

Minutes of Meeting #492 December 17, 2012 – Stony Brook Regional Sewerage Authority

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

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

MEMBERS ABSENT: Compton

CONSULTANTS: Alexander

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

**Public Hearing**

The Public Hearing to receive comments regarding the Authority's proposed Rate Schedule for the receipt and treatment of outside waste in fiscal year 2013 was declared opened at 7:30 pm by Chairman Bartolini. A Certified Shorthand Reporter was present to record the proceedings.

Mr. Kantorek indicated that the purpose of the Public Hearing was to present the 2013 Rate Schedule for liquid sludge, sludge cake, septage, gray water and special wastes, and to provide the public an opportunity to comment on the rates.

Mr. Kantorek indicated that 2013 rates for sludge cake, septage, gray water and special waste are the same as in 2012. The only proposed change is under liquid sludge, 0.0% - 5.5% over one (1) million gallons, where the rate was proposed to change from \$52 in the 2012 rate schedule to the proposed rate of \$54 per 1,000 gallons.

Mr. Kantorek explained that each year the Authority reviews the current sludge market, what the market will bear and our operating costs.

Chairman Bartolini then asked if there were any additional questions or comments. As there were none, the Public Hearing was closed at 7:33 pm on a motion by Mr. Morehouse, seconded by Dr. Downey and passed by unanimous vote.

**2013 RATE SCHEDULE  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the **STONY BROOK REGIONAL SEWERAGE AUTHORITY** on Monday, November 19, 2012 at 7:30 PM in the Conference Room, Operations Building, 290 River Road, Princeton, NJ.

<b>I.</b>	<b>Liquid Sludge</b>													
	<b>Percent Solids</b>	<b>ANNUAL COMMITTED VOLUME PER SOURCE:</b>			<b>Uncommitted Contract</b>									
		<b>Over 1 Million</b>	<b>0.5 - 0.99 Million</b>	<b>Up to 0.5 Million</b>										
	0.0% - 5.5%	\$ 54	\$ 62	\$72	\$ 82									
5.5% - 7.0%	\$ 72	\$ 82	\$ 87	\$102										
<p>Notes:</p> <p>1) <b>All cost quotes are in dollars per 1000 gallons.</b></p> <p>2) <b>Effective Date and Terms of Revised Schedule:</b> These rates are in effect for calendar year 2013. See below additional discounts on longer-term contracts.</p> <p>3) <b>Discounted Items:</b> Deduct \$5/1000 gallons for Saturday and Sunday deliveries. Deduct \$5/1000 gallons for all quantities delivered in excess of 3 million gallons during 2013. Contracts through 12/31/14, <u>\$2/1000 gallons off 2014 posted rate.</u> Contracts through 12/31/15, <u>\$4/1000 gallons off 2015 posted rate.</u></p> <p>4) <b>Sludge which has volatile solids</b> between 40 and 49.9% will be surcharged \$5/1000 gallons. Sludge below 40% volatile solids is not accepted.</p> <p>5) <b>All non-contract sludge</b> will be processed on a C.O.D. basis.</p> <p>6) For customers requesting to enter into contracts for committed volume in excess of 1.0 million gallons per year, and for a period of time in excess of one year, SBRSA may modify the above rates if, in its judgment, such modification is necessary to ensure the commitment of sufficient volume to utilize SBRSA's available sludge disposal capacity.</p>														
<b>II.</b>	<b>Sludge Cake</b>													
	<p>a. \$62/Cubic Yard (14 - 22% Solids)</p> <p>b. \$60/Cubic Yard (22.1 - 30% Solids)</p> <p>c. \$2/Cubic Yard discount for Saturday/Sunday deliveries</p> <p>Note: Sludge Cake Rates are negotiable for annual commitments in excess of 1,000 cu yds.</p>													
<b>III.</b>	<b>Septage</b>													
	<table border="0"> <tr> <td><u>Gallons</u></td> <td><u>All gallons Billed at</u></td> </tr> <tr> <td>0 - 200,000</td> <td>\$62</td> </tr> <tr> <td>200,000 - 400,000</td> <td>61</td> </tr> <tr> <td>400,000 - 800,000</td> <td>59</td> </tr> <tr> <td>800,000 - 1,200,000</td> <td>57</td> </tr> </table>		<u>Gallons</u>	<u>All gallons Billed at</u>	0 - 200,000	\$62	200,000 - 400,000	61	400,000 - 800,000	59	800,000 - 1,200,000	57		
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0 - 200,000	\$62													
200,000 - 400,000	61													
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800,000 - 1,200,000	57													
	Note: All cost quotes are in dollars per 1,000 gallons. Commitments in excess of 1.2 million gallons/year are negotiable.													
<b>IV.</b>	<b>Gray Water</b>													
	<p><b>\$32</b></p> <p>Note: All cost quotes are in dollars per 1,000 gallons. Commitments in excess of 1.0 million gallons/year are negotiable.</p>													
<b>V.</b>	<b>Special Waste (Industrial Users)</b>													
	<p>a. Flow Charge is \$0.9/1000 gallons</p> <p>b. Site Remediation flow charge from landfill or groundwater remediation projects is \$1.80/1000 gallons</p>													
<b>VI.</b>	<b>High Strength User Surcharges:</b>													
	<p>a. Biochemical Oxygen Demand (over 300 mg/l) - Suspended for 2013.</p> <p>b. Total Suspended Solids (over 300 mg/l) - Suspended for 2013.</p> <p>c. Ammonia Nitrogen (over 40 mg/l) - Suspended for 2013.</p>													

**SBRSA reserves the right to submit, direct or through haulers, sealed competitive bid prices as authorized by resolution.**

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

John Kantorek,  
Secretary

492.01 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.

492.02 Approval of Minutes

The minutes of the November 19, 2012 Board meeting were approved as presented on a motion by Dr. Downey, seconded by Mr. McKinnon and passed by a vote of 6 to 0.

492.03 Board Related Activities

Resolution 2012-60, To Adopt the 2013 Rate Schedule

The 2013 Rate Schedule was adopted as presented on a motion by Dr. Downey, seconded by Dr. Miller and passed by a roll call vote of 5 to 0. Resolution 2012-60 follows.

