

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes

Regular Meeting held March 15, 2007

- Minutes
Approved the minutes of the Regular Meeting held February 15, 2007.
- Communications
None.
- Treasurers Reports
Treasurer's reports for the month of January 2007 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, Legal and Public Relations Committees.
- Unfinished Business
None.
- New Business
Approved the following: Reject proposals received for General and Labor Counsel Services; Authorize the Interim Executive Director to enter into an Electric Energy Agreement, prepare an RFP and solicit proposals for Renewal Energy Credits, and also to act as facilitator on Contract #105 related to potential Change Orders.
- New Business (Cont'd.)
Approved the following expenditures: Award of Contract #0721 to Hatch Mott MacDonald in an amount of \$78,000.00; Amendment to Weiner Lesniak's 2006-07 contract for General Counsel Services in an amount of \$70,000.00; Amend Weiner Lesniak's 2006-07 contract for General Counsel Services for a one month extension at a cost of \$40,000.00; Amend Weiner Lesniak's 2006-07 contract for Labor Counsel Services for a one month extension at a cost of \$3,500.00; Amend Contract #0714 with Saul Ewing LLP for additional services at a cost not to exceed \$1,500.00.

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

- Bills and Claims		
<u>Fund Description</u>	<u>Fund#</u>	<u>Amount</u>
OPERATING FUND	7-01	866,759.64
BUILDING & EQUIP FUND	7-02	2,620,502.96
CONSTRUCTION FUND	7-04	<u>3,007.25</u>
TOTAL ALL FUNDS		\$3,490,269.85

RAHWAY VALLEY SEWERAGE AUTHORITY

Regular Meeting Minutes – March 15, 2007

The Chairman called the meeting to order at 7:48 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
Thomas J. McHale	for the Borough of Kenilworth
Joan Papen	for the Township of Scotch Plains
Peter H. Pelissier	for the City of Rahway
Attilio S. Ventura	for the Borough of Roselle Park
* Via telephone conference call.	

The following members were absent:

Robert G. Luban	for the Township of Woodbridge
Frank G. Mazzarella	for the Township of Clark
James J. Murphy	for the Township of Cranford

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.):

Maryellen Palermo	Westfield Leader Newspaper
Robert Valent	Superintendent
Anthony Gencarelli	Manager of Regulator Affairs
Dan Ward	Manager of Plant Maintenance
Thomas Macaluso	Asst. Laboratory Supervisor

Approval of Minutes

Mr. Chin made a motion, seconded by Mr. Lombardo, to approve the minutes of the Regular Meeting held February 15, 2007. The motion was unanimously approved with the exception of Mr. Pelissier who abstained.

Communications

None.

Report of Treasurer

The Treasurer's Reports for the month of January 2007 have been distributed to the Commissioners. A copy is attached to the Minutes.

Report of Interim Executive Director

Sewer Treatment Endorsements

The following is a list of Sewer Treatment Endorsements processed between 2/14/07 and 3/13/07:

Number	Date	Applicant	Municipality
947-07-CL	02/09/07	Daniel Chin	Clark
948-07-WB	02/23/07	SMIII Woodbridge Plaza LLC	Woodbridge
949-07-RW	02/23/07	Berto Construction, Inc.	Rahway

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 – 2007 Summary Operations
- RVSA Superintendent – Monthly Grievances

RVSA IPP Coordinator – IPP Activities

Please note that with regard to the Operations Report, the Plant Average Flow for the month of January, 2007 was 33.8 mgd, SS Removal was 92% and CBOD Removal was 93%. The Authority surpassed the requirements of its NJPDES Permit which is a credit to the Supervisory and Operational Staff for continuing to function very well during the construction operations.

Mr. Ventura stated that on behalf of the Board, he wished to commend the staff on their performance related to the operation of the plant.

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 was posted on the Authority's web site and sent to the five consulting firms and requested by one firm; they are as follows:

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

Correspondence was received from Camp, Dresser & McKee, Metcalf & Eddy and Brown & Caldwell all declining the opportunity to submit proposals, for various reasons. Proposals were received from the other three firms, who made presentations to the Commissioners at the Engineering Committee Meeting. Copies of the proposals and the RFP were distributed to the Commissioners for review and were forwarded to Counsel for review and recommendation.

