

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes

Regular Meeting held February 15, 2007

- Annual Reorganization
Election of Officers

- Minutes
Approved the minutes of the Regular Meeting held January 18, 2007.

- Communications
Letter from NJWEA regarding RVSA employee Jean Manigold
Letters from Anthony Gencarelli to each member municipality
Letter from the Township of Clark.

- Treasurers Reports
Treasurer's reports for the month of December 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 Nominating Committees and the committee appointments for 2007 were made.

- Unfinished Business
None.

- New Business
Approved the following: Treatment Works Application for the Township of Springfield.

- New Business (Cont'd.)
Approved the following expenditures: Award of Contract #0713 to Murray, Montgomery & O'Donnell in an amount of \$110,000.00; Award Contract #0722 – NJHDG to Metcalf & Eddy in an amount of \$20,209.60; and Award Contract #0723 – NJHDG to Aquatic Sciences Consulting in an amount of \$14,853.00.

RVSA Summary of Minutes (Cont'd.)
February 15, 2007

	<u>Fund#</u>	<u>Amount</u>
- Bills and Claims		
<u>Fund Description</u>		
Operating Fund	6-01	\$ 58,235.78
Building & Equipment Fund	6-02	<u>1,263.81</u>
Budget Year 2006 Totals		159,499.59
Operating Fund	7-01	830,487.76
Building & Equipment Fund	7-02	<u>3,980,175.39</u>
Budget Year 2007 Totals:		<u>4,810,663.15</u>
Total Of All Funds:		\$4,970,162.74

RAHWAY VALLEY SEWERAGE AUTHORITY

Regular Meeting Minutes – February 15, 2007

The Chairman called the meeting to order at 7:30 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 6, 2007.

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:

Rosalie F. Berger	for the Township of Springfield
Allen Chin	for the Town of Westfield
Charles Lombardo	for the Borough of Garwood
C. Clark Landale	for the Borough of Mountainside
Frank G. Mazzarella	for the Township of Clark
Thomas J. McHale	for the Borough of Kenilworth
James J. Murphy	for the Township of Cranford
Joan Papen	for the Township of Scotch Plains
Attilio S. Ventura	for the Borough of Roselle Park

The following members were absent:

Robert G. Luban	for the Township of Woodbridge
Peter H. Pelissier	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

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

James Cassella	Asst. to the Executive Director
Wayne Baker	Westfield Leader Newspaper
Frank Capece	for the Township of Winfield

Election of Officers

Mr. Murphy asked the Secretary to conduct the election for Chairman for the year ending February 21, 2008.

Mr. Materna asked the Nominating Committee for their recommendation for the Office of Chairman for the year ending February 21, 2008.

Mr. Venturo was nominated by Mr. Lombardo and seconded by Mr. Chin.

Mr. Materna asked if there were any other nominations.

There were none. Mr. Materna then stated that there being no further nominations, he asked for a motion to close the nominations.

Mrs. Papen made a motion, seconded by Mr. Chin that the nominations be closed.

Mr. Materna then stated that as the Secretary, he cast a ballot for the election of Mr. Venturo as Chairman.

The motion was unanimously approved and the Chairman stated "So ordered".

Mr. Materna declared Mr. Venturo as the duly elected Chairman for the year ending February 21, 2008.

The newly elected Chairman, Mr. Venturo, assumed the role of Chairman.

The Chairman, Mr. Venturo, asked the Secretary to conduct the election for Vice-Chairman for the year ending February 21, 2008.

Mr. Materna asked the Nominating Committee for their recommendation for the Office of Vice-Chairman for the year ending February 21, 2008.

Mr. McHale was nominated by Mr. Lombardo and seconded by Mr. Chin.

Mr. Materna asks if there were any other nominations.

There were none. Mr. Materna then stated that there being no further nominations, he asked for a motion to close the nominations.

Mr. Chin made a motion, seconded by Mrs. Papen, that the nominations be closed.

Mr. Materna then stated that he cast a ballot for the election of Mr. McHale as Vice-Chairman.

The motion was unanimously approved and the Chairman stated "So ordered".

Mr. Materna declared Mr. McHale as the duly elected Vice-Chairman for the year ending February 21, 2008.

The newly elected Chairman, Mr. Venturo, made a presentation to the out-going Chairman, Mr. Murphy. Mr. Venturo thanked Mr. Murphy for the excellent job and noted that he handled his role as Chairman very well. Mr. Venturo then presented him with a plaque.

Mr. Murphy thanked the Commissioners for working with him during his term and wished Mr. Venturo luck during his term as Chairman.

Communications

The following letter dated January 31, 2007, addressed to Jean A. Manigold, RVSA Laboratory Supervisor, was received from Ray Nierstedt, Awards Committee Member of the New Jersey Water Environment Association (NJWEA):

"The state awards committee presented your name to the Executive Committee of the NJWEA for approval regarding the Laboratory Analyst Excellence Award. I am pleased to advise you that the Executive Committee has approved your name for this award which recognizes a member for service rendered to the NJWEA and WEF. The awards committee congratulates you on being approved for this award.