**RESOLUTION TO ADOPT THE 2013 RATE SCHEDULE**

**Resolution No. 2012-60**

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

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

WHEREAS, the Authority desires to establish a Rate Schedule for 2013 so as to provide for the direct assessment and recovery of charges to Users discharging liquid sludge, sludge cake, septage, gray water, special wastes (Industrial Users) and high strength wastewater surcharges, as set forth in the 2013 Rate Schedule, attached hereto; and

WHEREAS, a notice of the 2013 Rate Schedule was published in accordance with the requirements of N.J.S.A. 40:14A-8, and public hearing held on December 17, 2012 at 7:30 PM, at the offices of the Authority, 290 River Road, Princeton, NJ, at which time the Authority solicited public comment on the proposed regulation.

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

1. The 2013 Rate Schedule, attached as Exhibit A hereto and made a part hereof, is hereby adopted. Any and all bills issued by the Authority by reason of this regulation shall be due and payable by the recipient within 30 days of the date thereof upon the failure of which the Authority shall be authorized to assess interest at the rate then in effect pursuant to N.J.S.A. 40:14A-21.
2. If any provision of this resolution or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision of the resolution and to this end the provisions of this resolution are declared to be severable.
3. This Resolution shall take effect as provided by law.

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			

Resolution 2012-51, Setting Regular Meeting Dates for Calendar Year 2013

Resolution 2012-51 setting the regular meeting dates for the Authority in calendar year 2013 in accordance with the provisions of the Open Public Meetings Act was presented for approval.

Mr. Kantorek noted that the meetings are scheduled for the fourth Monday of each month except in May, November and December when the meetings will be held on the third Monday of the month due to holidays.

Mr. Kantorek recommended approval of Resolution 2012-51 setting the regular meeting dates for calendar year 2013. So moved by Dr. Downey, seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2012-51 follows.

**Resolution Setting Regular Meeting Dates for the Stony Brook Regional Sewerage Authority for Calendar Year 2013  
in Accordance with the Provisions of the Open Public Meetings Act**

**Resolution No. 2012-51**

**BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority:

1. That the regular meeting day of the Authority be held on the fourth Monday of each month, except in May, November and December when the meeting will be held on the third Monday of the month.

2. That the following dates are established as the regular meeting dates of the Stony Brook Regional Sewerage Authority in the calendar year 2013:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
JANUARY 28, 2013	7:30 PM	SBRSA Offices, River Road
FEBRUARY 25, 2013	7:30 PM	SBRSA Offices, River Road
MARCH 25, 2013	7:30 PM	SBRSA Offices, River Road
APRIL 22, 2013	7:30 PM	SBRSA Offices, River Road
MAY 20, 2013	7:30 PM	SBRSA Offices, River Road
JUNE 24, 2013	7:30 PM	SBRSA Offices, River Road
JULY 22, 2013	7:30 PM	SBRSA Offices, River Road
AUGUST 26, 2013	7:30 PM	SBRSA Offices, River Road
SEPTEMBER 23, 2013	7:30 PM	SBRSA Offices, River Road
OCTOBER 28, 2013	7:30 PM	SBRSA Offices, River Road
NOVEMBER 18, 2013	7:30 PM	SBRSA Offices, River Road
DECEMBER 16, 2013	7:30 PM	SBRSA Offices, River Road

3. That for the purposes of public inspection, a copy of this Resolution shall be forthwith:

(a) Posted on the Princeton Municipal Building bulletin board and remain so posted throughout 2013;

(b) Mailed to the Trenton Times, Princeton Packet, Central Post, Hopewell Valley News and Pennington Post;

(c) Posted on the Stony Brook Regional Sewerage Authority website [www.sbrsa.org](http://www.sbrsa.org);

(d) Filed with the Clerks of Hopewell Borough, Hopewell Township, Pennington Borough, Princeton, South Brunswick Township and West Windsor Township;

(e) Mailed to those persons who have requested and paid any required charge for copies of the schedule and revision thereto, and shall be promptly mailed to those persons who shall hereafter make such request and prepay such charge by the Stony Brook Regional Sewerage Authority at their Board Meeting on December 17, 2012

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			

2012-55, Resolution Designating the Official Newspaper of the Stony Brook Regional Sewerage Authority

Mr. Kantorek indicated that Resolution 2012-55 is for the designation of the official newspaper for the Authority. Mr. Kantorek reported that these papers will be used to advertise meeting dates.

Mr. Kantorek recommended approval of Resolution 2012-55 designating the official newspaper. So moved by Mr. Morehouse, seconded by Dr. Miller and passed by a roll call vote of 6 to 0. Resolution 2012-55 follows.

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

**Resolution No. 2012-55**

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

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

1. The designated newspapers of the Authority are:
  - A. *Times of Trenton*
  - B. *Princeton Packet*
2. The official newspaper of the Authority is the Times of Trenton.
3. The Executive Director is authorized to:
  - A. Forward a copy of this Resolution to two newspapers, one of which shall be the official newspaper of the Authority.

4. This Resolution shall take effect as provided by law.

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			

Letter to the Mayor Elect of Princeton

Mr. Kantorek reported that a letter was sent on December 11, 2012 to the Mayor Elect of the consolidated Princeton. The letter explains that the only action the consolidated Princeton must take regarding the Authority is to appoint one member to represent the new municipality.

Mr. Kantorek further explained that the existing 1977 Amended Service contract between SBRSA and its Participants Municipalities is adequate as currently drafted to bind the new Princeton entity upon the consolidation of the Borough and Township.

Mr. Kantorek noted that all information contained in the letter was based on the legal advice of the Authority's attorney. The Mayor Elect was provided a copy of the legal opinion from the Authority's attorney.

Committee Assignment Policy

As of January 1, 2013, Princeton Township and Princeton Borough will be consolidated and known as Princeton. As a result of the consolidation, Stony Brook Regional Sewerage Authority will have six (6) Board members not seven (7). The change will also have an impact on Committee assignments.

A lengthy discussion took place regarding various scenarios for Committee Assignments. Following that discussion and to ensure that all member municipalities are fairly represented and to lessen any potential conflict of interest between the municipalities and the Authority, the Board adopted the following Committee Assignment Policy on a motion by Mr. Morehouse, seconded by Dr. Downey and passed by a vote of 6 to 0:

1. All members of the Authority except the Chairman shall serve on the Committees.
2. The committees shall include Finance, Construction, Personnel and Oversight
3. There shall be three (3) members on the Construction Committee and two (2) members on the Finance and Personnel Committee.
4. There shall be one (1) liaison to the Oversight Committee.

