



The
Somerset Raritan Valley
Sewerage Authority

MINUTES OF THE 807th MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
NOVEMBER 25, 2013

Minute 1 - Opening of Meeting

The 807th 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

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

Minute 3 - Roll Call

Todd Hay	Present	Michael Merdinger	Present
Richard DeLuca	Present	Joseph J. Lifrieri	Present
Carlos Mosquera	Absent	Michael Impellizeri	Present
Philip Petrone	Present	Gail Quabeck	Present
Peter F. Stires	Present	Robert Albano	Present
Carolann Garafola	Absent	Edward Machala	Present
Richard Mathews	Present		

Professional Staff

Glen D. Petrauski, Executive Director	Present
John S. Thompson, Plant Superintendent	Absent
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	Absent
Peter Wozniak, Chief Financial Officer	Present

Others

Roberta E. Lake, Administrative Assistant

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutes

a. 806th Meeting - October 28, 2013 - Regular Session

Upon motion of Mr. Hay, second of Mr. Albano, the Minutes of the 806th Meeting (Regular Session) were approved by the following roll call vote:

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Abstain	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Abstain
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

b. 806th Meeting - October 28, 2013 - Closed Session

Upon motion of Mr. Stires, second of Mr. Albano, the Minutes of the 806th Meeting (Closed Session) were approved by the following roll call vote:

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Abstain	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Abstain
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	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

- a. Res. No. 13-1125-1 Resolution Awarding Bid For Cleaning and Inspection of One (1) 440,000 Gallon Concrete Sludge Storage Tank

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

- b. Res. No. 13-1125-2 - Resolution Awarding Bid For Wastewater Flow Metering System Maintenance, Calibration and Repair Services

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

Minute 9 - Board Committees

- a. Industrial Pretreatment Committee (ALBANO, Garafola, Impellizeri, Mathews, Merdinger)

- (1) Report and recommendation on raising the 2013 IPP Administrative Fee

Mr. Albano reported that the IPP Committee met to examine the cost of administering the IPP fee stating that the Authority, up to this point, had not been recovering the full amount allowed to be recovered from the participants in the Program. He went on to state that the Authority was not including the pension benefits and other payments made to the employees. He was, therefore, requesting that the Commissioners approve a change in the procedure of administering the IPP to recover all of the costs allowable. He stated that, in order to be fair to everyone, this would be an increase of about 30% and even though it sounds high, this charge would not be retroactive. Commissioner Lifrieri asked how it would be possible for the Authority to charge the Participants and Customers an increase of 30% over last year's fee.

Attorney Maraziti reported that the Authority would not be going backwards, but that the program is set up so that the cost of the Program is borne by the industrial users.

Mr. Albano stated that the Authority is complying with the law and that it is an issue of fairness and appropriateness and the Authority is not asking for anything it is not entitled to.

Ms. Quabeck went on to that that there would be a Public Hearing on this matter.

Executive Director Petrauski stated that this is not income, it is the money that is used to run the Program. Mr. Petrauski went on to report that the Authority has not charged for some of the "soft costs". Additionally, he went on to remind the Board Members that there are some small industries as part of the Program that are very active and very vocal; one in particular who has come in and has complained vehemently about his fees and has attempted to have legislation passed by the Senate and the Assembly.

Ms. Quabeck stated that if this increase is in accordance with the law, there should be no problem.

Mr. Petrauski reported that the Public Hearing is scheduled to be held at the January Board Meeting.

Mr. Anastasio reported that the Board was being asked for a motion on this so that the formal process can begin. Ms. Quabeck stated that the motion would be to advertise for the Public Hearing.

Mr. Lifrieri questioned if there would be someone who might have a hardship about the 30% increase, would there be some way to help them pay this over time. A brief discussion ensued.

The motion made by Ms. Quabeck to increase the IPP Fee, seconded by Mr. Stires, was approved by the following roll call vote:

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

(1) Report on permanent status as Helper-Solid Division

Mr. Petrone reported that, based on letters from Mr. Thompson, Plant Superintendent and Mr. Edwards, Solid Division Supervisor, permanent status was being recommended for Matthew Hobson as Helper in the Solid Division.

(2) Res. No. 13-1125-3 Resolution Granting Permanent Status to Matthew Hobson-Helper Solid Division

Upon motion of Mr. Petrone, second of Ms. Quabeck, the above resolution granting Permanent Status to Matthew Hobson was approved by the following roll call vote:

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

(3) Report on permanent status as Maintenance Mechanic

Mr. Petrone that, based on letters from Mr. Thompson, Plant Superintendent and Anthony Tambasco, Maintenance Supervisor, permanent status was being recommended for Mr. Ruppert.

