

MINUTES OF THE 786th MEETING
 THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
 FEBRUARY 27, 2012

Minute 1 - Opening of Meeting

The 786th 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 - Executive Director

The Open Public Meeting Announcement was read by the Executive Director, Glen D. Petrauski.

Minute 2A. Oath of Office

Attorney Maraziti administered the Oath of Office to Richard C. Mathews, Commissioner, Borough of Somerville.

Minute 3 - Roll Call

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

Professional Staff

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

Others

Anthony Tambasco, SRVSA Maintenance Supervisor

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutes

- a. 785th Meeting - January 23, 2012 - Regular Session
Rescheduled to January 30, 2012

Upon motion of Mr. Albano, second of Mr. Stires, the Minutes of the 785th Meeting (Regular Session) were approved as corrected (Ms. Quabeck was listed as moving the Payroll Resolution which should read Mr. Stires) by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Abstain	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Abstain
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

- b. 785th Meeting - January 23, 2012 - Closed Session
Rescheduled to January 30, 2012

Upon motion of Mr. Stires, second of Mr. Albano, the Minutes of the 785th Meeting (Closed Session) were approved by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Abstain	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Abstain
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

- c. Reorganization Meeting - February 6, 2012

Upon motion of Ms. Quabeck, second of Mr. Quade, the Minutes of the Reorganization Meeting were approved by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes

Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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 Chairman declared the Public Participation portion of the meeting closed.

Minute 8 - Resolutions for Consideration and Possible Formal Action

- a. Res. No. 12-0227-1 - Resolution Acknowledging And Thanking Alessandro Fishetti, Jr., For His Time And Service As A Commissioner

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

- b. Res. No. 12-0227-2 - Resolution Acknowledging And Thanking Alvin Florey For His Time And Service As A Commissioner

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

d. Res. No. 12-0227-3 - Resolution Acknowledging And Thanking Roger Guttschall For His Time And Service As A Commissioner

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

e. Res. No. 12-0227-4 - Resolution Acknowledging And Thanking Kenneth Lee For His Time And Service As A Commissioner

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

f. Res. No. 12-0227-5 - Resolution Acknowledging And Thanking Peter Van Riper For His Time And Service As A Commissioner

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

Ms. Quabeck asked Chairman Machala if she could make a comment before continuing with the meeting.

Ms. Quabeck stated, on behalf of the entire Board, that all of the five above-referenced Commissioners were, without exception, excellent Members of the Board putting in many hours serving on many committees and that outstanding among them was Mr. Van Riper, who served on the Authority for 30 years, was "The Somerset Raritan Valley Sewerage Authority" to many people. She felt that something needed to be said in addition to passing the above resolutions thanking the Commissioners for their service to the Authority.

Chairman Machala thanked Ms. Quabeck for her comments.

g. Res. No. 12-0227-6 - Resolution Awarding Bid For Continuous Emissions Monitoring Equipment Maintenance

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Liferieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

Minute 9 - Board Committee

a. Report on Contract Negotiations - **(CLOSED SESSION)**
Chairman Machala stated that Contract Negotiations would be discussed in Closed Session.

b. Chairperson - Mr. Machala extended a welcome to Mr. Mathews, the Authority's newest Member.

Minute 10 - Reports

a. Executive Director's Report

(1) Outfall Relocation Project - Tunnel Project

(a) Hydrostatic Testing - South Distribution Chamber

Executive Director Petrauski asked Facility Engineer Anastasio to update the Board on the Outfall Relocation Tunnel Project.

Mr. Anastasio reported that the Hydrostatic Testing on the Southern End of the Distribution Chamber was begun on February 15, 2012. He went on to report that the test did not pass and that the specifications call for a zero leakage design. He went on to state that it will be necessary for the Authority to file a claim and pursue the warranty claim with the company. It was thought that this could possibly be trapped air. Mr. Anastasio stated that the Authority must meet the zero leakage requirement as stated in the specifications.

Mr. Anastasio reported that in preparing for the test, the contractor's personnel had to drag the 72" diameter plugs (two of them) up from the Raritan River through the pipeline to the outlet. A brief discussion ensued on the size of the plugs and how the plugs were brought to the outlet.

Mr. Petrauski started to discuss the rotation of the joint. He stated that the joints can move and this is caused "rotation"

(b) Update and discussion concerning pipe joint rotation and anecdotal notation that a sag may be developing

Attorney Maraziti stated that it would be best to continue these discussions in Closed Session.

(2) Report on SRVSA's participation in a cooperative pricing system

Mr. Petrauski reported that the Authority would like to join a cooperative purchasing system because, under the cooperative purchasing system, the Authority would be able to get the best price possible for the delivery of fuel oil. Mr. Petrauski went on to explain the process of pricing for the purchase/delivery of fuel oil. This cooperative pricing system would allow the Authority to reduce the delivery price to approximately \$.05/gallon for the delivery of its fuel oil. A brief discussion ensued on the benefits of participating in this program. Additionally, Ms. Quabeck stated that if this would not be favorable to the Authority, the Authority does not have to do it.

