

THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
774<sup>th</sup> Meeting  
February 28, 2011

DATE: Monday, February 28, 2011  
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 28, 2011 to February 6, 2012.

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              | _____          | _____         | Peter Van Riper      |
| _____          | _____         | Alessandro Fischetti, Jr. | _____          | _____         | Robert McCray        |
| _____          | _____         | Edward J. Machala         | _____          | _____         | Joseph J. Lifrieri   |
| _____          | _____         | Philip Petrone            | _____          | _____         | William A. Poch, Sr. |
| _____          | _____         | Peter F. Stires           | _____          | _____         | Gail Quabeck         |
| _____          | _____         | Alvin Florey              | _____          | _____         | Kenneth Lee          |
| _____          | _____         | Herbert Vollers           | _____          | _____         | Roger Guttschall     |

Professional Staff

|       |       |   |
|-------|-------|---|
| _____ | _____ | Glen D. Petrauski, Executive Director                                     |
| _____ | _____ | Ronald S. Anastasio, P.E., Assistant Executive Director/Facility Engineer |
| _____ | _____ | John S. Thompson, Plant Superintendent                                    |
| _____ | _____ | James L. Brandes, P.E., Consulting Engineer – CDM                         |
| _____ | _____ | 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**

**4.A. Oath of Office**

- a. Gail Quabeck, Treasurer

**5. Approval of Minutes**

- a. 773rd Meeting - January 24, 2011 - Regular Session
- b. 773rd Meeting - January 24, 2011 - Closed Session
- c. Reorganization Meeting - Monday, February 7, 2011

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

- a. Res. No. 11-0228-1 - Resolution Authorizing One Commissioner, the Executive Director and the Assistant Executive Director/Facility Engineer to Attend the AEA 2011 Annual Spring Conference (Utility Management Conference) in Atlantic City, March 8-9, 2011
- b. Res. No. 11-0228-2 - Resolution Rejecting All Bids For Purchase of One(1)New 2011 Dodge Grand Caravan Cargo Van FWD Or Equal
- c. Res. No. 11-0228-3 - Resolution Awarding Bid for Rebuild of Belt Filter Press No. 3

**9. Board Committees**

- a. Chairperson

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

- (1) Outfall Relocation Project - Tunnel Project
- (2) Update on repairs to Incinerator No.2
  - (a) Res. No. 11-0228- - Resolution Authorizing Change Order No. 1- Contract No. B-10-1 Reactor No. 2- Dome Replacement Project (Miscellaneous Reactor Repairs)
- (3) Update on design of Rehabilitation of Inc. No. 1 and the replacement of the SCADA System on Inc. No. 2

- (4) Report on Natural Gas Supplier
  - (5) Update on status of pH at R4 of Raritan River -  
**(CLOSED SESSION) NEGOTIATIONS**
  - (6) Review and possible formal action on revised settlement with Pfizer/Wyeth regarding carbon units **(CLOSED SESSION) NEGOTIATIONS**
    - (a) Res. No. 11-0228- - Resolution Authorizing Settlement Wyeth-Carbon Towers/USTs
  - (7) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION) LITIGATION**
  - (8) Notice of claim petition filed by family of a previous employee and a claim petition filed by a current employee **(CLOSED SESSION) - LITIGATION**
- b. **Engineer/Consultants** - James L. Brandes, P.E. (CDM) Engineer's Report for February 2011
- c. **Attorney** - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP (MFH)
- d. **Department Reports**
- (1) Operations
  - (2) Laboratory
  - (3) Maintenance/Electrical
  - (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; dated January 20, 2011; Re: Reporting Period December 2010
- b. NJDEP, Division of Water Quality; Residuals DMR; dated January 20, 2011; Re: Reporting Period December 2010
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated January 20, 2011; Re: Reporting Period December 2010