(4) Res. No. 13-1125-4 Resolution Granting Permanent Status to Mike Ruppert as Maintenance Mechanic

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

- (5) Report on salary and wages for supervisory and non-union personnel (**CLOSED SESSION-PERSONNEL MATTERS**)
- (6) Res. No. 13-1125- Resolution Authorizing Salary & Wage Increases For Supervisory And Non-Union Personnel (**Open Session**)

Items (5) and (6) will be addressed later in the meeting.

c. Finance Committee - (QUABECK, Impellizeri, Mathews, Mosquera)

- (1) Report and recommendation for establishment of an SRVSA Debt Service Reserve Fund

Ms. Quabeck reported that the Finance Committee met and reviewed several items. One item under discussion was the Debt Service Requirement in this year's budget decreases for 2014 by more than \$300,000 and it was the recommendation of the staff and the Finance Committee concurs to put \$306,000 aside as a Debt Service Reserve Fund in anticipation of the Debt Service that will be required for the new Project. A brief discussion ensued.

- (2) Res. No. 13-1125-5 Resolution Establishing SRVSA Debt Service Reserve Fund And Policy

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

- (3) Report and recommendation of Proposed FY 2014 Budget and Recommending Its Approval
- (4) Res. No. 13-1125- Resolution Approving FY 2014 Budget

c. Chairperson

The Chairman stated that Items (3) and (4) would be addressed at a later time.

- (1) Appointment of Nominating Committee to make recommendation of Authority Officers for 2014

Chairman Machala reported that a Nominating Committee was being appointed to prepare a Slate of Officers for 2014. Members of the Nominating Committee are as follows: Chairman (Richard Mathews) and Members (Richard DeLuca, Michael Merdinger, Carlos Mosquera and Philip Petrone).

Ms. Quabeck stated that the Committee would report on the Slate of Officers at the December Meeting.

- (2) Review and discussion of services provided by Authority's Professional Staff (**CLOSED SESSION-PERSONNEL MATTERS**)

- (a) Res. No. 13-1125- - Resolution Authorizing Fair And Open Process To Receive Proposals For Professional Services In Accordance With Pay To Play Law (**OPEN SESSION**)

- (2) **Reminder-December Board Meeting December 16, 2013**
Holiday Luncheon December 23, 2013 (Noon)

Mr. Machala stated that the Holiday Luncheon would be held on Friday, December 20th, rather than of Monday, December 23rd. Mr. Petrauski reported that there might be better attendance having the luncheon on Friday rather than on Monday.

The Chairman moved on to the Executive Director's Report.

Minute 10 - Reports

a. **Executive Director's Report**

- (1) Update on status of expert report and testimony from Jenny Engineering concerning the Carbro Litigation

Mr. Anastasio reported that Prakash M. Donde, P.E. of Jenney Engineering Corp. (JEC) was drafting an expert report on the Authority's counterclaim in the ongoing litigation with Carbro Constructors. He went on to state that the report is near completion, and the additional funding is being requested in support of additional expert engineering services related to the Carbro Constructors litigation. The Authority was originally authorized \$25,000 for JEC and to date approximately \$24,000 has been spent. This resolution is requesting an additional \$15,000 to wrap up the report and have additional funding available for the rebuttal report.

- (a) Res. No. 13-1125-6 - Resolution Authorizing \$15,000 In Additional Funding To Prakash M. Donde, P.E. Of Jenny Engineering Corp. For Engineering Expert Services In The Matter Entitled Carbro Constructors Corp. V. Somerset Raritan Valley Sewerage Authority And Camp Dresser & McKee, Docket No. SOM-L-169-10

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

(2) Update on status of the Water Quality Restoration Facility (WQRF) Project

Mr. Petrauski reported that under our ACO agreement with the State, the Authority is required to do certain modeling and sampling and that involves getting five (5) storms of a certain types. This work started in the spring and as of this time we have only had three (3) three storms with only one (1) storm with an overflow. It has been found that we need a storm with at least a 3" storm for an overflow. Hopefully this storm will happen tomorrow. If a 3" rain or an overflow does not take place tomorrow, the information will be good for us but we cannot do certain modeling or our design. The problem is with the cold weather coming on, once we get into a freeze, we cannot get good I/I numbers out of our studies. Therefore, the sampling will be shut down probably by December 15 if not before, and the sampling will start back up in March or April. The problem is, if we do not get the data needed in the next storm and have to shut down and wait till the spring or wait till the summer. This delays the Project for at least a year. The models are written, but we cannot calibrate and the models cannot be run without a 3" or more storm.

