

Minutes of Meeting #559, July 23, 2018– Stony Brook Regional Sewerage Authority

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

MEMBERS PRESENT: Downey, Goldfarb, Morehouse, Patel

MEMBERS ABSENT: Bartolini, Compton

CONSULTANTS: Alexander

STAFF PRESENT: Bixby, Carlino, Hess, Ireland, Kantorek, Pchola, Roga, Sears, Stewart, Thomas

559.01 Vice Chairman Downey 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.

559.02 Approval of Minutes

The minutes from the June 25, 2018 Board meeting were approved as presented on a motion by Mr. Goldfarb, seconded by Mr. Morehouse and passed by a vote of 4 to 0.

559.03 Board Related Activities

Resolution 2018-39, Authorizing the Substitution of Schwartz Edelstein Law Group to the Weiner Group

Mr. Kantorek explained that Ms. Stefani Schwartz, Esq., who has been the Authority's labor attorney since 2010, has moved to a new firm, Weiner Law Group. Resolution 2018-39 states that Ms. Schwartz has left the employ of Schwartz Edelstein Law Group and will now practice with the Weiner Law Group. The Resolution also states that the Authority desires to continue its legal representation pertaining to employment matters with Ms. Schwartz and to terminate its contract with Schwartz Edelstein Law Group. Mr. Kantorek noted that all the rates for the Weiner Law Group are the same as contained in the contract with Schwartz Edelstein Law Group. The new contract will be in effect until November 30, 2018.

Staff recommended approval of Resolution 2018-39, Authorizing the Substitution of Schwartz Edelstein Law Group to the Weiner Law Group on a motion by Mr. Goldfarb and seconded by Mr. Patel.

Ms. Goldfarb noted that a C. 271 Political Contribution Disclosure Form was submitted for Mercer County and but not for Middlesex County. Mr. Goldfarb stated that the approval be

contingent on the receipt of a C. 271 Form showing no reportable contributions for Middlesex County.

Resolution 2018-39 was moved as amended by Mr. Goldfarb, seconded by Mr. Patel and passed by a roll call vote of 4 to 0. Resolution 2018-39 follows.

**Resolution Authorizing the Substitution of Schwartz Edelstein Law Group to the
Weiner Law Group**

Resolution No. 2018-39

WHEREAS, Stefani Schwartz, Esq., formerly of Schwartz Edelstein Law Group, has served as labor counsel to the Stony Brook Regional Sewerage Authority (“Authority”) since December 2010; and

WHEREAS, as of June 18, 2018, Stefani Schwartz, Esq. left the employ of the Schwartz Edelstein Law Group and will instead practice law with the Weiner Law Group; and

WHEREAS, the Authority desires that its legal representation pertaining to employment matters continue seamlessly and without disruption; and

WHEREAS, the Authority has received and reviewed the proposed form of retainer of Stefani Schwartz, Esq., the Weiner Law Group, 629 Parsippany Rd., Parsippany, New Jersey 07054 to perform such professional legal services; and

WHEREAS, the Authority is authorized by the provisions of N.J.S.A. 40A:11-5(1)(I) to enter into a contract for professional services without public advertisement for bids.

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

1. Effective immediately, the Authority hereby terminates the agreement for the performance of legal services between the Authority and the Schwartz Edelstein Law Group. Schwartz Edelstein Law Group shall be compensated for fees due for work performed to date upon submission of adequate supporting documentation.
2. The Authority hereby retains Stefani Schwartz, Esq., Weiner Law Group, 629 Parsippany Rd., Parsippany, New Jersey 07054, as labor counsel, subject to submission of the disclosure forms required by law.
3. The Executive Director is authorized and directed to sign a contract with the law firm of Weiner Law Group to serve as Special Labor Counsel to the Authority from the date hereof until the reorganization meeting of the Authority to be held in February, 2019, in a form approved by the Authority Attorney. Further, the Authority’s staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

4. A copy of this Resolution shall be published in an official newspaper of the Authority and a copy of the contract shall be kept on file and available for public inspection at the Authority offices following signature by the parties.
5. 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 Goldfarb		X		
C. Schuyler Morehouse		X		
Bharat Patel		X		

Consultant List

The consultant list was provided for information.