5. All members (excluding the Chairperson) shall serve on either the Construction or Finance Committees.
6. The Chairpersons of the Construction and Finance Committees shall serve on only one (1) committee.
7. The Treasurer shall serve as the Chairperson of the Finance Committee. The Vice-Chairman will normally serve as the Chairperson of the Construction Committee.
8. No member shall serve on more than two committees.
9. The Chairman will make all committee assignments.

#### Consultant List

The consultant list was provided for information. Mr. Kantorek noted that there are two contracts pending award.

#### 492.04 Planning and Administration

Mr. Kantorek reported that the most current 12-month average daily River Road plant flow is 8,693,998 gpd with 856,126 gpd of approved but inoperative flow for a total committed flow of 9,550,124 gpd with 3,509,876 gpd or 26.88% of available capacity. The most current 12-month average daily flow at the Hopewell Plant is 212,514 gpd with no inoperative flow, for a total committed flow of 212,514 gpd with 29.16% or 87,486 gpd of available capacity. The Pennington Plant presently has 225,494 gpd as the most current 12-month average daily flow, with 14,239 gpd of approved but inoperative flow, for a total committed flow of 239,733 gpd, with 20.09% or 60,267 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 noted that due to the continuing dry weather conditions the 12-month daily average flows continue to decrease at all three treatment plants.

Dr. Downey indicated that an article in the *Hopewell Valley News* cited Hopewell Borough as allowing properties on the edge of the Borough into the sewer system. Dr. Downey questioned if this included new development. Mr. Morehouse indicated that the ordinance contains very specific guidelines for entry into the sewer system.

#### Monthly Flow Transmittal

The monthly flow transmittal for November was provided for information.

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

At Meter Chamber No. 6, no flow data was available from November 1<sup>st</sup> through November 6<sup>th</sup>. On November 1<sup>st</sup> there was no power to the meter chamber. On November 2<sup>nd</sup> through the 6<sup>th</sup> staff was still not receiving flow data and thought that power had not been restored. PSE&G was contacted and during their site visit it was

determined that SBRSA's UPS was not reset and therefore unable to retrieve any data from November 2<sup>nd</sup> through the 6<sup>th</sup>.

The flow data from November 1<sup>st</sup> through the 6<sup>th</sup> was estimated based on the average percent flow of Meter Chamber No. 6 to the Princeton Pumping Station from November 7<sup>th</sup> through the 30<sup>th</sup>. The flow for November 1<sup>st</sup> through the 6<sup>th</sup> was estimated as 53.8% of the Princeton Pumping Station flow.

In addition the flow on December 8<sup>th</sup> was uncharacteristically low and therefore the flow data for that day was calculated based on the average of the day before and the day after.

No flow data was available from November 1<sup>st</sup> through November 6<sup>th</sup> at Meter Chamber No. 7. On November 1<sup>st</sup>, SBRSA did not have power to the meter chamber. On November 2<sup>nd</sup> through the 6<sup>th</sup> we were still not receiving flow data and staff thought that power had not been restored. PSE&G was contacted and during their site visit it was determined that SBRSA's uninterrupted power supply (UPS) was not reset and therefore we were unable to retrieve any data from November 2<sup>nd</sup> through the 6<sup>th</sup>. In addition staff had indicated that there were unusual flow increases on several days throughout the month. Staff conducted investigations at the meter chamber on those days and discovered grease clogs in the flume. West Windsor was contacted on December 11, 2012 to determine if there were any changes to the operation of their system. The Township assured us that it was not holding back and releasing flow to clear their lines nor have they made any operational changes. SBRSA Operations will meet West Windsor in January as we have in the past to determine where the grease is coming from.

Therefore the flow data from November 1<sup>st</sup> through the 6<sup>th</sup> and November 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, 17<sup>th</sup>, and 18<sup>th</sup> was estimated based on the average percent flow of the "good" data from Meter Chamber No. 7 to the Millstone Pumping Station which was calculated as 27.4%.

At the South Brunswick Pumping Station, the meter certification conducted on November 30, 2012 indicated that the meter was reading high by 12.37%. The meter verification conducted on November 2<sup>nd</sup> indicated that the meter was reading high by 1.62%. The meter data from November 2<sup>nd</sup> through the 30<sup>th</sup> was adjusted down by 7.0% which is the average of the meter verification conducted on November 2<sup>nd</sup> and the meter verification conducted on November 30<sup>th</sup>.

At the Princeton Forrestal Meter Chamber there was no data from November 1<sup>st</sup> through the 6<sup>th</sup> due to a combination of a power outage and not resetting our UPS. 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. 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 November 1<sup>st</sup> through the 4<sup>th</sup>.

The meter verification conducted on November 1, 2012 at the Pennington STP indicated that the influent meter was reading low by 0.35%. The meter certification conducted on November 30, 2012 indicated that the influent meter was reading low by 7.89%. The

meter data for the month of November was adjusted up by 4.12% based on the average of the meter verification conducted on November 1<sup>st</sup> and the meter certification conducted on November 30<sup>th</sup>.

At the Hopewell STP the meter verification conducted on November 15, 2012 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 November 1<sup>st</sup> through the 14<sup>th</sup> was adjusted up by 4.895% based on the average of the verifications conducted on November 15<sup>th</sup> and October 1<sup>st</sup>. The meter certification conducted on November 30<sup>th</sup> was within  $\pm 2\%$  accuracy and therefore no additional adjustment was required for the remainder of November.

#### Oversight Committee Minutes

The Oversight Committee met on December 3, 2012. Mr. Kantorek indicated that the main topics of discussion were Superstorm Sandy, odor complaints, odor sampling results and the Headworks Project.

Mr. Kantorek noted that the Committee has only four (4) members.

#### 492.05 Approval Requests and Actions

##### TWA-1 Approvals

None.

##### Time Extensions

None.

##### NJPDES Endorsements Requested

None.

##### Water Quality Management Plan Amendments

None.

#### 492.06 Regulatory Report

##### Discharge Monitoring Report (DMR) and NJPDES Compliance

Mr. Rahimi reported that the Discharge Monitoring Reports for the month of October were submitted to the NJDEP. No violations were reported.

Mr. Rahimi indicated that the November DMRs are currently being prepared by staff.

#### Residual Discharge Monitoring Reports

Mr. Rahimi reported that the September Residuals Discharge Monitoring Reports were submitted to the NJDEP. All River Road parameters were compliant with the Authority's Air Permit requirements.

