

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Summary of Minutes**

**Regular Meeting held November 20, 2006**

- Communications  
None.
- Minutes  
Approved the minutes of the Regular Meeting held October 19, 2006.
- Treasurers Reports  
Treasurer's reports for the month of October 2006 were received.
- Interim Executive Director  
Sewer Connections and the status of various contracts.
- Consulting Engineer  
Overview of contracts; flow rights and user charge reports.
- Counsel  
Overview of legal matters.
- Committees  
Reports were made by the Engineering, Finance, and Personnel Committees.
- Unfinished Business  
Action to amend the By-laws.
- New Business  
Approved the following: the 2007 Budget; TWA's for Rahway, Scotch Plains and Woodbridge, and Gift Certificates for employees.
- New Business (Cont'd.)  
Approved the following expenditures: C.O. #5 on Contract #105 to J.H. Reid Construction in an amount of \$206,882.61; Award Contract #0622 to Gary W. Gray Trucking in an amount of \$2,544,856.00; Award Contract #0701 to National Fuel Oil in an amount of \$174,190.00; and Award Contract #0718 to GenServe, Inc. in an amount of \$30,600.00.

- Bills and Claims		
<u>Fund Description</u>	<u>Fund#</u>	<u>Amount</u>
OPERATING FUND	6-01	847,715.58
BUILDING & EQUIP FUND	6-02	5,339,496.57
CONSTRUCTION FUND	6-04	<u>3,079.12</u>
TOTAL ALL FUNDS		6,190,291.27

**RAHWAY VALLEY SEWERAGE AUTHORITY**  
**Regular Meeting Minutes – November 20, 2006**

The Chairman called the meeting to order at 8:00 p.m.

The Chairman read the statement on “Open Public Meetings Law”.

In accordance with the requirements of the Open Public Meeting Act, State of New Jersey, adequate notice of this meeting has been provided by the inclusion of the date, time and place in a Notice which was forwarded to the Star Ledger, the Home News Tribune and was filed with the Clerk of each of the eleven member municipalities on February 14, 2006.

The Chairman asked if any member of the body believed that this meeting was being held in violation of the provisions of the Open Public Meetings Act; to please state their objection and the reasons for same.

Hearing no objections, the Chairman stated we shall proceed with our regularly scheduled meeting.

The Chairman requested that everyone stand to salute the Flag and observe a moment of silence for our servicemen and women overseas.

**Roll Call**

The following members were present:

Charles Lombardo	for the Borough of Garwood
C. Clark Landale	for the Borough of Mountainside
Robert G. Luban	for the Township of Woodbridge
James J. Murphy	for the Township of Cranford
Joan Papen	for the Township of Scotch Plains
Attilio S. Venturo	for the Borough of Roselle Park

The following members were absent:

Rosalie F. Berger	for the Township of Springfield
Allen Chin	for the Town of Westfield
Frank G. Mazzarella	for the Township of Clark
Thomas J. McHale	for the Borough of Kenilworth
James J. Kennedy	for the City of Rahway

The following were also present:

Michael J. Brinker, Jr., P.E.	Interim Executive Director
Robert J. Materna	Secretary-Treasurer
Joanne Grimes	Office Administrator
James Wancho, P.E.	Consulting Engineer
Brian Hak, Esq.	Counsel
James Cassella	Asst. to the Executive Director
Robert Valent	Superintendent
Dan Ward	Maintenance Manager

The following were also present (cont'd.):

Thomas Macaluso	Asst. Laboratory Supervisor
Manny Parada	CCMS
Robert Pennington, PE	Camp, Dresser & McKee

**Communications**

None.

**Approval of Minutes**

Mr. Luban made a motion, seconded by Mr. Lombardo, to approve the minutes of the Regular Meeting held October 19, 2006. The motion was unanimously approved.

Mr. Luban made a motion, seconded by Mr. Lombardo, to approve the minutes of the Special Meeting held November 2, 2006. The motion was unanimously approved.

**Report of Treasurer**

The Treasurer’s Reports for the month of October 2006 have been distributed to the Commissioners for review. A copy will also be attached to the Minutes.

**Report of Interim Executive Director**

**Sewer Treatment Endorsements**

The following is a list of Sewer Treatment Endorsements processed between 10/18/06 and 11/16/06:

<u>Number</u>	<u>Date</u>	<u>Applicant</u>	<u>Municipality</u>
916-06-	10/24/06	VOID	
917-06-WB	10/25/06	Giordhan Patel	Woodbridge
918-06-RW	10/25/06	Gordon Burgess	Rahway
919-06-WB	10/26/06	Barbara Howard	Woodbridge
920-06-SF	10/30/06	Balbina Gernadan	Springfield
921-06-WB	11/01/06	Kimball Bldrs.	Woodbridge
922-06-SF	11/01/06	Jose DaSiva	Springfield
923-06-WB	11/02/06	LV Nails	Woodbridge
924-06-WB	11/03/06	F. Lettini & Sons	Woodbridge
925-06-WB	11/13/06	Zappia Investments	Woodbridge

**Monthly Reports**

The following monthly reports were received and distributed to the Commissioners. Those indicated with an asterisk (\*) were discussed at the Engineering Committee Meeting held November 13, 2006.

PS&S Consulting Engineering \*  
 CCMS - Contract #105 – Cogeneration Facility \*  
 CCMS - Contract #155 – WWTP Upgrade \*  
 CCMS - Contract #156 – Gravity Relief Sewer \*  
 Murray Montgomery & O'Donnell – Monthly  
 RVSA Superintendent – 2006 Summary Operations  
 RVSA IPP Coordinator – IPP Activities for June 2006 \*  
 RVSA Superintendent – Monthly Grievances  
 Payroll & Benefits Admin. – Monthly Overtime

### Mayors Forum

The presentation in draft form was distributed to the Commissioners and various professionals for comment. Based on the comments received, a revised draft has been prepared for final review.

