

Minutes of Meeting #479, November 14, 2011 – Stony Brook Regional Sewerage Authority

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

MEMBERS PRESENT: Bartolini, Compton, McKinnon, Miller, Morehouse

MEMBERS ABSENT: Downey, Patel

CONSULTANTS: Alexander

STAFF PRESENT: Bixby, Carlino, Coleman, Hess, Ireland, Irizarry, Kantorek, Kunert, Neuhof, Pchola, Rahimi, Redding

479.01 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 Borough Hall Bulletin Board.

479.02 Approval of Minutes

The minutes of the October 24, 2011 Board meeting were approved as presented on a motion by Mr. McKinnon, seconded by Mr. Compton and passed by a vote of 4 to 0.

479.03 Board Related Activities

Consultant List

The consultant list was provided for information. Mr. Kantorek noted that several contracts were pending for award.

Dr. Miller arrived at 7:34 p.m.

479.04 Planning and Administration

Mr. Kantorek reported that the most current 12-month average daily River Road plant flow is 10,481,031 gpd with 805,721 gpd of approved but inoperative flow for a total committed flow of 11,286,752 gpd with 1,773,248 gpd or 13.58% of available capacity. The most current 12-month average daily flow at the Hopewell Plant is 277,766 gpd with no inoperative flow, for a total committed flow of 277,766 gpd with 7.41% or 22,234 gpd of available capacity. The Pennington Plant presently has 279,824 gpd as the most current 12-month average daily flow, with 11,748 gpd of approved but inoperative flow, for a total committed flow of 291,572 gpd, with 8,428 gpd or 2.81% of available

capacity. Mr. Kantorek noted that the inoperative total for the Pennington Plant is the unused portion of Bristol-Meyer Squibb approved flow.

Mr. Kantorek indicated that over the next few months it is anticipated that there will be a continual upward trend in the 12-month average flows since the Authority will be replacing very dry months from 2010 with wet months in 2011.

#### Monthly Flow Transmittal

The monthly flow transmittal for October was provided for information.

Mr. Kantorek noted that several adjustments were made for the month.

At the Princeton Pumping Station the meter verification conducted on November 1, 2011 indicated that the high range meter (flow greater than 4.5 mgd) was reading low by 3.15%. A review of the meter data indicated that the average hourly flow data for the month of October was below 4.5 mgd and therefore no adjustments were required due to the accuracy of the high meter. The high range meter was readjusted to within the acceptable  $\pm 2\%$  accuracy.

The meter data for October 29, 2011 at the North Ridge Meter Station was uncharacteristically low (flow on that day at all other meter locations had a significant increase from October 28<sup>th</sup> to the 29<sup>th</sup> – flow data from the North Ridge Meter indicated a significant decrease). Therefore the flow for October 29<sup>th</sup> was replaced with the average of percent flow of North Ridge to the Princeton Pumping Station which is approximately 8.4%.

The meter verification conducted on November 1, 2011 at Meter Station No. 7 indicated that the meter was reading low by 3.92%. The meter verification conducted on September 30, 2011 indicated that the meter was reading high by 1.98%. Therefore the meter data was adjusted up by 0.98% which is the average of the meter verifications conducted on September 30<sup>th</sup> and November 1<sup>st</sup>.

The meter verification conducted on November 1, 2011 at the Pennington STP Influent meter indicated that the meter was reading low by 4.38%. The meter verification conducted on September 30, 2011 indicated that the meter was reading low by 0.37%. Therefore the meter data was adjusted up by 2.375% which is the average of the meter verifications conducted on September 30<sup>th</sup> and November 1<sup>st</sup>.

#### 479.05 Approval Requests and Actions

##### TWA-1 Approvals

None.

## Time Extensions

### **Greenview Corporate Park, Block 8, Lot 8, US Route 1 N, West Windsor Township**

Ms. Pchola indicated that the initial allocation of flow (29,442 gpd) by SBRSA was granted to the Greenview Corporate Park on August 2007. The project includes the construction of a hotel and office buildings. The NJDEP issued an initial TWA on November 30, 2007, expiring on November 20, 2009. A time extension was granted at the October 25, 2010 Board meeting. In addition a time extension was granted by NJDEP to November 29, 2011. The applicant is now seeking an additional time extension from SBRSA and an extension of the TWA from NJDEP.

The SBRSA Resolution defining the procedure to be used for time extensions state that the applicant must meet the following criteria.

- All requests must be submitted in writing at least 60 days prior to expiration: The extension request was received on October 27, 2011, 34 days prior to the expiration of both the SBRSA and the NJDEP permits.
- All requests shall include a resolution of the member municipality approving the extension: A resolution has not been submitted due to the fact that the West Windsor Township Council meeting falls on the same day as our Authority Board meeting. In lieu of a resolution the applicant has provided a memorandum to the West Windsor Business Administrator from the West Windsor Township Engineer dated October 28, 2011 recommending the renewal of the reserved sewer capacity. As discussed with the applicant, this issue will be heard at the Township Council meeting on November 14, 2011 and if approved the resolution will be provided to SBRSA.
- All requests shall include an affidavit or certification executed by the applicant describing the following:
  - i. Nature and location: Provided
  - ii. Changes or modifications: No changes requested or noted
  - iii. Substantive steps taken: The owner has removed stumps from the project site, removed all trees, performed a geotechnical investigation at the project site in connection with the final project design work, continued developing the final construction drawings for the project, and obtained all the required permits and approvals for the project with the exception of the building permits (this is the same status as was reported in last year's extension request).
  - iv. Hardship to be suffered: The applicant has expended in excess of \$6 million in land acquisition, design, permitting, etc.
  - v. Estimate of construction commencement: Greenview's estimated time to begin construction is uncertain as it is associated with the commercial lending markets and the global economic conditions. It is the applicant's hope to begin the earthwork portion of the project within the next twelve months.

