

Minutes of Meeting #542, February 27, 2017 – 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, Hess, Irizarry, Kantorek, Kunert, Pchola, Rahimi, Redding, Roga, Sears, Thomas

541.01 Dr. Downey opened the meeting and stated 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.

Oath of Offices

The first order of business was the re-appointment of Dr. Robert Bartolini, representative for West Windsor Township. Dr. Bartolini was sworn in by Ms. Alexander. The Board congratulated him on his re-appointment to the Board.

542.02 Approval of Minutes

The minutes from the January 23, 2017 Board meeting were approved as presented on a motion by Dr. Downey, seconded by Mr. Goldfarb and passed by a vote of 6 to 0.

542.03 Board Related Activities

Report of the Nominating Committee

Dr. Bartolini noted that this is the Authority's re-organization meeting and the next item of business was the Report from the Nominating Committee and the election of officers for 2017.

Mr. Compton, Chairperson of the Personnel Committee, nominated the following slate of officers for 2017:

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

The slate of officers was elected on a motion by Mr. Morehouse, seconded by Mr. Goldfarb and passed by a vote of 6 to 0.

Committee Assignments

Chairman Bartolini reviewed the Committee Assignment policy. Chairman Bartolini indicated that at the January Board meeting Mr. Goldfarb stated that Board members should be moved around on Committees to obtain experience in other areas. Therefore, Chairman Bartolini presented the following Committee assignments for 2017:

Construction Committee

Gale D. Downey, Chairperson
Harry Compton
Bharat Patel

Finance Committee

C. Schuyler Morehouse, Chairperson
David A. Goldfarb

Personnel Committee

Harry Compton, Chairperson
Bharat Patel

Oversight Liaison

David A. Goldfarb

Chairman Bartolini noted that although the Oversight Committee has not met for some time, the Committee has not been formally dissolved by Princeton, South Brunswick Township and West Windsor Township.

Connection Fee Memorandum

Dr. Bartolini provided a copy of a memorandum addressed to the Board members regarding a policy concerning possible Connection Fees.

Chairman Bartolini stated that it has been suggested that the Board consider a Connection Fee for new users of the sewer system. The rationale is that the older users have been paying for the system that has capacity for the new users. Thus, the connection fee is a payback to the older users (i.e., similar to the debt service adjustment payments). There are several things that need to be considered first.

1. Does our Service Contract with our municipalities allow us to impose a Connection Fee? The Authority's counsel, Ms. Alexander, will provide an official opinion on this topic.
2. The Board members need to survey their municipalities as to their thoughts on a Connection Fee established by SBRSA as opposed to the member municipalities establishing one (some may have already done so).

Mr. Goldfarb stated that it would be helpful to find out if the municipalities can impose a Connection Fee if the Authority chooses not to. Ms. Alexander indicated that the municipalities can impose a Connection Fee and this will be addressed in her official opinion. However, if the municipalities are collecting a fee which includes treatment, then SBRSA cannot establish a connection fee for the same costs.

Further discussion regarding the Connection Fee will take place at the March Board meeting.

Mr. Goldfarb thanked Chairman Bartolini for beginning the discussions of Connection Fees.

Resolution 2017-07, To Authorize the Defense and Indemnification of the Members and Employees of the Stony Brook Regional Sewerage Authority

Mr. Kantorek explained that for the past several years this Resolution has been passed on an annual basis at the Authority's reorganization meeting.

Mr. Kantorek indicated that the Resolution states that SBRSA desires to provide such protection for each past and present member and employee of SBRSA from the financial consequences of any such civil or criminal action to the extent permitted by law and if such alleged action or omission does not constitute actual fraud, actual malice, willful misconduct or an intentional wrong in the judgement of the Authority.

Mr. Goldfarb stated that the Authority is paying for criminal actions. Mr. Kantorek pointed out that in item No. 6 of the Resolution, the Authority (SBRSA) may refuse to provide for the defense under specific circumstances: not within the scope of the member or employee's duties; subject matter of any action brought by SBRSA against a member or employee; a violation of the Local Government Ethics Law; and due to actual fraud, actual malice, willful misconduct or an intentional wrong.

Mr. Kantorek noted 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 2017-07, To Authorize the Defense and Indemnification of the Members and Employees of the Stony Brook Regional Sewerage Authority. The resolution was moved by Dr. Downey and seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2017-07 follows.

**RESOLUTION TO AUTHORIZE THE DEFENSE AND
INDEMNIFICATION OF THE MEMBERS AND EMPLOYEES
OF THE STONY BROOK REGIONAL SEWERAGE AUTHORITY**

Resolution No. 2017-07

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 | | | |

Resolution 2017-03, Affirming the Policy for Contracting for Professional Services

Chairman Bartolini indicated that in December a discussion took place regarding the process used for appointments of professional consultant services on a yearly basis. Dr. Bartolini stated that he had sent the Board members a memo regarding this process and indicated that it was time to put this procedure into an Authority policy.

Ms. Pchola explained that this resolution addresses the “why and how” SBRSA contracts for professional services. The ‘why’ is because staff needs the expertise and assistance from outside consultants to effectively keep our facilities operating to meet our water and air permits. The “how” is the reaffirmation of the practice staff has been executing for the past twenty-five (25) years, except for “Pay to Play” which was established in 2006. The Authority’s procedures are in conformance with the Local Public Contracts Law. Ms. Pchola explained that under the Local Public Contracts Law, there are exceptions where you do not have to go out to bid for professional services.

Ms. Pchola indicated that the Authority, when possible, awards contracts under the Non-Fair and Open process where no political contributions are allowed. The professional service consultants (Advice Accounts) are recommended for approval to the Board based on the consultant’s expertise, experience, knowledge and familiarity with the SBRSA facilities.

Ms. Pchola reported that a lengthy discussion took place at the Construction Committee meeting with some changes that Mr. Goldfarb recommended.

Dr. Downey moved Resolution 2017-03. Mr. Compton seconded.

Dr. Downey explained that this was discussed in length at the Construction Committee meeting. The general consensus of the Committee was that the way the Authority has been handling the contracts has been effective and that we have looked at the value in the contracts awarded. Dr. Downey noted that are a few concerns with the wording in the Resolution.

One of the issues is that the Board is giving the responsibility to staff based on their expertise and experience to determine the value of the consultants. It is the Board’s responsibility to review and ultimately approve or choose not to approve staff’s recommendation and ask staff to go back for further action. Dr. Downey indicated that she would like to move the three changes that the Construction Committee agreed upon and then can open it up for discussion.

The first change is the third “Whereas” from the bottom on page 1 of the resolution which reads: “Whereas, staff always recommends to the Board professional consultants for their value, namely their expertise, experience, attitude (perfection seekers) and lastly their cost.” The words “always” and “lastly” be eliminated from the sentence. The next change is on the last page, number 7, second paragraph reads “These contracts will normally not be solicited through the RFP process ...”. The words “normally will not be solicited through the Request for Proposal (RFP)...” be eliminated. There may be instances when the Authority will need to require an RFP.

