

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Summary of Minutes**

**Regular Meeting held February 21, 2008**

- Election of Officers  
Annual Reorganization.
  
- Minutes  
Approved Minutes of Regular Meeting held January 17, 2008.  
Approved Minutes of Special Meeting held February 14, 2008.
  
- Communications  
Letter and Resolution from the Borough of Kenilworth.  
Letter and Resolution from the Township of Springfield  
Letter from the Township of Scotch Plains.
  
- Treasurers Reports  
None 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 given by the Engineering, Finance, and Personnel Committees.
  
- Unfinished Business  
None.
  
- New Business  
Approved the following: TWA's for Rahway and Woodbridge.
  
- New Business (Cont'd.)  
Approved the following expenditures: Amend Contract #144A/E with PS&S for an additional \$52,931.00; and Change Order #10 on Contract #105 with J.H. Reid Contractors in an amount of \$56,371.22.
  
- Bills & Claims

Operating Fund	7-01	\$183,764.84
Building & Equip Fund	7-02	28,451.34
Construction Fund	7-04	<u>24,843.60</u>
2007 Expense Total		\$237,059.78

-	Bills and Claims (Cont'd.)		
	Operating Fund	8-01	1,031,057.93
	Building & Equip Fund	8-02	<u>2,951,056.46</u>
	2008 Expense Total		<u>\$3,982,114.39</u>
	Total All Funds		\$4,219,174.17

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Regular Meeting Minutes – February 21, 2008**

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 19, 2008.

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.

The Chairman stated that he wished to thank his fellow Commissioners and the Professional staff for the courtesy extended to him during the past year while he served as Chairman. He noted that the Board and Authority went through some difficult times and although challenging, everyone conducted themselves in a professional manner which he appreciated and just wanted to say thank you.

**Roll Call**

The following members were present:

Maria A. Abram	for the Township of Springfield
Allen Chin	for the Town of Westfield
Richard LoForte	for the Borough of Kenilworth
Charles Lombardo	for the Borough of Garwood
* Robert G. Luban	for the Township of Woodbridge
Frank G. Mazzarella	for the Township of Clark
James J. Murphy	for the Township of Cranford
Joan Papen	for the Township of Scotch Plains
Peter H. Pelissier	for the City of Rahway
Attilio S. Venturo	for the Borough of Roselle Park

\* Arrived after roll call at 7:36 p.m.

The following member was absent:

C. Clark Landale	for the Borough of Mountainside
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The following were also present:

Michael J. Brinker, Jr., PE	Interim Executive Director
Robert J. Materna	Secretary-Treasurer
Joanne Grimes	Office Administrator/Board Secretary
James Wancho, P.E.	Paulus, Sokolowski & Sartor
Brian Hak, Esq.	Weiner Lesniak, LLP

The following members of the public were present:

Robert Valent	RVSA Superintendent
Jean Manigold	RVSA Laboratory Supervisor
Thomas Macaluso	RVSA Asst. Laboratory Supervisor
Thomas Watters	RVSA Utility Worker
Bob Poltz	RVSA MIS Manager
Amanda Christensen	The Spi Group Public Relations

### **Election of Officers**

The Chairman asked the Secretary to conduct the election for Chairman for the year ending February 19, 2009.

Mr. Materna asked the Nominating Committee for their recommendation for the Office of Chairman for the year ending February 19, 2009.

Mrs. Papen was nominated by Mr. Murphy and seconded by Mr. Lombardo.

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.

Mr. Murphy made a motion, seconded by Mr. Lombardo that the nominations be closed.

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

Mr. Pelissier stated that he thinks that Mrs. Papen will make an excellent Chairman, he added that you always know where you stand with Mrs. Papen, she will tell you what she thinks and she sticks to her guns and for that he respects her. He added that he thinks she has a good hard road ahead of her with regard to financial issues, outsourcing and matters that will face the Authority as it goes online. He added, however, due to their differences of opinion, he intends to vote against her nomination. Mr. Mazzarella stated that he concurred with Mr. Pelissier's comments and will also vote no.

\*Mr. Luban arrived at this time, 7:36 p.m.

The Chairman asked for a roll call vote.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Cranford	Clark	Mountainside	
Garwood	Rahway		
Kenilworth			
Roselle Park			
Scotch Plains			
Springfield			
Westfield			
Woodbridge			

As the vote was 8 to 2, the vote passed. The Chairman stated "So ordered".

Mr. Materna declared Mrs. Papen as the duly elected Chairman for the year ending February 19, 2009.

The newly elected Chairman, Mrs. Papen, assumed the role of Chairman.

The Chairman, Mrs. Papen, asked the Secretary to conduct the election for Vice-Chairman for the year ending February 19, 2009.

Mr. Materna asked the Nominating Committee for their recommendation for the Office of Vice-Chairman for the year ending February 19, 2009.

Mr. Lombardo was nominated by Mr. Murphy and seconded by Mr. Luban.

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 Mr. Luban, that the nominations be closed.

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

Mr. Pelissier and stated that he thinks that Mr. Lombardo will make an excellent Vice-Chairman and respects the time Charles has served on the Board which is far more than he will serve, however, due to their differences of opinion regarding finances and issues that will be brought up this year, he will respectfully vote no.

The Chairman asked for a roll call vote.

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Cranford	Rahway	Mountainside	Clark
Garwood			
Kenilworth			
Roselle Park			
Scotch Plains			
Springfield			
Westfield			
Woodbridge			

As the vote was 8 to 1 with 1 abstention, the vote passed. The Chairman stated "So ordered".