Although the extension request was not submitted 60 days prior to expiration and a resolution has not been provided, a memo recommending approval of the reserved sewer

capacity in the West Windsor's collection system has been provided. All other criteria have been met.

Staff recommended approval of the extension to August 27, 2012 contingent upon the receipt of the West Windsor Township Resolution renewing the sewer capacity. As indicated in our previous letters to the applicant, there will be no time extension granted beyond August 27, 2012 which is five years from the date of the SBRSA original approval. So moved by Mr. Compton, seconded by Mr. McKinnon and passed by a vote of 5 to 0.

NJPDES Endorsements Requested

None.

Water Quality Management Plan Amendments

None.

479.06 Regulatory Report

Discharge Monitoring Report (DMR) and NJPDES Compliance

Mr. Rahimi reported that staff is currently preparing the October DMRs.

Residual Discharge Monitoring Reports

Mr. Rahimi indicated that the August Residuals Discharge Monitoring Reports were submitted to the NJDEP. All River Road parameters were compliant with the Air Permit requirements.

Mr. Rahimi reported that the semi-annual Residuals Discharge Monitoring Reports for Hopewell and Pennington were submitted to NJDEP. The results are within the expected ranges for these facilities

Air Reporting

Mr. Rahimi reported that staff prepared and submitted the 3<sup>rd</sup> quarter 2011 Excess Emissions and Monitoring Report to NJDEP.

Mr. Rahimi indicated that the 3<sup>rd</sup> quarter Incinerator Sludge Report was submitted to NJDEP. No exceedances were reported for the monthly and rolling-12-month averages for metals in the sludge fed to the incinerator.

Mr. Rahimi reported that on October 25 and 26, 2011 representatives from Bionomic Industries were on site to perform the performance test on the WESP. Staff is waiting for the results of that test.

Safety

Mr. Rahimi indicated that since the last Board meeting the following safety training was provided:

<u>Date</u>	<u>Training</u>	<u>Provider</u>	<u>Number of Employees</u>
10/25/11	PPE	JIF	4
11/3/11	Back Safety	JIF	1
11/3/11	Fall Protection	JIF	6
11/3/11	Lockout/Tagout	JIF	2
11/3/11	Electrical Safety	JIF	6
11/9/11	Fire Safety	SBRSA	11
11/9/11	Spill Pollution Prevention	SBRSA	11

A Safety meeting was held on October 24, 2011. A copy of the meeting minutes were provided to the Board.

Laboratory

On October 19, 2011 the laboratory received the audit report from the NJDEP, Office of Quality Assurance, for the audit conducted on October 5, 2011. A copy of SBRSA's response to the audit report was provided to the Board.

Miscellaneous

The annual pretreatment report was submitted to NJDEP Bureau of Pretreatment and Residuals on October 26, 2011. The forms submitted are for non-delegated agencies.

479.07 Litigation

The Litigation Report was provided for information.

Ms. Alexander, Counsel for the Authority, indicated that there was nothing new to report this month.

Resolution 2011-48, Authorizing the Award of a "No Political Contributions Allowed" Contract for 2012 General Counsel

Mr. Kantorek indicated that Maraziti, Falcon & Healey LLP has submitted an agreement to provide general counsel services from December 1, 2011 through November 30, 2012. All the rates are on a time/charge basis except the retainer fee of \$18,000 for attending the monthly Board meetings. The retainer fee is the same as in FY 2011. Additional legal services will be billed at \$220 per hour for Partners, \$195 for Senior Associates, \$170 for associates and \$90 per hour for Law Clerks. All rates are the same as for FY 2011.

Mr. Kantorek noted that in the first paragraph, second sentence, the resolution incorrectly states the Fiscal Year as 2011 rather than 2012. The resolution has been corrected and a copy was provided to the Board.

