

Minutes of Meeting #518 February 23, 2015 – Stony Brook Regional Sewerage Authority

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

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

MEMBERS ABSENT:

CONSULTANTS: Alexander

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

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

518.03 Board Related Activities

Chairman Bartolini noted that since this is the Authority's reorganization meeting, the first item of business would be the Report from the Nominating Committee and the elections of officers for 2015.

Mr. Compton, Chairperson of the Personnel Committee, nominated the following slate of officers for 2015:

Robert A. Bartolini, Chairman
Gale D. Downey, Vice Chairman
C. Schuyler Morehouse, Treasurer
John Kantorek, Secretary
Patricia Carlino, Assistant Secretary

The slate of officers were elected on a motion by Dr. Downey, seconded by Mr. Compton and passed by a vote of 6 to 0.

Committee Assignments

A copy of the Committee Assignment Policy was provided to the Board.

Chairman Bartolini reviewed the Committee Assignment policy. Chairman Bartolini made the following Committee assignments for 2015:

Construction Committee

Gale D. Downey, Chairperson
Harry Compton
David A. Goldfarb

Finance Committee

C. Schuyler Morehouse, Chairperson
Bharat Patel

Personnel Committee

Harry Compton, Chairperson
Bharat Patel

Oversight Liaison

David A. Goldfarb

Resolution 2015-10, To Authorize the Defense and Indemnification of the Members and Employees of the Stony Brook Regional Sewerage Authority

Mr. Kantorek explained that Resolution 2015-10 provides protection for each past and present member and employee from the monetary costs of fines, penalties, damages, settlements, costs and legal fees associated with the defense of any civil or criminal actions which may be brought against SBRSA or any such member or employee, as the result of any action(s) or omission(s) relating to the duties of such members or employees to SBRSA.

Mr. Kantorek explained that the Resolution allows the Authority to provide a defense by an attorney chosen by SBRSA; to provide a defense by an attorney of the member/employee's choosing; or assert the SBRSA's right under any appropriate insurance policy which requires the insurer to defend and indemnify. Mr. Kantorek further explained that SBRSA may refuse to provide defense if SBRSA has reason to conclude that the act or omission was not within the scope of the member/employee's duties or was carried out in an individual capacity; subject matter of any action brought by the SBRSA against the member/employee was a violation of the Local Ethics Law or due to actual fraud, actual malice, willful misconduct or an intentional wrong. Mr. Kantorek indicated that the Resolution will take effect immediately, but would automatically expire unless re-authorized at each annual reorganization meeting of the Authority.

Mr. Kantorek recommended approval of Resolution 2015-10. The resolution was moved by Mr. Goldfarb and seconded by Dr. Downey.

Mr. Goldfarb expressed his concern as to whether the language in the Resolution was recommended by the Authority's insurance carrier. Ms. Alexander indicated that the resolution is the one that was recommended by the Authority's counsel and was written in accordance with the statute. Ms. Alexander indicated that the Counsel added language to give flexibility under which circumstances the Authority will provide a defense for a member/employee. Mr. Goldfarb asked that the Resolution be reviewed by the Authority's insurance carrier. Staff agreed.

Following a lengthy discussion regarding the resolution, Resolution 2015-10 was approved by a roll call vote of 6 to 0. The Resolution follows.

**Resolution to Authorize the Defense and Indemnification of the Members and
Employees of the Stony Brook Regional Sewerage Authority**

Resolution No. 2015-10

WHEREAS, there exists a need to protect each past and present member and employee of the Stony Brook Regional Sewerage Authority ("SBRSA") from the monetary costs of fines, penalties, damages, settlements, costs and legal fees associated with the defense of any civil or criminal actions which may be brought against the SBRSA, or any such member or employee, as the result of any action(s) or omission(s) relating to the duties of such member or employee to the SBRSA; and

WHEREAS, the SBRSA desires to provide such protection for each past and present member and employee from the financial consequences of any such civil or criminal action to the extent permitted by law and, therefore, provided that such alleged action or omission does not constitute actual fraud, actual malice, willful misconduct or an intentional wrong in the judgment of the SBRSA;

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

1. The SBRSA shall, to the extent permitted by law, provide a defense and indemnification to the past and present members and employees of the SBRSA and, therefore, shall pay or otherwise reimburse each past and present member and employee of the SBRSA for all fines, penalties, damages, costs and legal fees associated with any civil or criminal action which may be brought against such member or employee based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority.

2. In any case where the SBRSA provides a defense to a member or employee, it is authorized and directed to make direct payments to counsel or reimburse the member or employee for the costs associated with his or her defense upon the approval by the SBRSA of proper vouchers submitted therefore, but in no case shall the SBRSA be authorized to pay or reimburse for legal fees and expenses exceeding those customarily charged for legal services in the defense of such actions.