Mr. Materna declared Mr. Lombardo as the duly elected Vice-Chairman for the year ending February 19, 2009.

The newly elected Chairman, Mrs. Papen, made a presentation to the out-going Chairman, Mr. Ventura. Mrs. Papen stated that on behalf of the Commissioners, she wanted to thank him for all the hard work done this last year, noted that he had a very exciting year and handled it beautifully. Mrs. Papen noted that this was Sonny's third term as Chairman, he served in 1984, 1994 and again in 2007; she stated that he has been a Commissioner for 22 years and again stated that the Board wished to thank him for his dedication and hard work. Mrs. Papen then presented him with a plaque.

Mr. Ventura thanked the Board and staff.

**Approval of Minutes**

Mr. Chin made a motion, seconded by Mr. Lombardo, to approve the minutes of the Regular Meeting held January 18, 2008. The motion was approved by those present with the exception of Ms. Abram and Mr. LoForte who abstained and Mr. Landale was absent.

Mr. Luban made a motion, seconded by Mr. Lombardo, to approve the minutes of the Special Meeting held February 14, 2008. The motion was approved with the exception of Mr. Chin, Mr. Mazzarella and Mr. Pelissier who abstained and Mr. Landale was absent.

**Communications**

- A resolution was received from Hedy Lipke, Borough Clerk for the Borough of Kenilworth, appointing Richard LoForte to serve on the RVSA Board as Kenilworth's representative for a five year period, effective February 1, 2008.
- A resolution was received from Kathleen Wisniewski, Township Clerk for the Township of Springfield, appointing Maria Abram to serve on the RVSA Board as Springfield's representative for a five year period, effective February 1, 2008.

- A letter was received from Thomas Atkins, Municipal Manager for the Township of Scotch Plains, thanking Mrs. Papen, Mr. Brinker and Mr. Materna for attending the Townships January 22, 2008 Council meeting and for providing the presentation to the Council members.

### **Report of Treasurer**

The Treasurer's Reports for the month of December 2007 are not finalized. It will be distributed to the Commissioners upon completion.

### **Report of Interim Executive Director**

#### Sewer Treatment Endorsements

The following is a list of Sewer Treatment Endorsements processed between 1/15/08 and 2/19/08, and a copy of the log sheet with additional information has been distributed for your reference:

<u>Number</u>	<u>Date</u>	<u>Applicant</u>	<u>Municipality</u>
1034-08-WB	01/18/08	HMS Dexcon Group	Woodbridge
1035-08-WB	01/23/08	Webbs Home Improvement	Woodbridge

#### Monthly Reports

The following reports were received and distributed to the Commissioners:

PS&S Preliminary Monthly\*  
 PS&S Monthly  
 CCMS - Contract #105 – Cogeneration Facility\*  
 CCMS - Contract #155 – WWTP Upgrade\*  
 Weiner Lesniak – Monthly Update\*  
 RVSA IPP Coordinator – IPP Activities  
 RVSA Annual Operations Report\*

\* These items were discussed at the Engineering Committee Meeting.

#### Contract #105 – Cogeneration/Sludge Drying Facility

CCMS has processed Change Order (CO) #10 on behalf of J.H. Reid in an amount of \$56,371.22 on Contract #105, amended contract total of \$22,170,579.79. The CO is for (1) Explosion Proof Lighting in the Compressor Room as required by the NJDCA; (2) an Enclosure between the dewatering and cogeneration buildings to protect the piping and conveyors from freezing; (3) additional emergency lights and exit signs as required by Woodbridge Township; and (4) a credit for a reduction in the scope of Dewatering Building Lighting. CCMS recommends approval of

this CO. This was discussed at the Engineering Committee meeting and a motion is on the agenda under New Business.

Mr. Ventura asked why some of these changes were necessary and noted that if these items were required, the design from the Architect and Engineer should have reflected them. Mr. Brinker noted that when the Municipal Officials (from Woodbridge, Rahway and the DCA and NJDEP in Trenton) made their inspections, they asked for additional items, even when the drawings and plans were previously reviewed and approved by them. Mr. Brinker noted that the electrical changes were requested by the DCA in Trenton. The Authority cannot obtain the Certificate of Occupancy and or Loan Payments until all requests are complied with.

#### Contract #144 – Trunk Sewer Rehabilitation

PS&S submitted a request for additional monies for additional unforeseen work related to this contract. They have submitted documentation to cover a period through February 29, 2008, reflecting an amount of \$52,931.00, for an amended contract amount of \$238,133.00. A copy of their request was distributed to the Commissioners. This was discussed at the Engineering Committee meeting and a motion is on the agenda under New Business.

#### TWA – Woodbridge

A Treatment Works Application was submitted by the Township of Woodbridge on behalf of Fletcher Engineering for North Lincoln Avenue Estates. The Application is for the construction of 329 lf of 8” sewer to provide service to three new single family homes. The new flow generated from this project will be approximately 0.009 mgd (or 900 gpd). I have reviewed the application, found it to be in order and recommend approval. This was discussed at the Engineering Committee meeting and a motion is on the agenda under New Business.

#### TWA – Rahway

A Treatment Works Application was submitted by the City of Rahway on behalf of ENSR / Elizabethtown Gas for property located on 219-0245 Central Avenue in the City of Rahway. The Application is for the connection of a conveyance pipe from a temporary on site wastewater treatment system. The temporary new flow generated from this project will be approximately 0.1440 mgd (or 144,000 gpd). The flow will be metered so that the City of Rahway will be able to recover costs for the remediation water that will be discharged into their sewer. An arrangement satisfactory to the City’s Engineer will be implemented. I have reviewed the application, found it to be in order and recommend approval. This was discussed at the Engineering Committee meeting and a motion is on the agenda under New Business.

