

June 6, 2023

This meeting was called to order at 6:00 PM by Vice Chairman Jorge Cardenas.

Pledge of Allegiance/Salute to the Flag

The Open Public Meetings Act was read. Included in this statement was that this meeting was posted on the Authority website, the Authority bulletin board and a copy sent to Town Hall.

Roll Call:

Jorge Cardenas
Ray Spellmeyer
Tim Stamm

Vice Chairman
Secretary
Board Member.

Excused: Fred Vogel and Dominic Manderano

Also Present: Brian Bigler, Executive Director; Adam Abramson, Counsel, Glenn Beckmeyer, Engineer, Laurie Purcell, Admin.

A motion was made by R. Spellmeyer; second by J. Cardenas, to approve the minutes of the May 9, 2023, meeting of the Authority. Minutes approved as presented. All in favor 3-0-0.

The following Resolution was moved on a motion by J. Cardenas, second by R. Spellmeyer and is as follows:

Resolution 2023 – 06 A
“Water Systems PFAS Liability Protection Act”

RESOLUTION OF The Secaucus Municipal Utilities Authority TO CALL UPON New Jersey U.S. Senators, the Hon. Cory A. Booker and the Hon. Robert Menendez to join Sen. Cynthia Lummis in sponsoring the “Water Systems PFAS Liability Protection Act.”

Whereas, The Mission of **The Secaucus Municipal Utilities Authority** is to protect and preserve the environment, while being fiscally responsible to the tax payers in the Town of Secaucus. The proper corrective and preventative maintenance policies for the collection system and treatment facility; and

Whereas, PFAS substances are a threat to human health and the environment; and

Whereas, **The Secaucus Municipal Utilities Authority** is ready and willing to do its part to remove PFAS substances from systems to protect public health and the environment; and

Whereas, **The Secaucus Municipal Utilities Authority** is responsible to protect the interests of its ratepayers; and

Whereas, the U.S. Environmental Protection Agency (EPA) proposes to designate certain per- and polyfluoroalkyl substances (PFAS) as hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA; a.k.a., Superfund Act); and

Whereas, under a broad definition of CERCLA, public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs are potentially subject to CERCLA with regard to PFAS; and

Whereas, public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs are not polluters. They are passive receivers of PFAS substances and do not manufacture, use, or originate the PFAS substances; and

Whereas, CERCLA was enacted to hold polluters responsible for environmental cleanups; and

Whereas, being subject to such a CERCLA designation would ensnare public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs in endless litigation at the expense of taxpayers and ratepayers; and

Whereas, in the past, some New Jersey utilities have been drawn into Superfund actions even though they are not polluters; and

Whereas, EPA assurances that it will rely on its enforcement discretion to keep POTWs from being forced to pay for cleanup under CERCLA fall short because 1) discretion can vary based on the administration and 2) polluters may employ legal strategies that draw public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs into litigation; and

Whereas, taxpayers and ratepayers are “innocent bystanders” and should not be made to pay to further polluter legal strategies, nor should they be subject to the regulatory uncertainty associated with EPA “discretion”; and

Whereas, cost implications the proposed CERCLA designation are complicated by the fact that PFAS substances aren’t introduced into the environment in a single or several discreet “spills” but are continually being introduced into the environment;

Now Therefore Be It Resolved that **The Secaucus Municipal Utilities Authority** calls on the Hon. Cory A. Booker and the Hon. Robert Menendez to join Sen. Cynthia Lummis in sponsoring the “Water Systems PFAS Liability Protection Act” because it would explicitly exempt public and private drinking water utilities, wastewater agencies (POTW), stormwater utilities, and biosolids management programs from CERCLA liability.

I HEREBY CERTIFY that the forgoing is a true and accurate copy of a Resolution adopted by the **Secaucus Municipal Utilities Authority** on June 6, 2023.

Dated: _____

Send the resolution to:

Sen. Robert Menendez
528 Hart Senate Office Building
Washington DC 20510
(202) 224-4744

Sen. Cory A. Booker
717 Hart Senate Office Building
Washington DC 20510
(202) 224-3224

The voucher list was moved on a motion by R. Spellmeyer, second by J. Cardenas. The total amount of this voucher list is \$222,137.04. This was approved by roll call vote: J. Cardenas: Aye; R. Spellmeyer: Aye; T. Stamm: Aye. Voucher list approved 3-0-0.

