

Minutes of Meeting #574, October 28, 2019 – Stony Brook Regional Sewerage Authority

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

MEMBERS PRESENT: Downey, Goldfarb, Morehouse, Switlik, Vilaro-Munet

MEMBERS ABSENT: Patel

CONSULTANTS: Alexander, Cosgrove

STAFF PRESENT: Bixby, Christiano, Doelling, Hess, Irizarry, Kunert, Pchola, Pizarro, Rahimi, Sears, Stewart, Thomas, Walker

574.01 Chairman Downey opened the regularly scheduled meeting at 7:03 pm. 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.

574.02 Approval of Minutes

Chairman Downey asked for comments/questions on the September 23, 2019 Board meeting minutes. Mr. Goldfarb noted that there were two changes to the minutes. Mr. Goldfarb indicated that on page 9, paragraph 7, the sentence "...staff inquire about liquid sludge disposal contracts..." should read "...staff inquired about sludge disposal contracts..." and on page 13, paragraph 2, reads, "...SBRSA Board members should be using their SBRSA email address exclusively for SBRA business." should read "...SBRSA Board members should be exclusively using their SBRSA email for SBRSA business." The amended minutes were approved on a motion by Mr. Goldfarb, seconded by Ms. Switlik and passed by a vote of 5 to 0.

574.03 Board Related Activities

Consultant List

The consultant list was provided for information.

Ms. Pchola indicated that there were two (2) contracts pending award.

Ms. Pchola recommended approval of the amendment request for the Millstone Pump Station Odor Abatement System Improvements Project that was tabled at the last Board meeting. Resolution 2019-63, Authorizing Amendment No. 2 to the "No Political

Contributions Allowed” Contract to R3M for the Design and Services During Construction for the Millstone Pump Station Odor Abatement System Improvements was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet and passed by a roll call vote of 4 to 0, and 1 abstention. Resolution 2019-63 follows.

Resolution Authorizing Amendment No. 2 to the “No Political Contributions Allowed” Contract to R3M for the Design and Services During Construction for the Millstone Pump Station Odor Abatement System Improvements

Resolution No. 2019-63

WHEREAS, the Stony Brook Regional Sewerage Authority (SBRSA) entered into a contract with R3M for design and services during construction for new odor abatement system improvements for the Millstone Pump Station as a contract that does not allow for political contributions to the Authority or its members (“No Political Contributions Allowed” contract) pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, R3M submitted a proposal dated June 22, 2017 and an Agreement indicating they will provide the design cost for the improvement to the system for \$71,556 (lump sum) and the engineering services during construction for \$18,531 (time charge); and

WHEREAS, R3M submitted Amendment No. 1 dated April 18, 2018 for an amended design contract lump sum amount of \$102,209 and an amended construction services contract time charge basis amount of \$24,843, for a total amended contract amount of \$127,052; and

WHEREAS, the labor hours required to review and approve the high number of shop drawings and resubmittals has exceeded the amount anticipated; and

WHEREAS, the level of effort required to review the remaining shop drawings shall exceed the budget of Amendment No. 1 of the contract agreement; and

WHEREAS, R3M submitted Amendment No. 2, dated August 21, 2019, containing the estimated cost (\$11,000) for the presented additional construction services tasks and associated man-hours. The amended contract amount for additional construction services on a time charge basis is \$32,702, for a total amended contract amount, including design services, of \$138,052; and

WHEREAS, R3M has on file with SBRSA 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 in the Unrestricted Fund Balance for this work.

NOW THEREFORE, BE IT RESOLVED that the Board of the Stony Brook Regional Sewerage Authority authorizes the Secretary to amend the contract with R3M through Amendment No. 2 as described herein; and,

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

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse			X	
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

574.04 Planning and Administration

Ms. Pchola reported that the most current 12-month average daily flow at the River Road WWTP is 10,921,968 gpd with 1,534,256 gpd of available capacity. The current 12-month average daily flow at the Hopewell WWTP is 304,609 gpd and is over capacity by 4,909 gpd. The current 12-month average daily flow at the Pennington WWTP is 316,989 gpd and is over capacity by 48,567 gpd.

A discussion took place regarding the available capacity at the Hopewell WWTP

Monthly Flow Transmittal

Ms. Pchola stated that the monthly meter verifications were performed by staff on October 1 and October 2, 2019.

Ms. Pchola reported that the meter at Meter Station No. 6 was determined to be reading 6.01% low. During the recent quarterly meter certification on September 3, 2019 the meter was reading 1.35% low. The monthly reported flows for September 4 through September 30, 2019 were adjusted upward by 3.68%.

Ms. Pchola reported that on September 6, 2019 at the Princeton Forrestal Connector flow meter started reporting constant unvarying flow data. The condition corrected itself overnight on September 7, 2019. The meter data for September 6, 2019, a weekday, was replaced with the average weekday flow measured during the previous week. September 7, 2019 was on a weekend and weekend flows are historically lower than the weekday flows. The average difference between weekend and weekday flow for September 2019 was 18.71%, less. The meter data for September 7, 2019 was replaced with the September average weekday flow and an additional downward correction of 18.71% was applied to account for the weekend.

At Meter Station No. 7, a clogged Parshall flume resulted in inaccurate data during the September 22 and September 23, 2019 time period. The clog was cleared on September 23, 2019. Due to the amount of downtime accumulated during the clog, the flow data for September 22 and September 23, 2019 were adjusted to the average flow during the days immediately before and after the clog, September 21 and 24, 2019.

On September 12, 2019 at the Princeton Farms Meter Station, the meter drifted from its zero reading. The offset was removed from meter data for the operating period of September 12 through September 20, 2019 and the flows were adjusted accordingly.

Ms. Pchola stated that she is meeting with the Engineer from West Windsor Township on Wednesday, October 30, 2019 to discuss their flows and to get an update on their metering data results.

574.05 Approval Requests and Actions

TWA Approvals

Mr. Doelling reported that there are two (2) TWAs being presented for approval.

Triumph Brewery Relocation to Block 20.01, Lot 70 in Princeton, Mercer County

Mr. Doelling reported Palmer Square Station, LLC proposes the relocation of Triumph Brewery from its current location. The new location is marginally larger than its current location and has two hundred ninety-eight (298) seats. The new facility has a calculated total projected flow of 10,430 gpd.

Van Note-Harvey, the engineer for the applicant, originally submitted the TWA based upon a projected flow estimate using 2-years of recorded water usage from the existing Brewery location. Additional communication was provided in the report.

Mr. Doelling stated that SBRSA does not have the authority to accept engineering flow estimates for TWAs, unless they were previously approved by the New Jersey Department of Environmental Protection (NJDEP).

