

## Meeting of November 14, 2013 Maintenance

A meeting of the Joint Meeting was held on the above date at the Maplewood Municipal Building at 4:00 p.m. Chairperson Rice in the Chair.

The Executive Director read the following statement:

Pursuant to Section #5, Chapter 231, P.L. 1975, notice of this meeting has been provided to the public by posting the notice of the meeting of the Joint Meeting on the bulletin board of the Maplewood Municipal Building; by mailing the notice of the meeting to the Star Ledger, The Home News Tribune and to the offices of the Municipal Clerks of the 11 member municipalities of the Joint Meeting and to the City Clerk of the City of Elizabeth and to the County Clerks' Offices of Essex and Union, all on December 26, 2012.

On roll call the following members were present: Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango. Messrs. Casais and Florio notified the office that they would be unable to attend today's. Mayor Accardi of Roselle Park arrived at 4:30 p.m

Also in attendance were Messrs. McGhee, Terrezza, Dowhan, Sforza, Barry, Phillips and Berkeley Esq. of Joint Meeting; E. Webster and J. Nobel Esq. of Genova, Burns, Giantomasi and Webster et al., Joint Meeting's Consultants CME Associates (CME), AVA Consulting LLC (AVA) and Global Logistics Group (GLG).

The Chairperson led the pledge of allegiance.

On motion by Ms. Jones, seconded by Ms. Garretson, the minutes of the last meeting were approved as printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Leventhal, seconded by Mr. Bomgaars, the **Treasurer's Report** having been delivered to the Board members was received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

**Personnel & Procurement Committee:** Ms. Leventhal stated that the Committee had met, discussed and recommends authorization of the following: awarding a contract to CME Associates for professional engineering services for the Construction Administration for the Replacement of the Exhaust Heat Exchangers at the Co-Generation Facility (R-098); awarding a contract to CME Associates for professional engineering services for NJPDES Permit Review (R-099); awarding a contract to Allied Construction Group, Inc. for Replacement of Exhaust Heat Exchangers (R-100); awarding a contract to Alfa Laval Inc. for Rebuilding and Reconditioning a Dewatering Centrifuge (R-101); awarding a contract to All American Sewer Services for providing Cleaning Equipment Rental and CCTV Inspection Services to the Treatment Plant & Sludge Dewatering Facilities on an "As Needed" Basis (R-102); awarding a contract to Montana Construction Corp. for Excavation and Repair Services on an "As Needed" Basis (R-103); rejection of bids received for providing Cleaning Equipment Rental and CCTV Inspection Services to the Trunkline Collection System on an "As Needed" Basis (R-104); Purchase Order to PDM Group for Replacement of One (1) Condensing Unit (R-105); Change Order #3 to Spectraserv, Inc. contract for Digester No. 2 Cleaning and Modifications (R-106) and Adoption of the 2014 Budget (R-107).

With regard to Resolution 098, CME explained the failure and need to replace the exhaust heat exchangers in the Co-Generation Facility being earlier than was expected is due to the high amount of hydrogen sulfide gas in the exhaust system, which the gas cleaning system originally provided with

the scrubbing system with the facility was unable to handle, which caused corrosion inside of the heat exchange. Installing a second unit in the system allowed for a better gas scrubbing system and reduced the potential of this happening again.

On motion by Ms. Leventhal, seconded by Mr. Bomgaars, Resolution 098, awarding contract to CME Associates for Professional Engineering Services for the Construction Administration for the Replacement of the Exhaust Heat Exchangers at the Co-Generation Facility was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

With regard to Resolution 099, CME explained that the pre-draft provided by NJDEP has been reviewed with suggestions for alterations, changes and updates for factual matters being given to DEP. The draft, when issued, will be reviewed to see if they have incorporated our suggestions and also to make sure that the data being used corresponds to the data provided to them and that the calculations are appropriate and that the regulations are applicable. We have 60 days to review the draft and submit our comments and then another 30 days to challenge any of their decisions which will require adjudication through the Administrative Law Courts after a public hearing in the adoption of the permit. This is in parallel to the effort going on with CDM Smith who is involved with the collection system portion of the permit. This is also in conjunction with the legislation that is pending regarding the definition of dischargeable water.