3. For the purpose of this Resolution, the term “member” shall include any and all persons appointed by the governing bodies of the constituent municipalities pursuant to N.J.S.A. 40:14A-4

4. Any person seeking the provision of a defense and indemnification under the policy enunciated in this Resolution shall give prompt notice to the SBRSA of the pendency of any such civil or criminal action for which payment or reimbursement is sought, at which time the SBRSA shall by Resolution implement the provisions set forth herein.

5. It is within the sole discretion of the SBRSA, in any action where the provision of such a defense and indemnification is sought by a member or employee, to:

- a.** Provide a defense by an attorney chosen by the SBRSA;
- b.** Provide a defense by an attorney of the member or employee's choosing; or
- c.** Assert the SBRSA's right under any appropriate insurance policy which requires the insurer to defend and indemnify.

6. Notwithstanding the foregoing, the SBRSA may refuse to provide for the defense or to indemnify any past and present member or employee of the SBRSA in any action referred to above or may recover any amounts paid on behalf of such member or employee for such defense if in its sole discretion it has reason to conclude that the act or omission was:

- a.** Not within the scope of such member or employee's duties or was carried out in an individual capacity;
- b.** The subject matter of any action brought by the SBRSA against the member or employee;
- c.** A violation of the Local Government Ethics Law (P.L. 1991, c. 29); or
- d.** Due to actual fraud, actual malice, willful misconduct or an intentional wrong.

7. In the event a contested matter, to which this Resolution is applicable, is resolved by way of settlement, the SBRSA may take into account the facts, circumstances and allegations which led to the settlement in its determination of whether it may, subject only to the provisions of paragraph 6, indemnify such past and/or present member(s) and/or employee(s) against whom such settled claims had been made.

8. It is the intention of this Resolution to set forth the policy of the SBRSA with respect to the defense and indemnification of persons associated with the SBRSA in the management of its affairs and businesses to the maximum extent permitted by law, and if any provision hereof or the application hereof to any person or circumstance is held invalid by a

court of competent jurisdiction, such invalidity shall not affect other provisions of this Resolution and to this end the provisions hereof are declared to be severable.

9. The policy set forth in this Resolution shall take effect immediately, but shall automatically expire unless re-authorized at each annual reorganization meeting of this Authority.

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

Member List/Municipal Information

The Member List/Municipal Information was provided to the Board. Chairman Bartolini indicated that any changes should be given to Ms. Carlino.

Consultant List

The consultant list was provided for information. Mr. Kantorek indicated that there are no contracts pending award tonight.

518.02 Approval of Minutes

Chairman Bartolini asked for comments/questions on the minutes of the February 2, 2015 Board meeting. Mr. Kantorek noted that one correction to the minutes needs to be made. Mr. Kantorek indicated that on page 14, paragraph 6, the sentence reads “Dr. Downey indicated that since Hopewell Township is not a participant and they did not need to receive a letter.” The sentence has been changed to read “Dr. Downey indicated that since Hopewell Township is not a participant, they did not need to receive a letter.”

The minutes were approved as amended on a motion by Dr. Downey, seconded by Mr. Patel and passed by a vote of 6 to 0.

506.04 Planning and Administration

Mr. Kantorek reported that the most current 12-month average daily River Road plant flow is 9,536,923 gpd with 969,379 gpd of approved but inoperative flow for a total committed flow of 10,506,302 gpd with 2,553,698 gpd or 19.55% of available capacity. The most current 12-month average daily flow at the Hopewell Plant is 232,234 gpd with 1,200 gpd of inoperative

flow, for a total committed flow of 233,434 gpd with 22.19% or 66,566 gpd of available capacity. The Pennington Plant presently has 252,172 gpd as the most current 12-month average daily flow, with 20,078 gpd of approved but inoperative flow, for a total committed flow of 272,250 gpd, with 9.25% or 27,750 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 the straight line projection for the River Road WWTP over the past twenty (20) years is now relatively flat. Mr. Kantorek explained that over the past twenty (20) years Princeton's flow has decreased by approximately 1.1 million gallons and West Windsor and South Brunswick Townships, together, have increased by approximately 1.2 million gallons.

Monthly Flow Transmittal

The monthly flow transmittal for January was provided for information.

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

The meter verification conducted on January 2nd, 2015 at the Millstone Pump Station indicated that the meter was reading low by 0.62%. The meter verification conducted on January 30, 2015 indicated that the meter was reading low by 3.34%. Therefore the meter data from January 2nd through January 30th was adjusted upward by 1.98% which is the average of the meter verifications conducted on January 2nd and January 30th.

