

Minutes of Meeting #495 March 25, 2013 – Stony Brook Regional Sewerage Authority

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

MEMBERS PRESENT: Bartolini, Compton, Downey, Morehouse, Patel

MEMBERS ABSENT: Goldfarb

CONSULTANTS: Alexander

STAFF PRESENT: Kantorek, Pchola

495.01 Pursuant to Section 13 of the Open Public Meetings Act, adequate notice of the time and place of this meeting was given by filing with the Authority's official newspapers, each Clerk of each municipality and by being posted on the Princeton Bulletin Board.

Chairman Bartolini noted that due to a predicted large snowstorm, changes were made to the meeting with many staff members excused from attending. Chairman Bartolini indicated that only items that require Board approval would be addressed tonight.

495.02 Approval of Minutes

Chairman Bartolini indicated that the first order of business is the approval of the minutes from the February Board meeting. Dr. Downey indicated that there was a correction on the minutes. On page 15, under the recorded vote, Mr. Patel's absence was not notated on the roll call vote. The minutes were approved as amended on a motion by Dr. Downey, seconded by Mr. Patel and passed by a vote of 5 to 0.

495.05 Approval Requests and Actions

TWA-1 Approvals

None.

NJPDES Endorsements Requested

None.

Water Quality Management Plan Amendments

PNC Bank/Federal Realty Investment Trust, Block 7.16 lot 1, West Windsor

Ms. Pchola reported that this property is located in West Windsor but is presently outside of the sewer service area of West Windsor Township wastewater collection system. However, the property is adjacent to Lawrence Township and their collection system which is serviced by Ewing Lawrence Sewerage Authority (ELSA). Based on the location of the property it can easily and economically be connected to the existing collection system that discharges to ELSA.

This would be a change to the Mercer County Mapping for the Wastewater Management Plan. The Principal Planner for the Mercer County Planning Division has requested a letter indicating that the Stony Brook Regional Sewerage Authority is in support of this change to the sewer service area. Ms. Pchola noted that West Windsor Township has approved this property to discharge to ELSA and be included in the ELSA sewer service area. Staff recommended approval of this request. So moved by Dr. Downey, seconded by Mr. Patel and passed by a vote of 5 to 0.

“Old Cyanamid Property”, Route 1, West Windsor

Ms. Pchola indicated that Mercer County contacted the Howard Hughes Development Corporation, the owners of the property regarding a wastewater treatment plant located on that property. Mercer County wanted to know if the Howard Hughes Development Corp. wanted to operate the existing treatment plant for their proposed development. They did not. The site will be included in SBRSA’s sewer service area in the Mercer County Wastewater Management Plan.

Mr. Kantorek indicated that he spoke to Mercer County and indicated that SBRSA believed that this parcel of land was already in its service area. A discussion took place regarding this parcel and the proposed development of the land.

Resolution 2013-11, Consenting to the Proposed Water Quality Management (WQM) Plan Amendment Entitled Wastewater Management Plan for Mercer County, New Jersey

Mr. Kantorek reported that Mercer County has completed two components of the Plan; the mapping of all the properties that are in and not in the WQM Plan, and the assignment of flows. Portions of the WQM Plan were provided to the Board.

Mercer County indicated that it is required by the NJDEP to request the consent of all the municipalities and authorities included in the Plan. The proposed WQM Plan for Mercer County will replace all previously adopted municipal and municipal utility authority WMPs.

Mr. Kantorek indicated that the Board could approve the consent, not approve the consent or wait until the April Board meeting to take action. The Authority has sixty (60) days from receipt of the letter to consent or not consent to the Amendment.

Chairman Bartolini recommended that the Board should take no action tonight and indicated that the Board and the Authority take more time to review the information contained in the Plan. A public hearing is scheduled for April 10, 2013. Chairman Bartolini recommended that Mr. Kantorek and Ms. Pchola, as well as Board members attend the public hearing.

Mr. Kantorek reviewed several key pages of the Plan. A lengthy discussion concerning the Plan followed. Mr. Kantorek explained that the full Plan is on the County's website. Following the discussion, the consensus of the Board was to wait until the April Board meeting to take action.

495.09 Construction Report

2013 Annual Inspection

Ms. Pchola reported that staff requested Kleinfelder/Omni to prepare a proposal for the 2013 annual inspection of the SBRSA Facilities. A copy of the proposal was provided to the Board. The annual inspection is required by the Bond Indenture, dated November 1977 and is a useful tool for SBRSA to utilize when planning for small capital projects as well as maintenance issues/projects. Staff recommends the award of the 2013 Annual Inspection to Kleinfelder/Omni in the amount of \$17,700. The cost of the annual inspection for 2012 as provided by AECOM was \$15,950. Ms. Pchola noted that Kleinfelder/Omni will utilize AECOM for the structural and electrical portions of the inspection.