### Contract #0622 – 5 Year Biosolids Hauling and Reuse Contract

Robert Pennington of CDM who attended the Engineering Committee Meeting and is also in attendance tonight, summarized his report which had been previously distributed to the Commissioners. After a lengthy negotiation process with three contractors, CDM is recommending that the contract be awarded to Gary W. Gray and I concur. A resolution is on the agenda under New Business.

### Contract #0704 – Accountant Services for 2007

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, one proposal was received as follows:

Suplee Clooney & Co.	\$21,400.00
Westfield, NJ	

The proposal was forwarded to Counsel for review. Suplee Clooney & Co. is our present consultant for these services. Their fee for 2006 was \$19,950.00; the 2007 fee reflects a 7.27% increase. Based on the quality of services that they have previously provided to the Authority, I recommend awarding the contract to them.

Mr. Ventura stated that the Authority should negotiate the fee with any vendor who increases their fee in excess of 3%. Mr. Ventura stated that we are in hard times right now and we must do everything to keep costs down for the rate payers. He requested that the fee be negotiated and the Commissioners concurred. Mrs. Grimes asked Counsel if this was okay to do as we had received sealed proposals. Counsel advised that it was okay.

Contract #0705 – 2007 Financial Advisory Services

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, one proposal was received as follows:

NW Financial Group, LLC Jersey City, NJ	\$25,000.00 plus 1/10 of 1% on any financing issuances.
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The proposal was forwarded to Counsel for review. NW Financial Group is our present consultant for these services. Their fee for 2006 was \$30,000.00 plus 1/10 of 1% on any financing. The proposed fee for 2007 reflects a 16.7% decrease from the 2006 fee. Based on the quality of services that they have previously provided to the Authority, I recommend awarding the contract to them.

Contract #0706 – 2007 Administration of the Authority's Biosolids Hauling and Reuse Contract

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, one proposal was received as follows:

Camp Dresser & McKee Edison, NJ	\$18,000.00
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The proposal was forwarded to Counsel for review. CDM is our present consultant for these services. Their fee for 2006 was originally \$16,500.00; however, due to the lengthy negotiations on the biosolids contract, the contract amount was amended to \$49,000.00. The fee for 2007 reflects a 9% increase over the original 2006 fee. Based on the quality of services that they have previously provided to the Authority, I recommend awarding the contract to them.

Contract #0707 – 2007 Metering System Sampling, Analysis and Inspection Services

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, one proposal was received as follows:

D2L Associates, Inc. Cedar Grove, NJ	\$29,120.00
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The proposal was forwarded to Counsel for review. D2L is our present consultant for these services. Their fee for 2007 remains unchanged from 2006. Based on the quality of service that they have previously provided to the Authority, I recommend awarding the contract to them.

Contract #0708 – 2007 Laboratory Services (Bioassay, NJPDES, etc.)

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, two proposals were received as follows:

QC Labs Southampton, PA	\$9,620.00
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Cosper Environmental Bohemia, NY	\$34,650.00
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The proposals were forwarded to Counsel for review. Cosper Environmental is our present consultant for these services. Cosper's fee for 2007 reflects a 3.6% increase over their 2006 Contract amount of \$35,200.00; however, QC Labs has proposed a much lower fee which reflects a 72.7% decrease in cost. The qualifications of QC Labs are being verified by the staff and a recommendation is forthcoming.

Contract #0709 – 2007 Laboratory Services (SQAR, NJPDES, etc.)

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, two proposals were received as follows:

QC Labs Southampton, PA	\$36,326.00
Lancaster Laboratories Lancaster, PA	\$61,808.00

The proposals were forwarded to Counsel for review. EMSL is our present consultant, however, they did not respond to the first or second RFP. The 2006 contract amount was \$40,294.50 of which \$28,730.00 has been spent to date. The proposal of QC Labs reflects a 9.8% decrease, whereby the proposal of Lancaster Labs reflects a 53.3% increase over the 2006 contract amount. The qualifications of QC Labs are being verified by the staff and a recommendation is forthcoming.

Contract #0710 – 2007 Engineering Services related to Air Permitting

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, three proposals were received as follows:

Environmental Compliance Associates Basking Ridge, NJ	\$35,470.00
O'Brien & Gere Edison, NJ	\$36,905.00
Birdsall Engineering Eatontown, NJ	\$42,600.00

The proposals were forwarded to Counsel for review. Environmental Compliance Associates is our present consultant for these services. Their fee reflects a 15% decrease from their 2006 Contract amount of \$41,750.00. Based on the quality of services that they have previously provided to the Authority, I recommend awarding the contract to them.

Contract #0712 – 2007 Public Relations Services

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, one proposal was received as follows:

The Spi Group	\$22,280.00
Fairfield, NJ	

The proposal was forwarded to Counsel for review. The Spi Group is our present consultant for these services. Their fees are the same as proposed in 2006; however, the Board awarded their contract with a total not to exceed amount of \$15,000.00 which can be done again for 2007. Based on the quality of services that they have previously provided to the Authority, I recommend awarding the contract to them.

Contract #0713 – 2007 Lobbyist Services

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, one proposal was received as follows:

Murray, Montgomery & O'Donnell	\$10,000.00/Monthly Retainer
Washington, DC	

The proposal was forwarded to Counsel for review. Murray, Montgomery & O'Donnell is our present consultant for these services. Their fees are the same as proposed in 2006. The Commissioners need to weigh the benefits derived versus the amounts spent and then decide if they wish to contract for these services for 2007.

