

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes

Regular Meeting held March 20, 2008

- Minutes
Approved Minutes of Regular Meeting held February 21, 2008.

- Communications
An OPRA Request from the Sheet Metal Workers Union regarding Contract #157.
An OPRA Request from Merck & Co. regarding the City of Rahway's assessments.
An OPRA Request from the Cranford Chronicle regarding the Authority's legal fees.
An OPRA Request from Quala Systems regarding the City of Rahway's assessments.

- Treasurers Reports
The Treasurers Reports for December 2007 were received and are attached.

- 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, Insurance and Public Relations Committees.

- Unfinished Business
None.

- New Business
Approved the following: Security Purchase; Re-implement Excess Flow Hearings; TWA's for Scotch Plains and Woodbridge.

- New Business (Cont'd.)
Approved the following expenditure: Amend Contract #157 with Agia Mason for an additional \$40,000.00.

- Bills & Claims

Operating Fund	8-01	\$787,772.02
Building & Equipment Fund	8-02	\$1,470,053.77
Construction Fund	8-04	<u>\$257,814.13</u>
Total Of All Funds		\$2,515,639.92

RAHWAY VALLEY SEWERAGE AUTHORITY

Regular Meeting Minutes – March 20, 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.

Roll Call

The following members were present:

Maria A. Abram	for the Township of Springfield
Allen Chin	for the Town of Westfield
C. Clark Landale	for the Borough of Mountainside
Richard LoForte	for the Borough of Kenilworth
Charles Lombardo	for the Borough of Garwood
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

The following member was absent:

Robert G. Luban	for the Township of Woodbridge
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The following were also present:

Michael J. Brinker, Jr., PE	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
Thomas Macaluso	RVSA Asst. Laboratory Supervisor
Thomas Watters	RVSA Utility Worker

Approval of Minutes

Mr. Chin made a motion, seconded by Mr. Murphy, to approve the minutes of the Regular Meeting held February 21, 2008. The motion was approved by those present with the exception of Mr. Landale who abstained. Mr. Luban was absent.

Communications

- An OPRA Request from the Sheet Metal Workers Union regarding Contract #157.
- An OPRA Request from Merck & Co. regarding the City of Rahway's assessments.
- An OPRA Request from the Cranford Chronicle regarding the Authority's legal fees.
- An OPRA Request from Quala Systems regarding the City of Rahway's assessments.

Report of Treasurer

The Treasurer's Reports for the month of December 2007 have been distributed to the Commissioners for review and will be spread on the Minutes. So ordered.

Report of Executive Director**Sewer Treatment Endorsements**

The following is a list of Sewer Treatment Endorsements processed between 2/19/08 and 3/18/08, 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>
1036-08-WB	02/21/08	Vincent Milano	Woodbridge
1037-08-WB	02/25/08	Gale Construction Co.	Woodbridge
1038-08-WB	02/27/08	John Yi	Woodbridge
1039-08-WB	02/28/08	Fortune Eighth c/o AJV Eng.	Woodbridge
1040-08-WB	03/13/08	Metropark Associates	Woodbridge
1041-08-RW	03/14/08	402 Princeton Ave.	Rahway

Monthly Reports

The following reports were received and distributed to the Commissioners:

- PS&S Monthly
- PS&S Preliminary Monthly *
- CCMS - Contract #105 – Cogeneration Facility *
- CCMS - Contract #155 – WWTP Upgrade *
- Weiner Lesniak – Monthly Update *
- Murray Montgomery – Monthly Update *

- RVSA Contractors & Engineers Claims for Payment *
- RVSA Purchase Orders in Excess of \$1500. *
- RVSA Annual Operations *
- RVSA IPP Monthly Activities *
- RVSA Grievance Update *

* These items were discussed at the Engineering Committee Meeting.

Excess Flows

The re-implementation of the Excess Flow Hearings as outlined in the Agreement as well as, the procedure regarding Exceedances of Flow Rights and Excess Rental Charges also outlined in the Agreement was discussed at the Engineering Committee Meeting and a motion is on the agenda under New Business.

Pump & Blower Building

The caulking on the Pump & Blower Building between the stone coping and the roofing has deteriorated. (See pictures previously emailed). Since the new Control Room equipment will soon be installed in this facility, I recommended that this deterioration be repaired. I further suggested that a Change Order in the amount of \$40,000.00 be approved on Contract #157 in order to have Agia Mason, who is presently working on the site on Contract #157, perform the necessary work on this building. PS&S has prepared a repair sketch which was used as the basis for the change order cost estimate. This matter was discussed at the Engineering Committee Meeting, and a motion is on the agenda under New Business.