Staff recommended approval of Resolution 2013-10, Authorizing Award of a "No Political Contributions Allowed" Contract for the 2013 Annual Inspection of SBRSA Facilities to Kleinfelder/Omni. So moved by Dr. Downey, seconded by Mr. Compton and passed by a roll call vote of 4 to 0. Mr. Morehouse abstained. Resolution 2013-10 follows.

Resolution Authorizing the Award of a "No Political Contributions Allowed" Contract for the 2013 Annual Inspection of SBRSA Facilities to Kleinfelder/Omni

Resolution No. 2013-10

WHEREAS, the Stony Brook Regional Sewerage Authority (SBRSA) has a need for the inspection of our wastewater facilities for compliance with our Bond Agreement 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 qualified purchasing agent, Stuart Neuhof has determined and certified in writing that the value of the work for this contract will exceed \$17,500; and,

WHEREAS, the term of this contract will take place during SBRSA's FY 2013; and,

WHEREAS, Kleinfelder/Omni has submitted an Agreement indicating they will provide the annual inspection services for a lump sum fee not to exceed \$17,700 without prior written approval from SBRSA; and

WHEREAS, Kleinfelder/Omni has completed and submitted a Business Entity Disclosure Certification for FY 2013 which certifies that Kleinfelder/Omni has not made any reportable contributions to a political or candidate committee in the Stony Brook Regional Sewerage Authority service area, Mercer County, and Middlesex County in the previous one year, and that the contract will prohibit Kleinfelder/Omni, from making any reportable contributions through the term of the contract; and

WHEREAS, the Stony Brook Regional Sewerage Authority has Funds available in its current budget.

NOW THEREFORE, BE IT RESOLVED that the Board of the SBRSA authorizes the Chairman to enter into a contract with Kleinfelder/Omni 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.

Recorded Vote:

	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Harry R. Compton	X			
Gale D. Downey	X			
David A. Goldfarb				X
C. Schuyler Morehouse			X	
Bharat Patel	X			

495.10 Finance Report

Payment of Bills and Claims

Mr. Morehouse moved the approval of the payment of bills and claims for the month of February in the amount of \$1,365,648.42 with two signatures instead of three; seconded by Dr. Downey and passed by a vote of 5 to 0.

Mr. Kantorek noted that net income through February 28, 2013 is \$222,091.

Resolution 2013-09, Emergency Procurement Services for the Repair of a Damaged M.A. Clarifier Drive No. 1

Mr. Kantorek reported that on March 3, 2013, MA clarifier #1 drive was not operating. It was found that the oil sight glass indicated the oil level was good however, after removing the cover on the gear box for inspection the oil level was slightly below the main gear and the teeth on the gear were badly worn.

On March 6, 2013, Ovivo was on site to inspect the drive unit. It was found that the torque alarm was set slightly over 100% allowing the drive unit to continue to operate in a high torque situation. It is believed that a load within the turntable drive caused this unit to operate in a high torque situation and cause it to fail prematurely.

It is recommended by Ovivo to do a complete rebuild of the gear box and drive unit. This is one of only two existing M.A. Clarifiers. Although one clarifier can handle normal flows, it cannot handle the flows which occur during significant rain storms. It is critical that this drive unit be rebuilt as soon as possible since the rainy season is approaching.

Mr. Kantorek indicated that the NJ Division of Local Government Services requires a public agency to complete an Emergency Procurement Report within thirty (30) days of the date the emergency contract was issued and to obtain Board approval through resolution.

Mr. Kantorek read Resolution 2013-09. The estimated cost of the repair is \$80,000. Mr. Kantorek indicated that the Authority could have either bought a new unit with a 24 to 26 week completion time or do the repair which is estimated to be completed in approximately 4 weeks. Mr. Kantorek recommended approval of Resolution 2013-09, Authorizing the Emergency Procurement of Services for Repair of Damaged M.A. Clarifier Drive No.1. So moved by Dr. Downey, seconded by Mr. Compton and passed by a roll call vote of 5 to 0. Resolution 2013-09 follows.

