

Minutes of Meeting #600, December 13, 2021 – Stony Brook Regional Sewerage Authority

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

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

MEMBERS ABSENT: Goldfarb, Patel

CONSULTANTS: Alexander

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

600.01

Chairman Downey opened the regularly scheduled meeting at 7:00 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.

Public Hearing

The Public Hearing to receive comments regarding the Authority's proposed Rate Schedule for the receipt and treatment of outside liquid sludge, sludge cake, septage, gray water, and special waste in the fiscal year 2022 was declared opened at 7:02 p.m. by Chairman Downey. A Certified Court Reporter was present to record the proceedings.

Ms. Pchola stated that the 2022 Rate Schedule has the following changes. The rates for liquid sludge have been increased by \$1.00 for each category. The rates for sludge cake have also increased by \$1.00 for each category. All other rates remain the same as last year.

Chairman Downey asked for questions or comments from the public. As there were none, Chairman Downey closed the Public Hearing at 7:03 p.m. on a motion by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a unanimous vote.

**2022 RATE SCHEDULE
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the **STONY BROOK REGIONAL SEWERAGE AUTHORITY** on Monday, December 13, 2021 at 7:00 p.m. in the Conference Room, Operations Building, 290 River Road, Princeton, New Jersey

I.	Liquid Sludge													
	Percent Solids	ANNUAL COMMITTED VOLUME PER SOURCE:			Uncommitted Contract									
		Over 1 Million	0.5 - 0.99 Million	Up to 0.5 Million										
	0.0% - 5.5%	\$ 55	\$ 63	\$73	\$ 83									
5.5% - 7.0%	\$ 73	\$ 83	\$ 88	\$103										
<p>Notes:</p> <ol style="list-style-type: none"> 1) All cost quotes are in dollars per 1000 gallons. 2) Effective Date and Terms of Revised Schedule: These rates are in effect for calendar year 2022. See below additional discounts on longer-term contracts. 3) Discounted Items: Deduct \$2/1000 gallons for all quantities delivered in excess of 2.5 million gallons during 2022. 4) Sludge which has volatile solids between 40 and 49.9% will be surcharged \$5/1000 gallons. Sludge below 40% volatile solids is not accepted. 5) Pursuant to N.J.S.A. 40:14A-23, contracts between public entities may be negotiated. 														
II.	<p>Sludge Cake</p> <ol style="list-style-type: none"> a. \$63/Cubic Yard (14 - 22% Solids) b. \$61/Cubic Yard (22.1 - 30% Solids) c. \$2/Cubic Yard discount for Saturday/Sunday deliveries <p>Note: Pursuant to N.J.S.A. 40:14A-23, contracts between public entities may be negotiated.</p>													
III.	<p>Septage</p> <table border="0" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Gallons</th> <th style="text-align: center;">All gallons Billed at</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0 - 200,000</td> <td style="text-align: center;">\$62</td> </tr> <tr> <td style="text-align: center;">200,000 - 400,000</td> <td style="text-align: center;">61</td> </tr> <tr> <td style="text-align: center;">400,000 - 800,000</td> <td style="text-align: center;">59</td> </tr> <tr> <td style="text-align: center;">800,000 - 1,200,000</td> <td style="text-align: center;">57</td> </tr> </tbody> </table> <p>Note: All cost quotes are in dollars per 1,000 gallons. Pursuant to N.J.S.A. 40:14A-23, contracts between public entities may be negotiated.</p>				Gallons	All gallons Billed at	0 - 200,000	\$62	200,000 - 400,000	61	400,000 - 800,000	59	800,000 - 1,200,000	57
Gallons	All gallons Billed at													
0 - 200,000	\$62													
200,000 - 400,000	61													
400,000 - 800,000	59													
800,000 - 1,200,000	57													
IV.	<p>Gray Water</p> <p align="center">\$32</p> <p>Note: All cost quotes are in dollars per 1,000 gallons.</p>													
V.	<p>Special Waste (Industrial Users)</p> <ol style="list-style-type: none"> a. Flow Charge is \$0.9/1000 gallons b. Site Remediation flow charge from landfill or groundwater remediation projects is \$1.80/1000 gallons 													
VI.	<p>High Strength User Surcharges:</p> <ol style="list-style-type: none"> a. Biochemical Oxygen Demand (over 300 mg/l) - Suspended b. Total Suspended Solids (over 300 mg/l) - Suspended c. Ammonia Nitrogen (over 40 mg/l) - Suspended 													

Further information regarding this hearing may be obtained by contacting the **Stony Brook Regional Sewerage Authority** office (609) 924-8881.

Antonia Pchola
Secretary

600.02 Approval of Minutes

Ms. Pchola noted the changes to the November 15, 2021, draft Board Meeting minutes. The revised minutes were approved by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 4 to 0.

600.03 Open to the Public

Chairman Downey opened the public portion of the meeting at 7:04 p.m. hearing no comments from the public; the meeting continued as scheduled.

600.04 Board Related Activities

Ms. Pchola stated there is one (1) consultant contract to be awarded that will be mentioned in the Construction section and discussed in the Finance section.

Resolution 2021-107, Adoption of the 2022 Rate Schedule was moved by Mr. Vilaro-Munet, seconded by Mr. Morehouse, and passed by a roll call vote of 4 to 0. Resolution 2021-107 follows.

Resolution to Adopt the 2022 Rate Schedule

Resolution No. 2021-107

WHEREAS, the Stony Brook Regional Sewerage Authority (hereinafter the Authority or SBRSA) is authorized by the Sewerage Authorities Law, and particularly N.J.S.A. 40:14A-7(11), to make and enforce rules and regulations for the management and regulation of its affairs and for the use, maintenance and operation of the sewerage system of the Authority, and to amend the same from time to time; and

WHEREAS, the Authority is authorized, when necessary and desirable, pursuant to N.J.S.A. 40:14A-8, to charge and collect rents, rates, fees or other charges in the nature of use or service charges, based or computed on various factors or on any combination of any such factors, and may give weight to the characteristics of the sewage and other wastes and any other special matter affecting the cost of treatment and disposal thereof, including chlorine demand, biochemical oxygen demand, concentration of solids and chemical composition [N.J.S.A. 40:14A-8(b)]; and

WHEREAS, the Authority desires to establish a Rate Schedule for 2022 so as to provide for the direct assessment and recovery of charges to Users discharging liquid sludge, sludge cake, septage, gray water, special wastes (Industrial Users) and high strength wastewater surcharges, as set forth in the 2022 Rate Schedule, attached hereto; and

WHEREAS, a notice of the 2022 Rate Schedule was published in accordance with the requirements of N.J.S.A. 40:14A-8, and public hearing held via teleconference on December 13,

2022, at 7:00 p.m., at which time the Authority solicited public comment on the proposed rate schedule.

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

1. The 2022 Rate Schedule, attached as Exhibit A hereto and made a part hereof, is hereby adopted. Any and all bills issued by the Authority by reason of this regulation shall be due and payable by the recipient within 30 days of the date thereof upon the failure of which the Authority shall be authorized to assess interest at the rate then in effect pursuant to N.J.S.A. 40:14A-21.
2. If any provision of this resolution or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision of the resolution and to this end the provisions of this resolution are declared to be severable.
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			

Resolution 2021-108, Designation of Official Newspaper of the Stony Brook Regional Sewerage Authority, was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 4 to 0. Resolution 2021-108 follows.