Contract #0714 – 2007 Legal Services on Regulatory Matters

A Request For Proposal was posted on the Authority's website and a copy was sent to our present consultant. On Thursday, November 16, 2006, three proposals were received as follows:

Maraziti, Falcon & Healy	\$61,600.00
Short Hills, NJ	\$175 - \$220/Hourly Rates
Saul Ewing, LLP	\$71,325.00
Princeton, NJ	\$185 - \$350/Hourly Rates
Hall & Associates	\$96,600.00
Washington, DC	\$240 – \$345/Hourly Rates

The proposals were forwarded to Counsel for review. Hall & Associates is our present consultant. They have been providing service to the Authority for the past four years under two contract numbers in an amount of \$305,000.00. To date they have been paid \$300,000.00, of which \$21,275.00 was paid in 2006. Also, Counsel needs to advise if their proposal is in

compliance, specifically related to the Political Contribution Section. Should the Commissioners decide to award to either of the other two proposers, then a transition allowance would also have to be established for Hall & Associates for work on which they are presently spending time.

Contract #0715– 2007 Bond Counsel Services

A Request For Proposal was posted on the Authority’s website and a copy was sent to our present consultant. On Thursday, November 16, 2006, two proposals were received as follows:

McManimon & Scotland Newark, NJ	\$45,000.00+\$1.10/per thousand on bond issuance \$105 - \$315/Hourly Rates * will Contract for combined rate of \$205.
Connell Foley Roseland, NJ	\$150,000.00+\$1.00/per thousand on bond issuance \$215.00/Hourly Rate

The proposals were forwarded to Counsel for review. Connell Foley is our present consultant. Their 2006 contract amount was \$175,000.00; however, only \$18,767.00 was paid to date. Their proposed fee is much higher than that of McManimon & Scotland’s. Additionally, Connell Foley failed to provide the required information on reportable political contributions. Should this be a non-waivable defect, then McManimon & Scotland should be awarded the contract. The difference of fees reflects a potential savings of \$105,000.

\* As the hourly rates for McManimon & Scotland range from \$105 - \$315 per hour, a follow-up telephone call was placed to them with regard to the hourly rate for the attorney who would be working for the Authority, if they were to receive the contract. This will be provided upon receipt.

Contract #0701 – 2007 Furnishing & Delivering Diesel Fuel Oil (1 Year Contract)

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to various companies, posted the notice on the Authority’s website and advertised it in the Star Ledger on October 17, 2006. Two companies picked up Bid Packages and the following bid was received on Tuesday, October 31, 2006:

National Fuel Oil Newark, NJ	\$1.7125/gal. 0.0294/gal. del. cost \$1.7419/gal. del. x 100,000 gal. = Total Est. Contract \$174,190.00
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National Fuel was also the contractor for this service in 2006, at a cost of \$1.7925/gal. + 0.0269/gal. del. = \$1.8194/gallon delivered. While the overall 2007 bid is 4.26% lower, the bid actually reflects a 9.2% increase, as the constant on which the bids are based is the “delivery cost”. The cost per gallon is based on NY Tank Car Price Index on date of actual delivery.



Counsel reviewed the bid and found it to be in order. I recommend award.

Contract #0702 – 2007 Furnish & Deliver Oil & Grease (Drums) (1 Year Contract)

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to various companies, posted the notice on the Authority's website and advertised it in the Star Ledger on October 17, 2006. One company picked up a Bid Package, however, no bids were received. The contract has been readvertised for receipt of bids on November 28, 2006.

Contract #0703 – 2007 Furnish & Deliver Bulk Lubricating Oil (1 Year Contract)

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to various companies, posted the notice on the Authority's website and advertised it in the Star Ledger on October 17, 2006. One company picked up a Bid Package, however, no bids were received. The contract has been readvertised for receipt of bids on November 28, 2006.

Contract #0718 – 2007 Engine Preventative Maintenance & Repair (1 Year Contract)

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to various companies, posted it on the Authority's website and advertised it in the Star Ledger on October 17, 2006. One company picked up a Bid Package and the following bid was received on Tuesday, October 31, 2006:

GenServe, Inc.	\$30,600.00
Bay Shore, NY	

GenServe was also the contractor for this service in 2006. In the current bid, GenServe's price for "monthly" procedures remains unchanged, however, the price for "quarterly" procedures increased from \$1,700 to \$2,700 per procedure. Their price for unscheduled man hours also remains unchanged.

Counsel reviewed the bid and found it to be in order. I recommend award.

Treatment Works Connection Endorsement – Rahway

A Treatment Works Connection Endorsement Application was submitted by Bohler Engineering for Renaissance of Rahway, LLC, for the connection of an 8" sewer to serve 72 residential condominiums (8 1-Bedroom and 64 2-Bedroom Units), located at the intersection of East Grand Avenue, Montgomery & Monroe Streets in the City of Rahway. This connection will generate approximately 15,600 gpd of new flow. I reviewed the application and the performance of the plant for the last 90 days, and I recommend approval.

Treatment Works Connection Endorsement – Scotch Plains

A Treatment Works Connection Endorsement Application was submitted by EKA Associates for

Messercola Brothers Building Co., for the construction of a 300 lf. sanitary sewer extension to service two new single family homes to be located on Martine Avenue in the Township of Scotch Plains. This connection will generate approximately 600 gpd of new flow. I reviewed the application and the performance of the plant for the last 90 days, and I recommend approval.

#### Treatment Works Connection Endorsement – Woodbridge

A Treatment Works Connection Endorsement Application was submitted by Menlo Engineering Associates, Inc. for Metro Park Associates, for the relocation of 336 ft. of 6” force main and construction of a 400 lf 1-1/2” force main and pump station to provide service to a new hotel and an existing office building on Wood Avenue South in the Township of Woodbridge. This connection will generate approximately 11,025 gpd of new flow. I reviewed the application and the performance of the plant for the last 90 days, and I recommend approval.