TWA – Woodbridge

A Treatment Works Application was resubmitted by the Township of Woodbridge on behalf of Taylor Wiseman & Taylor for Camel Creek Development to be located on Rt. 27 in the Township of Woodbridge. This project was previously approved by the Authority at its July 21, 2005 meeting by Resolution #05-52, however, the time allowed by the NJDEP to initiate construction for this project has lapsed and therefore, the applicant is requesting an updated approval. No modifications have been made to the application. I reviewed the application, found it to be in order and recommended approval. This matter was discussed at the Engineering Committee Meeting, and a motion is on the agenda under New Business.

TWA – Scotch Plains

A Treatment Works Application was resubmitted by the Township of Scotch Plains for the connection of a restroom facility to be located in the South Side Park in the Township of Scotch Plains. The anticipated flow is approximately 3,600 gpd. I reviewed the application, found it to be in order and recommended approval. A motion is on the agenda under New Business.

Name Change

Commissioner Pelissier of the City of Rahway had asked that the Commissioners consider renaming the Rahway Valley Sewerage Authority. The matter was discussed at the past several meetings. At the February 21st meeting, the Commissioners requested that a cost estimate for renaming the Authority be developed for discussion at the March Engineering Meeting. A cost estimate of between \$118,000 and \$148,000 was provided to the Commissioners at the Engineering Committee Meeting. A majority of the Commissioners did not want to expend the money and did not want to pursue this matter any further; however, Commissioner Pelissier stated he would speak to Rahway's City Council to see if the City will consider paying the cost involved. He will report back to the Board once a determination is made.

Mrs. Papen obtained a copy of the statute related to changing the Authority's name and asked that it be distributed to the Commissioners for their review.

Mr. Pelissier stated that a straw poll was taken at the Engineering Committee Meeting with 6 members voting in favor, as long as there is no cost to the Authority. He noted that he had the City of Rahway's Director of Law contact the Authority's attorney and Counsel will report on the matter.

Mr. Pelissier added that Rahway's Mayor is willing to incur the costs associated with the name change.

Mrs. Papen asked if the proposal is to change the name based on the Statute, a copy of which she had distributed to the Commissioners, or would the Authority ask that the member municipalities take the action at the municipal level to change the 1995 Agreement. Mr. Hak stated that he did not know what will be proposed, however, the statute allows a Sewerage Authority to change its name to one that includes "Water Reclamation Authority", and that can be done by a majority of the Commissioners and does not require action by the municipalities. He noted that the statute prevails over the agreement between the member municipalities.

Mr. Pelissier stated that the Statute that was provided to Commissioners, states that this law is for the purpose of changing a name to more adequately reflect the services and functionality provided by a sewerage authority.

Mrs. Papen stated that one section of the bill also indicates that if you change your name based on this statute, you must then incorporate the county where you are located. She added that this Authority serves parts of two counties and therefore the Authority would be required to have a voting member from each county. Mr. Hak stated that Mrs. Papen is looking at the proposed bill and noted that statute does not state that.

Mr. LoForte stated that at the Engineering Committee Meeting, there was a straw vote of 6 to 4, however, he thought that any action at a committee meeting was really "informal" and therefore needed to come before the Board at a regular meeting in order to be decided upon.

Mr. Chin asked what takes precedent, the statute or the Authority's Agreement. Mr. Hak stated that the Statute takes precedent and therefore, if the Authority votes to change its name under the

statute, to “____ Water Reclamation Authority”, that can be done by simple majority of the Board; it does not need the approval of the member municipalities.

Mr. Hak also noted that Mr. Rainone the City of Rahway’s attorney, indicated that the City is interested in the Authority changing its name and will pay the cost, however, they would like to see the itemized list that the Authority has prepared regarding these costs. Then the City will advise if they are willing to pay all expenses or if the Authority can defer some to future budgets.

Mr. Brinker noted that he has contacted the State with regard to having the name on the manhole covers changed and added that he received varying opinions from the NJDEP. Mr. Brinker added that he feels that the name should be on the manhole covers for safety purposes as well as if there is a problem with a sewer, the local officials can identify the sewer line.

The Chairman asked how the Commissioners want to proceed. Mr. Pelissier stated that he would like Counsel to send the Rahway Mayor a letter outlining the cost estimate; have his municipal Attorney and the Authority’s attorney prepare a resolution for adoption by the Board; and that the Chairman appoint a Committee to formulate a new name to be included in that Resolution, for final consideration by the Board.

Mr. Ventura stated that he feels that the Board should first vote to see if the Board wants to pursue the matter any further.