Mr. Kantorek recommended approval of Resolution 2011-48 authorizing a “No Political Contributions Allowed” contract to Maraziti, Falcon and Healey, LLP for general counsel services. So moved by Dr. Miller, seconded by Mr. McKinnon and passed by a roll call vote of 5 to 0. Resolution 2011-48 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed”  
Contract for 2012 General Counsel**

**Resolution No. 2011-48**

**WHEREAS**, the Stony Brook Regional Sewerage Authority has a need for General Counsel for the period starting on December 1, 2011 through the end of Fiscal Year 2012 (November 30, 2012) 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 purchasing agent, Stuart Neuhof has determined and certified in writing that the value of the work will exceed \$17,500; and

**WHEREAS**, the term of this contract is 12 months and

**WHEREAS**, Maraziti, Falcon and Healey, LLP has submitted an Agreement indicating they will provide General Counsel advice from December 1, 2011 through November 30, 2012 for a retainer fee of \$18,000 and additional legal services will be billed at \$220 per hour for Partners, \$195 for Senior Associates, \$170 for associates and \$90 per hour for Law Clerks; and

**WHEREAS**, Maraziti, Falcon and Healey, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Maraziti, Falcon and Healey, LLP 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 Maraziti, Falcon and Healey, LLP 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 Stony Brook Regional Sewerage Authority authorizes the Chairman to enter into a contract with Maraziti, Falcon and Healey, LLP as described herein; and

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

<u>RECORDED VOTE:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Harry Compton	X			
Gale D. Downey				X
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X

#### 479.08 Operations Report

Mr. Kunert reported that sand and anthracite has been added to all six of SBRSA’s multi-media filters at the River Road WWTP. This raised the media levels to the design specifications. In addition to the purchase of the filter media, the rental of a fork lift and crane was also required for this job.

Mr. Kunert indicated that on Saturday October 29 and Sunday October 30, 2011, SBRSA experienced a rain and snow event. The snow fell on trees which still had leaves causing many to fall and took down power lines. For approximately twenty-three (23) hours commercial power was lost at the Pennington STP. During that time the emergency generator ran for several hours before it shutdown due to a “High Temperature” alarm. Staff immediately called EMR, the Authority’s diesel generator service vendor, and within two (2) hours a mechanic was on-site. The generator was restarted and the mechanic determined that it was operating normally and the unit continued to do so for the remainder of the power outage. It is believed that a faulty temperature sensor caused the generator to shutdown, therefore, a new sensor was ordered. SBRSA did not experience any detrimental affects to the treatment process and the influent flow was contained during the two (2)-hour period that the facility went without power.

#### Odor Reports

Mr. Kunert reported that staff received one odor complaint from our surrounding area during the month of October. While investigating the complaint, staff discovered that the house adjacent to the complainants house was having their sewer lateral replaced; therefore, the complaint was not added to the graph. No odor complaints have been received for the partial month of November.

#### Customer Septage and Sludge Deliveries

The quantities of liquid sludge, sludge cake and gray water were below the budgeted amounts for the month of October.

## Maintenance Reports

Mr. Ireland reported that the number of work requests currently open stands at twenty-five (25) with approximately seven requests issued on a daily basis. On the Preventative Maintenance graphs SBRSA is currently averaging three days overdue and the number of overdue units is approximately fifty (50).

Mr. Ireland indicated that A.C. Scott was on site the week of October 24, 2011 to repair six street lights along the roadway in front of the Administration Building.

The Princeton Pump Station Raw Sewage Pump #3 is out of normal service due to a failed VFD cooling fan. Mr. Ireland indicated that a new fan is on order and the pump can be used in an emergency, if needed.

Mr. Ireland reported that the back Lab heating coil froze due to a failed recirculation pump and caused the ceiling tile to collapse, flooding the area. The area has been cleaned and Liberty Mechanical has ordered a new heating coil.

Mr. Ireland reported that CDI was on site November 7, 2011 to retrofit two low voltage circuit breakers in the sub-station with two new Siemens Static Trip III LSIGs with external displays. These breakers operate all of the Incineration and Cake receiving equipment.

Mr. Ireland noted that extensive repair work was performed on the bucket elevator of Incinerator #2. This elevator conveys the ash from the bottom of the Incinerator up to the hopper. The bottom shaft sprocket and bearings, the idler shaft sprocket and bearings, and 250 feet of chain were replaced and the drive sprocket was realigned. This work was performed in-house.

Mr. Compton asked if the Authority has a Capital Equipment Resource Plan for large pieces of equipment to determine if they have reached their useful life. Mr. Kantorek indicated that the Authority does have records which show how much money has been spent on repairs to equipment and can determine if a piece of equipment should be replaced. Looking forward the Authority may look into a formal software program.

## 479.09 Construction Report

### Incinerator New Rules

Ms. Pchola reported that staff conducted a more detailed review of CBE's draft report relating to SBRSA's compliance with EPA's New Source Performance Standards and Emissions Guidelines for Sewage Sludge Incinerators (SSI). Upon review staff still has various issues that need to be clarified with CBE prior to presentation to the Board.



Mercer County Wastewater Management Plan

Ms. Pchola indicated that Middlesex County Planning provided staff with new flow projections for South Brunswick and Plainsboro. The projected flow for South Brunswick and Plainsboro full buildout is approximately 7.7 mgd. Therefore the total projected full buildout flow for the River Road STP would be approximately 16.9 mgd (based on using 10.7 mgd as the current average flow).

Staff is waiting for Mercer County to schedule a meeting with NJDEP to discuss the current average flow value (proposed 10.7 mgd versus the current value in the Mercer County WMP of 9.5 mgd).

Resolution 2011-41, Authorizing the Award of a “No Political Contributions Allowed” Contract for Chavond Barry Engineering General Advice

Ms. Pchola indicated that CBE submitted a proposal for annual incinerator related advice services in the amount of \$44,750. The proposal for the 2011 advice account was in the amount of \$82,360. The work for 2012 includes assistance with the Title V reporting (staff will prepare the Title V reports with input from CBE) throughout 2012 and other various tasks that may be required by Operations as related to the incinerators such as inspections and repairs, “other” Title V issues, etc.

