

Minutes of Meeting No. 610, August 22, 2022 – Stony Brook Regional Sewerage Authority

LOCATION: Via Teleconference, Conference Room, River Road Plant, Princeton, NJ

MEMBERS PRESENT: Downey, Goldfarb, Morehouse, Switlik, Vilaro-Munet

MEMBERS ABSENT: Patel

CONSULTANTS: Alexander

STAFF PRESENT: Chong, Christiano, Doelling, Ireland, Pchola, Pizarro, Stewart

610.01

Chairman Downey opened the regularly scheduled meeting at 6:30 p.m. Chairman Downey indicated that pursuant to Section 13 of the Open Public Meetings Act, adequate notice of the time, place of this meeting, and the teleconference information was given by filing with the Authority's official newspapers, each Clerk of each municipality, and by being posted on the Princeton Bulletin Board and the Authority's website.

610.02 Approval of Minutes

The revised minutes from the July 25, 2022, Board meeting were approved by Mr. Vilaro-Munet, seconded by Mr. Morehouse, and passed by a unanimous vote.

The revised minutes from the August 8, 2022, Special Board meeting were approved on a motion by Mr. Vilaro-Munet, seconded by Mr. Goldfarb, and passed with a vote of 4 to 0, with Mr. Morehouse abstaining.

610.03 Open to the Public

Chairman Downey opened the public portion of the meeting at 6:31 p.m., hearing no comments from the public; the meeting continued as scheduled.

610.04 Board Related Activities

Ms. Pchola reported that there is one consultant contract pending award for legal counsel, Cleary Jacobbe Alfieri Jacobs LLC, for SBRSA union negotiations. Staff recommended approval of Resolution 2022-067, Authorizing the Award of a "No Political Contributions Allowed" for Legal Counsel for Labor Negotiations to Cleary Jacobbe Alfieri Jacobs LLC.

Ms. Pchola stated that the proposals for legal counsel were emailed to the Board members.

There were no questions.

Resolution 2022-067 was moved by Mr. Morehouse, seconded by Ms. Switlik, and passed by a roll call vote of 5 to 0. Resolution 2022-067 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract
for
Legal Counsel for Labor Negotiations to
Cleary Giacobbe Alfieri Jacobs LLC**

Resolution No. 2022-067

WHEREAS, the Stony Brook Regional Sewerage Authority (SBRSA) has a need for legal counsel for labor negotiations of our collective bargaining agreement (CBA) with Construction and General Labors’ Union Local 172 of South Jersey; and

WHEREAS, the current CBA will expire on December 31, 2022; and

WHEREAS, SBRSA had requested and received proposals from Cleary Giacobbe Alfieri Jacobs LLC and Adams Gutierrez & Lattiboudere LLC to provide legal counsel for labor negotiations of our collective bargaining agreement with Construction and General Labors’ Union Local of South Jersey, and

WHEREAS, SBRSA has reviewed the proposals and provided a recommendation to award the contract to Cleary Giacobbe Alfieri Jacobs LLC for legal counsel services for labor negotiations as indicated in the Memorandum to the SBRSA Board Members dated August 22, 2022; and

WHEREAS, the qualified purchasing agent has determined and certified in writing that the value of the work may exceed \$17,500; and,

WHEREAS, it is anticipated term of this contract will not exceed one-year but may be extended as necessary as approved by the Stony Brook Regional Sewerage Authority; and

WHEREAS, the proposal submitted by Cleary Giacobbe Alfieri Jacobs LLC dated August 12, 2022 indicated they will provide labor negotiations services in connection with the above-mentioned collective bargaining agreement based on the following fee structure:

Partners and Counsel	\$165/hour
Paralegals and Law Clerks	\$90/hour

WHEREAS, Cleary Giacobbe Alfieri Jacobs LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Cleary Giacobbe Alfieri Jacobs LLC has not made any reportable contributions to a municipal political party committee of a governing body that appoints members to the Stony Brook Regional Sewerage Authority including Princeton, South Brunswick Township, West Windsor Township, Hopewell Borough, Hopewell Township and Pennington Borough in the previous one year, and that the contract will prohibit

Cleary Giacobbe Alfieri Jacobs LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the CFO has certified funds are available in the 2022 Budget Legal Non-Retainer line account 1000-4001.

NOW THEREFORE, BE IT RESOLVED that the Board of the Stony Brook Regional Sewerage Authority authorizes the Secretary to enter into a contract with Cleary Giacobbe Alfieri Jacobs LLC as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

610.05 Planning and Administration

Ms. Pchola reported that the most current 12-month average daily flow at the River Road WWTP is 9,718,083 gpd with 1,381,430 gpd of inoperative flow, leaving an available capacity of 1,960,487 gpd. The current 12-month average daily flow at the Hopewell WWTP is 255,252 gpd with 0 gpd of inoperative flow, leaving an available capacity of 44,748 gpd. The current 12-month average daily flow at the Pennington WWTP is 270,610 gpd with 24,384 gpd of inoperative flow, leaving an available capacity of 150,006 gpd.

