

**MINUTES OF THE BOARD MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
August 24, 2020**

Minute 1 – Opening of Meeting

The Board Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:31 P.M. by Chairman Todd Hay

Minute 2 – Open Public Meetings Announcement

The Open Public Meeting Announcement was read by the Executive Director, Ronald S. Anastasio.

Minute 3 – Roll Call

Robert Albano	Present (phone)*	Steven Mlenak	Present (phone)
Louis Esposito, Jr	Present	Philip Petrone	Present (phone)
Michael Impellizeri	Present	Spencer Pierini	<i>Absent</i>
Joseph Lifrieri	Present	Gail Quabeck	Present (phone)
Edward Machala	Present	Randy Smith	<i>Absent</i>
Richard Mathews	Present (phone)	Peter Stires	Present (phone)
		Todd Hay	Present (phone)

*Mr. Albano called into the meeting at 7:37pm

Authority Staff

Ronald Anastasio, P.E., Executive Director	Present
Sherwin Ulep, P.E., Facility Engineer	Present (phone)
Anthony Tambasco, Plant Superintendent	<i>Absent</i>
Michael Ingenito, Chief Plant Operator	<i>Absent</i>
Dennis Smith, Supervisor Liquid Division	<i>Absent</i>
Ellie Hoffman, P.E., Regulatory Compliance Engineer	<i>Absent</i>
Linda Hering, Human Resources Manager	Present
Peter Wozniak, Chief Financial Officer	Present (phone)

Professional Staff

Thomas Schoettle, P.E., CDM Smith	Present
Brad Carney, Esq., Maraziti Falcon, LLP	Present (phone)
Joseph Maraziti, Esq., Maraziti Falcon, LLP	Present (phone)

Minute 4 – Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 – Approval of Minutes

1. Board Meeting Open Session Minutes – July 27, 2020 (rescheduled to July 29, 2020)

Chairman Hay asked all Commissioners if there were any questions, amendments, or comments with respect to the Open Session Minutes and there were none. With the Motion of Mr. Impellizeri, Second of Mr. Stires, the Minutes of the July 27, 2020 (Open Session), were approved by the following roll call vote:

Robert Albano	Absent	Steven Mlenak	<i>Abstain</i>
Louis Esposito	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	Absent
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	Absent
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

2. Board Meeting Closed Session Minutes – July 27, 2020 (rescheduled to July 29, 2020)

Chairman Hay asked all Commissioners if there were any questions, amendments, or comments with respect to the Closed Session Minutes and there were none. With the Motion of Mr. Impellizeri, Second of Mr. Stires, the Minutes of the July 27, 2020 (Closed Session), were approved by the following roll call vote:

Robert Albano	Absent	Steven Mlenak	<i>Abstain</i>
Louis Esposito	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	Absent
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	Absent
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

Minute 6 – Public Participation – NONE

Minute 7 – Consent Resolutions for Consideration and Possible Formal Action

Mr. Stires indicated that he had a conflict with Resolution No. 20-0824-6. Mr. Carney indicated that the Resolution be removed from the Consent Agenda and voted on separately.

- 1) **Res. No. 20-0824-1** – Resolution Extending Contract for Liquid Magnesium Hydroxide - 60% Solution to Coburn Chemicals through 2021 (A-20-1)
- 2) **Res. No. 20-0824-2** – Resolution Extending Contract for Removal of Incinerator Ash from Settling Basins and Loading into Containers and Ash, Grit, Screenings & Garbage Hauling Fees to Gary W. Gray Trucking, Inc. through 2021 (B-20-1)
- 3) **Res. No. 20-0824-3** – Resolution Extending Contract for Internal Instrumentation and SCADA Maintenance, Calibration and Repairs to Allied Control Services, Inc. through 2021 (B-20-2)
- 4) **Res. No. 20-0824-4** – Resolution Extending Contract for the Wastewater Flow Metering System Maintenance, Calibration and Repair Services to Allied Control Services, Inc. through 2021 (B-20-3)
- 5) **Res. No. 20-0824-5** – Sewer Extension Resolution – Sanitary Sewer Connection for 35 Park Avenue (Sun Places LLC) Hillsborough Township; Block 142, Lot 22
- 6) **Res. No. 20-0824-7** - Resolution Amending the Somerset Raritan Valley Sewerage Authority Benefits Plan due to COVID-19

Upon Motion of Ms. Quabeck, Second of Mr. Lifrieri, the above Resolutions were approved by the following roll call vote:

Robert Albano	<i>Absent</i>	Steven Mlenak	Yes
Louis Esposito, Jr	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	<i>Absent</i>
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	<i>Absent</i>
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

- 7) **Res. No. 20-0824-6** – Sewer Extension Resolution - Eisenhower Avenue Sanitary Sewer Extension; Block 437 Lots 12.01 and 12.02; Bridgewater Township

Upon Motion of Mr. Petrone, Second of Mr. Machala, the above Resolutions were approved by the following roll call vote:

Robert Albano	Yes*	Steven Mlenak	Yes
Louis Esposito, Jr	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	<i>Absent</i>
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	<i>Absent</i>
Richard Mathews	Yes	Peter Stires	Abstain
		Todd Hay	Yes

***Mr. Albano arrived at 7:37pm**

Minute 8 - Board Committees – NONE

Minute 9 – Chairman – Nothing to report but would again, like to thank Ron and the staff for continuing the good work and minimizing any type of COVID-19 related issues.

Minute 10 – Reports -

A. Executive Director’s Report

1. Update on Storm Control Treatment Facility Construction Project – Construction of the treatment facility itself, is doing well. They are performing excavation of the clarifier now as well as work going on in the three main structures coming out of the ground: the influent station, the main filter building, and the effluent pump station. About three weeks ago while excavating the clarifier on the plant site, we did uncover a buried underground fuel oil tank left over probably from the old farm homestead. There was a farmhouse that was demolished in the 1950’s on the site. We think it is from that home. It did have a leak of fuel oil. We contacted a licensed underground storage tank removal firm and we are working through that. We did have some soils that were odorous with diesel fuel smell and we have safely stockpiled that onsite under the observation of the licensed UST contractor and we are in the midst of performing some additional sampling onsite in order to know the limits of the excavation to remove all the affected soils and then we will be looking to remove the soils from the site. We are working through that now.

Unfortunately, that is what happens when you discover a tank like that. You pull it and then find out if you have a problem. If a leak is discovered afterwards, it is a case that must be opened with the DEP. If there is no leakage once the tank is pulled, then the case is closed. The tank has been taken offsite and disposed of. The soil to-date has been stockpiled properly and hopefully we are almost done with this.

Mr. Lifrieri asked if they are tracing the pollution from the tank. Mr. Anastasio indicated that they have and used their own senses as well as a PID sensor. Mr. Lifrieri asked if they have delineated it yet. Mr. Anastasio indicated that is what the additional sampling is for in the excavated area. They have taken out about 8-10 tandems just by smell. They went until they did not pick up the smell anymore and now, we have to verify that we reached the end of that and will dispose of the soils. Mr. Impellizeri asked if they did investigate underground prior to starting the work but Mr. Anastasio indicated that we did not do a Phase 2 investigation. There was no indication of this tank and no above ground appurtenance or fill pipe. There was no way for us to know that the tank was present. It was not buried all that deep, probably at the level that the house was serviced. We did not do a subsurface investigation.

Chairman Hay asked if what we are saying is that the tank was not registered and was not in the database when the Phase I was completed. Mr. Anastasio indicated that that is

correct. Residential tanks are not regulated or registered and being this property was residential years ago, it was not required. The site may have had some historical undocumented landfill history for construction and demolition debris. But it was unknown.

We are still working on our offsite easement soils issue. We have received a formal proposal from the contractor. CDM, our legal staff and the Authority staff have reviewed the proposal and we are going to be proposing an alternative arrangement with them. We are doing linear construction, so under NJDEP regulations we can take the soils out that are affected, install our pipe, and then put them back in the trench. Although we have two separate segments of linear construction, we are performing this work on one parcel and the soils are similar in their character of contaminants and they are similarly laden with construction demolition debris. Under linear construction rules, CDM Smith does not see a problem with the intermingling of those two areas even though they are a couple hundred feet from each other. It is the same site and the same linear construction. We will be further discussing this approach with Authority Counsel and Somerset County representatives. The contractor's proposal did not take that into account, so their means and methods have a very difficult method of dealing with that. They are basically trying to take soil out of the ground and put it back in the same very local area, which is perhaps too conservative of an approach to take. We feel that we can move the soils around a little more onsite than they are planning on. We will go back to them with an alternative, all in the goal of bringing the cost of this change order down. We had a call today with engineers and attorneys present and we have a good plan. Also, Commissioner Lifrieri participated in that call.