The Laboratory Analyst Excellence Award will be presented to you at the Presidents Luncheon held at the annual conference in May in Atlantic City. We will be advising you of the date and time of the luncheon and presentation. In addition, an awards booklet is prepared for which we request that you prepare a personal profile and individual photo for introduction into this booklet if you have not already done so. Please send to Mr. Jack Lagrosa at PO Box 1212, Fair Lawn, NJ 07410, as soon as possible.

The awards committee wishes to congratulate you and we look forward to seeing you at the award presentation."

Anthony Gencarelli, RVSA Manager of Regulatory Compliance sent letters to all member municipalities on January 25, 2007, regarding the "Updating of Sanitary Sewer Maps and User Charge Assessment Methodology Study". The following letter was sent to the municipalities of Clark, Scotch Plains, Springfield and Westfield:

"Thank you for your January 5, 2007 response to my request for updated sanitary sewer maps. Based on the information you forwarded to my attention, there does not appear to be any changes since 1981 regarding sewers from adjacent municipalities that are

tributary to your system and areas of your community that are tributary to a neighboring municipality's system.

Also, please be advised that the Rahway Valley Sewerage Authority will be issuing a Request for Proposals for a User Charge Assessment Methodology Study within the next week or so. Proposals will be received around the end of February. Consultants may contact your office or the Township regarding the availability of certain documents and information needed to perform this study. Your cooperation with those consultants would be very much appreciated.

If you have any questions or would like to discuss this matter, please call me at 732-388-0868, extension 211."

and the following letter was sent to the municipalities of Cranford, Garwood, Kenilworth, Mountainside, Rahway and Roselle Park:

"I am writing as a follow-up to my December 13, 2006 letter to your attention. In that letter we requested recent information on (name of municipality)'s municipal sanitary sewer system.

In particular we are interested in any municipal sewers that were added to your collection system since 1981, as well as any clarifications regarding sewers from adjacent municipalities that are tributary to your system and areas of your community that are tributary to a neighboring municipality's system.

Also, please be advised that the Rahway Valley Sewerage Authority will be issuing a Request for Proposals for a User Charge Assessment Methodology Study within the next week or so. Proposals will be received around the end of February. Consultants may contact your office or the Township regarding the availability of certain documents and information needed to perform this study. Your cooperation with those consultants would be very much appreciated.

If you have any questions or would like to discuss this matter, please call me at 732-388-0868, extension 211."

and the following letter was sent to the Township of Woodbridge:

"Thank you for your recent telephone conversation wherein you advised that the Township is in the process of having its sanitary sewer system put into a GIS format and that those updated maps probably won't be available for about a year. In that conversation I indicated that there is not an immediate need for the Township's maps. However, if you are aware of any construction since 1981 that resulted in the construction of sewers tributary to Clark or Rahway or construction of sewers in those communities that are now tributary to Woodbridge I would appreciate it if you bring those specific areas to our attention.

Also, please be advised that the Rahway Valley Sewerage Authority will be issuing a

Request for Proposals for a User Charge Assessment Methodology Study within the next week or so. Proposals will be received around the end of February. Consultants may contact your office or the Township regarding the availability of certain documents and information needed to perform this study. Your cooperation with those consultants would be very much appreciated.

If you have any questions or would like to discuss this matter, please call me at 732-388-0868, extension 211.”

The following letter dated February 2, 2007, addressed to Michael Brinker, was received from John Laezza, Business Administrator for the Township of Clark, regarding the Average Daily Flow/BOD/TSS Data and Disputed Charges:

“In response to your letter of January 5, 2007, and your request for the data supporting our conclusions, enclosed please find one (1) copy of the relevant information, generally from the Flow Rights Utilization Report for October 2006 and other data as provided by the RVSA to Clark’s representative, which our engineering staff examined, and which served as the basis for the issues raised in our letter to you of December 14th. To highlight the key issues raised in that letter, we expressed our concerns about the following:

- a. Intercommunity adjustments for BOD and TSS based upon the Authority’s rate of 200 mg/l in lieu of the measured levels which are substantially lower.
- b. The negative daily values for BOD and TSS (-0.41 and -0.91 ton/day, respective) that appear to be coming from Cranford.
- c. Unexplained variances between RVSA and outside laboratory results for the measurement of BOD and TSS.

We would be pleased to meet with you to discuss these concerns. Please contact my office to arrange a mutually agreeable date for you to discuss these issues in my office.”

Approval of Minutes

Mr. Chin made a motion, seconded by Mrs. Papen, to approve the minutes of the Regular Meeting held January 18, 2007. The motion was unanimously approved with the exception of Mr. Mazzarella who abstained.

Report of Treasurer

The Treasurer’s Reports for the month of December 2006 have been distributed to the Commissioners. A copy is attached to the Minutes.

Report of Interim Executive Director

Mr. Brinker stated that he first wished to congratulate Mr. Venturo on his appointment as Chairman. Mr. Brinker then gave his report.