Review of the hourly flow data on January 11th indicated that there were ten (10) hours of flow data indicating zero. SBRSA's instrumentation technician was called in and determined that there was a bad isolator. Therefore the flow data on January 11th was replaced with the average of January 10th and 12th.

The meter verification conducted on January 2nd, 2015 at the Pennington STP Influent indicated that the meter was reading high by 1.30%. The meter verification conducted on January 30, 2015 indicated that the meter was reading low by 3.06%. Therefore the meter data from January 2nd through January 30th was adjusted upward by 0.88% which is the average of the meter verifications conducted on January 2nd and January 30th.

A review of the hourly flow data on January 18th indicated that the flow meter was pegged at its maximum range for six (6) hours. Therefore the flow data for that day was replaced with the effluent flow data.

518.05 Approval Requests and Actions

TWA-1 Approvals

None.

Time Extensions

None

NJPDES Enforcement Requested

None.

Water Quality Management Plan Amendments

None.

518.06 Regulatory Report

Discharge Monitoring Report (DMR)

Mr. Rahimi reported that the River Road Quarterly Effluent Surface Water Discharge Waste Characterization Report was submitted to the NJDEP. This report details the priority pollutants that have been historically present in the facility effluent. All values were at expected levels.

Mr. Rahimi indicated that the River Road annual Effluent Surface Water Discharge Waste Characterization Report was submitted to the NJDEP for the reporting period of February 2014 through January 2015.

Mr. Rahimi noted that staff is currently reviewing the January DMR.

Mr. Rahimi reported that the River Road semi-annual Phosphorus Compliance Report was submitted to the NJDEP. A copy of the report was provided to the Board.

Residual Discharge Monitoring Reports (RDMR)

Mr. Rahimi noted that staff is currently reviewing the December RDMR.

Air Reporting

Mr. Rahimi indicated that the 4th quarter 2014 Incinerator Sludge Metals Report was filed at the NJDEP. No exceedances of the monthly or 12-month weighted average metals concentration limits or the 12- month rolling lead or mercury emission limits were reported.

Mr. Rahimi reported that staff submitted the 4th quarter 2014 Excess Emissions and Monitoring Report to the NJDEP. No excess emissions were reported during this monitoring period.

Mr. Rahimi indicated that staff submitted the semi-annual 40 CFR 60, Subpart O report for the last six months of 2014 to the NJDEP. No excess emissions were reported during this monitoring period.

Mr. Rahimi noted that staff submitted the federal annual 40 CFR 503 Subpart E report to the EPA and the NJDEP. The 40 CFR 503 limits were not exceeded for the five reported metals: arsenic, cadmium, chromium, lead, and nickel. This report also supplies daily and monthly averages for combustion hearth temperatures, afterburner temperature, pressure drop, CO, and oxygen.

Mr. Rahimi reported that staff submitted the Title V 2014 Combined 2nd Half Semi-Annual Deviation Report/Annual Compliance Certification to the EPA and NJDEP. This report includes all deviations that occurred throughout the reporting year. No deviations were reported for 2014.

Mr. Rahimi indicated that the 2014 Title V Annual Bypass Use report was submitted to the NJDEP.

Miscellaneous

Mr. Rahimi reported that the Incinerator Slag disposal annual recertification was submitted to Waste Management of Pennsylvania on February 2, 2015 and was approved on the same day.

Laboratory

Mr. Goldfarb asked if staff wrote to QC Laboratory to express the Authority's concerns regarding the high sample result in December. Mr. Rahimi responded that when a result comes back that is outside the norm, staff sends an email to the lab. The Lab then goes through its QA/QC procedure and notifies staff by email whether they did or did not find any discrepancies. Mr. Rahimi indicated that he contacted both the Customer Service Manager and the QA/QC Director. Mr. Rahimi explained that extra QA/QC was performed to confirm the original result since none of the original sample was left. The Lab confirmed the reported result.

A lengthy discussion regarding the sample and sampling followed.

518.07 Safety

Mr. Irizarry reported that there were no loss time accidents/injuries for this reporting period.

Mr. Irizarry noted that as of February 2, 2015 Stony Brook Regional Sewerage Authority has gone **1244** consecutive days without a “Loss Time Accident”.

Mr. Irizarry indicated that staff submitted paperwork to the New Jersey Department of Labor and Workforce (DOLWD) to receive the Governor’s Occupational Safety & Health Program award for no “Loss Time Accidents” for calendar year 2014. Staff received a letter from the DOLWD that since the Authority has gone three consecutive calendar years without a “Loss Time Accident”, the award that the Authority will receive is the Commissioner of Labor and Workforce Development Award. A copy of the letter was provided to the Board.