559.04 Planning and Administration

The current River Road Plant total committed flow is 11,126,179 gpd with 1,933,821 gpd of available capacity. The current Hopewell Plant total committed flow is 248,918 gpd with 51,082 gpd of available capacity. The current Pennington Plant total committed flow is 298,668 gpd with 1,332 gpd of available capacity.

Mr. Kantorek noted that the available capacity at the Pennington Plant has decreased significantly now that we are experiencing more normal wetter weather conditions.

Monthly Flow Transmittal

Mr. Kantorek indicated that no adjustments were made for the month of June.

A review and comparison of the meter data from West Windsor Township and South Brunswick Township indicates that over the last three months the flow difference between the two Townships has been getting much closer. This trend does not follow the historical data when comparing these flows to the total River Road plant flow. Staff will continue to monitor and evaluate this trend. Mr. Kantorek noted that since this is the last year for the calculation of the Project Debt Service Adjustment staff will monitor this situation closely.

559.05 Approval Requests and Actions

TWA-1 Approvals

None.

Time Extensions

New Residential Community at Princeton Forrestal Village, Plainsboro Township

Ms. Pchola reported that this project was approved by the Authority at the September 28, 2015 Board meeting and SBRSA received NJDEP approval on December 2, 2015.

Ms. Pchola indicated that this application is for sewer service for a residential development located in Plainsboro Township that includes 20 studio units, 229 one-bedroom units, 135 two-bedroom units and 10 three-bedroom units for a resulting flow rate of 70,725 gpd. In addition, the project includes the construction of 1,185 feet of 8-inch diameter gravity PVC piping.

Ms. Pchola noted that the approval was in effect for two years. Subsequently a one-year extension request was granted up to November 2018. The applicant has requested an additional one-year extension as indicated in a letter from IVC PFV, LLC dated July 10, 2018 and Resolution 18-234 from Plainsboro Township. Copies of the letter and Resolution were provided to the Board.

Staff indicated that it did receive an email from South Brunswick Township stating that they did not have any issues with the extension of this project. Ms. Pchola noted that the project would be entitled to one more extension to November 2020.

Upon review of the request and in accordance with SBRSA's resolution for TWA approvals, staff recommended approval of this extension for the allocated flow rate of 70,725 gpd to November 2019. So moved by Mr. Goldfarb, seconded by Mr. Patel and passed by a vote of 4 to 0.

NJPDES Applications

None.

Water Quality Management Plan Amendments

None

Allocated Flow Update

None.

559.06 Regulatory Report

Discharge Monitoring Report (DMR)

Mr. Rahimi reported that the following reports are under review and/or submitted to the NJDEP during this reporting period:

- The June DMRs are being reviewed by staff;
- The River Road Semi-annual Effluent Surface Water Discharge Waste Characterization Report for the period January 1, 2018 to June 30, 2018 was submitted to the NJDEP;
- The River Road Annual Effluent Surface Water Discharge Waste Characterization Report for the period ending June 30, 2018 was submitted to the NJDEP.

Residual Discharge Monitoring Report (RDMR)

Mr. Rahimi reported that the April Residual Discharge Monitoring Report (RDMR) was submitted to the NJDEP. All River Road parameters were in compliance with the Authority's Air permit.

Mr. Rahimi noted that staff is in the process of reviewing the May RDMR.

Air Reporting

Mr. Rahimi indicated that staff is in the process of reviewing the 2nd quarter 2018 Excess Emissions and Monitoring Performance Report (EEMPR). While preparing this report it was discovered that a Certified Gas Audit (CGA) was not performed during this monitoring period. A CGA was performed on July 3, 2018 and the data from this CGA will be included in the EEMPR.

Mr. Rahimi stated that a Self-Disclosure Report was filed on July 11, 2018 with the NJDEP Compliance and Enforcement regarding the CGA issue.

Mr. Rahimi reported that staff is in the process of reviewing the Federal 40 CFR 60 Subpart O Semi-annual Report for the incinerators.

Mr. Rahimi indicated that staff is in the process of preparing the Semi-annual Title V Compliance Report.