#### Name Change

At the December 20, 2007 Regular Meeting, Commissioner Pelissier asked that the Commissioners consider renaming the Rahway Valley Sewerage Authority. The matter was further discussed at the January 10, 2008 Engineering Committee Meeting. At that time, Counsel was asked to look into this matter and advise the Board on the legal aspects. At the



February 14, 2008 Engineering Committee Meeting, Counsel commented on the legal aspects of a name change, noting that there is a state law allowing a name change to a Water Reclamation Authority, however, he also noted that the Authority has an Agreement (1995) with the eleven municipalities which would require unanimous ordinances be passed in order for the name to be changed. After lengthy discussion regarding the likelihood of the municipalities unanimously agreeing and the expense to effectuate the change, the Commissioners agreed not to pursue this matter further.

Mr. Pelissier stated that he would like to table action on this matter, seconded by Mr. Luban. He asked if there was a cost figure presented to the Commissioners related to the name change. Mr. Brinker stated that Mrs. Grimes prepared a listing of the items that would be included in the cost. Mr. Pelissier stated that without knowing the cost, he would like a cost as the City of Rahway will entertain having their attorney contact the Authority's attorney to discuss the cost related to the name change.

Mrs. Papen asked if Mr. Pelissier looked at the list that was distributed. He stated that he did, however, noted that after discussing it with the Director of Law for the City of Rahway and added that if the cost for the change is excessive, he will withdraw his request for the name change, and if the cost is not that excessive, the City of Rahway may entertain picking up the cost. If the Commissioners don't want to change the name, then that is a different matter.

Mr. Luban stated that he had stated that he was against this as he did not want to expend the money, however, noted that his Mayor has asked that the staff be asked to gather up additional information prior to voting.

Mr. Mazzarella stated that the name could be changed to reflect the Region or the two counties.

Mr. Ventura stated that he wished to give a history lesson in that the area or region we are in is known as the "Rahway Valley". It comes from a period when the Lenape Indians occupied the area; for the "Rahway River" which runs through almost every town in the service area, and also we are in the "Rahway Watershed". The name does not belong to the City of Rahway but to the region and it reflects the history and added he is opposed to changing the Authority's name.

Ms. Abrams asked Mr. Pelissier what type of problems has the City encountered or what issues does the City have because of the Authority's name.

Mr. Pelissier stated that its perception. He noted that the Rahway Prison which changed its name to the East Jersey State Prison and isn't even in the City of Rahway; additionally Rahway has the Union County Utilities Authority Incinerator which people refer to as the Rahway Incinerator, the Motor Vehicle and the "Rahway Park" which is a County park. He noted the connection that people have is negative. He further stated that Rahway was named after Chief Rahwick, unfortunately people are not as knowledgeable as others. He noted that it was not a problem in the past but with the cost of the upgrade, people from every municipality are seeing increases and it's another negative perception applied to Rahway.

After further discussion, it was noted that action was never on the table and therefore there

wasn't action to table. Mr. Pelissier and Mr. Luban agreed to rescind the motion and second and reconsider continue investigation. The Chairman asked for a show of hands from the Commissioners on who wanted to continue investigating this, however, the Chairman added that she does not want to make a big project out of this which will end up costing the Authority a lot of money. The show of hands indicated that 5 were interested and 5 were not. It was defeated.

### Videotaping

Policy planning discussion. Mrs. Grimes contacted the member municipalities and requested copies of any ordinances they have regarding videotaping of their council meetings. Ordinances were received from Woodbridge and Roselle Park. Cranford provided a copy of the ordinance related to chargeable fees, which includes the cost of DVD's from Council meetings. A policy will be drafted for final consideration.

### Report of Consulting Engineer

The following report to the Authority Board summarizes our activities for the period of January 12, 2008 through February 15, 2008.

### JCO Compliance

PS&S prepared the Annual Infiltration/Inflow report and submitted it to the NJDEP prior to the October 1st deadline. The report summarizes any investigative and remediation work that may have been conducted within the member municipalities during the past year. PS&S forwarded the information received from Woodbridge, Springfield, Clark, Scotch Plains, Westfield and Kenilworth as part of the original submittal. A follow-up submittal to NJDEP was sent on December 19, 2007 with information from Garwood and Rahway.

Recent activity involved follow-up on remaining I/I investigative information. The Roselle Park information was received during the past week.

### Administrative Appeals Re: NJPDES/TWA Permits

PS&S continues to coordinate activities with General Counsel and Special Counsel, Hall & Associates related to the follow-up from the Settlement Conference at the Office of Administrative Law on October 25, 2007, to discuss the NJPDES and TWA permit appeals. A general water quality justification document was prepared during previous period summarizing the argument for temporarily suspending the maximum weekly mass loading limits for CBOD and TSS during high flow events and the recommended flow that should be used by NJDEP to trigger suspension of the maximum weekly mass loading limits. If this information is accepted by NJDEP it will settle the NJPDES appeal.

The Executive Director has had discussions with the Union County Parks Department and the NJDEP Green Acres group regarding the continued use of the 004 outfall as an emergency outfall and at this point it does not appear feasible. An alternate emergency discharge location is being explored.

Trunk Sewer Rehabilitation - Contract #144

The Contractor is continuing clean up of the Park and Bedford Street areas of work. The bypass pumps and temporary bridge have been removed from the site and the Park road has been reopened. A meeting will be set up with the County Parks Department to discuss the park restoration.