- d. NJDEP, Division of Water Quality; Residual Transfer Report; dated January 20, 2011; Re: Reporting Period December 2010
- e. NJDEP, Biomonitoring Report-Chronic Toxicity Tests; dated January 3, 2011; Re: Testing December 6, 2010 to December 13, 2010
- f. NJDEP, Water Resource Management, Division of Water Quality, NJEIT; dated January 20 2011; Re: Notice of Rule Proposal-Financial Assistance Programs for Environmental Infrastructure Facilities, N.J.A.C. 7:22 (1/28/2011 Weekly Mailing)
- g. Brent Carney, Esq., MFH; dated January 19, 2011; Re: Carbro Constructors Corp. v SRVSA & CDM; Order Granting SRVSA Leave to file its Counterclaim
- h. Brent T. Carney, Esq.; dated January 20, 2011; Re: Carbro Constructors Corp. v SRVSA and CDM
- i. Paul DeSantis; dated January 28, 2011; Re: 2010 Pretreatment Program Annual Report (2/11/2011 Weekly Mailing)
- j. Christopher Miller, Esq.; Maraziti, Falcon & Healey, LLP; dated February 4, 2011; Re: Calco Dam Demolition (2/11/2011 Weekly Mailing)
- k. Brent T. Carney; dated February 9, 2011; Re: Carbro Constructors Corp. v. SRVSA and CDM (2/18/2011 Weekly Mailing)
- l. Honorable Yolanda Ciccone, A.J.S.C.; dated February 14, 2011; Re: Carbro Constructors Corp. v. SRVSA and CDM (February Board Book & 2/18/2011 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**

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**(NEXT BOARD MEETING - MARCH 28, 2011)**

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THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
773rd MEETING - CLOSED SESSION  
Monday, January 24, 2011  
AGENDA

DATE: Monday, January 24, 2011  
TIME: 7:30 P.M.

PLACE: The Somerset Raritan  
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              | _____          | _____         | Peter Van Riper      |
| _____          | _____         | Alessandro Fischetti, Jr. | _____          | _____         | Robert McCray        |
| _____          | _____         | Edward J. Machala         | _____          | _____         | Joseph J. Lifrieri   |
| _____          | _____         | Philip Petrone            | _____          | _____         | William A. Poch, Sr. |
| _____          | _____         | Peter F. Stires           | _____          | _____         | Gail Quabeck         |
| _____          | _____         | Alvin Florey              | _____          | _____         | Kenneth Lee          |
| _____          | _____         | Herbert Vollers           | _____          | _____         | Roger Guttschall     |

773rd Meeting - Closed Session Agenda  
 January 24, 2011  
 Page 2

### 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

\_\_\_\_\_  
 \_\_\_\_\_

- Update on status of pH at R4 of Raritan River - **NEGOTIATIONS**
- Review and discussion of revised settlement with Pfizer/Cyanamid regarding carbon units - **NEGOTIATIONS**
- Update on status of litigation with Carbro Constructors Corp. - **LITIGATION**

- 6 Notice of claim petition filed by family of a previous employee and a claim petition filed by a current employee -  
**LITIGATION**
7. Adjournment

THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
773rd Meeting  
January 24, 2011

DATE: Monday, January 24, 2011  
TIME: 7:30 P.M.

PLACE: The Somerset Raritan  
Valley Sewerage Authority

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2. **Open Public Meetings Announcement by Executive Director**

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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> |                      |
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| _____          | _____         | Alessandro Fischetti, Jr. | _____          | _____         | Robert McCray        |
| _____          | _____         | Edward J. Machala         | _____          | _____         | Joseph J. Lifrieri   |
| _____          | _____         | Philip Petrone            | _____          | _____         | William A. Poch, Sr. |
| _____          | _____         | Peter F. Stires           | _____          | _____         | Gail Quabeck         |
| _____          | _____         | Alvin Florey              | _____          | _____         | Kenneth Lee          |
| _____          | _____         | Herbert Vollers           | _____          | _____         | Roger Guttschall     |

Professional Staff

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|-------|-------|---|
| _____ | _____ | Glen D. Petruski, Executive Director                                      |
| _____ | _____ | Ronald S. Anastasio, P.E., Assistant Executive Director/Facility Engineer |
| _____ | _____ | John S. Thompson, Plant Superintendent                                    |
| _____ | _____ | James L. Brandes, P.E., Consulting Engineer – CDM                         |
| _____ | _____ | 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**

773rd Meeting

- 2 -

January 24, 2011

**5. Approval of Minutes**

- b. 772nd Meeting - December 16, 2010 - Regular Session
- b. 772nd Meeting - December 16, 2010 - Closed Session

