

Minutes of Meeting #491 November 19, 2012 – Stony Brook Regional Sewerage Authority

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

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

MEMBERS ABSENT: Patel

CONSULTANTS: Alexander

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

491.01 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.

491.02 Approval of Minutes

The minutes of the October 22, 2012 Board meeting were approved as presented on a motion by Dr. Downey, seconded by Dr. Miller and passed by a vote of 6 to 0.

491.03 Board Related Activities

Consultant List

The consultant list was provided for information. Mr. Kantorek noted that there are two attorney contracts and one contract for Omni pending award.

491.04 Planning and Administration

Mr. Kantorek reported that the most current 12-month average daily River Road plant flow is 8,936,665 gpd with 856,126 gpd of approved but inoperative flow for a total committed flow of 9,792,791 gpd with 3,267,209 gpd or 25.02% of available capacity. The most current 12-month average daily flow at the Hopewell Plant is 209,987 gpd with no inoperative flow, for a total committed flow of 209,987gpd with 30.00% or 90,013 gpd of available capacity. The Pennington Plant presently has 232,204 gpd as the most current 12-month average daily flow, with 13,902 gpd of approved but inoperative flow, for a total committed flow of 246,106 gpd, with 17.96% or 53,894 gpd of available

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

Mr. Kantorek indicated that the 12-month average daily flow at River Road WWTP is the lowest it has been in quite some time. Mr. Kantorek noted that nine (9) months ago the 12-month average daily flow at River Road was 11.2 mgd.

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 three locations due to power outages caused by Hurricane Sandy.

On October 29th through October 31st power was lost to Meter Chamber No. 6. Staff was unable to recover any data and therefore had to estimate the flow data for those three days. The flows for those days were estimated based on the percent flow of Meter Chamber No. 6 to the Princeton Pumping Station flow. The flow at the Princeton Pumping Station on October 19th and 20th was similar to the flow on October 29th through the 31st. Therefore staff used the percent flow of Meter Chamber No. 6 to the Princeton Pumping Station for those days (percent flow on October 19th and 20th). Meter Chamber No. 6 flow for October 29th and 31st is 43% of the Princeton PS flow. Meter Chamber No. 6 flow for October 30th is 51.6% of the Princeton PS flow

On October 29th through October 31st power was lost to the North Ridge Meter Chamber. Staff was unable to recover any data and therefore had to estimate the flow data for those three days. The flow for those days was estimated based on the percent flow of the North Ridge Meter Chamber to the Princeton Pumping Station flow. The flow at the Princeton Pumping Station on October 19th and 20th was similar to the flows on October 29th through the 31st. Therefore staff used the percent flow of the North Ridge Meter Chamber to the Princeton Pumping Station for those days (percent flow on October 19th and 20th). The North Ridge Meter Chamber flow for October 29th and 31st is 9.68% of the Princeton PS flow. The North Ridge Meter Chamber flow for October 30th is 9.25% of the Princeton PS flow.

On October 29th through October 31st power was lost to the Princeton Forrestal Meter Chamber. Staff was unable to recover any data and therefore had to estimate the flow data for those three days. A large portion of the flow to this meter chamber is office/commercial. Historical data indicates that on weekends the flows attributed to this area are lower than the flows during the week as a definitive pattern is established. After the storm there was limited power to the office/commercial properties and limited access to these establishments therefore staff used the weekend flow data which is typically lower due to lack of activity to replace the data for October 29th through October 31st.

There were several days in October where the flow to Meter Chamber No. 7 was backed up due to grease clogs in the flume. Staff visited the site to remove the clogs several days

during the month. On these days the flows were estimated utilizing the meter data from the Millstone Pumping Station. The average percent flow of the “good” data from Meter Chamber No. 7 to the Millstone Pumping Station was calculated. That percent (31.33%) was used to calculate the flow for Meter Chamber No. 7.

The meter verification conducted on November 1, 2012 at the Pennington STP indicated that the influent meter was reading low by 4.48%. The meter verification conducted on October 1, 2012 indicated that the influent meter was reading low by 0.63%. The meter data for the month of October was adjusted upward by 2.555% based on the average of the verifications conducted on November 1st and October 1st.

