



The
Somerset Raritan Valley
Sewerage Authority

**MINUTES OF THE 824th MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
April 27, 2015**

Minute 1 – Opening of Meeting

The 824th Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:32 P.M. by the Chairman, Peter Stires.

Minute 2 – Open Public Meetings Announcement

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

Minute 3 – Roll Call

Todd Hay	Present	Richard Mathews	Present
Richard DeLuca	Present	Michael Merdinger	Present
Philip Petrone	Present	Joseph J. Lifrieri	Present
Edward Machala	Present	Michael Impellizeri	Present
Carolann Garafola	Absent	Gail Quabeck	Present
Steven Mlenak	7:35 pm	Robert Albano	Present
		Peter Stires	Present

Professional Staff

Ronald Anastasio, P.E., Executive Director	Present
Sherwin Ulep, P.E., Facility Engineer	Present
Anthony Tambasco, Plant Superintendent	Present
Michael Ingenito, Supervisor-Wet End	Absent
Thomas Laustsen, P.E., CDM Smith, Consulting Engineer	Present
Joseph Maraziti, Esq., Maraziti Falcon, General Counsel	Present
Peter Wozniak, Chief Financial Officer	Present
Linda Hering, Administrative Assistant	Present

Others

Donna O’Shea, Receptionist/Secretary

Minute 4 – Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 – Approval of Minutes

A. 823rd Meeting – March 30, 2015 Regular Session (rescheduled from March 23, 2015)

Upon motion of Mr. Lifrieri, second of Mr. Impellizeri, the Minutes of the 823rd Meeting (Regular Session) were approved by the following roll call vote:

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

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

Minute 6 – Resolutions for Consideration and Possible Formal Action

A. Res. No. 15-0427-1 – Resolution Authorizing Transfer of Funds

Mr. Albano raised a question regarding the funds we currently have sitting in various bank accounts and inquired as to whether we could possibly earn more interest in investment accounts versus savings accounts. Chief Financial Officer Peter Wozniak indicated that we have a portfolio of 9 CD's. We currently have an average interest rate over 1% on those CDs. We have liquid funds in Unity Bank and just got them up to 1%. At the Bank of Princeton, we have 85 basis points. We have quite a bit of money with the trustee as per our Service Agreement, but that money is held for repayment of our bonds and that has to be invested in short term treasury at .01%. The State of New Jersey has a law regarding Investment Restrictions, where we cannot go investing in gold or Stock Mutual Funds, etc.

Executive Director Anastasio indicated we shifted funds at Magyar Bank and get 25 basis points on checking. Mr. Wozniak indicated we push the banks and we receive reimbursements for the checks. Ms. Quabeck indicated that as Treasurer, Mr. Wozniak provides her with monthly reported investment reports. Unfortunately, there aren't more opportunities to get a higher interest but we maximize what is out there.

Upon Motion of Mr. Machala, Second by Mr. Albano, the above resolution was approved by the following roll call vote:

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

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

B. Res. No. 15-0427-2 – Resolution Authorizing the Executive Director, Plant Superintendent , Facility Engineer & Commissioner Machala to attend the 100th NJWEA Annual Conference in Atlantic City, New Jersey May 11-14, 2015

Upon Motion from Mr. Albano, Second of Mr. Mathews, the above resolution was approved by the following roll call vote:

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

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

Minute 7 – Resolutions for Consideration and Possible Formal Action (none)

Minute 8 - Board Committees

A. Personnel Committee (PETRONE, Albano, DeLuca, Mathews, Quabeck)

1. Res. No. 15-0427-3 – Resolution Endorsing and Approving Permanent Status of Edward Schwarz as Inventory Control Clerk

Mr. Petrone reported that we hired Mr. Schwarz to replace Ms. Libby DePalma upon her retirement on January 1, 2015, as the Inventory Control Clerk. In accordance with the Collective Bargaining Agreement everything was handled properly. Under the recommendation of Anthony Tambasco, Plant Superintendent and Daniel Vuono, Maintenance Department Supervisor, it is recommended that Mr. Schwarz be granted his permanent status after successful completion of his 90 day probation period.

Upon Motion of Mr. Petrone, Second of Ms. Quabeck, the above resolution was then approved by the following roll call vote:

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

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

B. CHAIRPERSON

No further report.

