

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL SPECIAL MEETING HELD APRIL 11, 2022**

CALL TO ORDER

At 1:00 p.m. the Mayor called the meeting to order and the Township Clerk stated adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

The following Council members were present:

Gentiana Brahimaj
Manuel Couto
John Foster
Jeff Varnerin
Angie D. Devanney, Mayor

The following Council members were absent:

Paul Donnelly
Jeanne Kingsley

Also present were:

Township Attorney: Alex Fisher
Township Administrator: Liza Viana
Township Clerk: Ana Minkoff

FLAG SALUTE

Mayor Devanney asked everyone present to stand for the Flag Salute.

Mayor Devanney read a statement to explain the situation at the Wastewater Treatment Plant and reason for the Special Meeting. (A copy of this statement is attached to the permanent minutes.)

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

Mover: Mr. Foster
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Foster, Mr. Varnerin
Nays: None
Abstain: None
Absent: Mr. Donnelly, Mrs. Kingsley

Mayor Devanney read a statement regarding the procedures for public comment given the virtual (ZOOM) meeting.

Mr. Carrellas of 35 Sycamore Avenue asked about the project management and cost control for the project. Mayor Devanney responded and a discussion followed.

Closing of the Hearing on Agenda Items Only

Mover: Mr. Foster
Seconder: Mr. Varnerin

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Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Foster, Mr. Varnerin
Nays: None
Abstain: None
Absent: Mr. Donnelly, Mrs. Kingsley

APPROVAL OF RESOLUTIONS

1. Resolution authorizing an emergency contract with PS&S, LLC, to provide engineering services as may be necessary to resolve the emergent flare project at the Wastewater Treatment facility in an amount not to exceed \$31,500.00.

Approval of Resolution

Mover: Mr. Varnerin
Seconder: Mrs. Brahimaj
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Foster, Mr. Varnerin
Nays: None
Abstain: None
Absent: Mr. Donnelly, Mrs. Kingsley
Result: *Approved*

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mr. Foster
Seconder: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Foster, Mr. Varnerin
Nays: None
Abstain: None
Absent: Mr. Donnelly, Mrs. Kingsley

No voices were heard.

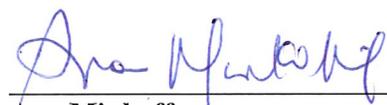
Closing of the Citizens Hearing

Mover: Mrs. Brahimaj
Seconder: Mr. Foster
Ayes: Mrs. Brahimaj, Mr. Couto, Mr. Foster, Mr. Varnerin
Nays: None
Abstain: None
Absent: Mr. Donnelly, Mrs. Kingsley

ADJOURNMENT

1:14 p.m. - Moved by Mr. Foster to adjourn and all were in favor.

Approved: May 3, 2022



**Ana Minkoff
Township Clerk**

Emergency Council Meeting
April 11, 2022, Monday 1 PM
Remarks by Mayor Angie Devanney

I want to take a few moments and explain to our residents why we are declaring an emergency, what that means, what steps we are taking and how we will move forward.

First, the Township owns a sizable wastewater treatment plant located on Snyder Avenue directly adjacent to the Passaic River. The wastewater treatment plant treats incoming raw sewage to remove solids and various biological elements from the sewage prior to discharging the plant's treated effluent, or discharge, water into the Passaic River.

The quality of the treated plant effluent meets or exceeds the effluent water quality limits stipulated in the plant's permit which are defined and monitored by the NJDEP. As part of the wastewater treatment process, sludge is produced which contains pathogens and viruses requiring the sludge to be stabilized prior to removing the sludge from the plant.

This stabilization process occurs within the plant's anaerobic digesters. A byproduct of the anaerobic digestion process is the production of biogas which mostly contains methane, carbon dioxide and traces of other gases including hydrogen sulfide. Methane has a heating value which can be used as fuel to operate fuel burning equipment such as boilers. During periods where biogas consumption is minimal, the Biogas must be wasted via burning through a flare.

The wastewater treatment plant's candle stick flare is located on the roof of the Digester Building, is approximately 40 years old, and has exceeded its useful life. Its current operation is problematic and coupled with its age, requires replacement. Additionally, the flare can no longer ignite the biogas automatically which requires the plant's operators to manually ignite the biogas which poses an unsafe condition. In efforts to prepare to replace the existing flare, our engineer, PS&S, met with the NJDEP Air Permit Division to discuss the upcoming flare replacement project where the DEP expressed their preference to replace the existing candle stick flare with an enclosed waste gas flare. An enclosed waste gas flare will provide greater destruction of the biogas and will be able to satisfy the

flare's air emission requirements set forth by the NJDEP. The enclosed flare system has been installed in various wastewater treatment plant facilities throughout New Jersey and are satisfying their air permit requirements.

Additionally, our engineer, PS&S, informed the Township that current safety regulations require that a flare system must be located a minimum of 50 feet from any digester, requiring that the existing candle stick flare system, which is located on the roof of the Digester Building and adjacent to the anaerobic digesters, must be demolished and removed. In the interim, our engineer is working towards rehabilitating the existing flare in efforts to remove the unsafe manual ignition operation and to eliminate the discharge of hydrogen sulfide gas into the atmosphere which is one of the reasons that has led to odor complaints.

Lastly, the Digester Building is equipped with a hot water boiler system that has the capability to utilize either natural or biogas as fuel. Because of the system's age, the hot water boilers can no longer consume biogas as fuel, and their replacement will be included as part of the waste gas flare replacement project. Providing the boilers with the capability of consuming biogas as fuel will reduce the time frame where excess biogas is wasted through the waste gas flare system.

Because of noted operational safety concerns with the existing candle stick flare system and to address the premature discharge of unburned biogas into the atmosphere, the Township has decided to declare the rehabilitation of the existing candle stick project as an emergency. By doing so, the Township can bypass the New Jersey bid process requirements and purchase all new equipment and goods ***directly from the equipment manufacturer's which can expedite the project.*** Also, given the current supply chain issues which have resulted in larger than usual delivery times, directly purchasing the equipment from the equipment manufacturers will allow for immediate fabrication of the equipment leading to an accelerated delivery schedule. Our attorneys and engineers have reviewed the laws, regulations, and concerns surrounding this matter and determined that our course of action is prudent.

I hope this clarifies why we must hold this emergency meeting and the context under which we are moving forward expeditiously. The health and welfare of our employees and residents must come first.