

MINUTES OF THE 764th MEETING
 THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
 April 26, 2010

Minute 1 - Opening of Meeting

The 764th 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>X</u>	_____	Arthur Quade	<u>X</u>	_____	Peter Van Riper
<u>X</u>	_____	Alessandro Fischetti, Jr.	<u>X</u>	_____	Robert McCray
<u>X</u>	_____	Edward J. Machala	_____	<u>X</u>	Joseph J. Lifrieri
<u>X</u>	_____	Philip Petrone	<u>X</u>	_____	William A. Poch, Sr.
<u>X</u>	_____	Peter F. Stires	<u>X</u>	_____	Gail Quabeck
<u>X</u>	_____	Alvin Florey	<u>X</u>	_____	Kenneth Lee
_____	<u>X</u>	Herbert Vollers	<u>X</u>	_____	Roger Guttschall

Professional Staff

<u>X</u>	_____	Glen D. Petruski, 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., Assistant Executive Director/Facility Engineer
<u>X</u>	_____	Norma A. Smullen, Office/Human Resources Manager
<u>X</u>	_____	Peter Wozniak, Chief Financial Officer

Others

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 4 A. - Oath of Office

Due to his absence, the Oath of Office as Commissioner was not administered to Mr. Vollers.

Minute 5 - Approval of Minutes

- a. 763rd Meeting - March 22, 2010 - Regular Session
Rescheduled to March 29, 2010

Upon motion of Mr. Van Riper, second of Mr. Stires, the Minutes of the 763rd Meeting (Regular Session) were approved, as corrected, (Page 4: Mr. Van Riper questioned the length of time it was going to take to repair Inc. No. 2. Paragraph 2 or 3 states that it is going to take 5 years to repair Inc. No. 2. Mr. Petrauski responded that he would look into this, but he believed it would be somewhere in the vicinity of 2½ years. Additionally, Mr. Van Riper stated that someone asked about the age of the incinerators, and Mr. Van Riper thought that Inc. No. 2 was from the late 1980's, and Mr. Petrauski responded that it was from around 1991 or 1992) by the following roll call vote:

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

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

- b. 763rd Meeting - March 22, 2010 - Closed Session
Rescheduled to March 29, 2010

Upon motion of Mr. Van Riper, second of Ms. Quabeck, the Minutes of the 763rd Meeting (Closed Session) were approved by the following roll call vote:

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

Mr. Petruski reported that this resolution authorizes the transfer of money from the General Fund Account to a special account to make payment on the 2009 Junior Lien Bonds. By doing the financing through Junior Lien Bonds, it is not necessary for the Authority to establish a Debt Service Reserve Fund. In answer to Ms. Quabeck's question that the paperwork/resolution was prepared by Bond Counsel Beinfield, Mr. Petruski responded that Mr. Beinfield did prepare the necessary documents.

- a. Res. No. 10-0426-1 - Resolution Of The Somerset Raritan Valley Sewerage Authority Authorizing Withdrawals From The General Fund For Purposes Of Making 2009 NJEIT Program Semi-Annual Loan Repayments And Authorizing The Execution Of A Depository Agreement In Connection Therewith

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

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

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

- b. Res. No. 10-0426-2 - Resolution Authorizing The Executive Director, The Assistant Executive Director/Facility Engineer, The Plant Superintendent, The Maintenance Supervisor, The Second Shift Supervisor And The Wet End Supervisor To Attend The 95th Annual New Jersey Environment Association (Conference And Exhibition In Atlantic City (May 10-14, 2010)

Upon motion of Mr. Machala, second of Ms. Quabeck, the above resolution was approved by the following roll call vote after a brief discussion. Mr. Guttschall reported that no one from the Board would be attending the Conference. Additionally, Ms. Quabeck noted that more people are going than normal but they are only staying one night in order to attend the Phosphorus classes on Thursday.

Arthur Quade	Yes	Peter Van Riper	Yes
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Absent
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Alvin Florey	Yes	Kenneth Lee	Yes
Herbert Vollers	Absent	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. Personnel Committee (PETRONE, Florey, Quabeck, Quade, Van Riper)
 (1) Report on retirement of Anthony V. Parronchi

Committee Chairman Petrone reported on the retirement of Anthony Parronchi and the resolution authorizing the payment of his benefit time on his retirement. Ms. Smullen reported that Mr. Parronchi was retiring after 40 years with the Authority.