Mr. Rahimi noted that staff is currently preparing the October RDMRs.

#### Air Reporting

Mr. Rahimi indicated that staff has reviewed the Compliance Emissions Test Report for OS1 as conducted by Avogadro and provided by CBE. The test report was received by NJDEP on December 13, 2012 (the report was due December 14, 2012).

Mr. Rahimi reported that staff is in the process of reviewing the Compliance Emission Test Report for OS27 (Incinerator No. 1 with the RTO). Once complete, CBE will submit the report to NJDEP, which is due December 22, 2012.

#### Safety

Mr. Irizarry reported that no accidents or injuries occurred for this reporting period.

Mr. Irizarry reported that a Fire Inspection was conducted at the River Road Plant and the Princeton Pump Station. Minor citations were issued and were promptly addressed.

Mr. Irizarry indicated that the following training for this reporting period included:

- Safety Leadership provided by JIF for one (1) employee

Mr. Irizarry 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.
- 3) Staff is replacing existing lighting with new and more efficient lighting.

Mr. Irizarry indicated that the asbestos tiles in the main hallway on the first floor of the Operations building were removed and new tiles installed.

Mr. Irizarry noted that the ceiling tiles in the front office were removed and new ceiling tiles installed. The new tiles are mold and mildew resistant.

#### 492.07 Litigation

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

##### Contract Issues

As discussed at the November Board meeting, 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, 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. A copy of this letter was provided to the Board.

Ms. Alexander reported that this issue was reviewed by SBRSA counsel and a legal opinion rendered confirms that contractors cannot make a contribution in excess of \$300 to any candidate or political party committee representing members of the governing body appointing members on the Authority. A copy of the opinion letter from Diane Alexander, Esq. dated December 12, 2012 was provided to the Board. Accordingly, AECOM's contributions to the county candidate committees in 2010 and 2012 did not violate the terms of the Pay-to-Play legislation. Revised Contract language has been developed and recommended for inclusion in future contracts to comply with the provisions of the statute contained in the Pay-to-Play Law.

#### 492.08 Operations Report

Mr. Kunert reported that the bid specifications were prepared for the necessary repairs to Incinerator #2 based on Chavond-Barry's inspection report. The bid opening took place on December 12, 2012 and the outcome of this bid will be addressed under the "New Business" section of this meeting's agenda.

Mr. Kunert indicated that SBRSA continues to receive liquid sludge from four additional sources due to Hurricane Sandy and the inability of these sources to bring the sludge to their contracted disposal facilities. The sources include Trenton which is bringing approximately 240,000 gallons per week; Burlington, Long Branch, and Neptune are each bringing us approximately 75,000 gallons per week. In addition, SBRSA is receiving sludge cake from Bayshore, which started out at two loads per day but has recently decreased to one load per day when their sludge inventory dropped back to normal.

Mr. Kunert reported that the scheduled polymer bid opening date of December 6, 2012, was canceled. The polymer trials that were conducted prior to this bid opening date are being re-scheduled and the vendors will be re-trialing. A new bid opening date has been scheduled. Most vendors seemed to have trouble meeting the 20% solids requirement as per bid specifications and a few brought in a polymer that inhibited drainage through the belt which is known as blinding the belt. Another requirement of the bid specifications is that blinding of the belt cannot occur during the trial. The solids requirement in the bid specifications has been lowered from 20% to 19%. All bidders have been notified by telephone and faxed an addendum. This addendum was advertised as required.

Mr. Kunert indicated that an inspection and performance test was conducted on the WESP and the RTO. Staff is awaiting the results of these tests.

Mr. Kunert reported that the Operations Department drained and cleaned a sodium hypochlorite and a sodium bisulfite storage tank in order for the tanks to be inspected by an outside contractor. Staff then transferred the chemicals into the two tanks that were inspected and cleaned the remaining two which were also inspected. The results of these inspections will be discussed in the Construction report.

Mr. Kunert noted that staff received letters from the NJDEP regarding their annual inspection of each of our three (3) treatment plants. These letters were provided to the Board. The letters indicate that the Authority was in compliance with applicable regulations and Permit conditions for all three (3) plants.

#### Odor Report

Staff received one **Odor Complaint** from our surrounding area during the month of November. No odor complaints were received during the partial December 2012 reporting period. The full December number will be reported in January 2013.

#### Customer Septage and Sludge Deliveries

The quantity of liquid sludge and sludge cake exceeded their budgeted amounts while the quantity of gray water was below the budgeted amounts for the month of November.

#### Maintenance Report

Mr. Ireland reported that on November 26, 2012, the mechanical seals on Process Drain Pumps 1 and 2 were replaced. The seals were severely leaking sludge onto the floor creating a slipping hazard in the area.

Mr. Ireland indicated that the Influent Pump #4 at the Hopewell facility was taken out of service due to a cracked volute. It was replaced with a spare volute along with a new mechanical seal. The pump was tested and put back into service.

Mr. Ireland reported that Process Drain Pump #2 was taken out of service due to a bad breaker located in the VFD cabinet. It was discovered during the troubleshooting process

that one of the three phases was not making contact on the 150 amp breaker and not allowing the pump to operate due to an under voltage fault. A new breaker was ordered and installed by the Instrumentation Department. The pump was tested and then placed back into operation.

Mr. Ireland indicated that the Princeton Pump Station mechanical climber screen parts have arrived and the process of reassembling the unit should be completed within a week.

Mr. Ireland indicated that the number of open work requests stand at nine (9) with approximately three (3) issued on a daily basis. The Preventive Maintenance graphs show that SBRSA is currently averaging four days (4) overdue and the number of overdue units is approximately fifty (50).

#### 492.09 Construction Report

##### Pennington STP Upgrade and Expansion

Mr. Kantorek reported that he attended the NJDEP stakeholders meeting on December 17, 2012. At this meeting the NJDEP made its presentation on how they are proposing to deal with the water treatment based Water Quality Standards (WQS) generally described in the Tiered Use proposal. Mr. Kantorek noted that these proposals will impact the permits for the Pennington and Hopewell STPs in a positive way.

The proposed changes are beneficial to the Authority as well as other wastewater facilities. The Total Dissolved Solids (TDS) limit of 500 mg/l has been eliminated from the WQS. This is significant because to meet that limit, the treatment would require reverse osmosis which is costly.

