

MINUTES OF THE 800th MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
April 22, 2013

Minute 1 - Opening of Meeting

The 800th 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 - Assistant Executive Director/Facility Engineer

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

Minute 3 - Roll Call

Arthur Quade	Present	Richard Mathews	Present
Richard DeLuca	Present	Michael Merdinger	Present
Carlos Mosquera	7:35 P.M.	Joseph J. Lifreri	Absent
Philip Petrone	Present	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. Petruski, Executive Director	Present
John S. Thompson, Plant Superintendent	Present
Anthony Tambasco, Maintenance Supervisor	Absent
Michael Ingenito, Second Shift 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	Present
Peter Wozniak, Chief Financial Officer	Present

Others

None

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutesa. 799th Meeting - March 25, 2013 - Regular Session

Upon motion of Mr. DeLuca, second of Mr. Quade, the Minutes of the 799th Meeting (Regular Session) were approved by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Absent	Joseph Lifrieri	Absent
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 Minutes are attached hereto and made part of the Official Minutes.

b. 799th Meeting - March 25, 2013 - Closed Session

Upon motion of Ms. Quabeck, second of Mr. Mathews, the Minutes of the 799th Meeting (Closed Session) were approved by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Absent	Joseph Lifrieri	Absent
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 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 Public Participation Portion of the meeting was Closed.

Minute 8 - Resolutions for Consideration and Possible Formal Action

Prior to the consideration of the resolutions for possible formal action Mr. Petruski stated that the information in the resolution is correct but that the attached memo should be with a later resolution.

- a. Res. No. 13-0422-1- Resolution Rejecting Bid For Rebuilding Of the Hankin Fluidized Bed Incinerator Primary Heat Exchanger

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

b. Res. No. 13-0422-2 - Resolution Awarding Bid For Installation Of Cast-in-Place Concrete Slab With Curbing

Prior to a motion/second and roll call vote, Mr. Petrauski stated that the slab is to the side of the Administration Building where the septage/sludge trucks come in. He went on to report that the slab will be replaced and a curb will be installed around it to act as a containment area.

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

c. Res. No. 13-0422-3 - Resolution Authorizing The Executive Director, The Assistant Executive Director/Facility Engineer, The Plant Superintendent And The Maintenance Supervisor To Attend The NJWEA Annual Spring Conference

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

- d. Res. No. 13-0422-4- Resolution Awarding Bid For Emission Compliance Testing Of The Fluidized Bed Sewage Sludge Incinerators (Due to delays in receiving the approved stack testing protocol from NJDEP Bureau of Standards and due to technical issues that needed to be resolved to comply with the Open Public Meetings Act, the bid for the stack testing will not be received until Friday, April 19th. Because the bids will not be reviewed prior to the distribution of the Board Books, if the bid from the apparent low bidder is in compliance with the bid specifications and regulations, then that information will be provided at the Board Meeting for possible formal action)

Mr. Petruski reported that this resolution authorizes the stack testing that is required under the Authority's air emission permit.

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

Minute 9 - Board Committees

- a. Personnel Committee (PETRONE, Albano, DeLuca, Stires)
 (1) Report on 25 Years of Continuous Service - James Capps

Mr. Petrone stated that the Mr. Capps has completed 25 years of continuous service to the SRVSA, and as is customary, the following resolution authorizes a \$100 cash bonus to Mr. Capps for his continuous service to the Authority.

- (2) Res. No. 13-0422-5 - Resolution Authorizing A \$100.00 Cash Bonus To James Capps For 25 Years Of Continuous Service To The Somerset Raritan Valley Sewerage Authority

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

b. Contract Negotiations Committee (Quabeck, Petrone)

- (1) Update: Contract Negotiations with the State appointed mediator are scheduled to be held on Wednesday, April 24th

Ms. Quabeck stated that finally a meeting was being held.

c. Chairperson - no additional comments.

Minute 10 - Reports

a. Executive Director's Report

- (1) Report on Notice of Tort Claim (Baymen's Protective Association, Certified Clam Company, And A Class of Claimants)

Attorney Maraziti reported that a Tort Claim has been filed in accordance with legal procedures. He went on to state that a claim must be filed six months prior to filing the actual lawsuit in order to provide the parties an opportunity to resolve the issue which is a way of easing the burden on a public body. This Notice of Tort Claim alleges that a lawsuit will be filed against the Authority as a result of the need to close the clamming/oyster beds in connection with Hurricane Sandy. Mr. Maraziti went on to report that it was based on the inaccurate assumption that the SRVSA facility went down and was discharging raw sewage to the Raritan River during this time.