Ms. Alexander suggested that the last Whereas paragraph be changed to read “Whereas, it is the obligation of the Board to review and consider for adoption/approval all professional consultant contracts; and”

Dr. Downey noted that number 6 on the last page was of concern for one Board member who felt that RFPs be required on for all contracts. Mr. Goldfarb indicated that he was the Committee person who felt that the RFP should be the default. However, there may be circumstances where staff has not gone through the RFP process, but it should then include a justification as to why that recommendation is being made.

Chairman Bartolini stated that changes the entire policy. Mr. Goldfarb responded that there is a high degree of consensus between how we “actually operate” and the written policy. Mr. Goldfarb indicated that there was not an opportunity to review and discuss the entire resolution and that he would like to have a month to review and rewrite (mark-up) the resolution to reflect how we “actually operate” and reflect wording that he would find acceptable. Mr. Goldfarb would then present it to the Board at the March meeting.

Chairman Bartolini indicated that part of the reason we are looking at this is because many municipalities are using best practices. There is a big push to document how things are/were done and to follow the procedure or decide on another method. This was discussed in length at the December 2016 Board meeting and the consensus of the Board was to pass this policy. Chairman Bartolini stated that if Number 6 changes, it puts things back into where we have been with the discussions when approving consultant contracts. Mr. Goldfarb reiterated that he could make changes to Number 6 that he would find acceptable and feels the Board would also find acceptable.

Dr. Downey indicated that she would object. The Board has delegated to the staff the ability to manage their time to meet deadlines and to get things done efficiently. Over the past twenty-two (22) years that Dr. Downey has been on the Board, even though there has not been a default order to always use an RFP, staff clearly looks at each situation and makes a determination based on how much time it would take to put an RFP together, the time to evaluate the RFP, the benefit and the cost. It is much different if you are looking at a \$1 million project as opposed to a \$25,000 advice account. Part of this policy is that we are delegating certain things to the staff and the Board would not want to be the one telling staff which consultant to use for their annual advice; but rather provide staff with guidelines to use when selecting professional consultants and stay within the guidelines of the Authority’s Mission Statement.

Mr. Morehouse indicated that he agreed with Mr. Goldfarb that the assumed default is to request an RFP. Not for all contracts but for specialized contracts that may warrant a second look.

The consensus of the Board was to allow Mr. Goldfarb a month to present a revised Resolution. Chairman Bartolini indicated that he does not want to get a document that is totally marked up. Mr. Goldfarb indicated that there should not be any restrictions and if the Board does not like the revised version they could choose to vote on the original version.

Mr. Morehouse then moved to table Resolution 2017-03 until the March 27, 2017 Board meeting; seconded by Mr. Goldfarb and passed by a vote of 6 to 0.

A discussion followed regarding the importance of the resolution/policy and the two circumstances of how professional contracts may be awarded (Fair and Open/Non-Fair and Open).

Consultant List

The consultant list was provided for information. Mr. Kantorek indicated that one contract is pending award tonight.

Member List/Municipal Information

The Member List/Municipal Information was provided to the Board. Mr. Kantorek indicated that any changes to the list should be given to staff.

542.04 Planning and Administration

Mr. Kantorek reported that the most current 12-month average daily River Road plant flow is 8,591,848 gpd with 851,427 gpd of approved but inoperative flow for a total committed flow of 9,443,275 gpd with 3,616,725 gpd or 27.69% of available capacity. The most current 12-month average daily flow at the Hopewell Plant is 214,907 gpd with no inoperative flow, for a total committed flow of 214,907 gpd with 28.36% or 85,093 gpd of available capacity. The Pennington Plant presently has 229,933 gpd as the most current 12-month average daily flow, with 31,709 gpd of approved but inoperative flow, for a total committed flow of 261,642 gpd, with 12.79% or 38,358 gpd of available capacity. The actual available capacity for the Pennington Plant is estimated to be 2,400 gpd under normal rainfall conditions.

Mr. Kantorek noted that the weather conditions are becoming wetter therefore the flow and rainfall totals are increasing slightly. February 2016 was the last of the wetter months in an extremely dry year (2016) and when that number is replaced, flows may decrease slightly. If we continue to receive rain the 12-month average flows should begin to increase beginning in March.

Mr. Kantorek indicated that since the last meeting, SBRSA met with the Pennington Council to apprise them of the status of the expansion of the Pennington STP.

Monthly Flow Transmittal

The monthly flow transmittal for January was provided for information. All meters were within $\pm 5\%$ and therefore no meter adjustments were made based on the meter verifications.

However, a review of the flow data for Meter Chamber No. 7 indicated that the flow data was uncharacteristically high on January 29th. Review of the hourly flow data indicated that the meter was pegged at its maximum range starting on January 28th and continued until January 30th. Upon investigation, staff discovered that the parshall flume was clogged with grease. The grease was removed and flows returned to normal. Therefore, the flows from January 28th through January 30th were replaced with the average percent flow of Meter Chamber No. 7 to the Millstone Pump Station which was 29%.

542.05 Approval Requests and Actions

TWA-1 Approvals

None.

Water Quality Management Plan Amendments

None

Allocated Flow Update

None.

542.06 Regulatory Report

Discharge Monitoring Report (DMR)

Mr. Rahimi reported that the Discharge Monitoring Reports for the months of December 2016 and January 2017 were submitted to the NJDEP. No violations were reported.

Mr. Rahimi explained that on January 25, 2017 at approximately 1100 hours an effluent sample was taken and analyzed for chlorine residual using a non-approved method for routine process control. A visual chlorine residual value of approximately 1.5 mg/l was observed. Upon further investigation, it was determined that the dechlorination process had malfunctioned for approximately 2.5 hours resulting in a high chlorine residual. The dechlorination problem was corrected and subsequent samples were analyzed for chlorine

residual using the approved method and the results were non-detect (< 0.1 mg/l). A hotline call was made to NJDEP regarding this matter and the NJDEP enforcement officer was notified.

Mr. Rahimi noted that Mr. Kunert will discuss how this occurred during the Operations Report.

Residuals Discharge Monitoring Report (RDMR)

Mr. Rahimi indicated that the November 2016 RDMRs were submitted to the NJDEP. All River Road parameters were compliant with the Air Permit requirements.

Mr. Rahimi stated that staff is currently reviewing the December RDMRs.

Mr. Rahimi reported that the River Road 2016 annual Residuals Waste Characterization Report (RWCR) was submitted to NJDEP. All parameters were within the expected ranges for this facility.

Mr. Rahimi stated that the River Road 2016 Annual RWCR for sludge production was submitted to the NJDEP.

Mr. Rahimi reported that the 2016 Hopewell and Pennington annual RWCRs for sludge production were submitted to the NJDEP.

Mr. Rahimi indicated that the semi-annual RDMR for Hopewell and Pennington were submitted to NJDEP. The results were within the expected ranges for these facilities.

Air Reporting

Mr. Rahimi noted that the 4th quarter 2016 Incinerator Sludge Metals Report was filed with the NJDEP and EPA. There were no exceedances of the monthly or 12-month weighted average metals concentration limits or the 12- month rolling lead or mercury emission limits.

Mr. Rahimi reported that the 4th quarter 2016 Excess Emissions and Monitoring Report was submitted to the NJDEP and the EPA. Only Incinerator No. 2 with the RTO operated during this monitoring period with no excess emissions or channel downtime for oxygen (O₂) and carbon monoxide (CO).