PS&S continues to provide observation of the contractor's activities.

The project completion date (June 11, 2007) has been exceeded and the Contractor has requested an extension of time. PS&S has had several meetings with the Contractor and attorney to discuss this issue as well as other claims. PS&S has rejected several of the claims but a few still remain open. Further discussions are planned. PS&S has prepared a letter to the contractor detailing credits that are due to the RVSA for contract work and the issuance of liquidated damages.

Wastewater Management Planning

PS&S continues to provide services related to the Authority Wastewater Management Plan (WMP) on an as needed basis. PS&S received a letter from NJDEP dated October 17, 2007 indicating that previous comments submitted by RVSA regarding the draft WMP were non responsive and they would reject the plan unless they received response to their letter within 30 days. The WMP issue is related to the NJPDES appeal of the flow that is being using to compute loading limits. If the NJPDES appeal is resolved satisfactorily for all parties, the RVSA can accept the WMP language as currently drafted and proceed with the adoption process. As part of the 10/27/07 Settlement meeting with the NJDEP it was agreed that, pending a final agreement between all parties on the appeals, the RVSA would request an extension to the 30 day response deadline in the letter. PS&S sent an extension request letter on 11/12/07. There was no NJDEP response to the time extension request. PS&S submitted a second letter to NJDEP on 01/07/08 requesting an extension to 02/29/08. PS&S has received verbal affirmation from NJDEP that the extension requests have been accepted. Recently, NJDEP contacted PS&S to propose adoption of the WMP document in the coming months. NJDEP has assured PS&S that any required modifications associated with the implementation of an emergency plant outfall will not require a formal amendment to the WMP document.

Cogeneration Funding

A NJBPU Office of Clean Energy-Renewable Energy Advanced Power Program grant has been awarded to the Authority in the amount of \$500,000. The Authority met with a representative of the NJBPU during a previous period to discuss the agreement and provide invoice documents for their review of eligibility against the loan. The Authority is awaiting a response from the NJBPU regarding eligible costs. There has been no further activity by PS&S.

Air Permitting

PS&S and the Authority are proceeding with the preparation of an additional Title V Significant

Modification application to modify certain permit required monitoring and recordkeeping requirements and to address some potential variability in digester gas characteristics. PS&S is waiting on input from the Authority regarding natural gas/digester gas ratio limits for this modification application. In addition, PS&S has drafted an emission test protocol for reduced sulfur emission testing from the Sludge Dryer. This emission testing protocol has been submitted to NJDEP for review and approval. NJDEP has given approval to the Cogeneration engines emission testing protocol.

PS&S is also assisting with review of the emission testing protocol for the multi-stage odor control that was developed by the Authority.

#### Digester Brick Replacement - Contract #157

The contractor, Agia Mason, has removed the existing coping and replaced it with new poured in place concrete coping, on the three digesters and control building. He has poured a new concrete roof deck on the control building and completed the foam spray insulation on the digester walls. He is currently installing subgirts to the metal studs. When this installation is completed he will be able to install the metal siding to the digester wall. We anticipate delivery of the metals panels the week of February 18th. PS&S continues to review the Contractor's submittals and is providing construction observation.

#### Cogeneration/Sludge Drying Facility – Engine Investigation

PS&S continues to assist the Authority and CCMS in follow-up activities related to the engine "backfire" events associated with Engines #1 and #3. PS&S in during the last period was involved with the following activities:

Review of submittals and other correspondence.

Review of preliminary work progress.

Inspection and coordination efforts associated with pipe testing (breeching and digester gas), precast wall panel penetration, and relocation of digester gas line to avoid interference with new relief piping

#### General Consulting

PS&S assisted the Authority with preparation of documentation for the Army Corps of Engineers (ACOE) in support of the federal grant that was awarded.

Assistance with details to extend the vent stack for the trunk sewer in Rahway River Park.

#### User Charge and Flow Rights Reports

The January 2008 flow rights report covering December 2007 were finalized and submitted at the January Board Meeting the February 2008 reports, covering January 2008, were also finalized and submitted.

Mr. Pelissier asked when the Authority was going to have hearings and implement fines against those municipalities who are exceeding their flow rights, as per the 1995 Agreement. He noted that some municipalities had to buy additional flow rights because they continuously exceeded their flows. He stated that Roselle Park should have to buy flow rights to cover their exceedances. Mr. Hak stated that he would review the Agreement and report back to the Board.

### **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 8, 2008 through February 11, 2008.

#### CSP Improvements & Related Issues

##### Contracts #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.

Reviewed documentation relative to potential delay claims being asserted by the contractor/electrical subcontractor with respect to Contract #155. This item may be discussed in further detail in Executive session.

Reviewed documentation, performed legal research and had extensive discussions with the Executive Director regarding the issuance of certificates of occupancy for certain phases of the work by Woodbridge Township and the contractor's position with respect to same. This item may also be discussed in further detail in Executive session.

##### Administrative Appeals Re: Treatment Works Approval

With respect to the Treatment Works Approval, the final issue on appeal has been consolidated with the appeal that was filed regarding the Authority's NJPDES permit. (See discussion of NJPDES Permit Appeal-under "Miscellaneous").

##### Cogeneration Facility

Reviewed and discussed with the Executive Director the propriety of potential change orders submitted by the contractor, including its recent request for additional overhead, and performed legal research relative to same.