**Resolution Designating the Official Newspaper of the
Stony Brook Regional Sewerage Authority**

Resolution No. 2021-108

WHEREAS, The Open Public Meetings Act, Chapter 231 of the Laws of 1975, and more specifically, N.J.S.A. 10:4-8, requires that all public bodies at least once a year shall designate two newspapers to receive advance notice of Public Meetings, one of which shall be designated the official newspaper;

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

1. The designated newspapers of the Authority are:
 - A. The Times of Trenton (Trenton Times)
 - B. Princeton Packet

2. The official newspaper of the Authority is The Times of Trenton (Trenton Times).
3. The Executive Director is authorized to:
 - A. Forward a copy of this Resolution to two newspapers, one of which shall be the official newspaper of the Authority.
4. 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			

Resolution 2021-109, Setting Regular Meeting Dates for Stony Brook Regional Sewerage Authority for Calendar Year 2022 in Accordance with the Provisions of the Open Public Meeting Act, was moved by Mr. Vilaro-Munet and seconded by Mr. Morehouse.

A discussion took place regarding the 6:30 p.m. meeting start time and remote access to the meetings. The Board members agreed that any public member who plans to attend the meetings must have been COVID boosted. Masks must be worn when attending the meetings.

Resolution 2021-109 was passed by a roll call vote of 4 to 0. Resolution 2021-109 follows.

Resolution Setting Regular Meeting Dates for Stony Brook Regional Sewerage Authority for Calendar Year 2022 in Accordance with the Provisions of the Open Public Meetings Act

Resolution No. 2021-109

BE IT RESOLVED by the Stony Brook Regional Sewerage Authority:

1. That the regular meeting day of the Authority be held on the fourth Monday of each month, except in September, when the meeting will be held on the third Monday, and November and December when the meeting will be held on the second Monday of the month.
2. That the following dates are established as the regular meeting dates of the Stony Brook Regional Sewerage Authority in the calendar year 2022:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
JANUARY 24, 2022	6:30 PM	290 River Rd, Princeton, NJ
FEBRUARY 28, 2022	6:30 PM	290 River Rd, Princeton, NJ
MARCH 28, 2022	6:30 PM	290 River Rd, Princeton, NJ
APRIL 25, 2022	6:30 PM	290 River Rd, Princeton, NJ
MAY 23, 2022	6:30 PM	290 River Rd, Princeton, NJ
JUNE 27, 2022	6:30 PM	290 River Rd, Princeton, NJ
JULY 25, 2022	6:30 PM	290 River Rd, Princeton, NJ

AUGUST 22, 2022	6:30 PM	290 River Rd, Princeton, NJ
SEPTEMBER 19, 2022	6:30 PM	290 River Rd, Princeton, NJ
OCTOBER 24, 2022	6:30 PM	290 River Rd, Princeton, NJ
NOVEMBER 14, 2022	6:30 PM	290 River Rd, Princeton, NJ
DECEMBER 12, 2022	6:30 PM	290 River Rd, Princeton, NJ

All meetings can be attended in person at the Stony Brook Regional Sewerage Authority office located at 290 River Rd, Princeton, NJ 08540, or by teleconference by calling in to the following number: 470-745-0614 PIN 113564698 #. If attending by teleconference, instructions for making a public comment will be provided at the beginning of the meeting.

3. That for the purposes of public inspection, a copy of this Resolution shall be forthwith:
 - (a) Posted on the Princeton Municipal Building bulletin board and remain so posted throughout 2022;
 - (b) Mailed to the Trenton Times, Princeton Packet, Home News Tribune, Hopewell Valley News and Town Topics
 - (c) Posted on the Stony Brook Regional Sewerage Authority website www.sbrsa.org;
 - (d) Filed with the Clerks of Hopewell Borough, Hopewell Township, Pennington Borough, Princeton, South Brunswick Township and West Windsor Township;
 - (e) Mailed to those persons who have requested and paid any required charge for copies of the schedule and revision thereto and shall be promptly mailed to those persons who shall hereafter make such request and prepay such charge by the Stony Brook Regional Sewerage Authority at their Board Meeting on December 13, 2021.

<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			
Miquel Vilaro-Munet	X			

600.05 Planning and Administration

Ms. Pchola reported that the most current 12-month average daily flow at the River Road WWTP is 10,148,888 gpd with 1,278,066 gpd of inoperative flow, leaving an available capacity of 1,633,046 gpd. The current 12-month average daily flow at the Hopewell WWTP is 265,633 gpd with 0 gpd of inoperative flow, leaving an available capacity of 34,367 gpd. The current 12-month average daily flow at the Pennington WWTP is 280,832 gpd with 25,234 gpd of inoperative flow, leaving an available capacity of 138,934 gpd.

Ms. Pchola reported W. G. Malden performed the meter certifications on December 1, 2021. All flow meters were within ±5%.

Ms. Pchola reported that West Windsor Township was performing a Cured-in-Place Pipe (CIPP) Lining of the sewer pipe immediately upstream of Meter Station No. 7 on November 16 and 17, 2021. The wastewater upstream of Meter Station No. 7 bypassed the flume during the project, and steam resulting from the curing process also interfered with the flow meter resulting in false flow readings on November 16 and 17, 2021. Flows for November 16 and 17, 2021, were substituted with the average flow from the day before, November 15, 2021, and the day after November 18, 2021. The completion of the CIPP process ended with releasing approximately 120,000 gallons of water used to cure the lining into the downstream flume. The volume of released water was measured by the Meter Station No. 7 flow meter and added to the November 17, 2021, calculated average daily flow.

Ms. Pchola reported that during November 2021, the Princeton Farms Meter Station experienced intermittent loss of flow and totalizer data. On November 5, 2021, a block of missing data occurred between the hours of 09:00-14:30. During this outage, the totalizer reset itself. Staff added the two partial totalizers together and scaled the missing data proportional to the previous day's trending. On November 13, 2021, a loss of flow and totalizer data started at approximately 14:00 and continued until approximately 09:00 on November 15, 2021. Since partial data was available on November 13th and 15th, the missing data for these days was scaled proportional to November 12, 2021, trending and included in the adjustment to the flows for those days. The November 14, 2021, flows were substituted with the average of the flow from November 12, 2021, and November 16, 2021.

Ms. Pchola reported that the Summary of the Meter Summation vs. River Road WWTP Influent Meter indicated a difference of 8.70%, with the River Road WWTP Influent Meter reading higher.

600.06 Approval Requests and Actions

Mr. Doelling reported there are two (2) TWA applications for approval.

Mr. Doelling reported that Van Note Harvey, the Owner's Engineer, submitted a TWA application for the Graduate Hotel for the re-use and partial re-construction of 20 Nassau Street in downtown Princeton. The existing building site, consisting of a rectangular 5-story above grade building facing Nassau Street and two integrated 3-story segments on Chambers Street, will be partially reconstructed and reused as a proposed 5-story hotel including retail space and onsite parking within the lower portion of the building.

The proposed development will result in a projected sewage flow of 21,188 gpd. The project has received Planning Board and Township Engineer approval.

Staff recommended approval of Resolution 2021-119, Authorizing Endorsement of Application for Treatment Works Approval Statement of Consent for Sanitary Sewer Improvements for Graduate Hotel (20 Nassau St.); Block 19.02, Lots 17, 18, 19, & 20; Municipality of Princeton, Mercer County.

Resolution 2021-119 was moved by Mr. Vilaro-Munet, seconded by Ms. Switlik, and passed by a roll call vote of 4 to 0. Resolution 2021-119 follows.