Mr. Rahimi noted that the renewal air permit for the Princeton Pump Station Emergency Generator has been received. This is a five-year permit that expires July 13, 2023.

Mr. Goldfarb asked if the CGA is a quarterly requirement and is there a protocol in place. Staff indicated that it is a quarterly requirement and there is a protocol in place and will not likely be missed in the future.

Laboratory

Mr. Rahimi stated that NJDEP Office of Quality Assurance has validated the 2018 Proficiency Test Study results for all three treatment plants. Copies of the letters from the NJDEP were provided to the Board.

Miscellaneous

Mr. Rahimi reported that on June 28, 2018 Ms. Jessica Sponaugle from NJDEP Bureau of Water Compliance and Enforcement visited the River Road WWTP for the annual sampling of the effluent. Ammonia, chlorine, nitrate, pH and phosphorus analyses were performed on site using test strips.

559.07 Safety

Ms. Pchola reported as of July 19, 2018, Stony Brook Regional Sewerage Authority has gone 742 consecutive days without a “Lost Time Accident”.

Ms. Pchola indicated that on June 18, 2018 Survivor Fire conducted the annual fire hydrant flushing and inspection. Staff is waiting for the report.

Ms. Pchola noted that on July 9, 2018 staff submitted the 2017 Right to Know Survey to the New Jersey Department of Health.

Ms. Pchola indicated that the following training took place during this reporting period:

1. Defensive Driving
2. Fast Track to Safety
3. Respirator Training with fit test
4. Oxygen Administration and Care
5. Underground Storage Tank Class A/B Operator

Mr. Goldfarb noted that in both aspects of the Emergency Response Plan there are assurances that the plant can operate based on various scenarios. One of the scenarios indicates that the plant could run successfully if the computers are down. Is that a true a statement? Staff indicated that the plant could run in manual mode with some additional staff and without incineration taking place. Many years ago, the plant was run manually prior to the implementation of our computerized SCADA system.

559.08 Litigation

The Litigation Report was provided for information.

River Road Title V Air Permit

Ms. Alexander indicated that the only change from last month is that a telephone conference call took place between NJDEP, Mr. Kantorek and Mr. Karl Monninger from KEMS. SBRSA was advised to refile its request for an Adjudicatory Hearing.

There are also Adjudicatory Hearing requests for the Authority’s NJPDES permits for the River Road WWTP and the Pennington WWTP. The two main issues at the River Road

WWTP are the blending line and nitrates. Ms. Alexander indicated that the next step in this process is the discovery phase.

559.09 Operations Report

River Road Facility

Mr. Kunert reported that Chavond-Barry Engineering performed an inspection of Incinerator No. 2 during the week of June 4, 2018. Staff is currently working on the third revision of the report to ensure all details are covered. The repairs will go out to bid in September. The Authority will purchase two actuators and have them on-site for use in the incinerator repair.

Mr. Kunert indicated that SBRSA has been experiencing significant settling problems in the Modified Aeration Clarifiers. The last time this occurred staff suspected the cause was from an outside sludge source. Staff was able to identify the source as South Monmouth Regional Sewerage Authority (SMRSA). Staff suspected that the current problem was from SMRSA and stopped taking their sludge for a few days and the problem was corrected. Staff will be limiting SMRSA to three truckloads per week as opposed to five truckloads per week and will continue to monitor the settling issues.

Mr. Kunert reported that the severe thunderstorm on June 28, 2018 knocked out power to the South Brunswick Pump Station for approximately four and a half (4.5) hours. Power was not lost at any of our other facilities.

Upstream Facilities

Mr. Kunert explained that a thorough investigation of the metering system for the Pennington WWTP was performed by staff. There is a significant difference between the influent and effluent flow rates. It was suspected that there could be a possible leak in the underground piping within the system. On June 21st a contractor was on site to assist staff in locating a potential wastewater leak by the clarifiers. No leak was found at this location. Staff also thought of a way to test the force main without excavation to ensure that it was not leaking. The tests verified that the force main does not leak. Staff is in the process of purchasing new flow meters.

Mr. Kunert indicated that anthracite was added to all six dual-media filters at the Upstream Plants to bring the levels up to the design depth.