Mr. Rahimi indicated that the semi-annual 40 CFR 60, Subpart O report for the last six months of 2016 was submitted to the NJDEP and EPA. There were no excess emissions reported for scrubber differential pressure and O₂.

Mr. Rahimi stated that the federal annual 40 CFR 503 Subpart E report was submitted to EPA utilizing the new Central Data Exchange (CDX) portal. 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, RTO temperature, pressure drop, carbon monoxide, and oxygen.

Mr. Rahimi indicated that the Title V 2016 Combined 2nd Half Semi-Annual Deviation Report/Annual Compliance Certification was prepared by staff and submitted to the NJDEP and EPA. This report includes all deviations that occurred throughout the reporting year.

Mr. Rahimi reported that staff is currently preparing the 2016 Title V Annual Bypass Use report.

Mr. Rahimi noted that the following affirmative defenses were submitted to the NJDEP:

- On December 20, 2016 while operating Incinerator No. 2 with the RTO (OS28) there was an issue with the compressed air system that caused a RTO fresh air damper fault. As a result, the valve to the RTO closed and the valve to the Afterburner (AB) opened with the AB temperature below 1500 deg. F with sludge combustion in the incinerator.
- On January 5, 2017 while switching from Incinerator No. 2 from the RTO to the AB, there was a fly ash pump failure causing the bypass damper to open while the natural gas burners were lit in the incinerator. There was no sludge combustion in the incinerator.
- On January 6, 2017 while operating Incinerator No. 2 with the RTO (OS28) there was an issue with the compressed air system that caused a RTO fresh air damper fault. As a result the valve to the RTO closed and the valve to the AB opened with the AB temperature below 1500 deg. F with sludge combustion in the incinerator.
- On January 17, 2017 while operating Incinerator No. 1 with the AB (OS1), there was a scrubber pump malfunction. The end result was the bypass damper opening with sludge combustion in the incinerator.

Dr. Bartolini asked if there are any fines associated with these affirmative defenses. Mr. Kantorek noted that all these incidents carry potential fines.

Staff indicated that it is very difficult to run the incinerator under the new EPA rules.

Laboratory

Mr. Rahimi indicated that the Laboratory staff is in the process of evaluating an amperometric titration method for low level chlorine residual analysis. Hach (manufacturer of equipment measuring low level chlorine residual) has provided SBRSA with a titrator (Titralab AT 1000) for this evaluation. Samples and standards analyzed by staff with method modifications on three separate days resulted in acceptable values. Further evaluation will be performed in cooperation with the Hach titration lab manager within the next week.

Miscellaneous

Mr. Rahimi reported that the 2016 semi-annual Phosphorus Compliance Report for the River Road facility was submitted to the NJDEP on January 23, 2017. A copy of the report was provided to the Board.

Mr. Rahimi indicated that the 2016 Annual Beneficial Reuse report for all three facilities was submitted to the NJDEP on January 23, 2017. A copy of the report was provided to the Board. No wastewater was beneficially used in 2016 at the River Road, Hopewell and Pennington facilities.

Mr. Goldfarb asked what is the beneficial reuse of effluent used for. Staff indicated that it is used with street sweepers, jetting sewer lines, etc.

542.07 Safety

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

Mr. Irizarry noted that as of February 15, 2017, Stony Brook Regional Sewerage Authority has gone 224 consecutive days without a “Lost Time Accident”.

Mr. Irizarry indicated that on December 8, 2016 the annual fire inspection was conducted for River Road and the Princeton Pump Station by the Princeton Bureau of Fire Safety. Stony Brook was issued a notice of order to correct for the following areas where storage of combustible materials must be removed: 1) The Chemical Building electrical (MCC) room; 2) underneath the north stairwell of the Operations Building and 3) the second level of the drywell side of the Princeton Pump Station. Staff has removed the materials and dismantled the storage cages. Staff also requested a second 30-day extension for the exit sign not illuminating in the Chemical Building. The new emergency lighting and signage, installed as part of Contract 14-1 Emergency Generator Project, will be completed by the contractor within the next 30 days. The fire inspector conducted a re-inspection on February 17, 2017 and was satisfied with the progress made to date to abate the violations.

Mr. Irizarry noted that during last month’s Construction Committee meeting there was a discussion regarding the hatches at the Millstone Pump Station that were identified as a potential tripping hazard in the 2016 Annual Inspection Report as prepared by Kleinfelder. The hatch was repaired in-house in 2016 subsequent to the report. A photograph of the repaired hatch was provided to the Board.

Mr. Irizarry reported that on February 16, 2017 the New Jersey Department of Environmental Protection (NJDEP) conducted an inspection of all three of our underground fuel oil storage tanks (two (2) at the River Road Plant and one (1) at the Princeton Pumping Station). NJDEP found no issues with the tanks.

Mr. Goldfarb asked if all the Priority 1 safety issues stated in the 2016 Annual Inspection Report by Kleinfelder have been addressed, and if not is there a plan to address these issues. Mr. Irizarry indicated that some of the safety issues need to be completed by an outside vendor. These items will be addressed prior to conducting the 2017 Annual Inspection and will not show up in the 2017 Report.

542.08 Litigation

The Litigation Report was provided for information. Ms. Alexander noted that there were several changes made to the Litigation Report.

Stony Brook Regional Sewerage Authority vs. New Jersey Department of Environmental Protection, Docket No. EWR 04903-2007S (River Road STP)

On February 14, 2017, AEA representatives, including Ms. Alexander, John Kantorek and Jim Cosgrove, met with NJDEP to discuss Sufficiently Sensitive Test Methods (SSTM) concerns, Water Quality Standards for Arsenic and the status of the Drinking Water Intake Protection (DWIP) Rule. The parties made significant progress toward resolution of these issues. On February 14, 2017, NJDEP issued a draft modification of SBRSA's NJPDES Permit to incorporate a Recommended Quantitative Level (RQL) of 0.02 mg/L for Chlorine Produced Oxidants (CPO), thereby establishing a more appropriate level of sensitivity for compliance testing for the CPO parameter. A thirty (30) day comment period, within which time SBRSA may submit comments regarding this draft modification, ends on March 17, 2017. The next status conference call before Judge James Beavers is scheduled for March 15, 2017.

A brief discussion followed.

Hopewell NJPDES Permit Concerns and Pennington NJPDES Permit Concerns

On February 14, 2017, AEA representatives, including Ms. Alexander, John Kantorek and Jim Cosgrove, met with NJDEP to discuss Sufficiently Sensitive Test Methods (SSTM) concerns, Water Quality Standards for Arsenic and the status of the DWIP Rule. The parties made significant progress toward resolution of these issues. NJDEP has advised that the DWIP Rule is a high priority for the Department. The next status conference call before Judge James Beavers is scheduled for March 15, 2017.

542.09 Operations Report

River Road Facility

Mr. Kunert reported that the stack testing for Incinerator No. 1 using the afterburners was completed on January 20, 2017. The seven-day drift test for CEMS No. 1 was completed on January 24, 2017 for the RATA and the Performance Specification Test (PST).

