

**MINUTES OF THE BOARD MEETING  
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
APRIL 22, 2024**

**Minute 1 - Opening of Meeting**

The Board Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:00 P.M. by Chairman Joseph Lifrieri.

**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	Richard Mathews	Present
Pamela Borek	Absent* (Teams)	John Murphy	Present
Daniel Croson	Present (Teams)	Michael Pappas	Present (Teams)
Gary DiNardo	Present (Teams)	Philip Petrone	Present
Vincent Dominach	Present (Teams)	Reinhard Pratt	Present
Edward Machala	Present	Frank Scarantino	Present
		Joseph Lifrieri	Present

\*Ms. Borek joined the meeting via TEAMS at 7:13 p.m.

**Authority Staff**

Ronald Anastasio, P.E., Executive Director	Present
Anthony Tambasco, Plant Superintendent	Present (Teams)
Michael Ingenito, Chief Plant Operator	Present (Teams)
Sherwin Ulep, P.E., Manager of Engineering	Present
Ellie Hoffman, P.E., Regulatory Compliance Engineer	Present (Teams)
Linda Hering, Human Resources Manager	Present
Peter Wozniak, Chief Financial Officer	Present
Christian Santiago, Staff Engineer	Present (Teams)
Gerry Zielonka, Maintenance Supervisor	Present (Teams)

**Professional Staff**

Thomas Schoettle, P.E., CDM Smith	Present
Brad Carney, Esq., Maraziti Falcon, LLP	Present (Teams)
James Cosgrove, P.E., One Water Consulting, LLC	Present (Teams)

**Minute 4 – Pledge of Allegiance**

All in attendance saluted the flag.

**Minute 5 – Approval of Minutes:**

1. Board Meeting Open Session Minutes – March 25, 2024

With the Motion of Mr. Albano, Second of Mr. Machala, the Minutes of the March 25, 2024 Meeting (Open Session) were approved, by the following Roll Call Vote:

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Absent	John Murphy	Yes
Daniel Croson	Abstain	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

2. Board Meeting Closed Session Minutes – March 25, 2024

With the Motion of Mr. Mathews, Second of Mr. Machala, the Minutes of the March 25, 2024 Meeting (Closed Session) were approved, by the following Roll Call Vote:

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Absent	John Murphy	Yes
Daniel Croson	Abstain	Michael Pappas	Abstain
Gary DiNardo	Abstain	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

**Minute 6 - Public Hearings - NONE**

**Minute 7 – Public Participation - NONE**

**Minute 8 – Consent Agenda:** Resolutions for Consideration and Possible Formal Action

Mr. Lifrieri stated that there are ten (10) Resolutions in the Agenda and asked if anyone had any issues with or comments about any of the Resolution on the Consent Agenda. Mr. Albano had a question regarding Resolution No. 24-0422-4, is that sewer flow going into any Bridgewater lines and has Bridgewater approved it? Mr. Ulep stated yes, it is going through Bridgewater and yes, Bridgewater did sign off.

- 1) **Res. No. 24-0422-1** – Resolution Authorizing the Reissuance of a Non-Domestic Wastewater Discharge Permit to Ashland Inc.
- 2) **Res. No. 24-0422-2** – Resolution Authorizing the Reissuance of a Non-Domestic Wastewater Discharge Permit to Roche Molecular Systems, Inc.
- 3) **Res. No. 24-0422-3** – Resolution Authorizing the Executive Director, Plant Superintendent, Chief Plant Operator, Manager of Engineering, Regulatory Compliance Engineer, Maintenance Supervisor, Plant Working Leader, and Two Commissioners to Attend the 109th New Jersey Water Environment Association (NJWEA) Annual Conference in Atlantic City, NJ to be held on May 6-10, 2024
- 4) **Res. No. 24-0422-4** – Sewer Extension Resolution - Township of Warren; Four (4) Single-Family Dwellings; Brookside Drive; Block 62.03 Lots 18.05, 18.06, 18.07 and 18.08
- 5) **Res. No. 24-0422-5** – Sewer Extension Resolution Re-Approval - Residential Development Gravity Sewer; Hamilton Road; Hillsborough Township; Block 183 Lot 38.01 and Block 183.01 Lot 1
- 6) **Res. No. 24-0422-6** - Treatment Works Approval Application Re-Approval - Pump Station and Force Main; Hamilton Road; Hillsborough Township; Block 183 Lot 38.01 and Block 183.01 Lot 1
- 7) **Res. No. 24-0422-7** – Resolution Authorizing Permanent Status of Joseph Loughlin as Assistant Operator in the Incineration Division
- 8) **Res. No. 24-0422-8** – Resolution Awarding the Contract for the Repair of the Hankin Fluidized Bed Incinerator Primary Heat Exchanger Tube Bundle to Schmidtsche Schack – Contract B-24-7
- 9) **Res. No. 24-0422-9** - Resolution Awarding Contract A-24-6 for the Furnishing and Delivery of Spare Sludge Pump Screw Feeder Assembly and Parts to Schwing Bioset, Inc.
- 10) **Res. No. 24-0422-10** – Resolution Authorizing the Purchase and Installation Of The R2 Incinerator Continuous Emission Monitoring System Through the North Jersey Wastewater Cooperative Pricing System