Sewer Treatment Endorsements

The following is a list of Sewer Treatment Endorsements processed between 1/16/07 and 2/13/07:

Number	Date	Applicant	Municipality
940-07-WB	01/22/07	Diamond Custom Bldrs.	Woodbridge
941-07-RW	01/23/07	Karen & Michael Jones	Rahway
942-07-WB	01/25/07	555 Venture	Woodbridge
943-07-WB	01/26/07	Biren Jhaveri	Woodbridge
944-07-SF	01/30/07	Nick Pagnotta	Springfield
945-07-RW	02/08/07	PMK Group	Rahway
946-07-WB	02/09/07	Royal Sweets	Woodbridge

Monthly Reports

The following monthly reports were received and distributed to the Commissioners:

- PS&S Consulting Engineering *
- CCMS - Contract #105 – Cogeneration Facility *
- CCMS - Contract #155 – WWTP Upgrade *
- CCMS - Contract #156 – Gravity Relief Sewer *
- Weiner Lesniak - Monthly
- Murray Montgomery & O'Donnell – Monthly *
- RVSA Superintendent – 2006 Summary Operations
- RVSA Superintendent – Monthly Grievances
- RVSA IPP Coordinator – IPP Activities *
- RVSA Payroll Admin. – 2006 Overtime Totals
- RVSA Payroll Admin. – 2007 Overtime Totals

* Discussed at the Engineering Committee Meeting held February 8, 2007.

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 February 6, 2007, one proposal was received as follows:

Murray, Montgomery & O'Donnell	\$10,000.00/Monthly Retainer
Washington, DC	Max. \$600.00 Travel Reimbursement

Counsel reviewed the proposal and found it to be in order. The matter was discussed at the Finance Committee meeting held earlier this evening and if the Finance Committee concurs, I recommend award of this contract. A motion is on the agenda under New Business.

New Jersey Harbor Dischargers Group (NJHDG)

A memo was received from Passaic Valley Sewerage Commission (PVSC), a lead agency for the NJHDG of which the RVSA is a member, regarding a Nutrients Reduction Cost Estimation Study. PVSC solicited and received proposals from three firms (Hazen & Sawyer; Camp, Dresser & McKee; Metcalf & Eddy) and Metcalf & Eddy, Inc. (M&E) submitted the lowest quote for the services. PVSC is recommending award to M&E in an amount of \$272,000 of which RVSA's share is \$20,209.60. Anthony Gencarelli, RVSA's Manager of Regulatory Compliance concurs with the recommendation. I agree with the recommendation since we either do the study with others at a reduced price or we do our own study at a greater price. I also think we should continue our ongoing participation with the NJHDG. A copy of the correspondence related to this matter was distributed to the Commissioners and discussed at the Engineering Committee meeting. A motion is on the agenda under New Business.

New Jersey Harbor Dischargers Group (NJHDG)

A memo was received from Linden Roselle Sewerage Authority (LRSA), a lead agency for the NJHDG of which the RVSA is a member, regarding a PCB Trackdown Study. This study is the next phase in a series of studies done by Aquatic Science Consulting for the NJHDG. LRSA is recommending award to Aquatic Science Consulting to continue the work on this project, in an amount of \$199,900.00 of which RVSA's share is \$14,853.00. Anthony Gencarelli, RVSA's Manager of Regulatory Compliance concurs with the recommendation and I agree. A copy of the correspondence related to this matter was distributed to the Commissioners and discussed at the Engineering Committee meeting. A motion is on the agenda under New Business.

Contract #0721 – Evaluation of User Charge System

As approved at the January 2007 meeting, a Request For Proposal (RFP) was prepared for a Consultant to Perform an Evaluation of the Authority's User Charge System. The RFP, a copy of which was distributed to the Commissioners, was posted on the Authority's web site and sent to the following five consulting firms:

Camp, Dresser & McKee
Garden State Engineering
Hatch, Mott, MacDonald
Metcalf & Eddy
Paulus, Sokolowski & Sartor

A sixth firm, Brown & Caldwell, responded to the RFP posted on the web site. I met with Jerry Harris of Brown & Caldwell on Tuesday, February 13th regarding the work involved on this contract. Proposals will be received on February 28th for consideration. The top three proposers will be asked to make presentations at the March Engineering Committee meeting and subsequently, action will be taken at the March Regular meeting.

Mr. Lombardo stated that if only four firms submit proposals, Mr. Brinker should then ask all four to make presentations to the Commissioners. The other Commissioners agreed.

Linden Landfill

At the January 18th Regular Meeting, Counsel was requested to send a letter to the Mayor and Council for the City of Linden. Counsel advised at the February 8th Engineering meeting that he had sent that letter to the City on that day. Upon receipt, we will forward a copy to the Commissioners.

Mr. Lombardo stated that the Authority received the letter from Mr. Rudin which was dated February 15th, however, noted that the letter was sent to the municipal clerks, and he asked that Mr. Hak have his office send it directly to the Mayor and Council of each municipality as they do not always receive all correspondence which is sent to the municipal clerk. Mr. Hak stated that he would have this done.

Clark Township – Disputed Charges

This is an ongoing matter. Another letter was received from the Township of Clark and a meeting has been rescheduled for Wednesday February 21, 2007. Also, letters seeking additional information related to intermunicipal agreements and adjustments, and updated sewer maps were sent to the municipalities from Counsel and also from Anthony Gencarelli, the Authority's Manager of Regulatory Compliance. We are awaiting responses.