Mr. Kunert indicated that the stack test for Incinerator No. 2 using the RTO was completed the week of February 13th. The testing, using the afterburners, was completed the week of February 20th. The seven-day drift test for CEMS No. 2 was completed on February 21, 2017.

Mr. Kunert reported that on January 25, 2017, an effluent excursion occurred at the River Road WWTP. This was a result of not properly de-chlorinating for a period of approximately 2.5 hours. This began after rebooting the SCADA system. Apparently, for reasons unknown, some of the chemical feed pumps do not restart or, they restart in the wrong mode, manual versus automatic, after the system is rebooted. After this specific reboot, the IT Department restarted a Sodium Bisulfite Pump and informed the Acting Lead Operator. The Acting Lead Operator then contacted an Operator to check the pump which he did. Unfortunately, the pump that was started had the suction and discharge valves closed and the Operator, who is a probationary employee with little experience, did not notice that the valves were closed. The NJDEP Hotline was called and our NJDEP Enforcement Officer was notified by phone with a lengthy message describing the incident. A meeting was held with all involved to discuss the incident and to make it clear that this could have been prevented. Also discussed were the actions needed to prevent this from happening in the future. Staff made changes to the SCADA “High De-Chlorination ORP Alarm” so it re-alarms every 2 minutes if the problem still exists. Why this problem occurs after a reboot of the SCADA System, is still being investigated.

The incident was notated on the DMR but not reported as an Affirmative Defense. Staff will file an Affirmative Defense for this excursion.

Mr. Kunert noted that the Authority’s annual NJDEP Inspection of all three facilities is scheduled for March 8, 2017.

Upstream Facilities

Mr. Kunert reported that the two Upstream Facilities operated well during this reporting period. However, on January 24, 2017, staff had to by-pass the dual media filters at the Hopewell Facility due to high flows. The NJDEP Hotline was notified.

Odor Report

Mr. Kunert reported that staff received no odor complaints during the month of January and no odor complaints for the partial month of the February reporting period.

Mr. Kunert noted that Mr. Kantorek received an email today (February 27, 2017) from Mr. Lee Seglem indicating that the Authority did not do well over the weekend and that they were beginning to smell “it” again. Since this email came in on the weekend, today was the first day Mr. Kantorek could begin to question staff about whether anything unusual happened over the weekend. Staff will continue to investigate the complaint.

Customer Septage and Sludge Deliveries

The quantities of liquid sludge, sludge cake and gray water all exceeded their budgeted amounts for the month of January. Mr. Kunert noted that the gray water budgeted amount was exceeded by 19% which is something that does not occur very often.

542.10 Maintenance

Mr. Roga reported that on January 3, 2017, Modified Aeration Tank Aerator No. 3 was making noise and vibrating and was removed from service. After further investigation, it was found that the motor tail bearing was damaged. A replacement motor was installed and fitted with Aegis grounding rings and insulated bearings. These upgrades protect the motor bearings from harmful damage caused by VFD voltage currents. After the installation was completed, the aerator was tested and placed back into operation.

Mr. Roga indicated that on January 26, 2017 the gear box on Schwing Pump No. 1 seized during operation and was removed from service for two days. This was done to make the necessary repairs. Once the existing gear box was removed a new replacement from inventory was installed along with a new drive motor gear. The pump was then tested for proper operation and placed back into service.

Mr. Roga noted that during routine checks Schwing Pump No. 7 was found to be leaking dewatered sludge from the piping connection located at the head of the pump. After inspecting the connection, it was found that the clamping groove on the discharge head needed to be removed and a new one welded on. The discharge head of the pump was also removed and sent to Marshall Maintenance Technologies for repairs. Once all repairs were completed, the pump was reassembled, tested for leaks and placed back into service.

Mr. Roga stated that a representative for Huber Technologies was on site February 2, 2017 to perform detailed training to the Maintenance Department on inspecting the two Rakemax Multi-Rake Barscreens located in the Headworks Building. Each influent channel was drained to perform the inspection of the drive components and to replace normal wear items. The lower chain sprockets were dis-assembled and inspected. Teflon shims were replaced on the lower sprocket and the rake drive chain was adjusted along with the screen rakes and wiper blades. Both Rakemax Barscreens were found to be in very good operating condition. This inspection will be done in house annually.

Mr. Roga reported that the current monthly open work requests stand at twenty (20). The preventative maintenance graphs show that SBRSA is currently averaging two (2) days overdue and the number of overdue units is approximately twenty-six (26).

542.11 Construction Report

Phosphorous Impact Modeling Study

Ms. Pchola reported that Kleinfelder continues preparing the Phosphorus Impact Modeling report.

Data Center

Ms. Pchola noted that on February 2, 2107 staff met with representatives of GHD and reviewed the 30% drawings for the data center. GHD and SBRSA discussed all comments and recommendations from staff. GHD is now in the process of developing the 90% complete drawings and specifications and plans to submit them to SBRSA by the end of March 2017.

Millstone Force Main Condition Assessment

Ms. Pchola reported that on February 6, 2017 SBRSA staff met with Pure Technologies and the new project manager for the project, Mr. Ethan Vidal. The goal of the meeting was to finalize the method of extraction to be used to remove the two devices (SmartBall and PipeDiver) from the end of the force main at the River Road WWTP and provide additional logistical data to Pure Technologies so the planning document can be finalized and submitted to SBRSA for review. The consensus at the meeting was that the best alternative to retrieve the devices will be to remove the top slab of the precast influent chamber at the Headworks. This will require SBRSA to hire a crane and operator to conduct this work. SBRSA is currently working on getting quotes for this work.

Ms. Pchola indicated that there is still the issue of enough volume of water necessary to meet the velocity required to move the PipeDiver through the force main (based on information from Pure Technologies the PipeDiver requires a minimum velocity of 1.4 feet per second). Staff will determine the stored volume in the interceptor. Staff will also look into the process to obtain a temporary water diversion permit if necessary to divert water from the D&R Canal or Lake Carnegie.

River Road Filtration/Disinfection Byproducts Compliance Study

Ms. Pchola reported that Kleinfelder continues to coordinate with manufacturers of closed and open channel UV disinfection systems to obtain technical and budgetary cost proposals. Kleinfelder has developed an initial conceptual plan for installing the open channel UV equipment/system in one of the existing chlorine contact tanks.

Ms. Pchola indicated that Kleinfelder is also coordinating with the manufacturers of disc filters to obtain technical and budgetary cost proposals.

Millstone Pump Station Odor Abatement System Evaluation

Ms. Pchola stated that staff completed the review of the proposals. A copy of the memo dated February 23, 2017 recommending award of that contract to R3M in the lump sum amount of \$19,320 was provided to the Board.

Staff recommended approval of Resolution 2017-14, Authorizing the Award of the Contract for the Evaluation of Odor Control at the Millstone Pump Station. So moved by Dr. Downey, seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2017-14 follows.

Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract to R3M for the Evaluation of Odor Control for the Millstone Pump Station

Resolution No. 2017-14

WHEREAS, the Stony Brook Regional Sewerage Authority’s (“Authority”) Millstone Pump Station (MPS) existing carbon adsorber used for odor control is ineffective; and

WHEREAS, the carbon adsorber equipment pad has deteriorated beyond the point of repair and the integrity of the fiberglass reinforced plastic (FRP) carbon vessel is also in question; and

WHEREAS, it is essential that there is effective odor control at the MPS; and

WHEREAS, the Authority sent out a request for proposals (RFP) on November 18, 2016 for an evaluation and recommendation for a new odor control system at the MPS to the following engineering firms: AECOM, GHD, Kleinfelder, and R3M; and

WHEREAS, proposals were received from GHD, Kleinfelder, and R3M on December 13, 2016; and

WHEREAS, the proposals from GHD, Kleinfelder, and R3M were reviewed/evaluated by the Authority engineering staff and summarized in the attached memo to John Kantorek, Authority Executive Director dated February 24, 2017; and

WHEREAS, it was determined that all three consultants had an understanding of the project, each firm and personnel assigned to the project had experience in odor control and it is believed that each firm is qualified to successfully conduct an odor control evaluation; and

WHEREAS, staff recommends award of this contract to R3M in the lump sum amount of \$19,320 for the reasons outlined in the memo to the Authority Executive Director dated February 24, 2017; and

WHEREAS, R3M has a submitted a Business Entity Disclosure Certification which certifies that R3M 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 sufficient Funds available in its retained earnings.

NOW THEREFORE, BE IT RESOLVED that the Board of the Stony Brook Regional Sewerage Authority authorizes the Chairman to enter into a contract with R3M as described herein; and

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

Recorded Vote:

| | AYE | NO | ABSTAIN | ABSENT |
|-----------------------|-----|----|---------|--------|
| Robert A. Bartolini | X | | | |
| Harry Compton | X | | | |
| Gale D. Downey | X | | | |
| David A. Goldfarb | X | | | |
| C. Schuyler Morehouse | X | | | |
| Bharat Patel | X | | | |

Contract 16-1 Schwing Pump Replacement Project

Ms. Pchola indicated that on January 27, 2017 SBRSA received authorization from NJDEP to advertise the Dewatered Sludge Handling Pump Replacement Project, Contract 16-1. The project was advertised for bid on February 7, 2017. On February 14, 2017, a pre-bid meeting and site visit was held for all prospective bidders. GHD was also in attendance at the pre-bid meeting. Bids for the project will be received on March 21st and it is anticipated that the project will be recommended for award at the March 27, 2017 Authority Board meeting. The contract award must also be approved by NJDEP.

Pennington WWTP Upgrade and Expansion

Ms. Pchola reported that Kleinfelder continues work on the development of the 90% draft drawings and specifications for the project. On February 14, 2017, Kleinfelder was on-

site at the Pennington plant for the excavation of test pits and permeability testing for the new storm water detention system to be installed as part of the project.

Ms. Pchola explained that the preliminary design report for the Pennington WWTP indicated that a portion of the flow would bypass the filters during peak hourly wet weather flows. SBRSA requested that the filters be designed to handle the peak hourly wet weather flows. Kleinfelder prepared the attached memo dated February 2, 2017 indicating the changes necessary to accommodate that flow. The estimated additional construction cost for this change is \$ 65,000.

Ms. Pchola reported that at the request of staff, Kleinfelder will incorporate odor control (biofilter) for the sludge thickener and sludge holding tank. The estimated construction cost for odor control is \$160,000. A copy of the construction cost estimate prepared by Kleinfelder was provided to the Board.

Dr. Downey noted that both items were discussed in the Construction Committee meeting and will be added to the project.

Ms. Pchola noted that it is expected that the 90% draft documents will be submitted to SBRSA for review by mid-March 2017.

Contract 14-1, SBRSA Emergency Generator Project

Ms. Pchola indicated that this project remains at 93% complete. No payment application was submitted for the month of January. During the past reporting period, PSE&G completed the installation of the meter/regulator set for the new emergency generator. TCI continues to work with the generator manufacturer, ENER-G–Rudox, to schedule the commissioning and start-up of the new generator and paralleling switchgear. TCI is in the process of responding to SBRSA’s/Kleinfelder’s comments on the shop drawing for the modifications to the substation.

Ms. Pchola explained that as part of the contract specifications, the contractor was to install 4-inch rigid galvanized conduit for the power conductors from the new generator to the switchgear at the River Road Treatment Plant and the Millstone Pump Station. As a cost savings measure, TCI suggested that 8-inch wireways be installed in place of the conduit. The labor and material costs to install the wireways are less than the conduit. TCI submitted a shop drawing on the wireway and the wireway was subsequently approved by Kleinfelder/AECOM.

Ms. Pchola noted that approval of this change order results in a credit to the contract amount of (\$1,437.11).

Staff recommended approval of Resolution 2017-12, Authorizing the Approval of Change Order No. 9 for the Substitution of Wireway for Conduit for the Emergency Generator Project, Contract 14-1. So moved by Dr. Downey, seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2017-12 follows.

**Resolution Authorizing the Approval of Change Order No. 9 for the Substitution of
Wireway for Conduit for the Emergency Generator Project,
Contract 14-1**

Resolution No. 2017-12

WHEREAS, on November 4, 2014, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Notice to Bidders seeking the receipt of sealed public bids for the “Emergency Generator Project, Contract 14-1”; and

WHEREAS, the SBRSA at its December 15, 2014 meeting awarded the Emergency Generator Project, Contract 14-1 to Thomas Controls, Inc. (TCI) in the amount of \$3,400,000; and

WHEREAS, the SBRSA at its December 21, 2015 meeting approved Change Order No. 1 in the amount of \$20,417.69, at its March 28, 2016 approved Change Order No. 2 in the amount of \$27,500.79, and at its September 26, 2016 approved Change Order Nos. 3, 4, and 5 totaling \$25,182.28, and at its September 26, 2016 approved Change Order Nos. 6, 7, and 8 totaling \$19,925.95 resulting in an adjusted contract amount of \$3,493,026.71; and

WHEREAS, as part of the contract specifications, the contractor was to install 4-inch rigid galvanized conduit for the power conductors from the new generator to the switchgear at the River Road Treatment Plant and the Millstone Pump Station; and

WHEREAS, as a cost savings measure, Thomas Controls Inc. (TCI) suggested that 8-inch wireway be installed in place of the rigid galvanized conduit; and

WHEREAS, TCI submitted a shop drawing on the wireway and the wireway was subsequently approved by Kleinfelder/AECOM; and

WHEREAS, the installation of the 8-inch wireway in place of the rigid galvanized conduit results in a credit to the contract in the amount of (\$1,437.11); and

WHEREAS, the abovementioned changes to Contract 14-1 are incorporated within the February 10, 2017 Contract Change Order # 9 document in the amount of (\$1,437.11) resulting in an adjusted contract amount of \$3,491,589.60; and

WHEREAS, the contract completion date for the project shall remain unchanged as a result of Change Order No. 9; and

WHEREAS, this project is funded through the New Jersey Environmental Infrastructure Financing Program (NJEIFP); and

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

1. The Executive Director is authorized and directed to execute Change Order #9 with Thomas Controls Inc. in the amount of (\$1,437.11) resulting in an adjusted contract amount of \$3,491,589.60.
2. This Resolution shall take effect immediately; and

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

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

Contract 16-2, MA Effluent Channel Mixers

Ms. Pchola indicated that on February 3, 2017 a pre-construction meeting was held with the contractor, Allied Construction Group, Inc. (Allied). Allied has begun the process of obtaining and submitting shop drawings for the longer lead time items such as the mixers, basket strainers, and variable frequency drives (VFD's).

