

MINUTES OF THE 799th MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
March 25, 2013

Minute 1 - Opening of Meeting

The 798th 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 - Assistant Executive Director/Facility Engineer

The Open Public Meeting Announcement was read by the Assistant Executive Director/Facility Engineer, Ronald Anastasio.

Minute 3 - Roll Call

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

Professional Staff

Glen D. Petrauski, Executive Director	Absent
John S. Thompson, Plant Superintendent	Present
Anthony Tambasco, Maintenance Supervisor	Present
Michael Ingenito, Second Shift Supervisor	Present
Thomas Laustsen, CDM Smith, Consulting Engineer	Absent
Joseph J. Maraziti, Jr., Esq. MFH, General Counsel	Present
Ronald Anastasio, P.E., Assist. Exec. Dir./Facility Engineer	Present
Norma A. Smullen, Office/Human Resources Manager	Present
Peter Wozniak, Chief Financial Officer	Present

Others

Thomas Schoettle, CDM Smith and Howard Matteson, CDM Smith

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutesa. 798th Meeting - February 25, 2013 - Regular Session

Upon motion of Mr. Quade, second of Mr. Lifrieri, the Minutes of the 798th Meeting were approved by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Abstain
Herbert Vollers	Absent	Edward Machala	Yes

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

b. Special Meeting - March 11, 2013 (Open)

Upon motion of Mr. Stires, second of Mr. Lifrieri, the Minutes of the Special Meeting (Open) were approved by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Abstain	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Abstain
Herbert Vollers	Absent	Edward Machala	Yes

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

c. Special Meeting - March 11, 2013 (Closed)

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Abstain	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Abstain
Herbert Vollers	Absent	Edward Machala	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)

a. Public Notice - Request to terminate Groundwater Discharge Permit

Upon motion of Mr. Albano, second of Mr. Impellizeri, the Public Hearing was Opened by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

Seeing no one from the public, upon motion of Mr. Albano, second of Mr. Stires, the Public Hearing was Closed by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

b. Res. No. 13-0325-1 Resolution Authorizing The Termination of the Groundwater Discharge Permit #3AGW For Getty Service Station No. 56263

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Abstain
Herbert Vollers	Absent	Edward Machala	Yes

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

c. Public Notice - Request to issue a Non-Domestic Wastewater Discharge Permit to Voltaix, LLC

Upon motion of Mr. Albano, second of Mr. Impellizeri, the Public Hearing was Opened by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

Seeing no one from the public, upon motion of Mr. Mathews, second of Mr. Albano, the Public Hearing was Closed by the following roll call vote:

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

- d. Res. No. 13-0325-2 - Resolution Authorizing The Issuance Of A Non-Domestic Wastewater Discharge Permit To Voltaix, LLC

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

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. 13-0325-3 - Resolution Awarding Bid For Installation of Approximately 320 Linear Feet of a Cured-in-Place Pipe Liner in an Existing Twelve-Inch (12") Diameter Sanitary Sewer Located on Plant Property

Upon motion of Mr. Quade, second of Mr. Impellizeri, the above resolution was approved following a brief discussion by the following roll call vote. Mr. Lifrieri had a question regarding the diameter of the pipe after the insertion of the liner. Mr. Anastasio responded that the liner was ¼" thick and then the pipe would be a ½" thick and he did not see a problem for a conveyance of the flows. Mr. Anastasio reported that it was a resin and not concrete.

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes
Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward Machala	Yes

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

Minute 9 - Board Committees

- a. Chairperson - No comments

Minute 10 - Reports

- a. Executive Director's Report

- (1) Update on CNA (Insurance Claim Incinerator No. 2)

Attorney Maraziti gave an update stating that we are in the discovery phase which the court has extended until June as a result of some issues. He went on to state that an expert report has been received and that is currently under evaluation.

- (2) Update on status of litigation with Carbro Constructors Corp.

Attorney Maraziti stated that we have been in a hiatus in this case due to illness of the attorney for Carbro. He went on to state that a number of depositions have been rescheduled. Although we have an arrangement/agreement with CDM Smith, there are three and a half matters that the Authority has some exposure to.

- (3) Discussion of authorization of additional funding to Barry B. Bramble, Esq., Special Counsel, for additional consulting work on Outfall Relocation Project

Attorney Maraziti reported that Attorney Brambles' contract (providing consultation services with respect to his expertise in relation to delay claims) with the Authority expired in December and Maraziti, Falcon & Healey LLC is recommending to the Authority that Mr. Bramble continue that status with the Authority. The resolution would make retroactive the continued retention of Mr. Bramble in relation to the delay claims.

