

**MINUTES OF THE BOARD MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
March 26, 2018**

Minute 1 – Opening of Meeting

The Board Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:32 P.M. by Chairperson, Carolann Garafola

Minute 2 – Open Public Meetings Announcement

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

Minute 3 – Roll Call

Present/Absent

<u> x </u>	<u> </u>	Todd Hay
<u> x </u>	<u> </u>	Louis Esposito, Jr.
<u> </u>	<u> x </u>	Philip Petrone
<u> x </u>	<u> </u>	Edward Machala
<u> </u>	<u> x </u>	Steven Mlenak
<u> </u>	<u> x </u>	Richard Mathews
<u> </u>	<u> x </u>	Peter Stires

Present/Absent

<u> x </u>	<u> </u>	Randy Smith
<u> x </u>	<u> </u>	Michael Impellizei
<u> x </u>	<u> </u>	Gail Quabeck
<u> x </u>	<u> </u>	Robert Albano
<u> x </u>	<u> </u>	Joseph Lifrieri
<u> x </u>	<u> </u>	Carolann Garafola

Professional Staff

Ronald Anastasio, P.E., Executive Director	Present
Sherwin Ulep, P.E., Facility Engineer	Present
Anthony Tambasco, Plant Superintendent	Present
Michael Ingenito, Chief Plant Operator	Absent
Dennis Smith, Supervisor Liquid Division	Absent
Ellie Hoffman, Reg. Compliance Officer/Asst. Engineer	Present
Linda Hering, Human Resources Manager	Present
Peter Wozniak, Chief Financial Officer	Present
Donna O’Shea, Administrative Assistant	Present

Others

Thomas Laustsen, CDM Smith	Present
Brent Carney, Esq., Maraziti, Falcon, Gen’l. Counsel	Present

Minute 4 – Pledge of Allegiance

All in attendance saluted the flag.

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Edward Machala	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Randy Smith	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

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

- (2) **Res. No. 18-0326-2** – Resolution Memorializing Payment for Sludge Hauling During the Construction of the Mercury Emission Control System Project from the Construction Fund

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Edward Machala	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Randy Smith	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

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- (3) **Res. No. 18-0326-3** – Resolution Authorizing the Reissuance of a Non-Domestic Wastewater Discharge Permit to AGFA Corporation

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Edward Machala	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Randy Smith	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

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(4) Res. No. 18-0326-4 – Resolution Authorizing the Issuance of a Non-Domestic Wastewater Discharge Permit to Avantor Performance Materials Inc.

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Edward Machala	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Randy Smith	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

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(5) Res. No. 18-0326-5 – Resolution Authorizing the Issuance of a Non-Domestic Wastewater Discharge Permit to EMD Performance Materials Corp.

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Edward Machala	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Randy Smith	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

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

(6) **Res. No. 18-0326-6** – Resolution Authorizing the Reissuance of a Non-Domestic Wastewater Permit to Towne Technologies, Inc.

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Edward Machala	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Randy Smith	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

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(7) **Res. No. 18-0326-7** – Resolution Accepting The Liquid Sludge Disposal Agreement With The Passaic Valley Sewerage Commission

Commissioner Albano had a question regarding the above agreement with Passaic Valley. Do we have to guarantee that 50% of our flow goes to them? Executive

Director Anastasio answered and said it's 50% of our sludge. Typically, the mix has been 2 cake dumpsters, which represents about 50% and then the rest is made up of liquid. They initially wanted 100% but we settled for 50%. They were good enough to give us an exemption for when we're burning sludge on site. Mr. Albano asked how the rate of \$40.00 per thousand gallons came up. Mr. Anastasio replied that that is their established rate for disposal. Commissioner Lifrieri had a question about their "hold harmless" clause. Commissioner Quabeck commented that we looked at the PVSC Agreement very thoroughly. Mr. Anastasio added that this is their requirements. If we had a similar agreement for disposal here, we'd have similar provisions as well. Commissioner Machala asked what the Stony Brook rate was (just out of curiosity). Executive Director Anastasio answered that its \$52.00 per cubic yard of cake sludge and we ship them one box of 25 cubic yards which represents 7 liquid trucks. So, about 3 ½ (almost 4 yards) is a liquid truck. We can get a lot more sludge in cake form in one trip than we do in liquid form.

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Edward Machala	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u>x</u>
Randy Smith	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u>x</u>	<u> </u>	<u> </u>	<u> </u>

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Minute 10 – Board Committees – Nothing to report

Minute 11 – Chairperson – Nothing to report

Minute 12 – Reports

A. Executive Director's Report:

(1.) Update on SSO Project:

This report hasn't changed too much since last time. We're still waiting for the Statehouse Commission to approve the Green Acres package, then, approval of the package from DEP. We're reviewing the plans and specs of this job. We plan on having that wrapped up by the end of the month, and then we'll get comments back to the engineer. A new development with this project is that we came up with the idea that we should pre-qualify the contractor for this project. It's specialized construction; near \$15 to \$20 million dollars. We came up with objective criteria. We had been through this process with the Mercury Emissions Project and it's a rather painless process. Since we have a little time while waiting for the Statehouse Commission meeting, it makes sense to do this. We had our attorney, Brent Carney review this for us. We'll place an ad in the newspapers with a twenty-day notice of a Public Hearing at the next Board Meeting. We'll have a stenographer at that meeting. Before we have that meeting, we will run the provisions of the specification (regulations) by the DCA to get their nod. Then, we go ahead with the Public Hearing, send down the transcript and proof of advertisement as well as the regulations. Thirty days later (after receipt of the documents) if we don't already get approval from the DCA, it's basically deemed approved.