Mr. Goldfarb indicated that Princeton’s July 2022 flows were the lowest in the last 20 years. Ms. Pchola indicated that it was the lowest flow data recorded since staff started recording flow data in 1986.

Ms. Pchola reported that the meter verifications were performed by staff on August 1, 2022. All flows were within $\pm 5\%$.

Ms. Pchola reported that on July 1, 2022, the South Brunswick Pump Station instrumentation cabinet overheated, resulting in a failed signal isolator for the wet well and an isolation signal discriminator for the flow. Additionally, the low-level port of the flow meter clogged, resulting in incorrect readings. The signal isolator was replaced, and the flow meter port was unclogged on July 5, 2022. The South Brunswick pump station flow data from July 1 through July 5, 2022, were calculated proportionally to the sum of the remaining River Road WWTP meters.

Ms. Pchola reported on July 1, 2022, Princeton Farm's totalizer received inaccurate data due to an incorrect valve setting. The valve was reset, and the totalizer reading for July 1, 2022, was calculated proportionally to the average percent of Hopewell Plant influent flow during the subsequent dry days, which is approximately 22.5%.

Ms. Pchola stated that on July 28, 2022, the Princeton Forrestal Connector Meter Station reported incorrect meter flow data from approximately 03:00 to 05:00. The flow data was corrected, and the July 28, 2022, totalizer was updated.

Ms. Pchola reported that the Summary of the Meter Summation vs. River Road WWTP Influent Meter indicated a difference of 12.19%, with the River Road WWTP Influent Meter reading higher.

A discussion took place about the meter readings from different flow meters.

610.06 Approval Requests and Actions

Mr. Doelling reported on the Brick Farm Properties LLC, Block 14, Lot 15.01 located in Hopewell Township, request to be included in the SBRSA Sewer Service Area (SSA) tributary to the Hopewell WWTP. The SBRSA Non-Consenting Resolution No. 2022-064 was approved at a Special Board meeting held on August 8, 2022 and was emailed immediately after the meeting to the Mercer County Planning Board (MCPB), New Jersey Department of Environmental Protection (NJDEP), the applicant, Hopewell Township, and Hopewell Borough. The resolution was followed by overnight mail to the MCPB and NJDEP and regular mail to the applicant, Hopewell Borough, and Hopewell Township. The Hopewell Township Committee Agenda for their August 1, 2022, meeting included a resolution for consent to the WQMP Amendment. The letter dated August 2, 2022, from the Borough of Hopewell was provided in the report.

Mr. Doelling reported that on August 10, 2022, the MCPB postponed consideration of the proposed addition of Brick Farm Properties to the SBRSA SSA until their next meeting on September 14, 2022, so the MCPB could have time to review the Borough of Hopewell's letter and SBRSA's Resolution 2022-064.

A discussion took place regarding Brick Farm Properties LLC and the Township of Hopewell letter.

610.07 Regulatory Report

A discussion took place regarding the July 27, 2022, RTO malfunction.

There were no other Board member comments on the Regulatory Report. The following Regulatory Report is included in the meeting minutes for information.

Discharge Monitoring Report (DMR)

The Discharge Monitoring Reports for the month of June 2022 were submitted with no violations reported.

The July 2022 DMRs are currently being reviewed.

Hopewell and Pennington's semi-annual Effluent Surface Water Discharge Waste Characterization Report was submitted for the period January 1, 2022 to June 30, 2022.

Residuals Discharge Monitoring Report (RDMR)

The May 2022 RDMRs were submitted. All River Road parameters were compliant with the Air Permit requirements.

The June 2022 RDMR is currently under review.

Air Reporting

The 2nd quarter 2022 Excess Emissions and Monitoring Report was prepared and submitted by staff. Incinerator No.2 w/RTO (OS28) and w/AB (OS3) operated during this monitoring period. Incinerator No. 2 operating with AB (OS3), had 4.58 hours of excess Oxygen emissions (Oxygen <3.0%). Carbon Monoxide (CO) concentrations during these periods were less than 100 ppmv at 7% Oxygen.

The semi-annual 40 CFR 60, Subpart O Report for the first six months of 2022 was prepared and submitted by staff. No potential violations were reported.

The semi-annual Title V Compliance Report was prepared and submitted by staff electronically to NJDEP on July 28, 2022. The semi-annual Compliance Report in conformance with 40 CFR 62, Subpart LLL was submitted to the USEPA on July 28, 2022.

The 2nd quarter 2022 Incinerator Sludge Metals Report was submitted to NJDEP. There were no exceedances of the monthly, 12-month weighted average or 15-month rolling metals concentration limits, or the 12- month rolling lead or mercury emission limits.

On July 27, 2022, the RTO forced draft fan experienced a vibration alarm, resulting in an RTO malfunction. A hotline call was made. Sludge cessation occurred as required in the Title V Operating Permit (TVOP), the Subpart-LLL 12-hour Incinerator post-combustion chamber averages for OS3, OS28, and the combined OS3 & OS28 Incinerator were all above the more conservative minimum limit (1549°F). The Emergency bypass DID NOT open, and no sludge was charged to the incinerator during the entirety of the event. On July 29, 2022, staff responded to a request to NJDEP for additional information.