Mr. Anastasio stated that the change order is in the hundreds of thousands of dollars. Mr. Carney interjected and stated that he wasn't sure to what extend Mr. Anastasio was going to get into the change order, but a change order is a contract and that would fall under an exception to the Open Public Meeting Act due to contract negotiations, if you are going into any detail. Mr. Anastasio indicated at this point, we do not need to as things are still in flux and said he does not need to add anything at this point. He will keep everyone posted and if in a couple weeks shy of the September Board meeting, he will reach out to the Board about setting up a Special Meeting by telephone so that we can discuss and the Board can formally consider an approval of a Change Order, that as of yet has not been drawn up yet. If it takes a little longer, it will go into September meeting. If you do not hear anything, that means we are still working on it.

Mr. Schoettle added that this Change Order disposition is not on the critical path of the construction project so there is time to deal with this issue without having to have to worry about delay claims.

2. Update on the Plantwide Electrical Rehabilitation Project – This project is moving along well. The contractor is working well. Tony Tambasco and Sherwin Ulep are doing a terrific job working with the contractor and keeping tabs on the site. They are also working with our CDM construction representative. All the parties have a very good

working relationship. It is a lot of work and things are moving along. We are about 21% complete on this project with this payment tonight. We are happy with the progress.

3. Discussion of Anticipated Development of Fox Hollow Golf Course in Readington Township will be discussed in Closed Session.
4. Report on Request for Arbitration Filed for the Termination of Jozef Sudnik will also be discussed in Closed Session.

B. Engineer/Consultants – Mr. Schoettle from CDM Smith stated he had nothing to add. The Executive Director covered everything sufficiently unless there are questions on his report.

C. Attorney – Mr. Carney had no comments or reports.

D. Department Reports –

1. Operations
2. Regulatory Compliance
3. Laboratory
4. Maintenance
5. Special Projects

E. Facility Engineer Reports –

1. Facility Engineer's Monthly Report
2. Capacity Allocation
3. Capacity Assurance
4. Monthly Flow Report

Minute 11 – Communications

- A. NJDEP, Division of Water Quality; Residual Transfer Report; Reporting Period 6/1/20-6/30/20
- B. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report Reporting Period 6/1/20-6/30/20
- C. NJDEP, Division of Water Quality; Residuals Discharge Monitoring Report; Reporting Period 6/1/20-6/30/20

Minute 12 – Res. No. 20-0824-8 – Payroll

Upon Motion of Mr. Machala, Second of Mr. Lifrieri, the above Resolution was approved by the following roll call vote:

Roll Call Vote:

Upon Motion of Ms. Quabeck, Second of Mr. Lifrieri, the above Resolutions were approved by the following roll call vote:

Robert Albano	Yes	Steven Mlenak	Yes
Louis Esposito, Jr	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	<i>Absent</i>
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	<i>Absent</i>
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

Minute 13 – Res. No. 20-0824-9 – Bills

Upon Motion of Mr. Albano, Second of Mr. Stires, the above Resolution was approved by the following roll call vote:

Roll Call Vote:

Robert Albano	Yes	Steven Mlenak	Yes
Louis Esposito, Jr	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	<i>Absent</i>
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	<i>Absent</i>
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

Minute 14 – Res. No. 20-0824-10 – Resolution Authorizing Closed Session for the Purposes of Discussions Regarding Attorney/Client Privilege and Contract Negotiations Relating to the Anticipated Application for Sewer Connection for the Development of the Fox Hollow Golf Course in Readington Township, Hunterdon County and Personnel Matters Relating to the Termination of Solid Division Operator Assistant Jozef Sudnik

Upon Motion of Mr. Lifrieri, Second of Mr. Albano, the above Resolution was approved by the following roll call vote:

Roll Call Vote:

Robert Albano	Yes	Steven Mlenak	Yes
Louis Esposito, Jr	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	<i>Absent</i>

Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	<i>Absent</i>
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

Open Session reconvened at 8:05 p.m.

Minute 15 – Adjournment

Upon Motion of Edward Machala, Second of Louis Esposito, the meeting was adjourned at 8:06 p.m. by the following roll call vote:

Roll Call Vote:

Robert Albano	Yes	Steven Mlenak	Yes
Louis Esposito, Jr	Yes	Philip Petrone	Yes
Michael Impellizeri	Yes	Spencer Pierini	<i>Absent</i>
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	<i>Absent</i>
Richard Mathews	Yes	Peter Stires	Yes
		Todd Hay	Yes

**NEXT REGULAR BOARD MEETING WILL BE HELD ON
SEPTEMBER 28, 2020**