MiscellaneousNJPDES Permit Appeal

On October 26, 2007 a settlement conference was held at the Office of Administrative Law at which time a resolution of the remaining two (2) issues in the case (an emergency bypass and the required loading limits) was discussed with NJDEP. The parties have reached an agreement in principle that will require some additional information to be supplied by the Authority to NJDEP before the settlement can be finalized. The State of New Jersey Green Acres Program has rejected the Authority's proposal to utilize DSN-004, which runs through County parkland, for the emergency bypass.

Garwood/Trunk Sewer Conflict

We are in the process of preparing an agreement with Garwood for purposes of establishing Garwood's responsibilities with respect to the Authority's trunk sewer line.

Contract #144-Trunk Sewer Rehabilitation

Had several discussions with the Executive Director, the Consulting Engineer and contractor's counsel regarding contractor's latest payment requisition. Also discussed with the Executive Director and the Consulting Engineer the Authority's claims for liquidated damages and credits being asserted against the contract. This item may be discussed in further detail in Executive session.

Biosolids Hauling & Reuse Contract

Performed legal research with respect to the issue of whether the newly enacted state "Recycling Tax" applies to the Authority's transfer and disposal of de-watered and dried sludge.

Authority Name Change

Performed legal research and had discussions with authority executive staff regarding a proposed name change.

Committee Reports

The Chairman stated that a copy of the 2/21/2008-2/19/2009 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.

**2008 Committees**

<b><u>Committee</u></b>	<b><u>Chairperson</u></b>	<b><u>Committee Member</u></b>	
Engineering	Allen Chin	Clark Landale	Maria Abram
Finance	Charles Lombardo	Allen Chin	James Murphy
Personnel	James Murphy	Charles Lombardo	Richard LoForte
Sludge Management	Frank Mazzarella	Clark Landale	James Murphy
Legal	Clark Landale	Richard LoForte	Robert Luban
Public Relations	Attilio Venturo	Maria Abram	Peter Pelissier
Insurance Review	Robert Luban	Allen Chin	Attilio Venturo
Nominating	Peter Pelissier	Frank Mazzarella	Attilio Venturo

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

**Engineering Committee (C. Clark Landale, Chair)**

Mr. Chin stated that an Engineering Committee Meeting was held on February 14, 2008, at which time several items were discussed. Items which require action are on the agenda under New Business.

**Finance Committee (Charles Lombardo, Chair)**

Mr. Lombardo stated that a Finance Committee Meeting was held earlier this evening at which time the Bills and Claims were reviewed. Action is on the agenda under Bills and Claims.

**Legal Committee (Joan Papen, Chair)**

No report.

**Personnel Committee (Joan Papen, Chair)**

No report.

**Insurance Review Committee (Allen Chin, Chair)**

No report.

**Nominating Committee (Robert Luban, Chair)**

Mr. Luban stated that the Nominating Committee met last month and formulated its recommendation for the annual reorganization which took place earlier in this meeting.

**Public Relations Committee (James Murphy, Committee Member)**

Mr. Murphy stated that the Public Relations Firm, The Spi Group is in attendance this evening in order to take pictures of the new Commissioners, and the newly appointed Chair and Vice Chair. They will be preparing press releases regarding these matters and working on bios of the new

Commissioners for the website.

Sludge Management Committee (Frank Mazarella, Chair)

Mr. Mazarella stated that he would be scheduling a committee meeting in the near future.

**Unfinished Business**

None.

**New Business**

The following Resolution #08-05 was offered by Mr. Chin, on motion of Mr. Chin, seconded by Mr. Lombardo and unanimously approved by those present; Mr. Landale was absent.

RESOLUTION #08-05

WHEREAS, the Rahway Valley Sewerage Authority previously approved Resolutions #03-50, #07-25, #07-54 and #07-74 and related Agreements for Contract #144A/E, for the purpose of engaging Paulus, Sokolowski & Sartor (PS&S), 67A Mountain Blvd. Ext., Warren, NJ, for Professional Services specifically related to Contract #144 Trunk Sewer Rehabilitation; and

WHEREAS, the Authority has determined that there is a need to amend this agreement to provide for Engineering Services related to the additional unforeseen work associated with this contract; and

WHEREAS, Paulus, Sokolowski & Sartor submitted documentation reflecting the need for additional monies related to the additional scope on this contract; and

WHEREAS, the additional amount to be authorized for this Contract is \$52,931.00; and

WHEREAS, the Secretary-Treasurer of the Authority, who is the Chief Financial Officer, hereby certifies that the necessary funds for said contract are available in the 2008 Annual Budget.

WHEREAS Professional Services have been determined to be exempt from public bidding under N.J.A.C. 40A:11-1 et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with Paulus, Sokolowski & Sartor in an amount of \$185,202.00; be and are hereby amended to provide for the increased contract amount of \$52,931.00 resulting in a total contract not to exceed \$238,133.00; and

BE IT FURTHER RESOLVED that the Chair and Secretary are authorized to execute an amendment to the Professional Service Contract previously entered into; and



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

Mr. Chin made a motion, seconded by Mr. Luban, approving Change Order #10 on Contract #105 Cogeneration/Sludge Drying Facility, to J. H. Reid General Contractor, Inc. of South Plainfield, NJ, in an amount of \$56,371.22, total amended contract amount of \$22,170,579.79, as recommended by CCMS and as discussed at the Engineering Committee Meeting held February 14, 2008. The motion was approved by those present with the exception of Mr. Mazzarella who voted against and Mr. Landale who was absent.

The following Resolution #08-06 was offered by Mr. Luban, on motion of Mr. Luban, seconded by Mr. Lombardo and unanimously approved by those present; Mr. Landale was absent.

