

Minutes of Meeting #582, June 20, 2020 – Stony Brook Regional Sewerage Authority

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

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

MEMBERS ABSENT: Patel

CONSULTANTS: Alexander, Beinfield

STAFF PRESENT: Christiano, Doelling, Pchola, Sears, Thomas

PUBLIC: Kanter

582.01

Chairman Downey opened the regularly scheduled meeting at 7:02 pm. 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 on the Authority's website.

582.02 Approval of Minutes

Ms. Pchola indicated that there are two changes to the meeting minutes. On page 6, paragraph 8, reads, "...the lighting system and to that create a much safer work environment to work in." should read, "... the lighting system and to create a much safer work environment to work in." and on page 8, paragraph 3, the last sentence should not have the word "and" instead the sentence should end with a period. The revised minutes from the May 18, 2020 Board meeting were approved on a motion by Ms. Switlik, seconded by Mr. Morehouse and passed by a vote of 5 to 0.

582.03 Board Related Activities

Consultant List

Dr. Downey stated that the approved updated Member List/Municipal Information should be reviewed, and any changes should be reported to Ms. Pchola or Ms. Christiano.

Ms. Pchola stated were no contracts pending award.

Ms. Pchola introduced Mr. Robert Beinfield, Bond Counsel, from Hawkins, Delafield & Wood LLP. Mr. Beinfield was present for any questions or clarification regarding Resolution 2020-043. The resolution authorizes the issuance of bonds for the UV and Filtration Project with the proceeds of a

loan to be made by each of the I-Bank (the I-Bank Loan) and the State (the Fund Loan). The rates are as follows: 75% at the market rate for the I-Bank Loan and 25% at zero percent (0%) for the Fund Loan. The loan is in lieu of going out for bonding solely by the Authority. By going through the I-Bank, we have the advantage of the I-Bank bond rating.

Ms. Pchola stated that the estimated construction cost \$21,000,000.

A discussion to place regarding the loan agreements.

Mr. Goldfarb requested that the Finance Committee review the recommendation of the staff in respect to the maturity of the loan terms before the Executive Director and Chairman sign the necessary documents.

Dr. Downey stated that the SBRSA Ten (10) Year Budget projection for this project assumes the loans for a thirty (30) year term.

Staff recommended approval of Resolution 2020-043, Authorizing the Issuance of Not to Exceed \$24,000,000 Subordinate Bonds (UV Project) of the Stony Brook Regional Sewerage Authority and Providing for Their Sale to The New Jersey Infrastructure Bank and The State of New Jersey and Authorizing the Execution and Delivery of Certain Agreements in Connection Therewith. The resolution was moved by Mr. Goldfarb, seconded by Mr. Morehouse and passed by a roll call vote of 5 to 0. Resolution 2020-043 follows.

Resolution Authorizing the Issuance of Not to Exceed \$24,000,000 Subordinate Bonds (UV Project) of The Stony Brook Regional Sewerage Authority and Providing for Their Sale to The New Jersey Infrastructure Bank and The State of New Jersey and Authorizing the Execution and Delivery of Certain Agreements in Connection Therewith.

Resolution No: 2020-043

WHEREAS, the Stony Brook Regional Sewerage Authority (the “Authority”), a public body corporate and politic of the State of New Jersey (the “State”), has determined that there exists a need to acquire, construct, renovate, install or refinance the Project (the “Project”), as described herein and as further defined in each of that certain Loan Agreement (the “I-Bank Loan Agreement”) to be entered into by and between the Authority and the New Jersey Infrastructure Bank (the “I-Bank”) and that certain Loan Agreement (the “Fund Loan Agreement”) and, together with the I-Bank Loan Agreement, the “Loan Agreements”) to be entered into by and between the Authority and the State acting by and through the New Jersey Department of Environmental Protection all pursuant to the New Jersey Infrastructure Bank Financing Program or other similar program (the “Program”); and

WHEREAS, the Authority has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the “I-Bank Loan”) and the State (the “Fund Loan” and, together with the I-Bank Loan, the “Loans”) pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Authority to authorize, execute, attest and deliver the Authority's Subordinate Bond (UV Project) to the State (the "State Loan Bond") and Subordinate Bond (UV Project) to the I-Bank (the "I-Bank Loan Bond" and, together with the State Loan Bond, the "Authority Subordinate Bonds") pursuant to the terms of the Sewerage Authorities Law of the State, constituting Chapter 14A of Title 40 of the Revised Statutes of the State (the "Sewerage Authorities Law"), other applicable law and the Loan Agreements; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Authority Subordinate Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the I-Bank, the State, the escrow agent named therein and the Authority; and

WHEREAS, N.J.S.A. §40:14A-12 of the Sewerage Authorities Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. §58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth in the following resolution; and

WHEREAS, the Authority has heretofore issued revenue bonds pursuant to a resolution of the Authority adopted on September 19, 1977, entitled: "Resolution Authorizing the Issuance of Revenue Bonds of the Stony Brook Regional Sewerage Authority", as amended and supplemented (the "General Bond Resolution"), whereunder, all the Revenues of the Authority, as defined and provided for therein, have been pledged to the payment of the principal of, redemption price, if any, and interest on any revenue bonds heretofore or hereafter issued by the Authority under the General Bond Resolution (the "Revenue Bonds"), to the extent and in the manner provided in the General Bond Resolution; and

WHEREAS, the provisions of Section 615 of the General Bond Resolution authorize the Authority to issue subordinate bonds payable out of the General Fund created and established by the General Bond Resolution, all in accordance with and upon the terms and conditions set forth in the General Bond Resolution and, in particular, Section 511 thereof; and

WHEREAS, bonds, notes and other evidences of indebtedness of the Authority, including the Authority Subordinate Bonds, benefit from the provisions of the Service Contract (as defined in the General Bond Resolution); and

WHEREAS, any and all bonds and other obligations of the Authority, including the Authority Subordinate Bonds, benefit from the provisions of the Service Contract (as defined in the General Bond Resolution); and

WHEREAS, Section 202 and Section 203 of the Service Contract provide that the Authority may at any time and at its discretion alter, improve, enlarge and extend the System (as defined in the Service Contract) in any respect or renew or replace any part thereof and issue bonds to finance such work; and

WHEREAS, the Authority is desirous of authorizing the issuance of the Authority Subordinate Bonds as subordinate bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE STONY BROOK REGIONAL SEWERAGE AUTHORITY, and the members or commissioners thereof, **AS FOLLOWS:**

Determination to Undertake the Project. The Authority does hereby determine to undertake the Project which shall consist of the improvement of the Authority's System (as defined in the General Bond Resolution), including the replacement of the dual-media effluent filtration system and disinfection system with a new ultraviolet disinfection system and the upgrade of the chlorine contact tanks, de-chlorination tanks and reaeration tanks, together with all necessary and incidental equipment, apparatus, structures and appurtenances and all personal property necessary or desirable for the efficient construction and operation of such facilities, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Authority, as such plans and specifications may be amended or modified from time to time.