Mr. LoForte stated that he already spoke with the members of his town and in their opinion, there is a cost involved and do not wish to pursue it. Mr. Pelissier stated that the City of Rahway will pay for the expenses. Mr. LoForte said there is still a cost associated with it and then the Rahway taxpayers will have to pay for these costs.

Mr. Chin stated that as noted at the last meeting by Mr. Ventura, we are called the Rahway Valley not the City of Rahway. He added that the Rahway Valley is the region in which we are located, along with the Rahway watershed, and the Rahway River which runs through most municipalities that are in the Authority.

The Chairman stated that she feels the Commissioners should go to their respective municipalities to obtain their opinions on the matter first and then at the April meeting, take a vote on whether to proceed or not.

Mr. Pelissier stated that Rahway will pay the Authority’s attorney fees in order for him to prepare a resolution for action at the next meeting.

Mr. Brinker asked if changing the name, does the Authority and its member municipalities give up anything or make it more feasible for something else to happen. For example does it make it easier to privatize or contract-out the Authority. Mr. Hak stated no, that you are only changing the name. Mr. Brinker asked if it has any ramification on the JCO. Mr. Hak stated no.

The Chairman directed the Commissioners to discuss this matter with their respective municipalities and added the Board can take a formal vote at the April meeting. She asked Mrs.

Grimes to put this on the April agenda.

Videotaping

A resolution was drafted outlining the policy regarding the video and audio taping of the Authority's meetings. The Resolution is on the agenda under New Business for consideration.

Report of Consulting Engineer

The following report to the Authority Board summarizes our activities for the period of February 16, 2008 through March 14, 2008.

JCO Compliance

PS&S is currently preparing a follow-up letter to the NJDEP transmitting the remaining I/I documentation received after our original submittal.

The next quarterly report is due by the end of April, covering the first quarter of 2008.

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. Counsel has continued to pursue a response from NJDEP and the DAG.

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.

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 several Contractor claims. After review PS&S has rejected the claims. Further discussions are planned when the contractor provides further justification and

documentation. 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.

Mr. Wancho added that another meeting has been scheduled with the attorneys in an effort to resolve outstanding issues.

Wastewater Management Planning

Recently, NJDEP contacted PS&S to move forward with the 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 or NJPDES modifications will not require a formal amendment to the WMP document. The WMP adoption will require endorsement resolutions from all of the member municipalities and other affected entities. A Public Notice has been posted in the New Jersey Register and published in three newspapers on March 17, 2008. A Public Hearing has been scheduled for May 5, 2008 at the Middlesex County Administration Building.

Mr. Wancho noted that once the WMP is adopted, the Service Area Maps will be distributed.

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.

There has been no recent activity.

Digester Brick Replacement - Contract #157

The contractor, Agia Mason, has completed the installation of the metal panels on the digesters and the control building walls. He is currently removing the penthouse roof and concrete coping in preparation for the new EPDM roof. PS&S continues to provide 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), breeching insulation, precast wall panel penetration, and relocation of digester gas line to avoid interference with new relief piping

General Consulting

Discussions with the NJDOT regarding their ongoing work on Routes 1&9 in the vicinity of the Authority’s trunk sewer in East Hazelwood Avenue.

Follow-up on the potential repair to the Pump and Blower Building roof and flashing.

User Charge and Flow Rights Reports

The February 2008 flow rights reports covering January 2008 were finalized and submitted at the February Board Meeting. The March 2008 reports, covering February 2008, will be finalized and submitted after the data has been received and compiled.

Mrs. Papen stated that the present system reflects that if a municipality’s flow is surcharging at 11:00 p.m., and continues to 2:00 a.m. that is two flow rights violations because they are two different calendar days. She feels this should be one occurrence.

Mr. Mazarella responded that he disagrees because he asked where you draw the line; a surcharge event could go for three continuous days.

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 12, 2008 through March 10, 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 No. 155. This item may be discussed in further detail in Executive session.

Reviewed documentation, performed legal research and had numerous discussions with Woodbridge Township officials regarding the issuance of certificates of occupancy for certain phases of the work. Certificates of Occupancy for the Effluent Pump Station, Effluent Filters and the UV Building were issued on February 29, 2008.

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- item #1 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.

Mr. Hak added that this matter will need to be discussed in Executive Session at the April meeting.

Miscellaneous

NJPDES 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.

Mr. Hak added that an Agreement will be presented to the Board at the April meeting for action and endorsement.

