

MINUTES OF THE 767th MEETING
 THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
 July 26, 2010
 (Meeting Rescheduled To August 2, 2010)

Minute 1 - Opening of Meeting

The 767th Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:30 P.M. by the Chairman, Roger Guttschall.

Minute 2 - Open Public Meetings Announcement - Executive Director

The Open Public Meetings Announcement was read by Glen D. Petruski.

Minute 3 - Roll Call

<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>	
<u> </u>	<u> X </u>	Arthur Quade	<u> X </u>	<u> </u>	Peter Van Riper
<u> X </u>	<u> </u>	Alessandro Fischetti, Jr.	<u> X </u>	<u> </u>	Robert McCray
<u> X </u>	<u> </u>	Edward J. Machala	<u> </u>	<u> 7:35 </u>	Joseph J. Lifrieri
<u> </u>	<u> X </u>	Philip Petrone	<u> X </u>	<u> </u>	William A. Poch, Sr.
<u> X </u>	<u> </u>	Peter F. Stires	<u> X </u>	<u> </u>	Gail Quabeck
<u> X </u>	<u> </u>	Alvin Florey	<u> </u>	<u> 7:32 </u>	Kenneth Lee
<u> X </u>	<u> </u>	Herbert Vollers	<u> X </u>	<u> </u>	Roger Guttschall

Professional Staff

<u> X </u>	<u> </u>	Glen D. Petruski, Executive Director
<u> X </u>	<u> </u>	John S. Thompson, Plant Superintendent
<u> X </u>	<u> </u>	James L. Brandes, P.E., CDM, Consulting Engineer
<u> </u>	<u> X </u>	Joseph J. Maraziti, Jr., Esq. MFH, General Counsel
<u> </u>	<u> X </u>	Ronald Anastasio, P.E., Assistant Executive Director/Facility Engineer
<u> X </u>	<u> </u>	Norma A. Smullen, Office/Human Resources Manager
<u> X </u>	<u> </u>	Peter Wozniak, Chief Financial Officer

Others

Brent Carney, Esq., MFH
 James F. Cosgrove, Jr., PE, OMNI

Albert Telsey, Esq., MFH

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutes

a. 766th Meeting - June 28, 2010 - Regular Session

Upon motion of Mr. Van Riper, second of Mr. Poch, the Minutes of the 766th Meeting were approved by the following roll call vote:

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

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

b. 766th Meeting - June 28, 2010 - Closed Session

Upon motion of Mr. Van Riper, second of Mr. Poch, the Minutes of the 766th Meeting (Closed Session) were approved by the following roll call vote:

Arthur Quade	Absent	Peter Van Riper	Yes
Alessandro Fischetti, Jr.	Yes	Robert McCray	Abstain
Edward J. Machala	Yes	Joseph J. Lifrieri	Absent
Philip Petrone	Absent	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	Gail Quabeck	Abstain
Alvin Florey	Yes	Kenneth Lee	Yes
Herbert Vollers	Yes	Roger Guttschall	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. 10-0726-1 - Resolution Authorizing One Commissioner, the Executive Director, the Assistant Executive Director/Facility Engineer, the Plant Superintendent and the Maintenance Supervisor To Attend The 83rd Annual Water Environment Federation (WEFTEC) Technical Exhibition And Conference In New Orleans October 2-6

Upon motion of Mr. Van Riper, second of Mr. Lee, the above resolution was approved by the following roll call vote:

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

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

Minute 9 - Board Committees

- a. Finance Committee (POCH, Lifrieri, Machala, Quabeck, Vollers)
- (1) Report and recommendation of approval of FY 2009 End of Year Audit **(FRONT COVER)**

Mr. Poch reported that the Finance Committee met on Thursday, July 29, to discuss the End of Year Audit 2009 and there was a open discussion and the Committee felt that the Authority try to "hold the line" for further spending and as Chairperson is recommending that the Audit be approved.

- (2) Res. No. 10-0726-2 - Resolution Accepting FY 2009 End of Year Audit

Upon motion of Mr. Poch, second of Mr. Van Riper, the above resolution was approved by the following roll call vote:

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

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

b. Chairperson - The Chairman did not have any additional comments. Chairperson Guttschall announced that the Board would now be moving to Closed Session

Minute 9.A. Closed Session For Presentation By Professionals

Upon motion of Mr. Poch, second of Mr. Vollers, the meeting was adjourned to Closed Session (Attorney Carney stated that the reasons for Closed Session were Contract Negotiations, Litigation and Pending Litigation) at 7:35 P.M. by the following roll call vote:

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

Upon motion of Ms. Quabeck, second of Mr. Vollers, the meeting was reconvened in Open Session at 8:30 P.M. by the following roll call vote:

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

Chairperson Guttschall stated that a number of resolutions needed to be addressed

Minute 10 - Reports

a. Executive Director's Report

- (1) Update on status of pH at R4 of Raritan River -

NEGOTIATIONS

- (a) Res. No. 10-0726-3 - Resolution Accepting Proposal From Omni Environmental LLC To Perform Mainstem Raritan River Nutrient Impairment Study

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

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

A copy of the above-referenced resolution is attached hereto and made part of the Official Minutes

- (2) Review and discussion of revised settlement with Pfizer/Cyanamid regarding carbon units -
NEGOTIATIONS
- (3) Update on status of litigation with Carbro Constructors Corp. - **LITIGATION**
- (4) Update on repairs to Incinerator No.2 and Insurance Claim - **PENDING LITIGATION**
- (a) Res. No. 10-0726-4 - Resolution Retaining Richard C. Bradt, Ph.D. For The Purpose Of Providing Refractory Ceramics And Metallurgical Analysis In Connection With Incinerator No. 2