Estimated Cost of the Project. The estimated maximum total cost of the Project, as defined in the Sewerage Authorities Law, is \$24,000,000.

Authorization of Authority Subordinate Bonds. In accordance with Section 11 of the Sewerage Authorities Law and subject to and pursuant to the provisions of this resolution, bonds of the Authority (herein referred to as the Authority Subordinate Bonds) are hereby authorized to be issued in the principal amount not to exceed \$24,000,000 for the purpose of raising funds to pay the costs of the Project, including the funding of any required or desirable reserves, capitalized interest and costs of issuance.

Payment of Authority Subordinate Bonds. The Authority does hereby determine that the Authority Subordinate Bonds shall be and constitute subordinate bonds, and shall be payable from amounts in the General Fund established and created by the General Bond Resolution in the manner and upon the terms and conditions set forth in the General Bond Resolution and this resolution.

Award of Authority Subordinate Bonds. In accordance with N.J.S.A. §40:14A-12 of the Sewerage Authorities Law and N.J.S.A. §58:11B-9(a), the Authority hereby sells and awards its (a) I-Bank Loan Bond to the I-Bank in accordance with the provisions of this resolution and (b) Fund Loan Bond to the State in accordance with the provisions of this resolution.

Basic Terms of Authority Subordinate Bonds; Delegation of Power to Make Certain Determinations. The chairman or vice chairman of the Authority (the "Chairman") or the Executive Director of the Authority is hereby authorized to determine, in accordance with the Sewerage Authorities Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions of this resolution, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

The aggregate principal amount of the I-Bank Loan Bond to be issued and the aggregate principal amount of the Fund Loan Bond to be issued, which amounts in the aggregate shall not exceed \$24,000,000;

The maturity or maturities and annual or semi-annual principal installments of the Authority Subordinate Bonds, which maturity or maturities shall not exceed thirty (30) years;

The date or dates of the Authority Subordinate Bonds;

The interest rates of the Authority Subordinate Bonds, provided that the effective cost of the I-Bank Loan Bond does not exceed seven per centum (7%) and that the interest rate on the Fund Loan Bond is zero per centum (0%);

The purchase price for the Authority Subordinate Bonds;

The terms and conditions under which the Authority Subordinate Bonds shall be subject to redemption prior to their stated maturities; and

Such other matters with respect to the Authority Subordinate Bonds as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof, including (1) adding to the title of the Authority Subordinate Bonds the calendar year in which issued, (2) issuing each Authority Subordinate Bond in the form of multiple subordinate bonds from time to time if the Project is funded in more than one installment by the Program and (3) combining the issuance of the Authority Subordinate Bonds with the issuance of other subordinate bonds of the Authority authorized or to be authorized to be issued for other purposes.

Determinations Conclusive. Any determination made by the Chairman or the Executive Director pursuant to the terms of this resolution shall be conclusively evidenced by the execution and attestation of the Authority Subordinate Bonds by the parties authorized under Section 8(c) of this resolution.

Further Terms of Authority Subordinate Bonds. The Authority hereby determines that certain terms of the Authority Subordinate Bonds shall be as follows:

The Fund Loan Bond shall be issued in a single denomination and shall be numbered RA-1, or as may otherwise be determined by the Chairman or the Executive Director. The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered RB-1, or as may otherwise be determined by the Chairman or the Executive Director;

The Authority Subordinate Bonds shall be issued in fully registered form (convertible to bearer as therein provided) and shall (unless converted to bearer) be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America;

The Authority Subordinate Bonds shall be executed by the manual or facsimile signature of the Chairman, and the Secretary or the Assistant Secretary of the Authority (the "Secretary"), by manual signature, shall attest to the execution of the Authority Subordinate Bonds and shall affix, imprint, engrave or reproduce thereon the corporate seal of the Authority; and

In order to distinguish the Authority Subordinate Bonds from other bonds of the Authority, the Authority Subordinate Bonds shall have such letters and/or numbers incorporated in their titles as shall be determined by the Chairman or the Executive Director.

Forms of Authority Subordinate Bonds. The Fund Loan Bond and the I-Bank Loan Bond shall be substantially in the forms set forth in Exhibit A and Exhibit B hereto, respectively, with such changes, insertions and omissions as may be approved by the Chairman, such approval to be evidenced by the signature of the Chairman on the Authority Subordinate Bonds.

Authorized Parties. The law firm of Hawkins Delafield & Wood LLP, bond counsel to the Authority, is hereby authorized to arrange for the printing of the Authority Subordinate Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Authority auditor and financial advisor are hereby authorized, if necessary, to prepare the financial information, if any, necessary in connection with the issuance of the Authority Subordinate Bonds. The Chairman, the Treasurer, the Executive Director, the Chief Financial Officer and the Secretary (collectively, the "Authorized Authority Officers") are hereby severally authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Report to the Authority. The Authorized Authority Officers are hereby directed to report in writing to the Authority at the meeting of the Authority next following the closing with respect to the Authority Subordinate Bonds as to the terms of the Authority Subordinate Bonds authorized to be determined by the Authorized Authority Officers pursuant to and in accordance with the provisions of this resolution.