TWA – Springfield

Mr. Brinker added that a TWA for the Township of Springfield, which was submitted late, was reviewed and a resolution is on the agenda under New Business.

Report of Consulting Engineer

Mr. Wancho stated that he first wished to congratulate Mr. Ventura on his appointment as Chairman. Mr. Wancho then stated that the following report summarizes PS&S's activities for the period of January 13, 2007 through February 9, 2007.

JCO Compliance

PS&S prepared the report covering the fourth quarter of 2006, finalized it based on review comments from Authority staff and General Counsel and transmitted it to the NJDEP and other required recipients on January 29, 2006. The report was due prior to the end of January 2007. Next report is due at the end of April.

Laboratory Renovation-Contract #145

The contract credit covering the settlement amount has been implemented and the contract is currently in the Maintenance Period. PS&S is awaiting direction from the NJDEP regarding any required loan related follow-up.

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. After several submittals the Contractor has now provided a complete insurance certificate which has been reviewed by General Counsel. Several administrative concerns were discussed with the insurance agent/carrier and General Counsel and all appears to be in order. The Contracts were signed and distributed to the contractor. A pre-construction job meeting was held on February 6, 2007 to discuss administrative requirements of the contract. The Notice to Proceed was issued with an effective date of Monday February 12, 2007; based on the contract requirements the completion date is set at June 11, 2007. A follow-up meeting with the contractor, Union County Parks Department and representatives of City of Rahway and Township of Clark will need to be set up to discuss coordination issues and related matters.

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 contacted the NJDEP to determine what their requirements were and have completed the revisions to the mapping. The Authority has received notification from the NJDEP that the mapping revisions were accepted as part of several WMP revisions that were under NJDEP review.

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. Based on e-mail confirmation from the NJBPU representative handling the application, the Authorities application for funding was approved at their February 7th Board meeting in the amount of \$500,000.

Cogeneration Facility-4th Engine Design/Permitting

PS&S has been tracking this Title V air permit significant modification application on behalf of the RVSA since it was originally submitted to NJDEP Bureau of Operating Permits (BOP) on October 13, 2005. The purpose of the modification was to add the 4th engine generator and revise the equipment details and emissions for the gas engines based on data provided by the various equipment vendors during the facility construction. On or about October 31, 2006 the draft permit was finally issued for public comment with comments due by December 6, 2006. PS&S assisted the Authority with comments on the draft permit that were submitted during the comment period. On January 29, 2007 the Authority received notification from the NJDEP the

public comment period for this draft permit is over and the permit has been forwarded to EPA for their 45 day review. The NJDEP received only comments from the Authority and has included all of them except for the reduction in stack testing required for the four engines. The permit now goes to the USEPA for a 45 day comment period. PS&S will continue to follow up on this issue with the NJDEP.

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 January 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 continues to assist the Authority in issues related to the use of Linden landfill gas.

PS&S assisted the Authority in the annual outfall inspection and has prepared and submitted a report summarizing the findings.

User Charge and Flow Rights Reports

February reports covering January were distributed earlier this evening.

Award

Mr. Wancho noted that PS&S submitted an application for the American Consulting Engineers Counsel Award for the Gravity Relief Sewer Project. Mr. Wancho stated that PS&S was recently notified that they will receive an award at a dinner to be held on March 15, 2007. Mr. Wancho added that PS&S would like a representative from the Authority to join PS&S at their table at the award dinner, as the Authority will be acknowledged. Mr. Wancho also noted that unfortunately, March 15th is an Authority Regular Meeting night and therefore he will not be attending the dinner, but asked the Commissioners who they would like to attend on behalf of the Authority as the Chairman and Interim Executive Director also attend the Regular Meetings. After lengthy discussion, it was decided that James Cassella, Assistant to the Executive Director will represent the Authority along with PS&S at the Award Dinner.

Report of Counsel

The following is a summary of all General Counsel services that have been provided by this office to the Rahway Valley Sewerage Authority for the time period covering January 16, 2007 through February 12, 2007.

CSP Improvements & related issuesContracts #155 & #156

Continued to follow up with CCMS regarding insurance coverage expirations. CCMS has provided an updated insurance certificate showing renewals of its general and excess liability insurance policies. All policies are now current.

Administrative Appeals Re: Air Quality Permit and Treatment Works Approval

We have been working with the Authority's consultants and co-counsel on appealing conditions of the Air Quality Permit and Treatment Works Approval that have been issued for the CSP Project. A hearing date has been scheduled for January 2007 regarding the Air Quality Permit appeal. We have been having discussions with NJDEP on resolving the remaining issues on appeal with respect to this permit.

With respect to the Treatment Works Approval, there was a resolution on the agenda for the October 19, 2006 Regular meeting, authorizing the execution of a Stipulation of Settlement with NJDEP resolving two (2) of the three (3) remaining issues in the appeal. The third issue has since been consolidated with the appeal that was filed regarding the Authority's NJPDES permit.

Barnett Street Acquisitions

A surveying error has caused the pipe for the gravity relief sewer to be laid slightly off course and outside of the public right-of-way necessitating the acquisition of two (2) relatively small easements from two private property owners. With the assistance of the contractor, we are preparing the necessary documents for the acquisition of the easements. The contractor will reimburse the Authority for all legal costs incurred. We have communicated with the two affected property owners and they are cooperating in conveying to the Authority the required easements.