RESOLUTION #08-06

WHEREAS, the Township of Woodbridge has submitted a Treatment Works Application on behalf of Paul Fletcher Engineering / North Lincoln Estates, for a project to be located on North Lincoln Avenue in the Township of Woodbridge, State of New Jersey; and

WHEREAS, the application is for the construction of 329 lf of 8" sewer to service 3 new single family dwellings with a proposed flow of .0009 mgd (900 gpd); and

WHEREAS, the flow from the foregoing connection 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., 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 #08-07 was offered by Mr. Pelissier, on motion of Mr. Pelissier, seconded by Mr. Mazzarella and unanimously approved by those present; Mr. Landale was absent.

RESOLUTION #08-07

WHEREAS, the City of Rahway has submitted a Treatment Works Application on behalf of ENSR/Pivotal Utility Holdings d/b/a Elizabethtown Gas Co., for a project located at 219-0245 Central Avenue in the City of Rahway, State of New Jersey; and

WHEREAS, the application is for the installation of a conveyance pipe from a temporary on-site wastewater treatment system to the public sanitary sewer, the sub-surface pipe will extend 40 ft. to a connection to the manhole at the intersection of Central Avenue

and Campbell Street, with a proposed maximum flow of .1440 mgd (144,000 gpd); and

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

WHEREAS, the applicant will install a meter to meter the flow from this connection and has an arrangement with the City of Rahway regarding this discharge; and

WHEREAS, the application has been reviewed by Michael J. Brinker, Jr., P.E., 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**

Mr. Lombardo made a motion, seconded by Mr. Chin, that the following bills and claims previously audited by the Finance Committee be ordered paid. The motion was approved by the members present; Mr. Landale was absent.

BILLS & CLAIMS

**BUILDING & EQUIPMENT FUND**

<b>CHECK #</b>	<b>DATE</b>	<b>VENDOR</b>	<b>ACCT/LINE #</b>	<b>AMOUNT</b>
2271	02/11/08	FREEHOLD SOIL CONSERVATION DIS.	140.7	2,766.25
2272	02/11/08	PRINCETON NASSAU CONOVER FLM	136	48,053.00
2273	02/21/08	AGIA MASON INC.	140.2	161,164.75
2274	02/21/08	ARGENT ASSOCIATES LLC	140.7	1,352.50
2275	02/21/08	CONSOLIDATED CONSTRUCTION MGT.	140.2/7/9	175,897.82
2276	02/21/08	EE CRUZ COMPANY INC.	140.7	2,544,851.70
2277	02/21/08	J.H. REID, GENERAL CONTRACTOR	140.2	10,290.00
2278	02/21/08	NATIONAL POWER EQUIPMENT CO.	140.7	4,950.00
2279	02/21/08	NATIONAL FUEL OIL, INC.	140.7	15,329.40
2280	02/21/08	PAULUS, SOKOLOWSKI & SARTOR	140.2/7/9	14,605.88
2281	02/21/08	WEINER LESNIAK	140.9	246.50

**Total Building & Equipment Fund Checks: 11**

**Total Void Checks: 0**

**Total Amount Void: \$0.00**

**Total Amount Paid: \$2,979,507.80**

**CONSTRUCTION FUND**

<b>CHECK #</b>	<b>DATE</b>	<b>VENDOR</b>	<b>ACCT/LINE #</b>	<b>AMOUNT</b>
1171	02/21/08	PAULUS, SOKOLOWSKI & SARTOR	140.4	24,843.60