However, a more stringent limit for Nitrates has been included in the WQS. Sampling/testing will be collected at drinking water intakes and not near wastewater treatment plant outfalls. It appears that all entities in the Raritan Basin will not have the original stringent limits for TDS.

Mr. Kantorek reported that NJDEP does not have a definitive date for implementation which means that new permits will not be written under the new rules and therefore, SBRSA more than likely will need to request an Adjudicatory Hearing. In addition, expansion plans for the Pennington STP cannot move forward.

Mr. Kantorek indicated that he will keep the Board abreast of the situation.

Ms. Pchola then reported that all laboratory data for the copper study has been received by Kleinfelder/Omni. They are in the process of evaluating the data and completing the analysis to derive more appropriate copper limits for the Pennington and Hopewell STPs or demonstrate that no limits are necessary.

Resolution 2012-49, Authorizing the Award of a “No Political Contributions Allowed” Contract for the 2013 General Advice to KEMS, LLC

Ms. Pchola explained that Karl Monninger, formerly of CBE, has left that firm and has started his own business. Ms. Pchola indicated that staff requested that KEMS, LLC provide a proposal to SBRSA for general incinerator advice. A copy of the proposal was provided to the Board. As requested KEMS will provide assistance for the Authority’s Title V permit renewal, assistance with regulatory reports and analysis of SBRSA’s sulfur dioxide issue. KEMS, LLC will also follow-up to the Authority’s affirmative defense submitted to NJDEP regarding the sulfur dioxide exceedance that occurred during our stack test (OS27), and other regulatory issues related to our incinerators on a time charge basis not to exceed \$50,900 without prior approval.

Staff recommended approval of Resolution 2012-49 Authorizing the Award of a “No Political Contributions Allowed” contract for the 2013 General Advice to KEMS, LLC. So moved by Dr. Downey, seconded by Mr. Morehouse and passed by a roll call vote of 6 to 0. Resolution 2012-49 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract for 2013 General Advice to KEMS LLC**

**Resolution No. 2012-49**

**WHEREAS**, the Stony Brook Regional Sewerage Authority “Authority” has a need for general advice for the period starting on December 18, 2012 through the end of Fiscal Year 2013 (November 30, 2013) for Consulting Engineering Services related to the operation and maintenance of the Authority’s incinerators 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 December 18, 2012 through November 30, 2013 and,

**WHEREAS**, KEMS LLC has submitted an Agreement indicating they will provide general engineering consulting advice from December 18, 2012 through November 30, 2013 for a time charge fee not to exceed \$50,900 without written permission from Stony Brook Regional Sewerage Authority; and

**WHEREAS**, KEMS LLC has completed and submitted a Business Entity Disclosure Certification (BEDC) which certifies that KEMS LLC has not made any reportable contributions to a political or candidate committee listed on the BEDC form in

the previous one year, and that the contract will prohibit KEMS LLC, 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 KEMS 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.

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			

Resolution 2012-50, Authorizing the Award of a “No Political Contributions Allowed: Contract for the 2013 General Advice to Chavond Barry Engineering

Ms. Pchola reported that staff requested a proposal from Chavond-Barry Engineering Corp. to provide general advice for SBRSA’s incinerators for FY 2013 in the amount of \$25,000.

Staff recommended approval of Resolution 2012-50, Authorizing the Award of a “No Political Contributions Allowed” contract for the 2013 General Advice to Chavond Barry Engineering not to exceed \$25,000. So moved by Dr. Downey, seconded by Mr. Morehouse and passed by a roll call vote of 6 to 0. Resolution 2012-50 follows.

**Resolution Authorizing the Award of a “No Political Contributions Allowed”  
Contract for 2013  
General Advice to Chavond-Barry Engineering Corporation**

**Resolution No. 2012-50**

**WHEREAS**, the Stony Brook Regional Sewerage Authority “Authority” has a need for general advice for the period starting on December 18, 2012 through the end of Fiscal Year 2013 (November 30, 2013) for Consulting Engineering Services related to the operation and maintenance of the Authority’s incinerators 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 December 18, 2012 through November 30, 2013 and,

WHEREAS, Chavond-Barry Engineering has submitted an Agreement indicating they will provide general engineering consulting advice from December 18, 2012 through November 30, 2013 for a time charge fee not to exceed \$25,000 without written permission from Stony Brook Regional Sewerage Authority; and

**WHEREAS**, Chavond-Barry Engineering has completed and submitted a Business Entity Disclosure Certification (BEDC) which certifies that Chavond-Barry Engineering has not made any reportable contributions to a political or candidate committee listed on the BEDC form 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 Secretary 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.

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 on December 4, 2012 CBE provided us with the results of the OS1 (Incinerator No. 1 with the Afterburner) stack test. The results indicated that the particulate emissions during the testing for Subpart O were in excess of the standards as required by 40 CFR §60.152. A NJDEP Hotline call was made on December 4<sup>th</sup> and an

Affirmative Defense letter was submitted to NJDEP on December 6, 2012. A copy of this letter was provided to the Board.

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

Ms. Pchola reported that on November 20, 2012 Bionomic Industries conducted a performance test on the WESP. The testing was completed by Avogadro Environmental Corporation. The goal of the test was to determine if the particulate removal efficiency of the WESP met the Authority's contract performance specifications following the replacement of the perforated plates in the inlet section of the WESP unit. Bionomic Industries just received the initial draft testing report but will need to review the data and get some questions answered from Avogadro before submitting a final report. Bionomic expects to submit the final report by the end of December 2012.

Contract 10-1, Headworks Project

Ms. Pchola reported that as of Pay Estimate No. 21 this project is 61% complete. Tomar continued to screen and stockpile the landfill material. The mason sub-contractor completed the installation of the concrete masonry units (CMU) for the building interior walls, cast in-place door lintels, and applied the vapor barrier. All roof trusses have been installed and the major equipment rough set into place within the building. The installation of the new 14-inch SEW line (North Ridge Gravity Sewer) is approximately 90% complete and the mechanical sub-contractor has excavated for and prepared the pipe trench for the two (2) new 20-inch and 36-inch force mains.

Ms. Pchola reported that Tomar has indicated that the grit chambers are expected to go on-line in February 2013 and the project will be substantially complete by the end of April 2013.

Contract 12-1 Sludge Thickener No. 1 Improvements Project

Ms. Pchola reported that staff received and approved the shop drawings of BR Welding. The preliminary project schedule indicates that the new drive unit will be received by mid-April, 2013 with site work to begin in late February, 2013.