#### Sale of 2001 Ford Crown Victoria

No bids were received for the car as advertised. Several people came to look at the car. One individual has expressed interest; however, he indicated that the price is too high. If the Commissioners concur, we will re-advertise and lower the minimum bid from \$5,000 to \$4,000.

#### **Report of Consulting Engineer**

The following report to the Authority Board summarizes our activities for the period of October 14, 2006 through November 15, 2006.

#### JCO Compliance

During the previous period PS&S issued the Annual I/I report to the NJDEP. The I/I Report submittal lacked information from several of the member municipalities. PS&S has received information from two of the three municipalities and transmitted the information to the NJDEP on November 8th. PS&S also worked on and finalized the third quarter report, which was submitted on time to the NJDEP on October 30, 2006.

#### Laboratory Renovation-Contract #145

PS&S is currently working with the contractor to close out the project including the implementation of a contract credit covering the settlement amount.

#### Administrative Appeals Re: Air Quality and TWA Permits

PS&S continues to coordinate activities with General Counsel and Special Counsel, Hall & Associates.

#### Trunk Sewer Rehabilitation - Contract #144

PS&S issued the Notice of Award to Marvec and received the submittal of contract

documentation and the signed contracts. The documents were reviewed by General Counsel and PS&S. General Counsel found several issues with the submitted insurance certificate. A re-submittal by the Contractor still included some of the deficiencies identified by General Counsel and therefore PS&S sent a letter requiring a satisfactory insurance certificate by Monday October 16. It appears that all the issues with the insurance certificate have been worked out but we are awaiting a formal re-submittal of the complete insurance certificate. If an acceptable insurance certificate is submitted the Contracts will require signature by the Board and then PS&S will set up a pre-construction meeting to kick-off construction activities.

#### Wastewater Management Planning

PS&S continues to provide assistance related to the Wastewater Management Plan (WMP), including issues related to the adoption by the NJDEP of the mapping and facilities table, and the revision of mapping based on previous amendments that were implemented by NJDEP pursuant to approved TWA permits endorsed by the Authority. PS&S was requested to contact EKA Associates regarding several WMP Amendment requests related to the RVSA WMP document that they have been pursuing. Based on direction EKA received from the NJDEP, the RVSA WMP service area map needed to be updated. PS&S contacted the NJDEP to determine what their requirements were and are currently updating the mapping.

#### Cogeneration Funding

PS&S continues to track the status of the BPU Office of Clean Energy Renewable Energy Advanced Power Program grant application and have been responding to NJBPU questions. PS&S has conducted several conference calls with the representatives of NJBPU to discuss their latest request for information. In response, PS&S has provided updated project costs and has developed a revised economic spreadsheet based solely on digester gas. The NJBPU responded, requesting a meeting to discuss the grant award amount. The meeting with NJBPU took place on Wednesday November 15th. PS&S learned that based on their independent review of the project economics the project payback was such that they could not grant the full 20% award. After responding to several inquiries regarding the project a verbal commitment of \$500,000 was discussed. PS&S must respond to several information requests with the intent of finalizing the application for approval at their December 20th Board meeting.

#### Cogeneration Facility 4th Engine Design/Permitting

PS&S has received the final draft permit which started the public comment period of the permit. PS&S will review the permit and coordinate any comments with the Authority.

#### Digester Brick Replacement-Contract #157

PS&S has completed the design drawings and the specifications for the project. Copies of the drawings were sent to the Interim Executive Director for review and the resulting comments were incorporated. The "front end" was sent to General Counsel for review and PS&S has incorporated the resulting comments. PS&S will issue the documents for bid in November or December so that receipt of bids and the issuance of a Notice to Proceed will occur when the

weather is better suited to this type of construction.

#### General Consulting

PS&S worked with RVSA staff to prepare an application to the USEPA for reimbursement of approved grant money. A formal response was received by the Authority, from the USEPA, requesting additional documents as part of the approval process. PS&S continues to assist the Authority as required.

PS&S was requested by the Interim Executive Director to assist with a structural evaluation of the Sludge Dewatering Facility to prepare for installation of new Centrisys centrifuges. PS&S continues to assist the Authority as needed.

PS&S was requested to provide assistance with the presentation for the Mayors Forum and is currently assisting the Interim Executive Director with this effort.

#### User Charge and Flow Rights Reports

The Authority and PS&S have been following up on issues related to the user charge reports to determine if some recent trends in the data are valid. Based on a review of the data tabulation methodology and a review of the data, no errors could be found and therefore, the October User Charge and Flow Rights reports, covering September 2006, were finalized and submitted. November reports covering October 2006 have also been finalized and submitted.

#### Report of Counsel

Counsel apologized for not having his report available in time for distribution with the meeting folders. He noted however, that he has been involved with the following matters during the past month:

Regarding Contracts #155 and #156, insurance policies that we are monitoring are still current.

Regarding the Treatment Works Approval Appeal, last month the Board adopted a resolution authorizing the execution of a Stipulation Settlement, which has been signed and entered into the court.

Regarding Methane Gas from the City of Linden landfill. We had a conference call between my office, RVSA staff, RVSA's Consulting Engineer and City of Linden Officials. We are waiting for the City to get back to us with more information; at that time we will have a recommendation for the Board.

With regard to the RFP's, bids and the Biosolids contract which was negotiated, we have reviewed these matters and made our recommendation to the Interim Executive Director.

The last item is the Privatization / Contract Operations presentation. We met this afternoon with RVSA staff and various consultants to go over the final presentation for the Mayors Forum being

held on November 30<sup>th</sup>.

**Committee Reports**

The Chairman asked if there were reports from any of the following Committees:

Engineering Committee (Frank Mazzarella, Chairman)

Mr. Murphy stated that since none of the Engineering Committee Members were present, he would give their Report. He stated that an Engineering Committee Meeting was held on November 13, 2006 at which time several items were discussed. Items which require action are on the agenda under New Business.