With the Motion of Mr. Mathews, Second of Mr. Scarantino, the above Resolutions were approved, by the following Roll Call Vote:

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Absent	John Murphy	Yes
Daniel Croson	Yes	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

**Minute 9 – Board Committees – NONE**

**Minute 10 – Chairman – No comments.**

**Minute 11 – Reports**

A. Executive Director’s Report

1. Termination of the USEPA/USDOJ/NJDEP Consent Decree

Mr. Anastasio indicated that there is not much to report on here. The Consent Decree has been terminated. In the report section of your book, there is an email from our attorney, Diane Alexander, and on the back, it shows the email of the Judge’s Order coming from the DOJ to Diane indicating that it has been signed and that the Consent Decree is terminated. We are done with this.

2. Report on New Affordable Housing Law

We had discussions lately about affordable housing. On March 20<sup>th</sup>, there is a Press Release, also in the reports section of your books, the Governor signed landmark Affordable Housing Legislation. As I understand it, this represents the fourth round of affordable housing, and we are currently in the third round. We don’t have official numbers yet on what kind of units we’re looking at, town by town. We’ve seen some estimates, but they are going to be released later in the year. Mr. Carney stated that it was signed into law on March 20<sup>th</sup> and provides a seven-month period of time for the Department of Community Affairs to calculate the regional affordable housing need based on the method that Judge Jacobson used in her similar case in 2018. It is a non-binding calculation, and seven months would put us on October 20<sup>th</sup>. The fourth round begins in July of 2025. You may recall the third round was also supposed to be a ten year round and it went to 25 years. The way this works is that the municipalities that want to be immune from “builder remedy lawsuits” are

supposed to adopt a resolution at the end of January, with their determination of their fair share obligation. It is supposed to be based on the Judge Jacobson methodology. Fair share housing, or any other party has the ability to challenge that resolution by the end of February. Once the obligation is set, the municipality has until June 30, 2025 to adopt their housing plan element. There is a challenge period that goes to August and if it is not resolved, it will go to the Mount Laurel judges, a dispute resolution process set up in the legislation for the Supreme Court. That is just a brief overview, and we'll see what happens. Mr. Anastasio stated that when the numbers come out later this year, we'll talk more about this and what we think the implications might be.

A question arose to Mr. Carney, what does it mean by non-binding? The DCA is not dictating to the municipality that this is your number because the municipality will know better based on understanding their own municipality. They are supposed to follow the same methodology. I'm pretty sure the fair share housing is probably, right now, doing this calculation. The calculation is, first there's a state-wide calculation and that number is going to be very certain. Judge Jacobson had a number of 85,000 units for the entire state and that was the third round. The fourth round will be slightly higher than that, which I don't know, but that number will be the easiest that they will be in agreement on. Then there is the regional obligation which is by counties. The tougher thing is the actual individual municipalities. The methodology, how it is calculated in the legislation, each town is supposed to go through it and then adopt this resolution if they want to be immune from the fourth-round builder remedy lawsuits. It gives a month for fair shared housing, to challenge each municipal resolution as to whether it is an enforced methodology or not. If a town adopts the same number as DCA, I doubt there will be a challenge. If the town adopts a different number, fair share housing may challenge that number depending on the methodology that was used or how the town calculated it.

### 3. Update on Proposed Development in Readington Township - Fox Hollow at Readington

Nothing to report in Closed Session but we did just get a letter, early last week, from the engineer for the applicant, responding to our January 4<sup>th</sup> letter which had a laundry-list of items that we were looking for. We are just getting into this letter now and we will report back when we know more. Mr. Lifrieri asked if this project goes ahead, who gets credit for the affordable housing? Mr. Anastasio stated that it is in Readington, so I think it is helping them meet their obligation. Mr. Carney stated that there may have been a settlement agreement of fair share housing for these units so whatever that agreement says is how the credit works. We don't know if it is shared between those two towns or not. Certainly, Readington will get credit because that is where the affordable housing is being built.

### 4. Update on Plantwide Mechanical Rehabilitation Project

CDM is moving along. We have a project meeting this Thursday and we are waiting to hear the results of a cost estimate study comparing the options for the headworks building structure. We are eager to learn about that. We are starting to look at possible alternatives for the filter. We can't get support from the original manufacturer of the filter. We are doing that in-house first before we have CDM running down all the possible outcomes for that.