Staff recommended approval of Resolution 2011-41, authorizing the Award of a “No Political Contributions Allowed” Contract for 2012 Chavond-Barry Engineering General Advice in an amount not to exceed \$44,750 without prior authorization. So moved by Mr. Morehouse, seconded by Mr. McKinnon and passed by a roll call vote of 5 to 0. Resolution 2011-41 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed”  
Contract for  
2012 Chavond-Barry Engineering General Advice**

**Resolution No. 2011-41**

**WHEREAS**, the Stony Brook Regional Sewerage Authority has a need for general advice for the period starting on December 1, 2011 through the end of Fiscal Year 2012 (November 30, 2012) for General Consulting Services 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 may exceed \$17,500; and,

**WHEREAS**, the term of this contract is 12 months; and

**WHEREAS**, Chavond-Barry Engineering has submitted an Agreement indicating they will provide general engineering consulting advice from December 1, 2011 through

November 30, 2012 for a time charge fee not to exceed \$44,750 without written permission from Stony Brook Regional Sewerage Authority; and

**WHEREAS**, Chavond-Barry Engineering has completed and submitted a Business Entity Disclosure Certification which certifies that Chavond-Barry Engineering 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 Chavond-Barry Engineering, 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 Stony Brook Regional Sewerage Authority authorizes the Chairman to enter into a contract with Chavond-Barry Engineering as described herein; and

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

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Gale D. Downey				X
Harry Compton	X			
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X

Ms. Pchola indicated that in September 2012 SBRSA will be required to conduct the five-year stack test for all four operating scenarios as part of our Title V permit. CBE has previously submitted the stack test protocol to NJDEP for review and approval. Staff has requested that CBE provide a separate proposal for the work associated with the stack testing and request quotes from several vendors to conduct the stack testing.

Resolution 2011-42, Authorizing a “No Political Contributions Allowed” Contract for 2012 Omni Environmental General Advice

Ms. Pchola reported that Omni Environmental has provided a proposal for general engineering advice in the amount of \$35,000. The amount is the same as in 2011.

Staff recommended approval of Resolution 2011-42, authorizing a “No Political Contributions Allowed” contract to Omni Environmental for 2012 General Advice in an amount not to exceed \$35,000 without prior authorization. So moved by Mr. McKinnon, seconded by Dr. Miller and passed by a roll call vote of 4 to 0. Mr. Morehouse abstained. Resolution 2011-42 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed”  
Contract for 2012  
Omni Environmental General Advice**

**Resolution No. 2011-42**

**WHEREAS**, the Stony Brook Regional Sewerage Authority has a need for general advice for the period starting on December 1, 2011 through the end of Fiscal Year 2012 (November 30, 2012) for General Consulting Services 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 Neuhoﬀ has determined and certified in writing that the value of the work may exceed \$17,500; and

**WHEREAS**, the term of this contract is 12 months and

**WHEREAS**, Omni Environmental LLC has submitted an Agreement indicating they will provide general engineering consulting advice from December 1, 2011 through November 30, 2012 for a time charge fee not to exceed \$35,000 without written permission from Stony Brook Regional Sewerage Authority; and

**WHEREAS**, Omni Environmental LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Omni Environmental 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 Omni Environmental, 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 Stony Brook Regional Sewerage Authority authorizes the Chairman to enter into a contract with Omni Environmental LLC as described herein; and

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

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Gale D. Downey				X
Harry Compton	X			
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse			X	
Bharat Patel				X

Resolution 2011-43, Authorizing a “No Political Contributions Allowed” Contract to AECOM for 2012 General Advice

AECOM has provided a proposal for general engineering advice in the amount of \$20,000. The fee is the same as in 2011.

Staff recommended approval of Resolution 2011-43, authorizing a “No Political Contributions Allowed” contract to AECOM for 2012 General Advice for a fee not to exceed \$20,000 without prior authorization. So moved by Mr. Morehouse, seconded by Dr. Miller and passed by a roll call vote of 5 to 0. Resolution 2011-43 follows.

**Resolution Authorizing the Award of a “No Contributions Allowed” Contract  
for  
2012 AECOM General Advice**

**Resolution No. 2012-43**

**WHEREAS**, the Stony Brook Regional Sewerage Authority has a need for general advice for the period starting on December 1, 2011 through the end of Fiscal Year 2012 (November 30, 2012) for General Consulting Services 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-20A et seq.; and

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

**WHEREAS**, the term of this contract is 12 months; and

**WHEREAS**, AECOM has submitted an Agreement indicating they will provide general engineering consulting advice from December 1, 2011 through November 30, 2012 for a time charge fee not to exceed \$20,000 without written permission from Stony Brook Regional Sewerage Authority; and

**WHEREAS**, AECOM has completed and submitted a Business Entity Disclosure Certification which certifies that AECOM 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 AECOM from making any reportable contributions through the term of this 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 Stony Brook Regional Sewerage Authority authorizes the Chairman to enter into a contract with AECOM as described herein.