Delivery of Authority Subordinate Bonds. Each Authorized Authority Officer is hereby authorized to execute any certificate or document necessary or desirable in connection with the sale of the Authority Subordinate Bonds and is hereby further authorized to deliver same to the I-Bank and the State upon delivery of the Authority Subordinate Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Execution of Agreements. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be manually executed and delivered on behalf of the Authority by the Chairman in substantially the forms required and traditionally used by the I-Bank and the State (which forms are available from the I-Bank and the State), with such changes as the Chairman, in his or her sole discretion, after consultation with counsel, bond counsel and any other advisors to the Authority (the "Authority Consultants") and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants" and, together with the Authority Consultants, the "Consultants"), shall determine, such determination to be conclusively

evidenced by the execution of each such Financing Document by the Chairman. The Secretary is hereby authorized, if necessary, to attest by manual signature to the execution of the Financing Documents by the Chairman and to affix, imprint, engrave or reproduce the corporate seal of the Authority to such Financing Documents.

Authorized Actions. The Authorized Authority Officers are hereby further severally authorized to (i) manually execute and deliver and the Secretary is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Authority to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Authority Officers or the Secretary, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the Authority Subordinate Bonds and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate and (ii) perform such other actions as the Authorized Authority Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Subordinate Nature of Authority Subordinate Bonds. (A) In the event of any insolvency or bankruptcy proceedings, or any receivership, liquidation, reorganization or other similar proceedings in connection therewith, relative to the Authority or to its property, or in the event of any proceedings for voluntary liquidation, dissolution or other winding up of the Authority, whether or not involving insolvency or bankruptcy, the holders of all Revenue Bonds shall be entitled to receive payment in full of all payments on such Revenue Bonds before the holders of all outstanding Authority Subordinate Bonds are entitled to receive any payment from the Revenues (as defined in the General Bond Resolution).

(B) In the event that any of the Authority Subordinate Bonds are declared due and payable before their expressed maturity because of the occurrence of a default (under circumstances when the provisions of (A) above shall not be applicable), the holders of all Revenue Bonds at such time outstanding shall be entitled to receive payment in full of all payments then due on such Revenue Bonds before the holders of such Authority Subordinate Bonds are entitled to receive any accelerated payment from the Revenues of principal or interest upon such Authority Subordinate Bonds. Any event of default with respect to the Authority Subordinate Bonds shall not in itself create the right to declare an event of default with respect to the Revenue Bonds.

(C) If any event of default with respect to the Revenue Bonds shall have occurred and be continuing (under circumstances when the provisions of (A) above shall not be applicable), the holders of all Revenue Bonds then outstanding shall be entitled to receive payment in full of all payments on all such Revenue Bonds before the holders of the Authority Subordinate Bonds are entitled to receive any accelerated payment from the Revenues of principal or interest on such Authority Subordinate Bonds.

(D) No holder of any Revenue Bonds shall be prejudiced in such holder's right to enforce subordination of the Authority Subordinate Bonds by any act or failure to act on the part of the Authority.

(E) The provisions of (A), (B), (C) and (D) above are solely for the purpose of defining the relative rights of the holders of the Revenue Bonds on the one hand and the holders of the Authority Subordinate Bonds on the other hand, and nothing herein shall impair, as between the Authority and the holders of the Authority Subordinate Bonds, the duty of the Authority, which is unconditional and absolute, to pay to the holders of the Authority Subordinate Bonds, the principal thereon and premium, if any, and interest thereon in accordance with their terms, nor shall anything herein prevent the holders of the Authority Subordinate Bonds from exercising all remedies otherwise permitted by applicable law upon default under the General Bond Resolution, subject to the rights under (A), (B), (C) and (D) above of the holders of the Revenue Bonds to receive cash, property or securities otherwise payable or deliverable to the holders of the Authority Subordinate Bonds.

Withdrawals from the General Fund. In accordance with Section 511 of the General Bond Resolution and provided that the amount in every account or fund created and established by the General Bond Resolution, including the Bond Service Fund, the Sinking Fund, the Bond Reserve Fund and the Renewal and Replacement Fund, equals or exceeds the amount required to be therein and that the Authority is not in default in the payment of the principal of or interest on or redemption price of any Revenue Bonds, the trustee under the General Bond Resolution is hereby authorized and directed to withdraw from the General Fund from time to time amounts necessary to satisfy the debt service payments with respect to the Authority Subordinate Bonds.

Covenant to Pay Authority Subordinate Bonds. The Authority hereby particularly covenants and agrees with the holders of the Authority Subordinate Bonds and makes provisions which shall be a part of its contract with such holders, that the Authority will pay or cause to be paid the principal of every Authority Subordinate Bond and the interest thereon at the date and place and in the manner mentioned in such Authority Subordinate Bond according to the true intent and meaning thereof and will carry out and perform all of the acts and things required of it by the terms of this resolution.

Resolution Constitutes Contract. In consideration of the purchase and acceptance of the Authority Subordinate Bonds by those who shall hold the same from time to time, the provisions of this resolution shall be deemed to be and shall constitute contracts between the Authority and the holders from time to time of the Authority Subordinate Bonds.

No Recourse. No recourse shall be had for the payment of the principal or redemption price, if any, of or the interest on the Authority Subordinate Bonds or for any claim based thereon or on this resolution against any member or other officer of the Authority or any person executing the Authority Subordinate Bonds. The Authority Subordinate Bonds are not and shall not be in any way a debt or liability of the State or of any county or municipality, and do not and shall not create or constitute any indebtedness, liability or obligation of the State or of any county or municipality, either legal, moral or otherwise.

Authorization for Resolution. This resolution is adopted by virtue of the Sewerage Authorities Law and pursuant to its provisions, and the Authority has ascertained and hereby determines that adoption of this resolution is necessary to carry out the powers, purposes and duties expressly provided in the Sewerage Authorities Law and that each and every matter and thing as to which provision is made in this resolution is necessary in order to carry out and effectuate the purposes of the Authority in accordance with the Sewerage Authorities Law.

Filing of Resolution. The Secretary is hereby authorized and directed to cause copies of this resolution to be filed for public inspection in the following places: in the office of the Borough Clerk of the Borough of Pennington, in the County of Mercer, in the Municipal Building of said Borough, in the office of the Municipal Clerk of Princeton, in the County of Mercer, in the Municipal Building of said municipality, in the office of the Borough Clerk of the Borough of Hopewell, in the County of Mercer, in the Municipal Building of said Borough, in the office of the Township Clerk of the Township of Hopewell, in the County of Mercer, in the Municipal Building of said Township, in the office of the Township Clerk of the Township of West Windsor, in the County of Mercer, in the Municipal Building of said Township, in the office of the Township Clerk of the Township of South Brunswick, in the County of Middlesex, in the Municipal Building of said Township, and in the office of the Authority, 290 River Road, Princeton, New Jersey.