Contract #144-Trunk Sewer Rehabilitation

Had several discussions with the Executive Director and the Consulting Engineer regarding the contractor's latest payment requisition and potential change orders (claims). Also discussed with the Executive Director and the Consulting Engineer the Authority's claims for liquidated damages and credits being asserted against the contract. Met with contractor and its counsel on February 26, 2008 in an effort to resolve the contractor's claims. At the meeting it was agreed that the contractor would submit additional documentation supporting its claims and another meeting would be held in order to further discuss same. To date, the documentation that has been submitted is insufficient and a meeting scheduled for March 11, 2008 was postponed. No further meeting has been scheduled. This item may be discussed in further detail in Executive session.

Flow Rights Exceedance Hearings

Pursuant to the Board's directive at the last Regular meeting, this office reviewed the Authority's service agreement with the constituent municipalities and performed legal research with respect to reinstating, at the Executive Director's recommendation, the Peak Flow Rights exceedances hearing procedure set forth in the service agreement.

Authority Name Change

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

Committee Reports

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

Engineering Committee (Allen Chin, Chairman)

Mr. Chin stated that an Engineering Committee Meeting was held on March 13, 2008, 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. Action is on the agenda under Bills and Claims.

Insurance Review Committee (Robert Luban, Chairman)

Mr. Chin stated that an Insurance Review Committee Meeting was held earlier this evening at which time several items were discussed. Items which require action are on the agenda under New Business.

Legal Committee (Clark Landale, Chairman)

No report.

Personnel Committee (James Murphy, Chairman)

No report.

Public Relations Committee (Attilio Venturo, Chairman)

Mr. Venturo stated that the Public Relations Committee has scheduled a meeting to be held April 10, 2008 at 7:00 p.m. to discuss disseminating information about the Authority, to the general public.

Sludge Management Committee (Frank Mazzarella, Chairman)

No report.

Unfinished Business

None.

New Business

The following Resolution #08-08 was offered by Mr. Lombardo, on motion of Mr. Lombardo, and seconded by Ms. Abram.

RESOLUTION #08-08

BE IT RESOLVED that the officers of the Rahway Valley Sewerage Authority be and are hereby authorized to invest the following for the Operating Fund, to mature on April 17, 2008:

<u>Amount</u>	<u>Rate</u>	<u>Bank</u>
\$2,000,000.00	3.20%	Town Bank (Westfield)

Mr. Chin stated that he is a Director of the Town Bank and will therefore, abstain from voting.

Mr. Mazzarella stated that this gives a bad perception and feels that we should not do business with Town Bank.

Mr. Pelissier stated that this is a financial matter and was not discussed previously and noted that he thought that all matters coming before the Board needed to be on a previous agenda in order to be on the regular agenda. Mr. Pelissier asked if this policy has changed. Chairman Papen stated that this is different. She noted that Mr. Materna has the charge of making investments for the Authority.

Mr. Pelissier asked Mr. Hak for his opinion. Mr. Hak stated that he did not see anything wrong

with the Board taking action on this as Mr. Chin recused himself from voting. Mr. Hak stated that the Authority can, in the future, refrain from using this bank if the Board so chooses.

Mr. Ventura stated that there is great volatility in the market with rates and noted that if the best rate was obtained from Town Bank, then the Secretary-Treasurer made the correct decision to place the Authority's money there. He asked what rates were obtained.

Mr. Materna stated that he obtained four quotes on March 4th, as follows:

Wachovia	JP Morgan Chase	NJ Cash Mgmt. Fund	Town Bank
<u>Short Hills, NJ</u>	<u>Fairfield, NJ</u>	<u>Trenton, NJ</u>	<u>Westfield, NJ</u>
2.47%	2.79%	3.20%*	3.20%

Mr. Materna noted that the rate from the NJ Cash Mgmt. Fund fluctuates daily based on the market, whereas the rate from Town Bank is for the entire period of the investment and therefore chose to invest the money with Town Bank. He added that this has always been the procedure for investing the Authority's money. Mr. Materna stated that he has been charged with the responsibility of making the investments for the Authority and it has been standard operating procedure for him to invest the money and subsequently have the Board formalize the investment.

Mr. Ventura stated that the Secretary-Treasurer must have a certain amount of leewardness in order to be able to do his job.

After further discussion, the Chairman called for a roll call vote.

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

As the vote was 7 to 2 and 1 abstention, the motion was approved.

The following Resolution #08-09 was offered by Mr. Landale, on motion of Mr. Landale, and seconded by Mr. Lombardo.

RESOLUTION #08-09
 ESTABLISHING GUIDELINES, RULES AND REGULATIONS FOR VIDEO AND/OR AUDIO RECORDING OF THE RAHWAY VALLEY SEWERAGE AUTHORITY'S PUBLIC MEETINGS

WHEREAS, the Rahway Valley Sewerage Authority (Authority) is committed to providing its members and the members of the public with the ability to record or obtain copies of video and or audio recordings of its Regular Meetings; and

WHEREAS, the Authority will video and audio record its regular meetings and will maintain a copy of said recordings on file at the Authority; and

WHEREAS, the Authority wishes to maintain order and decorum while its meetings are being conducted; and

WHEREAS, the Authority will permit members of the public to video and/or audio record its meetings providing said member(s) of the public follow the established guidelines of the Authority.