Mr. Irizarry reported that the Authority will also be receiving an award from the Joint Insurance Fund (JIF) for going three consecutive calendar years without a “Loss Time Accident”.

Mr. Irizarry noted that on February 10, 2015 staff submitted the 2013 Right To Know Survey to the New Jersey Department of Health (NJDOH). The survey was submitted on-line through their website. This is the first year that the NJDOH required this method of reporting and all surveys for subsequent years will have to be submitted in the same manner.

518.08 Litigation

The Litigation Report was provided for information.

Ms. Alexander indicated that there were no changes to the Litigation Report.

518.09 Operations Report

River Road Facility

Mr. Kunert reported that on February 4, 2015, Incinerator #1 was offline for several hours due to slag buildup on hearth #3, which needed to be removed. This Incinerator has been online for approximately one year and has operated well during this time. When the new by-pass damper installation is completed on Incinerator #2, SBRSA will switch to that Incinerator and take Incinerator #1 offline for cleaning and inspection.

Mr. Kunert indicated that SBRSA continues to receive liquid sludge from Bayshore Regional Sewerage Authority (BSRA). BSRA is experiencing issues with their incinerator.

Mr. Kunert noted that the O&M Departments have been doing a great job removing snow and ice as a result of the winter storms.

Upstream Facilities

Mr. Kunert indicated that SBRSA is in the process of upgrading the ventilation system in the chemical room at both Upstream Facilities. Once complete the Authority will finish installing the new pumps and controllers that will be used to feed sodium hypochlorite for disinfection. As was reported last month, SBRSA can no longer receive deliveries of 7.5% solution due to constraints on the vendor; therefore a new pumping system is being installed to accommodate the feeding of a 15% solution.

Chairman Bartolini asked if there has been any more illegal dumping of septage in the Hopewell area. Mr. Kunert indicated that there has not been any additional dumping. However, it does not mean that it will not happen again.

Odor Report

Staff received one Odor Complaint from our surrounding area during the month of January. Two odor complaints were received for the partial month of February. Mr. Kunert indicated that both complaints were from residents in Rocky Hill.

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 its budgeted amounts for the month of January.

518.10 Maintenance

Mr. Cespedes reported that on January 19, 2015 Ash Pelletizer #1 was taken out of service to replace several worn paddles. These paddles are used to convey ash as water is introduced to reduce the dust before disposal.

Mr. Cespedes indicated that on January 20, 2015 Turbo Blower #4 for Incinerator #2 was disassembled for internal inspection and cleaned in preparation when Incinerator #1 is taken offline. After the inspection the blower was reassembled and tested, and is available for use when needed.

Mr. Cespedes reported that on January 26, 2015 the upper and lower belts were replaced on Belt Presses #1 and #3. Both belts had developed tears due to the age of the belts.

Mr. Cespedes indicated that on February 6, 2015 Schwing Pumps #2 and #6 were taken out of service to replace worn rams. These pumps are used to convey dewatered sludge to the storage bin. Both pumps have been reassembled and tested and are ready for use when needed.

The number of open work requests stand at ten (10). The Preventive Maintenance graphs show that SBRSA is currently averaging four (4) days overdue and the number of overdue units is approximately fifty-four (54).

518.11 Construction Report

Pennington STP Upgrade and Expansion/Upstream Permits

Ms. Pchola reported that staff provided Kleinfelder with flow and process data needed to start the Upstream Facilities Planning Study.

Ms. Pchola explained that Resolution 2015-03 Authorizing the Award of a “No Political Contributions Allowed” Contract to Kleinfelder, Inc. for the Upstream Facility Planning Study that was approved at the February 2, 2015 Board Meeting indicated that SBRSA has “funds available in retained earnings and it is SBRSA’s intent to submit this project for funding by the New Jersey Environmental Infrastructure Trust”.

However, Ms. Pchola indicated that this project was originally included in the 2004 bond construction funds, therefore should be funded from those monies. Therefore Resolution 2015-03 has been amended to revise the funding source.

Staff recommended approval of Amended Resolution 2015-03. So moved by Dr. Downey, seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2015-03 follows.