The meter verification conducted on November 15, 2012 at the Hopewell STP indicated that the influent meter was reading low by 9.59%. The meter verification conducted on October 1, 2012 indicated that the influent meter was reading low by 0.20%. The meter data for the month of October was adjusted upward by 4.895% based on the average of the verifications conducted on November 15th and October 1st.

491.05 Approval Requests and Actions

TWA-1 Approvals

None.

Time Extensions

None.

NJPDES Endorsements Requested

None.

Water Quality Management Plan Amendments

None.

491.06 Regulatory Report

Discharge Monitoring Report (DMR) and NJPDES Compliance

Mr. Rahimi indicated that the October DMRs have been prepared and are currently being reviewed by staff.

Mr. Rahimi reported that the River Road Quarterly Effluent Surface Water Discharge Waste Characterization Report was submitted for the quarter ending October 31, 2012.

This report provides data for a select list of nine priority pollutants which have been historically detected in the plant's effluent.

Residual Discharge Monitoring Reports

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

Mr. Rahimi indicated that the September RDMRs have been prepared and are currently being reviewed by staff.

Air Reporting

Mr. Rahimi reported that the 3rd quarter 2012 Excess Emissions and Monitoring Report has been prepared by SBRSA staff and submitted to the NJDEP and the EPA.

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

Laboratory

Mr. Rahimi indicated that the sampling for the Copper Water Effects and Translator Study for the Hopewell and Pennington treatment plants has been completed as a joint effort by SBRSA and Omni Environmental. Omni is currently waiting for lab analysis and once they receive the results the report will be completed in early 2013.

Safety

No accidents or injuries were reported for this reporting period.

Mr. Rahimi reported that a Safety Committee Meeting was held on October 24, 2012. The meeting minutes were provided to the Board.

Mr. Rahimi indicated that a Fire Inspection was conducted at the Hopewell and Pennington Plants. Minor citations were issued and were promptly addressed.

Mr. Rahimi reported that the third quarter Safety Incentive Program Report (SIP) was submitted to the JIF.

Training for this reporting period included:

- Hazard Communications re-fresher provided by JIF for 9 employees
- Ladder Safety provided by JIF for 9 employees

- Back Safety provided by JIF for 1 employee

Mr. Rahimi reported that staff is presently continuing work or has completed the following projects:

- 1) MCC and panel board updates are continuing.
- 2) NFPA 70E 2012 label updates are continuing.

Mr. Rahimi reported that the asbestos tiles in the main hallway on the first floor of the Operations Building were scheduled to be removed the weekend of October 27th and 28th. Due to Super-storm Sandy removal was rescheduled for the weekend of November 17th and 18th. The air clearance was conducted on November 18th and staff has full access to the hallway as of November 19, 2012.

491.07 Litigation

The Litigation Report was provided for information with the following change since the last Board meeting.

Contract Issues

During a recent review of the political contributions documentation submitted to SBRSA by AECOM Technical Services, Inc., SBRSA discovered that AECOM had made political contributions in excess of the statutory amount to Middlesex County candidate committees in 2010 and 2012, contrary to the terms of the contract executed between SBRSA and AECOM. This issue was discussed with representatives from AECOM and their attorney, and Rebecca Moll Freed, Esq., counsel for AECOM, has issued an opinion letter dated November 13, 2012 which concludes that while the contributions violate the terms of the contract, the contract language exceeds the scope of the requirements contained in the Pay-to-Play legislation set forth at N.J.S.A. 19:44A-20.4 and 20.5, and that therefore the contributions are lawfully made and that SBRSA can continue to receive services from AECOM. This issue is currently being reviewed. The Board was provided with a copy of the opinion letter from AECOM's attorney. Ms. Alexander indicated that she is in the process of researching the statute.

Dr. Downey indicated that the Authority is not entering into a contract until this matter is resolved.

Resolution 2012-44. Authorizing the Award of a "No Political Contributions Allowed" Contract for 2013 General Counsel

Mr. Kantorek reported that Maraziti, Falcon & Healey have submitted a proposal to provide general counsel services. Mr. Kantorek noted that the fee is the same as in 2012.