NOW THEREFORE BE IT RESOLVED by the Rahway Valley Sewerage Authority, Rahway, New Jersey, that it hereby establishes the following guidelines for video and/or audio recording of its public meetings by members of the public:

1. "Meeting" shall mean a Regular Meeting of the members of the Authority for the purpose of conducting business and taking action on matters relative to the Authority.
2. The Authority shall record its regular meetings. Copies of said recordings may be obtained from the Authority by filing an OPRA request, and paying the set fee of \$15.00 for video and/or \$5.00 for audio recordings.
3. Members of the public may also video the Authority's meetings, however, not more than two recording devices (excluding the Authority's devices), operated by no more than one person each, shall be permitted at any public meeting of the Authority.
4. Only recording devices which do not produce distracting sound or light may be used. No artificial lighting device of any kind shall be employed in connection with the use of a recording device.
5. Notice shall be given to the Secretary to the Board prior to the close of business, on the last business day, before the meeting for which an individual is seeking permission to record the meeting.
6. Permission to record the public meeting shall be granted on a first come, first serve basis subject to compliance with the provisions contained in these guidelines.
7. Recording device(s) shall be placed in an inconspicuous location of the meeting room designated by the Authority. The area shall provide a generally clear view of the proceedings by the recording device. The person recording the public

meeting shall not move about the meeting room while the public meeting is being held.

8. Recording device(s) shall not be placed in or removed from the meeting room after commencement of or prior to the adjournment of the meeting, except during portions of the meeting from which the public is excluded (i.e. executive session/closed session), at which time all video and audio equipment (with the exception of the Authority's equipment) must be removed from the room.
9. The video and or audio recording of the meeting shall commence when the meeting is called to order by the Chairman and terminate when the meeting is adjourned, except those portions of the meeting from which the public is excluded (i.e. executive session/closed session), which shall not be recorded by anyone.

BE IT FURTHER RESOLVED, that this Resolution shall supersede all previous motions and/or resolutions regarding the guidelines, rules and regulations for video and/or audio recording of Authority meetings, to the extent that they are inconsistent herewith; and

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption.

Mr. Mazzarella stated that he is concerned about items #2 and #3 and thinks these items may be too restrictive. Mrs. Papen stated that only two cameras in addition to the Authority's camera can be in use at one time. Mr. Mazzarella stated what if you have several reporters here and members of the public. Are you going to prohibit them?

Mr. Lombardo stated that we have to draw the line somewhere. Mr. Mazzarella asked if you have three reporters, are you going to prohibit one from using a camera. Mrs. Papen noted that this is for videotaping. It does not limit the number of cameras or recorders, just the number of video cameras.

Mr. Hak stated that we can't prohibit anyone, however, since the Authority is videotaping the meetings, anyone can obtain a copy of the video.

Mr. Brinker added that on the other side, if you have ten people in the room with video cameras, it will interfere with the meeting. Do you draw it at nine or where to you draw the line.

Mr. Mazzarella stated that there may be things in the future, coming down, that may be very controversial and therefore we may have a large number of people or reporters at the meeting.

Mr. Hak stated that you should remove the limit on the number of cameras, in order to avoid criticism.

Mr. Mazzarella stated that he also felt that the Resolution should include the fact that Commissioners may obtain a copy for free.

Mr. Pelissier stated that the policy should be applicable to all meetings. He added that the video cameras should be able to move around the room, in a similar way as reporters / photographers. An offshoot of this is to have the meetings in other municipalities, that way it can be shown on their respective television channel and more people would attend, which will be discussed at the Public Relation meeting.

After lengthy discussion, Mr. Lombardo moved to table the motion, seconded by Mr. Pelissier, and was unanimously approved by those members present. Mr. Luban was absent.

Mr. Landale made a motion, seconded by Mr. Pelissier, to re-implement the Excess Flow Hearings and Excess Flow Charges in accordance with the 1995 Agreement, and for said hearings to be conducted at the end of each measuring year. The motion was approved, with the exception of Mr. LoForte who voted against and Mr. Luban who was absent.

Mr. Landale made a motion, seconded by Mr. Chin, approving Change Order #1 for Contract #157 Brick Rehab on Digesters #1, #2 and #3, with Agia Mason of Farmingdale, NJ, for an additional \$40,000.00 for repair work required on the Pump and Blower Building, total amended contract amount of \$594,500.00, as recommended by the Executive Director and discussed at the Engineering Committee Meeting. The motion was unanimously approved by those present; Mr. Luban was absent.