**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			
Gale D. Downey				X
Harry Compton	X			
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X

Odor Control

Ms. Pchola explained that as requested by the Board, staff contacted TRC on October 25, 2011 and requested a cost proposal to update the odor dispersion modeling that was conducted in 2008 utilizing the new data that was collected on August 9 and 10, 2011. TRC submitted a proposal to update the modeling in the amount of \$2,700.

Staff recommended approval of Resolution 2011-44, authorizing the Award of a Contract to TRC for Update of the Odor Dispersion Modeling. So moved by Mr. Morehouse, seconded by Dr. Miller and passed by a roll call vote of 5 to 0. Resolution 2011-44 follows.

**Resolution Authorizing the Award of a Contract to TRC for Update of the Odor Dispersion Modeling**

**Resolution No. 2011-44**

**WHEREAS**, TRC has recently conducted odor sampling in August 2011 for the Stony Brook Regional Sewerage Authority (SBRSA) at the River Road STP; and

**WHEREAS**, TRC provided SBRSA with an Odor Dispersion Model for the River Road STP as included in the Odor Identification/Evaluation Study River Road Wastewater Treatment Plant dated January 2009 prepared by TRC in association with Omni Environmental LLC; and

**WHEREAS**, SBRSA has a desire to update the dispersion model utilizing the most recent odor sampling conducted in August 2011; and

**WHEREAS**, the qualified purchasing agent, Stuart Neuhof has determined and certified in writing that the value of the work for this contract and previous contracts with TRC in FY 2011 will not exceed \$17,500; and

**WHEREAS**, the term of this contract will take place during SBRSA's FY 2012; and

**WHEREAS**, TRC has submitted a proposal indicating they will provide the model update for a lump sum fee not to exceed \$2,700 without prior written approval from SBRSA; 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 TRC as described herein.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Gale D. Downey				X
Harry R. Compton	X			
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X

On October 25, 2011 staff received the analysis of the three air samples (1 inlet, 2 outlets) and one media sample for the Sludge Cake Receiving Facility carbon scrubber. The conclusion reached by the testing laboratory indicates that the carbon media has good remaining capacity and there are low levels of VSCs and VOCs passing through the two media beds with the VSC's most likely the source of the odors being detected.

On November 8, 2011 staff received the results of the butane activity testing on the carbon media from Calgon Carbon Corp., the media supplier (see report at end of this section). The media demonstrates a low contaminate loading and the Carbon Tetrachloride values are at or near virgin carbon levels which is to be expected given that the carbon has been in service for less than six months. Ms. Pchola noted that currently no noticeable odors are coming from the unit.

Contract 07-1, River Road STP Regenerative Afterburner (RTO)

Ms. Pchola indicated that this project remains at 98% complete. On October 25<sup>th</sup> and 26<sup>th</sup>, Air Control Techniques of Cary, NC was on site along with Bionomic Industries and completed the particulate testing on the WESP. Karl Monninger of CBE assisted with

test supervision and data collection. The results of the testing should be received within the next two to three weeks.

#### Contract 09-1 Nitrification Aerator and Chemical Feed System Replacement

Ms. Pchola reported that staff received a letter from NJDEP indicating that the EPA has reviewed the American Recovery and Reinvestment Act (ARRA) program and has discovered that there was an omission of the Davis Bacon Act terms, conditions and/or wage rates in many the of Contract Documents. EPA has required that all contracts under the ARRA program be reviewed to determine if the contracts are in compliance/include the Davis Bacon Act requirements. Review of our contract documents indicated that the contract documents for Contract 09-1 did include the terms and conditions of the Davis Bacon Act (as outlined in Section CA.57 of the Agreement in the Contract Documents) however the wage rates were not incorporated into the documents.

Ms. Pchola indicated that SBRSA is in the process of reviewing the certified payrolls for the project to determine if all wages were in compliance with the Federal wage rates. As required by NJDEP Change Order No. 7 has been prepared to incorporate the Federal wage rates into the Contract Documents and does not change the value of the contract.

Staff recommended approval of Change Order No. 7 to incorporate the Davis Bacon Wage Rates into the contract documents. So moved by Mr. Morehouse, seconded by Mr. McKinnon and passed by a vote of 5 to 0.

#### Contract 10-1, Headworks Project

Ms. Pchola reported that this project is 15% complete as of pay estimate No. 8.

Ms. Pchola indicated that during the past reporting period, Tomar continued to submit shop drawings, completed installation of the sheet piles, installed 80% of the perimeter support steel for the sheeting, fabricated and installed 4 cross beam braces, completed removal of overburden, stockpiled same, and leveled and prepared the stockpile for sampling, began excavation and disposal of landfill material, and exposed a small section of 36-inch force main and assisted International Flow Technology (IFT) with fabricating a template of the force main for the wet tap/line stop.

Negotiations for Change Order No. 5 for the “extra work” required by Tomar to assist International Flow Technologies to provide the wet tap and to complete the additional bypass work are still underway.