Mr. Kantorek recommended approval of Resolution 2012-44, awarding a “No Political Contribution Allowed” contract for 2013 General Counsel to Maraziti, Falcon & Healey. So moved by Dr. Downey, seconded by Mr. McKinnon and passed by a roll call vote of 6 to 0. Resolution 2012-44 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed”
Contract for
2013 General Counsel**

Resolution No. 2012-44

WHEREAS, the Stony Brook Regional Sewerage Authority has a need for General Counsel for the period starting on December 1, 2012 through the end of Fiscal Year 2013 (November 30, 2013) 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, 2012 through November 30, 2013 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

Resolution 2012-45, Authorizing the Award of a “No Political Contributions Allowed” Contract for 2013 Labor Counsel

Mr. Kantorek indicated that Schwartz Simon Edelstein Celso LLC has submitted a proposal to provide services as the Authority’s Labor Attorney. Mr. Kantorek noted that their fee is the same as in 2012.

Mr. Kantorek recommended approval of Resolution 2012-45, awarding a “No Political Contributions Allowed” contract for 2013 Labor Counsel to Schwartz Simon Edelstein Celso LLC. So moved by Dr. Downey, seconded by Mr. Morehouse and passed by a roll vote of 6 to 0. Resolution 2012-45 follows.

Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract for 2013 Labor Counsel

Resolution No. 2012-45

WHEREAS, the Stony Brook Regional Sewerage Authority has a need for a Labor Attorney for the period starting on December 1, 2012 and continuing through the end of Fiscal Year 2013 (November 30, 2013) 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, Schwartz Simon Edelstein Celso LLC (SSEC) has submitted an Agreement indicating they will provide Labor advice from December 1, 2012 through November 30, 2013. Legal services will be billed at \$195.00 per hour for Partners and Counsel; \$175.00 per hour for Associates and \$100.00 per hour for Paralegals and Law Clerks; and

WHEREAS, SSEC has completed and submitted a Business Entity Disclosure Certification which certifies that SSEC 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 SSEC 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 SSEC 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

491.08 Operations Report

Mr. Kunert reported that Incinerator #2 was inspected by Chavond-Barry Engineering and staff has received the inspection report. Staff is currently preparing the bid specifications for the incinerator repairs based on the report.

Mr. Kunert indicated that on October 29, 2012 Hurricane Sandy downed many trees and power lines in the area. Operationally the Authority faired very well at all facilities. River Road WWTP and Pennington STP operated on generator power. For the entire week staff was in constant communication with PSE&G, the OEM (Office of Emergency Management), the NJDEP, and the Hopewell Township Health Department until all roads were cleared and commercial power was restored to our facilities.

Mr. Kunert indicated that there was difficulty in obtaining fuel for the generators since many of the transfer stations had also lost power. Staff made numerous calls to various companies and the Authority was able to obtain fuel to keep the generators in operation.

Mr. Kunert reported that as a result of Hurricane Sandy, SBRSA has extended the polymer trials to November 30th. Two vendors have trialed their product and two more vendors were interested in trialing. All the trials have now been conducted; however, the results of the trials indicate that only one of the four vendors qualified to bid. Since only one vendor qualified to bid, all the bids may be rejected and new trials conducted. The bid opening is scheduled for December.

Mr. Kunert indicated that the Liquid Sludge Receiving Station wetwell was cleaned out using a vac-truck owned and operated by PSOC.

Mr. Kunert noted that SBRSA has begun taking liquid sludge, approximately 125,000 gallons/week, from Trenton Sewerage Authority and smaller amounts from Roosevelt Borough. Mr. Kunert explained that this is being done in an effort to help out those treatment facilities that cannot bring their sludge to their usual contracted disposal sites due to the Hurricane.

Odor Report

Staff received two **Odor Complaints** from our surrounding area during the month of October. No odor complaints were received during the partial November 2012 reporting period. The full November number will be reported in December 2012.

Customer Septage and Sludge Deliveries

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

Maintenance Report

Mr. Ireland reported that on Incinerator #1 the stub shaft for the clinker grinder snapped. The shaft was replaced and put back into service. No Incineration time was lost during the repair.

On October 10, 2012, the installation of two new Sodium Hypochlorite bulk tanks was completed along with the addition of new piping and valves at the Hopewell Plant. The system was leak tested and put back into service.

On October 29, 2012, all generators came on at various times during the day due to Hurricane Sandy and remained online until Thursday afternoon November 1, 2012. All of the generators performed very well during the storm. The use of two fuel oil companies was essential in keeping the generators online.