Mr. Machala raised the question regarding the payment for Snow Days to which Mr. Thompson responded that when conditions were so severe those employees who made it in were given another day off and those not able to get in were paid for the day.

- (a) Res. No. 10-0426-3 - Resolution Authorizing
 Payment Of Benefit Time To Anthony V. Parronchi
 Upon His Retirement

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

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

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

- b. Chairperson - Mr. Guttschall stated that he did not have anything to report.

Minute 10 - Reports

- a. Executive Director's Report

(1) Outfall Relocation Project - Redesigned Tunnel Project

Mr. Petruski requested that Mr. Anastasio update the Board on the Redesigned Tunnel Project.

Mr. Anastasio stated that the Authority has reached the point that Northeast Remsco has all of its submittals reviewed and approved by CDM and have been submitted to Conrail. They are starting to work internally to get their inspectors scheduled. Mr. Anastasio reported that by mid or late May Northeast Remsco will be mobilized.

Mr. Petruski asked whether the grouting had been approved. Engineer Brandes reported that CDM had approved the grouting and that now it is with Conrail.

The question was raised about the plate that was damaged, and Mr. Anastasio reported that the pipe is still on site.

(2) Update on installation of gate actuators for the Relief Interceptor Sewer Project

Mr. Anastasio reported that the gate actuator Project was slated to be advertised and that the Project is to purchase the six new actuators and replace them in the field. Mr. Petruski asked when Mr. Anastasio thought the Project would be completed, and Mr. Anastasio responded that he expects the Project to be completed by mid fall.

Executive Director asked about the walkthrough for the trees. Mr. Anastasio reported that the walkthrough was scheduled, but it will be too wet but that the walkthrough would be held the following week.

(3) Update on pH in Raritan River

Mr. Petruski is working with them (DEP) to try to determine the cause for the unusual pH readings. Currently, the Authority is waiting to hear from the DEP.

(4) Report on interest in possible purchase of surplus equipment associated with the former ACCO Carbon Absorption Units (Vacuum Filters)

Mr. Petruski reported that someone was interested in purchasing the vacuum filters in the 603 Building, but the buyer has not followed up on this purchase. Mr. Van Riper asked if it was the same person who came a few years ago. Mr. Thompson stated that it was not the same person. Attorney Maraziti stated that law requires competitive process (public auction) to dispose of this type of equipment.

(5) Review of First Quarter 2010 Analysis of Sewage Flows

Mr. Petruski reported that the Analysis of Sewage Flows for the 1st quarter are up because of a very wet 1st quarter. Ms. Quabeck stated that she had major concerns with the report. She expected everyone to be way over the estimate because of the weather that we have had, but discovered that Somerville was below their estimate; wondering where the flow was going and why not coming to the Authority. If this is the case of the flow not coming to us, Somerville is not paying its fair share to the Authority.

Mr. Petruski reported that the transit time meters are capable of measuring forward and reverse flow. In Somerville, there is a problem with the meter chamber and have several manholes which leak all the time. The Authority has spoken with Somerville about this problem as well as raising the NJDEP. This past fall Somerville did "mushrooming" (blowing the lids off the manholes), however, this simply pushed the problem. Mr. Petruski further reported that the NJDEP was going to talk to Somerville about this problem, but he does not know whether this took place. Mr. Petruski stated that the flow is escaping out of the system and that it is the Borough's responsibility to correct this.

Ms. Quabeck feels that the Authority has a responsibility if we are aware of such a problem—have we written a letter to Somerville, have we called their engineer?

Mr. Petruski stated that the Board would need to give him direction if it wishes him to pursue this.

Mr. Stires stated that he would discuss the situation with Somerville and reported that they are addressing the problem.

Ms. Quabeck asked that a report be given at the May Board Meeting concerning this issue.

Ms. Quabeck asked Attorney Maraziti how the Authority should proceed with this problem because this problem has a financial impact on the other members and also has an environmental/health impact. Attorney Maraziti stated that if the question is whether it is appropriate for the Authority to go on record regarding this, his answer is "Yes". Ms. Quabeck went on to state that this is a major problem.