Publication of Notice. The Secretary is hereby authorized and directed to cause to be published, after completion of filing of copies of this resolution as directed in the preceding Section, in the “*Trenton Times*”, a legally qualified public newspaper circulating in the district of the Authority, a notice in substantially the form attached as Exhibit C hereto and by this reference incorporated as if set forth in full herein.

Multiple Document Sets. Notwithstanding any other provision of this resolution to the contrary, if in connection with the participation of the Authority in the Program, the State and the I-Bank require that the Authority execute more than one set of documents, the provisions of this resolution shall be deemed to apply to the Authority Subordinate Bonds and the Financing Documents related to each set of documents; provided, however, that in no event may the aggregate principal amount of all Authority Subordinate Bonds issued and delivered pursuant to the provisions of this resolution be in excess of the amount authorized in Section 3 hereof.

Interim Financing. In anticipation of the issuance of the Authority Subordinate Bonds, the Authority hereby authorizes, if necessary or desirable, the issuance, sale and award of a note or notes (the “Subordinate Note”) pursuant to the I-Bank’s financing program. The Subordinate Note shall be substantially in the form required and traditionally used by the I-Bank (which form is available from the I-Bank). The execution and delivery of the Subordinate Note shall be in the same manner as herein prescribed with respect to the Authority Subordinate Bonds. An Authorized Authority Officer is hereby authorized to determine, pursuant to the terms and conditions established by the I-Bank under its financing program and the terms and conditions of this resolution, the following items with respect to the Subordinate Note: (a) the aggregate principal amount of the Subordinate Note to be issued, which amount shall not exceed \$24,000,000; (b) the maturity of the Subordinate Note, which shall be no later than five (5) years after the date of issuance thereof or such longer period of time as may be permitted under the rules of the I-Bank’s financing program; (c) the date of the Subordinate Note; (d) the interest rate or

rates of the Subordinate Note (including different interest rates applicable to different drawdowns on the Subordinate Note), which shall not exceed three percent (3%) per annum; (e) the purchase price for the Subordinate Note; and (f) such other matters with respect to the Subordinate Note as may be necessary, desirable or convenient in connection with the sale, issuance and delivery thereof, without limitation (i) combining the issuance of the Subordinate Note with the issuance of other subordinate notes of the Authority authorized or to be authorized to be issued for other purposes and (ii) issuing the Subordinate Note in the form of multiple subordinate notes from time to time if the Project is funded in more than one installment by the Program. The Authorized Authority Officers are hereby further severally authorized to manually execute and deliver and the Secretary is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Authority to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Authority Officers or the Secretary, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Subordinate Note and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate.

Capitalized Terms. All capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

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

582.04 Planning and Administration

Ms. Pchola reported that the most current 12-month average daily flow at the River Road WWTP is 9,679,113 gpd with 2,651,161 gpd of available capacity. The current 12-month average daily flow at the Hopewell WWTP is 260,425 gpd with 39,575 gpd of available capacity. The current 12-month average daily flow at the Pennington WWTP is 265,101 gpd with 1,449 gpd available capacity.

Ms. Pchola indicated that the River Road 12 Month Averages for Daily Flow and Rainfall graph includes the trendline for rainfall as requested by Mr. Goldfarb.

Ms. Pchola reported that the quarterly meter certifications were performed by W. G. Malden on June 1 and June 4, 2020. The Princeton Pump Station low range meter required an adjustment. All other meters were within $\pm 5\%$.

W. G. Malden performed the initial certification measurement on the Princeton Pump Station meter on June 1, 2020. The meter was determined to be reading high by 6.02%. A calibration adjustment was completed by staff on June 2, 2020, and the meter was certified by W.G. Malden on June 4, 2020. The meter was reading high by 1.22% during the previous meter verification on May 1, 2020. Monthly reported flows for May 2 through May 31, 2020 were adjusted down by 3.62%, the average of the May 1, 2020 verification and June 4, 2020 quarterly certification.

582.05 Approval Requests and Actions

Mr. Doelling reported that there is one (1) new Treatment Works Approval (TWA) for review. The TWA application has been submitted by Princeton Junction Engineering on behalf of the Municipality of Princeton for the extension of the existing 8-inch sanitary sewer main in Beech Hill Circle through Lot 3, Block 1403 and Lot 3, Block 1305. The applicant proposes a sanitary sewer extension consisting of 2,008 linear feet of an 8-inch sewer main to provide service to eleven (11) existing single-family residences on Autumn Hill and Cordova Roads. The residences are currently connected to individual onsite sewage disposal systems.

The TWA application, for a flow rate of 3,300 gpd, is submitted for approval. The application has been approved by the Princeton Municipal Engineer. Staff recommended approval of Resolution 2020-047, Authorizing Endorsement of Application for Treatment Works Approval Statement of Consent for the Autumn Hill Sanitary Sewer Line Extension Block 1305, Lots 2 & 3; Block 1304, Lots 1 & 2; Block 1303, Lots 2, 3, 4, 5, 6 & 7; Block 1302, Lot 7, Municipality of Princeton, Mercer County. Resolution 2020-047 was moved by Mr. Goldfarb, seconded by Mr. Morehouse and passed by a roll call vote of 5 to 0. Resolution 2020-047 follows.

**Resolution Authorizing Endorsement of Application for Treatment Works Approval
Statement of Consent for the
Autumn Hill Sanitary Sewer Line Extension
Block 1305, Lots 2 & 3; Block 1304, Lots 1 & 2; Block 1303, Lots 2, 3, 4, 5, 6 & 7;
Block 1302, Lot 7
Municipality of Princeton, Mercer County**

Resolution No. 2020-047

WHEREAS, an application for Treatment Works Approval has been submitted to Stony Brook Regional Sewerage Authority (SBRSA) by Princeton Junction Engineering, P.C. on behalf of the Municipality of Princeton for the extension of the existing 8-inch sanitary sewer main in Beech Hill Circle through Lot 3, Block 1403 and Lot 3 Block 1305.