Miscellaneous

The renewal application (including the analytical testing results) for grit and screenings waste disposal (2022-2023) was submitted online on July 28, 2022, and Waste Management of Pennsylvania approved it on August 1, 2022.

610.08 Safety

There were no Board member comments on the Safety Report. The following Safety Report is included in the meeting minutes for information.

Accidents

As of August 15, 2022, Stony Brook Regional Sewerage Authority has gone 195 consecutive days without any "Lost Time" accidents.

COVID-19/Staffing

Two (2) new reports of employee exposure to COVID-19 during this reporting period. All affected staff have returned to work.

Inspections

The 2022 Kleinfelder Annual Inspection continues. Due to COVID-19, remaining inspections are anticipated to resume later this month.

Miscellaneous

No repairs were made during this reporting period.

Training

- On July 21, 2022, Personal Protective Equipment (PPE) training was provided to one (1) employee using MSI Live.
- On July 26, 2022, Bloodborne Pathogens training was provided to two (2) employees using MSI Live.
- On August 1, 2022, Fire Safety training was provided to one (1) employee using MSI Live.
- On August 5, 2022, Lock Out/Tag Out (LOTO) training was provided to two (2) employees using MSI Live.

610.09 Litigation

Ms. Alexander reported that the litigation report will be discussed in the Executive Session portion of the meeting.

610.10 Operations Report

Mr. Stewart reported that the River Road Facility operated well during this reporting period.

On June 9, 2022, the annual Compliance Evaluation and Assistance Inspection were conducted by NJDEP enforcement. A report of that inspection was submitted to SBRSA on August 15, 2022. The report indicates no issues with compliance, and SBRSA requires no action. Outfall designation signs have been posted and can be seen from the Millstone River and the trail leading to the outfall.

Two training sessions for the Ultraviolet (UV) disinfection process were provided by the manufacturer, Trojan, on August 4, 2022, one for the maintenance department and a second for the operations department. The operations portion of the training consisted of classroom instruction on the process and theory of UV disinfection. The in-field training consisted of an overview of the controls for the lamps and hydraulic system and the instruments used to monitor and control the process.

On August 11, 2022, the Ultraviolet (UV) Disinfection Building went online as our primary source for disinfection for the final effluent. The chemicals are onsite if needed. There are currently no issues with the operation of the UV system.

Upstream Facilities

Mr. Stewart reported that both Upstream Facilities operated well during this reporting period.

On July 27, 2022, the Hopewell Treatment Plant operator noticed an imbalance in flow between the two online secondary clarifiers. A large accumulation of rags at the influent of the secondary tank was restricting flows during low flow periods causing the imbalance. Once staff removed the rags the issue was resolved.

Mr. Stewart reported staff received no odor complaints from our surrounding area during the month of July 2022. Staff received no odor complaints during the partial August 2022 reporting period. The total August number will be reported in September 2022. The odor complaints appear on the graph showing the number of odor complaints received each year from January 1998 through the present July 2022.

Customer Sludge Deliveries

The reported quantity of liquid sludge was 13% above the budgeted amount, sludge cake was 14% below the budgeted amount, and gray water was 25% above the budgeted amount for July 2022

Mr. Stewart confirmed that magnesium hydroxide is the only chemical used for disinfection at the River Road WWTP.

A discussion took place regarding the reporting and measuring of chlorine stored at the River Road WWTP.

610.11 Maintenance

Mr. Ireland reported that MA Sludge Collector No. 2 was removed from service on July 19, 2022. The motor was replaced with a new one from inventory, tested for proper rotation, and returned to service.

On July 29, 2022, during the operation and routine inspection of Belt Press No. 3, it was found that the upper belt was beginning to tear and was replaced.

On August 3, 2022, the outer scraper tooth on Hearth No. 3, Incinerator No. 2, had broken off. Hearths Nos. 3 & 4 were inspected and cleaned of slag, along with removing the broken tooth. A new replacement tooth was installed. The Incinerator drive was tested to ensure it went around the perimeter of the Incinerator without incident.

The Maintenance Department received training on the new UV Disinfection System at the River Road WWTP from Trojan Technologies on August 4, 2022.

Pepcon CD-401, which was down since August 3, 2021, was placed back into service on August 9, 2022, after a new motor base plate was fabricated and installed due to the old plate showing signs of flexing during operation.