**Resolution Authorizing Endorsement of Application for Treatment Works Approval
Statement of Consent for Sanitary Sewer Connection for
Graduate Hotel (20 Nassau St.);
Block 19.02, Lots 17, 18, 19, & 20;
Municipality of Princeton, Mercer County**

Resolution No. 2021-119

WHEREAS, an application for Treatment Works Approval has been submitted to Stony Brook Regional Sewerage Authority (SBRSA) by Van Note-Harvey Associates on behalf of GPNJ Owner LLC for the re-use and partial re-construction of 20 Nassau Street in downtown Princeton; and

WHEREAS, the applicant proposes sanitary sewer service to a 5-story hotel including retail space and onsite parking within the lower portion of the building for an increase in projected sanitary flow rate of 21,188 gallons per day (gpd); and

WHEREAS, the proposed sanitary flow will connect using the existing building lateral pipe; and

WHEREAS, the project is more particularly described in the Treatment Works Approval Permit Application on file at the office of the SBRSA; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification by the Wastewater Treatment Facility Owner, that the committed flow does not exceed the presently permitted design capacity and with the additional flow proposed by this application; and

WHEREAS, SBRSA has reviewed the application based on the requirements of N.J.A.C. 7:14A-23.3 Projected Flow Criteria, and the flow associated with this application is 21,188 gpd; and

WHEREAS, this project has been approved by the Princeton Zoning Board of Adjustment (Findings of Fact dated March 24, 2021); and

WHEREAS, this project has been endorsed by the Sewer Engineer on Form WQM-003 Consent by Governing Body; and

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

Stony Brook Regional Sewerage Authority recommends approval of the Treatment Works Approval application for the proposed allocation of 21,188 gpd.

The Executive Director of SBRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 in accordance with the SBRSA Resolution adopted August 21, 1984.

BE IT FURTHER RESOLVED by the Stony Brook Regional Sewerage Authority that the approval shall remain in effect as stipulated in SBRSA’s Revised Resolution Affirming Terms for Approvals for TWA-1 Sewer Extension Applications as Amended 11/26/01.

<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			

The seconded TWA application submitted is for the Princeton Junction Train Station Redevelopment; Block 6, Lots 8, 54, 55.01 & 76; West Windsor Township, Mercer County.

West Windsor Township proposes a mixed-use redevelopment that will include townhouses, mixed-use buildings, a condominium building, a senior living facility, and associated amenities. The proposed development will connect to an existing 24-inch sanitary sewer main on Washington Road.

The proposed development will result in an increase of 183,126 gpd of sewage flow. The project has received Planning Board and Township Engineer approval.

Staff recommended approval of Resolution 2021-120, Authorizing Endorsement of Application for Treatment Works Approval Statement of Consent for Sanitary Sewer Improvements for Princeton Junction Train Station Redevelopment; Block 6, Lots 8, 54, 55.01 & 76; West Windsor Township, Mercer County.

Resolution 2021-120 was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 4 to 0. Resolution 2021-120 follows.

**Resolution Authorizing Endorsement of Application for Treatment Works Approval
Statement of Consent for Sanitary Sewer Improvements for
Princeton Junction Train Station Redevelopment;
Block 6, Lots 8, 54, 55.01 & 76; West Windsor Township, Mercer County**

Resolution No. 2021-120

WHEREAS, an application for Treatment Works Approval has been submitted to Stony Brook Regional Sewerage Authority (SBRSA) by the Township of West Windsor for construction of sanitary sewer service to the Princeton Junction Train Station Redevelopment project; and

WHEREAS, the Township of West Windsor proposes the construction of a mixed-use redevelopment that will include townhouses, mixed-use buildings, a condominium building, a senior living facility and associated amenities; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires the certification by the Wastewater Treatment Facility Owner, that the committed flow does not exceed the presently permitted design capacity and with the additional flow proposed by this application; and

WHEREAS, SBRSA has reviewed the application and calculated the projected flow based on the requirements of the N.J.A.C. 7:14A-23.3 Projected Flow Criteria, and the flow calculated based on this criteria is 183,126 gpd; and

WHEREAS, this flow rate was approved for this project by the West Windsor Township Council at its November 30, 2021, meeting (Resolution 2021-R183a); and

WHEREAS, this project was approved by the West Windsor Township Planning Board on October 13, 2021 and endorsed by the Township Engineer on Form WQM-003, Consent by Governing Body; and

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

Stony Brook Regional Sewerage Authority recommends approval of the Treatment Works Approval application for the proposed allocation of 183,126 gpd in accordance with the N.J.A.C. Projected Flow Criteria.

The Executive Director of SBRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 in accordance with the SBRSA Resolution adopted August 21, 1984.

BE IT FURTHER RESOLVED by the Stony Brook Regional Sewerage Authority that the approval shall remain in effect as stipulated in SBRSA's Revised Resolution Affirming Terms for Approvals for TWA-1 Sewer Extension Applications as Amended 11/26/01.

<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			

A discussion occurred regarding the downstream communities. The concern is that our available capacity will quickly diminish with these large development projects. The Board recommended sending letters to the downstream communities asking them to consider implementing projects to address Inflow and Infiltration (I/I) in their communities.

A discussion took place about Princeton University's request for flow over the next five (5) years and River Road WWTP incremental future expansion.

Mr. Doelling reported that staff received a letter dated November 22, 2021, regarding a request to modify the Mercer County Water Quality Management Plan (WQMP) to include the property on 106 Hopewell-Rocky Hill Road located in Hopewell Township. The single-family homeowner is requesting to connect to the Hopewell WWTP. The letter was provided in the report.

Mr. Doelling reported that the letter was addressed to SBRSA, Hopewell Township, and Hopewell Borough and not to Mercer County.

The Board agreed that this property will be discussed at a future Board meeting if the request is made to Mercer County to be included in the sewer service area.

Mr. Doelling reported that the allocation of flows have been updated to include the Wilson Farm located in South Brunswick with a projected flow rate of 37,666 gpd and the Heritage at West Windsor with a projected flow rate of 75,250 gpd.

Mr. Doelling reported that Princeton University responded to SBRSA's concern regarding the proposed blasting associated with the Lake Campus project in the letter dated December 3, 2021. The letter was provided in the report.

At the request of SBRSA staff, Vibra-Tech, Inc., has submitted a proposal to assist SBRSA with establishing vibration limits and monitoring for the Lake Campus blasting. Vibra-Tech has provided the required Pay-to-Play forms and NJ Business Registration Certificate. Staff recommends approval of the contract for \$30,000. Staff is working to create a SBRSA managed escrow account, funded by Princeton University, to pay Vibra-Tech and pay for damages, should they occur. Resolution 2021-121, Authorizes the award of a "No Political Contributions Allowed" Contract for 2022 General Advice from Vibra-Tech Engineers, Inc. and further authorizes execution of an agreement for Escrow for the costs of the same, and will be recommended for approval in the Finance Section.

Princeton University will be performing test blasting on the Lake Campus on December 14 and 16, 2021. A single blast will be scheduled each day. The test blast scheduled for December 14, 2021, will be located on the east side of campus, towards Lower Harrison Street. The second test blast scheduled for December 16, 2021, will be located towards the north part of campus, along Nursery Drive and the future site of the racquet center. The test blast sites are located more than 200-feet away from the closest utilities. The test blast information will be utilized to prepare a final blast plan. A follow-up meeting to discuss the blast plan and associated work is being planned.