Finance Committee (Charles Lombardo, Chairman)

Mr. Lombardo stated that a Finance Committee Meetings were held November 13, 2006 and earlier this evening. At the November 13<sup>th</sup> meeting, the proposed 2007 Budget was discussed and earlier this evening the Bills and Claims were reviewed. Both items are on the agenda for action later in the meeting.

Personnel Committee (Robert G. Luban, Chairman)

Mr. Luban stated that a Personnel Committee Meeting will be held in December and that a copy of the complete agenda will be sent to the Commissioners in advance of the meeting.

Commissioner Handbook Committee (Thomas J. McHale, Chairman)

No report.

Computer Committee (C. Clark Landale, Chairman)

No report.

Insurance Review Committee (Allen Chin, Chairman)

No report.

Legal Committee (Joan Papen, Chairwoman)

Mrs. Papen stated that a Legal Committee Meeting will be held in December prior to the Regular Meeting.

Nominating Committee (Robert G. Luban, Chairman)

No report.

Public Relations Committee (Joan Papen, Chairwoman)

No report.

Retreat Committee (Allen Chin, Chairman)

No report.

Search Committee (Allen Chin, Chairman)

No report.

Security Committee (James J. Kennedy, Chairman)

No report.

**Open the floor to the Public for questions or comments**

No one addressed the Board.

**Unfinished Business**

Mrs. Papen stated that an amendment to the By-Laws was approved on first reading at the October meeting, however, the Commissioners wish to make a change to the amendment, and therefore, she is again offering the amendment to the By-Laws on first reading for approval.

The following Resolution #06-50 was offered by Mrs. Papen, on motion of Mrs. Papen, seconded by Mr. Lombardo, and unanimously approved.

RESOLUTION #06-50

First Reading

WHEREAS, the Rahway Valley Sewerage Authority (the Authority) was established by an agreement dated August 8, 1951 which was subsequently Revised by an agreement dated January 11, 1995; and

WHEREAS, said Agreement allows the Authority to amend said By-Laws by introducing a prepared amendment at a regular meeting and voting upon said amendment at the next regular meeting and requires a two-thirds vote of the entire membership to pass said amendment; and

WHEREAS, the Authority desires to amend the current By-laws as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the By-Laws be and are hereby amended as follows:

Article 9. shall be amended to add the following:

“All Commissioners in attendance at any Committee Meeting may participate in the discussion of any item, however, only committee members vote on recommendations to be made to the full Board of Commissioners. The Committee Chairperson may ask for a general consensus from all Commissioners in attendance. Recommendations from all Committees are to be made at the Regular Public Meeting of the Authority for discussion and vote by all Commissioners.

Article 10. shall read as follows:

“The parliamentary authority adopted by this body shall be “Roberts Rules Of Order” (latest edition).”

### **New Business**

The following Resolution #06-52 was offered by Mr. Lombardo, on motion of Mr. Lombardo, and seconded by Mrs. Papen.

#### **RESOLUTION #06-52**

#### **RAHWAY VALLEY SEWERAGE AUTHORITY**

**FISCAL YEAR: From January 1, 2007 To December 31, 2007**

WHEREAS, the Annual Budget and Capital Budget for the Rahway Valley Sewerage Authority (“Authority”) for the fiscal year beginning January 1, 2007 and ending December 31, 2007 has been presented before the governing body of the Rahway Valley Sewerage Authority at its open public meeting of November 20, 2006; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$18,393,000.00, Total Appropriations including any Accumulated Deficit if any, of \$18,393,000.00 and Total Unreserved Retained Earnings utilized of \$-; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$44,800,000.00 and Total Unreserved Retained Earnings planned to be utilized as funding thereof, of \$ - ; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulations or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority’s planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided

by law.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Rahway Valley Sewerage Authority, at a open public meeting held on November 20, 2006, that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Rahway Valley Sewerage Authority for the fiscal year beginning January 1, 2007 and ending December 31, 2007 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Rahway Valley Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 21, 2006.

The Chairman requested a roll call vote be taken.

AYES

Cranford  
Garwood  
Mountainside  
Woodbridge  
Scotch Plains

NAYS

ABSTAIN

Roselle Park

ABSENT

Clark  
Kenilworth  
Rahway  
Springfield  
Westfield

As the vote was five to one, the motion passed.

Resolutions #06-53, #06-54, #06-55, #06-57, #06-58, #06-59, #06-60, #06-61 and, #06-62 were withdrawn from the agenda.

Mr. Luban made a motion, seconded by Mrs. Papen, to approve Change Order #5 on Contract #105 to J.H. Reid of South Plainfield, NJ, in an increased amount of \$206,882.61 for Electric Service for Overhead Doors, additional lighting at Dewatering Bldg., Fenwal Explosion Mitigation, roof breeching changes and gas blending flash file, total amended contract amount of \$21,515,327.61, as recommended by the Engineering Committee. The motion was unanimously approved with the exception of Messer's Venturo and Landale who voted against.

The following Resolution #06-56 was offered by Mr. Luban, on motion of Mr. Luban, seconded by Mrs. Papen, and unanimously approved.



