



The
Somerset Raritan Valley
Sewerage Authority

MINUTES OF THE 802nd MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
JUNE 24, 2013

Minute 1 - Opening of Meeting

The 802nd 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 | Michael Merdinger | Present |
| Carlos Mosquera | Present | Joseph J. Lifrieri | Present |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter F. Stires | Present | Gail Quabeck | Present |
| Carolann Garafola | Present | 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 |
| 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

Anamia Myhre, SRVSA Regulatory Compliance Officer

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutesa. 801st Meeting - May 20, 2013 - Regular Session

Upon motion of Mr. Albano, second of Mr. Quade, the Minutes of the 801st 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 | Yes | Joseph Lifrieri | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward Machala | Yes |

Prior to voting, Mr. Lifrieri stated that he had a correction on Page 13, last paragraph: should read electrical resistivity rather than electrical sensitivity. Roll call continued.

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

b. 801st Meeting - May 20, 2013 - Closed Session

Upon motion of Mr. Albano, second of Ms. Quabeck, the Minutes of the 801st 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 | Yes | Joseph Lifrieri | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | 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)

a. Public Hearing - Request to Reissue A Groundwater Discharge Permit For Hillsborough Township Department of Public Works

Upon motion of Mr. Lifrieri, second of Mr. Quade, the Public Hearing was Opened by the following roll call vote:

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

| | | | |
|-------------------|--------|---------------------|--------|
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward Machala | Yes |

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

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

- b. Res. No. 13-0624-1-Resolution Reissuing A Groundwater Discharge Permit For Hillsborough Township Department of Public Works-Groundwater Remediation Project (Block 12, Lot 23) 21 East Mountain Road, Hillsborough, NJ

Upon motion of Ms. Quabeck, second of Mr. Quade, 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | 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 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

- a. Res. No. 13-0624-2 - Resolution Awarding Bid For Purchase, Removal and Installation of One (1) 36" ABB Watermaster Magnetic Flow Meter

Upon motion of Ms. Garafola, second of Mr. Stires, the above resolution was approved by the following roll call vote after a brief discussion. Question was raised that the amount of the bid was over the FEMA grant. Mr. Petrauski stated that the meter was damaged, and FEMA would be paying 75% and the remainder would come from the budget. Question was raised as to the selection of Watermaster Flow Meter. Mr. Anastasio stated that the bid was for a Watermaster Flow Meter or an equal.

| | | | |
|-------------------|--------|---------------------|--------|
| Arthur Quade | Yes | Richard Mathews | Yes |
| Richard DeLuca | Yes | Michael Merdinger | Yes |
| Carlos Mosquera | Yes | Joseph Lifrieri | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | 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 9 - Board Committees

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

- (1) Report on 25 years of continuous service-Martin Trenerly

Ms. Quabeck reported that the Authority has an employee who has completed 25 years of service and as a token a \$100 cash token is given to the employee.

- (2) Res. No. 13-0624-3 - Resolution Authorizing \$100.00 Cash Bonus To Martin Trenerly For 25 Years of Continuous Service

Upon motion of Ms. Quabeck, 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward Machala | Yes |

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Ms. Garafola commented that it might be nice to take a photo of employees who complete 25 years of service and doing a little press release. She went on to state that the \$100 was a nice gesture, but it would be nice to forward a photo/press release to the employee's hometown newspaper.

Ms. Quabeck stated that there are a few employees each year who achieve this milestone. Chairman Machala felt it was a good idea, and that maybe a group photo could be taken of those who are still here who have achieved the 25 years.

- b. Chairperson - No additional comments

Minute 10 - Reports

a. Executive Director's Report

Executive Director Petrauski turned this portion of the meeting over to Mr. Anastasio, Assistant Executive Director/Facility Engineer.

(1) Report on retaining Jenney Engineering for Expert Report and Testimony for Carbro Litigation

Mr. Anastasio reported that the Carbro litigation is on-going and that in April 2012 Jenny Engineering (Prakash Donde, P.E.) was hired as the Authority's expert during the Carbro litigation. The Local Public Contracts Law requires that the Professional Services Contract be limited to a term of one year, so it is necessary for the Authority to renew his contract. Shortly he will be giving testimony and preparing an expert report on the Authority's counterclaim.

The question was raised whether the Authority's attorney had any comment to which Attorney Maraziti stated that he supported everything reported by Mr. Anastasio in respect to having this expert witness.