600.07 Regulatory Report

There were no 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 October 2021 were submitted with no violations reported.

The November 2021 DMRs are currently being prepared.

Residuals Discharge Monitoring Report (RDMR)

The September 2021 RDMRs were submitted to NJDEP. All River Road parameters were compliant with the Air Permit requirements.

The October 2021 RDMRs are currently being reviewed.

Air Reporting

On November 23, 2021, a commercial power outage occurred while operating Incinerator No. 1 with the RTO. As a result, sludge feed stopped, and the emergency bypass opened. The emergency generator started but immediately proceeded to cool down because commercial power was restored. The emergency bypass was open for 12 minutes. An affirmative defense was prepared by staff and submitted to NJDEP on December 8, 2021. The emergency bypass has been open for a total of 28 minutes during the three events thus far in 2021.

Staff contacted our new PSEG representative to determine the cause of the commercial power outage. PSEG reported that: “an adjacent circuit out of the same substation was impacted by a tree branch that fell on the bare wire.”

Miscellaneous

Staff attended the remote AEA NJPDES Committee Meeting on December 6, 2021. The major topic of discussion was PFAS, PFOA, PFAN, etc., and impending future regulatory requirements for wastewater treatment plants. Although there currently are no criteria for surface water dischargers, members of the Committee indicated that NJDEP seems to be moving quickly on this issue. Implications could mean permit monitoring requirements followed by limits sometime in the future.

600.08 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 December 7, 2021, Stony Brook Regional Sewerage Authority has gone 358 days without any “Lost Time” accident.

Kleinfelder Annual Inspection Reports

The Kleinfelder Annual Inspection Report Priority 1 and Priority 2 Tracking Lists have been updated and are attached to this report.

Air Quality Testing

Guardian Power Cleaning completed the cleaning of the Operations Building ductwork on November 19, 2021. The ductwork cleaned included the lower floor administration offices, second level administration offices, conference room, laboratory, and locker room.

Training

On November 29, 2021, five (5) employees attended aerial lift safety.

The 2021 Spill Prevention Control and Countermeasures certification (SPCC) training is scheduled for the week of December 13, 2021. The SPCC certification will be completed shortly afterwards.

Inspections

The Annual Fire Alarm Inspection of River Road WWTP and Princeton Pump Station was completed on November 22, 2021. Staff is waiting for the report.

The Hopewell Township Fire Inspections were completed at the Pennington and Hopewell WWTPs on November 8, 2021. Staff is waiting for the report. Preliminary items mentioned during the inspection include repair of the Pennington electrical and fire alarm systems (due to Tropical Storm Ida), replacement of a junction box cover at the Pennington filter room basement, removal of extension cords for the Pennington chemical addition system, installation of Knox Boxes at each plant gate, installation of fuel oil AST hazard diamonds at each plant and updating Safety Data Sheets (SDS) paperwork for each plant.

Survivor Fire completed the annual Fire Extinguisher inspection on November 11, 2021. Several extinguishers were temporarily replaced, and staff awaits the return of the re-charged and hydro tested extinguishers.

The annual boiler inspections for the River Road, Hopewell, and Pennington Plants were completed in 2021.

The annual Veedor-root inspection for the three (3) underground fuel-oil storage tanks has been postponed. Staff is waiting for Crompco to provide a rescheduled date.

Miscellaneous

There were two (2) reports of employee exposure to COVID-19 during this reporting period. The employees were instructed to quarantine until they can provide a negative COVID test.

600.09 Litigation

The Attorney/Client Privileged portion of the Litigation Report was held until the Executive Session.

There were no Board member comments. The following Litigation Report updates are included in the meeting minutes for information.

Stony Brook Regional Sewerage Authority vs. New Jersey Department of Environmental Protection, Docket No. ELU 14426-17 (NJPDES Permit Appeal) and EER-WQ 11445-18 (Permit Modification Appeal) (Consolidated) (River Road STP)

A Request for an Adjudicatory Hearing was submitted contesting the Nitrates seasonal effluent limitations established, and contesting the rejection of additional requested revisions, including SBRSA's request for the reinstatement of the permit condition addressing the use of the plant Blending line.

River Road Title V Air Permit

A follow up meeting of the attorneys involved in the matter was held on October 26, 2021, wherein the comments previously submitted by SBRSA regarding the Consent Decree were discussed. **A response to questions regarding mercury SQAR and stack monitoring, submitted by USEPA as a result of the October 26, 2021, meeting, was submitted to USEPA on December 7, 2021. Additional information regarding the penalty assessment has not yet been received. No date has been set for the next meeting with USEPA, NJDEP, and USDOJ.**

600.10 Operations Report

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

River Road Facility

The River Road Facility operated well during this reporting period.

On November 15, 2021, we switched the Incinerator over to the Afterburner so the Regenerative Thermal Oxidizer (RTO) inspection could be performed. After the inspection, staff switched back to the RTO on November 17, 2021. Durr performed the inspection.

On December 1, 2021, staff switched the Incinerator over to the Afterburners to replace the RTO forced draft fan. We will utilize the Afterburner through the week of December 6, 2021, so that the RTO diverter valve can be replaced. BR Welding will conduct this work.

On December 3, 2021, Gravity Sludge Thickener #3 was taken off-line for cleaning and inspection.

Upstream Facilities

Both Upstream Facilities operated well during this reporting period.

On November 15, 2021, the Operator at the Hopewell WWTP reported that the influent flow had a sheen on top and smelled like gasoline. Staff notified the Hopewell Borough Department of Public Works and the Hopewell Township Department of Public Works. Both Departments reported back, informing us that their investigation revealed nothing out of the ordinary. The substance stopped entering the treatment plant at approximately 18:30 hours that same day. The following day, testing showed low ammonia levels in our effluent, indicating that the substance did affect the nitrifying bacteria; however, we did not exceed our winter ammonia limits. On November 16, 2021, two seed loads were brought from the River Road WWTP to the Hopewell Facility. The effluent ammonia had dropped back down to its normal low levels within eight hours. The NJDEP Hotline was called to report the incident and to inform them that no effluent discharge violations occurred because of this incident.

The contractor, CMS, continues to work on completing the punch list items at the Pennington Facility.

Odor Report

Staff received one (1) odor complaint during November 2021. There were no odor complaints during the partial month of the December 2021 reporting period. Staff will report the final December number in the January 2022 report.

Customer Sludge Deliveries

The reported quantity of liquid sludge was 0.2% below the budgeted amount, sludge cake was 7% above the budgeted amount, and gray water was 39% below the budgeted amount for November 2021.

Dr. Downey stated that the Odor Task Force met in early November. The nearby neighbor reporting the odor complaint visited SBRSA. The neighbor identified the odors coming from the MA Clarifiers and the Headworks Building.

A discussion took place regarding possible options to mitigate the odors.

600.11 Maintenance

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

During our monthly generator load test at the Princeton Pump Station on November 2, 2021, an issue with the starting batteries occurred upon startup. The negative terminal on one of the batteries had begun to heat up and melt. The generator was immediately shut down and removed from service. P3 Generators, who services the Princeton Pump Station Generator was called in to replace the existing batteries with a new set. Once replaced, the generator was then tested to confirm a proper test cycle and to ensure there were no other issues. Once the test was completed the generator was placed on standby. The generator was out of service for approximately six hours, and a Hot Line Call was placed for that period.