Mr. Van Riper pointed out that on the 1st Quarter Flow Report the last week flow numbers were not recorded for Somerville.

(6) Report on Personnel Policies and Procedures Manual

Mr. Petruski reported that the JIF requires the Authority to update its Personnel Manual every two (2) years. Norma Smullen stated that it could be more frequently, however, this time it has been approximately 20 months. Ms. Quabeck reported that the JIF attorneys notify the Authority when this process must take place. Mr. Petruski stated that the following resolution authorizes the changes to the manual and that a training session will be held with all personnel.

(a) Res. No. 10-0426-4 - Resolution Adopting The Somerset Raritan Valley Sewerage Authority Personnel Policies And Procedures Manual

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

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

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

- (7) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION) LITIGATION**
- (8) Update on repairs to Incinerator No. 2 and insurance claim **(CLOSED SESSION) PENDING LITIGATION**

Mr. Petruski stated that Items (7) and (8) would be discussed in Closed Session.

Mr. Van Riper requested that Mr. Anastasio furnish him with a drawing of the Interceptor in the area of Meter Chambers 3, 4 and 9.

b. Engineer/Consultants

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

No comments on the above referenced reports.

Minute 11 - Communications

- a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; dated March 22, 2010; Re: Reporting Period February 2010
- b. NJDEP, Division of Water Quality; Residuals DMR; dated March 22, 2010; Re: Reporting Period January 2010
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated March 22, 2010; Re: Reporting Period January 2010
- d. NJDEP, Division of Water Quality; Residuals Transfer Report; dated March 22, 2010; Re: Reporting Period January 2010
- e. Maraziti, Falcon & Healey, L.L.P.; dated March 30, 2010; Carbro Constructors Corp., vs Somerset Raritan Valley Sewerage Authority and Camp Dresser & McKee; Re: Answer And Affirmative Defenses (4/1/2010 Weekly Mailing)
- f. Steven F. Kemp, Vice President Wyeth Holdings Corporation; dated April 2, 2010; Re: Wyeth, Bound Brook, NJ: Non-Domestic Wastewater Discharge Permit, No. 8C (4/9/2010 Weekly Mailing)
- g. E-mail to Albert I. Telsey, dated April 7, 2010; Re: American Cyanamid Carbon Units (4/9/2010 Weekly Mailing)
- h. E-mails from Mr. Telsey, dated April 7, 2010; Re: Responses to E-mail regarding American Cyanamid Carbon Units (4/9/2010 Weekly Mailing)
- i. Glen D. Petrauski; dated April 6, 2010; Re: PERS (4/16/2010 Weekly Mailing)
- j. E-mails to/from Robert Butvilla/Peter Wozniak; dated March 3, 2010, March 10, 2010 and April 8, 2010; Re: Year End Audit
- k. "Looting Main Street"—How the nation's biggest banks are ripping off American Cities with the same predatory deals that brought down Greece; by Matt Taibbi; *Rolling Stone*; dated April 15, 2010 (4/23/2010 Weekly Mailing)

No questions/comments regarding the communications.

Minute 12 - Payroll (Res. No. 10-0426-5)

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

Arthur Quade	Yes	Peter Van Riper	Yes
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Absent
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	Gail Quabeck	Yes
Alvin Florey	Yes	Kenneth Lee	Yes
Herbert Vollers	Absent	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. 10-0426-6)

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

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

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

Minute 15 - Motion to Adjourn to Closed Session

Upon motion of Mr. Van Riper, second of Mr. Poch, the meeting was adjourned to Closed Session at 8:00 P.M. to discuss Carbro and the Incinerator (Litigation and Pending Litigation) by the following roll call vote:

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

Minute 16 - Closed SessionMinute 17 - Motion To Reconvene in Regular Session

Upon motion of Ms. Quabeck, second of Mr. Van Riper, the meeting was reconvened in Regular Session at 8:18 P.M. by the following roll call vote:

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

Minute 18 - Adjournment

Upon motion of Mr. Van Riper, second of Mr. Poch, the meeting was adjourned at 8:20 P.M. by the following roll call vote:

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