Mr. Petrauski stated that as part of the negotiation of the ACO we did alert the state that we might not be able to gather the necessary data because we cannot control the weather. Mr. Petrauski went on to report that the Authority has only been doing approximately 9 million gallons per day.

Ms. Quabeck asked if DEP would be notified, and Mr. Petrauski reported that, yes, the DEP would be notified. Mr. Petrauski reported that everything is on track with the ACO. He went on to state that a report was being submitted discussing what the water quality would be on the overflow. As stated in this report, by moving the facility, we are improving the water quality.

Mr. Petrauski also stated that the Authority has done the Green Acres and has applied to the State. A Scoping Hearing was held and no public comments were received. A discussion ensued.

Now, the Authority is doing the actual application with the Green Acres. The Authority is waiting for the Freeholders to pass a resolution authorizing the Project and that the Scoping Hearing was o.k. At this point, it seems that no wetlands will need to be acquired. Mr. Petrauski stated that the design is on hold waiting for the river/rain. Also, the archaeology people have completed their work and their mapping will be finalized in a week or so. Again, a discussion ensued.

- (3) Update on status of litigation with Carbro Constructors Corp. (**CLOSED SESSION-LITIGATION**)
 - (4) Update on status of litigation with CNA (**CLOSED SESSION-LITIGATION**)
 - (5) Appointment of Committee by Chairman to Address flow billing problem at Meter Chamber No. 8 (**CLOSED SESSION-NEGOTIATIONS**)
- b. Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for November 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. John Maselli, Bureau of Construction and Connection Permits; dated November 13, 2013; Re: Notice of Administrative Completeness

Minute 12 - Payroll (Res. No. 13-1125-7)

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes

Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

Minute 13 - Cancellation of Checks (Res. No. 13-1125-8)

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

Minute 14 - Bills (Res. No. 13-1125-9)

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	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 Ms. Quabeck, second of Mr. Albano, the meeting was adjourned to Closed Session at 8:05 p.m. for the reasons stated by Attorney Maraziti; to discuss the two matters in litigation (one with Carbro Constructors Corp. and the second being litigation with CAN), the matter of anticipated litigation with Bridgewater regarding the billing question and also personnel matters by the following roll call vote:

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes

Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

Minute 16 - Closed SessionMinute 17 - Motion to Reconvene in Open Session

Upon motion of Mr. Petrone, second of Ms. Quabeck, the meeting was reconvened in Open Session by the following roll call vote:

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

Prior to adjournment, the following resolutions were approved by the Board of Commissioners.

Resolution 13-1125-10 - Resolution Authorizing Salary & Wage Increases For Supervisors And Non-Union Personnel

Upon motion of Ms. Quabeck, second of Mr. Albano, the above referenced resolution was approved by the following roll call vote. Prior to calling the roll, the comment was made to include an explanation in the resolution that Mr. Vuono was going from a union position to a supervisory position.

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

Res. No. 13-1125-11 - Resolution Approving FY 2014 Budget

The Finance Committee reported that included in the Budget were the Salary & Wages for Supervisory and Non-Union Employees as well as the SRVSA Debt Service Fund and Policy with the reason for the Fund to ensure sufficient money is in the Budget.

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

Todd Hay	Yes	Michael Merdinger	Yes
Richard DeLuca	Yes	Joseph Lifrieri	Yes
Carlos Mosquera	Absent	Michael Impellizeri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter Stires	Yes	Robert Albano	Yes
Carolann Garafola	Absent	Edward Machala	Yes
Richard Mathews	Yes		

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

Res. No. 13-1125-12 - Resolution Authorizing Fair and Open Process To Receive Proposals For Professional Services In accordance With Pay To Play Law

Attorney Maraziti reported that the Fair & Open Process is a procedure to secure Professionals as well as limiting political contributions to \$300 making the selection of Professionals fair and open. The Authority has previously utilized the Fair and Open Process to secure our Professional Staff.

Minute 18 - Adjournment

Upon a motion of Mr. Albano, second of Mr. Impellizeri, the meeting was adjourned at 8:55 p.m. (All in Favor, None Opposed)