RESOLUTION #06-56

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received proposals for Contract #0622 – Five Year Contract for the Hauling and Reuse of Biosolids; and

WHEREAS, after the receipt of proposals, the Authority entered into negotiations with three of the vendors who submitted proposals; and

WHEREAS, after lengthy negotiations, the Authority's consultant Camp, Dresser & McKee (CDM) who provides Contract Oversight Services to the Authority on its Biosolids contracts has made a recommendation that Contract #0622 be awarded to Gary W. Gray Trucking, Inc. of Delaware, NJ, and

WHEREAS, this recommendation is made in a report provided by CDM dated November 10, 2006, and specifically summarized on Attachment I – Table 1 of that report.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority hereby awards Contract #0622 to Gary W. Gray Trucking, Inc. in an estimated amount of \$2,544,856.00 as summarized on Attachment I – Table 1 of the CDM report, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED that the contract being awarded is for a five year period commencing on January 1, 2007; and

BE IT FURTHER RESOLVED that said Contract must be executed by both parties within 90 days of award, in the event that the designated Party to this contract fails or refuses to sign said contract and all terms and conditions included therein, this Resolution shall be void and services shall be forthwith terminated; and

BE IT FURTHER RESOLVED that a "Notice of Award" be published in Accordance with law.

Mr. Luban made a motion, seconded by Mrs. Papen, to award Contract #0701 – 2007 Furnishing and Delivering Diesel Fuel Oil for a one year period to National Fuel Oil of Newark, NJ, with a delivery cost of \$0.0294/per gal., total estimated contract amount of \$174,190.00, as recommended by the Engineering Committee. The motion was unanimously approved.

Mr. Luban made a motion, seconded by Mr. Lombardo, to award Contract #0718 – 2007 Engine Preventative Maintenance & Repair Service to the sole bidder, GenServe, Inc. of Bay Shore, NY, in a total estimated amount of \$30,600.00, as recommended by the Engineering Committee. The motion was unanimously approved.

The following Resolution #06-63 was offered by Mrs. Papen, on motion of Mrs. Papen, seconded by Mr. Lombardo, and unanimously approved.

RESOLUTION #06-63

WHEREAS, the Township of Scotch Plains has filed an application for a Treatment Works Application on behalf EKA Associates for Messercola Brothers Building Co., for property located on Martine Avenue in the Township of Scotch Plains, State of New Jersey; and

WHEREAS, the application is for the construction of a 300 lf. Sanitary sewer extension to service two new single family homes with a proposed additional flow of 600 gpd; and

WHEREAS, the flow from foregoing will not cause the Authority to exceed its permitted flow of 40 mgd; and

WHEREAS, the application has been reviewed by Michael J. Brinker, Jr., P.E., Interim Executive Director/Chief Engineer, and found to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it does hereby accept and approve the aforesaid application.

The following Resolution #06-64 was offered by Mr. Luban, on motion of Mr. Luban, seconded by Mr. Lombardo, and unanimously approved.

RESOLUTION #06-64

WHEREAS, the Township of Woodbridge has filed an application for a Treatment Works Application on behalf Menlo Engineering Associates, Inc. for Metro Park Associates for property located on Wood Avenue South in the Township of Woodbridge, State of New Jersey; and

WHEREAS, the application is for the construction of 400 lf 1-1/2" force main and pump station to provide service to a new hotel and an existing office building with proposed additional flow of 11,025 gpd; and

WHEREAS, the flow from foregoing will not cause the Authority to exceed its permitted flow of 40 mgd; and

WHEREAS, the application has been reviewed by Michael J. Brinker, Jr., P.E., Interim Executive Director/Chief Engineer, and found to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it does hereby accept and approve the aforesaid application.

Mr. Luban made a motion, seconded by Mr. Lombardo, approving the purchase of 62 \$30.00 Holiday Gift Certificates from Supermarkets General, one to be given to each employee from the Commissioners, as recommended by the Personnel Committee. The motion was unanimously

approved.

The following Resolution #06-65 was offered by Mr. Luban, on motion of Mr. Luban, seconded by Mrs. Papen, and unanimously approved.

RESOLUTION #06-65

WHEREAS, the City of Rahway has filed an application for a Treatment Works Application on behalf Bohler Engineering for Renaissance of Rahway, LLC, for property located at the intersection of East Grand Avenue, Montgomery & Monroe Streets in the City of Rahway, State of New Jersey; and

WHEREAS, the application is for the connection of an 8” sewer to serve 72 residential condominiums (8 1-Bedroom and 64 2-Bedroom Units) with proposed additional flow of 15,600 gpd; and

WHEREAS, the flow from foregoing will not cause the Authority to exceed its permitted flow of 40 mgd; and

WHEREAS, the application has been reviewed by Michael J. Brinker, Jr., P.E., Interim Executive Director/Chief Engineer, and found to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it does hereby accept and approve the aforesaid application.

Mrs. Papen requested that the December Regular Meeting be rescheduled to Thursday, December 7, 2006, and asked for the Commissioners concurrence. No one had any problems with the revised date and therefore, Mrs. Grimes said she would advertise the meeting schedule accordingly. A special meeting will be held on December 21, 2006 via telephone conference to approve the December Bills & Claims and any other matters that need to be addressed that miss the December 7<sup>th</sup> agenda.

**Bills and Claims**

Mrs. Lombardo made a motion, seconded by Mrs. Papen, that the following bills and claims previously audited by the Finance Committee be ordered paid. The motion was unanimously approved.