Van Note-Harvey met directly with NJDEP on September 25, 2019 to discuss the TWA application. It was decided that the TWA application shall be submitted using the flow criteria of 35 gpd per seat.

The projected flows would be discussed later, once the application is submitted and under NJDEP review.

The provided TWA application for a flow rate of 10,430 gpd, uses the prescribed 35 gpd per seat, and is submitted for approval. The application has received Princeton Planning Board approval and has been approved by the Princeton Land Use Engineer.

Staff recommended approval of Resolution 2019-71, Authorizing Endorsement of Application for Treatment Works Approval Statement of Consent for Relocation of Triumph Brewery to Block 20.01, Lot 70, Princeton, Mercer County. The resolution was moved by Mr. Goldfarb, seconded by Mr. Vilaro-Munet and passed by a roll call vote of 5 to 0. Resolution 2019-71 follows.

Resolution Authorizing Endorsement of Application for Treatment Works Approval Statement of Consent for Relocation of Triumph Brewery to Block 20.01, Lot 70, Princeton, Mercer County

Resolution No. 2019-71

WHEREAS, an application for Treatment Works Approval has been submitted to Stony Brook Regional Sewerage Authority (SBRSA) by Van Note-Harvey Associates, Inc. representing the Applicant/Owner Palmer Square Station, LLC for the relocation of Triumph Brewery to the former Princeton Post Office located at 20 Palmer Square East; and

WHEREAS, the applicant proposes a renovation of the property into a 298-seat restaurant/brew pub with an increased sewer flow. The project is more particularly described in the Treatment Works Approval Permit Application Form (TWA-1), on file at the office of the SBRSA; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification by the Wastewater Treatment Facility Owner, that the committed flow does not exceed the presently permitted design capacity and with the additional flow proposed by this application; and

WHEREAS, SBRSA has reviewed the application based on the requirements of N.J.A.C. 7:14A-23.3 Projected Flow Criteria, and the flow associated with this application is 10,430 gallons per day (gpd), a projected net increase of 1,980 gallons compared to the existing brewery at its current location; and

WHEREAS, this project has been endorsed by the Municipality of Princeton's Land Use Engineer dated October 14, 2019 on Form WQM-003 Consent by Governing Body; and

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

Stony Brook recommends approved of the Treatment Works Approval application for the proposed allocation of 10,430 gpd.

The Executive Director of SBRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 in accordance with the SBRSA Resolution adopted August 21, 1984.

BE IT FURTHER RESOLVED by the Stony Brook Regional Sewerage Authority that the approval shall remain in effect as stipulated in SBRSA's Revised Resolution Affirming Terms for Approvals for TWA-1 Sewer Extension Applications as Amended 11/26/01.

<u>Recorded Vote:</u>	<u>AYE</u>	NO	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Additions and Renovations Project at the Thomas R. Grover Middle School in West Windsor Township, Mercer County. Block 28.01, Lot 11.01

Mr. Doelling reported that as part of a building addition to the Thomas R. Grover Middle School in West Windsor Township, Van Cleef Engineering Associates, LLC, on behalf of the West Windsor Plainsboro Regional School District, proposes the connection of a new grinder pump station to the existing onsite sewer. The proposed new pump station collects the wastewater from the building addition and discharges into the existing gravity sanitary sewer line for the Thomas R. Grover Middle School. The current capacity of the school is 1,224 students, the building addition will increase the capacity of the school by 336 students. The projected flow increase for the additional students is 8,400 gpd.

Van Cleef Engineering has requested that NJDEP consider allowing adjustment of the design flow rate based upon water usage records. This flow data, with an appropriate safety factor, may be accepted at the NJDEP's discretion.

Reservation of sewer capacity has received approval from the Township of West Windsor's Director of Community Development and Engineer and the West Windsor Township Council.

The TWA application submitted for approval is for a flow rate of 8,400 gpd. Staff recommends approval of Resolution 2019-73, Authorizing Endorsement of Application for

Treatment Works Approval Statement of Consent for Additions and Renovations to Thomas R. Grover Middle School, Block 28.01, Lot 11.01, West Windsor Township, Mercer County. The resolution was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet and passed by a roll call vote of 5 to 0. Resolution 2019-73 follows.

Resolution Authorizing Endorsement of Application for Treatment Works Approval Statement of Consent for Additions and Renovations to Thomas R. Grover Middle School, Block 28.01, Lot 11.01, West Windsor Township, Mercer County

Resolution No. 2019-73

WHEREAS, an application for Treatment Works Approval has been submitted to Stony Brook Regional Sewerage Authority (SBRSA) by Van Cleef Engineering Associates, LLC on behalf of the West Windsor Plainsboro Regional School District for the connection of a new pump station to the existing gravity sanitary sewer line; and

WHEREAS, the applicant proposes a renovation of the property to add capacity for three hundred thirty-six (336) students with an increased sewer flow rate. The project is more particularly described in the Treatment Works Approval Permit Application Form (TWA-1), on file at the office of the SBRSA; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification by the Wastewater Treatment Facility Owner, that the committed flow does not exceed the presently permitted design capacity and with the additional flow proposed by this application; and

WHEREAS, SBRSA has reviewed the application based on the requirements of N.J.A.C. 7:14A-23.3 Projected Flow Criteria, and the flow associated with this application is 8,400 gallons per day (gpd); and

WHEREAS, this project has been endorsed by the Township Council of the Township West Windsor (Resolution 2019-R202); and

WHEREAS, this project has been endorsed by the West Windsor Township's Director of Community Development and Engineer, dated September 16, 2019 on Form WQM-003 Consent by Governing Body; and

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

Stony Brook recommends approved of the Treatment Works Approval application for the proposed allocation of 8,400 gpd.

The Executive Director of SBRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 in accordance with the SBRSA Resolution adopted August 21, 1984.

BE IT FURTHER RESOLVED by the Stony Brook Regional Sewerage Authority that the approval shall remain in effect as stipulated in SBRSA's Revised Resolution Affirming Terms for Approvals for TWA-1 Sewer Extension Applications as Amended 11/26/01.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Water Quality Management Plan Amendments/Information

Mr. Doelling reported that the Mercer County Planning Department incorporated SBRSA's comments and has submitted the draft Wastewater Management Plan (WMP) documents to NJDEP for approval. The current projected total build out flows for the wastewater treatment facilities are as follows.

River Road WWTP: 19.929 MGD
 Hopewell WWTP: 0.334 MGD
 Pennington WWTP: 0.434 MGD

A discussion took place regarding the current projected total build out flows at the wastewater treatment facilities and the importance of I/I reduction from all our contributing municipalities.

Mr. Morehouse stated the Hopewell Borough is fully committed to reducing the I/I issue.