WHEREAS, the applicant proposes sanitary sewer improvements consisting of 2,008 linear feet of 8-inch sewer main to provide service to eleven (11) existing single-family residences currently connected to individual onsite sewage disposal systems. The project is more particularly described in the Treatment Works Approval Permit Application Form (TWA-1), 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 3,300 gallons per day (gpd); and

WHEREAS, this project has been endorsed by the Mayor and Council of the Municipality of Princeton (Resolution 19-337); and

WHEREAS, this project has been endorsed by the municipal engineer, dated May 22, 2020 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 recommends approval of the Treatment Works Approval application for the proposed allocation of 3,300 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			

Mr. Doelling reported that a TWA was previously submitted by American Properties at Pennington, LLC. The Heritage at Pennington Phase 2 project is a thirty-six (36) unit development with a total allocated flow of 10,200 gpd. SBRSA had approved the TWA, Resolution No. 2019-59, reliant upon the written assurances of American Properties that it would not connect to the Pennington WWTP until the upgrade and expansion of the Pennington WWTP is complete. American Properties has requested to connect five (5) Phase 2 units, with a total projected flow of 1,500 gpd to the Pennington WWTP while the WWTP expansion remains under construction. Connecting to the sewer system will allow for the buyers of these 5 units to close by their estimated closing dates. The request is further outlined in the provided letter dated June 12, 2020.

Water records from Phase 1 of the Heritage at Pennington Project indicate that typical usage is about 38% of the TWA projected estimates. SBRSA's Plant Manager indicated that it would not be an issue to connect these five (5) homes. Staff recommends allowing for the immediate connection of approximately 1,500 gpd of flow to the Pennington WWTP from the following properties associated with the Heritage at Pennington Phase 2 project. The five (5) properties are located on Tucker Way.

Dr. Downey authorized Ms. Pchola to send a letter to Heritage at Pennington and Pennington Borough indicating that they can apply for the Certificate of Occupancy (CO) for the five (5) lots located on Tucker Way.

Mr. Doelling reported that Mercer County has formally adopted an amendment to the Mercer County Water Quality Management Plan (WQMP) for the Daniel Popkin residence and associated expansion of the Stony Brook Regional Sewerage Authority Pennington Wastewater Treatment Facility's Sewer Service Area (SSA). A letter of notification was provided in the report.

Dr. Downey addressed Mr. Kanter from the Heritage at Pennington, asking if he had any comments.

Mr. Kanter thanked the Board for their consideration.

582.06 Regulatory Report

Mr. Doelling stated that staff submitted the 2019 Annual Emission Statement, prepared by KEMS LLC, using the NJDEP online portal on June 15, 2020. The Emission Statement is a report of the tons per year of air contaminant emissions from our incinerators.

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)/Residual Discharge Monitoring Report (RDMR)

- The Discharge Monitoring Reports for the month of April 2020 were submitted with no violations reported. The May 2020 DMRs are currently being prepared.
- The March 2020 RDMRs were submitted to NJDEP. All River Road parameters were compliant with the Air Permit requirements. The April 2020 RDMRs are currently being prepared.

The semi-annual bioassay for Hopewell and Pennington facilities were conducted in the week of May 18, 2020 and the results (>100%) were electronically reported to NJDEP on June 16, 2020.

Air Reporting

Certified Gas Audit (CGA) for both incinerators were conducted by staff on April 27, 2020.

The 2019 Annual Emission Statement, prepared by KEMS LLC, was submitted utilizing the NJDEP online portal on June 15, 2020.

582.07 Safety

A discussion took place regarding the COVID-19 safety recommendations.

Ms. Pchola reported that SBRSA has issued COVID-19 safety policies/guidelines following the CDC safety recommendations. In addition, staff has been provided with personnel protection equipment (PPE).

Dr. Downey requested that Ms. Pchola reissue the COVID-19 guidelines that had been previously issued to staff, and inform staff that the Board feels very strongly that they comply with the guidelines.

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

Accident Report

There were zero “Lost Time” and “No Lost Time” accidents/injuries this period. As of June 15, 2020, Stony Brook Regional Sewerage Authority has gone 1435 consecutive days without a “Lost Time” accident. Attached is an up to date graph depicting the historic annual trends of “Lost Time” and “No Lost Time” accidents and injuries.

2019 Kleinfelder Annual Inspection Report

Staff continues to address priority items highlighted during the 2019 Annual Inspection. Provided was a spreadsheet summarizing their status.

2020 Kleinfelder Annual Inspection Report

The 2020 Kleinfelder annual inspection was conducted on June 8, 9 & 10, 2020. Inspection of the River Road Facility and our three Pump Stations are 90% complete. Once the full inspection is complete staff will provide the board with the report. In the meantime, staff will begin to address known issues and provide monthly updates.

Safety Meeting

Staff held its quarterly safety meeting on June 11, 2020. The meeting minutes were provided.

Training

One (1) employee attended volatility and violence/active shooter training webinar conducted by Brown & Brown on May 18, 2020.

Two (2) employees attended safety certification training webinar conducted by Brown & Brown on June 1, 2020.

Six (6) employees attended blood-borne pathogen training webinar conducted by the MEL Safety Institute on June 2, 2020.

Six (6) employees attended a hazard communication training webinar conducted by the MEL Safety Institute on June 3, 2020.

Three (3) employees attended fall protection training webinar conducted by the MEL Safety Institute on June 10, 2020.

Miscellaneous

Staff continues to participate in COVID-19 web-conference check-in meetings hosted weekly by the New Jersey Association of Environmental Authorities (AEA).

Staff recently received and distributed an additional set of five (5) cloth masks from FEMA and continues to have an adequate supply of critical items such as masks and hand sanitizer onsite.

There were no reports of any employees having been exposed to COVID-19 during this reporting period.

582.08 Litigation

Ms. Alexander reported that on June 18, 2020, a telephone conference was held with Judge Caliquire and in attendance was DAG Michael J. Schuit, regarding the River Road WWTP's outstanding issues and status. Since the NJDEP does not have a decision from the EPA on blending, and other issues, the matter was placed on the inactive list for six (6) months.

In respect to the Pennington facility, a pre-draft NJPDES permit was received from the NJDEP. Comments were submitted on June 4, 2020. Noted were several limits that we found unnecessary given the upgrade to the facility.