Hatch, Mott, MacDonald	\$78,000.00
Paulus, Sokolowski & Sartor/Hazen & Sawyer	\$82,210.00
Garden State Engineering	\$98,328.00

Based on the presentations and subsequent discussion, the Engineering Committee recommends that the contract be awarded to Hatch Mott MacDonald at a cost Not To Exceed \$78,000.00. Action is on the agenda under New Business.

General Counsel Services 2006

A letter was received March 14, 2007, from Brian Hak of Weiner Lesniak, requesting additional monies for their 2006 contract with the Authority. The request is for an additional \$70,000.00 bringing the contract total to \$570,000.00. A copy of the letter has been forwarded to the Commissioners for review and was discussed at the Legal Committee Meeting held earlier this evening.

General Counsel Services 2007

A Request For Proposal (RFP) was prepared for General Counsel Services to the Authority for the period March 15, 2007 through March 21, 2008. The RFP was posted on the Authority's web site and sent to our present consultant. Proposals were received from two firms, as follows:

WL PROPOSED

Weiner Lesniak, LLP	Task 1-Retainer	No response
Parsippany, NJ	Task 2-Additional Services	No response
	Partners @ \$175.00	
	Associates @ \$145.00	

WL COST EXTENDED BY RVSA STAFF PER RFP

Weiner Lesniak, LLP	Task 1-Retainer	\$17,500.00
Parsippany, NJ	Task 2-Additional Services	<u>486,000.00</u>
	Total	\$503,500.00
	Partners @ \$175.00	
	Associates @ \$145.00	

Maraziti, Falcon & Healey	Task 1-Retainer	\$22,000.00
Short Hills, NJ	Task 2- Additional Services	<u>601,500.00</u>
	Total	\$623,500.00
	Partners @ \$220.00	
	Sr. Assoc. @ \$195.00	
	Associate @ \$175.00	

The RFP utilized 100 hours of service for Task 1-Retainer fee; and for Task 2- Additional Services, 1700 hours of service for Partners and 1300 hours for Associates was utilized. This was done for comparison purposes and a total not to exceed value. Please note that Weiner Lesniak did not extend the amounts in their proposal, they only proposed hourly rates, which were subsequently extended by RVSA staff.

The hourly rates proposed by Weiner Lesniak remain unchanged from last year's contract.

The proposals were sent to the Legal Committee for review and subsequent consideration at a Legal Committee Meeting which was held earlier this evening. The Committee will make a recommendation to the Board, possibly for action under New Business.

Contract #0716 – Labor Counsel Services

A Request For Proposal (RFP) was prepared for Labor Counsel Services to the Authority for the period March 15, 2007 through December 31, 2007. The RFP was posted on the Authority's web site and sent to our present consultant. The following proposal was received:

WL PROPOSED

Weiner Lesniak, LLP	Task 1-General Services	No response
Parsippany, NJ	Task 2-Harassment Training	<u>No response</u>

Total		\$30,000.00
Partners	@\$175.00	
Associates	@\$145.00	

WL COST EXTENDED BY RVSA STAFF PER RFP

Weiner Lesniak, LLP	Task 1-General Services	\$6,525.00
Parsippany, NJ	Task 2-Harassment Training	<u>29,000.00</u>
	Total	\$35,525.00
	Partners	@\$175.00
	Associates	@\$145.00

It should be noted that the contract with Weiner Lesniak for 3/06-3/07 reflected an hourly billing rate of \$150.00 for all services. The 2007 contract reflects rates of \$145.00 for Associates and \$175.00 for partners. Since Margaret Miller, who is the designee from Weiner Lesniak as the Authority’s Labor Counsel, is an Associate with their firm, their proposal reflects a 3.3% **decrease** in the hourly rate. The RFP requested that all proposals utilize 200 hours for Task 1 and 45 hours for Task 2. The proposal from Weiner Lesniak did not extend the amounts; however, if all hours were billed at the Associates rate, the contract total would be \$35,525.00. Their proposal indicates a total not to exceed \$30,000.00.

The proposals were sent to the Legal Committee for review and subsequent consideration at a Legal Committee Meeting which was held earlier this evening. The Committee will make a recommendation to the Board, possibly for action under New Business.

