

MINUTES OF THE 774th MEETING  
 THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY  
 February 28, 2011  
 (RESCHEDULED TO THURSDAY, MARCH 3, 2011)

Minute 1 - Opening of Meeting

The 774th Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:34 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

Brent Carney, Esq., Maraziti, Falcon & Healey, LLP

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 4A - Oath of Office

Attorney Carney administered the Oath of Office to Gail Quabeck as Treasurer.

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

Minute 5 - Approval of Minutesa. 773<sup>rd</sup> Meeting - January 24, 2011 - Regular Session

Upon motion of Mr. Machala, second of Mr. Fischetti, the Minutes of the 773<sup>rd</sup> Meeting (Regular Session) were approved by the following roll call vote:

Arthur Quade	Abstain	Peter Van Riper	Abstain
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	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. 773<sup>rd</sup> Meeting - January 24, 2011 - Closed Session

Upon motion of Mr. Fischetti, second of Mr. Machala, the Minutes of the 773<sup>rd</sup> Meeting (Closed Session) were approved by the following roll call vote:

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

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

## c. Reorganization Meeting - February 7, 2011

Upon motion of Mr. Van Riper, second of Mr. Quade, the Minutes of the Reorganization Meeting were approved by the following roll call vote:

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

- a. Res. No. 11-0228-1 - Resolution Authorizing One Commissioner, the Executive Director and the Assistant Executive Director/Facility Engineer to Attend the AEA 2011 Annual Spring Conference (Utility Management Conference) in Atlantic City, March 8-9, 2011

Upon motion of Mr. Van Riper, second of Mr. McCray, 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. Lifreri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	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. 11-0228-2 - Resolution Rejecting All Bids For Purchase of One(1)New 2011 Dodge Grand Caravan Cargo Van FWD Or Equal

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. Lifreri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes

Alvin Florey	Absent	Kenneth Lee	Yes
Herbert Vollers	Absent	Roger Guttschall	Yes

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

- c. Res. No. 11-0228-3 - Resolution Awarding Bid for Rebuild of Belt Filter Press No. 3

Upon motion of Mr. Lifrieri, second of Mr. Machala, the above resolution was approved, following a brief discussion, by the following roll call vote. Mr. Machala questioned the differential between a brand new replacement and a rebuilt model. Mr. Petruski responded that previously the quote given to the Authority was not in compliance with the specifications. Mr. Machala stated that it seems that more stainless is used in the rebuild process. Mr. Petruski responded that it is not necessarily that more stainless is used, it is just the rebuild cost has increased. Mr. McCray reported that it is the way the specs are developed; more galvanized steel or more stainless and went on to add that the increased cost is due to the rebuild process. Roll call was as follows:

Arthur Quade	Yes	Peter Van Riper	Yes
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	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 9 - Board Committees

- a. Chairperson

Chairman Guttschall stated that there were no Board Committee Reports.

#### Minute 10 - Reports

- a. **Executive Director's Report**

- (1) Outfall Relocation Project - Tunnel Project

Mr. Anastasio reported that the tunnel has been completed and that the railroad is satisfied with the work.

Remsco has tied in the northern section of the tunnel and has installed a closure piece. On the South side, Remsco has laid a piece of pipe and they have a few more items to do. Currently, the hydrostatic testing should be performed on the South side.

For the Board's information, Chairman Guttschall asked the length of the pipe. Mr. Anastasio responded that it is close to 2,000 feet in length. To date there has been a leakage of approximately 3 gallons/min.

Facility Engineer Anastasio went on to report that basically Remsco is out of work. Mr. Anastasio reported that at this time a determination needs to be made as to where the leaks are coming from; the pipes or the chambers. He went on to state that it is not possible to visibly determine where the leak is.

Mr. Anastasio stated that a chamber inspection was performed. A discussion ensued. Facility Engineer Anastasio reported that some pre-emptive coating be made and some injection grouting. Again, a discussion ensued.

Mr. Petrauski stated that all of the pipe joints have been air-tested and sealed and it is felt that the leaks are not in the pipe joints, however, if it is, it is going to be difficult to find them. Currently, it is believed that the leaks are in the chamber. A brief discussion ensued.

Commissioner Lifrieri questioned whether it would be beneficial to test the section of pipe to determine whether it is leaking; particularly around the chamber. Mr. Anastasio reported that two (2) plugs are necessary to perform the test in the pipe. He went on to report that one (1) plug will not hold for the 10 psi required for the test. There is no way to install the plugs in the chamber and that there is no easy way to perform the test. A brief discussion ensued.

Chairman Guttschall asked about the five (5) pipes and how are they terminated in the chambers.

Mr. Petrauski reported that Remsco is almost finished and that there is no easy way to do the testing and that the easiest way is to fix the chambers. Mr. Petrauski stated that the Authority is currently operating under our original permit. Again, a brief discussion ensued.

Ms. Quabeck stated that Remsco has done a great job for the Authority and the Authority does not want to get into additional litigation.

Mr. Lifrieri asked whether the pressure in the tunnel had been checked. Mr. Anastasio reported that this issue has been explored.

(2) Update on repairs to Incinerator No.2

Plant Superintendent Thompson reported that pre-heating was started which went very well and that certain milestones were necessary on temperature for at least a minimum of 14 hours. He went on to report that half of the load of sand has been added and the temperature was up to 1200°. He felt that things should be operational by the beginning of the following week. He went on to state that both the contractor and the Authority maintenance personnel did a great job.

- (a) Res. No. 11-0228- - Resolution Authorizing  
Change Order No. 1- Contract No. B-10-1  
Reactor No. 2- Dome Replacement Project  
(Miscellaneous Reactor Repairs)

Mr. Anastasio reported that this Change Order is necessary for a number of small repairs that needed to be done that were uncovered once the work started.