Ms. Alexander reported on June 19, 2020, Mr. Cosgrove submitted the Social Economic Study to NJDEP.

582.09 Operations Report

A brief discussion took place regarding the RTO inspection and repair.

Ms. Pchola gave a brief update on the progress of the Pennington Plant WWTP Upgrade and Expansion Project.

The Board had no additional 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.

We discontinued the modified schedule in the Operations Department that was put in place due to the COVID-19 epidemic on May 31, 2020.

On May 28, 2020, our RTO was inspected by Durr. We are awaiting the inspection report. In addition to the inspection, Durr replaced the upper graphite bushing on the diverter valve which eliminated the vibration in the shaft.

We have been experiencing a solids imbalance between the two Nitrification Aeration Tanks during high flow periods when only one Modified Aeration (MA) Clarifier is on-line. Structure No. 1, located between the MA Clarifiers and the Nitrification Aeration Tanks, is where mixing takes place between the Nitrification Return Sludge and the Modified Aeration Clarifier(s) effluent prior to entering the Nitrification Aeration Tanks. There is an opening at the bottom of an intermediate wall within Structure No. 1 and in an effort to correct the solids imbalance problem, we installed a steel plate into Structure #1 to block the opening forcing all the flow over the intermediate wall and not through the opening with the goal of improved mixing. The opening was provided for future buildout when a total of four (4) MA clarifiers are anticipated. The steel plate was installed as a trial and after three-weeks, the plate appears to be working very well. We are pursuing a plan to make this a “permanent” installation with the ability to remove the plate to accommodate the future buildout.

Raw Wastewater was found to be leaking into the underground grit lift station on a constant basis. It was determined that the grit slurry line from Grit Chamber #3 developed three holes that were grouped closely together. A stainless-steel wrap around clamp was placed over these holes to rectify the problem.

Upstream Facilities

Both Upstream Facilities operated well during this reporting period.

On June 2, 2020, we directed all of the wastewater through Orbal No. 1 while taking Orbal No. 2 off-line to modify the effluent weir and allow the contractors to make all the piping connections needed to operate on this one Orbal so Orbal No. 1 could be taken off-line completely to complete the fourth ring construction and replacement of all aerators. By the end of that day we were operating with one Orbal on-line along with one new clarifier, the new disc filters, the new UV system, and the new step aeration final tank. On the following day, all the piping connections were made allowing us to put the second new clarifier on-line. The plan that was put into place to allow this work to be completed within a two-day period was a success.

Odor Report

The staff received no **Odor Complaints** from our surrounding area during the month of May. We received no odor complaints during the partial June 2020 reporting period. The full June number will be reported in July 2020. The odor complaints appear on the graph showing the number of odor complaints received each year from January 1997 through present day June 2020.

Customer Septage and Sludge Deliveries

Reported for the month of May 2020 the quantity of liquid sludge was 15% below the budgeted amount, sludge cake was 43% above the budgeted amount, and gray water was 4% below the budgeted amount.

582.10 Maintenance

The Board had no comments on the Maintenance Report. The following Maintenance Report was included in the meeting minutes for information.

During routine level inspections of the Sludge Storage Tank it was reported that the aluminum handrail had become disconnected from the mounting brackets creating a safety hazard. The railing was removed so it could be rewelded to the mounting bracket. Once the repair was completed the safety rail was remounted to the tank staircase.

On May 12, 2020, Effluent Flushing Water Pump #1 was removed from service to replace a 60 hp motor and for reconditioning. The motor was replaced with a new 60 hp motor from inventory and the old motor will be sent to Lockwood's Inc. for refurbishing. The reconditioning consisted of a new pump shaft, impeller, bearings, and a mechanical seal. On May 27, 2020, the pump was tested and placed into service.

Receiving Bin #1 was emptied and removed from service on May 15, 2020 due to the drive screw making a loud banging noise. Once the bin was hosed and drained it was discovered that two bolts in the screw shaft had broken. One of the bolt heads that broke off made its way into Schwing Pump #3 and was removed during the down time. Once the broken bolts were removed new bolts and nuts were installed and the drive was tested for proper operation and placed back into service by the end of the day.

While performing preventative maintenance on May 26, 2020, Polymer Pump #2 was removed from service due to the mechanical seal showing signs of failing and allowing polymer to leak onto the floor creating a slip hazard. In order to replace the seal, the pump had to be removed and completely disassembled. The pump was refitted with a new pump shaft, stator, rotor, and mechanical seal. The pump housing was sand blasted and repainted. On June 2, 2020, the pump was tested and placed back into service.

Provided were several graphs that monitor our monthly progress. The current average monthly open work requests stand at twenty (20). On the Preventive Maintenance graphs, we currently are averaging six (6) days overdue and the number of overdue units is approximately six (6).

In addition to the graphs, provided was a list of completed Work Orders and Preventive Maintenance for the month of May 2020.

582.11 Construction Report

Mr. Doelling reported on Contract 20-3 Modified Aeration (MA) Clarifier No. 2 Improvements indicating that the draft specifications have been prepared by staff and are currently under final review. Work includes the removal and replacement of the weirs and baffles, skimmer assembly, scum trough, field painting, and concrete repairs in MA Clarifier No. 2, and MA Clarifier No. 1. Staff anticipates advertising for bid on this project later this month, with an intent to award at the July Board meeting.

Mr. Doelling reported that we have transitioned to one (1) Orbal Tank and the Pennington WWTP Upgrade and Expansion Project is approximately 88% complete. Based upon a review of the contractor's submitted update to their construction schedule, it is anticipated that construction of the expanded capacity, limited in scope to Orbal Tank No. 1 online, will be completed in July 2020.

During the past reporting period, the new Disc Filters, UV System, Secondary Tanks and Step Aeration Tank have been placed into successful operation. We are currently operating on one (1) Orbal Tank while expanded capacity is added to the offline Orbal Tank.

A brief discussion took place regarding the completion of the Pennington WWTP project.

Dr. Downey requested an update on the River Road WWTP UV Disinfection/Filtration Design project schedule.

Mr. Doelling stated that the contract documents were submitted to the New Jersey Office of the Comptroller (NJOC) for review and comment. Kleinfelder is in the process of revising the documents based on the NJOC's comments. Once completed, we will require approval to advertise the project for bid. There is some debate as to who needs to provide the approval to advertise for bid first, the NJOC or NJDEP.