Amended Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract to Kleinfelder, Inc. for the Upstream Facility Planning Study

Amended Resolution No. 2015-03

WHEREAS, the Stony Brook Regional Sewerage Authority received the final New Jersey Pollution Discharge Elimination System (NJPDES) permits for the Hopewell and Pennington Wastewater Treatment Plants also called the Upstream Plants or Facilities on December 3, 2014; and,

WHEREAS, the existing facilities have been in operation for approximately 30 years; and

WHEREAS, the existing facilities require capital improvements to address capacity, permit compliance, aging infrastructure, efficiency, and reliability, and

WHEREAS, in order to address these improvements a process evaluation is required; and

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

WHEREAS, Kleinfelder has submitted a detailed proposal dated January 21, 2015 outlining the tasks included in the Planning Study; and

WHEREAS, Kleinfelder has submitted an Agreement indicating they will provide the Upstream Facility Planning Study for a lump sum fee not to exceed \$155,000 without written permission from Stony Brook Regional Sewerage Authority; and

WHEREAS, Kleinfelder has submitted a Business Entity Disclosure Certification for SBRSA Fiscal Year 2015 which certifies that Kleinfelder its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to a municipal political party committee of a governing body that appoints members to the Authority including, Princeton, South Brunswick Township, West Windsor Township, Hopewell Borough, Hopewell Township, and Pennington Borough, when the contract is awarded, or to any municipal candidate committee of any candidate for or holder of municipal elective public office of any such municipality when the contract is awarded, and

WHEREAS, the Stony Brook Regional Sewerage Authority has Funds available in the 2004 Bond Construction Funds.

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

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value is on file.

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			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel	X			

2014 Annual Inspection

A summary of the 2014 Annual Inspection Report prepared by Kleinfelder was provided to the Board.

Ms. Pchola explained that the summary is Kleinfelder's opinion of what they consider to be items of high priority. Staff will prepare a response to the high priority items.

Ms. Pchola indicated that this is Kleinfelder's opinion as to what is high priority and not staff's opinion. Overall rating of the River Road WWTP is 8.

Mr. Compton questioned why Kleinfelder, who is contracted by the Authority, was used rather than an engineering firm that has not done work for the Authority. Mr. Kantorek indicated that it is stated in SBRSA's original bond issue that the annual inspection will be conducted by the Engineer of Record.

Solar Project

Ms. Pchola explained that during the week of February 9th, staff had a conference call with the Princeton Planning Director, Princeton's attorney, and energy consultant (Gable Associates) regarding the signing of a memorandum of understanding that indicates SBRSA has interest in purchasing solar energy if there is an economic benefit to the Authority. It is expected that Gable Associates and possibly other representatives of Princeton will attend the Board meeting on March 23, 2015 to discuss the project.

Mr. Goldfarb indicated that before a memorandum of understanding is signed it must be clear that it is economically advantageous to the Authority. In addition, it is the sole discretion of the Authority to determine whether or not it would be economically advantageous to the Authority.

Mr. Kantorek indicated that nothing has been signed. Gable Associates will be attending the March Board meeting to present the memorandum of understanding and provide a description of the process if SBRSA signs the memorandum. The next step would be to obtain proposals from solar installation companies. Once the proposals are received, then SBRSA will be able to determine whether or not it is economically advantageous for the Authority. Mr. Kantorek indicated that amount of solar power in question is approximately 10 to 13% of the total power that the Authority uses at the River Road STP.

A lengthy discussion followed.

Contract 15-2, Scrubber Installation

Ms. Pchola reported that CBE is continuing to prepare and coordinate the contract documents for the installation of the new scrubber equipment with Kleinfelder and SBRSA staff.

Ms. Pchola explained that the project was advertised on February 23, 2015 with the receipt of bids on March 18, 2015 and award of the contract at the March 23, 2015 Board Meeting.

Ms. Pchola indicated that CBE emailed EnviroCare a draft set of specifications for the installation of the scrubbers for their review on February 12, 2015.

Scrubber Water System Capacity Upgrade

Ms. Pchola explained that all design work has been completed and Kleinfelder has provided SBRSA staff and CBE with draft plans and specifications for review and approval. Once the review has been completed, CBE will incorporate the revised plans and specifications into the final contract documents for the Scrubber Installation Project.

Contract 15-3 Ash Handling System Improvements

Ms. Pchola reported that GHD is continuing to complete the design documents for the ash handling system improvements. Staff is currently in the process of setting up a meeting with GHD to review the 90% completed drawings. Staff has begun drafting the Princeton Planning Department Administrative Waiver application. GHD will provide the drawings required for the waiver application.

Contract 14-4 SBRSA Pump Station Comminutor Project

Ms. Pchola indicated that Kleinfelder submitted the draft Contract Documents to SBRSA on January 22, 2015 for review and comment.

Contract 10-1 Headworks Project

Ms. Pchola reported that on February 2, 2015 SBRSA received the Certificate of Occupancy from the Princeton Building Department. Discussions/negotiations regarding project close-out are on hold until SBRSA receives all potential change order submittals from Tomar.

