

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Summary of Minutes**

**Regular Meeting held August 10, 2006**

- Communications  
Letter from the City of Rahway.
- Minutes  
Approved the minutes of the Regular Meeting held July 20, 2006.
- Treasurers Reports  
Treasurer's reports for the month of June 2006 were received.
- Interim Executive Director  
Sewer Connection and the status of various contracts.
- Consulting Engineer  
Overview of contracts; flow rights and user charge reports.
- Counsel  
Overview of legal matters.
- Committees  
Reports were made by the Engineering, Finance and Personnel Committees.
- Unfinished Business  
None.
- New Business  
Approved the following: Execute Grant Agreement; create position and hire Assistant to the Executive Director; and a Security Purchase.

New Business Cont'd.

Approved the following expenditures: Award Contract #144 to Marvec Construction in an amount of \$1,449,199; final approval of Change Order #4 on Contract 105 in a negotiated amount of \$581,900.

- Bills and Claims

<u>Fund Description</u>	<u>Fund#</u>	<u>Amount</u>
OPERATING FUND	6-01	\$ 616,998.50
BUILDING & EQUIP FUND	6-02	\$5,988,087.95
TOTAL ALL FUNDS		\$6,605,086.45

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Regular Meeting Minutes - August 10, 2006**

The Vice Chairman called the meeting to order at 8:01 p.m.

The Vice Chairman read the statement on "Open Public Meetings Law".

In accordance with the requirements of the Open Public Meeting Act, State of New Jersey, adequate notice of this meeting has been provided by the inclusion of the date, time and place in a Notice which was forwarded to the Star Ledger, the Home News Tribune and was filed with the Clerk of each of the eleven member municipalities on February 14, 2006 and again August 7, 2006.

The Vice 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 Vice Chairman stated we shall proceed with our regularly scheduled meeting.

The Vice 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
James J. Kennedy	for the City of Rahway
C. Clark Landale	for the Borough of Mountainside
Charles Lombardo	for the Borough of Garwood
Robert G. Luban	for the Township of Woodbridge
Frank G. Mazzarella	for the Township of Clark
Thomas J. McHale	for the Borough of Kenilworth
Joan Papen	for the Township of Scotch Plains
Attilio S. Venturo	for the Borough of Roselle Park

The following member was absent:

James J. Murphy	for the Township of Cranford
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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
Virginia Edwards, Esq.	Connell Foley LLP, Bond Counsel

Manny Parada	CCMS, Construction Management
Carly Rothman	The Star Ledger
Robert Valent	Superintendent
Robert Poltz	MIS Manager
Anthony Gencarelli	Manager of Regulatory Compliance
Janet Thevenin	IPP Coordinator
Jean Manigold	Laboratory Supervisor
Thomas Macaluso	Asst. Laboratory Supervisor
David Patrick	Bio-Solids Supervisor
Robert Safchinsky	Maintenance Coordinator
Joanne Krugelstein	Accounts Payable/Contract Payment Coordinator
John Derkack	Maintenance Man

**Communications**

The following letter addressed to Michael J. Brinker, was received July 3, 2006, from Robert A. Gorman, Business Administrator for the City of Rahway, regarding Lafayette Street:

“In furtherance of my June 2, 2006 letter to your regarding repair to Lafayette Street, I am enclosing correspondence from the City Engineer, James Housten, on the estimated costs to chip-seal this section of the roadway that was affected by use by the RVSA contractor.

Please advise when you anticipate this work will be completed. Thank you for your cooperation.”

**Approval of Minutes**

Mr. Luban made a motion, seconded by Mrs. Papen, to approve the minutes of the Regular Meeting held July 20, 2006. The motion was unanimously approved.

**Report of Treasurer**

The Treasurer’s Reports for the month of June 2006 have been distributed to the Commissioners for review and have been attached to the Minutes.