**BUILDING & EQUIPMENT FUND**

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
2182	10/26/06	CITY OF RAHWAY	140.8	3,000.00
2183	11/20/06	ARGENT ASSOCIATES LLC	140.2/7/8	3,307.00
2184	11/20/06	CONSOLIDATED CONSTRUCTION MGT.	140.2/7/8	295,113.22
2185	11/20/06	EE CRUZ COMPANY INC.	140.7	4,670,499.23
2186	11/20/06	J.H. REID, GENERAL CONTRACTOR	140.2	340,459.68
2187	11/20/06	PAULUS, SOKOLOWSKI & SARTOR, LLC	140.1/2/7	27,117.44

**Total Checks: 6**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$5,339,496.57**

**CONSTRUCTION FUND**

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
1154	11/20/06	PAULUS, SOKOLOWSKI & SARTOR, LLC	140.4	3,079.12

**Total Checks: 1**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$3,079.12**

**OPERATING FUND**

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
32551	10/26/06	CANON FINANCIAL SERVICES, INC.	16	953.20
32552	10/26/06	COGENT COMMUNICATIONS, INC.	27	674.00
32553	10/26/06	ECHO LAKE COUNTRY CLUB	49	780.00
32554	10/26/06	ELIZABETHTOWN GAS	22	527.58
32555	10/26/06	ELIZABETHTOWN GAS	22	8,169.25
32556	10/26/06	TREASURER - STATE OF NJ	37	63.00
32557	10/26/06	ZURICH NORTH AMERICA	17	1,540.00
32558	10/31/06	ADP, INC.	03	167.54
32559	10/31/06	BJ'S WHOLESALE CLUB	52	80.00
32560	10/31/06	DELTA DENTAL PLAN OF NJ	03	5,672.39
32561	10/31/06	POLAND SPRING WATER COMPANY	46	185.14
32562	10/31/06	PSE&G	19	16,177.29
32563	10/31/06	STANDARD INSURANCE COMPANY	17	2,195.25
32564	10/31/06	UNITED PARCEL SERVICE	48	52.47
32565	10/31/06	VERIZON	11/30	350.94
32566	10/31/06	VERIZON WIRELESS	11	432.51
32567	10/31/06	VISION SERVICE PLAN	03	1,172.08
32568	10/31/06	PURCHASE POWER	48	2,058.98
32569	10/31/06	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	176,266.08
32570	10/31/06	STAPLES BUSINESS ADVANTAGE	13	405.54
32571	11/17/06	HOME DEPOT CREDIT SERVICES	32	377.76
32572	11/17/06	ROBERT POLTZ	11	26.99
32573	11/17/06	ROBERT SAFCHINSKY	32	144.55
32574	11/17/06	ROBERT VALENT	31	243.00
32575	11/20/06	A TOUCH OF ITALY	49	94.00
32576	11/20/06	ACCESS SYSTEMS INTEGRATION, LLC	32	329.00
32577	11/20/06	ADP, INC.	16	1,845.45
32578	11/20/06	ADVANCED SPECIALTY SALES, INC.	31/32	2,073.83
32579	11/20/06	ADVANTECH CORPORATION	32	1,034.37
32580	11/20/06	AIRGAS SAFETY, INC.	31	860.05
32581	11/20/06	ALL AMERICAN SEWER SERVICE, INC.	21/47	5,346.00
32582	11/20/06	AMERICAN INDUSTRIAL SUPPLY CORP.	38	4,227.96
32583	11/20/06	AMERICAN WEAR UNIFORMS	32	999.25
32584	11/20/06	AMQUIP	32	2,660.00
32585	11/20/06	ARCH WIRELESS	11	11.36

32586	11/20/06	ASSOCIATED AUTO PARTS	38/44	118.88
32587	11/20/06	ASSOCIATION OF ENVIRONMENTAL AUTH.	31	3,110.00
32588	11/20/06	BARTELL FARM & GARDEN SUPPLY	40	50.00
32589	11/20/06	BOWCO LABORATORIES, INC.	47	63.00
32590	11/20/06	CARUS CHEMICAL	32	2,388.69
32591	11/20/06	CDW GOVERNMENT, INC.	27	435.88
32592	11/20/06	CERTIFIED SAFETY VALVE REPAIR	32	400.00
32593	11/20/06	CHARLES F. CONNOLLY DIST. CO.	32/38	406.36
32594	11/20/06	CITY OF RAHWAY	33	6,136.73
32595	11/20/06	COGENT COMMUNICATIONS, INC.	27	674.00
32596	11/20/06	COMPUSA	27	113.68
32597	11/20/06	CONNELL FOLEY LLP	09	1,249.97
32598	11/20/06	CONSOLIDATED STEEL AND FENCE	32	24,644.00
32599	11/20/06	CSL SERVICES, INC.	30	14,175.00
32600	11/20/06	D2L ASSOCIATES, INC.	42	2,240.00
32601	11/20/06	DUNFORD REFRIGERATION, HEATING	43	405.00
32602	11/20/06	DYNAFLOW ENGINEERING	32	801.00
32603	11/20/06	EASTERN SHEET METAL & PLATE	38	882.08
32604	11/20/06	EDMUNDS & ASSOCIATES, INC.	27	4,995.00
32605	11/20/06	ELECTRONIC DRIVES & CONTROLS	47	914.15
32606	11/20/06	ELIZABETHTOWN GAS	22	1,845.29
32607	11/20/06	EMSL ANALYTICAL INC.	41	2,664.50
32608	11/20/06	ENVIRONMENTAL COMPLIANCE	41	8,241.10
32609	11/20/06	ENVIRONMENTAL RESOURCE ASSOCIATES	40	1,107.20
32610	11/20/06	FISHER SCIENTIFIC	32/40	5,744.93
32611	11/20/06	FLEXLINE	32	1,157.26
32612	11/20/06	FLUID DYNAMICS INC.	38	1,084.25
32613	11/20/06	GALETON GLOVES	32	294.55
32614	11/20/06	ANTHONY GENCARELLI	15	23.00
32615	11/20/06	W.W. GRAINGER, INC.	32/40	1,336.50
32616	11/20/06	GARY W. GRAY TRUCKING, INC.	26	8,375.34
32617	11/20/06	GREAT LAKES ENVIRONMENTAL	41	308.88
32618	11/20/06	HACH COMPANY	40/43	1,854.55
32619	11/20/06	HI-BRETT PURATEX	32	639.00
32620	11/20/06	INDUSTRIAL CONTRACTING & RIGGING	47	7,875.00
32621	11/20/06	INDUSTRIAL RUBBER COMPANY	32	739.00
32622	11/20/06	STEPHEN ISSARDIN	31	50.00
32623	11/20/06	JACOBSON DISTRIBUTING COMPANY	43	638.00
32624	11/20/06	JERSEY ELEVATOR COMPANY INC.	32/38	2,733.81
32625	11/20/06	JHL SUPPLY	41	397.80
32626	11/20/06	EDWARD KOCHICK	15	16.72
32627	11/20/06	THE LEE CO.	38	295.08
32628	11/20/06	THOMAS MACALUSO	15	141.41
32629	11/20/06	MAFFEY'S SECURITY GROUP	32	109.25
32630	11/20/06	MAGELLAN BEHAVIORAL HEALTH, INC.	03	550.83
32631	11/20/06	MAINTENANCE TROUBLESHOOTING	31	564.90
32632	11/20/06	GARY A. MARANO	31	40.01
32633	11/20/06	MARIBELL ASSOCIATES, INC.	31	708.00
32634	11/20/06	MAX L. BROWN HARDWARE CO., INC	32/38	152.60
32635	11/20/06	MCMASTER-CARR SUPPLY CO.	27/32/38	502.17
32636	11/20/06	MECHANICAL SERVICE CORP.	16	1,670.00
32637	11/20/06	MERCHANTS OF VENICE	49	74.90