Capacity Assurance

Mr. Doelling reported that staff has submitted the additional, requested, information to NJDEP from Hopewell Township and Hopewell Borough addressing their plan for Infiltration/Inflow (I/I) reduction related to the Hopewell WWTP Capacity Analysis Report (CAR). The submitted letters were provided. Presented to the Board was a letter from NJDEP indicating that the information provided was acceptable. However, it outlines additional follow up required by June 2020.

Allocated Flow Update

Mr. Doelling reported that staff received an update from American Properties regarding the Heritage at Pennington Phase 1 project. Currently, all 44 of the original Phase 1 units are connected to the sanitary sewer and activated on domestic water. The total original

allocated flow of 12,600 gpd has been removed from the inoperable flow. The 10,200 gpd flow rate associated with Phase 2 of the project has been added to the inoperative flow.

574.06 Regulatory Report

Discharge Monitoring Report (DMR)/Residual Discharge Monitoring Report (RDMR)

Mr. Rahimi reported that the following reports are being prepared, reviewed or have been submitted to the NJDEP during this reporting period:

- The Discharge Monitoring Reports for the month of August 2019 were submitted with no violations reported.
- The July 2019 RDMRs were submitted. All River Road parameters were compliant with the Air Permit requirements.
- The September 2019 RDMRs are currently being reviewed.

Mr. Rahimi reported that the quarterly bioassay for the River Road WWTP was conducted in the third week of September 2019. The reported result for this study was 10.3%, the NJPDES permit limit is a 42% minimum. Due to the unusually low result for this study, the report was electronically transmitted to the NJDEP Office of Quality Assurance (OQA) for their review. Following the review by OQA, the report was forwarded to the NJDEP Bureau of Surface Water Permitting (BSWP) for review and evaluation. Staff received the letter today stating that NJDEP is invalidating the test as the results were suspect. SBRSA was not issued a violation and will retest as required.

Air Reporting

Mr. Rahimi reported that the 3rd quarter 2019 Excess Emissions and Monitoring Performance Report (EEMPR) is currently being reviewed. The air permit application for the new emergency generator at the Pennington WWTP was filed online on October 4, 2019.

One affirmative defense was submitted to NJDEP during the reporting period. The reported incident was due to issues with commercial power on September 6, 2019.

Laboratory

Mr. Rahimi reported that the Fecal Coliform result for the NJDEP 2019 Proficiency Testing (PT) make-up study was reported to ERA (PT provider) on October 17, 2019. Staff received the results today indicating SBRSA passed the PT study. Staff is waiting for the OQA evaluation.

A discussion took place regarding the number of affirmative defenses reported to NJDEP and the effectiveness of the uninterruptable power supply (UPS) equipment. As discussed, the UPS equipment was meant to carry control circuits during momentary power blips. Staff

reported that there have been a couple of instances where the UPS did go on backup and there were no bypass events. There is some tangible evidence that the UPS is likely working, however, it will not work in all cases especially if the blip is long enough that pumps or fans slow down, lose pressure or trip out. The UPS is not big enough to power a 200 hp fan. There have been 16 reported affirmative defense incidents to date in 2019. Not all incidents reported were from power blips, some incidents were from power outages. Staff has applied for an affirmative defense for all bypass events this year.

574.07 Safety

Accident Report

Mr. Irizarry reported that there were zero “Lost Time” and “No Lost Time” Accidents/injuries this period. SBRSA has gone 1198 consecutive days without a “Lost Time Accident.”

2019 Annual Inspection Report

Mr. Irizarry stated that staff received the draft 2019 Annual Inspection report from Kleinfelder on September 23, 2019. Staff reviewed the report and had a meeting to discuss those comments with Kleinfelder on October 8, 2019. The amended inspection report received October 22, 2019, was provided to the Board.

Staff was able to review preliminary findings with Kleinfelder during their inspection. Staff has been proactive in addressing issues that were anticipated to be in the report. Provided was the spreadsheet summarizing priority-one items and their status.

River Road Facility Storm Drain Repair Project

Mr. Irizarry reported that on October 11, 2019, Pave Patrol repaired two (2) collapsing storm drains.

River Road Paving Repair Project

Mr. Irizarry reported that staff received and reviewed the two (2) quotes for pavement patch work at the River Road Facility. The pavement work is expected to be done the weekend of November 2, 2019.

Training

Mr. Irizarry reported that three (3) training sessions were held during the reporting period.

Miscellaneous

Mr. Irizarry reported that on September 25, 2019, staff held its quarterly safety committee meeting; meeting minutes were provided.

Mr. Irizarry reported that on October 1, 2019, the New Jersey Environmental Risk Management Fund (EJIF) conducted its annual inspection of the Chemical Storage Tanks. Staff is waiting for the report.

Mr. Irizarry reported that on October 18, 2019, he attended the AEA Safety Committee meeting. The meeting minutes from the July 26, 2019 inaugural committee meeting were provided.

574.08 Litigation

Ms. Alexander stated there will be a discussion about the Pennington WWTP in closed session.

Ms. Alexander reported on the issue regarding the Stony Brook Regional Sewerage Authority vs. New Jersey Department of Environmental Protection, Docket No. ELU 14426-17 (NJPDES Permit Appeal) and EER-WQ 11445-18 (Permit Modification Appeal) (Consolidated) (River Road STP). By Order of Inactivity, dated October 15, 2019, Administrative Law Judge (ALJ) Tricia Caliguire ordered that this matter be placed upon the inactive list for a six (6) month period because EPA is currently considering the blending issue and that would affect our negotiations

574.09 Operations Report

River Road Facility

Mr. Kunert reported that the River Road Facility operated well during this reporting period.

Mr. Kunert reported that on September 26, 2019, a tour was given to a group from Hamilton Township MUA which was comprised of Operations and Maintenance personnel.

Mr. Kunert reported that repair work to Incinerator No. 1 is being conducted by Albertus Energy and should be completed by the end of the week. This repair work is being performed under a bid contract.

Mr. Kunert reported that the annual refresher Incinerator training, which is required by the EPA, was conducted on October 2, 2019, by KEMS, LLC. The initial training for all new personnel including Operations, Maintenance, and Instrumentation, was conducted on October 9 and October 10, 2019.

Upstream Facilities

Mr. Kunert reported that the Upstream facilities operated well during this reporting period. However, we did experience an issue with the Oxidation Reduction Potential (ORP) readings at the Hopewell Facility which started on Saturday, September 12, 2019. The reading for the Sodium Bisulfite probe would drop to negative values which caused the readings to reach 1,000 mV on the SCADA system calling for both Sodium Bisulfite feed pumps to ramp up to 100% in speed. Staff put the pumps in manual at a speed which would ensure de-chlorination while investigating this problem.