Global Settlement

Discussion of settlement costs related to contract #105 for J.H. Reid and CCMS took place at the March Engineering Committee Meeting. The Commissioners requested that I facilitate the settlement of items to be paid. A motion is on the agenda under New Business regarding this matter.

Mr. Brinker added that he met with CCMS and J.H. Reid today for 4-1/2 hours and noted that the contractor is supposed to submit information by next week. Another meeting is scheduled for March 22. Mr. Brinker stated that he is pleased with the progress made so far.

Contract #105 – Renewable Energy Credits

Three proposals were received (one unsolicited and two solicited) for consulting services related to Renewable Energy Credits as noted below. Copies of the proposals were sent to the Commissioners for review.

Gabel Associates	\$8,000.00 for REC sale activities and \$3,500.00 for review of natural gas bid documents
PS&S	\$10,200.00

JCO Compliance

Next JCO Compliance Report, covering the first quarter of 2007, is due at the end of April. Review related to JCO Milestone date for the Cogeneration Facility.

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

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. PS&S is currently reviewing submittals and responding to Contractor RFI's. PS&S has drafted a notification of construction for the residents of Bedford Street. 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, as needed, related to the Wastewater Management Plan (WMP). There is currently no activity.

Cogeneration Funding

PS&S continues to track the status of the BPU Office of Clean Energy Renewable Energy Advanced Power Program grant. 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. PS&S is currently awaiting follow-up paperwork related to the grant.

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 permit is at the USEPA for comment. The 45 day comment period ends on or about March 11, 2007. There are several items from the draft permit that will require additional follow-up after the permit is eventually issued. Gas monitoring requirements will require modification since it is not feasible with the gas blending system to monitor digester and natural gas to each engine. PS&S has reached out to the NJDEP to pursue this issue. A meeting

to discuss all the monitoring/recordkeeping requirements of the permit was held on Friday March 2, 2007 with representatives of the Authority and CCMS.

PS&S will continue to follow up on the permit with the NJDEP until it is issued.

Digester Brick Replacement-Contract #157

PS&S has completed the design drawings and the specifications for the project. The insurance provisions of the "front end" were sent to General Counsel for review and PS&S has incorporated the resulting comments. PS&S met on-site with an alternate vendor of the fascia panels and will incorporate them into the specifications prior to bidding. PS&S received the specifications, details and cost data from the alternate vendor during the past week.

General Consulting

PS&S is providing assistance to the Authority regarding issues related to the use of Linden landfill gas. This period there was no activity by PS&S.

PS&S assisted with review of a Springfield TWA related matter.

PS&S was requested to provide assistance related to heating in the Sludge Dewatering Facility. PS&S met internally recently to compile available design data for the facility.

PS&S attended a meeting with the Township of Clark related to their recent correspondence questioning the validity of the user charge system

User Charge and Flow Rights Reports

February reports covering January were issued at last months Board Meeting. March reports covering February were distributed to the Commissioners this evening.

CSL the metering vendor has advised the Authority regarding a concern for the flow meter data for RV-06. This meter is located at the border between Westfield and Garwood and therefore impacts the flow numbers for these two towns. This issue will require additional follow-up.

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 February 13, 2007 through March 12, 2007.

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.

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. With respect to the Air Quality Permit appeal, the permit modification, which the RVSA is in agreement with, has been submitted by NJDEP to the EPA. If the EPA has no issues regarding the permit modification then the permit will be issued by NJDEP as modified and the RVSA will withdraw its appeal.

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- item #2 under "Miscellaneous").

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. We have now finalized the documentation relative to the acquisition of the remaining easement and this file will be closed-out in the near future.

JCO Compliance

Reviewed and commented the request for extension that was sent by the Interim Executive Director to NJDEP relative to the Cogeneration/Sludge Drying facility (Contract #105).

Cogeneration Facility Contract #105

Reviewed and discussed with Interim Executive Director propriety of potential change orders submitted by contractor and performed legal research relative to same.

Additionally, we have been in contact with the Woodbridge Township Planning Department relative to various discrepancies between the site plan that was approved by the Township planning board and what has actually been built on site. The Township's Director of Planning has indicated that she will advise us as to whether the Authority requires further planning board action.

Mr. Ventura asked specifically what changes. Mr. Wancho stated that changes were made to avoid a conflict which required Counsel to go back before the Township of Woodbridge.