Contract 2012-2 SBRSA Facilities Painting Project

Ms. Pchola reported that the outstanding work item for this project is painting the RTO. Due to the seasonal cold weather and in combination with the increase in sludge quantities due to Super Storm Sandy, SBRSA will need to postpone painting the RTO until the spring 2013.

Disinfection Facility Bulk Chemical Storage Tanks

Ms. Pchola indicated that repair of the tank nozzles for the sodium bisulfite and sodium hypochlorite tanks at the River Road Treatment Plant was completed on December 4<sup>th</sup> – December 7<sup>th</sup>, 2012 by American Fiberglass Tank Repair Company. During the repair process the contractor noted several locations of fiberglass degradation, exposed

underlayment, and loss of internal protective coating in each sodium hypochlorite storage tank. The storage tanks were placed into service in 2000 and are approaching the end of their useful life (15 years). The cost to repair the existing tanks is approximately \$20,000 per tank; therefore staff is looking at replacement of the tanks with two new FRP tanks. The two sodium bisulfite storage tanks were found to be in better condition and replacement is not recommended at this time.

#### 492.10 Finance Report

##### Payment of Bills and Claims

Dr. Miller moved the approval of the payment of bills and claims for the month of November in the amount of \$1,420,059.76 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 as of November 30, 2012, stands at \$448,027, which includes \$158,443 of retained earnings that were budgeted in 2012 but not used. The adjusted net income is \$289,584. Mr. Neuhof indicated that the cost savings is in expenditures as follows: the Authority saved approximately \$43,000 in Salaries and Benefits, \$112,000 in Administrative Costs, \$86,000 in Professional Fees, \$102,000 in electricity costs and \$77,000 in chemical costs. The Authority has total cash and investments of \$18,799,661 at an average interest rate of 0.21%. The balance of current construction projects is \$9,510,251. Mr. Neuhof noted that there are sufficient funds for these projects. The New Jersey Cash Management Fund yield remains at 0.05%.

##### Resolution 2012-52. Appointment of a Public Agency Compliance Officer

Mr. Neuhof reported that Resolution 2012-52 is for the appointment of a Public Agency Compliance Officer (PACO) for calendar year 2013. This is necessary for the Authority to fulfill its Affirmative Action requirement.

Mr. Neuhof recommended that Madelene Karlowitsch be appointed as the PACO for 2013. So moved by Dr. Miller, seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2012-52 follows.

#### **Resolution to Appoint a Public Agency Compliance Officer**

##### **Resolution No. 2012-52**

**BE IT RESOLVED**, by the Stony Brook Regional Sewerage Authority that Madelene Karlowitsch be and is hereby appointed to serve as the Authority's Public Agency Compliance Officer (PACO) for the calendar year 2013 to fulfill the requirements of the Affirmative Action Office, Department of the Treasury of the State of New Jersey.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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 2012-53, Adopting a Cash Management Plan

Mr. Neuhof explained that Resolution 2012-53 is for the adoption of a Cash Management Plan. The Plan provides for the safety, liquidity and maximum investment return on the Authority's funds as allowed for by NJ Statutes and Regulations. Mr. Neuhof explained the Plan identifies the officials (Chief Financial Officer and Executive Director) authorized to deposit and invest funds; identifies the designation of depositories; states that funds will be deposited within forty- eight (48) hours of receipt; identifies Permitted Investments; addresses conflicts of interest for fiscal year 2013.

Mr. Neuhof recommended approval of Resolution 2012-53 Adoption of a Cash Management Plan. So moved by Dr. Miller, seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2012-53 follows.

**Resolution of the Stony Brook Regional Sewerage Authority Adopting a Cash Management Plan**

**Resolution No. 2012-53**

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

**NOW, THEREFORE, BE IT RESOLVED** by the SBRSA that the Cash Management Plan, attached hereto, is hereby approved for the fiscal year ending November 30, 2013 and that the Chief Financial Officer is directed to implement said Cash Management Plan in accordance with all applicable statutes.

<u>RECORDED VOTE:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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 2012-56, Awarding a Contract for the Property of Insurance

Mr. Neuhof indicated that Resolution 2012-56 is for the renewal of the Authority's Property Insurance. Mr. Neuhof noted that Mr. Harry Hall, the Authority's Insurance Broker, was present to answer questions the Board may have with the renewal of its property insurance.

Mr. Neuhof indicated that only three of seven insurance carriers responded with quotes. The respondents were Travelers, Harleysville and Axis. Harleysville did not meet all the specifications of the quote. Axis Surplus provided the additional flood coverage not included in Harleysville quote but the combined amount exceeded Travelers quote by approximately \$10,000.

Mr. Neuhof reported that Travelers provided the lowest quote with a premium of \$122,894. Travelers Insurance was the Authority's insurance carrier in 2012 at a premium of \$94,594. Mr. Neuhof noted that property insurance is an Extraordinary, Unspecifiable Service.

Mr. Neuhof recommended approval of Resolution 2012-56, awarding a Contract for Property Insurance to Travelers in the amount of \$122,894. So moved by Dr. Miller and seconded by Dr. Downey.

Dr. Downey questioned if the Authority sustained any damage due to Superstorm Sandy. Mr. Neuhof indicated that SBRSA did sustain damage estimated to be in the \$100,000 to \$150,000 range. Damage from the storm includes downed trees, damage to the several fences. Other costs associated with the storm include extra overtime and extra fuel oil to power the generators. The Authority has submitted a claim with Travelers (deductible \$25,000) and with the Joint Insurance Fund (JIF).

Resolution 2012-56 was approved by a roll call vote of 6 to 0. The resolution follows.

