

**MINUTES OF THE BOARD MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
MAY 24, 2021**

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 Vice-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*	Philip Petrone	Present (Teams)
Louis Esposito, Jr	Present	Spencer Pierini	Present (Teams)
Joseph Lifrieri	Present	Gail Quabeck	Present (Teams)
Edward Machala	Present	Randy Smith	Absent
Richard Mathews	Present	Peter Stires	Present (Teams)
Steven Mlenak	Present (Teams)	Michael Impellizeri	Present (Teams)**
Michael Pappas	Present (Teams)		

*Mr. Albano joined the meeting via Teams at 7:08 p.m.

**Mr. Impellizeri joined the meeting via Teams at 7:14 p.m.

Authority Staff

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

Professional Staff

Thomas Schoettle, P.E., CDM Smith	Present
Joseph J. Maraziti, Jr., Esq., Maraziti Falcon, LLP	Present (Teams)

Minute 4 – Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 – Approval of Minutes

1. Board Meeting Open Session Minutes – April 26, 2021

Mr. Anastasio noted that in the Minutes from April 26, 2021, at the bottom of page 3, the second to last sentence should read “Mr. Maraziti stated that he does *not* believe so.”

With the Motion of Mr. Mathews, Second of Mr. Machala, the Minutes of the April 26, 2021 Meeting (Open Session), modified as stated above, were approved by the following roll call vote:

Roll Call Vote:

Robert Albano	Absent*	Philip Petrone	Yes
Louis Esposito, Jr	Yes	Spencer Pierini	Yes
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	Absent
Richard Mathews	Yes	Peter Stires	Yes
Steven Mlenak	Yes	Michael Impellizeri	Absent **
Michael Pappas	Yes		

Minute 6 – Public Hearing – NONE

Minute 7 – Public Participation -None Present

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

- 1) **Res. No. 21-0524-1** – Resolution Authorizing Execution of an Easement Agreement with an Option to Purchase a Portion of SRVSA Property to Wyeth Holdings, LLC
(See vote on this Resolution at end of Minutes)
- 2) **Res. No. 21-0524-2** - Resolution Authorizing the Connection Fee Refund to American Eagle Property Group LLC for a Proposed Single-Family Dwelling Block 905, Lot 11 Bridgewater Township
- 3) **Res. No. 21-0524-3** – Sewer Extension Resolution Re-Approval - Sherman Tract Phase I Affordable Housing Development, Concord Street, Block 86 Lot 21, Hillsborough Township
- 4) **Res. No. 21-0524-4** – Authorizing the Wire Transfer of Funds from Magyar Bank General Account to Parke Bank SRVSA General Fund Account in the Amount of \$4,000,000 for the Management of Funds to Yield Greater Interest Earnings

- 5) **Res. No. 21-0524-5** – Resolution Authorizing Change Order No. 5 – Credit for Deleted Items, Additional Pavement Work and Contract Time Extension - Contract C-19-2 – Plantwide Electrical Rehabilitation Project

Mr. Pappas asked for further explanation of Res. No. 21-0524-1. Mr. Carney reminded the Board that that Easement Agreement can go into Closed Session under Contract Negotiations, if we so desire, if there are questions regarding the easement. Mr. Pappas stated that he would request it be discussed in Closed Session.

Therefore, we will remove Res. No. 21-0524-1 from the consent Agenda and move it to Closed Session for discussions on Contracts.

Mr. Sherwin Ulep indicated that there is a correction to Res. No. 21-0524-3. This is for an “Approval”, not for a “Re-Approval”. The correction will be made to the Resolution.

Mr. Lifrieri stated with the correction to Res. No. 0524-3, he asked if there were any further questions on the remaining Resolutions. There were no further questions or comments. Upon Motion by Ms. Quabeck, Second of Mr. Mlenak, Res. No. 21-0524-2, through and including Res. No. 21-0524-5, were approved by the following roll call vote:

Roll Call Vote:

Robert Albano	Absent*	Philip Petrone	Yes
Louis Esposito, Jr	Yes	Spencer Pierini	Yes
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	Absent
Richard Mathews	Yes	Peter Stires	Yes
Steven Mlenak	Yes	Michael Impellizeri	Absent*
Michael Pappas	Yes		

Minute 9 – Board Committees – Personnel Committee (PETRONE, Quabeck, Albano, Mathews)

- a) Report on Promotion of Facility Engineer Sherwin Ulep (**Closed Session-Personnel Matters**)