Mr. Kantorek explained that when commercial power is lost, it is essential to the operation of the Authority to maintain its generator power. Due to the difficulty in obtaining fuel for the generators after the storm, staff will consider different options to improve the fuel situation. One option may be the installation of a generator fueled by natural gas.

The Princeton Pump Station mechanical climber screen remains offline until the parts arrive.

Mr. Ireland indicated that the number of open work requests stand at six (6) with approximately three (3) issued on a daily basis. The Preventive Maintenance graphs show that SBRSA is currently averaging three days (3) overdue and the number of overdue units is approximately fifty-five (55).

Mr. Ireland noted that photographs of downed trees on the plant site caused by the storm were provided to the Board.

491.09 Construction Report

Pennington STP Upgrade and Expansion

Ms. Pchola reported that the NJDEP stakeholders meeting scheduled for November 19, 2012 has been postponed to December 17, 2012. Mr. Kantorek will attend the meeting. The purpose of the meeting is to discuss the tiered use proposal which will impact nitrates and total dissolved solids (TDS) limits in our upstream permits. It is expected that the next step would be to provide a public notice relative to these issues which potentially would move the tiered use issue forward. Once the tiered use issue is under consideration NJDEP could issue the final upstream permits without the nitrate and TDS limits.

SBRSA Facilities 2012 Annual Inspection

Ms. Pchola indicated that staff has received the final 2012 Annual Inspection Report and this project is 100% complete.

2013 General Advice

Ms. Pchola indicated that staff received a proposal/Agreement for 2013 General Advice services from Kleinfelder/Omni (formerly Omni Environmental) dated November 14, 2012. The required "Pay to Play" forms were submitted on November 8, 2012. The proposal is for the requested amount of \$35,000 which is the same amount as last year.

As indicated in the Agreement, the Scope of Services includes:

- Wastewater treatment process, permitting and regulatory advice as requested
- Attend meetings as requested
- Be available for telephone conferences and advice and consultation that can be given by telephone
- Provide operations and maintenance advice as requested by the Authority

- Provide additional advice and general Consulting services as requested by the Authority

Staff recommended approval of Resolution 2012-46 for General Engineering Advice from Kleinfelder/Omni. So moved by Dr. Downey, seconded by Dr. Miller and passed by a roll call vote of 6 to 0. Resolution 2012-46 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed”
Contract for
2013 General Advice to Kleinfelder/Omni**

Resolution No. 2012-46

WHEREAS, the Stony Brook Regional Sewerage Authority has a need for general advice for the period starting on December 1, 2012 through the end of Fiscal Year 2013 (November 30, 2013) 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, Kleinfelder/Omni has submitted an Agreement indicating they will provide general engineering consulting advice from December 1, 2012 through November 30, 2013 for a time charge fee not to exceed \$35,000 without written permission from Stony Brook Regional Sewerage Authority; and

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

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

NOW THEREFORE, BE IT RESOLVED that the Board of the Stony Brook Regional Sewerage Authority authorizes the Secretary to enter into a contract with Kleinfelder/Omni as described herein; and,

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

Recorded Vote:

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

Ms. Pchola noted that Omni Environmental has been purchased by Kleinfelder Inc. Omni will continue to provide the same services and use the same personnel at the same location. However, they will do this work as Kleinfelder/Omni and have requested that SBRSA sign a Consent form legally assigning all existing contracts to Kleinfelder/Omni (contracts include NJPDES Permit Issues, General Advice 2012, and Headworks Services During Construction).

Staff recommended approval of Resolution 2012-48, authorizing the Chairman to Sign Consent for Assignment of Omni Environmental LLC Contracts to Kleinfelder East, Inc. So moved by Dr. Downey, seconded by Mr. McKinnon and passed by a roll call vote of 6 to 0. Resolution 2012-48 follows.

