

MINUTES OF THE 775th MEETING
THE SOMERSET RARITAN VALLEY SEWERAGE AUTHORITY
March 28, 2011

Minute 1 - Opening of Meeting

The 775th Meeting of the Somerset Raritan Valley Sewerage Authority was called to order at 7:31 P.M. by the Chairman, Roger Guttschall.

Minute 2 - Open Public Meetings Announcement - Assistant Executive Director/Facility Engineer

The Open Public Meetings Announcement was read by Ronald Anastasio.

Minute 3 - Roll Call

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

Professional Staff

<u> </u>	<u> X </u>	Glen D. Petrauski, Executive Director
<u> X </u>	<u> </u>	John S. Thompson, Plant Superintendent
<u> X </u>	<u> </u>	James L. Brandes, P.E., CDM, Consulting Engineer
<u> X </u>	<u> </u>	Joseph J. Maraziti, Jr., Esq. MFH, General Counsel
<u> X </u>	<u> </u>	Ronald Anastasio, P.E., Assistant Executive Director/Facility Engineer
<u> X </u>	<u> </u>	Norma A. Smullen, Office/Human Resources Manager
<u> X </u>	<u> </u>	Peter Wozniak, Chief Financial Officer

Others

Minute 4 - Pledge of Allegiance

All in attendance saluted the flag.

Minute 5 - Approval of Minutes

- a. 774th Meeting - February 28, 2011 - Regular Session
Rescheduled to March 3, 2011

Upon motion of Ms. Quabeck, second of Mr. Petrone, the Minutes of the 774th Meeting (Regular Session) were approved by the following roll call vote:

Arthur Quade	Absent	Peter Van Riper	Absent
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Abstain
Peter F. Stires	Abstain	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. 774th Meeting - February 28, 2011 - Closed Session
Rescheduled to March 3, 2011

Upon motion of Ms. Quabeck, second of Mr. Machala, the Minutes of the 774th Meeting (Closed Session) were approved, after a comment by Mr. Lifrieri (Page 2, Paragraph 4 - third line should read "if there should be an uninterested unbiased 3rd party" witness) by the following roll call vote:

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

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. 11-0328-1 - Resolution Authorizing The
Destruction Of Payroll Checks

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

Arthur Quade	Absent	Peter Van Riper	Absent
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	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. 11-0328-2 - Resolution Authorizing One Commissioner The Executive Director, the Assistant Executive Director/Facility Engineer and the Plant Superintendent to Attend the 96th Annual New Jersey Water Environment Association (NJWEA) Conference and Exhibition in Atlantic City (May 9-13, 2011)

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

Arthur Quade	Absent	Peter Van Riper	Absent
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	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 and that he did not have anything else to add.

Minute 10 - Reports

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

- (1) Outfall Relocation Project - Tunnel Project

Mr. Anastasio reported that at last month's meeting he stated that the job was at a point where there was no more base contract work and that there was a situation where the south leg of the pipeline was leaking and three months had been spent trying to find the leak.

Mr. Anastasio went on to state that there were two options to consider; delay the contractor or enter into a change order with them to make certain repair and then try to do a retest. A brief discussion ensued.

(a) Report on Change Order No. 3

Mr. Anastasio reported that the largest part of Change Order No. 3 was for the making of the repairs and doing the additional retesting. Additionally, Mr. Anastasio reported that the fall-back plan is to try to determine where the leaks are. In the event that this does not work, the fall-back plan was to let the contractor do base work and ties in the outfall at the end of the project and close the sluice gate. This would avoid a situation of delaying the contractor. Mr. Anastasio reported that Change Order No. 3 consists of a number of components in trying to get the problem with the south line solved and get it to pass. A number of the components of the Change Order are attributed to Carbro not doing the hydrostatic testing.

Attorney Maraziti commented that if the Board went on to approve the changes to Change Order No. 3 and the contractor approves it, it amounts to a modification of the contract and there is express language in the Change Order whereby the contractor waives any claims associated with the work and that it would stop any residual claims up to this point the contractor would have.

Mr. Machala had a question regarding the grouting of the seams. Mr. Brandes prepared a sketch to help Board Members better understand how/where the grouting was done.

[1] Res. No. 11-0328-3 - Resolution
 Authorizing Change Order No. 3 -
 Relocated Plant Outfall- Railroad Tunnel
 Contract No. C-09-1

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

Arthur Quade	Absent	Peter Van Riper	Absent
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifrieri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	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.

(2) Update on repairs to Incinerator No.2

Assistant Executive Director/Facility Engineer stated that there was good news to report on the repairs on Inc. No. 2. Plant Superintendent Thompson reported that Inc. No. 2 was running and that a comment was made that "it was almost like a new incinerator". Mr. Thompson reported that it was running at about 150 wet lbs/min. and that they were catching up on inventory.