**Total Construction Fund Checks: 1**

**Total Void Checks: 0**

**Total Amount Void: \$0.00**

**Total Amount Paid: \$24,843.60**

**OPERATING FUND**

<b>CHECK #</b>	<b>DATE</b>	<b>VENDOR</b>	<b>ACCT/LINE #</b>	<b>AMOUNT</b>
34370	01/25/08	MICHAEL J. BRINKER, JR.	49	65.27
34371	01/25/08	CANON FINANCIAL SERVICES, INC.	16	1,299.72
34372	01/25/08	CITY OF RAHWAY, UNITED WATER RES.	33	11,779.55
34373	01/25/08	COGENT COMMUNICATIONS, INC.	27	674.00
34374	01/25/08	ELIZABETHTOWN GAS	22	836.39
34375	01/25/08	ELIZABETHTOWN GAS	22	8,181.43
34376	01/25/08	FEDEX	48	132.70
34377	01/25/08	MIDDLESEX WATER COMPANY	33	858.06
34378	01/25/08	NACWA	52	10,692.00
34379	01/25/08	STATE OF NJ BUREAU OF REVENUE	37	800.00
34380	01/25/08	STAPLES BUSINESS ADVANTAGE	13	794.58
34381	01/25/08	UNITED PARCEL SERVICE	48	152.57
34382	01/25/08	VERIZON	11/30	1,743.94
34383	01/25/08	VERIZON WIRELESS	11	662.17
34384	01/25/08	WOODRUFF ENERGY	22	3,006.60
34385	01/30/08	CDW GOVERNMENT, INC.	27	926.78
34386	01/30/08	RAHWAY VALLEY SEWERAGE AUTH.	01/02	239,898.29
34387	01/30/08	THE BANK OF NEW YORK	09	3,000.00
34388	02/05/08	DELTA DENTAL PLAN OF NJ	03	5,772.58
34389	02/05/08	STANDARD INSURANCE COMPANY	03	2,268.54
34390	02/05/08	TRUMP MARINA HOTEL CASINO	15/49	360.00
34391	02/05/08	VISION SERVICE PLAN	03	1,172.08
34392	02/06/08	HOME DEPOT CREDIT SERVICES	32	776.88
34393	02/06/08	STAPLES CREDIT PLAN	13	304.12
34394	02/11/08	TRUMP MARINA HOTEL CASINO	15	90.00
34395	02/13/08	NJ MOTOR VEHICLE COMMISSION	35	159.50
34396	02/15/08	NJ MOTOR VEHICLE COMMISSION	35	114.00
34397	02/15/08	OFFICE DEPOT	12	818.02
34398	02/15/08	ROBERT POLTZ	27	209.85
34399	02/21/08	A TOUCH OF ITALY	49	96.00
34400	02/21/08	ACCESS SYSTEMS INTEGRATION LLC	32	329.00
34401	02/21/08	ADP, INC.	03	170.28
34402	02/21/08	ADP, INC.	16	2,293.40
34403	02/21/08	ADVANCED SPECIALTY SALES, INC.	32	872.82
34404	02/21/08	ALL AMERICAN SEWER SERVICE INC.	32	10,555.00
34405	02/21/08	AMERICAN INDUSTRIAL SUPPLY CORP.	32/38	752.20
34406	02/21/08	AMERICAN WEAR	32	1,470.88
34407	02/21/08	ASSOCIATED AUTO PARTS	35	374.58
34408	02/21/08	ASSOCIATION OF ENVIRONMENTAL AUTH.	31	125.00
34409	02/21/08	AVOGADRO ENVIRONMENTAL CORP.	41	1,141.50
34410	02/21/08	BALCO INDUSTRIES INC.	31	1,910.00
34411	02/21/08	BOWCO LABORATORIES, INC.	32	63.00
34412	02/21/08	BRADY WORLDWIDE, INC.	32	175.00
34413	02/21/08	BUREAU OF NATIONAL AFFAIRS, INC.	41	2,401.00
34414	02/21/08	CARUS PHOSPHATES, INC.	32	2,631.98
34415	02/21/08	CDW GOVERNMENT, INC.	27	2,694.69
34416	02/21/08	CHARLES F. CONNOLLY DIST. CO.	38	732.94
34417	02/21/08	COGENT COMMUNICATIONS, INC.	27	694.00

34418	02/21/08	COMPLETE MAINTENANCE SUPPLY	32	259.75
34419	02/21/08	CONSOLIDATED RAIL CORP.	18	650.88
34420	02/21/08	COOPER ELECTRIC SUPPLY CO.	32	822.23
34421	02/21/08	CSL SERVICES, INC.	30	17,135.99
34422	02/21/08	D2L ASSOCIATES, INC.	42	4,840.00
34423	02/21/08	DAVID WEBER OIL COMPANY	32	2,166.00
34424	02/21/08	DELL MARKETING L.P.	32	249.98
34425	02/21/08	DELL MARKETING L.P.	27/49	21,730.00
34426	02/21/08	DIVITA BALANCE SERVICE CO., LLC	40	300.00
34427	02/21/08	DUNFORD REFRIGERATION, HEATING	43	917.00
34428	02/21/08	EDMUNDS & ASSOCIATES, INC.	18	500.00
34429	02/21/08	ELIZABETHTOWN GAS	22	8,669.67
34430	02/21/08	EMED CO., INC.	32	153.85
34431	02/21/08	ENVIRONMENTAL RESOURCE ASSOC.	40	101.24
34432	02/21/08	ELIZABETHTOWN GAS	22	8,169.25
34433	02/21/08	FISHER SCIENTIFIC	40	3,590.74
34434	02/21/08	FLEMINGTON FORD	32	700.00
34435	02/21/08	FLEXLINE	38	269.31
34436	02/21/08	FXS NETWORK CONSULTING	27	300.00
34437	02/21/08	GEORGE S. COYNE CHEMICAL CO.	32	682.50
34438	02/21/08	GERHART SYSTEMS & CONTROLS	32	291.00
34439	02/21/08	W.W. GRAINGER, INC.	32	1,250.54
34440	02/21/08	GARY W. GRAY TRUCKING, INC.	25/26	62,017.35
34441	02/21/08	GREAT LAKES ENVIRONMENTAL	41	427.12
34442	02/21/08	GREENWOOD PRODUCTS, INC.	40	443.97
34443	02/21/08	HALL & ASSOCIATES	08	7,642.55
34444	02/21/08	HATCH MOTT MACDONALD	08	7,117.29
34445	02/21/08	HESS CORPORATION	19	114,982.51
34446	02/21/08	JOHN V. HRUSKA	31	150.00
34447	02/21/08	INDEPENDENT OVERHEAD DOOR CO.	32	675.00
34448	02/21/08	INTERSTATE ENVIRONMENTAL COMM.	41	445.80
34449	02/21/08	JCI JONES CHEMICALS, INC.	29	24,132.93
34450	02/21/08	JERSEY ELEVATOR COMPANY INC.	32	174.00
34451	02/21/08	JRM MEDICAL SERVICES, INC.	40	495.00
34452	02/21/08	JOE ROMER TROPHY SHOP	13	65.23
34453	02/21/08	LAB SAFETY SUPPLY, INC.	41	253.48
34454	02/21/08	METRO HYDRAULIC JACK CO.	38	542.51
34455	02/21/08	MILLER MECHANICAL CORPORATION	32	100.00
34456	02/21/08	MURRAY, MONTGOMERY & O'DONNELL	09	10,000.00
34457	02/21/08	NATIONAL FUEL OIL, INC.	24	1,965.12
34458	02/21/08	NORTH-EAST SERVICES	32	217.95
34459	02/21/08	NJ MOTOR VEHICLE COMMISSION	35	75.00
34460	02/21/08	NJ MOTOR VEHICLE COMMISSION	35	71.50
34461	02/21/08	TREASURER - STATE OF NJ	37	242,041.58
34462	02/21/08	NJ WATER ENVIRONMENT ASSOC.	31	9.99
34463	02/21/08	NW FINANCIAL GROUP	09	127.50
34464	02/21/08	O'JOHNNIES, INC.	13	288.39
34465	02/21/08	OMNI ENVIRONMENTAL LLC	08	620.56
34466	02/21/08	ONE CALL SYSTEMS, INC.	32	57.33
34467	02/21/08	PAULUS, SOKOLOWSKI & SARTOR LLC	06	6,458.13
34468	02/21/08	PCI SCIENTIFIC SUPPLY INC.	40	103.96
34469	02/21/08	PITNEY BOWES, INC.	48	36.48