**6. Public Hearing(s) - (Including Public Notice/Support Information)**

- a. Public Hearing - Request by CBS Operations Inc. to reissue a Groundwater Discharge Permit for the groundwater remediation site located at Taylor Forge (Block 9, Lot 28)
- b. Res. No. 11-0124-1 - Resolution Reissuing A Groundwater Discharge Permit To CBS Operations Inc. For The Groundwater Remediation Site At Taylor Forge
- c. Public Hearing - Request by Ethicon, Inc., Bridgewater to Reissue A Non-Domestic Wastewater Discharge Permit
- d. Res. No. 11-0124-2 - Resolution Reissuing A Non-Domestic Wastewater Discharge Permit to Ethicon, Inc., Bridgewater

- e. Public Hearing - Request by ImClone Systems Inc. (Bldg. 50), Branchburg to Reissue A Non-Domestic Wastewater Discharge Permit
- f. Res. No. 11-0124-3 - Resolution Reissuing A Non-Domestic Wastewater Discharge Permit to ImClone Systems Inc. (Bldg. 50), Branchburg
- g. Public Hearing - Request by Ortho McNeil Janssen Pharmaceutical to modify its Categorical Wastewater Discharge Permit
- h. Res. No. 11-0124-4 - Resolution Modifying The Categorical Wastewater Discharge Permit Of Ortho McNeil Janssen Pharmaceutical

**7. Public Participation**

**8. Resolutions for Consideration and Possible Formal Action**

- a. Res. No. 11-0124-5 - Resolution Authorizing The Wire Transfer Of Funds From TD Bank SRVSA Connection Fee Account To The TD Bank Construction Checking Account In The Amount Of ( ) For The Costs Associated With The Implementation Of Various Capital Projects

773rd Meeting

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January 24, 2011

**9. Board Committees**

- a. Chairperson
  - (1) **Reminder: REORGANIZATION MEETING**  
**MONDAY, FEBRUARY 7, 2011 (7:00 P.M.)**  
**AUTHORITY'S CONFERENCE ROOM**

**10. Reports**

- a. **Executive Director's Report**
  - (1) Outfall Relocation Project - Tunnel Project
  - (2) Update on repairs to Incinerator No.2
  - (3) Recommendation of Professional Staff for 2011 in response to Request for Qualifications(RFQ's) in accordance with State Regulations (Pay to Play Law)
  - (4) Report and recommendation for CDM to perform work associated with the funding of the repairs to Inc. No. 1 and the replacement of the SCADA System on Inc. No. 2
    - (a) Res. No. 11-0124- - Resolution Authorizing Camp Dresser & McKee To Perform The Work Necessary For the Funding Of The Repairs To Inc. No. 1 and The Replacement of the SCADA System on Inc. No. 2
  - (5) Report on the demolition of the Calco Dam

- (a) Res. No. 11-0124- - Resolution Authorizing The Signing Of Ownership Of The Calco Dam Over To El Paso And The DEP For Its Demolition
- (6) Report on Connection Fee Refund to 101 North Gaston Corp.
  - (a) Res. No. 11-0124- - Resolution Authorizing A Connection Fee Refund To 101 North Gaston Corp.
- (7) Report on settlement agreement with Pfizer
  - (a) Res. No. 11-0124- - Resolution Authorizing Execution of Settlement Agreement With Pfizer/Wyeth
- (8) Report on sale of surplus items
  - (a) Res. No. 11-0124- - Resolution Declaring Three Vehicles, One Gator and One Copier As Used and Excess Equipment
- (9) Discussion of request by the Borough of Somerville to amend the current Service Agreement to remove the Assured Minimum requirement
- (10) Update on status of pH at R4 of Raritan River - **(CLOSED SESSION) NEGOTIATIONS**
- (11) Review and discussion of revised settlement with Pfizer/Wyeth regarding carbon units **(CLOSED SESSION) NEGOTIATIONS**
- (12) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION) LITIGATION**