Contract 16-3 Fire Alarm System for Hopewell and Pennington WWTP

Ms. Pchola reported that as of Pay Estimate No. 4 this project stands at 96% complete. Meridian completed the manufacturer's start-up and commissioning of both alarm systems, received approval of the two alarm systems from the Hopewell Township Building Department, conducted training on the new systems, cleaned up the work sites, and demobilized. Meridian is currently working on assembling the required spare parts, O&M manuals, system certifications, and contract close-out documents.

Ms. Pchola noted that as reported last month, Red Hawk (alarm system vendor) was asked to provide a quote to replace all defective existing door switches and motion sensors for the security side of the Hopewell and Pennington alarm systems. The cost to supply and install the replacement devices is \$1,765. SBRSA will contract directly with Red Hawk to have this work completed.

Ms. Pchola explained that the Contract drawings called for the installation of two (2) audio/visual devices, otherwise known as horn/strobe devices, to be installed in five (5) locations at the Pennington WWTP and in four (4) locations at the Hopewell WWTP for a total of eighteen (18) devices. The contract drawings were submitted to the Hopewell Township Construction Department as part of the building permit application. The

drawings and application were approved by the Construction Department and a permit was issued.

Ms. Pchola indicated that during the final inspection of the two fire alarm systems by the Township building inspector, the inspector noted that sound level in the areas where two horn/strobe devices were installed exceeded code standards and required that one device from each location be removed.

Ms. Pchola explained that Meridian Property Services, Inc. was asked to provide a change order proposal to remove nine (9) horn/strobe devices, five (5) from Pennington and four (4) from Hopewell. Meridian evaluated the request and recommended that the horn/strobe devices be replaced with strobe only devices. The labor and material costs to replace the nine (9) horn/strobe devices with strobe only devices were significantly less than just removal of the horn/strobe devices. As discussed with Meridian the horn could not be disconnected from the combination horn/strobe device and therefore a strobe only device would need to be installed.

Staff recommended approval of Resolution 2017-11, Authorizing the Approval of Change Order No. 1 in the amount of \$1,458.00 for the Replacement of Nine (9) horn/strobe devices for Contract 16-3. So moved by Dr. Downey, seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2017-11 follows.

Resolution Authorizing the Approval of Change Order No. 1 for the Replacement of Nine (9) Horn / Strobe Devices for Contract 16-3

Resolution No. 2017-11

WHEREAS, on June 1, 2016, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Notice to Bidders seeking the receipt of sealed public bids for the “Pennington WWTP & Hopewell WWTP Fire Alarm System Project, Contract 16-3”; and

WHEREAS, the SBRSA at its July 25, 2016 meeting awarded the Pennington WWTP & Hopewell WWTP Fire Alarm System Project, Contract 16-3 to Meridian Property Services, Inc. in the amount of \$93,972; and

WHEREAS, the Contract drawings called for the installation of two (2) audio/visual devices, otherwise known as horn/strobe devices, to be installed in five (5) locations at the Pennington WWTP; and

WHEREAS, the Contract drawings called for the installation of two (2) audio/visual devices, otherwise known as horn/strobe devices, to be installed in four (4) locations at the Hopewell WWTP; and

WHEREAS, Meridian Property Services Inc., installed the horn/strobe devices as required by the Contract documents; and

WHEREAS, during the final inspection of the two fire alarm systems by the Hopewell Township building inspector, the inspector noted that sound level in the areas where two horn/strobe devices were installed exceeded code standards; and

WHEREAS, the Hopewell Township building inspector required that one device from each of the nine (9) locations be removed; and

WHEREAS, Meridian Property Services, Inc. was asked to provide a change order proposal to remove nine (9) horn/strobe devices, 5 from Pennington and 4 from Hopewell; and

WHEREAS, Meridian Property Services, Inc. was asked to provide a change order proposal to replace the nine (9) horn/strobe devices, 5 from Pennington and 4 from Hopewell with nine (9) strobe only devices; and

WHEREAS, the abovementioned changes to Contract 16-3 are incorporated within the February 10, 2017 Contract Change Order #1 document in the amount of \$1,458.00 resulting in an adjusted contract of \$95,430.00; and

WHEREAS, the contract completion date for the project shall remain unchanged as a result of Change Order No. 1; and

WHEREAS, the Stony Brook Regional Sewerage Authority has Funds available in its retained earnings.

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

1. The Executive Director is authorized and directed to execute Change Order #1 with Meridian Property Services, Inc. in the amount of \$1,458.00 resulting in an adjusted contract amount of \$95,430.00.
2. This Resolution shall take effect immediately; and

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

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

Contract 16-4, Incinerator Center Shaft Drive Replacement

Ms. Pchola reported that Iron Hills Construction continues to submit shop drawings and the project is still on track to be completed in early summer 2017.

Contract 17-2, Odor Control Systems Carbon Replacement Project

Ms. Pchola reported that on February 13, 2017 the executed Agreements were received from Calgon. Staff and Calgon are in the process of coordinating a preconstruction meeting/site visit and arranging for the sampling and analysis of the existing spent carbon for disposal.

CEMS Carbon Monoxide Analyzer Replacement

Ms. Pchola indicated that on February 6, 2017, SBRSA received the revised performance specification test (PST) reports from PACE Environmental. Based on the issues found with the previous submittal, SBRSA asked Mr. Karl Monninger of KEMS to review the revised report and provide comments. In addition to Mr. Monninger's review, SBRSA's Engineering staff completed a thorough review of the report. This review, along with KEMS review, revealed errors in data analysis, incorrect application of the Performance Specification criteria, errors in calculations, and numerous typographical errors. The results of the staff review and the comments received from KEMS were forwarded to PACE and they were asked to address and correct the errors found.

Ms. Pchola explained that on February 8, 2017 SBRSA and KEMS received the draft copy of the PST report performed by Montrose during the recent stack test for Incinerator No. 1. The Montrose report indicates that the continuous emission monitoring system (CEMS) for Incinerator No.1, Afterburner and RTO scenarios, meets the applicable performance specification criteria. The report was submitted to NJDEP Emission Measurement Section (EMS) on February 21, 2017 along with a letter from SBRSA providing clarification as to why an additional PST was conducted/submitted. Staff provided a copy of the letter to the Board.

Ms. Pchola indicated that the air emissions compliance testing (stack test) for Incinerator No. 2 is scheduled for February 14, 2017 through February 24, 2017. In conjunction with the stack test, Montrose was asked to complete the RATA and PST report for CEMS No. 2 similar to what was performed for CEMS No. 1. The estimated cost to perform the RATA and provide a new PST report for Incinerator No. 2 with both operating scenarios is \$3,250. Staff provided the Board a copy of the quote.