MiscellaneousMethane Gas from City of Linden Landfill

The City's consultant has 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. On February 20, 2007 this office filed a motion with the court for sanctions against NJDEP and the Attorney General's office for failure to provide us with responses to our discovery requests. Most importantly, in addition to seeking sanctions, our moving papers also seeks to restrain the NJDEP from pursuing its claim that the RVSA is not entitled to an emergency outfall to the Rahway River. Should the motion be granted, it will effectively end the appeal since the issue of the emergency outfall is the only remaining issue in the case.

Mr. Venturo asked if there was any resistance. Mr. Hak responded that there was not since the NJDEP wasn't doing anything; letting the Judge make the decision.

Miscellaneous Contracts

We have reviewed the responses to the RFP for Contract #0721-Evaluation of User Charge System that was recently advertised for by the Authority and discussed at the March 8, 2007 Engineering Committee meeting 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.

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. A title

search has been ordered and we are in the process of preparing an agreement to be executed between the Authority and Garwood.

Inter-municipal Agreements

We have sent correspondence to all eleven (11) constituent municipalities requesting that they furnish us with copies of all agreements between municipalities regarding flow and flow rights. This is being done in conjunction with the analysis of the user charge system. We have received responses from some, but not all, municipalities.

Committee Reports

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

Engineering Committee (Clark Landale, Chairman)

Mr. Chin, a committee member, stated that an Engineering Committee Meeting was held March 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 were reviewed and discussed. The Bills and Claims will be acted on later in the meeting.

Personnel Committee (Thomas McHale, Chairman)

No report.

Sludge Management Committee (Frank Mazzarella, Chairman)

No report.

Insurance Review Committee (Allen Chin, Chairman)

No report.

Legal Committee (Joan Papen, Chairwoman)

Mrs. Papen stated that a Legal Committee Meeting was held earlier this evening at which time several items were discussed. Items which require action will be addressed under New Business.

Public Relations Committee (Rosalie Berger, Chairwoman)

Mrs. Berger stated that the photographer was present earlier this evening to take some pictures

for the web site, the reorganization press release and future newsletters.

Open the floor to the Public for questions or comments

No one addressed the Board.

Unfinished Business

None.

New Business

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

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041, for Professional Engineering Services, specifically to perform an Evaluation of the Authority's User Charge System, Contract #0721; 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

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage Hatch Mott MacDonald to perform the services described herein at a cost not to exceed \$78,000.00 for a one year period; 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.

Mr. Chin made a motion, seconded by Mrs. Papen, authorizing the Interim Executive Director to enter into a contract for electrical energy, based on bids which will be received on March 22, 2007 by the Energy Aggregate Consultant, who will make a recommendation to the New Jersey Sewerage and Municipal Utility Authority Electricity Supply Aggregation (NJSMUAESA) group, of which RVSA is a member.

Mr. Ventura stated that he would like to attend the bid opening and asked that Mr. Casella contact him regarding same.

After brief discussion, the motion was unanimously approved.

Mr. Chin made a motion, seconded by Mr. McHale, authorizing the Interim Executive Director to prepare a Request For Proposal (RFP) for Renewable Energy Credits and to solicit proposals for consideration at the April Meetings, as recommended by the Engineering Committee. The motion was unanimously approved.

Mr. Chin made a motion, seconded by Mr. Pelissier, authorizing the Interim Executive Director to serve as a facilitator for CCMS (the Construction Manager) and J.H. Reid (the Contractor) regarding the settlement on potential change orders on Contract #105-Cogeneration/Sludge Drying Facility, and to provide a report to the Board by April 6th outlining what items he feels should be paid and which ones should not, for discussion and consideration at the April Meetings, as recommended by the Engineering Committee.

The Commissioners discussed the fact that CCMS and J.H. Reid both need to sharpen their pencils prior to re-submitting the report to the Board at the April Engineering Committee Meeting. The Contractor should also be preparing a punch list with regard to the contract.

After brief discussion, the motion was unanimously approved.