- (a) Res. No. 13-0325-4 - Resolution Authorizing Additional Funds And Continuation of Barry B. Bramble, Esq., Special Counsel, In The Matter Entitled Carbro Constructors Corp. v. Somerset Raritan Valley Sewerage Authority and Camp Dresser & McKee Smith Docket No. Som-L-169-10

A brief discussion ensued regarding the retention of Mr. Bramble as Special Counsel. The question was raised regarding the not to exceed amount to which Attorney Maraziti responded that the not to exceed amount was \$20,000. The reason for making the retention of Mr. Bramble retroactive would be to prevent a gap in the protective privilege and maintain confidentiality.

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

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

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

Mr. Anastasio reported that the following items were for Closed Session, but stated that Mr. Petrauski requested that he inform the Board of the Award that the Authority received at the AEA Conference in March. This was a Mutual Aid Award that was for Mutual Aid provided during the impact of Hurricane Sandy for taking in additional sludge (4.4 million gallons) for other authorities within the State, and expressed thanks to Messrs. Thompson, Tambasco and Ingenito. Ms. Quabeck dubbed them the "Sludge Brigade".

- (4) Update on status of Sanitary Sewer Overflow/Treatment Facility (SSO/TF) discussions with Northern Enforcement regarding ACO/MOU and status of work plan and permitting (**CLOSED SESSION**)

- (2) Report on requirements by NJDEP that Somerville obtain a TWA for SSO discharge line proposed at Meter Chamber No. 4 (**CLOSED SESSION**)
- (a) Res. No. 13-0325- - Treatment Works
Application Endorsement Resolution Borough Of
Somerville Sanitary Sewer Main
- b. Thomas Laustsen, P.E. (CDM Smith) Engineer's Report for February 2013 - No questions or additional comments.
- c. Attorney - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP (MFH)
- d. Department Reports - No Comments
- (1) Operations (3) Maintenance/Electrical
(2) Laboratory (4) Special Projects
- e. Facility Engineer Reports - No Comments
- (1) Capacity Allocation
(2) Capacity Assurance
(3) Monthly Flow Report
(4) Facility Engineer's Monthly Report
- f. Budget Reports - No Comments

Minute 11 - Communications - No Comments

- a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Re: Reporting Period January 2013
- b. NJDEP, Division of Water Quality; Residuals DMR; Re: Reporting Period January 2013
- c. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period January 2013
- d. Wolfgang Skacel; dated February 22, 2013; Re: Compliance Inspection (3/8/2013 Weekly Mailing)
- e. Michele M. Potter; dated March 6, 2013; Re: Laboratory Certification
- f. AEA; dated March 13, 2013; Re: Wave Award Honoree

Minute 12 - Payroll (Res. No. 13-0325-5)

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

Arthur Quade	Yes	Richard Mathews	Yes
Richard DeLuca	Yes	Michael Merdinger	Yes
Carlos Mosquera	Yes	Joseph Lifrieri	Yes
Philip Petrone	Yes	Michael Impellizeri	Yes

Peter Stires	Yes	Gail Quabeck	Yes
Carolann Garafola	Absent	Robert Albano	Yes
Herbert Vollers	Absent	Edward J. Machala	Yes

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

Minute 13 - Cancellation of Checks (Res. No. 13-0325-6)

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

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

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

Minute 14 - Bills (Res. No. 13-0325-7)

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

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

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

Minute 15 - Motion to Adjourn to Closed Session

Attorney Maraziti stated that the reasons for Closed Session were for an update on the status of the Sanitary Sewer Overflow/Treatment Facility and for the Requirements by NJDEP that Somerville obtain a TWA for SSO Discharge Line.

Prior to going into Closed Session, Chairman Machala asked Mr. Thomas Schottle to introduce himself to the Board. Mr. Schottle mentioned that he has met some of the Board and expressed his thanks for having the opportunity, on behalf of CDM Smith, to be in attendance at the meeting, having the Authority put its trust in CDM Smith and to work with the Authority as Consulting Engineer.

Attorney Maraziti stated that he, Glen, Ron and Brent had the pleasure to meet with Mr. Schottle and the CDM Smith Staff to negotiate the arrangement with CDM Smith. Mr. Schottle stated that he was pleased that the Carbro issue is in the past and looks forward to many more years of continued collaboration with the Authority.

Upon motion of Ms. Quabeck, second of Mr. Albano, the Regular Session was Adjourned to Closed Session at 7:48 P.M. by the following roll call vote:

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

Minute 16 - Closed Session

Minute 17 - Motion To Reconvene in Regular Session

Upon motion of Ms. Quabeck, second of Mr. Albano, the meeting Reconvened in Regular Session at 8:04 P.M. by the following roll call vote:

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

Prior to adjournment, the following resolution was approved by the following roll call vote:

Res. No. 13-0325-8 - Treatment Works Application Endorsement
Resolution Borough Of Somerville Sanitary Sewer Main

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

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

Minute 18 - Adjournment

Upon motion of Ms. Quabeck, second of Mr. Albano, the meeting was adjourned at 8:04 P.M. by the following roll call vote:

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