

THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
795th MEETING - CLOSED SESSION
Monday, November 26, 2012
AGENDA

DATE: Monday, November 26, 2012 PLACE: The Somerset Raritan
TIME: 7:30 P.M. Valley Sewerage Authority

1. Closed Session - Executive Director (Resolution)

WHEREAS, matters have come before The Somerset Raritan Valley Sewerage Authority involving contract negotiations, litigation, or anticipated litigation; and

WHEREAS, the Open Public Meetings Act permits a Closed Session to discuss said matters.

NOW, THEREFORE, BE IT RESOLVED that The Somerset Raritan Valley Sewerage Authority meet in Closed Session to discuss said matters.

The matters involving litigation shall not be disclosed until after the conclusion of time to file an appeal from a final decision of a Court of Competent Jurisdiction and in the case of anticipated litigation, upon final resolution of same if litigation is not, in fact, commenced or if litigation is commenced after the conclusion of time to file an appeal from a final decision of a Court of Competent Jurisdiction.

The matters discussed at such Closed Session in connection with personnel matters shall not be disclosed. The matters discussed at such Closed Session in connection with contract negotiations shall be disclosed at the conclusion of the negotiations.

2. Roll Call:

<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>	
_____	_____	Arthur Quade	_____	_____	Richard Mathews
_____	_____	Richard DeLuca	_____	_____	Robert McCray
_____	_____	Carlos Mosquera	_____	_____	Joseph J. Lifrieri
_____	_____	Philip Petrone	_____	_____	Michael Impellizeri
_____	_____	Peter F. Stires	_____	_____	Gail Quabeck
_____	_____	Carolann Garafola	_____	_____	Robert Albano
_____	_____	Herbert Vollers	_____	_____	Edward Machala

Professional Staff

_____ Glen D. Petrauski, Executive Director
_____ Ronald S. Anastasio, P.E., Assistant Executive Director/Facility
_____ Engineer
_____ Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP
_____ Norma Smullen, Office/Human Resources Manager
_____ Peter Wozniak, Chief Financial Officer

Others

3. 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 (Litigation)
4. Retirement of David Alaburda (Personnel Matters)
5. Update on Meter Chamber No. 4 SSO proposal and meeting with NJDEP (Negotiations/Anticipated Litigation)
6. Review and discussion of services provided by Authority's Professional Staff (Personnel Matters)
7. Adjournment

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 795th Meeting
 Monday, November 26, 2012

DATE: Monday, November 26, 2012
 TIME: 7:30 P.M.

PLACE: The Somerset Raritan
 Valley Sewerage Authority

1. **Opening of Meeting By:** _____ at _____ P.M.
2. **Open Public Meetings Announcement by Executive Director**

In accordance with the provisions of the Open Public Meetings Act, adequate notice of this Regular Meeting of The Somerset Raritan Valley Sewerage Authority has been provided in accordance with Section 13 of the Act by adoption of the schedule of dates, times, and places of The Somerset Raritan Valley Sewerage Authority to be held between February 27, 2012 to February 4, 2013.

Matters discussed in Closed Session shall be released to the public at such time as is provided in the Resolution authorizing the Closed Session.

3. Roll Call:

<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>	
_____	_____	Arthur Quade	_____	_____	Richard Mathews
_____	_____	Richard DeLuca	_____	_____	Robert McCray
_____	_____	Carlos Mosquera	_____	_____	Joseph J. Lifrieri
_____	_____	Philip Petrone	_____	_____	Michael Impellizeri
_____	_____	Peter F. Stires	_____	_____	Gail Quabeck
_____	_____	Carolann Garafola	_____	_____	Robert Albano
_____	_____	Herbert Vollers	_____	_____	Edward Machala

Professional Staff

_____	_____	Glen D. Petruski, Executive Director
_____	_____	Ronald S. Anastasio, P.E., Assistant Executive Director/Facility Engineer
_____	_____	John S. Thompson, Plant Superintendent
_____	_____	Anthony Tambasco, Maintenance Supervisor
_____	_____	Thomas Laustsen, P.E., Consulting Engineer – CDM Smith
_____	_____	Joseph J. Maraziti, Jr., Esq., General Counsel – MFH
_____	_____	Norma A. Smullen, Office/Human Resources Manager
_____	_____	Peter Wozniak, Chief Financial Officer