After a few days of troubleshooting this problem through equipment checks and experimentation, it was concluded that a stray current underground from the power cables that supply power to the two re-aerators was making its way to the water in the final tanks causing the ORP readings to act erratically. Staff is in the process of obtaining quotes to have new power cables pulled from the MCC cabinet in the building to the final tank re-aerators.

Odor Report

Mr. Kunert reported that staff received two (2) odor complaints from our surrounding area during the month of September. Staff received no odor complaints during the partial October 2019 reporting period. The full October number will be reported in November 2019.

Customer Septage and Sludge Deliveries

Mr. Kunert reported that for the month of September 2019 the quantity of liquid sludge was 23% below the budgeted amount, sludge cake was 8% above the budgeted amount, and gray water was 3% above the budgeted amount.

Mr. Morehouse asked if staff can determine whether a percent reduction in liquid sludge or a percentage reduction in sludge cake would have a greater monetary effect.

574.10 Maintenance

Mr. Stewart reported that on October 2, 2019 the Millstone Pump Station Emergency Generator, Caterpillar C27 failed to start while performing the monthly preventative maintenance load test. Once the troubleshooting process was completed it was determined that the Electronic Control Module (ECM) was not responding to the run commands. P3 Generator Service was called in to confirm the diagnosis. A Caterpillar Service Technician was later dispatched to perform software checks and found that the ECM was bad. After installing and reprogramming a new ECM, the generator was tested and placed back into service.

Mr. Stewart reported that during a one-hour load test of the River Road Plant Natural Gas and Turbine Generators on October 4, 2019 it was found that the exhaust gas temperature

digital display was not functioning on the Turbine Generator. Highlands Industrial Turbine Service (HITS) was called in on October 7, 2019 to replace the display with a spare from inventory.

Mr. Stewart reported that while performing the monthly piping inspection for the River Road Plant boiler system on October 2, 2019, a water leak was noticed on the backside of the boiler. After further inspection, the leak was determined to be on the hot water discharge line due to severe corrosion. Titan Mechanical was called in to evaluate the damage and concluded that twelve (12) feet of 2 ½-inch steel piping and fittings needed to be replaced. The boiler was removed from service to make all the necessary repairs and once tested for leaks; the boiler was placed back into service on October 9, 2019.

Mr. Stewart provided the preventive maintenance graphs and monthly work orders for the month of September.

A discussion took place regarding the Kleinfelder report and the items marked as “fair.” Staff is continually maintaining those items and other items that need attention as a part of their preventative maintenance program. The Maintenance Department and the Executive Director are in contact about the aging parts of the plant. Staff assured the Board that the preventative maintenance is adequately being addressed. All items listed in the Kleinfelder report have been reviewed and evaluated. Staff tries to keep emergency repairs to a minimum.

574.11 Construction Report

River Road WWTP UV Disinfection/Filtration Design

Mr. Doelling reported that Kleinfelder continues to work on completion of 90% plans and specifications. Kleinfelder additionally continues their work on support documentation for SBRSA’s submission to the Princeton Planning Board. It is expected that the draft documents will be received by November 15, 2019.

Contract 17-1, Pennington WWTP Upgrade and Expansion

Mr. Doelling stated that as of as of Progress Payment No. 14 this project stands at approximately 75% complete. An update on construction completed during the previous reporting period was provided in the report.

Mr. Doelling requested an updated schedule from CMS. The contractor received several long lead time items. The contractor believes the project can still be completed by December 2019 or early January 2020.

Mr. Doelling reported that there are two (2) change orders being proposed for approval.

Change Order No. 6

Mr. Doelling reported that the specified access hatch on the post aeration tank does not provide enough head space above the aerator during high flow conditions. The post aeration tank is a covered tank and the aerator floats on the surface of the water. As the effluent flow increases, the water level in the tank rises and with it, the aerator, potentially causing the aerator to make contact with the underside of the specified access hatch.

The Contractor was asked to provide a raised hatch which will provide the necessary clearance at the higher flows.

Change Order No. 6 in the amount of \$1,864.80 has been reviewed and negotiated by staff and Kleinfelder. This change order will compensate the Contractor for a raised hatch and additional cover plate.

Staff recommended approval of Resolution 2019-74, Resolution Authorizing Change Order No.6 in the amount of \$1,864.80 to Provide Alternate Post Aeration Tank Access Hatch for the Pennington WWTP Upgrade and Improvements Project, Contract 17-1. Resolution 2019-74 was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet and passed by roll call of 5 to 0. Resolution 2019-74 follows.

Resolution Authorizing the Approval of Change Order No. 6 to Provide Alternate Post Aeration Tank Access Hatch for the Pennington WWTP Upgrade and Improvements Project, Contract 17-1

Resolution No. 2019-74

WHEREAS, on April 13, 2018, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Notice to Bidders seeking the receipt of sealed public bids for the “Pennington WWTP Upgrade and Expansion Project, Contract 17-1”; and

WHEREAS, the SBRSA, at its June 25, 2018 Board meeting, awarded the Pennington WWTP Upgrade and Expansion Project, Contract 17-1, to CMS Construction, Inc. (CMS) in the amount of \$9,669,500; and

WHEREAS, the SBRSA at its February 25, 2019 Board meeting approved Change Order No. 1 in the amount of \$19,509.37; and at its February 25, 2019 Board meeting approved Change Order No. 2 in the amount of \$12,145.42; and at its March 25, 2019 meeting approved Change Order No. 3 in the amount of \$1,015.30, Change Order No. 4 in the amount of \$11,447.33, and Change Order No. 5 in the amount of \$3,652.22 resulting in an adjusted contract amount of \$ 9,717,269.64; and

WHEREAS, the project scope includes the construction of one post aeration tank and associated piping and equipment; and

WHEREAS, the new post aeration tank includes the installation of an access hatch to allow access to the new post aeration tank aerator; and

WHEREAS, during the shop drawing review process for the post aeration tank aerator, the engineer, Kleinfelder, determined that the specified access hatch would not provide enough head space above the aerator during high flow conditions; and

WHEREAS, the Contractor was asked to provide a change order request to install an alternate hatch which would provide the necessary clearance for the aerator; and

WHEREAS, CMS submitted a change order request in the amount of \$1,864.80 for the supply and installation of an alternate hatch for the Post Aeration Tank aerator access hatch; and

WHEREAS, the abovementioned changes to Contract 17-1 are more fully set forth and incorporated within the October 7, 2019 Contract Change Order No. 6 document in the amount of \$1,864.80 resulting in an adjusted contract amount of \$9,719,134.44; and

WHEREAS, the contract completion date for the project shall remain unchanged as a result of Change Order No. 6; and

WHEREAS, the CFO has certified funds are available from the unrestricted fund balance; 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 No. 6 with CMS Construction, Inc. in the amount of \$1,864.80 resulting in an adjusted contract amount of \$9,719,134.44.
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.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Change Order No. 7: Supply and Install Two (2) 8-inch Plug Valves with Fittings

Mr. Doelling reported that while reviewing the piping configuration with Operations management staff, it was noted that plant personnel would not be able to isolate one secondary settling tank from the other. Staff indicated that this will pose operational problems when one settling tank needs to come off-line for maintenance, cleaning or for low flow conditions. The proposed change order is for the supply and installation of two (2) additional 8-inch plug valves on the return sludge lines in the Operations Building. Installation of the valves will allow either settling tank to be isolated from the return sludge system. The additional valves would also allow us to operate any of the three sludge pumps at any time.