- 1) **Res. No. 21-0524-6** – Resolution Promoting Sherwin Ulep from Facility Engineer to Manager of Engineering

(See vote on this Resolution at end of Minutes)

Minute 10 – Chairman – Vice-Chairman Joseph Lifrieri asked Mr. Mlenak to make his comments. Mr. Mlenak indicated that he proudly served the SRVSA since 2013 and fortunately for him, he just sold his house and are moving out of Branchburg. He’s not sure where they will be moving yet but has until September to figure it out. He needs to resign from the Board of Commissioners. It is bittersweet as he greatly enjoyed his time with everyone and would just

like to say that many of you know what he does for a living and because of this, he gets to spend most of his days dealing with public agencies like the SRVSA. And he says unequivocally that the staff that we have are one of the finest in the State and certainly disavows the notion of a typical government body. He will miss serving on the Board. Mr. Lifrieri thanks him for his kind words. Ms. Quabeck stated that Mr. Mlenak will certainly be missed. Mr. Lifrieri stated that as today's Chairman, he would like to offer a suggestion that the Board issue a Resolution to Mr. Mlenak in appreciation of his time and service to the Board and is asking for the Board's consideration on this to show our gratitude for his work over the years. With no further comments, Mr. Lifrieri asked Mr. Anastasio to put together a Resolution of that nature. Mr. Anastasio stated he would do a Resolution thanking Commissioner Mlenak for his service and dedication to the Authority. This would be Resolution No. 21-0524-11.

Minute 11 - Reports

A. Executive Director's Report

1. Update on Storm Control Treatment Facility Construction Project

Mr. Anastasio indicated that the project continues to go well. Even though we are waiting for an updated schedule from the contractor. We are going to go long beyond the contract date. We are waiting to hear from the contractor with his plan to finish out the job. It is finishing touches and then some. A lot of the big work is done. The site is now paved. All of the easement work is done. Topsoil seeding has taken place and we're waiting for the grass to grow. We are finishing up doing some small mechanical work and still pulling some wires on site. Now were into the instrumentation phase where Sherwin just got the "screen shots", the different screens that we'll see for the control system on the computer screen. That is a lengthy process and certainly won't take a week or two. Even though we do not have the updated schedule, we think we're still going to be working on this until the beginning of August. We are well ahead of the ACO deadline so there's no worry there. We want them to get it right and get all the details done properly. We'll continue to work with the contractor. We want to make sure everything is done properly and get it right. We do see an upcoming discussion with the contractor about time. We're not going to get into that now as we are waiting to get his schedule. There are some differences of opinion as to how much time is needed and who's responsibility that delay may be, but we don't have anything to offer on that tonight. We think that is forthcoming and will wait to see. Mr. Ulep indicated that the project is approximately 92% complete. We're almost there and will continue to work hard and close it out soon.

2. Update on Plantwide Electrical Rehabilitation Project

This project is also going well. We are at 72% complete. Sherwin Ulep and Tony Tambasco continue to do a great job working with CDM Smith and Moorehouse Engineering and the contractor. We are in a good spot with that project. Tonight, we extended their time, which didn't cost us anything. It gives them more time to get the job done and we look to finish that up around Labor Day. As long as everything continues the way it is going, we are going to close out that project. That is our anticipation. We will update everyone next month.

3. Update on the Status of Terminated Employee Jozef Sudnik (**Closed Session – Personnel Matters**)

4. Update on the Status of the EPA Consent Decree Community Project (a.k.a. Project School Clean Sweeps Mercury Recovery Program) (**Closed Session – Potential Litigation**)

- a. **Res. No. 21-0524-10** – Resolution Authorizing Execution of Joint Modification to Consent Decree with USEPA, USDOJ and NJDEP Relevant to State Community Project Obligation.

(See vote on this Resolution at end of Minutes)

B. Engineer/Consultants – CDM Smith Engineer's Report for May 2021 – Mr. Schoettle indicated he had nothing further to add. His report echo's a lot of what the Executive Director already presented and if there are no questions, we can move on.

C. Attorney – Maraziti Falcon, LLP – Nothing to add.

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

12. Communications

- A. NJDEP, Division of Water Quality; Residual Transfer Report; Reporting Period 3/1/21-3/31/21
- B. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; Reporting Period 3/1/21-3/31/21
- C. NJDEP, Division of Water Quality; Residuals Discharge Monitoring Report; Reporting Period **(NOT INCLUDED – TO BE SUBMITTED PRIOR TO 5/25/21)**
- D. Letter to Somerset County Administrator – Request for Partial Funding of SRVSA Capital Projects

Mr. Anastasio indicated that item D above is the letter that the Board voted on last month to send to Somerset County regarding the partial funding for capital projects. He did hear from the Administrator. She looks forward to having a meeting with us to get to know the Authority and understand the mission. We look forward to meeting with her and possibly her staff and having a discussion, but he heard from her the morning after she received the letter and that was positive.