JCO Compliance

Reviewed and commented on report covering the fourth quarter of 2006 prepared by Consulting Engineer.

Cogeneration Facility

Reviewed and discussed with Interim Executive Director propriety of potential change orders submitted by contractor.

MiscellaneousMethane Gas from City of Linden Landfill

The City's consultant sent a letter to the Authority dated January 5, 2007 in which it provides a proposed price for its methane gas to be paid by the Authority as well as requested payments

from the Authority in order to secure its rights to the gas. The letter was discussed at the January 11, 2007 Engineering Committee meeting and the Board directed that this office confirm in writing with the City that it will continue to honor its commitment to the Authority pending the results of a feasibility study to be conducted by an outside consultant should the Board choose to move forward with such a study.

NJPDES Permit Appeal

Met with NJDEP and have been able to resolve most of the outstanding issues and have made significant progress on the remaining issues. The case has now been consolidated with the TWA appeal and, therefore, all remaining issues from both appeals will be considered together.

Miscellaneous Contracts

We have reviewed the response to the RFP for the professional services contract for Lobbyist services that was recently advertised by the Authority for the 2007 year and have issued a report on same to the Interim Executive Director.

Reviewed and recommended changes to the proposed Energy Agent Agreement for the Authority's electricity supply.

Reviewed insurance and bond documents submitted by Marvec Construction for Contract #144 and had numerous conversations with the Consulting Engineer regarding the adequacy of same.

Mr. Landale asked who would be in charge of staying on top of this contract. Mr. Wancho stated that it would be his responsibility. Mr. Ventura asked Mr. Wancho about the design and wanted to know what was the original design. Mr. Wancho noted the original design was "cure in place", however, the contractor submitted documentation to slip line the pipe which is acceptable.

Privatization/Contract Operations

Attended the Mayor's Forum that was held on November 30, 2006.

Mr. Papen stated that this has been a dead issue for several months and requested that Mr. Hak remove it from his monthly reports. Mr. Hak stated he would do so.

Occidental Chemical/Tierra Solutions–Potential litigation

We attended a presentation on July 12, 2006 with Mike Brinker and Bob Materna regarding the Notices of Potential Lawsuit that the Authority recently received from Occidental and Tierra. The lawsuit that was originally filed by NJDEP in state Superior Court was removed to federal District Court. The District Court, on September 28, 2006 granted NJDEP's motion to remand the case back to state court.'

User Charges

Reviewed correspondence received from Clark Township as well as other documents relative to Authority user charges. Performed legal research and had several telephone conversations with RVSA staff relative to issues involving Clark Township user charges.

Garwood/Trunk Sewer conflict

Reviewed documents received from the Interim Executive Director and performed legal research regarding a conflict with Garwood’s DPW garage and the Authority’s trunk sewer line.

Mr. Lombardo stated that if the staff or Counsel have any questions, they should contact the Borough.

Committee Reports

The Chairman stated that a copy of the 2/15/2007-2/21/2008 Committee Appointments have been distributed to the Commissioners this evening and are listed below. As those Committees take effect after this meeting, the Committee reports to be given this evening shall be from the existing Committee members.

<u>2007 Committees</u>				
<u>Committee</u>	<u>Chairperson</u>	<u>Committee Members</u>		
Engineering	Clark Landale	Allen Chin	Thomas McHale	Peter Pelissier
Finance	Charles Lombardo	Clark Landale	Joan Papen	Peter Pelissier
Personnel	Thomas McHale	Charles Lombardo	Joan Papen	
Sludge Management	Frank Mazzarella	Robert Luban	James Murphy	
Legal	Joan Papen	Allen Chin	Charles Lombardo	
Public Relations	Rosalie Berger	Thomas McHale	James Murphy	
Insurance Review	Allen Chin	Clark Landale	Frank Mazzarella	
Nominating	Robert Luban	Rosalie Berger	James Murphy	

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

Engineering Committee (Frank Mazzarella, Chairman)

Mr. Mazzarella stated that an Engineering Committee Meeting was held February 8, 2007 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 Meeting was held earlier this evening at which time the Bills and Claims and Contract #0713-Lobbyist Services were reviewed and discussed. Mr. Lombardo added that both items will be acted on later in the meeting.

Personnel Committee (Robert G. Luban, Chairman)

No report.

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)

No report.

Nominating Committee (Robert G. Luban, Chairman)

Mr. Lombardo stated that a Nominating Committee Meeting was held earlier this evening. The Committee made their recommendations for Chairman and Vice Chairman earlier this evening.

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

None.