Ms. Pchola indicated that there is an issue with the landfill material. During the initial disposal of the landfill material at the ultimate disposal facility in Pennsylvania, the facility operator, Waste Management (WM), informed Tomar that delivery of all material loads are halted until the material is sampled, analyzed, and the results submitted for approval by WM and the PADEP. This process typically takes approximately 2 to 3 weeks to complete and has the potential to adversely impact the project schedule and can be costly. Tomar is currently working on developing short and long term alternate plans

to keep the project moving forward and Omni is discussing options with the NJDEP Bureau of Solid Waste.

During discussions today, it appears that Burlington County will accept the material as landfill cover and based on New Jersey Statutes if the material is being used as Beneficial Reuse it does not have to go through the Mercer County Improvement Authority. Ms. Pchola cautioned that there is still some testing of the material that has to be performed. Tomar has completed the analysis of the material and is in the process of forwarding the results to Burlington County.

#### Contract 11-1, Fly Ash Slurry Pump Rehabilitation Project

Ms. Pchola reported that during the start-up of Fly Ash Pump #3 on October 24, 2011 the mechanical seal did not hold and leaked well beyond acceptable tolerance. Investigation by the pump manufacturer and mechanical seal manufacturer (Chesterton) discovered that the wrong style mechanical seal had been installed. Discussions between the pump manufacturer and Chesterton are being conducted and the issue is anticipated to be resolved in the near term.

#### Contract 11-2, Outdoor Motor Control Center (MCC) Replacement Project

Ms. Pchola reported that the pre-construction meeting with DeMaio Electric was held on November 3, 2011. The contractor is in the process of putting together the shop drawings for the project. Due to the long lead time for the equipment, the installation of the new MCC is tentatively scheduled for early April 2012.

#### November 16, 2011 Public Hearing

Mr. Kantorek reported that the Public Hearing for the draft NJPDES permits for the Hopewell and Pennington STPs on November 16, 2011 was discussed by the Construction Committee. Mr. Kantorek explained that the Authority had focused on setting up a meeting with the NJDEP Commissioner regarding the draft NJPDES permits and sought the support of the mayors of its member municipalities. However, staff did not notify the mayors about the NJDEP Public Hearing being held on November 16, 2011. Staff will notify the Mayors and Clerks of the Public Hearing via email.

### 479.10 Finance Report

#### Payment of Bills and Claims

Dr. Miller moved for approval of the payment of bills and claims in the amount of \$1,313,161.05 with two signatures instead of three; seconded by Mr. McKinnon and passed by a vote of 5 to 0.



## Treasurer's Report

Mr. Neuhof reported that net income for the 11-month period ending October 31<sup>st</sup> stands at \$531,728. This is an increase of \$26,865. The Authority has total investments of \$16,954,200 at an average interest rate of 0.28%. The balance for current construction projects is \$14,283,750. Mr. Neuhof indicated that there are sufficient funds for these projects. The New Jersey Cash Management Fund yield remains at 0.04%.

## Consent Agenda

The Finance Report contained five resolutions, each requiring a roll call vote. Mr. Morehouse recommended that the resolutions be voted upon on a consent agenda with one roll call vote rather than having a roll call vote for each one. If a Board member wished to have a discussion regarding a resolution, that resolution could be separated out of the group. After consulting with Ms. Alexander, Counsel for the Authority, the resolutions were presented on a consent agenda.

The following resolutions were considered to be routine and noncontroversial and were approved by one motion on a Consent Agenda: Resolution 2011-40, Authorizing the Purchased of a Backhoe from an approved State Contract Vendor; Resolution 2011-45, Adoption of the 2012 Budget; Resolution 2011-46, Awarding a Contract for the Provision of Insurance Consultant Services; Resolution 2011-47, Authorizing the Award of a "No Political Contributions Allowed" Contract with Gabel Associates and Resolution 2011-49, Delegating Authority to the Executive Director to award or reject Electric Bid.

Mr. Neuhof reviewed the resolutions.

Mr. Neuhof indicated that the Authority's backhoe has reached the end of its life cycle (approximately thirty (30) years old). Resolution 2011-40 is requesting authorization of the purchase of a backhoe from an approved State Contract Vendor, Gaithersburg Equipment Co. at a cost of \$69,895.

Resolution 2011-45, is for the adoption of the 2012 Budget. Mr. Neuhof explained that the annual budget reflects total Revenues of \$14,716,115, total Appropriations of \$14,874,558 and total Unrestricted Net Assets utilized of \$158,443. The Capital Budget reflects total Capital Appropriations of \$9,121,600 and total Unrestricted Net Assets to be utilized of \$600,000.

Mr. Neuhof indicated that Resolution 2011-46, requests approval for the award of a contract for the provision of Insurance Consultant Services to Mr. Harry Hall of Borden Perlman Insurance Agency Inc. Mr. Neuhof explained that the service fee is \$10,000, the same fee as in 2011. Mr. Neuhof noted that Mr. Hall has provided the Authority with consulting services for many years.

Mr. Neuhof indicated that Resolution 2011-47, authorizes a "No Political Contributions Allowed" contract to Gabel Associates, Inc. as energy agent for the purpose of electricity purchasing aggregation. The service provided by Gabel Associates is an Extraordinary,

Unspecifiable Service and has been certified as such by the Executive Director. Mr. Neuhof noted that a table was provided to the Board which illustrates the savings realized by being a part of the aggregation group (seventeen (17) Authorities in the electricity aggregation group). Mr. Neuhof indicated that if the group accepts a one-year contract, the SBRSA's cost for the energy agent is approximately \$7,000; if it is a two-year contract the cost is approximately \$8,400 (for the two-year contract).

