes

a. 795th Meeting - November 26, 2012 - Regular Session

Upon motion of Mr. Stires, second of Mr. Mathews, the Minutes of the 795th Meeting (Regular Session) were approved by the following roll call vote:

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

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

b. 795th Meeting - November 26, 2012, 2012 - Closed Session

Upon motion of Ms. Quabeck, second of Mr. McCray, the Minutes of the 795th Meeting (Closed Session) were approved by the following roll call vote:

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

a. Public Hearing - IPP Administrative Fee

Upon motion of Ms. Quabeck, second of Mr. Stires, the Public Hearing was Opened by the following roll call vote:

| | | | |
|-------------------|--------|---------------------|-----|
| Arthur Quade | Absent | Richard Mathews | Yes |
| Richard DeLuca | Absent | Robert McCray | Yes |
| 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 J. Machala | Yes |

Seeing no one from the public, upon motion of Ms. Quabeck, second of Mr. Lifrieri, the Public Hearing was Closed by the following roll call vote:

| | | | |
|-------------------|--------|---------------------|-----|
| Arthur Quade | Absent | Richard Mathews | Yes |
| Richard DeLuca | Absent | Robert McCray | Yes |
| 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 J. Machala | Yes |

b. Res. No. 12-1217-1 - Resolution Authorizing The 2011 Industrial Pretreatment Administrative Fee

Upon motion of Mr. Stires, second of Mr. McCray, the above Resolution was approved, following a brief discussion. A Commissioner raised the question about not being notified about a meeting of the IPP Committee. Mr. Petrauski reported that the IPP Administrative Fee is based on a formula and that after contacting the Committee Chairman, it was felt that a meeting was not necessary. Ms. Quabeck went on to report that the Authority has no choice as to what the fee will be; the numbers are all audited numbers. Mr. Machala stated that the fee is preset based on the formula. The roll call vote was as follows:

| | | | |
|-------------------|--------|---------------------|-----|
| Arthur Quade | Absent | Richard Mathews | Yes |
| Richard DeLuca | Yes | Robert McCray | Yes |
| 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 J. Machala | Yes |

A copy of the resolution is attached hereto and made part of the Official Minutes. Anamia Myhre left the meeting at this point.

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

Minute 8 - Resolutions for Consideration and Possible Formal Action-None

Minute 9 - Board Committees

- a. Nominating Committee (PETRONE, DeLuca, Mathews, McCray, Quade)
 (1) Report on Slate of Officers for 2013

Commissioner Petrone reported that the Nominating Committee was recommending the following Slate of Officers for 2013:

Upon motion of Ms. Quabeck, second of Mr. Stires, the above resolution was approved, following a brief discussion. The question was raised whether there were any legal issues involved. Attorney Maraziti stated that the agreement was reviewed and deemed in order for execution by the Authority. The roll call vote was as follows:

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

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

(3) Report on Underground Storage Tank Removal Project

Mr. Anastasio reported that the former underground storage tank on the plant site for sodium hydroxide had been removed as part of the tank project related to the former American Cyanamid plant/tank farm. With the Cyanamid plant/tank farm there was no evidence of leakage or contamination. With the removal of the sodium hydroxide tank there was evidence of a discharge. The Authority is now looking forward to remediate that. The Authority has a State contractor lined up to do the soil remediation, take out approximately 100 tons of contaminated soil and dispose of it at a licensed facility. This work is not part of the proposal. The proposal from Hatch Mott MacDonald is to observe, fill out all paper work for the State, provide all notices and to do all necessary steps to do the soil remediation and to install four (4) monitoring wells to establish the extent of the contamination of the groundwater. The issue is groundwater contamination. If the samples taken are at or below the NJDEP groundwater standards, the Authority is done putting in additional wells. It is only necessary to monitor the wells. If the samples taken are above the standards, a second round of wells will need to be installed a little farther out to determine how far the contamination went. The proposal for consideration is for Hatch Mott MacDonald to do the work. A brief discussion ensued.

Mr. Lifrieri questioned whether the Authority looked for other proposals. Mr. Anastasio reported that proposals were looked at from three (3) firms. He went on to report that Hatch Mott MacDonald submitted the lowest proposal. Again, a brief discussion ensued.

Attorney Maraziti stated that the resolution should be changed from reading (payment to) to now read (contract with).

- (a) Res. No. 12-1217-3-Resolution Authorizing Payment To (Change to Contract With) Hatch Mott MacDonald For Additional Work In Providing Environmental Services Related To The Removal Of The Sodium Hydroxide Underground Storage Tank Located At The SRVSA Treatment Plant

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

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

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

Mr. Petrauski announced that Items 5-7 would be discussed in Closed Session.