Others

4. Pledge of Allegiance

5. Approval of Minutes

- a. 794th Meeting - October 22, 2012 - Regular Session
- b. 794th Meeting - October 22, 2012 - Closed Session

6. Public Hearing (Including Public Notice/Support Information)-
None**7. Public Participation****8. Resolutions for Consideration and Possible Formal Action**

- a. Res. No. 12-1126-1-Resolution Awarding Bid For Purchase and Delivery of Polymer
- b. Res. No. 12-1126-2- Resolution Awarding Bid For The Purchase And Delivery of Liquid Ammonium Hydroxide
- c. Res. No. 12-1126-3- Resolution Awarding Bid For The Purchase And Deliver of Magnesium Hydroxide
- d. Res. No. 12-1126-4- Resolution Awarding Bid For Continuous Emissions Monitoring Equipment Maintenance
- e. Res. No. 12-1126-5 - Resolution Awarding Bid For Furnishing and Delivering Laboratory Services Whole Effluent Toxicity (WET) Monitoring, Acute Toxicity Monitoring
- f. Res. No. 12-1126-6 - Resolution Awarding Bid For Furnishing and Delivering Laboratory Services

9. Board Committees

- a. Contract Negotiations Committee (Quabeck, Petrone)
 - (1) Update on Contract Negotiations
- b. Personnel Committee (Petrone, Albano, DeLuca, McCray and Stires)
 - (1) Retirement of David Alaburda (**CLOSED SESSION-PERSONNEL MATTERS**)
- c. Chairperson
 - (1) Appointment of Nominating Committee to make recommendation of Authority Officers for 2013
 - (2) Review and discussion of services provided by Authority's Professional Staff (**CLOSED SESSION-PERSONNEL MATTERS**)
 - (a) Res. No. 12-1126- - Resolution Authorizing Fair And Open Process To Receive Proposals For Professional Services (**OPEN SESSION**)
 - (3) **Reminder - December Board Meeting**
Monday, December 17, 2012

10. Reports**a. Executive Director's Report**

- (1) Report on effect of Hurricane Sandy on the Authority's facilities
 - (a) Report on agreement reached with NJDEP granting the Authority temporary approval to operate the Authority's two sludge incinerators in response to damage to other entities' wastewater and sludge processes throughout the State
- (2) Update on Outfall Relocation Project
- (3) Update on litigation with CNA
- (4) Update on status of Draft NJPDES Permit
- (5) Report on response from EPA to the Authority's most recent correspondence regarding escape of contaminants from the American Cyanamid Superfund Site and DEP's issuance of a Record of Decision on the February 2012 Site Wide Feasibility Study
- (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** - Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for November 2012

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

d. Department Reports

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

e. Facility Engineer Reports

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

f. Budget Reports (SEE BACK COVER)**11. Communications**

a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Re: Reporting Period September 2012

- b. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period September 2012
- c. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period September 2012
- d. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; Re: Reporting Period January 1, 2012 to December 31, 2012
- e. NJDEP, Division of Water Quality; Surface Water Discharge Waste Characterization Report; Re: Reporting Period March 1, 2012 to February 28, 2012
- f. Board of Commissioners; dated November 5, 2012; Re: Hurricane Sandy (11/9/2012 Weekly Mailing)

12. Payroll - Resolution

13. Cancellation of Checks - None

14. Bills - Resolution

15. Motion to Adjourn to Closed Session

16. Closed Session

WHEREAS, a matter has come before The Somerset Raritan Valley Sewerage Authority; and

WHEREAS, the Open Public Meetings Act permits a Closed Session to discuss said matters.

NOW, THEREFORE, BE IT RESOLVED that The Somerset Raritan Valley Sewerage Authority meet in Closed Session to discuss said matters. The matters involving pending or anticipated litigation/negotiations shall not be disclosed until the conclusion of said litigation/negotiations by way of settlement or after the conclusion of the time to file an appeal from a final decision of a Court of Competent Jurisdiction.

The matters discussed at such Closed Session in connection with personnel matters shall not be disclosed.

Matters discussed in Closed Session shall be released to the public at such time when they will not be detrimental to the public interest.

17. Motion to Reconvene in Open Session

18. Adjournment

(NEXT REGULAR BOARD MEETING - DECEMBER 17, 2012)