The following Resolution #08-10 was offered by Mr. Landale, on motion of Mr. Landale, seconded by Mr. Chin and unanimously approved by those members present. Mr. Luban was absent.

RESOLUTION #08-10

WHEREAS, the Township of Scotch Plains has submitted a Treatment Works Sewer Connection Endorsement Application, for a project located at Raritan Road and Martine Avenue in the Township of Scotch Plains, State of New Jersey; and

WHEREAS, the application is for work at the South Side Park including a soccer field, parking lot and a restroom building, with a proposed flow of 3,600 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 #08-11 was offered by Mr. Chin, on motion of Mr. Chin, seconded by Mr. Lombardo and unanimously approved by those members present. Mr. Luban was absent.

RESOLUTION #08-11

WHEREAS, the Township of Woodbridge has resubmitted a Treatment Works Application for a project known as Camel Creek to be located on Route 27 in the Township of Woodbridge, State of New Jersey; and

WHEREAS, the application has been resubmitted as the previously approved application, RVSA Resolution #05-52 has expired per NJDEP regulations; and

WHEREAS, the application is for the construction of 8” sewer to service 30 units (6 two bedroom and 24 three bedroom) with a proposed flow of .086 mgd, which remains unchanged from the original application; 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., 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.

Resolution #08-12 and #08-13 were removed from the table.

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. Luban was absent.

BILLS & CLAIMS

BUILDING & EQUIPMENT FUND

CHECK #	DATE	VENDOR	ACCT/LINE #	AMOUNT
2282	03/20/08	AGIA MASON INC.	140.2	134,172.05
2283	03/20/08	ARGENT ASSOCIATES LLC	140.7	1,090.00
2284	03/20/08	CONSOLIDATED CONSTRUCTION MGT.	140.2/7	239,573.42
2285	03/20/08	EE CRUZ COMPANY INC.	140.7	1,059,046.22
2286	03/20/08	J.H. REID, GENERAL CONTRACTOR	140.2	18,491.21
2287	03/20/08	NATIONAL FUEL OIL, INC.	140.7	14,354.25
2288	03/20/08	TAYLOR OIL COMPANY	140.7	3,326.62

Total Building & Equipment Fund Checks: 7

Total Void Checks: 0

Total Amount Void: \$0.00

Total Amount Paid: \$1,470,053.77

CONSTRUCTION FUND

CHECK #	DATE	VENDOR	ACCT/LINE #	AMOUNT
1172	03/20/08	MARVEC CONSTRUCTION CORP.	140.4	225,212.45
1173	03/20/08	PAULUS, SOKOLOWSKI & SARTOR	140.4	32,601.68

Total Construction Fund Checks: 2**Total Void Checks: 0****Total Amount Void: \$0.00****Total Amount Paid: \$257,814.13****OPERATING FUND**

CHECK #	DATE	VENDOR	ACCT/LINE #	AMOUNT
34510	02/28/08	CANON FINANCIAL SERVICES, INC.	27	1,304.57
34511	02/28/08	CITY OF RAHWAY, UNITED WATER	33	10,674.90
34512	02/28/08	ELIZABETHTOWN GAS	22	2,604.04
34513	02/28/08	FEDEX	48	175.52
34514	02/28/08	HESS CORPORATION	19	118,895.23
34515	02/28/08	HP EXPRESS SERVICE	27	663.00
34516	02/28/08	MIDDLESEX WATER COMPANY	33	800.03
34517	02/28/08	POLAND SPRING WATER COMPANY	46	99.37
34518	02/28/08	PSE&G COMPANY	19	24,906.07
34519	02/28/08	PURCHASE POWER	48	75.60
34520	02/28/08	RAHWAY VALLEY SEWERAGE AUTH.	01/02	169,181.85
34521	02/28/08	VERIZON	11/30	878.22
34522	02/28/08	WOODRUFF ENERGY	22	9,069.28
34523	03/12/08	FRANK SCHRAY	27	300.00
34524	03/13/08	CITY OF RAHWAY, UNITED WATER	33	13,712.05
34525	03/13/08	DELTA DENTAL PLAN OF NJ	03	5,669.91
34526	03/13/08	ELIZABETHTOWN GAS	22	727.42
34527	03/13/08	HOME DEPOT CREDIT SERVICES	32	355.63
34528	03/13/08	STAPLES BUSINESS ADVANTAGE	13	524.80
34529	03/13/08	STAPLES CREDIT PLAN	27	39.98
34530	03/13/08	UNITED PARCEL SERVICE	48	70.41
34531	03/13/08	VISION SERVICE PLAN	03	1,130.22
34532	03/13/08	WOODRUFF ENERGY	22	2,449.39
34533	03/20/08	A TOUCH OF ITALY	49	225.00
34534	03/20/08	ABD ELECTRICAL SUPPLY COMPANY	32	85.50
34535	03/20/08	ADP, INC.	03	170.28
34536	03/20/08	ADP, INC.	16	2,144.80
34537	03/20/08	ADVANCED SPECIALTY SALES, INC.	32	570.20
34538	03/20/08	ALL AMERICAN SEWER SERVICE INC.	32	3,165.00
34539	03/20/08	AMERICAN IND. SUPPLY CORP.	38	429.00
34540	03/20/08	AMERICAN WEAR	32	1,385.25
34541	03/20/08	ASSOCIATED AUTO PARTS	35	257.22
34542	03/20/08	AVENEL REFRIGERATION	40	80.00
34543	03/20/08	BOWCO LABORATORIES, INC.	32	63.00
34544	03/20/08	CAMP, DRESSER & MCKEE, INC.	06	923.02
34545	03/20/08	HECTOR L. CARTAGENA	04	289.20
34546	03/20/08	CHARLES F. CONNOLLY DIST. CO.	38	488.85