**Resolution Authorizing the Chairman to Sign Consent for Assignment of
Omni Environmental LLC Contracts to Kleinfelder East, Inc.**

Resolution No. 2012-48

Whereas, Omni Environmental LLC has notified Stony Brook Regional Sewerage Authority (SBRSA) in a letter dated October 22, 2012 of the purchase of Omni Environmental LLC by the Kleinfelder Group; and

Whereas, the Kleinfelder Group has a wholly owned subsidiary, Kleinfelder East, Inc. located in Hamilton, New Jersey; and

Whereas, Kleinfelder East, Inc. will become the successor to all contracts, projects and agreements between Stony Brook Regional Sewerage Authority (SBRSA) and Omni; and

Whereas, Omni has requested, in writing, SBRSA's approval to transfer the rights obligations of Omni under Omni's contracts to Kleinfelder East, Inc.; and

Whereas, pursuant to the terms of the Agreements between Omni Environmental LLC and SBRSA written consent of SBRSA is required to effect the assignment of the Agreements.

Now Therefore Be It Resolved by the Stony Brook Regional Sewerage Authority as follows:

1. The Board consents to the assignment of all agreements between Omni Environmental LLC and SBRSA to the Kleinfelder East, Inc.
2. Robert A. Bartolini, Chairman, is authorized to execute the Consent documents for the assignment of all agreements to the Kleinfelder East, Inc.
3. The Resolution shall take effect immediately.

Recorded Vote:

	<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

Incinerator Stack Testing

Ms. Pchola indicated that CBE received the draft stack test reports for OS1 (Incinerator No. 1 with the Afterburner) and OS27 (Incinerator No. 1 with the RTO) on Friday, November 9, 2012 from Avogadro and the reports are currently being reviewed by CBE. Avogadro expects to deliver the draft reports for OS3 (Incinerator No. 2 with the Afterburner) and OS28 (Incinerator No. 2 with RTO) to CBE the week of November 26, 2012.

Ms. Pchola indicated that submittal of final stack test reports to the Bureau of Technical Services (BTS) and NJDEP Air Compliance and Enforcement Central Regional Office (CRO) are due as follows:

- OS1 December 14, 2012
- OS27 December 22, 2012
- OS3 December 27, 2012
- OS28 January 5, 2013

Ms. Pchola reported that with regard to the additional sulfur analyses, CBE has the sulfur results for scrubber water samples in and out and the daily sludge feed composite samples but no sulfur results for individual (grab samples) of sludge feed and ash samples. CBE expects to receive the sulfur results for sludge and ash grab samples by the end of this week. Once this information is received CBE will provide us with a summary of the

analysis and the effect that this will have on the sulfur dioxide limits. The final recommendation as to compliance will be determined once NJDEP has reviewed the information. As indicated in SBRSA's affirmative defense to NJDEP, regarding the exceedance of the mass emission limit during the stack test, a detailed analysis will be provided to NJDEP regarding the sulfur analysis.

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

Ms. Pchola reported that Bionomic Industries began the performance testing on the WESP on November 19th and continuing through November 21st.

Contract 10-1, Headworks Project

Ms. Pchola reported that as of Pay Estimate No. 20 this project is 59% complete. Tomar continued to screen and stockpile the landfill material and disposed of approximately 1,800 tons (70 loads) of material at the Burlington County Landfill for the month of October. The mason sub-contractor continued with the installation of the concrete masonry units (CMU) for the building interior walls. The masonry work is approximately 40% complete.

Contract 12-1 Sludge Thickener No. 1 Improvements Project

Ms. Pchola reported that staff notified BR Welding on November 5, 2012 of the potential that SBRSA may need to put Sludge Thickener No. 1 on line. This is due to the increased quantity of outside sludge being received as a result of Hurricane Sandy (several facilities are down that normally receive and process outside sludge). However, to date Sludge Thickener No. 1 has not been put on-line. BR Welding was on site on November 6, 2012 to pick up the Owner supplied materials for the project and take measurements of the scum trough inside the tank to start fabrication. BR Welding will continue to submit shop drawings and provide the schedule of values and the construction schedule next week.

Disinfection Facility Bulk Chemical Storage Tanks

Ms. Pchola indicated that the repair of the tank nozzles for the sodium bisulfite and sodium hypochlorite tanks at the River Road site has been scheduled for November 26 and 27, 2012.

Process Control/SCADA

Ms. Pchola reported that there was damage to Meter Chamber No. 7 from downed trees as a result of Hurricane Sandy. Staff has contacted the insurance company and we are in the process of having an adjuster visit the site. The damage has not prevented SBRSA from metering the flow from Meter Chamber No. 7.