The following Resolution #07-08 was offered by Mrs. Papen, on motion of Mrs. Papen, and seconded by Mr. Lombardo.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) previously approved Resolution #06-22 and related Agreement for the purpose of engaging Weiner Lesniak, LLP to provide Professional Services specifically to serve as General Counsel to the Authority for the period March 16, 2006 through March 15, 2007; and

WHEREAS, the Authority has determined that there is a need to amend this agreement; and

WHEREAS, Weiner Lesniak, LLP submitted documentation reflecting the need for additional monies related to their 3-2006/3-2007 contract; and

WHEREAS, the additional amount to be authorized for this Contract is \$70,000.00; 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 2006 Annual Budget; 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, Request For Qualifications (RFQ's) were accepted at the onset of the contract in March 2006 for the award of this contract through a fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolution and related Agreement with Weiner Lesniak, LLP in an amount of \$500,000.00 be and are hereby amended to provide for an increase in the amount of \$70,000.00, for a total contract not to exceed \$570,000.00; and

BE IT FURTHER RESOLVED that the Chairman 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. Pelissier noted that he would vote against this as he was not on the board when the extra work was approved by the Commissioners. He also noted that he does not feel that a contract of this nature should have a "not to exceed" value associated with it.

After brief discussion, the motion was unanimously approved with the exception of Mr. Pelissier who voted against.

Mrs. Papen requested that resolutions #07-09 and #07-10 be removed from the agenda.

Mrs. Papen made a motion, seconded by Mr. McHale, to reject all proposals received for General Counsel Services, as one proposal was found to be non-conforming and the other proposal was found to be excessive and unreasonable, and to re-solicit proposals. The motion was unanimously approved.

Mrs. Papen made a motion, seconded by Mr. McHale, to reject all proposals received for Contract #0716 Labor Counsel Services, as the sole proposal received was found to be non-conforming, and to re-solicit proposals. The motion was unanimously approved.

The following Resolution #07-11 as offered by Mrs. Papen, on motion of Mrs. Papen, seconded by Mr. Lombardo and unanimously approved.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) previously approved Resolution #06-23 and related Agreement for the purpose of engaging Weiner Lesniak, LLP to provide Professional Services specifically to serve as Labor Counsel to the Authority for the period March 16, 2006 through March 15, 2007; and

WHEREAS, the Authority has determined that there is a need to amend this agreement and to extend the agreement for approximately one month in order to receive proposals for a new contract; and

WHEREAS, the Authority has determined that there is a need for additional monies related to this contract to cover the contract extension period; and

WHEREAS, the additional amount to be authorized for this Contract is \$3,500.00; 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 2007 Annual Budget; 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, Request For Qualifications (RFQ's) were accepted at the onset of the contract in March 2006 for the award of this contract through a fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolution and related Agreement with Weiner Lesniak, LLP in an amount of \$30,000.00 be and are hereby amended to provide for an increase in the amount of \$3,500.00, for a total contract not to exceed \$33,500.00; and

BE IT FURTHER RESOLVED that the Chairman 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.

The following Resolution #07-12 as offered by Mrs. Papen, on motion of Mrs. Papen, seconded by Mr. Lombardo and unanimously approved.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) previously approved Resolution #06-22 and related Agreement for the purpose of engaging Weiner Lesniak, LLP to provide Professional Services specifically to serve as General Counsel to the Authority for the period March 16, 2006 through March 15, 2007; and

WHEREAS, the Authority has determined that there is a need to amend this agreement and to extend the agreement for approximately one month in order to receive proposals for a new contract; and

WHEREAS, the Authority has determined that there is a need for additional monies related to this contract to cover the contract extension period; and

WHEREAS, the additional amount to be authorized for this Contract is \$40,000.00; 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 2007 Annual Budget; 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, Request For Qualifications (RFQ's) were accepted at the onset of the contract in March 2006 for the award of this contract through a fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolution and related Agreement with Weiner Lesniak, LLP in an amount of \$570,000.00 be and are hereby amended to provide for an increase in the amount of \$40,000.00, for a total contract not to exceed \$610,000.00; and

BE IT FURTHER RESOLVED that the Chairman 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.

The following Resolution #07-13 as offered by Mrs. Papen, on motion of Mrs. Papen, seconded by Mr. Pelissier and unanimously approved with the exception of Mr. Chin who voted against.