RESOLUTION AUTHORIZING THE EMERGENCY PROCUREMENT OF SERVICES REPAIR OF DAMAGED M.A. CLARIFIER DRIVE No. 1

Resolution No. 2013-09

WHEREAS, an emergency situation developed, which could not have been reasonably foreseen, with respect to the need to repair Modified Aeration Clarifier No. 1. at the River Road Facility. Specifically, the gear teeth on the turntable drive were damaged to the point that the clarifier cannot be used; and

WHEREAS, this Clarifier is a significant component of the wastewater treatment process and especially needed during the high probability of high flows normally experienced during this time of the year; and

WHEREAS, the Authority has reviewed the attached written memorandum from the Operations Manager, regarding the emergency procurement of services in connection with the repair work for the damaged clarifier turntable drive; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-6, a contract may be awarded without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate performance of the services; and

WHEREAS, the Authority is satisfied that, for the reasons articulated in the written memorandum from the Operations Manager, attached hereto and made a part hereof, the proposed emergency procurement is justified and meets the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-6, and regulations promulgated thereto, N.J.A.C. 5:34-6.1; and

WHEREAS, the Authority has filed an emergency procurement report with the Division of Local Government Services.

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

The Authority declares that an emergency exists with respect to the immediate need to repair the damaged clarifier turntable drive as further described in the attached memorandum of the Operations Manager, which emergency requires the immediate emergency procurement of services in order to protect public health, safety and welfare.

1. The Executive Director is authorized to execute a Contract without public advertising for bids and bidding in accordance with N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, with Ovivo USA, LLC with an estimated amount of \$80,000 for the provision of emergency services for the repair of the Authority's clarifier turntable drive.
2. A Contract shall not be executed unless there is proof of the contractor's New Jersey Business Registration, Certificates of Insurance, together with all documents required by law.
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>
Robert A. Bartolini	X			
Harry Compton	X			
Gale D. Downey	X			
David A. Goldfarb				X
C. Schuyler Morehouse	X			
Bharat Patel	X			

Resolution 2013-13, Authorizing the Award of a “No Political Contributions Allowed” Contract for Lawn Maintenance Services

Mr. Kantorek indicated that the Authority has a need for lawn maintenance services. Three quotes were obtained as follows: Pro Design, LLC, \$35,270; Speakman Landscaping \$34,090; and Szuls Landscaping, \$27,512.

Mr. Kantorek recommended approval of Resolution 2013-13, authorizing the award of a “No Political Contributions Allowed” contract to Szuls Landscaping in the amount of \$27,512. So moved by Dr. Downey, seconded by Mr. Patel and passed by a roll call vote of 5 to 0. Resolution 2013-13 follows.

Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract for Lawn Maintenance Services

Resolution No. 2013-13

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

WHEREAS, the purchasing agent, Stuart Neuhof has determined and certified in writing that the value of this contract (by purchase order) will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for fiscal 2013 (1 year) and may be extended as approved by this governing body; and,

WHEREAS, the following quotes were received, Pro Design, LLC, \$35,270; Speakman Landscaping, \$34,090; and Szuls Landscaping, \$27,512; and,

WHEREAS, Szuls Landscaping has submitted the lowest cost quote in the amount of \$27,512; and,

WHEREAS, Szuls Landscaping has completed and submitted a Business Entity Disclosure Certification which certifies that this vendor has not made any reportable contributions to a political or candidate committee served by the Stony Brook Regional

Sewerage Authority in the previous one year, and that the contract will prohibit this vendor 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 Stony Brook Regional Sewerage Authority authorizes the above vendor to enter into contracts by purchase order; 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>
Robert A. Bartolini	X			
Harry Compton	X			
Gale D. Downey	X			
David A. Goldfarb				X
C. Schuyler Morehouse	X			
Bharat Patel	X			

Monthly Sludge Business Analysis

Mr. Kantorek reported that net income for the month of February is \$137,102 and the cumulative net income is \$477,046.

Mr. Kantorek noted that a Yearly Sludge Business Results report from 2007 through 2012 was provided to the Board. The report consisted of three graphs illustrating net income, natural gas therms versus dry ton of customer sludge and the cost of natural gas per dry ton of customer sludge. Net Income for the period 2007 through 2012 was \$5.7 million.

Mr. Kantorek noted that the RTO went on-line in late August of 2009 and decreased the amount of natural gas used by SBRSA by approximately 50%.

Mr. Patel asked why the increase in gas usage in 2012. Mr. Kantorek indicated that increase was due to five (5) days of stack testing. During the stack testing, the incinerators are operating at high temperatures, operating with the afterburners, and consuming more natural gas.

495.17 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 Dr. Downey, seconded by Mr. Compton and passed by unanimous vote.

Respectfully Submitted,

John Kantorek
Secretary

Recorded and Written by
Patricia Carlino
April 4, 2013