Mr. Neuhof indicated that Resolution 2011-49 delegates authority to the Executive Director to award or reject an aggregation group electricity bid contract. Due to the volatility of the electricity market, bid prices are not guaranteed past 5:00 p.m. on the day they are received. Therefore, a decision to award or to reject the bid must be made on the Authority's behalf by its designated representative. The resolution authorizes the Executive Director to act in his sole discretion as the Authority's designated representative.

Mr. Neuhof recommended approval of Resolutions 2011-40, 2011-45, 2011-46, 2011-47, 2011-48 and 2011-49. The resolutions were moved by Mr. Morehouse, seconded by Dr. Miller and passed by a roll call vote of 5 to 0. The resolutions follow.

**RESOLUTION AUTHORIZING THE PURCHASE OF A BACKHOE FROM AN  
APPROVED STATE CONTRACT VENDOR  
PURSUANT TO N.J.S.A. 40A:11-12a**

**Resolution No. 2011-40**

**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 to purchase a Backhoe; and

**WHEREAS**, the Stony Brook Regional Sewerage Authority intends to enter into a Purchase Order contract with Gaithersburg Equipment Company, an approved State Contract Vendor through this resolution which shall be subject to all the terms and conditions of the current State contract; and

**WHEREAS**, the Stony Brook Regional Sewerage Authority has funds available in its current capital budget;

**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 Vendor(s) on the attached 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

<u>RECORDED VOTE:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Gale D. Downey				X
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
James McKinnon	X			
Harry Compton	X			

**2012 ADOPTED BUDGET RESOLUTION**  
**STONY BROOK REGIONAL SEWERAGE AUTHORITY**  
**FISCAL YEAR PERIOD DECEMBER 1, 2011 TO NOVEMBER 30, 2012**

**Resolution No. 2011-45**

**WHEREAS**, the Annual Budget and Capital Budget/Program for the STONY BROOK REGIONAL SEWERAGE AUTHORITY for the fiscal year period beginning December 1, 2011 and ending November 30, 2012 has been presented for adoption before the governing body at its meeting of November 14, 2011; and

**WHEREAS**, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

**WHEREAS**, the Annual Budget as presented for adoption reflects total Revenues of \$14,716,115, Total Appropriations, including any Accumulated Deficit, if any of \$14,874,558 and Total Unrestricted Net Assets utilized of \$158,443 ;and

**WHEREAS**, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$9,121,600 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$600,000; and

**NOW, THEREFORE BE IT RESOLVED** by the governing body of the STONY BROOK REGIONAL SEWERAGE AUTHORITY at a open public meeting held on November 14, 2011 that the Annual Budget and Capital Budget/Program of the STONY BROOK REGIONAL SEWERAGE AUTHORITY for the fiscal year period beginning December 1, 2011 and ending November 30, 2012 is hereby approved; and shall constitute appropriations for the purposes stated; and

**BE IT FURTHER RESOLVED**, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriations in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

<u>RECORDED VOTE:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Gale D. Downey				X
Harry Compton	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
James McKinnon	X			

**RESOLUTION AWARDING CONTRACT FOR THE PROVISION OF  
INSURANCE CONSULTANT SERVICES**

Resolution No. 2011- 46

**WHEREAS**, there exists a need for the Stony Brook Regional Sewerage Authority (hereinafter the “Authority”) to engage the services of an insurance consultant to provide services related to the provision of insurance related services regarding the insurance policies in place at the Authority; and

**WHEREAS**, the Authority is authorized by N.J.S.A. 40A:11-5(1)(a)(ii) to retain the services of an Insurance Consultant without public bidding in accordance with the requirements of Extraordinary Unspecifiable Services (hereinafter EUS) as set forth in N.J.A.C. 5:34-2.3; and

**WHEREAS**, the reasons supporting the EUS are set forth in a Certification of the Executive Director attached hereto and made a part hereof; and

**WHEREAS**, the Authority desires to retain Harry Hall of Borden Perlman Insurance Agency Inc., to perform insurance consultant services for a flat fee of \$10,000.00, in accordance with the proposed Service Fee Agreement dated October 11, 2011, attached hereto and made a part hereof.

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

1. The Authority hereby designates Harry Hall of Borden Perlman Insurance Agency Inc., to serve as Insurance Consultant for the purpose of providing services as described in Borden Perlman’s Service Fee Agreement proposal of October 11, 2011 for a cost of \$10,000.00; and

2. The Executive Director is authorized to execute a contract with Borden Perlman Insurance Agency Inc. and the Secretary is authorized to cause a copy of this Resolution to be published in an official newspaper of the Authority within ten (10) days of the date hereof.