The Regenerative Thermal Oxidizer (RTO) Forced Draft Fan failed on a "High Vibration Alarm" on August 1, 2022. After removing the fan inspection port and inspecting the fan, it was found that one of the weights used to keep the fan balanced had come off while in operation. On August 8, 2022, Spin Mechanical was called to try and rebalance the fan while in place. After several unsuccessful attempts to rebalance the fan at different speeds, further troubleshooting was performed. It was found that the bearing base had several hairline cracks allowing the base to flex when under load from the fan. On August 4, 2022, Marshall Industrial Technologies was called out to dye-test the base to find where the cracks were. The cracks were welded and reinforced with additional plates to the base. The shaft and fan were removed so Marshall Maintenance could take the shaft and fan back to their shop to perform a high-speed balance. The fan was returned on August 8, 2022, reinstalled with new bearings, and placed back into operation on August 9, 2022. During the RTO downtime, the Afterburner was used to continue with the operation of the Incinerator.

Provided in the report were several graphs that monitor our monthly progress. The current monthly open work requests stand at thirteen (13). On the Preventive Maintenance graph, we averaged three (3) days overdue, and the number of overdue units is approximately eight (8).

610.12 Construction Report

Mr. Doelling reported that there is one change order for Contract 22-1, Meter Station No. 6 Flume Replacement project in the amount of \$1500, which will compensate the contractor for replacing the slide plate in the bypass channel.

Staff recommended approval of 2022-065, Authorizing the Approval of Change Order No.1 for the Replacement of One Slide Plate for the Meter Station No. 6 Flume Replacement.

Mr. Morehouse moved Resolution 2022-065 as discussed during the Construction Committee Meeting, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 5 to 0. Resolution 2022-065 follows.

Resolution Authorizing the Approval of Change Order No. 1 for the Replacement of One Slide Plate for the Meter Station No. 6 Flume Replacement

Resolution No. 2022-065

WHEREAS, on December 7, 2021, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Request for Quotations seeking the receipt of quotations for the “Meter Station No. 6 - Nested Parshall Flume Replacement”; and

WHEREAS, Engineered Environmental, Inc. (EEI) provided the lowest quote in the amount of \$38,650.00; and

WHEREAS, Meter Station No. 6 consists of two concrete channels: one housing the flow measurement flume and the other a bypass channel isolated by two slide plates; and

WHEREAS, during installation of the flume, the existing bypass channel was to be used to divert wastewater flow around the existing flume to allow for demolition and replacement; and

WHEREAS, during the isolation process, the Contractor found that one (1) existing slide plate was corroded in place and could not be removed by normal methods; and

WHEREAS, this slide plate required demolition to remove it; and

WHEREAS, a new slide plate is required to properly isolate the bypass flume; and

WHEREAS, the abovementioned changes to the Project scope are more fully set forth and incorporated within the August 22, 2022 Change Order CO-01 document resulting in the amount of \$1,500.00 with an adjusted total contract amount of \$40,150.00; and

WHEREAS, the Finance Director has certified funds are available from the unrestricted fund balance; and

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority as follows:

1. The Chairman is authorized and directed to execute Change Order CO-01 with Engineered Environmental, Inc. in the amount of \$1,500.00 resulting in an adjusted contract amount of \$40,150.00.
2. This Resolution shall take effect immediately; and

BE IT FUTHER RESOLVED that the Executive Director, staff, and consultants are authorized to take all appropriate measures to ensure that all appropriate documents, are provided by the Contractor.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Mr. Doelling reported on Project 22-3, Emergency Repair of Nitrification Tank Aerators Structural Supports. The demolition is almost complete. Allied will have a crew onsite during the week of August 15, 2022, to complete the Nitrification Aerator structural support system repair.

Mr. Morehouse requested staff present photographs of the Nitrification Tank Aerator structural supports at the next Board meeting. Staff could not have foreseen this catastrophic failure due to the location of the supports.

Mr. Doelling reported that Allied is waiting on flanges to complete the Filter Building. June 2023 is the current projected completion date.

Ms. Pchola reported that the closing out of Contract 17-1 Pennington WWTP Upgrade and Expansion Project will be discussed in the Executive Session.

There were no other Board member comments on the Construction Report. The following Construction Report is included in the meeting minutes for information.

Studies/General

River Road WWTP Phosphorous Impact Modeling Study: Due to the weather conditions last summer, Kleinfelder could not complete the low flow stream sampling desired. The purpose of the stream sampling is to refresh the database in support of a TMDL submission to NJDEP (which demonstrates that phosphorus limits at the SRVSA, SBRSA – River Road, and Montgomery Stage II Wastewater Treatment Plans are not necessary). Based on the current low flow conditions, Kleinfelder conducted sampling starting on July 22, 2022, and ending on August 4, 2022. Extreme low flow and high temperature conditions were monitored. Kleinfelder anticipates having data to share within a month and will prepare a memo summarizing the results.

Expansion of River Road Planning Report: Kleinfelder has begun work on this project.

2022 Annual Inspection: Due to a case of Covid-19, no additional inspections could be completed during this period by Kleinfelder. The remaining inspections will be scheduled shortly.

2022 Annual Odor Study: The Annual Odor study has been scheduled for August 15 and August 16, 2022. A review of the collected samples by an Odor Panel is scheduled to occur on August 16 and August 17, 2022.