**Resolution Authorizing the Award of Contract for  
Property Insurance for the SBRSA**

**Resolution No. 2012-56**

WHEREAS, the Stony Brook Regional Sewerage Authority (SBRSA) maintains policies of insurance and desires to maintain appropriate property insurance coverage and has received quotations from Borden Perlman Salisbury & Kelly Insurance Agency Inc. therefore; and

**WHEREAS**, for the reasons enumerated in the attached letter dated December 11, 2012 from Harry H. Hall, of Borden Perlman Salisbury & Kelly Insurance Agency Inc., SBRSA's Insurance Consultant, the Authority desires to award a contract for the

provision of property insurance coverage to the Travelers Insurance in accordance with the proposal attached hereto and made a part hereof; and

**WHEREAS**, N.J.S.A. 40:11-5(1)(m) authorizes the Authority to award contracts for insurance without public advertising for bids and bidding thereof; and

**WHEREAS**, the Authority has reviewed the Certification of Stuart Neuhof dated December 13, 2012 herewith.

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

1. The Authority hereby approves and authorizes the Executive Director to acquire the aforesaid insurance policy.
2. The Authority hereby authorizes payment to the above company of the premium due in the total amount of \$122,894 in order to obtain the property insurance policy from Travelers Insurance.
3. The Executive Director shall cause a copy of the within Resolution to be published in an official newspaper of the Authority.
4. This 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			

Resolution 2012-57, 2013 Estimated Participant Charge

Mr. Neuhof reported that Resolution 2012-57 is to establish the 2013 estimated Participants' charges. Mr. Neuhof explained that the Resolution reflects the consolidation of the Princetons. Mr. Neuhof noted that the Princetons had not yet provided the annual cost split information for the 2012 year end adjustment. Therefore, the calculation was based on the October 2011 cost split.

Mr. Neuhof recommended approval of Resolution 2012-57, 2013 Participants' Estimated Charge. So moved by Dr. Miller, seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2012-57 follows.

## 2013 Participants' Estimated Charge Resolution

**Resolution 2012-57**

**BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority on December 17, 2012:

1. Pursuant to Section 609(2) of the Bond Resolution, the Authority adopted an Annual Budget of Operating Expenses in the amount of \$14,600,848 for its fiscal year commencing December 1, 2012. A copy of the Annual Budget, as adopted, shall be promptly filed with the Trustee and the Consulting Engineer.
2. Pursuant to Section 406(B) of the Amended Service Contract, the Authority is required to estimate the "Net Annual Cost" for the ensuing fiscal year. For this purpose, "items of expense" are \$14,600,848; "items of receipt" are \$ 2,476,000. The "Net Annual Cost" which the Authority will use for computing the "Base Charge" is \$ 12,124,848.
3. Pursuant to Section 406(B) of the Amended Service Contract, the Authority, on or before December 20, is required to estimate the "Annual Charge" for each participant for the ensuing fiscal year. The "Annual Charge" is composed of (a) the "Base Charge" (b) the "Connecting Installment" and (c) the modified "Project Debt Service Adjustment". The "Connecting Installment" was included for the years 1984 to 1993 and no longer applies.

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

(1) The Authority hereby adopts the following percentages using flow estimates based on 5 years of average flow method as the allocation figures to be used for FY 2013:

Princeton*	34.576%
South Brunswick Township	38.551
West Windsor Township	22.707
Hopewell Borough	1.626
Pennington Borough	2.540

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

Princeton*	\$4,192,265.20
South Brunswick Township	4,674,281.01
West Windsor Township	2,753,139.99
Hopewell Borough	197,152.32
Pennington Borough	<u>308,009.48</u>
TOTAL	<u>\$12,124,848.00</u>

- (b) The allocation factors, based on an average of flows from 2005 through 2011, (seven-year average) to be used for the computation of the "Project Debt Service Adjustment" are as follows:

Princeton*	35.044%
South Brunswick Township	38.371
West Windsor Township	22.411
Hopewell Borough	1.598
Pennington Borough	2.576

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

Princeton*	-271,037.80
South Brunswick Township	+ 41,208.26
West Windsor Township	+241,273.92
Hopewell Borough	+6,790.01
Pennington Borough	<u>-18,234.39</u>
TOTAL	<u>\$ 0.00</u>

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

	Base <u>Charge</u>	+	Project Debt Service <u>Adjustment</u>	= Annual <u>Charge</u>
Princeton*	\$4,192,265.20		-271,037.80	\$3,921,227.40
South Brunswick Township	4,674,281.01		+41,208.26	4,715,489.27
West Windsor Township	2,753,139.99		+241,273.92	2,994,413.91
Hopewell Borough	197,152.32		+6,790.01	203,942.33
Pennington Borough	<u>308,009.48</u>		<u>-18,234.39</u>	<u>289,775.09</u>
TOTAL	<u>\$12,124,848.00</u>		<u>0.00</u>	<u>\$ 12,124,848.00</u>

\* Princeton Borough and Princeton Township have consolidated for 2013.

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			

Resolution 2012-61, Authorizing Contracts with Certain Approved State Contract Vendors

Mr. Neuhof explained that the State of New Jersey has a cooperative purchasing program where they bid hundreds of items, and extend most of the bid contracts to municipalities and authorities. Mr. Neuhof noted that there are 14 vendors that SBRSA would like to utilize and they are attached to this resolution.

Mr. Neuhof recommended approval of Resolution 2012-61 authorizing the Authority to purchase certain goods and services from approved New Jersey State Contract Vendors. So moved by Dr. Downey, seconded by Mr. Morehouse and passed by a roll call vote of 4 to 0. Resolution 2010-53 follows.

Dr. Miller questioned what happens if a vendor's contract with the State expires and they do not get a new contract with the State. Mr. Neuhof indicated that if a new vendor gains a contract with the State and the Authority would like to utilize them, a resolution listing the new vendor would be presented to the Board.

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

**Resolution No. 2012-61**

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

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

**Whereas**, the Stony Brook Regional Sewerage Authority intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution

and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**Now, Therefore, Be It Resolved,** that the Stony Brook Regional Sewerage Authority authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the 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

**Be It Further Resolved** that the duration of the contracts between the Stony Brook Regional Sewerage Authority and the Referenced State Contract Vendors shall be from December 1, 2012 to November 30, 2013.