Mr. Kunert reported that the Hopewell WWTP experienced water fleas the week of July 8, 2018. Staff restocked both clarifiers at both upstream facilities with goldfish. This has always helped in controlling the water flea population.

Odor Report

Mr. Kunert reported that staff received one odor complaint during the month of June and no odor complaints during the partial July reporting period.

Customer Septage and Sludge Deliveries

The quantity of sludge cake was above its budgeted amount. The quantities for liquid sludge and gray water were below their budgeted amounts for the month of June. Liquid sludge was below its budgeted amount due to the loss of Medford and receiving only three loads rather than five loads from SMRSA.

559.10 Maintenance

Mr. Stewart reported that one of the feed screws that conveys dewatered sludge into Receiving Bin No. 1 was found to be inoperable on June 18, 2018. Upon investigation, it was found that the tail shaft gear along with the driven tail gear were damaged. Both gears were replaced. The unit was tested and placed back into service.

At the May Board Meeting, Mr. Stewart reported that the Incinerator loading dock motorized roll up door was replaced. Since that time, staff fabricated a guard using carbon steel pipe to protect the new door from future damage and extend the door's life expectancy. A photograph of the door guard was provided to the Board.

The current monthly open work requests stand at nineteen (19). The preventative maintenance graphs show that SBRSA is currently averaging two (2) days overdue and the number of overdue units is approximately twenty-eight (28).

The list of completed Work Orders and Preventative Maintenance for the month of June 2018 was provided to the Board.

559.11 Construction Report

Pennington Meters

Ms. Pchola indicated that as mentioned in the Operations Report there is an issue with the influent and effluent meters at the Pennington WWTP. Staff requested Kleinfelder provide an evaluation of level transmitters (ultrasonic versus radar) to determine if radar is a more accurate technology and appropriate for our metering application. It was determined that for our application the ultrasonic level transmitter is an acceptable technology and SBRSA would gain little by switching to radar. A copy of Kleinfelder's evaluation was provided to the Board. Staff is in the process of purchasing two new meters and transmitters for the Pennington WWTP.

Title V Permit

Ms. Pchola stated that staff had a conference call with NJDEP and Mr. Karl Monninger of KEMS on July 12, 2018. The purpose of the conference call was to address the Adjudicatory Hearing request. NJDEP indicated that the SBRSA permit was not at the end of the forty-

five (45) day EPA comment period and that the hearing request was premature. The comment period has ended. NJDEP indicated that EPA's comments were that they agree with NJDEP's removal of the use of the emergency bypass stack (EBS).

Ms. Pchola indicated that the discussion continued on to the use of the EBS and why it is utilized and how it is utilized. SBRSA utilizes the EBS for the health and safety of personnel and for equipment protection. NJDEP indicated that they cannot include the EBS in our permit because of the Federal Regulations. The only way to address the EBS is through the affirmative defense procedure.

Ms. Pchola noted that SBRSA has submitted numerous affirmative defense letters with no response from NJDEP. NJDEP indicated that since the existing permit allowed the use of the EBS, they forwarded the affirmative defense letters to EPA as its use is a deviation of the Federal Regulations. Now that SBRSA's Title V permit is final any affirmative defense requests will be reviewed by NJDEP. Staff asked NJDEP to review some of the affirmative defense letters previously submitted to determine if they would be acceptable as a defense and not lead to a notice of violation (NOV) and a monetary penalty. NJDEP indicated that they cannot do that since each affirmative defense is reviewed on a case by case basis.

Ms. Pchola indicated that Mr. Kantorek had a discussion with Mr. Chris Hornback from the National Association of Clean Water Agencies (NACWA) regarding the use of the EBS and how other industries were addressing this issue. A few non-sludge incinerator owners/operators have filed lawsuits regarding the bypass use and permit conditions. Thus far, all judges have decided in favor of EPA.

Ms. Pchola reported that staff also had a discussion with Ms. Amy Hambrick of the USEPA. She is the designated contact person for the SSI Rules. Ms. Hambrick indicated that she is very familiar with the issue and that it has come up several times. She requested that SBRSA provide an email detailing the issues of how and when the EBS is utilized (commercial power interruptions, equipment malfunctions, etc.). She will review our issues, review EPA's responses to similar issues, meet with her colleagues and schedule a conference call with SBRSA to discuss. Mr. Kantorek sent the email to EPA July 23, 2018.