The Operations Department reported that the Magnesium Hydroxide System was showing signs of poor performance on November 9, 2021. Upon further inspection, it was decided to replace all the PVC valving, tubing, and one-inch supply lines due to the chemical buildup in the lines. The Magnesium Hydroxide System was temporarily shut down for several hours to make the necessary repairs. All parts were supplied from inventory. Once the installation was completed the system was tested for proper operation and placed back into service.

Schwing No. 4 was removed from service on November 10, 2021, due to insufficient pumping. The pump was opened for internal inspection and was found to have worn poppets, valve seats on both suction and discharge sides and a worn discharge piston rod. New parts were installed from inventory. The pump was reassembled, tested, and placed into service.

While inspecting Receiving Bin No. 2 on November 19, 2021, it was discovered that Screw Feeder No. 4 was missing one bolt and had one broken bolt on the drive end of the screw. On November 20, 2021, the receiving bin was emptied and hosed out to begin the replacement of the bolts. Once the installation of the bolts was completed, the screw feeders were tested. During the test, it was found that Screw Feeder No. 6 had a significant crack in the screw. After removing the bin from operation, the mechanics welded the crack to prevent further damage. The screws were then tested again and placed into service.

Sodium Hypochlorite Pump No. 1 was replaced with a new pump from inventory on November 6, 2021, due to corrosion of the crankshaft, cam, and the hose housing. After the installation of the new pump was completed, it was tested and placed online.

On September 27, 2021, a technician from Evoqua Water Technologies was onsite to rebuild the UV Systems at the Pennington Wastewater Treatment Plant after they were flooded during Tropical Storm Ida. The technician and two SBRSA mechanics were able to completely rebuild the UV- B unit, however there were only enough parts to get UV-A unit back up and usable. The remaining parts needed to complete the rebuild of UV-A unit were ordered and arrived on November 9, 2021. On November 23, 2021, the same two mechanics were onsite to assist the Evoqua technician in the rebuilding the UV-A unit. Once completed the UV-A System was tested

for leaks. On November 24, 2021, no leaks were found, and UV-A unit was checked for proper operation and placed into service.

Provided in the report were several graphs that monitor our monthly progress. The current monthly open work requests stand at nineteen (19). On the Preventive Maintenance graph, we averaged four (4) days overdue, and the number of overdue units is approximately eight (8).

600.12 Construction Report

Mr. Doelling reported on the re-evaluation of the Millstone Force Main. Based upon the then current condition of the force main and the specific pipe design, the estimated cost for re-evaluation would be approximately \$450,000. Staff recommends performing the re-evaluation during FY 2023.

Mr. Doelling reported that the Hopewell WWTP Upgrade final preliminary drawings and Preliminary Design Report (PDR) incorporating SBRSA's comments on the draft submittal were received on December 3, 2021. Staff is currently reviewing the documents.

Mr. Doelling reported that the contractor for the Pennington WWTP project is working to procure the necessary spare parts. This project is 96.4% complete.

Mr. Doelling reported that Contract 19-2, River Road WWTP UV Disinfection and Filtration Project stands at 21.7% complete. There are no change orders this month.

Mr. Doelling reported that Contract 21-1 Regenerative Thermal Oxidizer Valve Replacement Project performed by BR Welding is complete.

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: There has been no additional action from NJDEP on the study.

NJPDES Permits: The final River Road WWTP NJPDES permit was received on November 10, 2021. Additional information was provided during the Litigation portion of the meeting and will also be discussed in the Executive Session of the meeting.

Construction:

Process Control/SCADA

The monthly meter certifications were performed by W.G. Malden on December 1, 2021. Preventative maintenance was completed for all field devices and process control loops. As noted

on the monthly comparison between the sum of the billing meters and the River Road Influent meter, during weekly verifications, staff has been making minor improvements to the verification process. On November 12, 2021, staff mechanically leveled the differential pressure manifold – planned replacement of this manifold is awaiting supplies. Staff also flushed the impulse lines on November 24, 2021. And while the meter difference seems to have drifted back down from a high of approximately 25%, these minor changes showed mixed results.

Miscellaneous Repair: Instrumentation staff completed the following list of unscheduled repairs during the previous reporting period.

- River Road WWTP
 - *Replaced the dissolved oxygen probe mounting hardware at Nitrification Aeration Stage No. 5*
 - *Recalibrated analog output for Incinerator No. 1 afterburner temperature controller*
 - *Repaired the power supply circuit for VenturiPak® scrubber No. 1 quencher water weir flow transmitter*
 - *Bled bubbles out of Modified Aeration constant waste flow meter*
 - *Replaced the reversing contactors for the auger and grinder on mechanical screen No. 1*
 - *Staff reviewed the work completed by Travis Electric at the Headworks Bar Screen.*
 - *Staff reviewed the installation of VFD's completed by Travis Electric at the Magnesium Hydroxide Mixers. Staff started up and tested the VFD's*
- Princeton Farms Meter Station
 - *Replaced the defective battery for the UPS*
 - *Installed a control cabinet heater to keep battery from freezing*
- South Brunswick Pump Station
 - *Replaced wet well bubbler system rotameter*
- Meter Station No. 7
 - *Performed meter station inspection and calibrations after West Windsor Township's Cure-in-Place Pipe Lining project*
- Pennington WWTP
 - *Corrected analog signal scaling constants in the main PLC*

INFORMATION TECHNOLOGY

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

- Three server backups (SERVER13, SVR12, SVR10) were checked for corruption and readability. We have confirmed that the data is stable and recoverable.
- On November 23, 2021 during a server migration, the finance server was rendered unusable. A full restore from backups was completed the same day and tested the next morning.

Verizon Machine-to-Machine Network: Meter stations are completed. Installation of M2M at the pump stations is planned for later this month. M2M installation at the Pennington and Hopewell WWTP will follow the pump stations.

Fly Ash Slurry Pump Trending: Provided was a plot showing the historical trend data for the following basic parameters of the Fly Ash Slurry Pumps (FASP) for the month of November. FASP Nos. 1 & 2 were operated. The historical trending screens are still under development. Overall, the data looks relatively steady. Several changes in the trend can be seen. These changes are attributed to the following events.

- Between November 2, 2021, 3:00 p.m. – November 3, 2021, 8:55 a.m., the Instrumentation Department was performing programming maintenance on the PLC.
- The Incinerator was temporarily shut down while preparing for the RTO Annual Inspection on November 15, 2021, from 4:40 a.m. to 5:53 a.m.
- On November 17, 2021, at 7:11 a.m. – the incinerator was shut down and burned out in preparation for 5:00 a.m. generator load test. Services were restored by 1:00 p.m.
- On November 24, 2021, at 5:00 p.m. – 6:00 p.m., operators switched from FASP No. 1 to FASP No. 2 due to a bad tail shaft bearing.

600.13 Finance

Payment of Bills and Claims

Ms. Switlik moved for approval Resolution 2021-112 for the payment of bills and claims in the amount of \$1,720,460.12 with two signatures instead of three. The motion was seconded by Mr. Vilaro-Munet and passed by a roll call vote of 4 to 0. Resolution 2021-112 follows.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2021-112

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 \$1,720,460.12 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 2021 fiscal year, ending November 30, 2021, was \$1,844,793. The Authority has total cash and investments of \$16,267,941. The current construction project balance is \$1,205,114. There are sufficient funds for these projects. The outstanding bond principal balance is unchanged at \$17,804,160.