Mr. Doelling reported that the new ABB Plant Influent low-side flow meter was installed on June 12, 2020.

Mr. Doelling will report on the comparison of the meters at the July Board meeting.

There were no additional comments from the Board. The following Construction Report (including the Information Technology Report) is included in the meeting minutes for information.

River Road WWTP Phosphorous Impact Modeling Study: There has been no additional action from NJDEP on the study and it is still under their review.

NJPDES Permits: On May 15, 2020, staff received the pre-draft Discharge to Surface Water Renewal Permit for the Pennington WWTP from the NJDEP Bureau of Surface Water Permitting. Preliminary comments were submitted to NJDEP on June 4, 2020. On June 12, 2020 Kleinfelder provided staff with the draft socio-economic analysis to achieve compliance for implementation of the treatment technology to remove TDS to the levels currently specified in the draft Discharge to Surface Water Renewal Permit for the Pennington WWTP permit. Staff provided comments to Kleinfelder on June 16, 2020. Kleinfelder expects to submit the report to NJDEP this month.

Sludge Business Analysis: Staff “met” via teleconference with Material Matters on June 18, 2020 to discuss details and additional questions.

2020 Annual Inspection: The electrical portion of the 2020 annual inspection was performed on May 26, 2020. Staff accompanied Kleinfelder during the mechanical portion of the inspection on June 8, 9 and 10, 2020.

Design

River Road Sludge Storage Hopper Feed Screw Replacement Project: An internal inspection of the storage hopper was conducted on May 29, 2020 by Certified Testing Laboratories, Inc (CTL). The report recommends recoating the inside and outside of the hopper.

Construction

Contract 18-3 Millstone Pump Station Odor Control Improvements: As of Payment Application No. 5 this project stands at 52% complete. Over the past reporting period BR Welding completed the installation of all FRP ductwork within the wet well; formed and placed the concrete for the support pads for the new odor control vessel, fan, and mist eliminator; installed the new odor control vessel, fan, mist eliminator, scrubber drain line; and rough fit the exterior FRP ductwork. The Contractor’s electrician installed the control panel for the new odor control system, completed all field connections, and checked the fan for proper rotation. BRW installed the carbon media into the scrubber vessel, completed site clean-up, and began grading and landscaping. Start-up of the new odor control system is expected to be completed by the end of June 2020.

Small Capital Projects

Contract 20-1: Inspection and Cleaning of the Millstone and Stony Brook Interceptors: During the weeks of May 25 and June 1, 2020 National Water Main Cleaning Co. and staff performed an inspection of the interceptors. No major problems were found. Staff is waiting for the final report.

Process Control/SCADA

The quarterly meter certifications were performed by W.G. Malden on June 1, 2020. Certification of Princeton Pump Station was performed on June 4, 2020. Preventative maintenance was completed for all field devices and process control loops.

Plant Influent Flow Meter: SBRSA staff continues with the calibration checks on the two (2) flow transmitters to establish historical accuracy data for each transmitter. Attached is the comparison summary of the sum of our billing meters versus the River Road plant influent meter. The new ABB Plant Influent low-side flow meter was installed on June 12, 2020.

Miscellaneous Repair:

Instrumentation staff complete the following list of unscheduled repairs during the previous reporting period.

- River Road WWTP
 - Corrected remote speed controller of the sodium bisulfite pumps to better match drive speed with the input signal from the SCADA.
 - Recalibrated all Dissolved Oxygen probes in the Modified Aeration (MA) tanks.
 - Installed, programmed, and commissioned a new weather station on the operations building.
 - Tested and fixed the high- and low-pressure alarm switches for the natural gas supply to the natural gas emergency generator.
 - Fixed network issues causing the MA aerators to lose communication with the SCADA.
 - Removed an abandoned 25-pair telephone cable from underground conduit to make way for new fiber optic.
- Pennington WWTP
 - Assisted with the integration of the post-aeration tank instruments into the SCADA.
 - Programmed influent pumps Nos. 3 and 4 to auto-restart after a power failure.
 - Removed and returned-to-inventory all instrumentation from the chlorine contact tank.
- Princeton Pump Station
 - Fabricated and installed new piping on the flow meter for more accurate calibration.

Information Technology

General:

The new VoIP handsets have been deployed and service has been activated. This upgrade not only replaces our old equipment but also reduces monthly costs. The old phones are being collected and stored while a determination is made regarding their proper disposal.

RRWWTP Operation Building Structured Cabling Project:

The new fiber optic cable between the server room and the Engineering trailer has been installed and terminated. The conduit for the fiber run to the Chemical Building has been cleared and is ready for fiber installation. Testing of all new CAT 6 cable connections has begun; results will be provided to the IT staff upon its completion.

Miscellaneous:

On June 14, the lead operator contacted IT to inform of a loss of network connection in the CEMS room. After troubleshooting a failed network switch was replaced. Services were restored the same day.

IT staff is reviewing additional cyber-security training options from KnowBe4. Potential training topics include cyber-security associated with working remotely, SCADA systems and personal identifiable information (PII).

582.12 Finance

Payment of Bills and Claims

Mr. Goldfarb moved for approval of Resolution 2020-042 for the payment of bills and claims in the amount of \$1,147,207.69 with two signatures instead of three. The motion was seconded by Mr. Vilaro-Munet and passed by a roll call vote of 5 to 0. Resolution 2020-042 follows.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2020-042

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 \$1,147,207.69 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. Sears reported net income for the six-months of 2020 fiscal year, ending May 31, 2020, was \$499,081. The Authority has total cash and investments of \$15,330,503. The current construction projects balance is \$3,186,863. There are sufficient funds for these projects. The outstanding bond principal balance is \$19,757,864.

Mr. Sears reported that on May 16, 2020 we closed on the bond for the Schwing Pump Replacement Project which added \$3,500,000 to the outstanding bond balance. We also had a de-obligation of the 2015 bonds for the Emergency Generator Project which were monies that we did not spend.

Monthly Sludge Business Analysis

Mr. Sears reported the monthly net income figure for the month of May is \$148,090 and the cumulative net income is \$701,602.