WHEREAS, the Rahway Valley Sewerage Authority (Authority) previously approved Resolution #06-78 and related Agreement for the purpose of engaging Saul Ewing LLP to provide Professional Services specifically for Legal Services on Regulatory Matters, and

WHEREAS, the Authority has determined that there is a need to amend this agreement in order to have the firm of Saul Ewing LLP provide additional services to review proposals for General Counsel and Labor Counsel upon receipt in April 2007; and

WHEREAS, the Authority has determined that there is a need for additional monies related to this contract to cover the additional work; and

WHEREAS, the additional work shall be done by Saul Ewing LLP Special Counsel and

billed at their rate of \$295.00 per hour; 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 2007 Annual Budget; 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, Request For Proposals (RFP's) were accepted at the onset of the contract through a fair and open process in accordance with N.J.S.A. 19:44A-20, et. seq.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolution and related Agreement with Saul Ewing LLP in an amount of \$71,325.00 be and is hereby amended to provide for an increase in the amount to include the fees associated with this work; and

BE IT FURTHER RESOLVED that the Chairman 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.

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
2204	02/28/07	BERNARD J. ECKENRODE, JR.	140.08	300.00
2205	03/15/07	ARGENT ASSOCIATES LLC	140.2/7/8	2,857.50
2206	03/15/07	CONSOLIDATED CONSTRUCTION MGT.	140.7	271,760.81
2207	03/15/07	EE CRUZ COMPANY INC.	140.7	2,208,569.78
2208	03/15/07	J.H. REID, GENERAL CONTRACTOR	140.2	134,027.22
2209	03/15/07	PAULUS, SOKOLOWSKI & SARTOR	140.2/7	2,987.65

Total Building & Equipment Fund Checks: 6

Total Void Checks: 0

Total Amount Void: \$0.00

Total Amount Paid: \$2,620,502.96

CONSTRUCTION FUND

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
1156	03/15/07	PAULUS, SOKOLOWSKI & SARTOR	140.4	3,007.25

Total Construction FundChecks: 1

Total Void Checks: 0

Total Amount Void: \$0.00

Total Amount Paid: \$3,007.25

OPERATING FUND

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
33067	02/21/07	HARTFORD STEAM BOILER	32	125.00
33068	02/21/07	MURRAY, MONTGOMERY & O'DONNELL	09	10,000.00
33069	02/21/07	PSE&G COMPANY	19	80.00
33070	02/28/07	CANON FINANCIAL SERVICES, INC.	16	1,299.72
33071	02/28/07	COGENT COMMUNICATIONS, INC.	27	674.00
33072	02/28/07	DELTA DENTAL PLAN OF NJ	03	5,872.77
33073	02/28/07	ELIZABETHTOWN GAS	22	276.36
33074	02/28/07	FEDEX	48	97.17
33075	02/28/07	TREASURER - STATE OF NJ	37	400.00
33076	02/28/07	PSE&G COMPANY	19/42	24,181.79
33077	02/28/07	PURCHASE POWER	48	1,018.99
33078	02/28/07	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	245,375.69
33079	02/28/07	CITY OF RAHWAY	18	10.00
33080	02/28/07	STANDARD INSURANCE COMPANY	03	2,242.50
33081	02/28/07	STAPLES BUSINESS ADVANTAGE	13	179.15
33082	02/28/07	UNITED PARCEL SERVICE	48	68.00
33083	02/28/07	VERIZON	11/30	1,148.34
33084	02/28/07	VERIZON WIRELESS	11	382.88
33085	03/05/07	VISION SERVICE PLAN	03	1,213.94
33086	03/12/07	ELIZABETHTOWN GAS	22	2,969.80
33087	03/15/07	ADP, INC.	03	165.32
33088	03/15/07	ADP, INC.	16	1,567.33
33089	03/15/07	ADVANCED SPECIALTY SALES, INC.	32	685.02
33090	03/15/07	AIRGAS SAFETY, INC.	31	1,198.47
33091	03/15/07	ALL AMERICAN SEWER SERVICE, INC.	21/32	4,668.00
33092	03/15/07	ALL INDUSTRIAL-SAFETY PRODUCTS	31	521.19
33093	03/15/07	AMERICAN INDUSTRIAL SUPPLY CORP.	32	772.51
33094	03/15/07	AMERICAN WEAR UNIFORMS	32	1,223.95
33095	03/15/07	APPLIED ANALYTICS, INC.	32	3,150.00
33096	03/15/07	ARCH WIRELESS	11	11.19
33097	03/15/07	ASSOCIATED AUTO PARTS	35	125.63
33098	03/15/07	ROSALIE F. BERGER	49	183.24
33099	03/15/07	BOWCO LABORATORIES, INC.	32	63.00
33100	03/15/07	CARUS CHEMICAL	32	2,582.58
33101	03/15/07	CDW GOVERNMENT, INC.	27	271.98
33102	03/15/07	CHALMERS & KUBECK, INC.	32	340.00
33103	03/15/07	ALLEN CHIN	49	64.44
33104	03/15/07	CHROMATE INDUSTRIAL CORP.	32	636.70
33105	03/15/07	CITY OF RAHWAY/UNITED WATER RES.	33	7,147.06
33106	03/15/07	COMPUSA	27	351.98
33107	03/15/07	CONNELL FOLEY LLP	09	4,380.00
33108	03/15/07	CONSOLIDATED STEEL & FENCE	32	1,470.00
33109	03/15/07	CSL SERVICES, INC.	30	13,750.00