The following reports were accepted as presented:

Report of the Executive Director
May 2023 {submitted May 31, 2023}
For the Authority meeting of June 6, 2023

- We continue to monitor the sewers in low lying areas for cleaning & inspection. Staff will perform any assistance, required by DPW & continued working with them on storm sewer issues. This included assistance to remedy flooding situation on Meadowland Parkway by NJDOT yard.
- Survey completed on Turnpike & Henry Street pump stations. Finalizing plans with NJTA, our Contractor and PSEG to allow for the installation.
- We have filed a request for an adjutory hearing with NJDEP regarding final permit issues about copper. Still awaiting a response.
- Dewatering has begun for the 600 Jefferson Ave.

CONNECTIONS:
ALL ITEMS REMAIN OPEN.

- Authority Counsel has been in contact with the attorney for 246-248 County Ave. The property owner upgraded the existing site to include a restaurant and does not agree with the connection fee assessed. No further action to report. I have heard that the owner is selling this property (no confirmation).
- An agreement has been executed regarding the additional flow from Rent the Runway (RTR). First and second payment have been received.
- Received an application for another data center located at 2 Emerson Lane. Under review.
- Received three applications for conversion of the old Pier 1 retail store to be converted into restaurants {Shake Shack; Kava; and K Pot, Korean BBQ. We have been informed that two additional units may be built in the near future.

OPERATIONS REPORT –May 2023
Submitted May 30, 2023, 2023

KOELLE BOULEVARD FACILITY

- 1) The estimated average daily flow for the month was 3.0978 MGD. The estimated total flow for the month was 86.7597MG.
- 2) Routine maintenance and ground keeping were performed.
- 3) Maintenance performed on pumps in PS#1.
- 4) New lights around the plant
- 5) Spectra SERV INC in to clean the holding tank.

PUMP STATION # 1 Village Place

- 1) The estimated average daily flow was .1.130 MGD.
- 2) All pumps cleaned and maintained on a regular basis.
- 3) Routine maintenance and ground keeping were performed.

PUMP STATION # 2 Paterson Plank Road and Turnpike Exit

- 1) The estimated average daily flow was 63789 gallons per day.
- 2) Routine maintenance and ground keeping were performed.

PUMP STATION # 3 Henry Street

- 1) The estimated average daily flow was 118241 gallons per day.

- 2) Routine maintenance and ground keeping were performed.

PUMP STATION # 4 New County Road and Seaview Drive

- 1) Routine maintenance was performed.
- 2) The station checked daily.

PUMP STATION: Wilroy – Secaucus Road

- 1) This station is not in service.

PUMP STATION # 5 Castle Road

- 1) Routine Maintenance and grounds keeping were performed.
- 2) Average daily flow: 0 pd

PUMP STATION #7 - Exchange Junction

- 1) Routine Maintenance and grounds keeping were performed.
- 2) The station checked daily.

Respectfully submitted.
Joe Marchese, Plant Manager

COLLECTION SYSTEM:

- 1) DPW two men 14 hours.

CCTV:

Camera

**Respectfully Submitted,
Anthony Smentkowski, Maintenance Foreman, CCTV Operator.**

**SECAUCUS MUNICIPAL UTILITIES AUTHORITY
ENGINEERS REPORT
FOR THE MONTH OF MAY**

- Received and started a review on a pump station flow meter report for the Exchange Place Pump Station (abridged). This report is supposed to analyze the existing flows of the pump station and the amount of unused capacity with regards to the remaining build out of the project. Analyzing data. Submitted new pump data and force main drawings to engineer to re-analyze flow and pump data. We calculated flows for all additional housing units compared to the amount of flow as reported on the NJDEP TWA. Additional questions on the housing unit quantities are being confirmed. It now appears the NJSEA has received a zoning application for a 24-story residential structure. Spoke with Secaucus Plumbing Official concerning the addition of a 25-story housing unit. It appears major revisions will be required within the SMUA Sanitary Sewer System. The SMUA received a zoning approval for this project. Information was submitted to the SMUA concerning existing and proposed units. Exchange Engineer submitted letter on Pump Station capacity and new proposed units. Analyzing proposed flows for proposed high rise to flows submitted on the TWA to NJDEP. Also analyzing future flows beyond the proposed high rise for probably pump/force-main upgrades at the Exchange Place Pump Station and down-stream at the Seaview Avenue Pump Station and the North End Pump Stations. Reviewing plans received on 25 story housing structure. Reviewing tower connection and existing system. To attend a meeting on 11/1/2022 for the sanitary and storm sewer connections at the site. Stopped by site to monitor progress.

- I will be meeting with the Facility manager for 600 Meadowlands Parkway (Harmony) on Friday 1/2/2021 to review the Suez water meters and to follow a domestic water supply line that does not follow the new water meter installed by the facility's management. The SMUA also requested additional Suez water bills for the facility as well as another visit to an adjoining unit to check the water supply piping. Continuing to email Facility Manager for information from their plumber and also requested further water bills and meter readings. Resent last request to facility manager. It has been published that Harmony will be permitted to sell for recreation purposes, the SMUA will be revisiting the generated sanitary flow under this allowance. Sent emails to management company for water records for past year. Received water bills and analyzing. Requested and received facility map with water meter locations.