Attorney Maraziti stated that this did happen with a number of other entities but was not the case with the SRVSA. Mr. Maraziti stated that he has spoken with Mr. Petruski and the Authority will be providing a certification to the attorney who sent the notice along with copies of the Monthly Operating Reports for October and November that reflect that the Authority did not break permit along with a letter indicating that that was the case and is not cause for a lawsuit against the Authority and if a law suit is brought against the Authority then the Authority will proceed to seek the sanctions that are available for filing a privileged lawsuit.

Mr. Maraziti reported that he did not feel there is any factual basis for the claim against the Authority. A brief discussion ensued.

- (2) Update on status of litigation with Carbro Constructors Corp.

Mr. Maraziti reported that a revised discovery schedule has been issued and that the discovery will end on September 13 for both factual and expert witnesses. The next upcoming event will be the deposition of JH Cohen (accounting firm for Carbro). Attorney Maraziti stated that during the discovery phase it was learned that Carbro has an in-house equipment firm which has led to a need to determine the financial relationship between the two.

- (3) Update on status of Sanitary Sewer Overflow/Treatment Facility (SSO/TF) Project and status of work plan for water quality studies and permitting

Mr. Petrauski reported that he will be discussing this issue in two pieces; what is going on with DEP and what is going on with Northern Enforcement.

On the DEP Permitting, Mr. Petrauski stated that everything has gone very well, exceptionally well. He stated that we have an approval from them on the verbal on the work plan to do the testing. Mr. Petrauski emphasized the importance of doing the testing now, and that we need to have five (5) one inch storms to do the analysis. He reported that the Authority is waiting for the final signed document.

Mr. Petrauski stated that the Authority has met with the County regarding the Green Acres application. We are looking to have the pre-application meeting at the end of June. Additionally, the Authority has spoken with the County regarding our right of access onto the property (9 acres). Mr. Petrauski reported that the Authority will require approximately two (2) acres for the Project, however, we are going to take three (3) acres so that we have all of the property we need now and in the future.

Executive Director Petrauski reported that the archaeologist has submitted a proposal. However, it is felt that there may be a problem with the archaeology. He feels that based on previous work done in the area, the archaeologist feels there are significant deposits in the area. Mr. Petrauski stated that the Authority is moving along to get the wetlands application.

Mr. Petrauski stated that the Authority is currently waiting for an ACO/MOA from Northern Enforcement.

Mr. Petrauski stated that there isn't new to report on CNA other than the fact that a deposition is on our expert on May 16.

Mr. Machala asked about the meetings with the various towns. Mr. Petrauski stated that Mr. Anastasio has been meeting with the towns and that this is going very well. Mr. Anastasio reported on the various towns he has met with and the representatives who were in attendance at the meetings.

- (4) Update on status of Sanitary Sewer Overflow/Treatment Facility (SSO/TF) Project discussions with Northern Enforcement regarding ACO/MOU **(CLOSED SESSION - NEGOTIATIONS)**
 - (5) Update on CNA (Insurance Claim Incinerator No. 2) **(CLOSED SESSION - LIGATION)**
- b. Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for April 2013 - No questions or 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 February 2013
- b. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period February 2013
- c. NJDEP, Division of Water Quality; Residual Transfer Report; Re: February 2013
- d. James F. Cosgrove, Jr., P.E.; Kleinfelder/Omni; dated April 2, 2013; Re: SRVSA Proposed Sanitary Sewer Overflow Treatment Facility, Wasteload Allocation Study Quality Assurance Project Plan (4/5/2013 Weekly Mailing)

Minute 12 - Payroll (Res. No. 13-0422-6)

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

Minute 13 - Cancellation of Checks (Res. No. 13-0422-7)

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

Minute 14 - Bills (Res. No. 13-0422-8)

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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.

Minute 15 - Motion to Adjourn to Closed Session

Attorney Maraziti stated that the reason for Closed Session was for an update on the status of the SSO/TF Project and discussions with Northern Enforcement regarding ACO/MOU.

Upon motion of Ms. Quabeck, second of Mr. Mathews, the Regular Session was Adjourned to Closed Session at 7:55 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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

Minute 16 - Closed Session

Minute 17 - Motion To Reconvene in Regular Session

Upon motion of Mr. Mosquers, second of Ms. Quabeck, the meeting Reconvened in Regular Session at 8:07 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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

Prior to adjournment, the following resolution was approved by the following roll call vote:

Minute 18 - Adjournment

Upon motion of Ms. Quabeck, second of Mr. Stires, the meeting was adjourned at 8:07 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Absent
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