33110	03/15/07	D2L ASSOCIATES, INC.	42	3,360.00
33111	03/15/07	GARY DEGROAT	31	150.00
33112	03/15/07	DELL MARKETING L.P.	27	460.43
33113	03/15/07	LOUIS DUPLESSIS	03	561.00
33114	03/15/07	DYNAFLOW ENGINEERING	32	1,670.00
33115	03/15/07	EIMCO WATER TECHNOLOGIES	32	1,095.15
33116	03/15/07	ELIZABETHTOWN GAS	22	10,578.50
33117	03/15/07	ENVIRONMENTAL COMPLIANCE	41	3,804.75
33118	03/15/07	WILLIAM FEINS	03	280.50
33119	03/15/07	FISHER SCIENTIFIC	32/40	705.25
33120	03/15/07	FLEXLINE	38	362.08
33121	03/15/07	FRED VACHINO & SONS	32	130.00
33122	03/15/07	GENSERVE INC.	34	2,760.00
33123	03/15/07	W.W. GRAINGER, INC.	32	1,102.29
33124	03/15/07	GARY W. GRAY TRUCKING, INC.	25/26	95,353.47
33125	03/15/07	GREAT LAKES ENVIRONMENTAL	41	409.70
33126	03/15/07	HAYES PUMP INC.	38	484.23
33127	03/15/07	HISCO PUMP INC.	34	11,671.22
33128	03/15/07	HOME DEPOT CREDIT SERVICES	32	538.65
33129	03/15/07	HOME NEWS TRIBUNE	12	38.64
33130	03/15/07	JERSEY ELEVATOR COMPANY INC.	32	174.00
33131	03/15/07	JOE ROMER TROPHY SHOP	13	73.63
33132	03/15/07	JOHNSTONE SUPPLY	32	336.34
33133	03/15/07	EDWARD KOCHICK	15	18.16
33134	03/15/07	L&M ART GALLERY	13	40.00
33135	03/15/07	LABCHEM INC.	40	454.24
33136	03/15/07	C. CLARK LANDALE	49	231.06
33137	03/15/07	LFG SPECIALTIES, LLC	38	231.25
33138	03/15/07	RAYMOND LINDER	31	149.99
33139	03/15/07	CHARLES P. LOMBARDO	49	134.85
33140	03/15/07	ROBERT G. LUBAN	49	137.85
33141	03/15/07	GARY A. MARANO	15	60.52
33142	03/15/07	MAX L. BROWN HARDWARE CO., INC.	32	201.10
33143	03/15/07	FRANK G. MAZZARELLA	49	134.85
33144	03/15/07	THOMAS MCHALE	49	128.85
33145	03/15/07	MCMASTER-CARR SUPPLY CO.	31/32	3,325.55
33146	03/15/07	MILLER MECHANICAL CORPORATION	32	100.00
33147	03/15/07	MOTION INDUSTRIES, INC.	32	1,038.25
33148	03/15/07	ROBERT MRASZ	03	280.50
33149	03/15/07	JAMES J. MURPHY	49	137.85
33150	03/15/07	MURRAY, MONTGOMERY & O'DONNELL	09	20,000.00
33151	03/15/07	MYBINDING.COM	13	222.22
33152	03/15/07	NATIONAL FUEL OIL, INC.	20	9,525.68
33153	03/15/07	NEW PIG CORPORATION	32	341.36
33154	03/15/07	NJ MANUFACTURERS INSURANCE CO.	17	14,555.00
33155	03/15/07	NJ MOTOR VEHICLE COMMISSION	35	105.00
33156	03/15/07	NOBEL EQUIPMENT & SUPPLY	32	331.80
33157	03/15/07	NW FINANCIAL GROUP	08	510.00
33158	03/15/07	ONE CALL SYSTEMS, INC.	32	19.52
33159	03/15/07	JOAN PAPAN	49	139.86
33160	03/15/07	PAULUS, SOKOLOWSKI & SARTOR	06	4,474.99