34547	03/20/08	ALLEN CHIN	49	185.04
34548	03/20/08	COGENT COMMUNICATIONS, INC.	27	674.00
34549	03/20/08	CORRECT TEMP, INC.	32	83.00
34550	03/20/08	CSL SERVICES, INC.	30	16,407.95
34551	03/20/08	CUNY & GUERBER, INC.	32	2,906.40
34552	03/20/08	D2L ASSOCIATES, INC.	42	2,480.00
34553	03/20/08	DAVID WEBER OIL COMPANY	32	983.40
34554	03/20/08	DELL MARKETING L.P.	27	187.93
34555	03/20/08	DOLPHIN EQUIPMENT CORP.	38	282.00
34556	03/20/08	LOUIS DUPLESSIS	04	289.20
34557	03/20/08	EMEDCO INC.	31	395.34
34558	03/20/08	ELIZABETHTOWN GAS	22	8,169.25
34559	03/20/08	FACTORY DIRECT PIPELINE	32	1,489.36
34560	03/20/08	FEDEX	48	110.05
34561	03/20/08	FISHER SCIENTIFIC	40	787.22
34562	03/20/08	FLEXLINE	32	632.69
34563	03/20/08	FLUKE ELECTRONICS	32	204.00
34564	03/20/08	GABRIEL DISCOUNT TIRE CENTER	35	674.75
34565	03/20/08	ANTHONY GENCARELLI	15	75.81
34566	03/20/08	W.W. GRAINGER, INC.	38	389.91
34567	03/20/08	GARY W. GRAY TRUCKING, INC.	25	62,280.62
34568	03/20/08	GREAT LAKES ENVIRONMENTAL	41	392.83
34569	03/20/08	HACH COMPANY	40	1,180.65
34570	03/20/08	HALL & ASSOCIATES	08	1,152.45
34571	03/20/08	HAYES PUMP INC.	38	130.00
34572	03/20/08	HEWLETT-PACKARD PUBLIC SECTOR	27	79.00
34573	03/20/08	INDUSTRIAL RUBBER COMPANY	32	252.54
34574	03/20/08	J&S SALES & SERVICE	32/38	2,148.00
34575	03/20/08	JCI JONES CHEMICALS, INC.	29	12,335.73
34576	03/20/08	JERSEY ELEVATOR COMPANY INC.	32	182.71
34577	03/20/08	JRM MEDICAL SERVICES, INC.	40	1,510.00
34578	03/20/08	JOE ROMER TROPHY SHOP	13	21.00
34579	03/20/08	LABCHEM INC.	40	503.50
34580	03/20/08	C. CLARK LANDALE	49	231.06
34581	03/20/08	CHARLES P. LOMBARDO	49	134.85
34582	03/20/08	ROBERT G. LUBAN	49	295.30
34583	03/20/08	FRANK G. MAZZARELLA	49	134.85
34584	03/20/08	MCMANIMON & SCOTLAND, L.L.C.	09	1,804.00
34585	03/20/08	MCMASTER-CARR SUPPLY CO.	32/38	1,002.40
34586	03/20/08	MECHANICAL SERVICE CORP.	32	2,493.56
34587	03/20/08	METALS USA	32	100.00
34588	03/20/08	METRO HYDRAULIC JACK CO.	32	525.00
34589	03/20/08	MIDDLESEX WATER COMPANY	33	797.39
34590	03/20/08	MILLER MECHANICAL CORPORATION	38	5,012.00
34591	03/20/08	MOTION INDUSTRIES, INC.	38	24.40
34592	03/20/08	ROBERT MRASZ	04	289.20
34593	03/20/08	JAMES J. MURPHY	49	137.85
34594	03/20/08	MURRAY, MONTGOMERY & O'DONNELL	09	20,000.00
34595	03/20/08	NEW PIG CORPORATION	32	464.67
34596	03/20/08	NW FINANCIAL GROUP	09	340.00
34597	03/20/08	O'JOHNNIES, INC.	13	433.30