- Reviewing flows generated by "Rent the Runway" 100 Metro Way. The facility is replacing wash machines and appears to be discharging more than previously approved by SMUA. Reviewing supplemental information submitted.

- The emergency generator at the Turnpike Pump Station has failed. Researching a replacement. Also, researching a generator for the Henry Street Pump Station, which is of the same age. The Board will receive an engineer's recommendation on this matter for review and approval. Emergency Generators have been ordered. Site work investigation has started and request for survey issued. Awarded survey

work and designing structural pad. Met with contractor for site evaluation. Submitted information to surveyor to determine easement boundaries for generator placement and fence location. Received the boundary survey form the surveyor for Henry Street pump station, proceeding with the final design. Surveyor still working with the NJTA on final boundary survey. Received final surveys. Met with PSEG onsite for gas service location. Producing final site plans. Met with Persistent on construction and fence location. Waiting for PSEG project release.

- Started field work for lower-level electric box replacement and waterproofing at 1100 Koelle Blvd. Brought in electrician to open all electrical boxes for inspection. Waiting on report. Report has been received and is being reviewed. Requested three (3) separate cost estimates to replace electric boxes from contractor. Requested additional quotes utilizing aluminum. Reaching out to other contractors for additional quotes. Low proposal for work is SM Electric.
- Preparing scope to empty and clean sludge holding tank. This was last done in 2010. Met with Spectra Serv to determine best course to accomplish cleaning. Facility personnel is gradually pumping down the sludge level for tank cleaning and sludge transfer pipe valve replacement. Work appears ready to start first week of May. Holding tank has been drained and cleaned.
- Issues have occurred with the gear drive/drive unit in the sludge thickening tank. Looking into options to replace equipment. Produced letter naming repairs to tank mechanism as an emergency.

Zoning Certificate Notices for required SMUA Sewer Connection Application:

Address	Zoning Certificate	Request Dates		SMUA App.	SMUA Fee	Engineers Report
		1 st	2 nd			
Brianna Lane- Bl 5.02, Lot 3.04 Building G, XChange	-	N/A	N/A			Under Review
2 Emerson- Coresite NY3	-	N/A	N/A	Yes		Under Review
100 Metro Way- Rent the Runway	-	N/A	N/A			Under review
700 Secaucus Road	File #22-407	11.17.22		No	No	Under Review

25 Meadowlands Parkway-	-	N/A	N/A	Yes	Yes	Under Review
200 Mill Creek	File #22-355	N/A	N/A	No	No	Under Review
600 Meadowland Parkway (1125 Castle Road) Suite 22D	File # 21-479	N/A	N/A	No	No	Under Review
700 Plaza Drive Suite 137 <ul style="list-style-type: none"> • Shake Shack • Cava 	File # 23-153	N/A	N/A	Yes	Yes	Report Submitted New Information Under Review
915 Secaucus Road	File # 23-190	N/A	N/A	Yes	No	Under Review

Beckmeyer Engineering, P.C.
Glenn M. Beckmeyer, P.E.,P.P.,CME,CFM
Authority Engineer May 30, 2023

NEW BUSINESS: With regret we have accepted the resignation of Vice Chairman Jorge Cardenas, effective June 7, 2023. Please see his resignation letter below. We are grateful for the time and guidance that Jorge has provided throughout his tenure.

To: Board of Directors of the Secaucus Municipal Utilities Authority

From: Jorge L. Cardenas – Vice Chairman Secaucus Municipal Utilities Authority

Reason: Resignation of SMUA Board of Directors Vice Chairman Position

Date: June 6th, 2023

To whom it may concern,

This memo is to notify you of my resignation from the position of Vice Chairman of the Board of Directors of the Secaucus Municipal Utilities Authority effective June 7th, 2023. I have served as a member of the Board of Directors of the SMUA over the past decade. I am in the process of relocating to the state of Florida and this position which, I have enjoyed serving in should be held by a local resident with the proper knowledge of the municipality, its residents, and their present and future needs. It has been an honor and pleasure to have been asked to, and to have served in this position.

Best regards,

A handwritten signature in black ink, appearing to read "J. L. Cardenas", written in a cursive style.

Jorge L. Cardenas

1045 Gillis Pl.,

Secaucus, N.J. 07094

Public Comments: None

A motion was made at 6:08 PM to adjourn the meeting by J. Cardenas, second by R. Spellmeyer.
All in favor 3-0-0.