32638	11/20/06	METRO HYDRAULIC JACK CO.	32/38	1,366.80
32639	11/20/06	MILLER ENERGY INC.	38	343.38
32640	11/20/06	MODERN HANDLING EQUIPMENT OF NJ	38	211.25
32641	11/20/06	MULTI-CARE HEALTH CENTER	52	100.00
32642	11/20/06	MURRAY, MONTGOMERY & O'DONNELL	09	20,000.00
32643	11/20/06	NATIONAL ASSOCIATION OF	52	10,087.00
32644	11/20/06	NATIONAL FUEL OIL, INC.	20	34,912.40
32645	11/20/06	NEW PIG CORPORATION	32	80.44
32646	11/20/06	NJ MANUFACTURERS INSURANCE CO.	17	3,440.70
32647	11/20/06	NJ MOTOR VEHICLE COMMISSION	44	151.00
32648	11/20/06	TREASURER - STATE OF NJ	37	10.00
32649	11/20/06	NW FINANCIAL GROUP	08	297.50
32650	11/20/06	O'JOHNNIES, INC.	13	230.18
32651	11/20/06	ONE CALL SYSTEMS, INC.	32	91.50
32652	11/20/06	OUTSTANDING SERVICE CO., INC.	32	639.80
32653	11/20/06	PAULUS, SOKOLOWSKI & SARTOR, LLC	05/06	5,917.50
32654	11/20/06	POLYDYNE INC.	23	20,240.00
32655	11/20/06	PRECISION ELECTRIC MOTOR WORKS	38	5,347.19
32656	11/20/06	PSE&G	19	337.60
32657	11/20/06	R&C VALVE REPAIR, INC.	38	2,102.00
32658	11/20/06	RAHWAY VALLEY SEWERAGE AUTH.	01/02	174,688.50
32659	11/20/06	RELIABLE ELECTRIC MOTOR REPAIR	32/38	1,630.15
32660	11/20/06	RELIANT ENERGY SOLUTIONS	19	36,785.26
32661	11/20/06	MICHAEL ROGERS, SR.	31	50.00
32662	11/20/06	PETTY CASH	14	186.83
32663	11/20/06	SAFETY-KLEEN CORP.	32	427.42
32664	11/20/06	ANDREW SASSO	15	108.33
32665	11/20/06	SHALLCROSS BOLT & SPECIALTIES	38	67.70
32666	11/20/06	SPECTRASERV INC.	25	78,614.08
32667	11/20/06	STAR LEDGER	12	523.20
32668	11/20/06	MAHENDRA SURUJNATH	31	149.98
32669	11/20/06	THE SPI GROUP, LLC	27	200.00
32670	11/20/06	TURTLE & HUGHES INC.	38	3,380.93
32671	11/20/06	UNITED PARCEL SERVICE	48	37.66
32672	11/20/06	UNIVAR USA INC.	29	32,554.50
32673	11/20/06	US FILTER SIEMENS WATER TECHNOLOGIES	40	530.00
32674	11/20/06	USA BLUEBOOK	43	654.49
32675	11/20/06	VAN HOUTEN-AVENEL PLUMBING & HEATING	32	256.90
32676	11/20/06	WEINER LESNIAK	07/08	53,391.65
32677	11/20/06	WELCO GAS TECHNOLOGIES	32	261.99
32678	11/20/06	921-WELCO-CGI GAS TECH LLC	32/40	286.68
32679	11/20/06	WOODRUFF ENERGY	22	2,687.03

**Total Checks: 129**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$847,715.58**

**Total Checks: 136**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$6,190,291.27**

FUND DESCRIPTION	FUND #	AMOUNT
OPERATING FUND	6-01	847,715.58
BUILDING & EQUIP FUND	6-02	5,339,496.57
CONSTRUCTION FUND	6-04	3,079.12
TOTAL ALL FUNDS:		6,190,291.27

### **Closed Session**

Mrs. Papen made a motion to go into closed session at this time, 8:42 p.m. to discuss matters related to pending and/or anticipated litigation based on Attorney/Client privilege. The motion was seconded by Mr. Lombardo and unanimously approved.

Mr. Lombardo made a motion to return to the regular order of business at this time, 9:17 p.m. The motion was seconded by Mrs. Papen and unanimously approved.

### **Adjournment**

As there was no further business, on motion of Mr. Luban, seconded by Mrs. Papen, the meeting adjourned at 9:18 p.m. The motion was unanimously approved.

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Robert J. Materna, Secretary-Treasurer

/jg

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