Minute 9 – Public Participation - NONE

Minute 10 – Reports

A. Executive Director’s Report

(1) Update on Carbro Litigation – Case Management Order

Executive Director Anastasio indicated that Mr. Joseph Maraziti would be providing the update. Mr. Maraziti started by indicating we are not going to closed session for this discussion. We are truly back-benchers in this litigation. We have settled with CDM Smith and CDM Smith has indemnified us against any claims related to the tunnel and dewatering claims by Carbro. So that means the dispute goes on between CDM Smith and Carbro and they have agreed to submit to arbitration with the retired judge, who had begun as the Special Master appointed by the courts. They are working on the draft of the Arbitration Agreement. We are not deeply involved with that but we are generally aware of it. One of the issues is whether CDM Smith will preserve the opportunity to appeal the decision made by the judge a couple of years ago which held that the Certificate of Merit submitted by Carbro which they had to submit in order to bring a professional malpractice claim, attacking the certification submitted by CDM Smith. CDM Smith did not appeal the decision in that case at that time. CDM Smith challenged Carbro’s certification of an engineer that there was malpractice. The court held that the Affidavit of Merit was properly filed although it is questionable because it was filed by an electrical engineer, not somebody with an equivalent type of engineer. We don’t know if that will be preserved, however we are not involved in that dispute. Some of you may remember that former Executive Director Glen Petruski felt very strongly that CDM Smith should appeal that at the time but they chose not to do that.

The next step is for Discovery to take place. There are depositions that will be held. Mr. Petruski’s deposition will be sometime this week. His preparation for this deposition took place today. He met with CDM Smith Counsel and Attorney Carney for most of the day in our office. They are expecting that they will be done in one day. There will be experts that will be deposed and then the hearing before the Arbitrator is likely to be in the fall. We have a very minor position in all of that. We will just watch from a distance to make sure nothing goes sour with respect to the Authority. We don’t expect that it will. It is really a battle for CDM Smith to fight against Carbro. We are not even a third party interest in it.

A question was raised that other than Mr. Petruski’s deposition, are Maraziti Falcon planning on attending any other depositions. Mr. Maraziti indicated they will selectively attend other depositions. They will attend the deposition of Anthony Caruso and possibly one of the experts. They will go just to make sure that the Authority isn’t thrown “under the bus” in some way that we haven’t figured out. They want to make sure it stays factual. Mr. Caruso’s tentative depositions are scheduled for mid-May. However, the dates change all the time.

All this is taking place because of the negotiated arrangement with CDM Smith that the Authority managed to achieve a couple of years ago.

(2) Update on Storm Control Treatment Facility

Executive Director Anastasio indicated that in the last week and a half, the Authority met with two of our seven participants. On April 16th, we met with the Mayor of Somerville Borough, as well as one of the council persons, their attorney and engineer. We discussed the work we've done to date, where we go from here and what the future holds for Somerville's efforts to reduce their I&I. We had a good exchange a good beginning to the dialogue.

Additionally, a meeting was held with Hillsborough MUA on April 22nd. We attended their board meeting and gave them an update as well. We discussed their ongoing I&I program and it was a good exchange.

We plan to meet with the remaining five participants. We would like to get them done in the next few weeks and will be reaching out to the members of those towns to talk about attending those sessions and going forward.

Our Professional Engineer, James Cosgrove of Kleinfelder, had a meeting the NJDEP and had a preliminary initial discussion about treatment capability and wastewater NJPDES permit limits for this proposed facility and they had a very good meeting. Mr. Cosgrove described it as a good beginning and nothing unexpected came up. There are some minor nuances to work out but we're moving along.

Mr. Anastasio indicated that we are waiting on a letter confirming the outcome of the meeting and expect that in a few weeks and will move forward from there. The appraisal of the sites has been initiated. Also, there was a temporary SSO facility that we told the NJDEP we would construct and we are getting prices on that. It appears the base construction is in the \$30,000-\$40,000 range and there are some things we need to purchase separately. We are hoping to bring that number in reasonably below what we originally thought, which was \$100,000.

A question was raised by Mr. Lifrieri about the temporary SSO facility that we have reason to believe will deal with moving of the overflow. Mr. Anastasio stated that it will do some of what it is supposed to do however, under flood conditions, all bets are off. They are aware of that and told us to proceed with it regardless. We are looking to purchase check valves for the system to ensure no river water gets into our system. We hope to construct that sometime in June or July. Mr. Mlenak asked does any of the temporary facility have future value or is it strictly temporary? Mr. Anastasio indicated it is basically a temporary manhole modification with appurtenances that will ultimately be closed up. It really does mean it is a temporary facility. We had an original design that was much more elaborate, which was about \$150,000 but we've simplified it and made it more effective.