34598	03/20/08	ONE CALL SYSTEMS, INC.	32	33.93
34599	03/20/08	JOAN PAPAN	49	639.86
34600	03/20/08	PCI SCIENTIFIC SUPPLY INC.	40	706.20
34601	03/20/08	EDMUND PETROSKY	04	289.20
34602	03/20/08	POLYDYNE INC.	23	16,146.00
34603	03/20/08	PRECISION ELECTRIC MOTOR WORKS	32	79.25
34604	03/20/08	PSE&G COMPANY	19/42	455.70
34605	03/20/08	PUBLIC EMP. RETIREMENT SYSTEM	04	10.16
34606	03/20/08	QC LABORATORIES	41	1,616.00
34607	03/20/08	RAHWAY VALLEY SEWERAGE AUTH.	01/02	176,292.39
34608	3/20/08	RELIABLE ELEC. MOTOR REPAIR	32	4,183.65
34609	03/20/08	RICHARD LUCAS CHEVROLET	35	1,125.00
34610	03/20/08	SAFETY-KLEEN CORP.	32	229.49
34611	03/20/08	COLONEL SATTERWHITE	04	289.20
34612	03/20/08	WILLIAM SEIBOTH	04	289.20
34613	03/20/08	SPECTRASERV INC.	26	4,029.78
34614	03/20/08	STAR LEDGER	12	874.09
34615	03/20/08	DONALD STUART	04	289.20
34616	03/20/08	GEORGE SZOTAK	04	578.40
34617	03/20/08	TECHNICAL AIR SYSTEMS, INC.	32	950.00
34618	03/20/08	TELEDYNE ISCO	43	776.00
34619	03/20/08	THOMAS SCIENTIFIC	40	470.84
34620	03/20/08	TREASURER - STATE OF NJ	40	1,032.00
34621	03/20/08	TURTLE & HUGHES INC.	32	885.40
34622	03/20/08	USA BLUEBOOK	38	284.98
34623	03/20/08	ROBERT VALENT	31	69.99
34624	03/20/08	ATTILIO S. VENTURO	49	272.39
34625	03/20/08	VERIZON	11/30	1,230.37
34626	03/20/08	WEARGUARD/ARAMARK	32	92.94
34627	03/20/08	WEINER LESNIAK	07/08	44,518.47
34628	03/20/08	921-GTS-WELCO	32/40	362.77
34629	03/20/08	ARTHUR M. WRIGHT, JR	04	289.20

Total Operating Fund Checks: 120
Total Void Checks: 0
Total Amount Void: \$0.00
Total Amount Paid: \$787,772.02

Total All Checks: 129
Total Void Checks: 0
Total Amount Void: \$0.00
Total Amount Paid: \$2,515,639.92

OPERATING FUND	8-01	\$787,772.02
BUILDING & EQUIPMENT FUND	8-02	\$1,470,053.77
CONSTRUCTION FUND	8-04	<u>\$257,814.13</u>
TOTAL OF ALL FUNDS		\$2,515,639.92

Mr. Pelissier asked if the Authority had taken any action with regard to entering into a non-fair agreement with ADP. Mr. Brinker stated that no action has been taken and that ADP continues to provide the Authority with payroll services.

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

None.

Return to Regular Order of Business

Mr. Brinker stated that the Commissioners had requested that representatives from Murray, Montgomery & O'Donnell (MMO) attend the April meeting. Mr. Brinker noted that he was in contact with MMO and they will be at the April meeting to discuss with the Commissioners, their lobbying efforts.

Mr. Pelissier stated that he asked for a quarterly report on energy line items and overtime. Mr. Brinker stated that report will be prepared and submitted to the Commissioners the month after the quarter ends.

Adjournment

As there was no further business, on motion of Mr. Lombardo, seconded by Mr. Chin, the meeting adjourned at 9:05 p.m. The motion was unanimously approved. Mr. Luban was absent.

Robert J. Materna, Secretary-Treasurer

Attachments