A brief discussion regarding the use of EBS and if it would be considered a deviation or a permit violation which drives a fine. Now that the use of the EBS has been taken out of our permit, use of the EBS would violate both state and federal regulations. Although the use of the EBS is for the safety of Authority personnel, it will not likely change the SSI rules.

Odor Sampling and Evaluation

Ms. Pchola reported that sampling has been scheduled for August 13th and 14th.

Contract 17-1 Pennington WWTP Upgrade and Expansion

Ms. Pchola noted that the preconstruction meeting took place on July 20, 2018 which will coincide with the contract start date.

Dr. Downey indicated that a discussion took place in the Construction Committee meeting regarding a resident inspector/construction manager for the project and was for information purposes only. Based on agreed assumptions for the resident inspection, Kleinfelder proposed to conduct this work in the amount of \$477,140. This was based on 510 days of construction. Staff will revisit this issue in the future.

Mr. Goldfarb indicated that he would be in favor of hiring a resident inspector. Mr. Goldfarb stated that one way to look at it is that we received a very good bid and given all the circumstances within the Authority and all our contractors, he still thinks this is money well spent.

Dr. Downey noted that during the first six months of the project, staff will be reviewing shop drawings. In addition, the Authority is seeking to hire an engineer and if that person has construction experience they could be the construction manager. Staff is not ready to recommend moving forward on this issue but will revisit it at a future date.

Mr. Morehouse indicated that he does not feel that this project is any different than other projects in the past and that the project can be handled adequately by staff.

Millstone Pump Station Odor Abatement Design

Ms. Pchola reported that R3M continues with the design work for this project.

River Road WWTP UV Disinfection/Filtration Design

Ms. Pchola stated that Kleinfelder continues to work on the design.

River Road WWTP Commercial Power Protection Project

Ms. Pchola reported that the preconstruction meeting was held on July 17, 2018 with Rogers-Cippollono Electric Inc. The contractor has begun to submit shop drawings.

Contract 14-1, SBRSA Emergency Generator Project

Ms. Pchola reported that this project remains at 94% complete. TCI and Rudox have been on site to troubleshoot some of the remaining issues and work on the punch list items.

Ms. Pchola indicated that a letter was sent on July 17, 2018 to TCI's bonding company requesting their assistance to bring this project to a successful conclusion. A copy of the letter was provided to the Board.

Ms. Pchola noted that since that letter was sent to the bonding company, TCI and their subcontractor have been on site to gather information to resolve the remaining issues.

Contract 16-1, Schwing Pump Replacement Project

Ms. Pchola reported that as of pay estimate No. 6 this project is 42% complete. MBE has installed Schwing Pump No. 4. The last three pumps have been received.

As discussed at the June Board meeting, the issue with the slide gates has been resolved. The manufacturer of the gates will retrofit the two slide gates at no cost to the Authority or the contractor. However, MBE may submit a change order request for additional labor hours incurred when assisting the manufacturer with the retrofit on site.

Contract 18-1 Hopewell WWTP Primary Tank Sludge Collector Replacement Project

Ms. Pchola indicated that the shop drawing for the new sludge collector equipment has been approved. The expected lead time for the equipment is ten (10) to twelve (12) weeks.

Plant Influent Flow Meter

Ms. Pchola reported that the comparison of the influent meter and the sum of the billing meters was provided to the Board.

Dr. Downey stated that it was discussed at the Construction Committee meeting that the meter from the River Road WWTP that was sent back to the manufacturer did have an issue. Mr. Bixby indicated that the problem was with the differential transmitter. The transmitter uses sealed diaphragms to transmit pressure back to the transmitter. The seal was cracked along the edge and compromised that signal. There is no way to tell when or for how long the signal was compromised.

Mr. Goldfarb asked if there is a meter being utilized currently. Staff indicated that a replacement meter had been installed. It was also determined that it was more cost effective to purchase a new meter to replace the compromised meter. The influent meter and the sum of the billing meters are within $\pm 2\%$. Staff will continue to monitor the meters.