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

Arthur Quade	Absent	Peter Van Riper	No
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Absent	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Alvin Florey	Yes	Kenneth Lee	Yes
Herbert Vollers	Yes	Roger Guttschall	Yes

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

- (5) Outfall Relocation Project - Tunnel Project

Mr. Petruski reported that in regards to the Outfall Relocation Project, Northeast Remsco has mobilized to the site and has begun driving sheeting for the sending and receiving pits, instrumentation is being installed and they are moving along nicely. There is a resolution needing to be approved retaining Jenny Engineering Corp., Inc. to provide additional assistance and guidance to the Authority, and the Authority only, and to monitor the settlement instruments. It was felt that it was important to have someone to provide due diligence and guidance to the Authority.

A brief discussion ensued on the threshold action level and the stop work level. Mr. Petruski reported that there were extensive discussions with CDM and Jenny Engineering about establishing these guidelines. Mr. Petruski stated that reports are going to be prepared each day on the status of the work.

Mr. Guttschall raised the question of ownership of the instruments. Mr. Petruski reported that the instruments were put in by a subcontractor hired by Northeast Remsco.

Mr. Machala asked whether they were going to do it in one direction straight through. Mr. Petruski reported that the contractor is going to grout in one direction and they are going to dig in one direction. A brief discussion ensued on the grouting process.

- (a) Res. No. 10-0726-5 - Resolution Appointing Jenny Engineering Corp., Inc. To Provide Tunnel Construction Consulting Guidance Monitoring Of Ground/Land Settlement During Construction

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

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

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

- (6) Authorization to create a part-time electrician Position

Mr. Petruski reported that the Personnel Committee met just prior to the Board Meeting to discuss the hiring of a part-time electrician. The Executive Director went to state that the Authority cannot do any electrical work in a public facility unless there is a licensed electrician or a civil service equivalent on site to do the work and that the best cost for the Authority would be to hire a part-time electrician for 20 hours a week. A discussion ensued on the benefits of hiring a part-time electrician.

Mr. Machala raised the question whether there would be sufficient work for a part-time electrician. Mr. Petruski reported that this would be no problem; many items (such as cleaning switch gears) don't get done or are delayed because other things take priority.

Upon motion of Mr. Fischetti, Jr., second of Ms. Quabeck, Res. No. 10-0726-6 Authorizing The Hiring of A Part Time Electrician was approved by the following roll call vote:

Arthur Quade	Absent	Peter Van Riper	Yes
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes

Philip Petrone	Absent	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Alvin Florey	Yes	Kenneth Lee	Yes
Herbert Vollers	Yes	Roger Guttschall	Yes

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

b. Engineer/Consultants

- (1) James L. Brandes, P.E. (CDM) Engineer's Report for July 2010 - Engineer Brandes did not have anything additional to report.

c. Attorney - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP

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

No comments on the above referenced reports.

Minute 11 - Communications

- a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; dated June 21, 2010; Re: Reporting Period May 2010
- b. NJDEP, Division of Water Quality; Residuals DMR; dated June 21, 2010; Re: Reporting Period May 2010
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated June 21, 2010; Re: Reporting Period May 2010
- d. NJDEP, Division of Water Quality; Residuals Transfer Report; dated June 21, 2010; Re: Reporting Period May 2010
- e. NJDEP, Biomonitoring Report-Chronic Toxicity Tests; dated July 15, 2010; Re: Test Start 6/28/2010-Test End 7/5/10

- f. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; dated July 22, 2010; Re: Reporting Period June 2010
- g. NJDEP, Division of Water Quality; Residuals DMR; dated July 22, 2010; Re: Reporting Period June 2010
- h. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated July 22, 2010; Re: Reporting Period June 2010
- i. NJDEP, Division of Water Quality; Residuals Transfer Report; dated July 22, 2010; Re: Reporting Period June 2010
- j. James F. Cosgrove, Jr., P.E.; OMNI Environmental LLC; dated June 25, 2010; Re: Mainstem Raritan River Nutrient Impairment Study Quality Assurance Sampling Plan (7/2/2010 Weekly Mailing)
- k. E-mail from Brent Carney, Esq.; dated June 30, 2010; Re: Carbro vs SRVSA (7/2/2010 Weekly Mailing)
- l. Richard M. Salsburg, Esq.; dated July 6, 2010; Re: Carbro Constructors Corp. v. Somerset Raritan Valley Sewerage Authority, et al. (7/9/2010 Weekly Mailing)
- m. Marcie Puskarik, Project Scientist, CDM/ dated July 6, 2010; Re: Relocated Plant Outfall Construction Project, Groundwater Monitoring Well CDM Outfall-2, Analytical Results-April 2010 (7/9/2010 Weekly Mailing)
- n. *Courier News*; dated July 12, 2010; Re: Wastewater Management Plan (7/23/2010 Weekly Mailing)

No comments regarding communications.

Minute 12 - Payroll (Res. No. 10-0726-7)

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

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

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

Minute 13 - Cancellation of Checks - None

Minute 14 - Bills (Res. No. 10-0726-8)

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

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

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

Minute 15 - Adjournment

Upon motion of Mr. Poch, second of Mr. Vollers and unanimous consent, the meeting was adjourned at 8:45 P.M