CME further explained that this is being done at this time because EPA feels that DEP has not moved ahead quickly enough on the CSO's (combined sewer overflow) issues. They're now telling DEP either they do this or be taken to Federal Court. DEP's response was reissuing the permits. It should be noted that although Joint Meeting doesn't own any CSO's, its largest customer, the City of Elizabeth does. Elizabeth is also being issued a permit which is going to require them to reduce their CSO's. This in turn will mean less water that they can discharge without coming to Joint Meeting which further means that more water will be coming to Joint Meeting for treatment which also indicates that possibly, within a 20 year period, Joint Meeting may have to enlarge its capacity and grow its collection system. Information was provided to DEP about catch basin and storm lines being connected to Joint Meeting's system by the NJDOT without notice and permission.

In answer to the question that if the legislation goes through and there is an exception is it anticipated that the standards for the permit will change, Counsel Webster explained that EPA has a regulation requiring DEP to issue Joint Meeting's permit. However, EPA believes that DEP has been lax in what the actual permit language says and also lax in enforcing violations. DEP doesn't see it the same way as EPA. Whether it will be any different than it has always been is unknown at this time.

Counsel Webster further explained that some of the capacity issues are being addressed with operation and maintenance. Scouring the sewers and building in more capacity is being suggested. The Federal Statute allows wet weather overflows which DEP is not comfortable with. A big issue is that all the flow can't be handled by the treatment plants. It could be possible that the collection system may not be able to get all the flow to the treatment system which could necessitate holding tanks, etc. which could be costly.

On motion by Mr. McDermott, seconded by Mr. Green, Resolution 099, awarding a contract to CME Associates for Professional Engineering Services for NJPDES Permit Review was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Garretson, seconded by Ms. Jones, Resolution 100, awarding a contract to Allied Construction Group, Inc. for Replacement of Exhaust Heat Exchangers was adopted. On roll

call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Leventhal, seconded by Ms. Spango, Resolution 101, awarding a contract for Rebuilding and Reconditioning a Dewatering Centrifuge was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Jones, seconded by Ms. Spango, Resolution 102, awarding a contract for Providing Cleaning Equipment Rental and CCTV Inspection Services to the Treatment Plant & Sludge Dewatering Facilities on an "As Needed" Basis was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mr. Levison, seconded by Ms. Leventhal, Resolution 103, awarding a contract for Excavation and Repair Services on an "As Needed" Basis was adopted. On roll call; ayes, Messrs. Green, McDermott, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none; abstaining, Mr. Rice.

On motion by Mr. McDermott, seconded by Mr. Bomgaars, Resolution 104, rejecting bids received for Providing Cleaning Equipment Rental and CCTV Inspection Services to the Trunkline Collection System on an "As Needed" Basis was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

It now being 4:30 p.m. Mayor Accardi arrived.

On motion by Ms. Jones, seconded by Ms. Spango, Resolution 105, authorizing a Purchase Order to PDM Group for Replacement of One (1) Condensing Unit was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mr. McDermott, seconded by Ms. Leventhal, Resolution 106, authorizing Change Order #3 to Contract with Spectraserv, Inc. for Digester No. 2 Cleaning and Modifications was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

Following a thorough discussion on motion by Mr. Levison, seconded by Mr. Green, Resolution 097, the 2014 Budget was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Ms. Jones, seconded by Ms. Garretson, the **Treatment Plant and Industrial Pretreatment Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

On motion by Mr. Green, seconded by Ms. Jones, **Counsel, Conflict Counsel** and the **Engineer's Reports** having been mailed to the Board members were received and ordered printed. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Ms. Garretson, Leventhal and Spango; nays, none.

The Chairperson asked if there was anyone wishing to address the Board on any Joint Meeting matter with a five-minute limit. Hearing no one the Public Session was declared closed.

On motion by Mr. Bomgaars, seconded by Ms. Leventhal, Resolution 096, approving payment of bills was adopted. On roll call; ayes, Messrs. Green, McDermott, Rice, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

There being no further business on motion by Mr. Levison, seconded by Ms. Leventhal, the meeting then adjourned to meet again on Thursday, December 19, 2013, at the Maplewood Municipal Building at 4:00 p.m. unless called earlier by the Chair. On roll call; ayes, Messrs. Green, McDermott, Rice, Accardi, Levison, Bomgaars, Ms. Garretson, Jones, Leventhal and Spango; nays, none.

Respectfully submitted,

Theodore Green  
Secretary