Information Technology

Mr. Thomas reported that IT has been working with the Finance Department in testing reporting solutions that could reduce the time spent generating and editing data. Once a solution is selected it could be later shared with other departments to enhance reporting.

Mr. Thomas indicated that after some updates and upgrade to our Anti-virus/Endpoint security, staff experienced some degraded performance while performing everyday tasks. IT continues to fine tune and adjust the software to maintain the balance of performance and security.

Mr. Thomas indicated that on July 19th, IT met with representatives from Verizon Wireless regarding a new communications system for the SCADA/Industrial network. The machine to machine (M2M) solution is offered for many industrial solutions around the country. It is an over the air solution as opposed to utilizing copper wiring.

Mr. Thomas noted that the IT Emergency Response /Disaster Recovery Plan was provided to the Board. The report will be incorporated into the Emergency Action Plan.

559.12 Finance Report

Payment of Bills and Claims

Mr. Morehouse moved for approval of Resolution 2018-40 for the payment of bills and claims in the amount of \$968,814.17 with two signatures instead of three. The motion was seconded by Mr. Goldfarb and passed by a roll call vote of 4 to 0. Resolution 2018-40 follows.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2018-40

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 \$968,814.17 be approved for payment with checks bearing two authorized signatures instead of three authorized signatures.

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			

Treasurer's Report

Mr. Sears reported that net income for the seven-month period ending June 30, 2018 is \$971,046. The Authority has total cash and investments of \$18,896,097.78 at an average interest rate of 0.66%. The current construction projects balance is \$15,161,585. Mr. Sears noted there are sufficient funds for these projects. The outstanding bond principal balance is \$18,880,806 and the next payment is due August 1, 2018.

Monthly Sludge Business Analysis

Mr. Sears reported that the net income figure for the month of June is \$104,484 and the cumulative net income is \$737,011.

Resolution 2018-42, Authorizing the Emergency Procurement of Services to Investigate a Potential Wastewater Leak from Underground Piping at the Pennington Wastewater Treatment Plant (WWTP)

Mr. Sears recommended approval of Resolution 2018-42, Authorizing the Emergency Procurement of Services to Investigate a Potential Wastewater Leak from Underground Piping at the Pennington WWTP. These services included excavation for possible leaks. Mr. Sears noted that on the table is the Emergency Procurement Report which is part of the Resolution.

So moved by Mr. Morehouse, seconded by Mr. Goldfarb and passed by a roll call vote of 4 to 0. Resolution 2018-42 follows.

RESOLUTION AUTHORIZING THE EMERGENCY PROCUREMENT OF SERVICES TO INVESTIGATE A POTENTIAL WASTEWATER LEAK FROM UNDERGROUND PIPING AT THE PENNINGTON WASTEWATER TREATMENT PLANT (WWTP)

Resolution No. 2018-42

WHEREAS, an emergency developed, which could not have been reasonably foreseen, with respect to the need to determine if there was a process wastewater leak from underground piping at the Pennington WWTP. Specifically, SBRSA had to excavate the area to confirm the existence of a leak; and

WHEREAS, the Authority has reviewed the attached Emergency Procurement Report prepared by the Plant Manager, regarding the emergency procurement of services in connection with the work required; 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 Manager of Engineering, 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 investigate a potential wastewater leak at the Pennington WWTP as further described in the attached Emergency Procurement Report prepared by the Assistant Manager of

Engineering, 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 Spidel and Sons Excavating Co. and Xylem Dewatering Solutions with a total estimated amount of \$4,500 for the provision of emergency services to investigate a potential wastewater leak at the Pennington WWTP.
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.

<u>RECORDED VOTE:</u>	<u>AYE</u>	NO	ABSTAIN	<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 2018-43, Authorizing the Award of a “No Political Contributions Allowed” Contract Extension for HVAC Inspection Service

Mr. Sears recommended approval of Resolution 2018-43, Authorizing the Award of a “No Political Contributions Allowed” Contract Extension for HVAC Inspection Service for a one-year period and extends the current contract. So moved by Mr. Morehouse, seconded by Mr. Goldfarb and passed by a roll call vote of 4 to 0. Resolution 2018-43 follows.

Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract Extension for HVAC Inspection and Service

Resolution No. 2018-43

WHEREAS, the Stony Brook Regional Sewerage Authority awarded a One (1) Year Contract for HVAC to Titan Mechanical Services LLC; and

WHEREAS, the Assistant Plant Manager has recommended that the contract for HVAC awarded to Titan Mechanical Services LLC be extended for an additional one-year term, all other terms and conditions to remain the same, due to the high quality of work and reasonable pricing; and

WHEREAS, the provisions of NJSA 40A:11-15 of the Local Public Contracts Law allow the extension of a contract for an additional year upon a finding by the Governing Body that the services were performed in an effective and efficient manner, and that the terms and conditions of the contract remain substantially the same; and

WHEREAS, the Director of Finance has certified that funds are available in the Current Budget

NOW THEREFORE, BE IT RESOLVED that the Stony Brook Regional Sewerage Authority hereby authorizes a one-year contract extension of HVAC Services contract with Titan Mechanical Services LLC, by purchase order.

<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 2018-44, Authorizing Award of Contract for Schwing Pump Parts

Mr. Sears recommended approval of Resolution 2018-44, Authorizing Award of Contract for Schwing Pump Parts. Mr. Sears indicated that this contract went out to bid three (3) times. Two of those times no bids were received and one time where there was a fatal material defect. Therefore, the Authority was then able to negotiate the cost of the parts with the vendor. So moved by Mr. Morehouse, seconded by Mr. Goldfarb and passed by a roll call vote of 4 to 0. Resolution 2018-44 follows.

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR SCHWING PUMP PARTS

Resolution No. 2018-44

WHEREAS, the Stony Brook Regional Sewerage Authority duly advertised, according to law, for bids for Schwing Pump parts on three separate occasions, namely April 18, 2018, May 16, 2018, and June 20, 2018; and

WHEREAS, the Authority did not receive any bids on the first and third bid date, and on the second bid date, the bid of the sole bidder contained a material defect that could not be waived, causing the bid to be rejected; and

WHEREAS, pursuant to the provisions of N.J.S.A.40A:11-5(3), a contract may be negotiated if, after bids are solicited on two occasions, no bids are received on both occasions, provided that the Authority finds that certain conditions are met in accordance with the provisions of N.J.S.A. 40A:11-5(3); and

WHEREAS, after no bids were received on two occasions, the Authority entered into negotiations with Schwing Bioset, having offices at 350 SMC Drive Somerset, WI 54025, for the purchase of those replacement pump parts specified in the bid specifications, in the manner provided by law; and

WHEREAS, the Authority desires to award a contract to Schwing Bioset for the purchase of replacement Schwing Pump parts; and

WHEREAS, the Authority's CFO certifies that funds are available for these purposes.

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

1. Pursuant to the provisions of N.J.S.A. 40A:11-5(3), the Authority hereby finds that a reasonable effort has been made to first determine that the same or equivalent materials or supplies are not available from an agency or authority of the United States, the State of New Jersey, the County of Mercer or any municipality in close proximity; and that the terms, conditions, restrictions and specifications set forth in the negotiated contract are not substantially different from those which were the subject of competitive bidding; and that no minor amendment or modification of any of the terms, conditions, restrictions and specifications are proposed to be included in the contract with Schwing Bioset.
2. The Stony Brook Regional Sewerage Authority hereby awards a contract to Schwing Bioset for the purchase of replacement pump parts, and the Executive Director is hereby authorized to execute a one-year contract for the procurement of Schwing pump replacement parts.
3. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect as provided by law.

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

559.13 Personnel Report

The Personnel Report was provided for member information.

Mr. Kantorek indicated that there were no changes to the Personnel Report from last month.

Mr. Kantorek noted that included in the Personnel Committee section is a memorandum from Ms. Antonia Pchola. Ms. Pchola has accepted the position of Executive Director when Mr. Kantorek retires. A copy of the offer letter to her from the Board was also provided to the Board.

The Board congratulated Ms. Pchola.

559.14 Correspondence

For information.