Monthly Sludge Business Analysis

Mr. Chong reported the net income figure for October is \$137,989, and the cumulative fiscal year-to-date net income is \$1,532,619.

Staff recommended approval of Resolution 2021-113, Adoption of Participants' Estimated Charges for the Fiscal Year 2022.

Mr. Chong stated that the amounts are based on the Fiscal Year 2022 adopted budget and calculated using the previous five-year average flows, net of the project debt service adjustment based on the previous seven-year average flows.

Resolution 2021-113 was moved by Ms. Switlik and seconded by Mr. Vilaro-Munet.

Ms. Pchola stated that 2022 is the last year for the project debt service adjustment.

Resolution 2021-113 was passed by a roll call vote of 4 to 0. Resolution 2021-113 follows.

Resolution to Adopt Participants' Estimated 2022 Charges

Resolution No.: 2021-113

BE IT RESOLVED by the Stony Brook Regional Sewerage Authority on December 13, 2021:

1. Pursuant to Section 609(2) of the Bond Resolution, the Authority adopted an Annual Budget of Operating Expenses in the amount of \$16,809,815 for its fiscal year 2022 which commences December 1, 2021. A copy of the Annual Budget, as adopted, has been promptly filed with the Trustee and the Consulting Engineer.
2. Pursuant to Section 406(B) of the Amended Service Contract, the Authority is required to estimate the "Net Annual Cost" for the ensuing fiscal year. For this purpose, "items of expense" are \$16,809,815; "items of receipt" are \$2,586,500, and appropriation from retained earnings is \$450,000. The "Net Annual Cost" which the Authority will use for computing the "Base Charge" is \$13,773,315.

3. Pursuant to Section 406(B) of the Amended Service Contract, the Authority, on or before December 20, is required to estimate the "Annual Charge" for each participant for the ensuing fiscal year. The "Annual Charge" is composed of (a) the "Base Charge" (b) the "Connecting Installment" and (c) the modified "Project Debt Service Adjustment". The "Connecting Installment" was included for the years 1984 to 1993 and no longer applies.

(a) The "Base Charge" is figured by allocating the "Net Annual Cost" among the participants in accordance with the Authority's estimate of each participant's expected proportion of actual flow for the ensuing fiscal year (FY).

(1) The Authority hereby adopts the following percentages using flow estimates based on five (5) years of average flow method as the allocation figures to be used for FY 2021:

Princeton	33.187%
South Brunswick Township	39.169
West Windsor Township	23.127
Hopewell Borough	1.726
Pennington Borough	2.791

(2)(a) Applying these allocation percentages to the estimated "Net Annual Cost" produces the "Base Charge" component of the "Annual Charge" as shown below:

Princeton	\$4,570,995
South Brunswick Township	5,394,900
West Windsor Township	3,185,370
Hopewell Borough	237,740
Pennington Borough	384,310
TOTAL	<u>13,773,315</u>

(b) The allocation factors, based on an average of flows from 2014 through 2020, (seven-year average) to be used for the computation of the "Project Debt Service Adjustment" are as follows:

Princeton	32.764%
South Brunswick Township	39.623
West Windsor Township	23.246
Hopewell Borough	1.674
Pennington Borough	2.693

(c) The computation of the new modified "Project Debt Service Adjustment" produces the following figures:

Princeton	-\$274,227
South Brunswick Township	+175,729
West Windsor Township	+80,423

Hopewell Borough	+2,695
Pennington Borough	+15,380
TOTAL	<u>0.00</u>

Unless revised by the Authority the "Annual Charge" to the participants for the ensuing fiscal year will be:

	<u>Base Charge</u>	+	<u>Project Debt Service Adjustment</u>	=	<u>Annual Charge</u>
Princeton	\$4,570,995		-\$274,227		\$4,296,768
South Brunswick Township	5,394,900		+175,729		5,570,629
West Windsor Township	3,185,370		+80,423		3,265,793
Hopewell Borough	237,740		+2,695		240,435
Pennington Borough	384,310		+15,380		399,690
TOTAL	<u>\$13,773,315</u>		<u>0.00</u>		<u>\$13,773,315</u>

<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 2021-114, Approval of the 2022 Cash Management Plan. This plan is to provide assurances that decisions made related to the deposits and the permitted investments will be done in a manner that ensures safety, liquidity, and maximum investment return within limits. The Plan identifies the Chairman, Treasurer, Executive Director, and Finance Director as authorized personnel to take action for the Authority.

Resolution 2021-114 was moved by Mr. Morehouse and seconded by Ms. Switlik.

Mr. Chong stated that no new banks were added to the Cash Management Plan.

Resolution 2021-114 was passed by a roll call vote of 4 to 0. Resolution 2021-114 follows.

**Resolution of the Stony Brook Regional Sewerage Authority
to Adopt a Cash Management Plan for 2022**

Resolution No.: 2021-114

WHEREAS, N.J.S.A. 40A:5-14 requires that the governing body must approve, by a majority vote, an annual cash management plan;

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority that the Cash Management Plan, attached hereto, is hereby approved for the fiscal year ending November 30, 2022, and that the Finance Director is directed to implement said Cash Management Plan in accordance with all applicable statutes.

<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 2021-115, Appointment of a Public Agency Compliance Officer (PACO). This is to comply with the Authority’s Affirmative Action requirement. Staff recommends that William Chong be appointed as the Authority’s PACO for 2022.

Resolution 2021-115 was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 4 to 0. Resolution 2021-115 follows.

**Resolution of the Stony Brook Regional Sewerage Authority
to Appoint a Public Agency Compliance Officer
for 2022**

Resolution No.: 2021-115

BE IT RESOLVED, by the Stony Brook Regional Sewerage Authority that William Chong be and is hereby appointed to serve as the Authority's Public Agency Compliance Officer (“PACO”) for the calendar year 2022 to fulfill the requirements of the Affirmative Action Office, Department of the Treasury of the State of New Jersey.

<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. Chong noted a correction to Resolution 2021-116, Authorizing an Energy Agent Contract for Request for Bids for Electric Generation Service. On page 2, paragraph 1, the line should read "... Energy Agent shall not receive any (not "and") monetary compensation..."

Amended Resolution 2021-116 was moved by Mr. Vilaro-Munet, seconded by Ms. Switlik, and passed by a roll call vote of 4 to 0. Resolution 2021-116 follows.

Resolution to Authorize an Energy Agent Contract with Gabel Associates, Inc. and Authorizing Executive Director, in her Absence, the Finance Director, to Award a Contract and/or Reject Bids in Response to the Request for Bids for Electric Generation Service Issued on Behalf of the New Jersey Sewerage and Municipal Utility Authority Electric Supply Aggregation

Resolution No.: 2021-116

WHEREAS, the Stony Brook Regional Sewerage Authority (the "Authority") has participated in the formation and implementation of the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation ("NJSMUAESA"), which is a consortium of New Jersey Sewerage and Municipal Utility Authorities formed for the purpose of soliciting and securing bids on an aggregated basis for electric generation service from licensed electric power suppliers pursuant to the provisions of the "Electric Discount and Energy Competition Act" (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*, "the Act"), and thereby enjoying the benefits of joint purchasing and bulk power purchasing discounts; and

WHEREAS, the existing electric power supply contract(s) for the Authority's electric accounts, awarded and entered as a result of a bid conducted by the NJSMUAESA in December 2019, will expire upon the meter read dates in May 2022 for each Authority electric account; and