Mr. Ulep indicated that they reviewed the physical modeling of the influent pump station. The engineers have some recommendations, modify the wet well pump station to include performance and we will incorporate that ahead of time.

Mr. Schoettle stated that a few other tech memos come in for the headworks building. Clarifier design work is underway, so we are getting the costs of a broad number of activities. Mr. Anastasio indicated that we are attacking a bunch of different fronts on this project concurrently. It has a lot of scope to it, so we are moving along in many different areas.

#### 5. Update on Main Interceptor & Forcemain Rehabilitation Project

A conversation ensued between Mr. Anastasio, Mr. Ulep, and Mr. Schoettle. It was stated that the surveyors were able to get into Duke Farms so 99% of the surveying is done now. We are still looking at some eagle habitat areas. They were able to get into that area so most of the structures have been surveyed. The last time they were there, they were looking at underground utilities so 99% of the surveying is done. There was some communication with the DEP. The endangered species conservation people are very good at working with us. We are not allowed to get in there until August 1st depending on what the task is. If it is a light footprint thing, they work with us and let us in there early. This is a tremendous help to us because we don't want to wait until August 1st to get the survey done. It would slow down the whole project.

#### 6. Update on the Raritan-Millstone Phosphorus TMDL Study and Continued River Monitoring – Water Quality Engineer James Cosgrove, P.E. – One Water Consulting LLC (**CLOSED SESSION – Anticipated Litigation**)

This will be discussed in Closed Session, as will the report on the meeting with Raritan Borough regarding its sanitary sewer collection system.

#### B. Engineer/Consultants – Thomas Schoettle, P.E., (CDM Smith)

Mr. Schoettle stated that he has nothing to add to his report.

C. Attorney – Mr. Brad Carney, Esq., Maraziti Falcon, LLP – No report this evening.

D. Department Reports:

Mr. Albano raised a question regarding Anthony Tambasco’s report, which talked about a 2,000-kilovolt transformer. Did we get the rented one? Mr. Anastasio stated that just today, the quote came in for the whole job, the rental, the repair of ours. That will be on the agenda next month, to affirm that cost for that. The total quote for everything is \$120,000. The transformer will be delivered in 60-64 weeks, to get our rebuilt one back, which they haven’t pulled out yet. This quote will authorize them to do that work. I just signed that purchase order this afternoon so that will get that moving. At the May meeting, we will affirm the costs and vendor for that and will probably include a small contingency because there are some exceptions. If they undercover more damage inside the transformer, we’ll have to deal with that. Are we renting a transformer? Mr. Tambasco stated that they are still looking for one in the correct size. Mr. Tambasco corrected Mr. Anastasio, in that this quote is only for the repair. Mr. Anastasio added that we had a line on a rental transformer in Colorado but it did not pan out as it is an odd size. The blower motor dates back to 1956. We are currently running on one transformer and if that one fails, we are in trouble. That’s why we need the rental. In the meantime, if something happens with the blower, we can switch the leads to the other blower, from the same transformer.

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

E. Facility Engineer Reports:

1. Facility Engineers Monthly Report
2. Capacity Allocation
3. Capacity Assurance
4. Monthly Flow Report

**Minute 12 – Communications** – Standard monthly communication submittals to the State are in the Board book.

**Minute 13 - Res. No. 24-0422-12 – Payroll**

Upon Motion of Mr. Machala, Second of Mr. Mathews, the above Resolution was approved by the following Roll Call Vote:

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Yes	John Murphy	Yes
Daniel Croson	Yes	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

**Minute 14- Res. No. 24-0422-13 – Cancellation of Checks**

Ms. Borek stated that the second check listed for cancellation, #19351, should be from the Operating Account, not the Payroll Account. Resolution was amended to reflect the correction.

Upon Motion of Mr. Mathews, Second of Mr. Albano, the above Resolution was approved by the following Roll Call Vote:

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Yes	John Murphy	Yes
Daniel Croson	Yes	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

**Minute 15- Res. No. 24-0422-14 – Bills**

Upon Motion of Mr. Albano, Second of Mr. Mathews the above Resolution was approved by the following Roll Call Vote:

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Yes	John Murphy	Yes
Daniel Croson	Yes	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

**Minute 16 – Res. No. 24-0422-15 - Adjournment to Closed Session**

Mr. Anastasio read the title of the Resolution to go into Closed Session.

Upon Motion of Mr. Mathews, Second of Mr. Croson, the meeting was adjourned to Closed Session at 7:24 p.m.

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Yes	John Murphy	Yes
Daniel Croson	Yes	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

At 8:04 p.m. the meeting returned to Open Session.