Plant Influent Flow Meter

Ms. Pchola indicated that SBRSA staff continues with the calibration checks on the two flow transmitters to establish accuracy data on each transmitter. A copy of the comparison summary of the sum of our billing meters versus the River Road influent meter was provided to the Board.

Information Technology

Mr. Thomas reported that the IT staff continues to migrate and optimize our systems as needed. New fiber adapters and switching equipment has been ordered and will be used to streamline the flow of data between buildings at the River Road plant site.

Mr. Thomas indicated that a new wireless access point has arrived and is pending configuration and testing before installation in the Operations Building conference room.

Mr. Thomas explained that uninterruptible power supplies (UPS) have been updated/replaced at the Hopewell and Pennington Treatment Plants due to the age and battery life of the units.

Mr. Thomas noted that SBRSA's existing anti-virus (AV) software (Symantec) has been the cause for many repeated issues with our computer systems/software that end up costing the IT staff and users valuable time. The IT staff has completed a demo of TrendMicro AV and is purchasing a one-year license. However, the IT staff will continue to demo other possible AV solutions to ensure we have the best fit for our needs.

542.12 Finance Report

Payment of Bills and Claims

Mr. Morehouse moved for approval of Resolution 2017-08 for the payment of bills and claims in the amount of \$1,197,806.37 with two signatures instead of three. The motion was seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2017-08 follows.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2017-08

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 **\$1,197,806.37** 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. Sears reported that net loss for the two-month period ending January 31, 2017 is \$130,880. Mr. Sears indicated that the Authority continues to receive sludge cake from Somerset Raritan Valley Sewerage Authority. The Authority has total cash and investments of \$16,328,401 at an average interest rate of 0.35%. The current construction projects balance is \$17,648,136. Mr. Sears noted there are sufficient funds for these projects. The outstanding bond principal balance remains at \$20,342,958. The New Jersey Cash Management Fund yield is 0.15%.

Monthly Sludge Business Analysis

Mr. Sears reported that net income for the month of January is \$135,218 and the cumulative net income is \$281,475.

Resolution 2017-09, Appointing a Temporary Qualified Purchasing Agent

Mr. Sears explained that Resolution 2017-09 reappoints Diane Redding as the Temporary Qualified Purchasing Agent for a second year. The DLGS has approved her reappointment.

Mr. Sears recommended approval of Resolution 2017-09, Appointing a Temporary Qualified Purchasing Agent. So moved by Mr. Morehouse, seconded by Dr. Downey and passed by a roll call vote of 6 to 0. Resolution 2017-09 follows.

**STONY BROOK REGIONAL SEWERAGE AUTHORITY
RESOLUTION APPOINTING A TEMPORARY QUALIFIED PURCHASING
AGENT**

Resolution No. 2017-09

WHEREAS, the Stony Brook Regional Sewerage Authority desires to appoint a Temporary Qualified Purchasing Agent, pursuant to N.J. S.A 40:11-9g and N.J.A.C. 5:34-5.5 et seq.; and

WHEREAS, N.J.S.A 40A:11-9g and N.J.A.C. 5:34-5.5, states that if the person appointed as the Qualified Purchasing Agent for a contracting unit no longer performs such duties, the governing body may appoint, for a period not to exceed one year

commencing from the date of vacancy, a person who does not possess a qualified purchasing agent certificate to serve as a temporary purchasing agent; and

WHEREAS, N.J.S.A 40A:11-9g and N.J.A.C. 5:34-5.5, further states that any person so appointed may, with the approval of the director, be reappointed as a temporary purchasing agent for a maximum of one additional year following the end of the first temporary appointment provided that no contracting unit shall employ a temporary purchasing agent for more than two consecutive years; and

WHEREAS, SBRSA appointed Diane Redding, Assistant Finance Manager, as Temporary Qualified Purchasing Agent for SBRSA as of January 1, 2016 and therefore she has completed her first year; and

WHEREAS, by letter dated January 12, 2017, the Director of the Department of Local Government Service (DLGS), attached hereto and made a part hereof, authorized Diane Redding, Assistant Finance Manager, to continue her appointment for a second year commencing on January 1, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the SBRSA appoints Diane Redding as the Temporary Qualified Purchasing Agent for a period of one year to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-9a, to be assigned the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

| RECORDED VOTE: | AYE | NO | ABSTAIN | ABSENT |
|-----------------------|-----|----|---------|--------|
| Robert A. Bartolini | X | | | |
| Harry Compton | X | | | |
| Gale D. Downey | X | | | |
| David A. Goldfarb | X | | | |
| C. Schuyler Morehouse | X | | | |
| Bharat Patel | X | | | |

Resolution 2017-10, Authorizing the Emergency Procurement of Services for the Repair of the Blowers at the River Road Treatment Plant

Mr. Sears recommended approval of Resolution 2017-10, Authorizing the Emergency Procurement of Services for the Repair of the Blowers at the River Road Treatment Plant. Mr. Sears noted that attached to the Resolution is an Emergency Procurement Report describing the incident that caused the emergency purchase. The Resolution was moved by Mr. Morehouse and seconded by Dr. Downey.

Mr. Sears indicated that in the last “Whereas” and following “Now therefore be ...” states Operations Manager and it should be corrected to read “Assistant Plant Manager”. The Resolution was then passed by a roll call vote of 6 to 0. Resolution 2017-10 follows.

RESOLUTION AUTHORIZING THE EMERGENCY PROCUREMENT OF SERVICES FOR THE REPAIR OF THE BLOWERS AT THE RIVER ROAD TREATMENT PLANT

Resolution No. 2017-10

WHEREAS, an emergency situation developed, which could not have been reasonably foreseen, with respect to the need to repair a blower at the River Road Plant due to severe internal corrosion of the unit. It is imperative that this unit be repaired immediately and placed back into operation so the current unit that is in operation can be taken out of service for an overhaul as well; and

WHEREAS, the Authority has reviewed the attached Emergency Procurement Report prepared by the Assistant -Plant Manager, regarding the emergency procurement of services in connection with the work required to repair the blowers; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-6, a contract may be awarded without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate performance of the services; and

WHEREAS, the Authority is satisfied that, for the reasons articulated in the Emergency Procurement Report prepared by the Assistant Plant Manager, attached hereto and made a part hereof, the proposed emergency procurement is justified and meets the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-6, and regulations promulgated thereto, N.J.A.C. 5:34-6.1; and

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

The Authority declares that an emergency exists with respect to the immediate need to repair the blower at the River Road Plant as further described in the attached Emergency Procurement Report prepared by the Assistant Plant Manager, which emergency requires the immediate emergency procurement of services in order to protect public health, safety and welfare.