New Business

The following Resolution #07-03 was offered by Mr. Lombardo, on motion of Mr. Lombardo, seconded by Mrs. Papen and unanimously approved.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from Murray, Montgomery & O'Donnell, 101 Constitution Avenue, NW, Suite 900, Washington, DC 20001 for Extraordinary Unspecifiable Services, specifically to serve as Lobbyist to the Authority, Contract #0713; and

WHEREAS, the Authority has a need to engage a consultant to perform these services; and

WHEREAS, pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-5, contracts of this nature may be awarded without bidding, however, RFP's were received for the award of this contract through a fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that funds for said contract have been budgeted for in the 2007 Annual Budget; and

WHEREAS, the Interim Executive Director or his designee, pursuant to statute has executed the required certification for the aforementioned services, which Certification is attached hereto and made a part thereof.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage Murray, Montgomery & O'Donnell to perform the services described herein at a cost not to exceed \$110,000.00 for a period of through December 31, 2007; and

BE IT FURTHER RESOLVED that a Contract for the services described herein be entered into and approved by the Authority; 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.

The following Resolution #07-04 was offered by Mr. Mazzarella, on motion of Mr. Mazzarella, seconded by Mr. Lombardo and unanimously approved.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from Passaic Valley Sewerage Commission (PVSC), 600 Wilson Avenue, Newark, NJ 07105, on behalf of the New Jersey Harbor Dischargers Group (NJHDG) from Metcalf & Eddy, Inc., 1700 Market St., Suite 1700, Philadelphia, PA 19103 for Professional Services; and

WHEREAS, the NJHDG of which the Authority is a member, has a need to engage a consultant to perform a Nutrients Reduction Cost Estimation Study, Contract #0722; and

WHEREAS, pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-5, contracts of this nature may be awarded without bidding, however, RFP's were received for the award of this contract through a fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

WHEREAS, said services require knowledge of an advanced type in a field of learning acquired by a prolonged training period; and

WHEREAS, the Authority has received a proposal through the New Jersey Harbor Dischargers Group (NJHDG) from Metcalf & Eddy, Inc, reflecting a total amount of \$272,000.00 of which the Authority's share is 7.43% or \$20,209.60; and

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that the necessary funds for said contract have been budgeted for in the 2007 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage Metcalf & Eddy, Inc. to perform the services described herein at a cost not to exceed \$20,209.60; and

BE IT FURTHER RESOLVED that a Professional Service Contract for the services described herein be entered into between PVSC the lead agency for this work, on behalf of the NJHDG, and Metcalf & Eddy; and

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

The following Resolution #07-05 was offered by Mr. Mazzarella, on motion of Mr. Mazzarella, seconded by Mr. Chin and unanimously approved.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from Linden Roselle Sewerage Authority (LRSA), on behalf of the New Jersey Harbor Dischargers Group (NJHDG) from Aquatic Sciences Consulting 15751 Bushy Park Road, Woodbine, MD 21797, for Extraordinary Unspecifiable Services, specifically to perform Phase V of the ongoing PCB Trackdown Study, Contract #0723; and

WHEREAS, the NJHDG of which the Authority is a member, has a need to engage a consultant to perform this Study; and

WHEREAS, pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-5, contracts of this nature may be awarded without bidding, however, a proposal was received for the award of this contract through a non-fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that funds for said contract have been budgeted for in the 2007 Annual Budget; and

WHEREAS, the Interim Executive Director or his designee, pursuant to statute has executed the required certification for the aforementioned services, which Certification is attached hereto and made a part thereof.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage Aquatic Sciences Consulting to perform the services described herein at a total cost of \$199,900.00 of which the Authority's share is 7.43% or \$14,853.00; and

BE IT FURTHER RESOLVED that a Contract for the services described herein be entered into between the NJHDG and Aquatic Sciences Consulting; and

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

The following Resolution #07-06 was offered by Mrs. Berger, on motion of Mrs. Berger, seconded by Mr. Murphy and unanimously approved.

WHEREAS, the Township of Springfield has filed an application for a Treatment Works Application through Engineered Environmental Inc. on behalf of Schmalz's European Provisions for property located at 66 Fadem Road in the Township of Springfield, State of New Jersey; and

WHEREAS, the application is for the connection of an existing building (previously the Walker Foods Bldg.) which will now house a food processing plant with a new pretreatment system that will tie into an existing connection with a proposed additional flow of .02205 mgd, total flow of .02280 mgd; 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.

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
2200	02/15/07	CONSOLIDATED CONSTRUCTION MGT.	140.2/7	309,690.17
2201	02/15/07	EE CRUZ COMPANY INC.	140.7	3,567,135.94
2202	02/15/07	J.H. REID, GENERAL CONTRACTOR	140.2	103,349.28
2203	02/15/07	PAULUS, SOKOLOWSKI & SARTOR	140.7	1,263.81