773rd Meeting

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January 24, 2011

- (13) Notice of claim petition filed by family of a previous employee and a claim petition filed by a current employee **(CLOSED SESSION) - LITIGATION**
- b. **Engineer/Consultants** - James L. Brandes, P.E. (CDM) Engineer's Report for January 2011
- c. **Attorney** - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP (MFH)
- d. **Department Reports**
  - (1) Operations
  - (2) Laboratory
  - (3) Maintenance/Electrical
  - (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; dated December 20, 2010; Re: Reporting Period November 2010
- b. NJDEP, Division of Water Quality; Residuals DMR; dated December 20, 2010; Re: Reporting Period November 2010
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated December 20, 2010; Re: Reporting Period November 2010
- d. NJDEP, Division of Water Quality; Residual Transfer Report; dated December 20, 2010; Re: Reporting Period November 2010
- e. Karl Monninger, CBE; EPA Docket Center; dated November 29, 2010; Re: Comments of the SRVSA on the Proposed Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units (12/17/2010 Weekly Mailing)
- f. Brent T. Carney, Esq., MFH; dated December 15, 2010; Re: Carbro Constructors Corp. v. SRVSA-New Counterclaim (12/17/2010 Weekly Mailing)
- g. NJDEP; dated December 15, 2010; Re: DEP To Hold Public Meeting On Proposed Draft Sewer Service Area Map In Somerset (12/17/2010 Weekly Mailing)
- h. Anton L. Lendor; Esq., MFH; dated December 14, 2010; Re: Carbro Constructors Corp. v. SRVSA-Demand For Production of Documents (12/17/2010 Weekly Mailing)

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January 24, 2011

- i. Christopher Bolka; dated December 22, 2010; Re: Affirmative Defense, NJPDES Permit No. NJ0024864
- j. Rick Epstein; *The Messenger-Gazette*; dated January 5, 2011; Re: Somerville Mayor Brian Gallagher reveals his new-year agenda (1/7/2011 Weekly Mailing)

## 12. Payroll - Resolution

## 13. Cancellation of Checks - Resolution

## 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.

**18. Motion to Reconvene in Open Session**

**18. Adjournment**

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**(NEXT BOARD MEETING - FEBRUARY 28, 2011)**

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THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
773rd MEETING - CLOSED SESSION  
Monday, January 24, 2011  
AGENDA

DATE: Monday, January 24, 2011  
TIME: 7:30 P.M.

PLACE: The Somerset Raritan  
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

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

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## 2. Roll Call:

| <u>Present</u> | <u>Absent</u> |                           | <u>Present</u> | <u>Absent</u> |                      |
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773rd Meeting - Closed Session Agenda  
 January 24, 2011  
 Page 2

### Professional Staff

|       |       |   |
|-------|-------|---|
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### Others

\_\_\_\_\_  
 \_\_\_\_\_

- Update on status of pH at R4 of Raritan River - **NEGOTIATIONS**
- Review and discussion of revised settlement with Pfizer/Cyanamid regarding carbon units - **NEGOTIATIONS**
- Update on status of litigation with Carbro Constructors Corp. - **LITIGATION**

6 Notice of claim petition filed by family of a previous employee and a claim petition filed by a current employee -  
**LITIGATION**

7. Adjournment

THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
773rd Meeting  
January 24, 2011

DATE: Monday, January 24, 2011  
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PLACE: The Somerset Raritan  
Valley Sewerage Authority

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**3. Roll Call:**

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| _____          | _____         | Peter F. Stires           | _____          | _____         | Gail Quabeck         |
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Professional Staff

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| _____ | _____ | Peter Wozniak, Chief Financial Officer                                    |

Others

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |

**4. Pledge of Allegiance**

773rd Meeting

- 2 -

January 24, 2011

**5. Approval of Minutes**

- c. 772nd Meeting - December 16, 2010 - Regular Session
- b. 772nd Meeting - December 16, 2010 - Closed Session

**6. Public Hearing(s) - (Including Public Notice/Support Information)**

- a. Public Hearing - Request by CBS Operations Inc. to reissue a Groundwater Discharge Permit for the groundwater remediation site located at Taylor Forge (Block 9, Lot 28)
- b. Res. No. 11-0124-1 - Resolution Reissuing A Groundwater Discharge Permit To CBS Operations Inc. For The Groundwater Remediation Site At Taylor Forge
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773rd Meeting