<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			

Referenced State Contract Vendors

Vendor	Commodity/Service	State Contract #	Vendor Contract #	Expired date
Avaya Inc.	Telecommunication Equipment	<b>T-1316</b>	80802	01/31/17
DS Waters Of America INC DBA Crystal Springs	Water, Bottled 5 Gallon	<b>T-0002</b>	74666	07/31/13
Fastenal Company	Industrial/MRO Supplies & Equipment	<b>M-0002</b>	79873	02/28/14
Fisher Scientific	Lab Supplies	<b>T-0115</b>	75827	12/31/13
Konica Minolta Business	Maintenance Service & Supplies Copy Equipment	<b>T-437C</b>	68256	8/31/2013
Lincoln Supply LLC	HVAC Repair Parts	<b>T-0537</b>	81042	02/28/14
Majestic Oil	#2 Fuel	<b>T-1845</b>	82767	10/31/13

MSC Industrial Supply Co Inc	Industrial/MRO Supplies & Equipment	<b>M-0002</b>	79874	02/28/14
Pedroni	Unleaded Gas	<b>T-0083</b>	80910	02/28/15
Pitney Bowes Inc.	Mailroom Equip. & Maintenance	<b>T-0200</b>	75237	09/30/13
Thomas Scientific Inc.	Lab Supplies	<b>T-0115</b>	75841	12/31/13
UPS	Express Courier, Delivery Service	<b>M-4000</b>	82676	03/20/13
Verizon Wireless	Wireless Phones	<b>T-216A</b>	82583	10/31/17
WW Grainger	Industrial/MRO Supplies & Equipment	<b>M-0002</b>	79875	02/28/14

### Monthly Sludge Business Analysis

The monthly Sludge Business Tracking for FY 2012 was provided to the Board. Mr. Neuhoof reported that net income for the month of November is \$144,985 and the cumulative net income is \$1,057,807. Gas usage for the month of November was 76,927 therms. The simple remaining payback for the RTO is 2.8 years.

#### 492.11 Personnel Report

The Personnel Report was provided for member information.

#### 492.12 Correspondence

For information

#### 492.13 Old Business

None.

#### 492.14 New Business

##### Resolution 2012-58, Award of Contract for the River Road STP Multiple-Hearth Incinerator #2 Repairs

Mr. Kunert reported that sealed bids for the River Road WWTP Multiple-Hearth Incinerator #2 were received on December 12, 2012. Two bids were received and the results are as follows:

Industrial Furnace Company Inc.	\$29,800.00
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Albertus Energy Inc.

\$31,472.00

Mr. Kunert explained that the bidders were bidding on the necessary repair work on SBRSA's Multiple-Hearth Incinerator #2 based on the inspection and subsequent report performed and submitted to staff by Chavond-Barry Engineering.

Mr. Kunert recommended approval of Resolution 2012-58 awarding the contract to Industrial Furnace Company, Inc. for Repairs to Incinerator #2 in an amount of \$29,800. So moved by Dr. Downey, seconded by Dr. Miller and passed by a roll call vote of 6 to 0. Resolution 2012-58 follows.

**Resolution Authorizing the Award of a Contract for the River Road STP Multiple-Hearth Incinerator #2 Repairs**

**Resolution No. 2012-58**

**WHEREAS**, the Stony Brook Regional Sewerage Authority (Authority) advertised for the receipt of sealed competitive bids in accordance with the requirements of the Local Public Contracts Law, NJSA 40A:11-1 et seq. for the River Road STP Multiple-Hearth Incinerator #2 Repairs; and

**WHEREAS**, the following sealed competitive bids were received by the Authority on December 12, 2012, as more fully set forth as follows:

Industrial Furnace Company, Inc.	\$ 29,800.00
Albertus Energy	\$ 31,472.00; and

**WHEREAS**, the Authority has determined that the bid of Industrial Furnace Company is the lowest bid in the amount of \$29,800.00; and

**WHEREAS**, the bid has been reviewed by the Authority and has been determined to be in compliance with the bid specifications in accordance with the Local Public Contracts Law NJSA 40A:11-1 et seq; and

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

**NOW THEREFORE, BE IT RESOLVED** by the Stony Brook Regional Sewerage Authority that it hereby awards this contract to Industrial Furnace Company, the lowest responsive bidder for the River Road STP Multiple-Hearth Incinerator #2 Repairs;

**BE IT FURTHER 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.

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			

Resolution 2012-59, Rescinding Resolution 2012-47 Authorizing Award of Contract to Cintas Corporation for the Furnishing, Delivery and Maintenance of Uniforms and Awarding Contract to American Wear Uniforms

Mr. Kunert reported that sealed bids for the Furnishing, Delivery and Maintenance of Uniforms were received on November 14, 2012. The results were 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 at the November 19, 2012 Board meeting, award of a three-year contract to Cintas Corporation was approved by the Board. After the contract was awarded, Cintas Corporation claimed that it had made a mistake and could not perform the services at the bid price. Cintas Corporation refused to sign an agreement. The Authority is taking steps to make a claim against their bid bond which has a value of approximately \$2,500.

The Authority's current contract with American Wear Uniform Company is expiring on December 31, 2012 and was at a cost of \$53,061.60.

American Wear Uniform Company has been contacted and is willing to honor the bid price of \$47,418.12 it submitted on November 14, 2012.

As a result of Cintas Corporation's refusal to sign an agreement and finding the second lowest bidder's package to be in order, Mr. Kunert recommended award of a three-year contract to American Wear Uniforms at a total three-year cost of \$47,418.12. So moved by Mr. McKinnon, seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2012-59 follows.

**RESOLUTION RESCINDING RESOLUTION 2012-47 AUTHORIZING AWARD  
OF CONTRACT TO CINTAS CORPORATION FOR THE FURNISHING  
DELIVERY AND MAINTENANCE OF UNIFORMS AND AWARDED  
CONTRACT TO AMERICAN WEAR UNIFORMS**

**Resolution No. 2012-59**

**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 <sup>th</sup> 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 thereafter refused to execute a contract with the Authority to perform the work as bid; and

**WHEREAS**, the bid of American Wear Uniforms has 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 has 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 rescinds Resolution No. 2012-47 awarding a contract for the furnishing, delivery and maintenance of personnel uniforms to Cintas Corporation, and hereby awards a three year contract for the furnishing, delivery and maintenance of personnel uniforms to American Wear Uniforms as the lowest responsive bidder in the amount of \$47,418.12; and

**BE IT FURTHER RESOLVED** that a claim against the Bid Security of Cintas Corporation be filed by staff; and

**BE IT FURTHER RESOLVED** that the Executive Director, staff and consultants are authorized to take such measures as are necessary to ensure that all of the documents required by the terms and conditions in the bid specifications 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			

492.15 Executive Session

The Board entered into Executive Session at 8:59 pm to discuss a personnel issue on a motion by Dr. Downey, seconded by Mr. Morehouse and passed by unanimous vote.

492.16 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. Morehouse and passed by unanimous vote.

Respectfully Submitted,

John Kantorek  
Secretary

Recorded and Written by  
Patricia Carlino  
January 11, 2013