Mr. Sears recommended approval of Resolution 2020-044, Specifying Proprietary Replacement Parts for the Schwing Pumps. Due to the specialized nature of the parts the only acceptable manufacture of the Schwing Pumps parts is Schwing Bioset, this resolution will be made part of the bid documents. Staff is looking to go out to bid in July. Resolution 2020-044 was moved by Ms. Switlik, seconded by Mr. Vilaro-Munet and passed by a roll call vote of 5 to 0. Resolution 2020-044 follows.

Resolution of The Stony Brook Regional Sewerage Authority for Specifying Proprietary Replacement Parts for the Schwing Pumps

Resolution No: 2020-044

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

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

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

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

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

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

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

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

WHEREAS, the Authority’s attorney has reviewed the proposed certification for the specialized nature of the proprietary equipment necessary for the conduct of SBRSA’s affairs and

has advised of its applicability and acceptability pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1; and

WHEREAS, the CFO has certified funds are available in the 2020 Budget Spare Parts line account 5000-4525.

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

1. That the Authority agrees that due to the specialized nature of the equipment necessary for the conduct of its affairs, the only acceptable manufacturer for its Schwing Pump replacement parts is the manufacturer of the equipment, Schwing Bioset of Somerset Wisconsin.
2. Funds are available in 2020 Budget parts line account 5000-4525.
3. This resolution for proprietary equipment shall be made part of the bid documents.

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

Mr. Sears recommended approval of Resolution 2020-045, Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40-A:11-12a. The listed vendor, Hach Company will provide instrumentation parts. Resolution 2020-045 was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet and passed by a roll call vote of 5 to 0. Resolution 2020-045 follows.

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

Resolution No. 2020-045

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

WHEREAS, the Stony Brook Regional Sewerage 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 Stony Brook Regional Sewerage 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 Stony Brook Regional Sewerage 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 Chief Finance Officer; 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, 2019 to November 30, 2020.

<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 Vendor:

Commodity/Service	Vendor	State Contract #
Environmental Testing Equipment	Hach Company	T0983

Staff requested proposals from three (3) state approved vendors to provide a deferred compensation plan.

Mr. Sears recommended approval of Resolution 2020-046, Awarding Contract for a Deferred Compensation Plan Provider to Lincoln Financial. Resolution 2020-046 was moved by Mr. Vilaro-Munet, seconded by Ms. Switlik.

A discussion took place regarding the Deferred Compensation Plan.

Resolution 2020-046 was passed by a roll call vote of 5 to 0. Resolution 2020-046 follows.

Resolution Awarding Contract for a Deferred Compensation Plan Provider

WHEREAS, the Stony Brook Regional Sewerage Authority (hereinafter referred to as the “Authority”) by resolution is adopting a Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible Authority employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008 , the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the “Acts and Regulations”); and

WHEREAS, the Authority desires its Plan to conform the Code and Treasury regulations brought about by the Acts and Regulations; and

WHEREAS, the Authority desires to adopt a Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations; and

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

1. That the Authority hereby adopts Plan 92-PD-Lincoln-121316; and
2. Lincoln Retirement Services, LLC (hereinafter referred to as “Lincoln”) has agreed to be the provider of the Deferred Compensation Program for Authority employees and Authority retirees; and
3. Lincoln will provide for the benefit of the participants the Alliance LincOn account; and
4. In accordance with N.J.A.C. 5:37-7.1(a) the Stony Brook Regional Sewerage Authority solicited proposals for a Deferred Compensation Plan and Service Agreement from three (3) providers of deferred compensation services. The only vendor responding to the request for proposals was Lincoln. SBRSA staff reviewed the proposal submitted and spoke with a representative of the responding company. Lincoln was selected based on the information provided in their proposal indicating their high level of service, features and flexibility of the investment options for plan participants.
5. There has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.
6. The Finance Director is authorized to execute an Administrative Services Agreement with Lincoln (92-SA-Lincoln-121316) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Authority to the program; and

7. The Finance Director is authorized to serve as the “Administrator” of the plan, represent the Authority, and execute individual deferred compensation agreements with each said employee; and
8. That a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

<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. Sears provided a memo outlining the anticipated preparation steps and dates for the 2021 Budget.

Mr. Sears reported that on June 12, 2020 the State of New Jersey released the actuarial report that is used to calculate our unfunded pension liability.

Mr. Sears stated that he anticipates having a Finance Committee meeting in July 2020 prior to the next Board meeting.

582.13 Personnel Report

Ms. Pchola reported that there is no change to the personnel staffing this reporting period.

Ms. Pchola reported that Mr. Bixby will be retiring on June 30, 2020.

Ms. Pchola expressed the following about Mr. Bixby.

Courtney has been with the Authority for over 34 years. I have worked directly with him for over 18 of those years and prior to that Courtney was my Stony Brook contact when I worked for Metcalf & Eddy.

I cannot say enough about his dedication to the Authority, his work ethic, integrity, organizational skills, professionalism and his knowledge of instrumentation and electrical systems, especially here at the Authority. His knowledge has proven to be invaluable during our normal operations as well as during the 90 construction projects he was involved with.

He is well spoken and an excellent writer. He would always let me know that when he sent a document to Diane Alexander for review and comment and she would write back “excellent.” He is a perfectionist.

There are countless times when Courtney came to work in the early morning hours for special projects. And so many of us go to Courtney for his assistance and advice and he never failed to help out.

His knowledge and expertise will be profoundly missed as well as his presence. I and the Authority wish him good health and happiness in his retirement.

Dr. Downey and the Board expressed that they as well have benefited from Mr. Bixby’s contributions to the Authority and wish him good health and happiness in his retirement.

582.14 Correspondence

One correspondence was provided this month for information only.

582.15 Old Business

There was nothing to report.

582.16 New Business

There was nothing to report.

582.17 Open to the Public

Chairman Downey opened the public portion of the meeting. As there was no one from the public present or on the teleconference, the public portion of the meeting was closed.

582.18 And such other issues as may come before the Board

The Board has agreed to conduct the July Board Meeting via teleconference.

582.19 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:14 p.m. on a motion by Mr. Vilaro-Munet, seconded by Mr. Morehouse and passed by unanimous vote.

Respectfully Submitted,

Antonia Pchola
Secretary

Recorded and Written by
Angela Christiano
July 10, 2020