Mr. Petrauski reported that the Authority will be able to get a better price than the Authority can get under the State or County. A brief discussion ensued. CFO Wozniak stated that the contract is open ended.

(a) Res. No. 12-0227-7- Resolution Authorizing The Somerset Raritan Valley Sewerage Authority To Enter Into A Cooperative Pricing Agreement

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

Arthur Quade	Yes	Richard C. Mathews	Yes
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

(3) Update on Bridgewater flow questions

Mr. Petrauski reported that in January the Authority received a letter from Bridgewater stating that the flow meter they are using in Bradley Gardens for doing an I/I examination does not agree with the Authority's flow meter. Mr. Anastasio met with Bridgewater representatives and, as of this time, there are questions they have with their data/metering and there are questions we have with their data/metering.

(4) Report on Pfizer/American Cyanamid

Mr. Petrauski reported that Pfizer is going to put in trench drains to capture the Benzene that is getting into the River from the perched groundwater. Mr. Petrauski went on to explain perched groundwater and deep groundwater. The Authority has concerns with the perched groundwater and the high levels of Benzene in this groundwater. The Authority is concerned that the Benzene coming in would not create problems for the Authority.

Recently, the Authority learned that Pfizer has made the decision to build a treatment plant and go with a direct discharge to the Raritan River. However, it seems that they are only going to deal with the groundwater containing the Benzene.

Mr. Petrauski stated that EPA could issue Pfizer a permit to discharge that material, without the consent of DEP, to the Raritan River and not require them meet any other requirements of surface water discharge.

Mr. Petrauski stated that the Authority may not be able to do anything about the temporary permit. Mr. Petrauski stated that the Authority can participate in the Public Hearing, and that he has spoken with representatives of CRISIS.

Mr. Petrauski reported that his concern is that once a standard is set, it is set. He has concerns that, if the Authority has to meet the surface water quality standards, will Pfizer have to meet the same surface water quality standards.

Mr. Petrauski's concern is that Pfizer could get a fairly easy permit and then the concern is how will this impact on the Authority.

The question was raised whether the Authority would be present at the Public Hearing on March 8.

(5) Report on Inc. No. 2 insurance claim with CNA

Mr. Petrauski reported that the Authority has met with representatives from CNA. Mr. Maraziti reported that every effort has been made to avoid getting into litigation with CNA and that a letter is being forward to them to reconsider their offer so that could be a possibly to compromise and settle the case. A brief discussion ensued.

(6) Update on status of litigation with Carbro
Constructors Corp. (**CLOSED SESSION**) **LITIGATION**

b. Engineer/Consultants

(1) James L. Brandes, P.E. (CDM) Engineer's Report for
February 2012

a. Attorney - Joseph J. Maraziti, Jr.

d. Department Reports

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

No additional comments regarding Department Reports.

e. Facility Engineer Reports

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

No questions or comments regarding the Facility Engineer's Reports.

f. Budget Reports

No comments on the above referenced Budget Reports.

Minute 11 - Communications

No comments regarding the communications.

Minute 12 - Payroll (Res. No. 12-0227-8)

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Abstain	Edward Machala	Yes
Herbert Vollers	Absent		

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

Minute 13 - Cancellation of Checks - NoneMinute 14 - Bills (Res. No. 12-0227-9)

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

Arthur Quade	Yes	Richard C. Mathews	Abstain
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

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

Minute 15 - Motion to Adjourn to Closed Session

Upon motion of Mr. Stires, second of Mr. Albano, the meeting was adjourned to Closed Session at 8:03 P.M. for the purpose of discussing the status of the litigation with Carbro Contractors and Contract Negotiations by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	Abstain *
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

*Mr. Mathews recused himself due to a conflict of interest regarding Carbro. He had done some sub-contracting work on the project, did land surveying work(not construction).

Mr. Petruski asked Mr. Mathews to return to the room for the Contract Negotiations portion of the Closed Session.

Minute 16 - Closed Session

Minute 17 - Motion to Reconvene in Open Session

Upon motion of Mr. Lifrieri, second of Mr. Quade, the meeting was reconvened in Regular Session at 8:35 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	*
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

Minute 18 - Adjournment

Upon motion of Ms. Quabeck, second of Mr. Albano, the meeting was adjourned at 8:33 P.M. by the following roll call vote:

Arthur Quade	Yes	Richard C. Mathews	*
Richard DeLuca	Yes	Robert McCray	Absent
Carlos Mosquera	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	Gail Quabeck	Yes
Peter F. Stires	Yes	Robert Albano	Yes
Carolann Garafola	Yes	Edward Machala	Yes
Herbert Vollers	Absent		