Contract 14-1 SBRSA Emergency Generator Project

Ms. Pchola indicated that the preconstruction meeting was held on February 9, 2015 with representatives of NJDEP, Kleinfelder, AECOM, Thomas Controls Inc., and staff. This meeting served as the contractor's Notice to Proceed. The current contract completion date is May 9, 2016. Thomas Controls Inc. is in the process of drafting and submitting a construction schedule, schedule of values and shop drawings for long lead time items.

Contract 14-6, Wireless Fire Alarm Communication System

Ms. Pchola indicated that the required contract documents have been received by SBRSA and a pre-construction meeting was held on February 23, 2015.

Contract 15-1 Scrubber Procurement

Ms. Pchola reported that EnviroCare responded to all questions and comments on their initial scrubber system submittal. EnviroCare re-submitted the scrubber system shop drawing and received approval from CBE. EnviroCare has indicated that given their current production schedule the two scrubbers and associated equipment should be received by SBRSA the first or second week of June 2015 as originally anticipated by CBE and SBRSA.

Contract 14-3 Incinerator Bypass Stack Damper Replacement

Ms. Pchola indicated that on February 10, 2015 Derstine Company completed the installation and start-up of the new bypass stack damper for Incinerator No. 2. The Operations Department has begun to warm-up Incinerator No. 2 and once placed into service, Incinerator No. 1 will be turned over to the contractor for the installation of the new damper.

Painting of Millstone Pump Station Pumps and Piping

Ms. Pchola indicated that J.P. Smith has completed the surface preparation of the pumps, pump bases, and piping and the prime coat. The application of the finish coat is in progress.

Information Technology Assessment

Ms. Pchola reported that EMA, Inc. was on site the week of January 6, 2015 to meet with staff and gather information regarding our current network. The initial “workshop” was conducted with management staff on January 6th and subsequent information gathering was conducted with our Assistant Information Technology Manager Ron Hess. EMA was on-site on February 4, 2015 to conduct their final workshop regarding the “business” portion of our network. Staff has completed an informational questionnaire and provided this to EMA on February 11, 2015. EMA will use this information as part of their evaluation of our system. The final product will be a summary report and recommendation on their findings. EMA will be on-site to discuss the findings of their report. Once we review this report it is expected that additional effort will be required by an outside source(s) to update our system.

Sludge Cake Facility Carbon Odor Control Unit Media Replacement

Ms. Pchola reported that Carbon Activated Corp. (CAC) is tentatively scheduled to replace the carbon media at the Sludge Cake Receiving Facility during the first week in March 2015.

General Repairs to the Regenerative Thermal Oxidizer (RTO)

Ms. Pchola explained that on or about September 2012 the RTO experienced a problem during the bakeout process. The bakeout process is completed with the RTO off-line and gradually raises the temperature of each section of the rotary valve to 500°F to burn off any buildup of material on the cold face of the media. During the September bakeout a thermocouple for one of the rotary valve sections (Section 9) malfunctioned allowing the bakeout to overheat and warp the RTO chamber floor. The warped floor allows a small portion of the inlet gases to bypass the RTO chamber and migrate into the outlet gas stream when the rotary valve indexes to Section 9.

In March of 2013, Dürr Systems Inc. performed internal repairs to the chamber floor by installing stiffeners. While this work improved the performance of the RTO it did not completely restore the unit to pre-incident performance levels.

During the last annual inspection on September 3 and 4, 2014, Dürr noted that the chamber floor warping was advancing and should be repaired to ensure continued performance and destructive removal efficiency (DRE). Recently staff has noticed spikes in CO which is an indication that the unit is in need of repair. It should be noted that to date the CO spikes have not resulted in any air permit violation.

Dürr recommended removing the rotary valve and repairing the chamber floor by flattening any warped areas and adding bar stock or structural angle stiffeners as necessary. While the rotary valve is removed the valve will be completely reworked with new gaskets, bushings, and bearings. A copy of Dürr's proposal dated January 26, 2015 was provided to the Board.

The repairs to the RTO involve the RTO chamber and Dürr's proprietary rotary valve. Staff prepared a memo dated February 13, 2015 for proprietary goods and services.

Staff recommended the approval of Resolution 2015-12 authorizing Dürr Systems Inc. to complete the repairs to the RTO chamber floor and rework of the rotary valve. So moved by Dr. Downey, seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2015-12 follows.