Approval of Change Order No. 7 in the amount of \$5,589.62 has been reviewed and negotiated by SBRSA staff and will compensate the Contractor for the supply and installation of the two additional 8-inch plug valves. Staff recommended approval of Resolution 2019-75, Authorizing Change Order No.7 in the amount of \$5,589.62 to Supply and Install Two (2) 8-inch Plug Valves with Fittings for the Pennington WWTP Upgrade and Improvements Project, Contract 17-1. Resolution 2019-75 was moved by Mr. Morehouse, seconded by Ms. Switlik and passed by roll call of 5 to 0. Resolution 2019-75 follows.

Resolution Authorizing the Approval of Change Order No. 7 to Supply and Install Two (2) 8-inch Plug Valves with Fittings for the Pennington WWTP Upgrade and Improvements Project, Contract 17-1

Resolution No. 2019-75

WHEREAS, on April 13, 2018, the Stony Brook Regional Sewerage Authority (SBRSA) issued a Notice to Bidders seeking the receipt of sealed public bids for the “Pennington WWTP Upgrade and Expansion Project, Contract 17-1”; and

WHEREAS, the SBRSA, at its June 25, 2018 Board meeting, awarded the Pennington WWTP Upgrade and Expansion Project, Contract 17-1, to CMS Construction, Inc. (CMS) in the amount of \$9,669,500; and

WHEREAS, the SBRSA at its February 25, 2019 Board meeting approved Change Order No. 1 in the amount of \$19,509.37; and at its February 25, 2019 Board meeting approved Change Order No. 2 in the amount of \$12,145.42; and at its March 25, 2019 meeting approved Change Order No. 3 in the amount of \$1,015.30, Change Order No. 4 in the amount of \$11,447.33, and Change Order No. 5 in the amount of \$3,652.22; and at its October 28, 2019 meeting approved Change Order No. 6 in the amount of \$1,864.80 resulting in an adjusted contract amount of \$ 9,719,134.44; and

WHEREAS, the original project scope includes the installation of return sludge piping from one of the two new secondary settling tanks; and

WHEREAS, while reviewing the piping configuration, Operations Management staff indicated that the piping configuration, as shown, would not allow plant personnel to isolate one settling tank from the other; and

WHEREAS, the inability to isolate one settling tank from the other will pose operational problems when one settling tank needs to come off-line for cleaning, maintenance, or during low flow conditions; and

WHEREAS, Staff reviewed this issue with Kleinfelder and it was determined that two (2) additional 8-inch plug valves should be installed on the return sludge lines in the Operations Building; and

WHEREAS, the Contractor, CMS, was asked to provide a change order proposal to supply and install two (2) additional 8-inch plug valves on the return sludge lines in the Operations Building; and

WHEREAS, CMS submitted a change order request in the amount of \$5,589.62 for the supply and installation two (2) additional 8-inch plug valves on the return sludge lines in the Operations Building; and

WHEREAS, the abovementioned changes to Contract 17-1 are more fully set forth and incorporated within the October 9, 2019 Contract Change Order No. 7 document in the amount of \$5,589.62 resulting in an adjusted contract amount of \$9,724,724.06; and

WHEREAS, the contract completion date for the project shall remain unchanged as a result of Change Order No. 7; and

WHEREAS, the CFO has certified funds are available from the unrestricted fund balance; 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 No. 7 with CMS Construction, Inc. in the amount of \$5,589.62 resulting in an adjusted contract amount of \$9,724,724.06.
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.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			

David A. Goldfarb	X	
C. Schuyler Morehouse	X	
Bharat Patel		X
Pamela Switlik	X	
Miguel Vilaro-Munet	X	

Contract 18-3, Millstone Pump Station Odor Control Improvements

Mr. Doelling reported that On October 16, 2019, BR Welding submitted a revised project schedule. The revised schedule indicates that BR Welding will begin site work in mid-December with final completion scheduled for early February 2020. The odor scrubber and its appurtenances are scheduled for delivery on November 4, 2019.

Contract 19-1, Nitrification Clarifier No. 2 Improvements Project

Mr. Doelling reported that on October 22, 2019 Iron Hills Construction provided an update to the project schedule. The clarifier drive is scheduled to ship on November 15, 2019 and the balance of the equipment will ship in mid-December 2019.

River Road Wastewater Treatment Plant - Operations Building Roof Replacement Project

Mr. Doelling reported that the installation of the new roof is nearly complete. During the past reporting period, the contractor, VMG Group, has completed the tear-off of the existing built-up roofing system, installed recovery board and vapor barrier over the entire roof, and completed the installation of tapered insulation, base sheet, and flashings. This project is approximately 45% complete.

Process Control/SCADA

Mr. Doelling reported the monthly meter verifications were conducted by staff on October 1 and October 2, 2019. Preventative maintenance was completed for all field devices and process control loops.

Plant Influent Flow Meter

Mr. Doelling reported that staff continues with the calibration checks on the two (2) flow transmitters to establish historical accuracy data on each transmitter. Provided was the comparison summary of the sum of our billing meters versus the River Road plant influent meter.

Miscellaneous Repair

Mr. Doelling provided a list of unscheduled repairs, and items cleared from the draft 2019 Annual Inspection Report.

Information Technology

Municipal Excess Liability Joint Insurance Fund (MEL JIF) Cyber-Security Tier 1 Status:

Mr. Thomas reported that the KnowBe4 testing has begun. Staff received a phishing email test, and the results were good. Targeted security awareness training will be based upon the results of the baseline test. Staff is in the process of scheduling targeted security training for all users.

RRWWTP Operations Building Structured Cabling Project:

Mr. Thomas reported that a construction update meeting was held on Tuesday October 1, 2019. Submittals of proposed materials were requested, received and returned; additional resubmittals are expected. Staff met with the contractor on October 22, 2019 to review the preliminary plan for cable routes.