2023 Five-Year Capital Plan: A copy of the Draft Five-Year Capital Plan was provided in the report. The Capital Plan was provided to the Finance Committee with the budget for review and comment at the Finance Committee meeting on August 22, 2022.

Design

Hopewell WWTP Upgrade (Contract 22-4): Kleinfelder continues with the design phase of this project. The Treatment Works Application has been submitted. The 90% drawings and specifications were received and are currently being reviewed by staff. On August 8, 2022, staff received comments regarding this project's Delaware and Raritan Canal Commission (DRCC) application. Staff is working with Kleinfelder to address these comments.

Construction

Contract 17-1 Pennington WWTP Upgrade and Expansion: The Pennington WWTP project remains open.

Staff awaits additional documentation, bonding, and building/plumbing permit closeouts. Below is a brief status summary of the remaining unresolved items.

- Repair of the sludge mixer breather relief valve needs to be scheduled.
- Hopewell Township building permit and plumbing permit require closure.
- Submittal of a formal Change Orders (credits) is needed.
- SBRSA has agreed to take a credit for spare parts.

Contract 19-2 River Road WWTP UV Disinfection and Filtration Project: As of Payment Application No. 13, the project is 71% complete. Installation of electrical panels, conduit, wiring, and HVAC systems continues within the UV Building. Startup and testing of the UV system have been completed, and the UV system is online and operating as expected. Allied Construction has installed tank covers over the existing Aeration Tanks and two Chlorine Contact Tanks.

Due to supply constraints associated with the ductile iron piping, the Contractor has advised SBRSA that the project completion may be delayed until June 2023.

Process Control/SCADA- UPDATED

The monthly meter verifications were performed by staff on August 1, 2022. Preventative maintenance was completed for all field devices and process control loops.

- River Road
 - Liquid Sludge Odor Control Building
 - Replaced corroded internal components on the differential pressure transmitter for CD-401.
 - Calibrated the ORP sensor on CD-401.
 - Assisted Maintenance Department staff with commissioning the new

- blower on CD-401.
 - Reinstalled the magnetic flowmeter for CD-401 recycle flow and wired a remote flow display.
 - Started and programmed the new variable frequency drive for the CD-401 blower.
 - Repaired damaged tubing in the sodium hypochlorite pump for CD-400.
 - Filter Building
 - Rebuilt the waste valve actuator and solenoid valve for Filter 1.
 - Replaced all PLC modules for Filter 1 after they stopped functioning due to excessive heat.
 - The effluent actuator on Filter 3 was placed in a manual control state after its remote-control terminals failed.
 - A control system reset was performed on Filter 4 to remove it from a deadlock state.
 - Replaced a burst water supply line on Filter 4.
 - Replaced a damaged water supply hose for the effluent valve on Filter 5.
 - Repaired a leaking water supply line on Filter 6.
 - Reset the effluent flow transmitter on Filter 6.
 - The influent valve actuator on Filter 6 was removed and sent out for repairs. It was reinstalled and tested after the repairs were completed.
 - Chemical Building
 - Upgraded the old GE 90-30 PLC and its 6 remote I/O racks to the new RX3i platform and updated the control logic to take advantage of new functionality.
 - Replaced a damaged thermal overload heater element in the MCC for MA Sludge Collector 2.
- Hopewell WWTP
 - The filter effluent valve actuator seized after water from the compressed air line leaked into the actuator cylinder. The actuator and positioner were replaced with a spare unit, and the old one was cleaned and rebuilt.

Information Technology

General:

Preventative maintenance was completed for all Information Technology devices and services. During this reporting period:

- Three server backups (*trace-cems*, *ws-instr-lt1*, *svr10*) were checked for corruption and readability. Staff has confirmed that the data is stable and recoverable.
- The network connection to the new UV Building has been established, and integration of the new equipment into our SCADA has been completed. Customization of the provided SCADA screens is underway.
- The latest version of SCADA client has been released, tested, and is being deployed to all SBRSA nodes. 100% of Control nodes and 100% of View nodes have been updated.
- Staff has completed the technical and administrative portions of the New Jersey Utility Authority's (NJUA) Municipal Excess Liability (MEL) Cyber Risk Management Program's

self-reported *Gap Assessment*. The next step in this process is for SBRSA to schedule a meeting with the auditor to review the responses and answer any questions. Once completed, staff will await receipt of the auditor's report, which will contain actionable items that may have been identified during the audit process.

Uninterruptable Power Supply (UPS) Maintenance: IT staff continues its efforts to develop a tracking and preventative maintenance schedule for all UPS devices.

Trace-Environmental WebDAS2k: TRACE Environmental has completed its basic software installation and configuration and is working with IT to set up the new WebDAS2k system. The current configuration plan is to run both systems side-by-side to evaluate performance and stability. Once the system is stable and performing as expected, we will coordinate with the Operations Department on the swap.