13. Payroll – Res. No. 21-0524-7

Upon Motion by Mr. Mathews, Second of Mr. Machala, approved by the following roll call vote:

Roll Call Vote:

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

14. Bills – Res. No. 21-0524-8

Upon Motion by Mr. Mathews and Second of Mr. Esposito, approved by the following roll call vote:

Roll Call Vote:

Robert Albano	Yes	Philip Petrone	Yes
Louis Esposito, Jr	Yes	Spencer Pierini	Yes
Joseph Lifrieri	Yes	Gail Quabeck	Yes

Edward Machala	Yes	Randy Smith	Absent
Richard Mathews	Yes	Peter Stires	Yes
Steven Mlenak	Yes	Michael Impellizeri	Yes
Michael Pappas	Yes		

15. Adjourn to Closed Session

Res. No. 21-0524-9 – Resolution Authorizing Closed Session for the Purposes of Personnel Matters Discussions Regarding the Promotion of Facility Engineer Sherwin Ulep, the Status of Terminated Employee Jozef Sudnik, Potential Litigation Regarding the Update on the Status of the EPA Consent Decree Community Project (a.k.a. Project School Clean Sweeps Mercury Recovery Program and authorizing the execution of an Easement Agreement with an Option to Purchase a Portion of the SRVSA Property to Wyeth Holdings, LLC, under the contract negotiations exclusion.

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

Roll Call Vote:

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

Adjourned to Closed Session at 7:21 p.m.

Open Session reconvened at 7:50 p.m.

16. Res. No. 21-0524-6 – Resolution Promoting Sherwin Ulep from Facility Engineer to Manager of Engineering

After Closed Session discussions, it was agreed that the Board is going to amend Res. No. 21-0524-6 by removing from the second WHEREAS paragraph, item: “2) to authorize the Executive Director to advertise for the hiring of a staff engineer who will work under the direct supervision of Mr. Ulep (the details of such hiring will be discussed with and reviewed by the Personnel Committee” shall be deleted from the Resolution. Number 3) now becomes Number 2).

Upon a motion of Mr. Albano and Second of Mr. Petrone, with the Resolution amended as stated above, the Resolution was approved by the following:

Roll Call Vote:

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

17. Further, there is a Motion to Authorize the Executive Director to advertise for the potential hiring of a staff engineer will work under the direct supervision of Mr. Ulep. (the details of such hiring will be discussed with and reviewed by the Personnel Committee). Upon Motion of Ms. Quabeck, Second of Mr. Mlenak, the motion was granted by the following:

Roll Call Vote:

Robert Albano	Yes	Philip Petrone	Yes
Louis Esposito, Jr	Yes	Spencer Pierini	No
Joseph Lifrieri	Yes	Gail Quabeck	Yes
Edward Machala	Yes	Randy Smith	Absent
Richard Mathews	Yes	Peter Stires	Yes
Steven Mlenak	Yes	Michael Impellizeri	Yes
Michael Pappas	No		

18. **Res. No. 21-0524-1** – Resolution Authorizing Execution of an Easement Agreement with an Option to Purchase a Portion of SRVSA Property to Wyeth Holdings, LLC

Upon Motion of Mr. Machala, Second of Mr. Mathews, this Resolution was approved by the following:

Roll Call Vote:

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

19. **Res. No. 21-0524-10** – Resolution Authorizing Execution of Joint Modification to Consent Decree with USEPA, USDOJ and NJDEP Relevant to State Community Project Obligations

Mr. Carney stated that there is a typographical error on the Resolution number in the Board's book, and should read 21-0524-10, not 20-0524-10. Said correction will be made prior to execution of said Resolution.

Upon a motion of Mr. Machala and Second of Mr. Mathews, the amended Resolution was approved by the following:

Roll Call Vote:

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

20. Adjournment

Upon Motion of Mr. Esposito, Second of Mr. Albano, the meeting was adjourned at 7:58 p.m.

Roll Call Vote:

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

NEXT REGULAR BOARD MEETING WILL BE HELD ON
JUNE 28, 2021