Total Building & Equipment Fund Checks: 4

Total Void Checks: 0

Total Amount Void: \$0.00

Total Amount Paid: \$3,981,439.20

OPERATING FUND

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
32949	01/19/07	TURTLE & HUGHES INC.	38	918.86
32950	01/31/07	CANON FINANCIAL SERVICES, INC.	16	1,299.72
32951	01/31/07	DELTA DENTAL PLAN OF NJ	03	5,872.77
32952	01/31/07	ELIZABETHTOWN GAS	22	8,169.25
32953	01/31/07	FEDEX	48	43.39
32954	01/31/07	PSE&G COMPANY	42	105.85
32955	01/31/07	PSE&G COMPANY	19	41,136.16
32956	01/31/07	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	244,296.22
32957	01/31/07	STANDARD INSURANCE COMPANY	03	2,148.00
32958	01/31/07	UNITED PARCEL SERVICE	48	68.12
32959	01/31/07	VERIZON WIRELESS	11	383.04
32960	01/31/07	VISION SERVICE PLAN	03	1,234.87
32961	02/08/07	TRUMP MARINA HOTEL CASINO	15/49	810.00
32962	02/09/07	HOME DEPOT CREDIT SERVICES	34	531.20
32963	02/15/07	A TOUCH OF ITALY	49	236.37
32964	02/15/07	ACE WIRE & CABLE CO., INC.	38	923.40
32965	02/15/07	ADP, INC.	03	667.17
32966	02/15/07	ADP, INC.	16	1,708.69
32967	02/15/07	ADVANCED SPECIALTY SALES, INC.	32	1,393.05
32968	02/15/07	ADVANCED FILTRATION COMPANY	34	1,050.49
32969	02/15/07	AIRGAS SAFETY, INC.	31	1,512.77
32970	02/15/07	ALL AMERICAN SEWER SERVICE, INC.	31	4,184.00
32971	02/15/07	ALLIED FILTER COMPANY	32	375.90
32972	02/15/07	AMERICAN INDUSTRIAL SUPPLY CORP.	32/34/38	6,209.02
32973	02/15/07	AMERICAN WEAR UNIFORMS	32	1,209.00
32974	02/15/07	APPLIED INDUSTRIAL TECHNOLOGIES	38	790.07
32975	02/15/07	ARCH WIRELESS	11	11.19
32976	02/15/07	ASSOCIATED AUTO PARTS	35	99.25
32977	02/15/07	BAY BREAKERS INC.	38	836.45
32978	02/15/07	BAYWAY LUMBER	32	75.16
32979	02/15/07	BOWCO LABORATORIES, INC.	32	63.00
32980	02/15/07	BUREAU OF NATIONAL AFFAIRS, INC.	41	2,331.00

32981	02/15/07	CDW GOVERNMENT, INC.	13	417.98
32982	02/15/07	CENTRAL BOILER REPAIR CO., INC.	32	345.00
32983	02/15/07	CERTIFIED HEALTH & SAFETY SERVICE	31	895.00
32984	02/15/07	CITY OF RAHWAY-UNITED WATER RESOURCES	33	7,642.61
32985	02/15/07	COMPUSA	27	287.30
32986	02/15/07	CONNELL FOLEY LLP	09	10,574.40
32987	02/15/07	CSL SERVICES, INC.	30	13,750.00
32988	02/15/07	DAVID WEBER OIL COMPANY	32/34	5,055.82
32989	02/15/07	DELL MARKETING L.P.	27	4,756.15
32990	02/15/07	DYNAFLOW ENGINEERING	32	430.00
32991	02/15/07	ELECTRONIC DRIVES & CONTROLS	32	1,048.41
32992	02/15/07	ELIZABETHTOWN GAS	22	2,969.80
32993	02/15/07	EMSL ANALYTICAL INC.	41	1,277.00
32994	02/15/07	ENECON CORPORATION	32	360.00
32995	02/15/07	ENVIRONMENTAL RESOURCE ASSOCIATES	40	137.83
32996	02/15/07	ELIZABETHTOWN GAS	22	8,169.25
32997	02/15/07	FLUID COMPONENTS INTL.	32	658.47
32998	02/15/07	FISHER SCIENTIFIC	40/43	1,070.62
32999	02/15/07	FLEXLINE	32	273.51
33000	02/15/07	FRED VACHINO & SONS	32	3,472.91
33001	02/15/07	FREDERICK T. GEARDINO	31	44.99
33002	02/15/07	ANTHONY GENCARELLI	15	14.76
33003	02/15/07	GENSERVE INC.	34	2,290.00
33004	02/15/07	W.W. GRAINGER, INC.	32	235.61
33005	02/15/07	GARY W. GRAY TRUCKING, INC.	25/26	85,198.99
33006	02/15/07	GREAT LAKES ENVIRONMENTAL	41	616.51
33007	02/15/07	GREENWOOD PRODUCTS, INC.	40	452.52
33008	02/15/07	HACH COMPANY	40	1,868.40
33009	02/15/07	HALL & ASSOCIATES	08	1,547.80
33010	02/15/07	HAYES PUMP INC.	32/38	824.00
33011	02/15/07	HUDSON BLUEPRINT COMPANY	12	1,327.47
33012	02/15/07	INDEPENDENT OVERHEAD DOOR CO., INC.	32/34	3,400.00
33013	02/15/07	JERSEY ELEVATOR COMPANY INC.	32	164.31
33014	02/15/07	LONGO ELECTRICAL-MECHANICAL, INC.	38	2,593.66
33015	02/15/07	GARY A. MARANO	31	150.00
33016	02/15/07	MARATHON MARINE SERVICE CORP.	34	3,855.00
33017	02/15/07	MARIBELL ASSOCIATES, INC.	31	1,195.00
33018	02/15/07	MAX L. BROWN HARDWARE CO., INC.	34/38	1,449.55
33019	02/15/07	MCI CONFERENCING	11	35.68
33020	02/15/07	MCMASTER-CARR SUPPLY CO.	32	316.83
33021	02/15/07	METRO HYDRAULIC JACK CO.	38	239.00
33022	02/15/07	METROPOLITAN PUMP SERVICE INC.	32/38	1,880.00
33023	02/15/07	MGL FORMS-SYSTEMS, LLC	12	255.90
33024	02/15/07	MILLER MECHANICAL CORPORATION	32	850.00
33025	02/15/07	MOTION INDUSTRIES, INC.	32	75.25
33026	02/15/07	MURRAY, MONTGOMERY & O'DONNELL	09	20,000.00
33027	02/15/07	NATIONAL FUEL OIL, INC.	20/24	18,200.45
33028	02/15/07	NJ MANUFACTURERS INSURANCE CO.	17	14,555.00
33029	02/15/07	NJ MOTOR VEHICLE COMMISSION	35	75.00
33030	02/15/07	NJ MOTOR VEHICLE COMMISSION	35	71.50
33031	02/15/07	NW FINANCIAL GROUP	09	1,155.00
33032	02/15/07	O'JOHNNIES, INC.	13	55.16
33033	02/15/07	ONE CALL SYSTEMS, INC.	32	43.92
33034	02/15/07	OUTSTANDING SERVICE CO., INC.	20	354.90
33035	02/15/07	P-M INDUSTRIAL SUPPLY, INC.	32	421.29
33036	02/15/07	PAULUS, SOKOLOWSKI & SARTOR LLC	06	2,261.22
33037	02/15/07	POLAND SPRING WATER COMPANY	46	214.25