**RESOLUTION OF THE STONY BROOK REGIONAL SEWERAGE AUTHORITY
FOR SPECIFYING OF PROPRIETARY GENERAL REPAIRS FOR THE
DÜRR SYSTEMS, INC. REGENERATIVE THERMAL OXIDIZER**

Resolution No. 2015-12

WHEREAS, the Stony Brook Regional Sewerage Authority ("Authority") has determined that its existing Dürr Systems, Inc. Ecopure RL20 Regenerative Thermal Oxidizer (RTO) requires general repairs to the regenerative chamber and rotary valve; and

WHEREAS, to the Authority's knowledge, there are no manufacturers other than Dürr Systems, Inc. that have the engineering and technical expertise to perform the general repairs to the regenerative chamber and rotary valve; and

WHEREAS, to the Authority's knowledge the Dürr Systems, Inc. RTO "Ecopure RL" design is unique and proprietary to Dürr Systems, Inc.; and

WHEREAS, the Authority has determined that the correct and proper repair of the regenerative chamber and rotary valve is critical to maintaining optimal Destruction Removal Efficiency (DRE) and thermal efficiency of the RTO; and

WHEREAS, the Authority has determined that maintaining the optimal DRE and thermal efficiency of the RTO is essential to achieving air emission permit compliance and fuel savings; and

WHEREAS, the Authority has determined that the general repair services provided by Dürr Systems, Inc. are of a "specialized nature" because of their unique knowledge and

experience of the RL20 RTO, as more fully set forth in the Memorandum dated February 13, 2015 from A. Pchola and S. Neuhof to J. Kantorek attached hereto and made a part hereof; and

WHEREAS, the Authority has a compelling need to specify the same manufacturer for the general repairs to the regenerative chamber and rotary valve services as the Original Equipment Manufacturer; and

WHEREAS, as authorized by N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1(a) 1.i and 2.i, the proprietary designation of RL20 RTO overshadows the public benefit of use of “brand name or equivalent”; and

WHEREAS, the Authority’s attorney has reviewed the proposed certification for the specialized nature of the proprietary equipment necessary for the conduct of SBRSA’s affairs and has advised of its applicability and acceptability pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1; and

WHEREAS, Dürr Systems, Inc. has a Business Entity Disclosure Certification on file with the Authority for work up to March 27, 2015 which certifies that Dürr Systems, Inc., its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to a municipal political party committee of a governing body that appoints members to the Authority including, Princeton, South Brunswick Township, West Windsor Township, Hopewell Borough, Hopewell Township, and Pennington Borough, when the contract is awarded, or to any municipal candidate committee of any candidate for or holder of municipal elective public office of any such municipality when the contract is awarded.

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

1. That the Authority has determined that due to the specialized nature of the services necessary for the conduct of its affairs, the RTO general repairs to the regenerative chamber and rotary valve requires the performance of proprietary services and that it is necessary that the manufacturer of the equipment, Dürr Systems, Inc. of Plymouth, MI, perform such services.
2. That the Executive Director is authorized and directed to execute a contract with Dürr Systems, Inc. for the general repairs to the regenerative chamber and rotary valve.
3. The cost estimate for the general repairs to the regenerative chamber and rotary valve services is \$39,470.

Recorded Vote:

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

Information Technology

Mr. Hess reported that staff is continuing to upgrade the remaining Windows XP workstations to Windows 7. There are currently seven (7) computers out of twenty (20) still running on Windows XP.

Mr. Hess indicated that the new screen development for the River Road SCADA upgrade continues with about sixty eight percent of the screens completed. River Road SCADA includes the River Road Plant along with the pump stations and meter stations.

Everything is in place to begin migrating to GE-IP's iFix (SCADA) keyless licensing.

Mr. Hess explained that SBRSA will begin using IT By Design for assistance with IT projects starting the week of February 16, 2015. The first item their assistance will be requested for is to fix a few small issues with our Process Database's front end.

Dr. Downey questioned if staff was familiar with IT for Design. Staff responded that it is a firm located in Iselin, New Jersey. This is a small project, approximately ten (10) hours of work at an estimated cost of \$1,400. A brief discussion followed.

Mr. Hess reported that development of a Windows XP virtual machine, to provide access to some of our older legacy problems, is underway.

518.12 Finance Report

Payment of Bills and Claims

Mr. Morehouse moved the approval of Resolution 2015-08, for the payment of bills and claims in the amount of \$1,497,163.98 with two signatures instead of three. seconded by Mr. Patel and passed by a roll call vote of 6 to 0. Resolution 2015-08 follows.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2015-08

WHEREAS, the Stony Brook Regional Sewerage Authority received certain claims against it by way of voucher, and

WHEREAS, the staff and Authority members have reviewed said claims,

NOW, THEREFORE, BE IT RESOLVED by Stony Brook Regional Sewerage Authority that these claims in the total amount of \$1,497,163.98 be approved for payment with checks bearing two authorized signatures instead of three authorized signatures.