610.13 Finance

Payment of Bills and Claims

Mr. Goldfarb moved for approval Resolution 2022-068 for the payment of bills and claims in the amount of \$765,134.47 with two signatures instead of three. The motion was seconded by Ms. Switlik and passed by a roll call vote of 5 to 0. Resolution 2022-068 follows.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2022-068

WHEREAS, the Stony Brook Regional Sewerage Authority received certain claims against it by way of voucher; and

WHEREAS, the staff and Authority members have reviewed said claims.

NOW, THEREFORE, BE IT RESOLVED by Stony Brook Regional Sewerage Authority that these claims in the total amount of \$765,134.47 be approved for payment with checks bearing two authorized signatures instead of three authorized signatures.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Treasurer's Report

Mr. Chong reported the net income for the 2022 fiscal year ending July 31, 2022, of \$1,611,252. The Authority has total cash and investments of \$15,935,350. The current construction project balance is \$1,863,152. There are sufficient funds for these projects. The outstanding bond principal balance is \$16,739,894.

Monthly Sludge Business Analysis

Mr. Chong reported that the net income figure for July is \$109,785, and the cumulative net income for the fiscal year is \$1,107,969.

Mr. Chong requested approval of Resolution 2022-069, Certify Member Review of 2021 Audited Financial. The Finance Committee (FC) reviewed the audited financial statements on August 18, 2022, with the partner of the audit firm, Suplee, Clooney, and Company.

Mr. Goldfarb reported the review of the financial statements went well, and there were no concerns to report.

Mr. Goldfarb reported that the auditor had no general recommendation, internal control concerns, or best practices concerns that the staff was not following.

Mr. Goldfarb stated that he is confident that the monthly financial reports being provided throughout the year are correct, and the Board should have no concerns about reporting.

Resolution 2022-069 was moved by Mr. Goldfarb, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 5 to 0. Resolution 2022-069 follows.

Resolution Certifying Member Review of the 2021 Audit

Resolution No. 2022-069

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual report for the fiscal year ended **November 30, 2021** has been completed and will be filed with the State of New Jersey, Division of Local Government Services, Department of Community Affairs, Bureau of Authority Regulation, Local Finance Board pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires that the governing body of each authority, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "**General Comments**" and "**Recommendations**" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the **Stony Brook Regional Sewerage Authority** hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended **November 30, 2021**, and specifically has reviewed the sections of the audit report entitled “**General Comments**” and “**Recommendations**” and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Staff recommended approval of Resolution 2022-070, For Specifying Proprietary Replacement Parts for the Schwing Pumps. This resolution acknowledges that no manufacturers other than Schwing Bioset fabricate parts that are fully compatible with Schwing Pumps and that the parts are manufacturer specific. The current contract approved on August 23, 2021, by Resolution 2021-061, will expire on September 30, 2022.

Resolution 2022-070 was moved by Mr. Goldfarb, seconded by Mr. Morehouse, and passed by a roll call vote of 5 to 0. Resolution 2022-070 follows.

Resolution for Specifying Proprietary Replacement Parts for the Schwing Pumps

Resolution No: 2022-070

WHEREAS, the Stony Brook Regional Sewerage Authority (“Authority”) has determined that its existing Schwing Pumps will require parts replacement; and

WHEREAS, to the Authority’s knowledge, there are no manufacturers other than Schwing Bioset that fabricates parts that are fully compatible with Schwing Pumps; and

WHEREAS, to the Authority’s knowledge, the only parts that may be authorized for use in the Authority’s Schwing Pumps are manufacturer-specified parts; and

WHEREAS, it is the Authority’s experience that manufacturer specified Schwing Pump parts have superior operational performance due to their reliability and compatibility with Schwing Pumps; and

WHEREAS, the Authority has determined that Schwing Bioset - manufactured parts are of a “specialized nature” because of their unique ability to reliably convey thickened sludge through Schwing Pumps; and

WHEREAS, the use of parts other than those manufactured by Schwing Bioset will undermine the functionality and operational performance of the exiting Schwing pumps; and

WHEREAS, the Authority has a compelling need to specify the same manufacturer for its spare parts as the Original Equipment Manufacturer; and

WHEREAS, as authorized by N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1(a) 1.i and 2.i, the proprietary designation of Schwing Bioset-manufactured parts overshadows the public benefit of use of “brand name or equivalent”; and

WHEREAS, the Authority’s attorney has reviewed the proposed certification for the specialized nature of the proprietary equipment necessary for the conduct of SBRSA’s affairs and has advised of its applicability and acceptability pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1; and

WHEREAS, the Finance Director has certified funds are available in the 2022 Budget Spare Parts line account 5000-4525.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF STONY BROOK REGIONAL SEWERAGE AUTHORITY AS FOLLOWS:

1. That the Authority agrees that due to the specialized nature of the equipment necessary for the conduct of its affairs, the only acceptable manufacturer for its Schwing Pump replacement parts is the manufacturer of the equipment, Schwing Bioset of Somerset, WI.
2. Finance Director has certified funds are available in 2022 budget line account 5000-4525 titled “Parts”.
3. This resolution for proprietary equipment shall be made part of the bid documents.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
C. Schuyler Morehouse	X			
David Goldfarb	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Mr. Chong recommended approval of Resolution 2022-071, Introduction of the 2023 Authority Budget, which the Finance Committee reviewed on August 22, 2022. The proposed budget is for \$18,280,715, an increase of 8.75% from the prior year. The proposed participant charge is \$14,491,315, an increase of 5.21% from the prior year.