April 23rd will be our next Board Meeting and we will send the documents to DCA almost immediately after that. The earliest we can go out to bid would be late May; so, we don't see this holding anything up. Once we get our comments done on the specifications, we're going to send the contract/project manual to the Office of State Controller for their review. The project is over \$10 million so they review it before it goes out to bid. The book is about 1,600 pages so it's going to take them a little while to get through it (they look at the technical specs to some extent). The minimum qualification is a good thing since it will screen out contractors who are not exactly qualified. We want people who are talented to construct this project.

Commissioner Lifrieri asked a question about the minimum qualifications. Mr. Anastasio explained that it requires that the contractor have completed three construction projects in the wastewater treatment plants of over \$10 million in the last fifteen years. So, that's a pretty good size project. We also feel the time period is pretty fair. Attorney Brent Carney added that we will call these requirements mandatory minimum qualifications. Commissioner Quabeck said that we don't want to make the requirements too stringent because we don't want to eliminate qualified contractors. Attorney Carney replied that this is DCA's role in reviewing in advance of the Public Hearing.

We're also still working on the Administrative Consent Order. Commissioner Lifrieri wanted to know where we will be advertising this. We have to advertise it in our two official newspapers...The Courier News and The Star Ledger as well as our website.

(2.) Update on Incinerator Project:

This is moving along nicely. The contractor is now working inside the new building and beginning to set the new pieces of equipment (the components of the mercury emission control system) and starting to assemble the duct work and various things. The computer control system had been factory-tested last week. It went well.

(3.) Update on Discussion with Somerset County Planning Department Regarding Wastewater Flows from Future Affordable Housing Units

We had a conversation with the Somerset County Planning Department about affordable housing and what they know and what they think the impact of wastewater flows will be. Like a lot of us, they don't really know what's going on yet. There have been a lot of negotiations going on throughout the various towns. They are updating the wastewater management plan, which is our tool for what our future wastewater flows to this plant will be. They will be impacted by these numbers. It seems like the affordable housing results in up-zoning higher densities, etc. in order to fit in these higher housing densities.

From our conversation with Somerset County Planning Department, it seems that perhaps in our service area there could be more than 1,000 affordable units or more. That could translate to 5,000 to 8,000 units total based on ratios of the builders' remedies (market rate vs. affordable). We'll have to see. Based on our conversation at last Board Meeting, I just wanted to reach out to the County to see what they know. At this point, negotiations are going on. I have to imagine that the wastewater flows will be affected by this.

Judge Jacobsen of Mercer County recently made a decision which affected two communities (West Windsor and Princeton). Chairperson Garafola said that Fair Share Housing is considering litigating Judge Jacobsen's decision. Fair Share Housing is not happy with her decision because she came right in the middle and it was just for those two towns. The belief in Somerset County is that Fair Share Housing may go with that number but they will still give people a hard time. They've got about 150 settlements under their belt and they're feeling very powerful. Commissioner Hay added that from what he has heard from some of the attorneys out there is that the reason they did this for Mercer County was that there was such a disproportioned amount of fair share housing allocation in Mercer. He said that his town (Branchburg) is under a different jurisdiction and mandate.

Chairperson Garafola noted that this is not only for the affordable housing but also it becomes an issue with the market rate because that's the bigger number. Attorney Carney pointed out that back in the mid-90's, it used to be that Greenwich Township was the fastest growing municipality in the State of New Jersey because of all of the Mount Laurel housing that went in at that time and it doubled the size of that town.

Executive Director Anastasio summed up the conversations by noting what impact all of this would have on the Authority. The potential could be increased flows and increased sludge amounts. We're currently looking at the fate of Reactor #1 as well as

upgrading Reactor #2. We're going to set up a Planning Board Committee Meeting during the week of April 9th to discuss this further .

B. Engineer/Consultants – Thomas Laustsen, P.E. (CDM Smith) Engineer’s Report for February, 2018.

C. Attorney – Brent Carney, Esq., Maraziti Falcon, LLP – No additional comments.

D. Department Reports –

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

E. Facility Engineer Reports – No additional comments.

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

Minute 13 – Communications

- A. NJDEP, Division of Water Quality; Residual Transfer Report; Re: Reporting Period: 1/01/18 through 1/31/18
- B. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Re: Reporting Period: 1/01/18 through 1/31/18
- C. NJDEP, Division of Water Quality; Residuals Transfer Discharge Monitoring Report; Re: Reporting Period: 1/01/18 through 1/31/18

Minute 14 – Res. No. 18-0326-8 – Payroll

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u> x </u>
Edward Machala	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u> x </u>

Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u> </u> X
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u> </u> X
Randy Smith	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u> </u> X	<u> </u>	<u> </u>	<u> </u>

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Minute 15 -- Cancelled Checks – None

Minute 16 – Resolution No. 18-0326-9 - Bills

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

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Todd Hay	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Louis Esposito	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Philip Petrone	<u> </u>	<u> </u>	<u> </u>	<u> </u> X
Edward Machala	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Steven Mlenak	<u> </u>	<u> </u>	<u> </u>	<u> </u> X
Richard Mathews	<u> </u>	<u> </u>	<u> </u>	<u> </u> X
Peter Stires	<u> </u>	<u> </u>	<u> </u>	<u> </u> X
Randy Smith	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Michael Impellizeri	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Gail Quabeck	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Robert Albano	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Joseph Lifrieri	<u> </u> X	<u> </u>	<u> </u>	<u> </u>
Carolann Garafola	<u> </u> X	<u> </u>	<u> </u>	<u> </u>

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Minute 17 – Adjournment

Upon Motion of Mr. Albano, Second of Mr. Hay, the Board Meeting was adjourned at 7:56 p.m. by an “all in favor” vote.

**NEXT REGULAR BOARD MEETING
WILL BE HELD ON APRIL 23, 2018**