(a) Res. No. 13-0624-4 - Resolution Retaining Jenny Engineering for Expert Report and Testimony For Carbro Litigation

Upon motion of Mr. Stires, second of Mr. Lifrieri, 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward Machala | Yes |

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

(2) Update on acidification of ACCO Lagoon No. 7

Mr. Petrauski reported that at Pfizer one of the lagoons has been converted, by processes unknown at this time, from a pH of 7 to around 3 and is still dropping. The Authority is concerned and has discussed this with Pfizer and stated that we do not feel it is the result of Super Storm Sandy because SRVSA's lab showed that the pH was dropping approximately six (6) weeks before Pfizer did.

Mr. Petrauski reported that Pfizer wants to neutralize the acid in the lagoon and then discharge the groundwater to us. Our concern is that when the pH is lowered, there is a lot of contamination and metals in the groundwater the metals will go into solution and when they are converted back they will drop out of the solution. This was discussed with Pfizer and EPA was asked to give the SRVSA guidance so that the Authority could help Pfizer with this. In a response letter from EPA, EPA is basically directing the Authority to go back to Pfizer and Pfizer has to ensure that it will not hurt the Authority and the Authority has to be satisfied.

At this point the Authority has refused to take the discharge from Pfizer. The Authority is currently soliciting price quotations from Kleinfelder/Omni and CDM Smith which will be forwarded to Pfizer. Pfizer will have to pay for whatever has to be spent to remove this, and Mr. Downey has tentatively agreed.

Of concern to Mr. Petrauski is EPA's refusal to address the issue as the regulatory agency.

A discussion ensued on this issue regarding liability and whether or not Bridgewater should also be involved. The concern is how this could impact the plant, ruin the Authority's sludge and impacting the environment.

Mr. Petrauski stated that Items (3) and (4) would be discussed in Closed Session.

- (3) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION - CONTRACT NEGOTIATIONS)**
- (4) Update on status of Sanitary Sewer Overflow/Treatment Facility (SSO/TF) Project discussions with Northern Enforcement regarding ACO/MOU **(CLOSED SESSION - NEGOTIATIONS)**
- b. Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for June 2013 - No questions or 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 April 2013
- b. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period April 2013
- c. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period April 2013
- d. Carolann Garafola; dated May 23, 2013; Re: Professional Services Contracts (5/31/2013 Weekly Mailing)
- e. King and Petracca, Attorney at Law; dated May 21, 2013; Re: Baymen's Protective Association, Notice of Tort Claim
- f. Joseph Battipaglia; dated May 30, 2013; Re: Lagoon No. 7 pH

Minute 12 - Payroll (Res. No. 13-0624-5)

Upon motion of Ms. Quabeck, second of Mr. Quade, 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | 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 (Res. No. 13-0624-6)

Upon motion of Mr. Quade, second of Ms. Garafola, 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | 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 14 - Bills (Res. No. 13-0624-7)

Upon motion of Ms. Garafola, 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| 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

Upon motion of Mr. Quade, second of Mr. Albano, the Regular Session was Adjourned to Closed Session at 7:58 p.m. Attorney Maraziti stated the reasons for Closed Session were: first, for an update on litigation with Carbro and secondly, for an update on status of negotiations regarding ACO/MOU concerning the SSO/TF Project.

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

Minute 16 - Closed SessionMinute 17 - Motion To Reconvene in Regular Session

Upon motion of Mr. Mosquera, second of Ms. Quabeck, the meeting Reconvened in Regular Session at 8:00 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward J. Machala | Yes |

Prior to adjournment Commissioner Lifrieri asked for an update on the Archaeological Study and on the Flume for the Sodium Hydroxide. Mr. Petruski reported that regarding the archaeological study, notice has been given and they are looking to mobilize the end July/beginning of August. Regarding the Sodium Hydroxide there is a concern that the wells are expensive to put in, so a groundwater sample was taken, under the direction of Hatch Mott MacDonald, and the sample exceeded the groundwater sample which raised some concerns. Therefore, the installation of the additional wells is being held off. The idea is to get some groundwater samples from structures with deep basements around the plant and try to determine what is being picked up from the samples.

Also, Mr. Lifrieri asked about electrical resistivity. Mr. Anastasio stated that this has been explored, however, based on the well layout proposed from the proposal that method would not be beneficial due to the fact that there are too many underground conduit pipes and interference.

Minute 18 - Adjournment

Upon motion of Mr. Albano, second of Mr. Quade, the meeting was adjourned at 8:00 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 | Yes |
| Philip Petrone | Absent | Michael Impellizeri | Absent |
| Peter Stires | Yes | Gail Quabeck | Yes |
| Carolann Garafola | Yes | Robert Albano | Yes |
| Herbert Vollers | Absent | Edward J. Machala | Yes |