WHEREAS, the Authority desires to continue its purchase of electric generation service for its electric accounts as a participant in the NJSMUAESA to derive the benefits of bulk purchasing discounts; and

WHEREAS, the NJSMUAESA intends to issue a Request for Bids ("RFB") on or about February 8, 2022 for the purpose of seeking bids for electric generation service from licensed electric power suppliers to replace the current supply contract(s) scheduled to expire in May 2022; and

WHEREAS, as a participant in the NJSMUAESA, the Authority requires the services of an "Energy Agent," as defined in the "Electric Discount and Energy Competition Act," to administer the bid process and arrange for the sale of retail electric generation service by a licensed retail electric power supplier to the Authority; and

WHEREAS, the Energy Agent shall provide the Authority with services, including but not limited to, analyzing the Authority's energy needs, quantifying the Authority's load profile, developing an energy plan for the Authority, preparing bid specifications and, upon approval of the bid specifications, bidding a contract for the supply of electric generation service to the Authority; and

WHEREAS, the Energy Agent shall not receive any monetary compensation directly from the Authority for the services to be provided; and

WHEREAS, the Authority and the Energy Agent agree that the electricity supply contract(s) (“ESC”) between the Authority and the awarded supplier(s) shall provide that the awarded supplier pay the Energy Agent a monthly administrative fee for each account served at a rate of \$.0005 per kilowatt-hour for all months of the ESC; and

WHEREAS, Gabel Associates, Inc., with a principal place of business located at 417 Denison Street, Highland Park, New Jersey 08904, is a duly registered Energy Agent pursuant to the Act; and

WHEREAS, the Authority is desirous of authorizing the award of a contract to Gabel Associates, Inc. to serve as Energy Agent in connection with the bid for electric generation service through the NJSMUAESA, as an extraordinary, unspecifiable service without competitive bidding pursuant to N.J.S.A. 40A:11.1 *et. seq.*; and

WHEREAS, it is the NJSMUAESA’s intent to receive bid price submittals on or about March 8, 2022 in response to the RFB to be issued on or about February 8, 2022; and

WHEREAS, due to the fact that the electricity market is highly volatile and bid prices will not be guaranteed past 3:00 p.m. on the day that bids are accepted, the award or rejection of bid(s) must be made on the Authority’s behalf by its designated representative by no later than 3:00 p.m. on bid day;

NOW, THEREFORE, BE IT RESOLVED that the Stony Brook Regional Sewerage Authority (the Authority”) is hereby authorized to participate with the NJSMUAESA for the purpose of securing bids for electric generation service from licensed electric power suppliers for a contract to replace the existing electricity supply contract(s) expiring in May 2022, pursuant to the “Electric Discount and Energy Competition Act” (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*, “the Act”), Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*, and applicable regulations.

BE IT FURTHER RESOLVED that the Authority hereby approves the retention of Gabel Associates, Inc. as the Authority’s Energy Agent in connection with the procurement of electricity supply for the Authority’s electric accounts.

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized and directed to execute any documents reasonably required to effectuate the retention of Gabel Associates, Inc. as the Authority’s Energy Agent.

BE IT FURTHER RESOLVED that the Authority’s Executive Director, or in her absence the Finance Director, is hereby authorized to act in her sole discretion as the Authority’s designated representative to award a contract for the applicable Bid Group(s) to the low, qualified bidder for the contract term and pricing product deemed most beneficial to the Authority, by executing an Award Letter on the day of bid receipt and subsequently executing the Model Supply

Contract, or reject an electricity bid, in conjunction with the NJSMUAESA Request for Bids to be issued on or about March 8, 2022. Such authorization to award a contract to the low bidder as the Authority’s designated representative is subject to the low bid being equal to or less than the Trigger Price(s) to be established for the applicable Bid Group(s) containing the Authority’s accounts prior to the data of receipt of bids by the NJSMUAESA, under the advisement of the Energy Agent.

BE IT FURTHER RESOLVED that, notwithstanding the foregoing, the Authority’s Executive Director or in her absence the Finance Director, may reject any bid, including, if necessary, all bids (and not award a contract), and if desirable, to authorize the NJSMUAESA to rebid the contract, provided that such rejection is in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*

<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 2021-117, Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a. These are vendors the Authority anticipates making purchases for the fiscal year beginning December 1, 2021.

Resolution 2021-117 was moved by Mr. Vilaro-Munet, seconded by Ms. Switlik, and passed by a roll call vote of 4 to 0. Resolution 2021-117 follows.

Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a

Resolution No. 2021-117

WHEREAS, the Stony Brook Regional Sewerage Authority (the “Authority”), pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Authority has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Authority intends to enter into contracts with the provided state contract vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Authority authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the provided list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Authority pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Director of Finance; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Stony Brook Regional Sewerage Authority and state contract vendors shall be from December 1, 2021 to November 30, 2022.

<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			

State Contract Vendors

Vendor	Commodity/Service	State Contract #
Carahsoft Technology Corporation	M4002 NASPO ValuePoint Cloud Solution	19-COMP-00601
Constellation New Energy	T2141 Aggregated Purchase of Electric Supply (Commodity)	40091 19-PROS1-00673
Kyocera Document Solutions	G2075 Copiers & Multi-Function Devices, Maintenance, Supplies	40465
Russel Reid Waste Hauling	T0635 Sewage Sludge Collection Services	20-GNSV2-01429
Verizon Business Network Services	T1776 Data Communications Network Services	85943

Staff recommended Resolution 2021-118, Authorizing Award of a “No Political Contributions Allowed” Contract for Non- Professional Vendors. This is the Pay-to-Play provision in

anticipation of making purchases that will exceed the \$17,500 limit from vendor(s) listed in the resolution. All appropriate documents have been obtained from these vendors.

Resolution 2021-118 was moved by Mr. Vilaro-Munet, seconded by Ms. Switlik, and passed by a roll call vote of 4 to 0. Resolution 2021-118 follows.

Resolution Authorizing Award of “No Political Contributions Allowed” Contract(s) for Non-Professional Service Vendors

Resolution No. 2021-118

WHEREAS, the Stony Brook Regional Sewerage Authority (the “Authority”) has a need to acquire goods or services as a no political contribution allowed contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the purchasing agent has determined and certified in writing that the value of each contract (by purchase orders) will likely exceed \$17,500; and,

WHEREAS, the term of this contract(s) is twelve (12) months. Commencing on December 1, 2020, and ending November 30, 2021, and may be extended as approved by this governing body; and,

WHEREAS, the attached list of vendors has completed and submitted a Business Entity Disclosure Certification which certifies that each vendor has not made any reportable contributions to a political or candidate committee served by the Authority in the previous one year, and that the contract will prohibit the (attached list of vendors) from making any reportable contributions through the term of the contract; and,

WHEREAS, the Authority has funds available in its current budget.

NOW THEREFORE, BE IT RESOLVED that the Authority authorizes the attached list of vendors to enter into contracts by purchase order; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure 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			

Year 2021 No Political Contribution Allowed Contracts	
<u>Company Name</u>	<u>Service</u>
Samuel Tepp Associates	Vane Axial Fan

Staff recommended approval of Resolution 2021-121, Authorizing Award of “No Political Contribution Allowed” Contract for 2022 General Advice from Vibra-Tech Engineers, Inc., and Authorizing Execution of Agreement for Escrow for the cost of the same. Vibra-Tech Engineers will assist the Authority in determining and monitoring the appropriate vibration criteria from the blasting project conducted at Princeton University’s Lake Campus. Princeton University will be funding an escrow account to pay for this general advice for the estimated amount of \$30,000.