Mr. Neuhof indicated that an insurance claim has been filed with the JIF. SBRSA has additional property insurance if the damages exceed \$25,000.

491.10 Finance Report

Payment of Bills and Claims

Dr. Miller moved the approval of the payment of bills and claims for the month of October in the amount of \$1,464,891.97 with two signatures instead of three; seconded by Dr. Downey, and passed by a vote of 6 to 0.

Treasurer's Report

Mr. Neuhof reported that net income increased \$8,929 for a total of \$293,591 for the eleven-month period through October 31, 2012. The Authority has total cash and investments of \$16,650,879 at an average interest rate of 0.30%. The balance of current construction projects is \$9,774,584. Mr. Neuhof noted that there are sufficient funds for these projects. The New Jersey Cash Management Fund yield remains at 0.05%.

Resolution 2012-42, Awarding a Contract for the Provision of Insurance Consultant Services

Mr. Neuhof explained that Resolution 2012-42 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 indicated that the service fee is \$10,000, which is the same fee as in 2012. Mr. Neuhof noted that Mr. Hall has provided the Authority with consulting services for many years. Mr. Neuhof explained that this is an extraordinary, unspecifiable service and a certification has been signed by the Executive Director.

Mr. Neuhof recommended approval of Resolution 2012-42, Award of a Contract for the Provision of Insurance Consultant Services. So by Dr. Miller, seconded by Mr. Morehouse and passed by a roll call vote of 6 to 0. Resolution 2012-42 follows.

Resolution Awarding Contract for the Provision of Insurance Consultant Services

Resolution No. 2012- 42

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 15, 2012, 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 Salisbury & Kelly 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 15, 2012 for a cost of \$10,000.00; and
2. The Executive Director is authorized to execute a contract with Borden Perlman Salisbury & Kelly 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.

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

Resolution 2012-43, Adoption of the 2013 Budget

Mr. Neuhof indicated that the he received an email on November 19, 2012 from the Division Local Government Services approving the Authority's 2013 Budget for total Revenues and total Appropriations in the amount of \$14,600,848 and the Capital Appropriations of \$3,100,000 and Total Unrestricted Net Assets utilized as funding in the amount of \$600,000.

Mr. Neuhof recommended approval of Resolution 2012-43 to adopt the 2013 Budget.

Mr. Neuhof recommended approval of Resolution 2012-43, Adoption of the 2013 Budget. So moved by Dr. Miller, seconded by Mr. Morehouse and passed by a roll call vote of 6 to 0. Resolution 2012-43 follows.

2013 Adopted Budget Resolution
STONY BROOK REGIONAL SEWERAGE AUTHORITY
FISCAL YEAR PERIOD DECEMBER 1, 2012 TO NOVEMBER 30, 2013

Resolution No. 2012-43

WHEREAS, the Annual Budget and Capital Budget/Program for the STONY BROOK REGIONAL SEWERAGE Authority for the fiscal year period beginning December 1, 2012 and ending November 30, 2013 has been presented for adoption before the governing body at its meeting of November 19, 2012 ; 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 \$14,600,848, Total Appropriations, including any Accumulated Deficit, if any of \$14,600,848 and Total Unrestricted Net Assets utilized of \$0; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$3,100,000 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 19, 2012 that the Annual Budget and Capital Budget/Program of the STONY BROOK REGIONAL SEWERAGE Authority for the fiscal year period beginning December 1, 2012 and ending November 30, 2013 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			
Harry Compton	X			
Gale D. Downey	X			
James McKinnon	X			
David Miller	X			
C. Schuyler Morehouse	X			
Bharat Patel				X

Chairman Bartolini commended the Finance Committee and staff for a job well done on the 2013 Budget.

Dr. Miller congratulated the Finance staff and all staff for an exemplary job.

2013 Estimated Participant Charge Update

Mr. Neuhof provided the Board with an update of the 2013 Estimated Participant charges based on eleven months of 2012 flow data and the 2012 estimated year-end adjustment based on eleven months of flow data and 12-month projections of revenues and expenditures. Mr. Neuhof indicated that the changes were insignificant compared to the prior month.

State of New Jersey Affirmative Action Audit Review Letter

Mr. Neuhof reported that an Affirmative Action Audit was conducted on September 11, 2012. The review indicated that the Authority was in compliance. A copy of the letter was provided to the Board.