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			
Gale D. Downey				X
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Harry Compton	X			

**RESOLUTION OF THE STONY BROOK REGIONAL  
SEWERAGE AUTHORITY  
AUTHORIZING A NO POLITICAL CONTRIBUTIONS ALLOWED  
CONTRACT WITH GABEL ASSOCIATES, INC.  
AS ENERGY AGENT**

**Resolution: 2011-47**

**WHEREAS**, the purchase of Electric Power Generation became more fully deregulated on August 1, 2003; and,

**WHEREAS**, PSE&G began charging hourly rates for power supplied to HTS and LPLP customers on August 1, 2003; and

**WHEREAS**, SBRSA has joined the New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation (NJSMUAESA) group; and

**WHEREAS**, Gabel Associates, Inc. will serve as the Energy Agent for the NJSMUAESA Aggregation group; and

**WHEREAS**, Gabel Associates, 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 Gabel Associates from making any reportable contributions through the term of the contract; and,

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11 5(1) a (ii) exempts the award of contracts for extraordinary, unspecifiable services from the requirements of public advertisement and bidding; and

**WHEREAS**, the Stony Brook Regional Sewerage Authority (the "Authority") has reviewed the Certification filed with the Authority by the Executive Director describing the nature of the registered energy agent; and

**WHEREAS**, it is not reasonably possible to draft bid specifications for services necessary to assist the Authority in connection with the electrical energy aggregation program, which Certification was reviewed by legal counsel, Maraziti, Falcon & Healey, L.L.P. to ensure that it meets the provisions of the Local Public Contracts law and the rules promulgated by the Department of Community Affairs; and

**WHEREAS**, the Authority is satisfied that, for the reasons articulated in the Certification dated November 10, 2011 from John Kantorek, Executive Director, attached hereto and made a part hereof, the proposed work is an extraordinary unspecifiable service and meets the requirements of the Local Public Contracts Law and N.J.A.C. 5:34-2.3.; and

**WHEREAS**, the award of this contract meets the statute and regulations governing the award of said contracts; and

**WHEREAS**, the Executive Director, in consultation with counsel, is authorized to make minor modifications to the Energy Agreement without changing the overall intent of the Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Authority shall enter into a one or two-year agreement (to be determined by actual electric supply bid results) with Gabel Associates, Inc. to serve as the Energy Agent for SBRSA for the purpose of electricity purchasing aggregation.

<u>RECORDED VOTE:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Robert A. Bartolini	X			
Gale D. Downey				X
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Harry Compton	X			

**RESOLUTION DELEGATING AUTHORITY TO THE EXECUTIVE  
DIRECTOR TO AWARD OR REJECT  
AN AGGREGATION GROUP ELECTRICITY BID CONTRACT**

**Resolution No. 2011-49**

**WHEREAS**, the existing Aggregation Group's electric generation supply contract with Hess Inc. will expire upon the first meter read date in May, 2012; and

**WHEREAS**, the Aggregation group's (New Jersey Sewerage and Municipal Utility Authority Electrical Supply Aggregation, or "NJSMUAESA") intent is to bid electricity supply several months in advance to take advantage of desirable market conditions; and

**WHEREAS**, the Stony Brook Regional Sewerage Authority is an active member of the NJSMUAESA group; and

**WHEREAS**, the Aggregation group's intent is to receive bid price submittals on or about December 7 2011; and

**WHEREAS**, due to the fact that the electricity market is highly volatile and bid prices are not guaranteed on December 7, 2011 after 5:00 p.m., the award or rejection of bid(s) must be made on the Authority's behalf by its designated representative.

**NOW, THEREFORE, BE IT RESOLVED** by The Stony Brook Regional Sewerage Authority that it hereby authorizes the Authority's Executive Director, to act in his sole discretion as the Authority's designated representative to award or reject an electricity bid in conjunction with the Aggregation Group.

**BE IT FURTHER RESOLVED** that notwithstanding the foregoing, the Authority's Executive Director, may reject any bid, including, if necessary, all bids (and not award a 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>
Robert A. Bartolini	X			
Gale D. Downey				X
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
James McKinnon	X			
Harry Compton	X			

2012 Estimated Participant Charge Update

Mr. Neuhof indicated that the update was based on eleven (11) months of flow. The update was also sent to the Municipal Finance Officers.

Mr. Neuhof noted that the most significant change was West Windsor Township's estimated refund decreased by approximately \$8,000.

Monthly Sludge Business Analysis

The monthly Sludge Business Tracking for FY 2011 was provided to the Board. Mr. Neuhof reported that net income for the month of October is \$94,648 and the cumulative net income is \$1,497,096. Gas usage for the month of October was approximately 68,000

(estimated since the Authority has not received its bill) terms and the remaining simple payback for the RTO is 3.8 years.

#### 479.11 Personnel Report

The Personnel Report was provided for member information.

Mr. Kantorek noted that Mr. Javier Irizarry has been promoted to Assistant Safety Manager. In addition, Mr. Irizarry is still performing the duties of sampler until the position is filled.

The Board congratulated Mr. Irizarry on his promotion to Assistant Safety Manager. Chairman Bartolini indicated that Safety is important to the smooth operation of the Authority.

#### 479.12 Correspondence

For information

#### 479.13 Old Business

None.

#### 479.14 New Business

None.

#### 479.15 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at approximately 8:25 p.m. on a motion by Dr. Miller, seconded by Mr. Compton and passed by unanimous vote.

Respectfully Submitted,

John Kantorek  
Secretary

Recorded and Written by  
Patricia Carlino  
December 5, 2011