Mr. Goldfarb reported the 2023 Budget included an increase in interest income and sludge revenue to cover the difference of 3.5% of expenses. The participant charges were increased by approximately 0.4 or .0.6% in the current year. In addition, the projected increase in electricity,

natural gas, and general inflation is part of the significant increase in the participants' charges this year versus the past several years.

Mr. Goldfarb stated that after the Board members review the 2023 Budget, they can recommend changes before the next Board meeting.

Dr. Downey reported that the Finance Committee reviewed the 2023 Budget and has confidence that it is a responsible budget reflecting the many inflationary issues.

Resolution 2022-071 was moved by Mr. Goldfarb, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 5 to 0. Resolution 2022-071 follows.

2022 AUTHORITY BUDGET RESOLUTION

Stony Brook Regional Sewerage Authority Resolution #2022-071

FISCAL YEAR: 2023 FROM: December 1, 2022 **TO:** November 30, 2023

WHEREAS, the Annual Budget and Capital Budget for the Stony Brook Regional Sewerage Authority for the fiscal year beginning December 1, 2022 and ending November 30, 2023 has been presented before the governing body of the said Authority at its open public meeting on August 22, 2022; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$17,580,715, Total Appropriations, including any Accumulated Deficit if any, of \$18,280,715 and Total Unrestricted Net Position utilized of \$700,000; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 20,650,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$ 1,155,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Stony Brook Regional Sewerage Authority, at an open public meeting held on August 22, 2022 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the said Authority for the fiscal year beginning December 1, 2022 and ending November 30, 2023 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Stony Brook Regional Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption no later than October 24, 2022.

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Gale D. Downey	X			
C. Schuyler Morehouse	X			
David A. Goldfarb	X			
Bharat Patel				X
Pamela Switlik	X			
Miquel Vilaro-Munet	X			

610.14 Personnel Report

Ms. Pchola reported that an Operator VI had been hired, one (1) employee who is out on leave and five (5) vacancies.

610.15 Correspondence

For information only.

610.16 Old Business

Nothing to report.

610.17 New Business

Staff recommended approval of Resolution 2022-072, Authorize Award for Electric Supply Contract. Gabel & Associates, the energy agent, had advertised for refreshed bids on August 4, 2022. The Executive Director, acting on delegated Authority from Resolution 2021-116, has entered into an eight (8) month contract with the lowest bidder, Constellation NewEnergy, effective the first reading in September 2022 and terminates in April 2023.

A discussion took place regarding electric rates.

Resolution 2022-072 was moved by Mr. Vilaro-Munet, seconded by Mr. Morehouse, and passed by a roll call vote of 5 to 0. Resolution 2022-072 follows.

Resolution Awarding Contract for the Supply of Electricity

Resolution. No. 2022-072

WHEREAS, the cost of electricity is a major component of the Stony Brook Regional Sewerage Authority's (the "Authority") operating budget; and

WHEREAS, in an effort to reduce the cost of electricity, the Authority joined the New Jersey Sewerage and Municipal Utilities Authority Electrical Supply Aggregation ("NJMUAESA") for the purpose of consolidating the electricity supply demands of the group in order to obtain a lower price for the supply of electrical service; and

WHEREAS, in accordance with the regulations of the New Jersey Board of Public Utilities, the Authority is required to seek the purchase of its basic generation service for electricity from the open market in accordance with the provisions of the Local Public Contracts Law; and

WHEREAS, to that end the Authority, as part of the NJMUAESA Group, proceeded with the procurement of basic electric supply service through a competitive public bidding process on August 4, 2022 and

WHEREAS, Constellation NewEnergy, LLC (CNE) was the lowest bidder for an eight-month (8-month) contract term from the September 2022 meter read at a fixed rate in the amount of \$0.11226 per kilowatt hour ("kWh") for the PSE&G LPLP tariff accounts; CNE was the lowest bidder for an eight-month (8-month) contract term from September 2022 meter read at a fixed rate in the amount of \$0.11699 per kWh for PSE&G LPLP Solar; and

WHEREAS, funds are provided for these purposes from General Operating Funds.

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority as follows:

1. Antonia Pchola, Executive Director, through Resolution 2021-116 is authorized to execute an Electric Supply Service Agreement with Constellation NewEnergy, LLC, to provide electric generation service and transmission to the Authority, for an 8-month price of \$0.11226 per kWh for the "PSE&G LPLP" accounts and an 8-month price of \$0.11699 per kWh for "PSE&G LPLP Solar". This agreement shall be effective from the commencement date (first meter read date in September 2022) until the termination date (first meter read date in April 2023).
2. A copy of the Resolution shall be available for public inspection at the office of the Authority.