Consolidated Princetons

Chairman Bartolini requested staff to write a letter to the newly elected mayor of "Princeton" regarding appointment of representatives to the Authority's Board.

Monthly Sludge Business Analysis

The monthly Sludge Business Tracking for FY 2012 was provided to the Board. Mr. Neuhof reported that net income for the month of October is \$73,497 and the cumulative net income is \$946,251. Gas usage for the month of October was 61,022 therms. The simple remaining payback for the RTO is 2.8 years.

491.11 Personnel Report

The Personnel Report was provided for member information.

Mr. Kantorek reported that the newly hired (October 15, 2012) Operator IV has resigned.

491.12 Correspondence

For information

Chairman Bartolini acknowledged the thank you letters from Reading Lebanon Sewerage Authority for the Authority's assistance.

Chairman Bartolini congratulated Mr. Kunert on being the recipient of Central Section of the New Jersey Water Environment Association's Appreciation Award.

491.13 Old Business

None.

491.14 New Business

Resolution 2012-47, Award of Contract for the Furnishing, Delivery and Maintenance of Uniforms

Mr. Kunert reported that sealed bids for the furnishing, delivery and maintenance of uniforms were received on November 14, 2012. Two bids were received. The results are as follows:

	<u>24-Months</u>	<u>36-Months</u>
Cintas Corporation	\$16,557.76	\$24,836.64
American Wear Uniforms	\$33,759.84	\$47,418.12

Mr. Kunert explained that the last contract was a three-year contract with American Wear Uniforms for a total three-year cost of \$53,061.60.

Mr. Kunert reported that the low bidder's package was reviewed with the Authority's attorney and deemed to have no material defects.

Mr. Kunert recommended approval of Resolution 2012-47, awarding a three-year contract for the furnishing, delivery and maintenance of uniforms to the lowest responsive bidder, Cintas, in the amount of \$24,836.64. So moved by Mr. McKinnon, seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2012-47 follows.

**RESOLUTION AWARDING CONTRACT FOR THE FURNISHING
DELIVERY AND MAINTENANCE OF UNIFORMS**

Resolution No. 2012-47

WHEREAS, the Authority advertised for the receipt of sealed competitive bids in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. for the furnishing and delivery of personnel uniforms; and

WHEREAS, the following sealed competitive bids were received by the Authority on November 14, 2012, as more fully set forth in the attached Bid Tabulation Sheet:

	<u>2 years</u>	<u>3 Years</u>
Cintas Corporation 10080 Sandmeyer Lane Philadelphia, PA	\$16,557.76	\$24,836.64
American Wear Uniforms 261 N 18 th Street East Orange, New Jersey	\$33,759.84	\$47,418.12

WHEREAS, the apparent lowest responsive bidder, Cintas Corporation submitted a bid in the total amount of \$24,836.64 for three years; and

WHEREAS, the bids have been reviewed by the Authority to determine compliance with the bid specifications in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. and the same have been determined to be in order; and

WHEREAS, there are sufficient funds to provide funding for the contract amount.

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority that it hereby awards a three year contract for the furnishing, delivery and maintenance of personnel uniforms to Cintas Corporation as the lowest responsive bidder; and

BE IT FURTHER RESOLVED that the Bid Security of all unaccepted bidders be released or returned; and

BE IT FUTHER RESOLVED that the Executive Director, staff and consultants are authorized to take all appropriate measures to ensure that all appropriate documents, are provided by the Contractor.

<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

Award of Liquid Sludge Contract

The following liquid sludge contracts were approved on a motion by Dr. Downey, seconded by Dr. Miller and passed by a vote of 6 to 0.

Johnson & Johnson, CPC

January 1, 2013 to December 31, 2013

491.15 Executive Session

The Board entered into Executive Session at 8:25 pm to discuss the Authority Service Contract and the status of union negotiations on a motion by Dr. Downey, seconded by Dr. Miller and passed by unanimous vote.

491.16 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 9:45 p.m. on a motion by Dr. Downey, seconded by Mr. Compton and passed by unanimous vote.

Respectfully Submitted,

John Kantorek
Secretary

Recorded and Written by
Patricia Carlino
December 4, 2012