**Minute 17 – Res. No. 24-0422-11** - Resolution Accepting Cost Proposal from One-Water Consulting, LLC dated March 21, 2024 to Conduct Additional In-Stream Monitoring in the Raritan River

With the Motion of Mr. Machala, Second of Mr. Albano, the above Resolution was approved, by the following Roll Call Vote:

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Yes	John Murphy	Yes
Daniel Croson	Absent	Michael Pappas	Yes
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

\*Mr. Croson dropped from the Teams meeting.

Mr. Albano asked if we could finish the discussion regarding the Raritan Borough subject. Mr. Murphy stated that he spoke with a couple of council people, and they asked for his opinion, but he didn't know how to approach it. Since you had the PowerPoint presentation, can I just reiterate what was presented even though they haven't heard it yet. I know I can't tell them where we stand. Mr. Carney stated that anything discussed in the Executive Session is not supposed to be disclosed to the public. Mr. Albano asked does that include council members in Raritan? They are not the general public. Mr. Carney stated that it does. What we discuss in Executive Session are things we are discussing in Executive Session on behalf of the SRVSA. It would destroy the purpose of an Executive Session if somebody not affiliated with SRVSA is able to come and attend a meeting. That is why, for example, in a contract negotiation, the purpose of an Executive Session is so that when we are having a candid discussion about the contract, it does not go out to the public or the very party that you are negotiating with. It doesn't go out to any party that could tell that party that you are negotiating with. If you were to bring the party that you are negotiating with, into a closed session, that act in and of itself, destroys the

closed session because you are directly communicating with the party that you are negotiating with.

Mr. Lifrieri asked about the meeting that we had with the Mayor, 2 council people and the Administrator from Raritan, is that public? Can John speak of that? Mr. Carney stated that the fact that the meeting occurred is public information but what we just discussed in the Executive Session is not. So, the content of the PowerPoint presentation that Mr. Anastasio shared with Raritan Borough is fine because that is different than the PowerPoint the Board saw. It was specifically prepared for Raritan Borough with the intent that they would share it amongst themselves.

Ms. Borek added that as an OPRA issue, what is discussed in Executive Session cannot leave the room. The mere fact that there was a separate presentation shared with Raritan Borough and their council is totally different than what we saw or the conversations of the Executive Sessions we've had. John can only stick to the points made in the PowerPoint presentation that was shared with Raritan Borough during that meeting, and nothing else. A further conversation ensued. As long as he stays within the confines of what they discussed and not to say what our thoughts were going forward. It was pointed out that it is a fine line when you try to delineate what the power point says. It is a lot more appropriate not to discuss it all because someone is going to take a position and may say that you said something that was said in the Executive Session. I've been advised by many attorneys not to talk about anything at all that we discussed in the Executive Session. If Ron or our attorney want to speak to them about it, then that is appropriate but as an individual member, I would not go back to Somerville and have any discussion. I would ask Ron to have the discussion and share his thoughts instead of putting myself in a position where I could be in conflict of what I said or what was talked about in Executive Session. Mr. Carney stated that if it is clear that there is not going to be any communication of what was discussed in the Executive Session, then that is good.

Mr. Anastasio stated that there is no action to be taken. The representatives that we met with in Raritan appeared to leave the door open to future discussions. Discussion ensued. They may rotate more council people in to make them aware of this. Assuming two council people who did not attend that presentation, came to John and Ed Machala, and they wanted to know what went on in that meeting, you sticking to your PowerPoint would be ok. Just do not deviate to what was discussed in Closed Session. Some things may be taken out of context and misinterpreted and attributed to you even though you didn't say it. If anyone from Raritan comes to you, go back to your mayor and the council. They have a PowerPoint they can distribute. Mr. Anastasio stated that if anyone has any thoughts, they can convey them to their Administrator and the Administrator can contact me and I can hear what they have to say. We may not hear anything.

As a reminder to everyone, Ms. Hering stated that Financial Disclosure Statements are due by April 30<sup>th</sup>.

Mr. Mathews indicated that this would be his last meeting representing the Borough of Somerville. He told the Mayor, and they will be sending someone else next month. He's been with the Authority a very long time and will miss everyone and appreciates their friendship through the years. Mr. Lifrieri thanked him for all the time and effort he put into the Authority, and you have been a truly valued Commissioner and member of the Board.

**Minute 18 – Adjournment of Meeting**

Upon Motion of Mr. Machala, Second of Mr. Mathews, the Meeting was adjourned at 8:16 p.m.

**Roll Call Vote:**

Robert Albano	Yes	Richard Mathews	Yes
Pamela Borek	Yes	John Murphy	Yes
Daniel Croson	Absent	Michael Pappas	Absent
Gary DiNardo	Yes	Philip Petrone	Yes
Vincent Dominach	Yes	Reinhard Pratt	Yes
Edward Machala	Yes	Frank Scarantino	Yes
		Joseph Lifrieri	Yes

**NEXT REGULAR BOARD MEETING WILL BE HELD ON  
MAY 20, 2024**