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

Treasurer's Report

Mr. Neuhof reported that net income for the two-month period ending January 31, 2015 is \$228,453. This represents an increase of \$84,323 over the prior month and is largely due to additional revenue from Bayshore Regional Sewerage Authority. The Authority has total cash and investments of \$19,126,129 at an average interest rate of 0.17%. The current construction projects balance is \$17,255,858. Mr. Neuhof noted there are sufficient funds for these projects. The outstanding bond principal balance remains at \$20,801,043. The New Jersey Cash Management Fund yield is 0.07%.

Resolution 2015-09, Specifying Proprietary Replacement Parts for the Schwing Pumps

Mr. Neuhof explained that only Schwing manufactured parts can be used in Schwing Pumps. Mr. Neuhof noted that the Authority receives only one bid from Schwing Bioset for replacement parts.

Mr. Neuhof recommended approval of Resolution 2015-09, Specifying Proprietary replacements Parts for the Schwing Pumps. Dr. Downey moved Resolution 2015-09 and was seconded by Mr. Patel.

Mr. Goldfarb asked if the parts are patented and that staff is sure there are no other competitors. Mr. Kantorek indicated that he has been told numerous times that there are no other vendors and the only bid the Authority receives is from Schwing Bioset.

Resolution 2015-09 was passed by a roll call vote of 6 to 0. The resolution follows.

**RESOLUTION OF THE STONY BROOK REGIONAL SEWERAGE AUTHORITY
FOR SPECIFYING PROPRIETARY REPLACEMENT PARTS FOR THE SCHWING
PUMPS**

Resolution No. 2015-09

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

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

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

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

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

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

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

WHEREAS, the Authority’s attorney has reviewed the proposed certification for the specialized nature of the proprietary equipment necessary for the conduct of SBRSA’s affairs and has advised of its applicability and acceptability pursuant to N.J.S.A. 40A:11-13(d) and N.J.A.C. 5:34-9.1;

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

1. That the Authority agrees that due to the specialized nature of the equipment necessary for the conduct of its affairs, the only acceptable manufacturer for its Schwing Pump replacement parts is the manufacturer of the equipment, Schwing Bioset of Somerset Wisconsin.
2. Funds are available for the purchase of spare parts.

3. This resolution for proprietary equipment shall be made part of the bid documents.

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

Resolution 2015-11, To Close 2007 New Jersey Environmental Infrastructure Trust Project Funds Bank Account

Mr. Neuhof explained that funds remain in the 2007 New Jersey Environmental Infrastructure Trust Project bank account in the amount of \$756.22.

Mr. Neuhof recommended approval of Resolution 2015-11, To Close 2007 New Jersey Infrastructure Trust Project Funds Bank Account. So moved by Mr. Morehouse, seconded by Dr. Downey and passed by a vote of 6 to 0. Resolution 2015-11 follows.

Resolution to Close 2007 New Jersey Infrastructure Trust Project Funds Bank Account

Resolution No. 2015-11

Whereas, the Stony Brook Regional Sewerage Authority has completed the 2007 NJEIT Financed Projects, and;

Whereas, the NJEIT has by letter dated October 31, 2013 indicated that residual project funds held by the Trust are to be transferred into the Trusts revenue account to be used as credits to pay principal and interest on project No. S342 400-04, and:

Whereas, the Stony Brook Regional Sewerage Authority has a balance of \$756.22 in its 2007 NJEIT project funds account held at US Bank that is no longer needed, and:

Now, Therefore, Be It Resolved, that the Stony Brook Regional Sewerage Authority authorizes the Chief Financial Officer and the Executive Director to instruct the Trustee, US Bank to transfer the residual balance of \$756.22 to the General Fund and close the 2007 Infrastructure Trust Project Funds Account.

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

Monthly Sludge Business Analysis

Mr. Neuhof reported that net income for the month of February is \$169,621 and the cumulative net income is \$352,522. Gas usage for the month of February was 70,047 therms. The remaining simple payback for the RTO project is 2.4 years.

518.13 Personnel Report

The Personnel Report was provided for member information.

Mr. Kantorek noted that Mr. Cespedes, Assistant O&M Manger will be leaving the Authority in March. Mr. Cespedes will be moving to Florida.

The Board thanked Mr. Cespedes for his service and wished him the best.

518.14 Correspondence

For information

518.16 New Business

Award of Liquid Sludge Contract

The following liquid sludge contract was approved on a motion by Dr. Downey, seconded by Mr. Patel and passed by a vote of 6 to 0.

United Water
Princeton Meadows

January 1, 2015 to December 31, 21015

518.18 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:57 p.m. on a motion by Dr. Downey, seconded by Mr. Goldfarb and passed by unanimous vote.

Respectfully Submitted,

John Kantorek
Secretary

Recorded and Written by
Patricia Carlino
March 10, 2015