Chairman Guttschall asked whether an eye was being kept on the instrumentation, to which Mr. Thompson responded yes. Mr. Thompson stated that Maintenance Supervisor Tambasco always comes up with unique ideas and went on to report that the fluidized bed blower was running backwards (would have to physically change the wiring) and it is not known how that could be happening, but the incinerator is burning.

(3) Report on Ash Disposal Shared Services Agreement
Regarding The Disposal of the Authority's Ash

Mr. Anastasio reported that the Authority has another contract (3-year) with PCFA with good prices. Mr. Thompson reported that the Authority did well with the pricing in the Agreement.

(a) Res. No. 11-0328-4 - Resolution Accepting Ash
Shared Services Agreement Between The
Pollution Control Financing Authority (PCFA)
of Warren County and The Somerset Raritan
Valley Sewerage Authority Regarding Disposal
of the Authority's Ash

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

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

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

Mr. Anastasio stated that the following item was not on the agenda and that it regards the issue Somerville Meter Chamber 4 and the issue of reverse flow, flows that may be leaving the system or not making it to the interceptor and that flow numbers look lower than what they should be.

Chairman Guttschall felt that the best way to handle this issue was to establish an Ad Hoc Committee to look in to this. He went on to appoint the following members to this committee: Mr. Stires, Mr. Quade, Mr. Machala (Chairman), Ms. Quabek and Mr. Lee.

Mr. Anastasio stated that items 4 & 5 would be discussed in Closed Session.

- (4) Update on status of pH at R4/ACCO Perched Groundwater of Raritan River **(CLOSED SESSION)**

NEGOTIATIONS

- (5) Update on status of litigation with Carbro Constructors Corp. **(CLOSED SESSION) LITIGATION**

b. Engineer/Consultants

- (1) James L. Brandes, P.E. (CDM) Engineer's Report for March 2011 - Engineer Brandes did not have anything additional to report.

c. Attorney - Joseph J. Maraziti, Jr., Esq., Maraziti, Falcon & Healey, LLP - Attorney Maraziti stated that his comments would be reserved for Closed Session.

d. Department Reports

- (1) Operations
- (2) Laboratory
- (3) Maintenance/Electrical
- (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 February 11, 2011; Re: Reporting Period January 2011
- b. NJDEP, Division of Water Quality; Residuals DMR; dated February 22, 2011; Re: Reporting Period January 2011
- c. NJDEP, Division of Water Quality; Residuals Waste Characterization Report; dated February 22, 2011; Re: Reporting Period January 2011
- d. NJDEP, Division of Water Quality; Residual Transfer Report; dated February 22, 2011; Re: Reporting Period January 2011

- e. L. Mason Neely, CFO; dated February 28, 2011; Re: West Deptford Town Meeting (3/11/2011 Weekly Mailing)
- f. Brent T. Carney, Esq.; dated March 8, 2011; Re: Carbro Constructors Corp. v. SRVSA & CDM (3/11/2011 Weekly Mailing)
- g. Peter Wozniak; dated March 15, 2011; Re: Electronic Municipal Market Access
- h. Paul DeSantis, Principal Environmental Engineer, Bureau of Pretreatment and Residuals; dated March 9, 2011; Re: 2010 Industrial Pretreatment Program Annual Report (October 1, 2009-September 30, 2010) (3/25/2011 Weekly Mailing)

No comments regarding the communications.

Minute 12 - Payroll (Res. No. 11-0328-5)

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

Arthur Quade	Absent	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.	Yes
Peter F. Stires	Yes	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 (Res. No. 11-0328-6)

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

Arthur Quade	Absent	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.	Yes
Peter F. Stires	Yes	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 14 - Bills (Res. No. 11-0328-7)

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

Arthur Quade	Absent	Peter Van Riper	Abstain
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifreri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	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. Machala, second of Mr. Stires, the Meeting was adjourned to Closed Session at 7:50 P.M. as reported by Attorney Maraziti for Litigation in relation to the Carbro Constructors matter and Contract Negotiations in connection with the Wyeth/Pfize issue by the following roll call vote:

Arthur Quade	Absent	Peter Van Riper	Absent
Alessandro Fischetti, Jr.	Yes	Robert McCray	Yes
Edward J. Machala	Yes	Joseph J. Lifreri	Yes
Philip Petrone	Yes	William A. Poch, Sr.	Yes
Peter F. Stires	Yes	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. Poch, second of Mr. Stires, the meeting was reconvened in Regular Session at 8:11 P.M. by the following roll call vote:

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

Minute 18 - Adjournment

Upon motion of Mr. Poch, second of Ms. Quabeck, the meeting was adjourned at 8:11 P.M. by the following roll call vote:

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