(4) Report on Air Emission Notice of Violation (NOV)

Mr. Petrauski reported that the Authority received a NOV from the NJDEP on the incinerator and went on to state that there is no monetary fine associated with this violation (all technical violations). Mr. Petrauski went through the violations for the Board's information. Basically, they are all revenue generators for the NJDEP.

Mr. Lifrieri questioned whether the Authority has a CEM System and whether it has "bells & whistles". Mr. Petrauski reported that our system does have some interlocking but not a lot. He went on to state that the Authority has been adding interlocks as shortages are found. However, he stated that at times when more interlocks are added, more false readings are detected. A brief discussion ensued. Mr. Petrauski reported that it is dependent on the type of furnace; fluidized bed or multiple-hearth furnace.

Mr. Petrauski went on to report that Mr. Monninger has retired from CBE and will be working for himself doing air emissions and that the Authority will continue to use him for since this is his area of expertise.

A question was raised on the CDM Smith report. A comment was made regarding preparing a proposal to get the Authority up to 24.1 MGD.

Mr. Petruski reported that currently the Wastewater Management Plan has the Authority rated at 24.3 MGD and that we are currently rated at 23 MGD. He went on to report that he wants to move it up to 24 MGD (full capacity) but additional information/modeling may be necessary because the Authority does not meet some of the 10 State standards.

An additional question was raised regarding the incinerator improvements and could the money from the Sandy water be used. Ms. Quabeck stated it would be necessary to look at the flows first. Mr. Petruski reported that the issue on the EPA and Mercury requirement is being discussed and reviewed and he would like to know where this is "settling out" before the Authority makes any commitments. A discussion ensued.

Another question was raised regarding the monitor on the ISP. The question was raised as to when the repair was going to be made. Mr. Thompson stated that the repair has been made (reports are a month behind). Also there was a question regarding the Venture section. It was determined that it should read Venturi.

- (5) Update on litigation with CNA (**CLOSED SESSION - LITIGATION**)
- (6) Update on Meter Chamber No. 4 SSO proposal and meeting with NJDEP (**CLOSED SESSION**)
NEGOTIATIONS/ANTICIPATED LITIGATION
- (7) Update on status of litigation with Carbro Constructors Corp. and review of agreement between the Authority and CDM Smith concerning Joint Defense and Sharing of Liability (**CLOSED SESSION**)
LITIGATION

b. Engineer/Consultants

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

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

d. Department Reports - No Comments

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

e. Facility Engineer Reports - No Comments

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

f. Budget Reports - No Comments

Minute 11 - Communications - No Comments

- a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Re: Reporting Period October 2012
- b. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period October 2012
- c. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period October 2012
- d. Board of Commissioners; dated November 5, 2012; Re: Hurricane Sandy (11/9/2012 Weekly Mailing)
- e. John W. Jengo; dated November 19, 2012; Re: Nevius Street Dam (November 30, 2012 Weekly Mailing)
- f. Brent T. Carney; dated November 21, 2012; Re: Carbro Constructors Corp. vs. SRVSA (11/30/2012 Weekly Mailing)
- g. Mr. Larry Si; dated December 10, 2012; Re: SRVSA Continued Simultaneous Operations

Minute 12 - Payroll (Res. No. 12-1217-4)

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

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

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

Minute 13 - Cancellation of Checks (Res. No. 12-1217-5)

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

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

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

Minute 14 - Bills (Res. No. 12-1217-6)

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

| | | | |
|-------------------|--------|---------------------|-----|
| Arthur Quade | Absent | Richard Mathews | Yes |
| Richard DeLuca | Yes | Robert McCray | Yes |
| Carlos Mosquera | Yes | Joseph Lifrieri | Yes |
| Philip Petrone | Yes | Michael Impellizeri | Yes |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward J. 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 to discuss the resignation of David Alaburda, for litigation with CNA, update on litigation with Carbro Constructors Corp. and update on Meter Chamber No. 4 SSO.

Upon motion of Mr. Stires, second of Ms. Quabeck, the Regular Meeting was adjourned at 8:07 P.M. and reconvened in Closed Session by the following roll call vote:

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

Minute 16 - Closed Session

Minute 17 - Motion To Reconvene in Regular Session

Upon motion of Mr. Stires, second of Ms. Quabeck, the Closed Session was Adjourned and Board Members reconvened in Regular Session at 8:43 P.M. by unanimous consent.

Minute 18 - Adjournment

Upon motion of Mr. Stires, second of Mr. McCray, the meeting was adjourned at 8:43 P.M. by unanimous consent.

