

Minutes of Meeting No. 611, September 8, 2022 – Stony Brook Regional Sewerage Authority

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

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

MEMBERS ABSENT:

CONSULTANTS: Alexander

STAFF PRESENT: Pchola

611.01

Chairman Downey opened the Special Meeting at 6:00 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.

611.02 Open to the Public

Chairman Downey opened the public portion of the meeting at 6:00 p.m., hearing no comments from the public; the meeting continued as scheduled.

611.03 Executive Session

Dr. Downey asked for a motion on Resolution 2022-075, Authorizing Pursuant to the Open Public Meetings Act to Discuss Issues Regarding Attorney/Client Privilege and/or Pending or Threatened Litigation with Regard to Issues Related to the Draft EPA Consent Decree.

Resolution 2022-075 was moved by Mr. Vilaro-Munet, seconded by Mr. Patel, and passed by a roll call vote of 6 to 0. Resolution 2022-075 follows.

Resolution Authorizing Closed Session Pursuant to the Open Public Meetings Act to Discuss Issues Regarding Attorney/Client Privilege and/or Pending or Threatened Litigation with Regard to Issues Related to the Draft EPA Consent Decree

Resolution No. 2022-075

BE IT RESOLVED by the Stony Brook Regional Sewerage Authority ("Authority") on this 8th day of September 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 and/or pending or threatened litigation with regard to issues related to the Draft EPA Consent Decree.
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			

611.04 Report of Executive Session

A discussion took place regarding the issues related to the E.P.A. penalty.

Return to Public Session

The Board returned to Public Session at 6:10 p.m.

Mr. Morehouse motioned to accept the modification EPA/DEP penalty assessment based on our negotiations with the same and authorizing the SBRSA attorney, Ms. Alexander, and to notify the U.S. Attorney of that fact, as discussed at our special meeting on September 8, 2022. The motion was seconded by Mr. Patel and passed by a unanimous vote.

Dr. Downey indicated that staff had a meeting with EPA/DEP regarding the draft Consent Decree and are closer to an agreement. The most recent draft of the Consent Decree was sent to all the Board members on September 1, 2022. Mr. Goldfarb provided comments on the draft Consent Decree. Mr. Vilaro-Munet requested a copy of the previous drafts of the Consent Decree.

Dr. Downey indicated that the EPA had set a deadline to resolve all issues with Mr. Doelling by September 20, 2022. Dr. Downey requested that Ms. Alexander request an extension to the end of September 2022 since the Executive Director, Ms. Pchola, will be out of the office for two weeks.

611.05 And such other issues as may come before the Board

There was nothing to report.

611.06 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 6:20 p.m.

Respectfully Submitted,

Antonia Pchola
Secretary

Recorded and Written by
Angela Christiano
September 9, 2022