33038	02/15/07	POLYDYNE INC.	23	29,624.00
33039	02/15/07	PRECISION ELECTRIC MOTOR WORKS	32	695.00
33040	02/15/07	HERALDO PRIVADO	31	144.00
33041	02/15/07	PSE&G COMPANY	19	358.89
33042	02/15/07	PUMPING SERVICES, INC.	32	1,945.00
33043	02/15/07	QC LABORATORIES	41	1,929.50
33044	02/15/07	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	86,480.30
33045	02/15/07	RARITAN SUPPLY COMPANY	32	277.11
33046	02/15/07	RELIANT ENERGY SOLUTIONS	19	42,571.41
33047	02/15/07	ROADWAY EXPRESS, INC.	32	273.84
33048	02/15/07	PETTY CASH	14	253.09
33049	02/15/07	SAFETY-KLEEN CORP.	32	213.72
33050	02/15/07	SHALLCROSS BOLT & SPECIALTIES	32	72.35
33051	02/15/07	SLOAN BROTHERS COMPANY	38	2,651.59
33052	02/15/07	STAR LEDGER	12	78.00
33053	02/15/07	THE BRAKE STOP PLUS	35	1,629.66
33054	02/15/07	TECHNICAL AIRFLOW, INC.	32	900.00
33055	02/15/07	THE BANK OF NEW YORK	09	5,000.00
33056	02/15/07	TREASURER - STATE OF NJ	37	185,622.22
33057	02/15/07	TURTLE & HUGHES INC.	32/38	5,774.30
33058	02/15/07	UNITED STATES PLASTIC CORP.	40	186.92
33059	02/15/07	UNIVAR USA INC.	29	12,747.43
33060	02/15/07	US FILTER SIEMENS WATER TECHNOLOGIES	40	976.00
33061	02/15/07	USA BLUEBOOK	32	521.39
33062	02/15/07	VERIZON	11/30	1,579.60
33063	02/15/07	WEINER LESNIAK	07	39,868.13
33064	02/15/07	921-WELCO-CGI GAS TECH LLC	32/40	438.33
33065	02/15/07	WOODBIDGE PRINTING CENTER	12	474.92
33066	02/15/07	WOODRUFF ENERGY	22	2,862.43

Total Operation Fund Checks: 118
 Total Void Checks: 0
 Total Amount Void: \$0.00
 Total Amount Paid: \$988,723.54

Total All Checks: 122
 Total Void Checks: 0
 Total Amount Void: \$0.00
 Total Amount Paid: \$4,970,162.74

OPERATING FUND	6-01	\$ 158,235.78
BUILDING & EQUIPMENT FUND	6-02	<u>1,263.81</u>
BUDGET YEAR 2006 TOTALS		159,499.59
OPERATING FUND	7-01	830,487.76
BUILDING & EQUIPMENT FUND	7-02	<u>3,980,175.39</u>
BUDGET YEAR 2007 TOTALS:		<u>4,810,663.15</u>
TOTAL OF ALL FUNDS:		\$4,970,162.74

Closed Session

Mr. Chin made a motion to go into closed session at this time, 8:05 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.

Mrs. Berger made a motion to return to the regular order of business at this time, 8:19 p.m. The motion was seconded by Mr. Mazzarella and unanimously approved.

Return to Regular Order of Business

Mr. Venturo thanked everyone for their vote of confidence in electing him Chairman and noted he looks forward to leading the Board during the coming year.

Adjournment

As there was no further business, on motion of Mr. Chin, seconded by Mr. Mazzarella, the meeting adjourned at 8:25 p.m. The motion was unanimously approved.

Robert J. Materna, Secretary-Treasurer