559.15 Old Business

None

559.16 New Business

Resolution 2018-41, Re-bid Awarding Contract for the Supply of Magnesium Hydroxide

Mr. Kunert reported that sealed bids for the Re-bid of the supply of magnesium hydroxide were received on July 18, 2018. Two bids were received ranging in price for a two-year contract from \$625,000 to \$698,000.

Mr. Kunert indicated that the last contract was a two-year contract awarded to Premier Chemicals LLC at a unit cost of \$589.42 per ton for a two-year contract total of \$589,420.

Mr. Kunert noted that included in his report was a copy of an email from Premiere Chemicals indicating a shortage of truckers and asking for up to seven days advanced notice for all orders. Mr. Kunert also pointed out that Premiere Chemicals' had a substantial increase in their price for magnesium hydroxide.

Mr. Kunert recommended approval for the award of a two-year contract to the lowest responsive bidder, Martin Marietta Magnesia Specialties, LLC. So moved by Mr. Goldfarb and seconded by Mr. Patel.

Dr. Downey asked if Martin Marietta has supplied the Authority with magnesium hydroxide in the past. Mr. Kunert indicated that Martin Marietta did supply the Authority with magnesium hydroxide many years ago and did not have any concerns with awarding the contract to them.

Resolution 2018-41 was then approved by a roll call vote of 4 to 0. Resolution 2018-41 follows.

**Resolution for the Re-Bid Awarding Contract for the
Supply of Magnesium Hydroxide**

Resolution No. 2018-41

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 supply of Magnesium Hydroxide; and

WHEREAS, the following sealed bids were received by the Authority on July 18, 2018, as more fully set forth as follows:

	<u>12-Month</u>	<u>24-Month</u>
Premier Chemicals LLC.	\$698.00/ton/\$349,000.00	\$698.00/ton/\$349,000.00 (Year 1) \$698.00/ton/\$349,000.00 (Year 2)
		TOTAL = \$698,000.00
Martin Marietta Magnesia Specialties, LLC	\$625.00/ton/\$312,500.00	\$625.00/ton/\$312,500.00 (Year 1) \$625.00/ton/\$312,500.00 (Year 2)
		TOTAL = \$625,000.00

WHEREAS, the Authority has determined that the bid of Martin Marietta Magnesia Specialties, LLC, is the lowest responsive bid; and

WHEREAS, the bidder, Martin Marietta Magnesia Specialties, LLC, submitted a bid in the amount of \$625.00 per ton for a 12-month contract for a one-year total of \$312,500.00, and \$625.00 per ton for the first and second year of a 24-month contract for a 2-year total of **\$625,000.00**; 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 has been determined to be in order; and that SBRSA can waive informalities or defects in bids, as may be permitted by law if it is deemed in the best interest of the Authority to do so; and

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

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

1. The Authority waives all immaterial defects, if any, contained in the bid of Martin Marietta Magnesia Specialties, LLC for the supply of Magnesium Hydroxide.
2. The Authority hereby awards a 24-month contract to Martin Marietta Magnesia Specialties, LLC, the lowest responsible bidder, for the supply of Magnesium Hydroxide in the estimated amount of **\$625,000.00**; and the Executive

Director is authorized to execute a contract with Martin Marietta Magnesia Specialties, LLC upon receipt of the signed contract and all required documents.

3. All bid security, except the security for the next apparent lowest bidder, shall be returned within 10 days after the opening of the bids, Sundays and holidays excepted. Within 3 days, Sundays and holidays excepted, after the awarding and execution of the contract and approval of the contractor’s performance bond, the bid security of the remaining unsuccessful bidder shall be returned.

4. The Authority’s staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.

5. This Resolution shall take effect immediately.

<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			

Award of Sludge Cake Contract

The Board approved the following sludge cake contract on a motion by Mr. Goldfarb, seconded by Mr. Morehouse and passed by a vote of 4 to 0.

Somerset Raritan Valley Sewerage Authority	06/25/2018 to 06/24/2019
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559.17 Open to the Public

559.18 And such other issues as may come before the Board

None.

559.19 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:30 p.m. on a motion by Mr. Morehouse and seconded by Mr. Goldfarb and passed by unanimous vote.

Respectfully Submitted,

John Kantorek
Secretary

Recorded and Written by
Patricia Carlino
July 30, 2018