As mentioned at last month's Board meeting, the fiber optic cable to the Engineering Trailer was found to be a direct burial verses in a conduit. Staff decided to have the conduit installed. The contractor was asked to submit a change order request for supply and installation of the new underground conduit section.

Staff recommended approval of Change Order No. 1 in the amount of \$7,200.00, necessary to compensate the Contractor for the supply and installation of approximately 300-feet of new PVC conduit and one (1) new junction box. Resolution 2019-79, Authorizing the Approval of Change Order No. 1 for the Supply and Installation of New Underground Conduit to the Engineering Trailer for the River Road WWTP Operations Building Structured Cabling Project. Resolution 2019-79 was moved by Mr. Morehouse, seconded by Mr. Vilaro-Munet and passed by roll call vote of 5 to 0. Resolution 2019-79 follows.

Resolution Authorizing the Approval of Change Order No. 1 for the Supply and Installation of New Underground Conduit to the Engineering Trailer for the River Road WWTP Operations Building Structured Cabling Project

Resolution No. 2019-79

WHEREAS, on May 30, 2018 the Stony Brook Regional Sewerage Authority (Authority) passed Resolution 2018-30 establishing membership in the Mercer County Cooperative Pricing System CK09-MERCER; and

WHEREAS, the Authority developed a scope of work and sent out a request for quotations (RFQ) in accordance with the requirements of the Mercer County Cooperative Contract Purchasing System, Bid No. CK09MERCER2017-20 TELECOM CABLE INSTALLATION AND REPAIR FOR THE COUNTY OF MERCER AND COOPERATIVE CONTRACT PURCHASING SYSTEM and the NJ State Contract, Term Contract T-1778 CABLING PRODUCTS AND SERVICES; DATA CENTER

MANAGEMENT SOLUTIONS, for the “River Road WWTP Operations Building Structured Cabling Project”; and

WHEREAS, the Authority at its June 22, 2019 Board meeting, awarded the River Road WWTP Operations Building Structured Cabling Project to Telequest Communication Technologies, Inc. (Telequest) in the amount of \$226,600; and

WHEREAS, the scope of work for project includes the replacement of the existing fiber optic cable that connects the Operations Building to the Engineering Trailer; and

WHEREAS, while completing their initial field inspection of the exterior cable runs, the contractor discovered that the conduit for the existing fiber optic cable does not continue the full length of the fiber optic cable run to the Engineering Trailer; and

WHEREAS, to replace the existing fiber optic cable a new trench will need to be excavated and additional conduit installed; and

WHEREAS, based on the change of conditions, Telequest was asked to submit a change order request for the supply and installation of new PVC conduit and one junction box to extend the existing underground conduit to the Engineering Trailer; and

WHEREAS, Telequest submitted a change order request in the amount of \$7,200.00; and

WHEREAS, the abovementioned changes to the River Road WWTP Operations Building Structured Cabling Project are more fully set forth and incorporated within the October 22, 2019 Contract Change Order No. 1 document in the amount of \$7,200.00 resulting in an adjusted contract amount of \$233,800.00; and

WHEREAS, the contract completion date for the project shall remain unchanged as a result of Change Order No. 1; 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 No. 1 with Telequest Communication Technologies, Inc. in the amount of \$7,200.00 resulting in an adjusted contract amount of \$233,800.00.
2. This Resolution shall take effect immediately; and

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

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

574.12 Finance

Payment of Bills and Claims

Mr. Goldfarb moved for approval of Resolution 2019-72 for the payment of bills and claims in the amount of \$1,422,018.65 with two signatures instead of three. The motion was seconded by Mr. Morehouse and passed by a roll call vote of 5 to 0.

Resolution Regarding Payment of Bills and Claims

Resolution No. 2019-72

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 \$1,422,018.65 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>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Treasurer's Report

Mr. Sears reported that the net income for ten months of the 2019 fiscal year, ending September 30, 2019, was \$1,532,983. The Authority has total cash and investments of \$14,497,658. The current construction projects balance is \$4,892,633. Mr. Sears noted

there are sufficient funds for these projects. The outstanding bond principal balance is \$16,692,372.

Mr. Sears stated that the solar invoices were not received during the reporting period, therefore there is no Solar Analysis report this month.

Monthly Sludge Business Analysis

Mr. Sears reported that the monthly net income figure for the month of September is \$118,715 and the cumulative net income year to date is \$1,093,487.

Mr. Sears recommended approval of resolution 2019-77, Authorizing An Energy Agent Contract With Gabel Associates, Inc., And Authorizing Executive Director Shurott-Pchola Or In Her Absence Chief Financial Officer Sears To Award A Contract And/Or Reject Bids In Response To The Request For Bids For Electric Generation Service Issued On Behalf Of The New Jersey Sewerage And Municipal Utility Authority Electrical Supply Aggregation.

Mr. Sears stated that Resolution 2019-77 also assigns Ms. Pchola and/or Mr. Sears with the authority to accept or reject the time sensitive energy bids.

Mr. Goldfarb inquired about the fee paid to Gabel Associates. Mr. Sears reported that Gabel Associates is negotiating bulk pricing of electricity based on our load profile. Included in this bulk pricing are about ten (10) wastewater authorities. SBRSA's load profile is lower because SBRSA has solar energy.

Mr. Sears stated that SBRSA does not pay the fee directly to Gabel Associates.

Dr. Downey stated that Gabel Associates expertise is well worth their fee, based on presentations they have made in the past. The fee for this contract will be approximately \$6,000.

Resolution 2019-77 was moved by Mr. Goldfarb, seconded by Mr. Vilaro-Munet, and passed by a roll call vote of 5 to 0.

RESOLUTION AUTHORIZING AN ENERGY AGENT CONTRACT WITH GABEL ASSOCIATES, INC., AND AUTHORIZING EXECUTIVE DIRECTOR SHUROT-PCHOLA OR IN HER ABSENCE CHIEF FINANCIAL OFFICER SEARS TO AWARD A CONTRACT AND/OR REJECT BIDS IN RESPONSE TO THE REQUEST FOR BIDS FOR ELECTRIC GENERATION SERVICE ISSUED ON BEHALF OF THE NEW JERSEY SEWERAGE AND MUNICIPAL UTILITY AUTHORITY ELECTRICAL SUPPLY AGGREGATION

Resolution No. 2019-77

WHEREAS, the Stony Brook Regional Sewerage Authority ("Authority") has participated in the New Jersey Sewerage and Municipal Utility Authority Electrical Supply

Aggregation (“NJSMUAESA”), which is a consortium of New Jersey Sewerage and Municipal Utility Authorities formed for the purpose of soliciting and securing bids on an aggregated basis for electric generation service from licensed electric power suppliers pursuant to the provisions of the “Electric Discount and Energy Competition Act” (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*, “the Act”), and thereby and thereby enjoying the benefits of joint purchasing and bulk power purchasing discounts; and