3. Notice of Contract Award shall be published as required by law within ten (10) days of its execution.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Staff recommended approval of Resolution 2022-073, Authorize Award for Supply of Magnesium Hydroxide Contract. The Authority advertised for competitive bidding and bids were opened on August 2, 2022. Staff recommends awarding the lowest responsible bidder, Premier Magnesia, a twelve-month (12) contract effective October 1, 2022, for a total price of \$462,000.

Resolution 2022-073 was moved by Mr. Goldfarb, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 5 to 0. Resolution 2022-073 follows.

Resolution Awarding Contract for the Supply of Magnesium Hydroxide

Resolution No: 2022-073

WHEREAS, Stony Brook Regional Sewerage Authority (the “Authority”) advertised for the receipt of sealed competitive bids in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. for the supply of Magnesium Hydroxide; and

WHEREAS, the following sealed bids were received by the Authority on August 22, 2022, as more fully set forth as follows:

	<u>12-Month</u>	<u>24-Month</u>
Premier Magnesia LLC.	\$770.00/ton /\$462,000.00	No 24-Month Bid
	TOTAL = \$462,000.00	

WHEREAS, the Authority has determined that the bid of Premier Magnesia, LLC, is the lowest responsive bid; and

WHEREAS, the bidder, Premier Magnesia, LLC, submitted a bid in the amount of \$770.00 per ton for a twelve-month contract for a one-year total of \$462,000.00; and

WHEREAS, the bid has been reviewed by the Authority to determine compliance with the bid specifications in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. and has been determined to be in order; and that the Authority can waive informalities or defects in bids, as may be permitted by law if it is deemed in the best interest of the Authority to do so; and

WHEREAS, the Finance Director has certified funds are available in the 2022 budget for Magnesium Hydroxide in line account 3000-4522. Only amounts for the 2022 budget year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated; and

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority, as follows:

1. The Authority waives all immaterial defects, if any, contained in the bid of Premier Magnesia, LLC for the supply of Magnesium Hydroxide.

2. The Authority hereby awards a twelve-month contract to Premier Magnesia, LLC, the lowest responsible bidder, for the supply of Magnesium Hydroxide in the estimated amount of **\$462,000.00**; and the Executive Director is authorized to execute a contract with Premier Magnesia, LLC upon receipt of the signed contract and all required documents.

3. All bid security, except the security for the next apparent lowest bidder, shall be returned within ten (10) days after the opening of the bids, Sundays and holidays excepted. Within three (3) days, Sundays and holidays excepted, after the awarding and execution of the contract and approval of the contractor’s performance bond, the bid security of the remaining unsuccessful bidder shall be returned.

4. The Authority’s staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to effectuate the terms and conditions of this resolution.

5. This resolution shall take effect immediately.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Miguel Vilaro-Munet	X			
Pamela Switlik	X			

610.18 Open to the Public

Chairman Downey opened the public portion of the meeting, hearing no comments from the public; the public portion of the meeting was closed at approximately 7:40 p.m.

610.19 Executive Session

Dr. Downey asked for a motion on amended Resolution 2022-074, Authorizing Closed Session Pursuant to the Open Public Meetings Act to Discuss Issues Regarding Attorney/Client Privilege

with Regard to Issues Related to the Draft EPA Consent Decree and the Closeout of Contract 17-1 Pennington WWTP Upgrade and Expansion.

Resolution 2022-074 was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 5 to 0. Resolution 2022-074 follows.

Resolution Authorizing Closed Session Pursuant to the Open Public Meetings Act to Discuss Issues Regarding Attorney/Client Privilege with Regard to Issues Related to the Draft EPA Consent Decree and the Closeout of Contract 17-1 Pennington WWTP Upgrade and Expansion

Resolution No. 2022-074

BE IT RESOLVED by the Stony Brook Regional Sewerage Authority ("Authority") on this 22nd day of August 2022, as follows:

1. In accordance with the Open Public Meetings Act, the Authority shall adjourn to executive session in accordance with N.J.S.A. 10:4-12(b)(7), in order to discuss issues regarding Attorney/Client Privilege with regard the Draft EPA Consent Decree and the Closeout of Contract 17-1 Pennington WWTP Upgrade and Expansion.
2. The minutes of the executive session shall be available to the public upon the issuance of an unappealable Order of a Court of competent jurisdiction; upon settlement of all issues in the matter; or the failure to institute litigation after the passage of reasonable time.
3. This Resolution shall take effect as provided by law.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

610.20 Report of Executive Session

A discussion took place regarding the issues related to the draft Consent Decree and the closeout of Contract 17-1 Pennington WWTP Upgrade and Expansion project.

Return to Public Session

The Board returned to Public Session at 8:07 p.m.

610.21 And such other issues as may come before the Board

There was nothing to report.

610.22 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:08 p.m. on a motion by Ms. Switlik seconded by Mr. Morehouse and passed by unanimous vote.

Respectfully Submitted,

Antonia Pchola
Secretary

Recorded and Written by
Angela Christiano
September 1, 2022