(3) Update on Polymer Tank Replacement Project

Facility Engineer Sherwin Ulep indicated that the polymer tank was replaced and the new polymer tank is currently online and is being used by the Authority. They also replaced the ventilation part of the project. They are currently working on the electrical modifications and upgrades, and the project is almost done. They will take a couple of days to complete the lighting

and some minor items that are included in the project. Mr. Anastasio stated that it has worked out very well and went very smooth. That facility will be almost totally done in a week or so.

(4) Update ACCO Demolition Project

Mr. Ulep stated that you may have noticed that the sludge incinerator is demolished and gone. Most of the piping around the carbon regeneration incinerator has been removed. Many of the tanks surrounding it have also been removed. They have completed about 50% of the job. The end of this contract is June 30th and we should be on schedule. Mr. Anastasio indicated that it seems to be painstakingly slow to watch but it is moving along nicely. They have already moved a lot of steel off-site. Taking down the little incinerator was tricky but it is done. Mr. Albano asked if any more asbestos was found and Mr. Anastasio indicated that nothing more was found.

(5) JIF/MEL 30 Minute Video Training for Authority Commissioners

Executive Director Anastasio indicated that there is a 30 minute video recommended by our insurance carrier, the JIF/MEL on the subject of Employment Practices Liability, as was outlined in the memo to the Board included in the Board books. We will get through the rest of the agenda and then we will watch this video.

- B. Engineer/Consultants** – Thomas Laustsen, P.E. (CDM Smith) Engineer’s Report for January, 2015– No additional comments.
- C. Attorney** - Joseph J. Maraziti, Jr., Esq., Maraziti Falcon, LLP – No additional comments.
- D. Department Reports** – See comments below regarding Operations Report and Maintenance Report
 - (1) Operations
 - (2) Laboratory
 - (3) Maintenance/Electrical
 - (4) Special Projects

Mr. Albano inquired about Daniel Vuono’s Monthly Maintenance Report and that it mentioned a sludge blockage and wanted further clarification. Executive Director Anastasio indicated that it is just sludge and we get blockages form from time to time. There are some areas that more prone to clog up than others. We know a couple of spots to always keep an eye on.

Also, Mr. Albano inquired about Anthony Tambasco’s Monthly Operations Report where it references a monthly average of 3.5ul and a daily maximum of 5.8ul. Is it a total of 3.2ul or is it ul/million gallons? Mr. Tambasco indicated that it is a total. This is a test where we are required to check this parameter and where it is a threat to violate because it is related to our chloromination system and the control of the chlorine byproducts as a result of the disinfection process. Dibromochloromethane is a trihalomethane and is a byproduct of using chlorine to disinfect. This is one of the most critical parameters we have to watch.

Mr. Albano also commented that our flows are up. Mr. Anastasio stated it has been raining and that brings our flows up. Mr. Albano stated that it indicates on March 11th we received 43 million gallons and asked if we can treat that much so quickly. Mr. Anastasio indicated yes, we treat it and we send it out. We can store a little offline (6.2 million gallons) but we treat it and get it right out. We can treat into the low 60's at times. Fortunately we have a nice big plant that we built for industrial treatment and have a lot of basin storage and detention time in our aeration basins. Our rated capacity is 23 million gallons and we can do that every day but no, we cannot do 60 every day for 30 days. But we can do it to get through the storms.

Lastly, Mr. Albano stated that the IPP Annual Report was submitted to the NJDEP and it was accepted.

E. Facility Engineer Reports – No additional comments.

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

Minute 11 – Communications – No additional comments.

- A. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period: 2/1/15-2/28/15
- B. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Re: Reporting Period: 2/1/15-2/28/15
- C. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period: 2/1/15-2/28/15

Minute 12 – Res. No. 15-0427-4 - Payroll

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

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

A copy of the Resolution is attached hereto and made part of the official Minutes.

Minute 13 – Res. No. 15-0427-5

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

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

A copy of the Resolution is attached hereto and made part of the official Minutes.

At 8:05 pm, the Authority staff members in attendance were dismissed so that Board members can view the JIF/MEL video.

At 8:32 p.m. the JIF/MEL training video ended.

Minute 14 - Adjournment

Upon a motion of Mr. Hay, second of Mr. Mathews, the meeting was adjourned at 8:35 p.m. by the following roll call vote:

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