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	Yes
Philip Petrone	Yes	William A. Poch Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	Kenneth Lee	Yes
Herbert Vollers	Absent	Roger Guttschall	Yes

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

- (3) Update on design of Rehabilitation of Inc. No. 1  
and the replacement of the SCADA System on Inc.  
No. 2

Mr. Petruski reported that initially it was hoped to have this done and be able to go to funding this year. Unfortunately, we are not far enough along in the design. We are going to pursue funding next year and complete the design work this year.

(4) Report on Natural Gas Supplier

Mr. Petruski reported that a letter was in the Board Book from the CFO regarding the purchase of natural gas as part of the county aggregation.

Mr. Petrauski went on to report that the contract ran out, but the supplier continued to charge the Authority the price on the prior contract. However, Mr. Wozniak followed the charges and complained that the Authority was being overcharged and, as a result, the Authority received a check for \$7,500.

Mr. Petrauski stated that the next four (4) items were reserved for Closed Session.

- (5) Update on status of pH at R4 of Raritan River -  
**(CLOSED SESSION) NEGOTIATIONS**
  - (6) Review and possible formal action on revised settlement with Pfizer/Wyeth regarding carbon units **(CLOSED SESSION) NEGOTIATIONS**
    - (a) Res. No. 11-0228- - Resolution Authorizing Settlement Wyeth-Carbon Towers/USTs
  - (7) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION) LITIGATION**
  - (8) Notice of claim petition filed by family of a previous employee and a claim petition filed by a current employee **(CLOSED SESSION) - LITIGATION**
- b. Engineer/Consultants
- (1) James L. Brandes, P.E. (CDM) Engineer's Report for February - Engineer Brandes did not have anything additional to report.
- c. Attorney - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP - Attorney Carney stated that his comments would be reserved for Closed Session.
- d. Department Reports
- |                |                            |
|----------------|----------------------------|
| (1) Operations | (3) Maintenance/Electrical |
| (2) Laboratory | (4) Special Projects       |

No additional comments regarding Department Reports.

e. Facility Engineer Reports

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

No questions or comments regarding the Facility Engineer's Reports.

f. Budget Reports

No comments on the above referenced Budget Reports.

Minute 11 - Communications

- a. NJDEP, Division of Water Quality; Surface Water Discharge Monitoring Report; dated January 20, 2011; Re: Reporting Period December 2010
- b. NJDEP, Division of Water Quality; Residuals DMR; dated January 20, 2011; Re: Reporting Period December 2010
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated January 20, 2011; Re: Reporting Period December 2010
- d. NJDEP, Division of Water Quality; Residual Transfer Report; dated January 20, 2011; Re: Reporting Period December 2010
- e. NJDEP, Biomonitoring Report-Chronic Toxicity Tests; dated January 3, 2011; Re: Testing December 6, 2010 to December 13, 2010
- f. NJDEP, Water Resource Management, Division of Water Quality, NJEIT; dated January 20 2011; Re: Notice of Rule Proposal-Financial Assistance Programs for Environmental Infrastructure Facilities, N.J.A.C. 7:22 (1/28/2011 Weekly Mailing)
- g. Brent Carney, Esq., MFH; dated January 19, 2011; Re: Carbro Constructors Corp. v SRVSA & CDM; Order Granting SRVSA Leave to file its Counterclaim
- h. Brent T. Carney, Esq.; dated January 20, 2011; Re: Carbro Constructors Corp. v SRVSA and CDM
- i. Paul DeSantis; dated January 28, 2011; Re: 2010 Pretreatment Program Annual Report (2/11/2011 Weekly Mailing)
- j. Christopher Miller, Esq.; Maraziti, Falcon & Healey, LLP; dated February 4, 2011; Re: Calco Dam Demolition (2/11/2011 Weekly Mailing)
- k. Brent T. Carney; dated February 9, 2011; Re: Carbro Constructors Corp. v. SRVSA and CDM (2/18/20011 Weekly Mailing)
- l. Honorable Yolanda Ciccone, A.J.S.C.; dated February 14, 2011; Re: Carbro Constructors Corp. v. SRVSA and CDM (February Board Book & 2/18/2011 Weekly Mailing)

No comments regarding the communications.

Minute 12 - Payroll (Res. No. 11-0228-5)

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	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent

Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	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. 11-0228- 6)

Upon motion of Mr. Fischetti, second of Mr. Machala, 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	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	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. McCray, the Meeting was adjourned to Closed Session at 8:03 P.M. as reported by Attorney Carney for Litigation and Contract Negotiations 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	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	Kenneth Lee	Yes
Herbert Vollers	Absent	Roger Guttschall	Yes

Minute 16 - Closed Session

Minute 17 - Motion to Reconvene in Open Session

Upon motion of Mr. Van Riper, second of Mr. Quade, the meeting was reconvened in Regular Session at 8:28 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	Yes
Philip Petrone	Yes	William A. Poch	Absent

Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	Kenneth Lee	Yes
Herbert Vollers	Absent	Roger Guttschall	Yes

Prior to Adjournment Res. No. 11-0228-7 - Resolution Authorizing Settlement Wyeth-Carbon Towers/USTs, upon motion of Ms. Quabeck, second of Mr. Machala 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. Lifreri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	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 18 - Adjournment

Upon motion of Mr. Van Riper, second of Ms. Quabeck, the meeting was adjourned at 8:29 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. Lifreri	Yes
Philip Petrone	Yes	William A. Poch	Absent
Peter F. Stires	Absent	Gail Quabeck	Yes
Alvin Florey	Absent	Kenneth Lee	Yes
Herbert Vollers	Absent	Roger Guttschall	Yes