WHEREAS, the existing electric power supply contract(s) for the Authority’s electric accounts, awarded and entered as a result of a bid conducted by the NJSMUAESA in December 2017, will expire upon the meter read dates in April, 2020 for each Authority electric account; and

WHEREAS, the Authority desires to continue its purchase of electric generation service for its electric accounts as a participant in the NJSMUAESA to derive the benefits of bulk purchasing discounts; and

WHEREAS, due to current favorable market conditions the NJSMUAESA intends to issue a Request for Bids (“RFB”) on or about November 1, 2019 for the purpose of seeking bids for electric generation service from licensed electric power suppliers to replace the current supply contract(s) scheduled to expire in May 2020; and

WHEREAS, as a participant in the NJSMUAESA the Authority requires the services of an “Energy Agent,” as defined in the “Electric Discount and Energy Competition Act,” to administer the bid process and arrange for the sale of retail electric generation service by a licensed retail electric power supplier to the Authority; and

WHEREAS, the Energy Agent shall provide the Authority with services, including but not limited to, analyzing the Authority’s energy needs, quantifying the Authority’s load profile, developing an energy plan for the Authority, preparing bid specifications and, upon approval of the bid specifications, bidding a contract for the supply of electric generation service to the Authority; and

WHEREAS, the Energy Agent shall not receive and monetary compensation directly from the Authority for the services to be provided; and

WHEREAS, the Authority and the Energy Agent agree that the electricity supply contract(s) (“ESC”) between the Authority and the awarded supplier(s) shall provide that the awarded supplier pay the Energy Agent a monthly administrative fee for each account served at a rate of \$.0005 per kilowatt-hour for all months of the ESC; and

WHEREAS, Gabel Associates, Inc., with a principal place of business located at 417 Denison Street, Highland Park, New Jersey 08904, is a duly registered Energy Agent pursuant to the Act; and

WHEREAS, the Authority is desirous of authorizing the award of a contract to Gabel Associates, Inc. to serve as Energy Agent in connection with the bid for electric generation service through the NJSMUAESA, as an extraordinary, unspecifiable service

("EUS") without competitive bidding pursuant to N.J.S.A. 40A:11.1 *et. seq.* and in accordance with the attached EUS Certification; and

WHEREAS, it is the NJSMUAESA's intent to receive bid price submittals on or about December 3, 2019 in response to the RFB to be issued on or about November 1, 2019; and

WHEREAS, due to the fact that the electricity market is highly volatile and bid prices will not be guaranteed past 3:00 p.m. on the day that bids are accepted, the award or rejection of bid(s) must be made on the Authority's behalf by its designated representative by no later than 3:00 p.m. on bid day;

NOW, THEREFORE, BE IT RESOLVED that the Stony Brook Regional Sewerage Authority ("Authority") is hereby authorized to participate with the NJSMUAESA for the purpose of securing bids for electric generation service from licensed electric power suppliers for a contract to replace the existing electricity supply contract(s) expiring in April 2020, pursuant to the "Electric Discount and Energy Competition Act" (P.L. 1999, c.23, N.J.S.A. 48:3-49 *et. seq.*, "the Act"), Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*, and applicable regulations.

BE IT FURTHER RESOLVED that the Authority hereby approves the retention of Gabel Associates, Inc. as the Authority's Energy Agent in connection with the procurement of electricity supply for the Authority's electric accounts in accordance with the terms of the attached Energy Agent Agreement.

BE IT FURTHER RESOLVED that Executive Director Antonia F. Shurott-Pchola, P.E. is hereby authorized and directed to execute the attached Energy Agent Agreement in substantially the form attached hereto and any documents reasonably required to effectuate said Energy Agent Agreement for the retention of Gabel Associates, Inc. as the Authority's Energy Agent.

BE IT FURTHER RESOLVED that Executive Director Antonia F. Shurott-Pchola, P.E., or in her absence Chief Financial Officer Jonathan Sears, is hereby authorized to act in her/his sole discretion as the Authority's designated representative to award a contract for the applicable Bid Group(s) to the low, qualified bidder for the contract term and pricing product deemed most beneficial to the Authority, by executing an Award Letter on the day of bid receipt and subsequently executing the Model Supply Contract, or reject an electricity bid, in conjunction with the NJSMUAESA Request for Bids to be issued on or about November 1, 2019. Such authorization to award a contract to the low bidder as the Authority's designated representative is subject to the low bid being equal to or less than the Trigger Price(s) to be established for the applicable Bid Group(s) containing the Authority's accounts prior to the data of receipt of bids by the NJSMUAESA, under the advisement of the Energy Agent.

BE IT FURTHER RESOLVED that, notwithstanding the foregoing, the Executive Director Antonia F. Shurott-Pchola, P.E. or in her absence Chief Financial Officer Jonathan

Sears, may reject any bid, including, if necessary, all bids (and not award a contract), and if desirable, to authorize the NJSMAESA to rebid the contract, provided that such rejection is in accordance with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et. seq.*

BE IT FURTHER RESOLVED that a brief notice shall be published in the official newspaper stating the nature, duration, service and amount of the Energy Agent Agreement and that a copy of this Resolution, together with a copy of the Energy Agent Agreement are available for public inspection at the Authority’s offices.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Mr. Sears recommended approval of Resolution 2019-78, Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website for a used generator. The resolution was moved by Mr. Goldfarb, seconded by Mr. Morehouse and passed by a roll call vote of 5 to 0. Resolution 2019-78 follows.

Resolution Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website

Resolution No. 2019-78

WHEREAS, the Stony Brook Regional Sewerage Authority has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Stony Brook Regional Sewerage Authority intends to utilize the online auction services of Municibid located at www.municibid.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services’ Local Finance Notice 2008-9,

NOW, THEREFORE, BE IT RESOLVED by the Board of the Stony Brook Regional Sewerage Authority in the County of Mercer, State of New Jersey, that the

Authority is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.municibid.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between Municibid and the Stony Brook Regional Sewerage Authority are available at www.municibid.com.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Mr. Sears recommended approval of Resolution 2019-81, Authorizing the Award of a “No Political Contributions Allowed” Contract(s) for Non-Professional Service Vendors.

Resolution 2019-81 was moved by Mr. Goldfarb, seconded by Ms. Switlik, and passed by a roll call vote of 5 to 0.

Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract(s) for Non-Professional Service Vendors

Resolution No. 2019-81

WHEREAS, the Stony Brook Regional Sewerage Authority has a need to acquire goods or services as a no political contribution allowed contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the purchasing agent has determined and certified in writing that the value of each contract (by purchase orders) will likely exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for fiscal year 2019 (1 year) and may be extended as approved by this governing body; and,

WHEREAS, the attached list of vendors has completed and submitted a Business Entity Disclosure Certification which certifies that each vendor has not made any reportable contributions to a political or candidate committee served by the Stony Brook Regional Sewerage Authority in the previous one year, and that the contract will prohibit the (attached list of vendors) from making any reportable contributions through the term of the contract; and,

WHEREAS, the Authority has Funds available in its current budget.

NOW THEREFORE, BE IT RESOLVED that the Stony Brook Regional Sewerage Authority authorizes the attached list of vendors to enter into contracts by purchase order; and,

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

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse	X			
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

Year 2019 No Political Contribution Allowed Contracts:	
Company Name	Service
Robert Wells Tree & Landscape Inc.	Tree Service
Zeager Bros., Inc.	Mulch & Delivery

Mr. Sears reported the sale of the used Schwing Pump parts were sold on the online auction website for \$745.00.

574.13 Personnel Report

The Personnel Report was provided for member information.

574.14 Correspondence

Provided for information only.

574.15 Old Business

There was nothing to report.

574.16 New Business

There was no New Business to report.

574.17 Open to the Public

Chairman Downey opened the public portion of the meeting. As there was no one from the public present, the public portion of the meeting was closed.

574.18 And such other issues as may come before the Board

None.

574.19 Executive Session

The Board entered Executive Session at 8:20 pm to discuss the permitting issues for the Pennington WWTP on a motion by Mr. Goldfarb seconded by Mr. Vilaro-Munet and passed by a roll call vote of 5 to 0. Resolution 2019-82 follows.

**Resolution Authorizing Closed Session
Pursuant To The Open Public Meetings Law**

Resolution No. 2019-82

BE IT RESOLVED by the Stony Brook Regional Sewerage Authority (“Authority”) on this 28th day of October 2019, as follows:

1. The Authority shall adjourn to executive session in accordance with N.J.S.A. 10:4-12(b)(7), being the Open Public Meetings Law, in order to discuss issues involving pending litigation in connection with the matter of Stony Brook Regional Sewerage Authority vs. New Jersey Department of Environmental Protection, Docket No. ELU 10493-2015S (Pennington STP) and Stony Brook Regional Sewerage Authority vs. New Jersey Department of Environmental Protection, Docket No. EWR 10494-2015S (Hopewell STP).

2. The minutes of the executive session will be released to the public in the event of successful negotiations or, in the event of litigation, the minutes shall be available to the public upon: the issuance of an unappealable Order of a Court of competent jurisdiction; upon settlement of all issues in the matter; or the failure to institute litigation after the passage of reasonable time.

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

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Stony Brook Regional Sewerage Authority on October 28, 2019.

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	ABSTAIN	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			

C. Schuyler Morehouse	X	
Bharat Patel		X
Pamela Switlik	X	
Miguel Vilaro-Munet	X	

Report of Executive Session

A discussion took place regarding the Pennington WWTP permit limits.

Return to Public Session

The Board returned to Public Session at 8:43 pm on a motion by Ms. Switlik seconded by Mr. Goldfarb and passed by unanimous vote

Staff recommended approval of Resolution 2019-80, Authorizing the Award of a “No Political Contributions Allowed” Contract for a Socio-economic Analysis of Total Dissolved Solids Removal at Pennington Wastewater Treatment Plant to Kleinfelder.

Resolution 2019-80 was moved by Ms. Switlik, seconded by Mr. Vilaro-Munet and passed by a roll call of 4 to 0, and 1 abstention. Resolution 2019-80 follows.

Resolution Authorizing the Award of a “No Political Contributions Allowed” Contract for a Socio-economic Analysis of Total Dissolved Solids Removal at Pennington Wastewater Treatment Plant to Kleinfelder

Resolution No. 2019-80

WHEREAS, the Stony Brook Regional Sewerage Authority (SBRSA) has a need for a socio-economic analysis of additional modifications to the Pennington WWTP necessary to meet its New Jersey Pollutant Discharge Elimination System (NJPDES) permit as a contract that does not allow for political contributions to the Authority or its members (“No Political Contributions Allowed” contract) pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and,

WHEREAS, the Stony Brook Regional Sewerage Authority’s (SBRSA) Pennington WWTP’s New Jersey Pollutant Discharge Elimination System (NJPDES) permit has new effluent limitations for total dissolved solids (TDS).

WHEREAS, SBRSA has adjudicated the TDS effluent limitations portion of the permit and requested a stay of the TDS limitations.

WHEREAS, SBRSA has a need for a socio-economic analysis of additional modifications to the Pennington WWTP necessary for removal of Total Dissolved Solids (TDS); and

WHEREAS, the socio-economic analysis is required to petition the New Jersey Department of Environmental Protection (NJDEP) to consider the removal of the TDS effluent limitations within the Authority’s New Jersey Pollutant Discharge Elimination System (NJPDES) permit; and

WHEREAS, Kleinfelder will prepare an analysis consistent with the anti-degradation policies of the New Jersey Surface Water Quality Standards at N.J.A.C. 7:9B-1.5(d), to provide the economic and social justification for any lowering of water quality, necessary to support a NJPDES permit modification request for removal of the TDS effluent limitations; and

WHEREAS, CFO has determined and certified in writing that the value of the work will exceed \$17,500; and

WHEREAS, Kleinfelder has submitted a proposal dated October 21, 2019 and an Agreement to provide annual inspection services for a lump sum fee not to exceed \$90,900 without prior written approval from SBRSA; and

WHEREAS, Kleinfelder has completed and submitted a Business Entity Disclosure Certification for FY 2019 which certifies that Kleinfelder has not made any reportable contributions to a municipal political party committee of a governing body that appoints members to the Stony Brook Regional Sewerage Authority including Princeton, South Brunswick Township, West Windsor Township, Hopewell Borough, Hopewell Township and Pennington Borough in the previous one year, and that the contract will prohibit Kleinfelder, from making any reportable contributions through the term of the contract, and

WHEREAS, the Authority CFO has certified funds are available in the unrestricted fund balance.

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

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

<u>Recorded Vote:</u>	<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Gale D. Downey	X			
David A. Goldfarb	X			
C. Schuyler Morehouse			X	
Bharat Patel				X
Pamela Switlik	X			
Miguel Vilaro-Munet	X			

574.20 Adjournment

As there was no further business to come before the Board, the meeting was adjourned at 8:45 p.m. on a motion by Mr. Morehouse, seconded Mr. Vilaro-Munet and passed by unanimous vote.

Respectfully Submitted,

Antonia Pchola
Secretary

Recorded and Written by
Angela Christiano
November 6, 2019