- 3 -

January 24, 2011

**9. Board Committees**

- a. Chairperson
  - (1) **Reminder: REORGANIZATION MEETING**  
**MONDAY, FEBRUARY 7, 2011 (7:00 P.M.)**  
**AUTHORITY'S CONFERENCE ROOM**

**10. Reports**

- a. **Executive Director's Report**
  - (1) Outfall Relocation Project - Tunnel Project
  - (2) Update on repairs to Incinerator No.2
  - (3) Recommendation of Professional Staff for 2011 in response to Request for Qualifications(RFQ's) in accordance with State Regulations (Pay to Play Law)
  - (4) Report and recommendation for CDM to perform work associated with the funding of the repairs to Inc. No. 1 and the replacement of the SCADA System on Inc. No. 2
    - (a) Res. No. 11-0124- - Resolution Authorizing Camp Dresser & McKee To Perform The Work Necessary For the Funding Of The Repairs To Inc. No. 1 and The Replacement of the SCADA System on Inc. No. 2
  - (5) Report on the demolition of the Calco Dam

- (a) Res. No. 11-0124- - Resolution Authorizing The Signing Of Ownership Of The Calco Dam Over To El Paso And The DEP For Its Demolition
- (6) Report on Connection Fee Refund to 101 North Gaston Corp.
  - (a) Res. No. 11-0124- - Resolution Authorizing A Connection Fee Refund To 101 North Gaston Corp.
- (7) Report on settlement agreement with Pfizer
  - (a) Res. No. 11-0124- - Resolution Authorizing Execution of Settlement Agreement With Pfizer/Wyeth
- (8) Report on sale of surplus items
  - (a) Res. No. 11-0124- - Resolution Declaring Three Vehicles, One Gator and One Copier As Used and Excess Equipment
- (9) Discussion of request by the Borough of Somerville to amend the current Service Agreement to remove the Assured Minimum requirement
- (10) Update on status of pH at R4 of Raritan River - **(CLOSED SESSION) NEGOTIATIONS**
- (11) Review and discussion of revised settlement with Pfizer/Wyeth regarding carbon units **(CLOSED SESSION) NEGOTIATIONS**
- (12) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION) LITIGATION**

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- (13) Notice of claim petition filed by family of a previous employee and a claim petition filed by a current employee **(CLOSED SESSION) - LITIGATION**
- b. **Engineer/Consultants** - James L. Brandes, P.E. (CDM) Engineer's Report for January 2011
- c. **Attorney** - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP (MFH)
- d. **Department Reports**
  - (1) Operations
  - (2) Laboratory
  - (3) Maintenance/Electrical
  - (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; dated December 20, 2010; Re: Reporting Period November 2010
- b. NJDEP, Division of Water Quality; Residuals DMR; dated December 20, 2010; Re: Reporting Period November 2010
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated December 20, 2010; Re: Reporting Period November 2010
- d. NJDEP, Division of Water Quality; Residual Transfer Report; dated December 20, 2010; Re: Reporting Period November 2010
- e. Karl Monninger, CBE; EPA Docket Center; dated November 29, 2010; Re: Comments of the SRVSA on the Proposed Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units (12/17/2010 Weekly Mailing)
- f. Brent T. Carney, Esq., MFH; dated December 15, 2010; Re: Carbro Constructors Corp. v. SRVSA-New Counterclaim (12/17/2010 Weekly Mailing)
- g. NJDEP; dated December 15, 2010; Re: DEP To Hold Public Meeting On Proposed Draft Sewer Service Area Map In Somerset (12/17/2010 Weekly Mailing)
- h. Anton L. Lendor; Esq., MFH; dated December 14, 2010; Re: Carbro Constructors Corp. v. SRVSA-Demand For Production of Documents (12/17/2010 Weekly Mailing)

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- i. Christopher Bolka; dated December 22, 2010; Re: Affirmative Defense, NJPDES Permit No. NJ0024864
- j. Rick Epstein; *The Messenger-Gazette*; dated January 5, 2011; Re: Somerville Mayor Brian Gallagher reveals his new-year agenda (1/7/2011 Weekly Mailing)

## 12. Payroll - Resolution

## 13. Cancellation of Checks - Resolution

## 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.

**19. Motion to Reconvene in Open Session**

**18. Adjournment**

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**(NEXT BOARD MEETING - FEBRUARY 28, 2011)**

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