1. The Executive Director is authorized to execute a Contract without public advertising for bids and bidding in accordance with N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, with Aerzen, USA with an estimated amount of \$43,375.02 for the provision of emergency services for the repairs.
2. A Contract shall not be executed unless there is proof of the contractor's New Jersey Business Registration, Certificates of Insurance, together with all documents required by law.
3. This Resolution shall take effect as provided by law.

| RECORDED VOTE: | AYE | NO | ABSTAIN | ABSENT |
|-----------------------|-----|----|---------|--------|
| Robert A. Bartolini | X | | | |
| Harry Compton | X | | | |
| Gale D. Downey | X | | | |
| David A. Goldfarb | X | | | |
| C. Schuyler Morehouse | X | | | |
| Bharat Patel | X | | | |

Letter to Member Municipalities

Mr. Sears indicated that the letter on the table was sent to our member municipalities. The letter provides information regarding charges/credits for the Project Debt Service Adjustment (PDSA) that will be coming to an end in 2022. To assist each of our Participants' in preparation for the end of the PDSA, a spreadsheet was prepared. The spreadsheet was prepared with two different flow conditions: (1) no flow change, and (2) projecting flow change based on the rate of flow increase/decrease over the last twenty (20) years.

A brief discussion followed.

542.13 Personnel Report

The Personnel Report was provided for member information.

Mr. Kantorek reported that Mr. Lang Funchers has been reinstated to a Lead Operator from an Operator I. Mr. Kantorek noted that Mr. Xavier Moore, Custodian, retired as of February 1, 2017.

542.14 Correspondence

For information.

A brief discussion occurred regarding an article for the 1,976 homes proposal by the Howard Hughes Corporation in West Windsor Township.

Chairman Bartolini stated that the project will be developed in three phases and the Authority may not see any flows for approximately five (5) years.

542.15 Old Business

None

542.16 New Business

Resolution 2017-06, Award of Contract with Pollution Control Financing Authority of Warren County for the Disposal of Ash

Mr. Kantorek explained that the Authority has previously disposed its ash at Pollution Control Financing Authority of Warren County (PCFA). PCFA had previously used SBRSA's ash as landfill daily cover. The Authority recently found out that that may not be the case which would mean our ash would have needed to go through the Mercer County Improvement Authority (MCIA) at a cost of \$110 per load. This fee was in addition to the hauler's fee which made it quite costly.

Mr. Kantorek noted that an agreement with PCFA was negotiated which states that PCFA may use SBRSA's ash as daily cover therefore eliminating the \$110 charge from MCIA. The contract is for three years with an escalating fee schedule as follows: \$69 per ton from March 1, 2017 to February 28, 2018; \$71 per ton from March 1, 2018 to February 28, 2019; and \$73 per ton from March 1, 2019 to February 29, 2020.

Mr. Kantorek recommended approval of Resolution 2017-06, Award of Contract with Pollution Control Financing Authority of Warren County for the Disposal of Ash. So moved by Dr. Downey and seconded by Mr. Morehouse.

A brief discussion followed regarding beneficial reuse of the Authority's ash.

Resolution 2017-06 was then passed by a roll call vote of 6 to 0. The resolution follows.

**Resolution Authorizing the Award of Contract with
Pollution Control Financing Authority of Warren County
for the Disposal of Ash**

Resolution No. 2017-06

Whereas, the Stony Brook Regional Sewerage Authority (SBRSA) operates two sludge incinerators; and

Whereas, SBRSA generates ash from the incineration of that sludge; and

Whereas, SBRSA has a need to dispose the ash at the landfill operated by the Pollution Control Financing Authority (PFCA) of Warren County; and

Whereas, the current Agreement between SBRSA and PCFA for the disposal of ash expires on February 28, 2017; and

Whereas, SBRSA wishes to continue to dispose of its ash at the landfill operated by PFCA, where it may be used as daily cover

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

1. That the Chairman is hereby authorized to execute an Agreement with the Pollution Control Financing Authority of Warren County commencing March 1, 2017 and ending February 29, 2020.
2. The disposal fee to be paid to the PCFA is as follows:
 \$69 per ton from March 1, 2017 - February 28, 2018;
 \$71 per ton from March 1, 2018 - February 28, 2019; and
 \$73 per ton from March 1, 2019 - February 29, 2020,
3. That both parties are in agreement with the terms and conditions contained in the attached Agreement.

Recorded Vote:

| | AYE | NO | ABSTAIN | ABSENT |
|-----------------------|-----|----|---------|--------|
| Robert A. Bartolini | X | | | |
| Harry Compton | X | | | |
| Gale D. Downey | X | | | |
| David A. Goldfarb | X | | | |
| C. Schuyler Morehouse | X | | | |
| Bharat Patel | X | | | |

Resolution 2017-13, Awarding Contract for the Hauling and Disposal of Ash

Mr. Kunert indicated that bids were received on February 16, 2017 for the hauling and disposal of ash. Two bids were received and the results are as follows:

| | <u>12-Month Contract</u> Unit Cost / Total | <u>24-Month Contract</u> Unit Cost / Total |
|----------------------------|---|---|
| Gary W. Gray Trucking Inc. | \$442.00 / \$114,920.00 | \$442.00 / \$229,840.00 |
| Russell Reid Company | \$585.00 / \$152,100.00 | \$585.00 / \$304,200.00 |

Mr. Kunert noted that a third bidder arrived approximately five (5) minutes later. Their bid was not accepted as per the Local Public Contracts Law.

The Authority's last contract was an 8-month contract awarded to Gary W. Gray Trucking at a unit cost of \$442.00 per container for a total of \$74,256.00.

Mr. Kunert recommended that a 24-month contract be awarded to the lowest bidder Gary W. Gray Trucking Inc. at a two-year cost of \$229,840.00. So moved by Dr.

Downey, seconded by Mr. Goldfarb and passed by a roll call vote of 6 to 0. Resolution 2017-13 follows.

RESOLUTION AWARDING CONTRACT FOR THE HAULING AND DISPOSAL OF ASH

Resolution No. 2017-13

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 Hauling and Disposal of Ash; and

WHEREAS, the following sealed competitive bids were received by the Authority on February 16, 2017, as more fully set forth in the attached Bid Tabulation Sheet:

| | 12-Month Contract Unit Cost / Total | 24-month Contract Unit Cost / Total |
|----------------------------|--|--|
| Gary W. Gray Trucking Inc. | \$442.00 / \$114,920.00 | \$442.00 / \$229,840.00 |
| Russell Reid Company | \$585.00 / \$152,100.00 | \$585.00 / \$304,200.00 |

WHEREAS, the Authority has determined that the bid of Gary W. Gray Trucking Inc. is the lowest bid; and

WHEREAS, the bidder, Gary W. Gray Trucking Inc. submitted a bid in the amount of \$442.00 per container for a 24-month total of \$229,840.00; and

WHEREAS, the bid 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 have been determined to be in order; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stony Brook Regional Sewerage Authority that it hereby awards a 24-month contract for the Hauling and Disposal of Ash to Gary W. Gray Trucking Inc., the lowest responsive bidder; and

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

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

Award of Liquid Sludge Contract

The Board approved a three-year contract agreement with SUEZ Water Princeton Meadows from January 1, 2017 to December 31, 2017 on a motion by Dr. Downey, seconded by Mr. Morehouse and passed by a vote of 6 to 0.

542.17 Open to the Public

542.18 And such other issues as may come before the Board

None.

542.19 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 9:41 p.m. on a motion by Dr. Downey, seconded by Mr. Compton and passed by unanimous vote.

Respectfully Submitted,

John Kantorek
Secretary

Recorded and Written by
Patricia Carlino
March 17, 2017