33161	03/15/07	PCI SCIENTIFIC SUPPLY INC.	40	398.00
33162	03/15/07	EDMUND PETROSKY	03	280.50
33163	03/15/07	POLAND SPRING WATER COMPANY	46	155.27
33164	03/15/07	POLYDYNE INC.	23	15,640.00
33165	03/15/07	PRECISION ELECTRIC MOTOR WORKS	38	1,004.98
33166	03/15/07	QC LABORATORIES	41	2,292.00
33167	03/15/07	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	95,434.60
33168	03/15/07	RELIANT ENERGY SOLUTIONS	19	76,939.96
33169	03/15/07	PETTY CASH	14	240.86
33170	03/15/07	SANDY'S FRUIT BASKETS & FLORIST	49	63.00
33171	03/15/07	COLONEL SATTERWHITE	03	280.50
33172	03/15/07	SHALLCROSS BOLT & SPECIALTIES	32/38	274.34
33173	03/15/07	SIMPLEX GRINNELL	31	645.00
33174	03/15/07	STAR LEDGER	12	115.50
33175	03/15/07	GEORGE SZOTAK	03	561.00
33176	03/15/07	THE BRAKE STOP PLUS	35	645.84
33177	03/15/07	THE SPI GROUP, LLC	27	200.00
33178	03/15/07	THERMO FORMA, INC.	40	412.00
33179	03/15/07	JANET THEVENIN	15	581.07
33180	03/15/07	TURTLE & HUGHES INC.	32	428.42
33181	03/15/07	UNITED PARCEL SERVICE	48	53.41
33182	03/15/07	UNIVAR USA INC.	29	21,185.95
33183	03/15/07	US FILTER/SIEMENS WATER TECHNOLOGIES	40	858.00
33184	03/15/07	USA BLUEBOOK	32	354.10
33185	03/15/07	ATTILIO S. VENTURO	49	638.75
33186	03/15/07	VERIZON	11/30	417.34
33187	03/15/07	WEINER LESNIAK	07/08	57,249.81
33188	03/15/07	921-WELCO-CGI GAS TECH LLC	32/40	319.52
33189	03/15/07	WIPE-TEX INTERNATIONAL	32	300.00
33190	03/15/07	WOODRUFF ENERGY	22	52,433.60
33191	03/15/07	ARTHUR M. WRIGHT, JR.	03	280.50

Total Operating Fund Checks: 125
 Total Void Checks: 0
 Total Amount Void: \$40.00
 Total Amount Paid: \$866,759.64

Total All Checks: 132
 Total Void Checks: 0
 Total Amount Void: \$0.00
 Total Amount Paid: \$3,490,269.85

FUND DESCRIPTION	FUND #	FUND AMOUNT
OPERATING FUND	7-01	866,759.64
BUILDING & EQUIP FUND	7-02	2,620,502.96
CONSTRUCTION FUND	7-04	<u>3,007.25</u>
TOTAL ALL FUNDS		\$3,490,269.85

Closed Session

None.

Return to Regular Order of Business

Mr. Wancho presented to the Chairman, the Distinguished Award received from the American Council of Engineering Companies of New Jersey, to Rahway Valley Sewerage Authority for Fostering Excellence in Engineering Design for the “Gravity Sewer Relief Project, RVSA Contract #156”.

Adjournment

As there was no further business, on motion of Mr. Lombardo, seconded by Mrs. Berger, the meeting adjourned at 8:47 p.m. The motion was unanimously approved.

Robert J. Materna, Secretary-Treasurer

JG/jg

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