34470	02/21/08	POLAND SPRING WATER COMPANY	46	187.25
34471	02/21/08	ROBERT POLTZ	27	125.00
34472	02/21/08	POLYDYNE INC.	23	27,918.00
34473	02/21/08	PRECISION ELECTRIC MOTOR WORKS	32	385.00
34474	02/21/08	PRIME LUBE INC.	32	1,472.35
34475	02/21/08	PSE&G COMPANY	19/42	27,048.76
34476	02/21/08	PUMPING SERVICES, INC.	32	420.50
34477	02/21/08	PURCHASE POWER	48	2,018.99
34478	02/21/08	QC LABORATORIES	40/41	2,602.00
34479	02/21/08	R&C VALVE REPAIR, INC.	32	1,440.42
34480	02/21/08	RAHWAY VALLEY SEWERAGE AUTH.	01/02	174,963.65
34481	02/21/08	CITY OF RAHWAY	37	50.00
34482	02/21/08	CITY OF RAHWAY	18	10.00
34483	02/21/08	RAHWAY ELECTRIC SUPPLY	32	612.95
34484	02/21/08	RICHARD LUCAS CHEVROLET	35	1,191.90
34485	02/21/08	PETTY CASH	14	61.45
34486	02/21/08	SAFETY-KLEEN CORP.	32	229.47
34487	02/21/08	SEMCOR EQUIPMENT & MFG. CORP.	32	1,034.00
34488	02/21/08	SMITH TRACTOR & EQUIP. INC.	35	236.93
34489	02/21/08	SPECTRASERV INC.	26	2,466.56
34490	02/21/08	STAR LEDGER	12	102.00
34491	02/21/08	STEPHEN MOREIRA	31	150.00
34492	02/21/08	TBS CONTROLS, LLC	32	613.00
34493	02/21/08	THE SPI GROUP, LLC	27/46	8,019.35
34494	02/21/08	THOMAS SCIENTIFIC	40	213.30
34495	02/21/08	TREASURER - STATE OF NJ	37	400.00
34496	02/21/08	TRS CONTAINERS	32	4,095.00
34497	02/21/08	TURTLE & HUGHES INC.	32	10,298.79
34498	02/21/08	UNITED PARCEL SERVICE	48	48.20
34499	02/21/08	UNITED STATES PLASTIC CORP.	40	183.31
34500	02/21/08	SIEMENS WATER TECH.,US FILTER	40	643.00
34501	02/21/08	USA BLUEBOOK	38	446.25
34502	02/21/08	VERIZON	11/30	1,211.33
34503	02/21/08	VERIZON WIRELESS	11	622.59
34504	02/21/08	WEARGUARD/ARAMARK	32	106.44
34505	02/21/08	WEINER LESNIAK	07/08	36,650.54
34506	02/21/08	921-WELCO-CGI GAS TECH LLC	32/40	839.86
34507	02/21/08	WESCO	32	114.00
34508	02/21/08	WOODRUFF ENERGY	22	22,639.67
34509	02/21/08	ZEP MANUFACTURING COMPANY	32	429.91

**Total All Operating Fund Checks: 140**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$1,214,822.77**

**Total All Checks: 152**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$4,219,174.77**

OPERATING FUND	7-01	183,764.84
BUILDING & EQUIP FUND	7-02	28,451.34
CONSTRUCTION FUND	7-04	<u>24,843.60</u>
2007 EXPENSE TOTAL		237,059.78
OPERATING FUND	8-01	1,031,057.93
BUILDING & EQUIP FUND	8-02	2,951,056.46
2008 EXPENSE TOTAL		<u>3,982,114.39</u>
TOTAL ALL FUNDS		\$4,219,174.17

### **Open the Floor to the Public**

The Chairman asked if there was anyone from the public who wished to address the Board. No one did.

### **Closed Session**

Mr. Chin made a motion to go into closed session at this time, 8:30 p.m. to discuss matters related to pending and/or anticipated litigation based on Attorney/Client privilege. The motion was seconded by Mr. Luban and unanimously approved.

Mr. Lombardo made a motion to return to the regular order of business at this time, 8:50 p.m. The motion was seconded by Mr. Murphy and unanimously approved.

### **Return to Regular Order of Business**

### **Adjournment**

As there was no further business, on motion of Mr. Lombardo, seconded by Mr. Luban, the meeting adjourned at 8:50 p.m. The motion was unanimously approved.

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Robert J. Materna, Secretary-Treasurer

JG/jg  
Attachments