Resolution 2021-121 was moved by Mr. Vilaro-Munet and seconded by Ms. Switlik.

A discussion took place regarding the blasting project.

Resolution 2021-121 was passed by a roll call vote of 4 to 0. Resolution 2021-121 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract For
2022 General Advice from Vibra-Tech Engineers, Inc. and Authorizing Execution of
Agreement for Escrow for the Costs of the Same**

Resolution No.: 2021-121

WHEREAS, the Stony Brook Regional Sewerage Authority has a need for construction Blasting and Related Matters for the period starting on December 13, 2021 through the end of Fiscal Year 2022 (November 30, 2022) as a contract that does not allow for political contributions to the Authority or its members (“No Political Contributions Allowed” contract) pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and,

WHEREAS, the SBRSA Director of Finance has determined and certified in writing that the contract value of the work will exceed \$17,500; and,

WHEREAS, Vibra-Tech Engineers, Inc. has submitted a proposal dated November 15, 2021 indicating they will provide assistance to SBRSA in determining and monitoring the appropriate vibration criteria for the Stony Brook Regional Sewerage Authority's utility which will be located adjacent to a blasting project being conducted for Princeton University and Related Matters during December 13, 2021 through November 30, 2022 for a time charge fee not to exceed \$30,000 without written permission from Stony Brook Regional Sewerage Authority; and

WHEREAS, Vibra-Tech Engineers, Inc. has submitted a Business Entity Disclosure Certification which certifies that Vibra-Tech Engineers, Inc. its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to a municipal political party committee of a governing body that appoints members to the Authority including, Princeton, South Brunswick Township, West Windsor Township, Hopewell Borough, Hopewell Township, and Pennington Borough, when the contract is awarded, or to any municipal candidate committee of any candidate for or holder of municipal elective public office of any such municipality when the contract is awarded, and

WHEREAS, the blasting project being conducted by Princeton University raised engineering issues to be considered by the Authority; and

WHEREAS, in order to defray all engineering costs that would otherwise be borne by the Authority’s ratepayers regarding all matters regarding the Princeton University blasting project, the Authority desires that the payment of all such costs be reimbursed by Princeton University to the Authority in accordance with the terms and conditions of the attached escrow agreement (the “Escrow Agreement”); and

WHEREAS, consistent with the New Jersey Sewerage Authorities Law, specifically N.J.S.A. 40:14A-7(13) and N.J.S.A. 40:14A-7.3, the Authority is authorized to enter into said Escrow Agreement; and

WHEREAS, the Finance Director has certified that sufficient funds are available to be paid out of 2022 Accounts Payable 0001-1013, and the account shall be offset with Escrow Funds.

NOW THEREFORE, BE IT RESOLVED that the Board of the Stony Brook Regional Sewerage Authority authorizes the Chairman to enter into a contract with Vibra-Tech Engineers, Inc.; and

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to execute the attached Escrow Agreement in substantially the form attached hereto, and together with all appropriate officers, employees, professionals and staff of the Authority, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution and the Escrow Agreement upon full execution of the same.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value is on file. 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
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

600.14 Personnel Report

Ms. Pchola reported that two employees have been promoted from Operator IV to Operator III, and that Mr. Alan has obtained his S-2 license.

Ms. Pchola reported that an Operator I is retiring on December 18, 2021, with 32 years of service at SBRSA.

Ms. Pchola reported that three (3) employees are expected to retire in 2022.

600.15 Correspondence

For information only.

600.16 Old Business

Nothing to report.

600.17 New Business

None.

600.18 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 7:55 p.m.

584.19 Executive Session

Dr. Downey asked for a motion on Resolution 2021-110, Authorizing Closed Session Pursuant to the Open Public Meetings Act to Discuss Issues Regarding Attorney/Client Privilege Communication and Issues Related to the EPA Term Sheet and the River Road WWTP NJDEP final permit.

The Board entered into Executive Session at 7:56 p.m. on a motion by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 4 to 0. Resolution 2021-110 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 EPA Term Sheet

Resolution No. 2021-110

BE IT RESOLVED by the Stony Brook Regional Sewerage Authority (“Authority”) on this 13th day of December 2021, 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 to issues related to the EPA Term Sheet and the River Road Final NJPDES Permit.
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			

584.20 Report of Executive Session

A discussion took place regarding issues related to the EPA Term Sheet and the final River Road WWTP NJPDES permit.

Return to Public Session

The Board returned to Public Session at 8:17 p.m.

Resolution 2022-111, Authorizing Execution of Third Tolling Agreement, was moved by Mr. Vilaro-Munet, second by Ms. Switlik, and passed by a roll call vote of 4 to 0. Resolution 2021-111 follows.

**Resolution Authorizing Execution of
Third Tolling Agreement**

Resolution No.: 2021-111

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

1. The Chairman, the Executive Director or General Counsel are hereby authorized and directed to execute the attached Third Tolling Agreement between the United States of America (“United States”), on behalf of the United States Environmental Protection Agency (“EPA”), the State of New Jersey (“New Jersey”), on behalf of the New Jersey Department of Environmental Protection (“NJDEP”), and the Stony Brook Regional Sewerage Authority (“SBRSA”).

<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	

Resolution 2021-122, Ratifying the Filing of a Request for Adjudicatory Hearing and Request for Stay of Contested Permit Limitations Relevant to SBRSA’s Final NJPDES Permit was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 4 to 0. Resolution 2021-122 follows.

Resolution Ratifying the Filing of a Request for Adjudicatory Hearing and Request for Stay of Contested Permit Limitations Relevant to SBRSA’s Final NJPDES Permit

Resolution No.: 2021-122

WHEREAS, the Stony Brook Regional Sewerage Authority (hereinafter "the Authority" or "SBRSA") received a New Jersey Pollutant Discharge Elimination System Permit (NJPDES Permit) relevant to its discharge of highly treated wastewater to the Millstone River, which NJPDES permit contained conditions and requirements that are arbitrary, capricious, unreasonable and without technical basis; and

WHEREAS, the Authority commenced litigation against the New Jersey Department of Environmental Protection ("NJDEP") to contest and seek a stay of enforcement of certain provisions of SBRSA’s Final NJPDES Permit issued on November 10, 2021, within the thirty (30) day period established at NJAC 7:14A-17.1 et seq., so as not to waive its right to challenge those conditions. The provisions at issue appertain to the effluent limitations and compliance period established for Nitrates; Chlorination Byproduct effluent limitations; use of the blending/plant protection line during extreme wet weather events and Chronic Whole Effluent Toxicity and Arsenic monitoring frequencies; and

WHEREAS, the Authority finds that it is important to establish appropriate effluent limitations and conditions for the protection of human health and the environment and desires to ratify the filing of the Request for Hearing and Request for Stay of Contested Permit Limitations, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority, on this 13th day of December 2021, as follows:

1. The SBRSA hereby ratifies and confirms the filing of the attached request for Hearing and Request for Stay of Contested Permit Limitations, dated December 9, 2021.
2. 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			

600.21 And such other issues as may come before the Board

There was nothing to report.

600.22 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:19 p.m. on a motion by Mr. Morehouse, seconded by Mr. Vilaro-Munet, and passed by unanimous vote.

Respectfully Submitted,

Antonia Pchola
Secretary

Recorded and Written by
Angela Christiano
January 13, 2022