**Report of Interim Executive Director**

**Sewer Treatment Endorsements**

The following is a list of Sewer Treatment Endorsements processed between 7/18/06 and 8/07/06:

<u>Number</u>	<u>Date</u>	<u>Applicant</u>	<u>Municipality</u>
886-06-RW	07/19/06	SP Construction & Son	Rahway
887-06-RW	07/19/06	SP Construction & Son	Rahway

888-06-RW	07/19/06	SP Construction & Son	Rahway
889-06-WB	07/21/06	M. Alfieri Co., Inc.	Woodbridge
890-06-KW	07/27/06	Jose Rebelo	Kenilworth
891-06-KW	07/321/06	A&A Construction	Kenilworth
892-06-RW	07/31/06	Carols Rodriguez	Rahway
893-06-SF	08/01/06	Michael Turco	Springfield
894-06-WB	08/02/06	Bohler Engineering	Woodbridge

### Monthly Reports

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

- PS&S Consulting Engineering
- CCMS - Contract #105 – Cogeneration Facility
- CCMS - Contract #155 – WWTP Upgrade
- CCMS - Contract #156 – Gravity Relief Sewer
- Weiner Lesniak - Monthly
- Murray Montgomery & O'Donnell – Monthly
- RVSA Superintendent – 2006 Summary Operations
- RVSA IPP Coordinator – IPP Activities for June 2006

### Centrifuge Equipment – Change Order #4 on Contract #105

As discussed and approved by the Board at the July 20, 2006 Board Meeting, two Centrisys Centrifuges and control panels were ordered at a cost of \$581,900.00, which is less than the not to exceed amount of \$600,000.00 approved by the Board.

This acquisition is being handled as a Change Order to Contract #105 Cogeneration/Sludge Drying Facility with J.H. Reid Contractors and has the approval of the NJEIT to apply these costs to the related loan.

A memo outlining the details was sent to the Commissioners for their review.

Mr. Mazzarella asked what the crux of this purchase is. Mr. Brinker responded that we presently have one piece of equipment and we need backup should that piece of equipment fail.

Mr. Ventura asked who is preparing the mechanical plans for this job. Mr. Brinker responded that there are no mechanical plans and that all work will be done by the RVSA staff.

Mr. Brinker noted that one of the machines being removed has the exact same footprint as one of the replacement pieces. If there is need for heavy equipment, we will ask the contractors on site for help.

Mr. Mazzarella commended Mr. Brinker and the staff for taking this on, and potentially saving the Authority money.

Contract #144 – Trunk Sewer Rehabilitation

A copy of the Notice to Bidders was posted on the Authority's web site and advertised in The Star Ledger. Fourteen companies purchased bid packages and the following bids were received on August 3, 2006:

<u>Company</u>	<u>Amount</u>	<u>Amount</u>
	<u>Alternate A</u>	<u>Alternate B</u>
Marvec Construction	No Bid	\$1,449,999.00
Cruz Contractors	No Bid	\$1,887,200.00
Northeast Remsco Co.	No Bid	\$1,888,380.00
Metra Industries	\$2,237,815.00	\$1,953,815.00
New Hope Pipe Liners, LLC	\$2,095,777.00	No Bid
Am Liner East, Inc.	\$2,358,200.00	No Bid
Spiniello Companies	\$2,609,800.00	No Bid
Allstate Power Vac	\$3,998,250.00	No Bid

The bids were sent to Counsel and the Consulting Engineer for review and recommendation.

City of Rahway – Contract #156

As indicated under Communications, a letter was received from the City of Rahway regarding repairs to Lafayette Street. A copy of the correspondence was also provided to the Commissioners for review. Mr. Brinker noted that he was seeking direction from the Board with regard to this matter.

Grant Monies

The State of New Jersey submitted documentation to the Authority for the execution of a Grant Agreement between the Authority and the NJDEP under the Wastewater Treatment Bond Act of 1985. A certifying resolution is on the agenda under New Business.

**Report of Consulting Engineer**

The following report to the Authority Board summarizes our activities for the period of July 15, 2006 through August 4, 2006.

JCO Compliance

The second quarter report was finalized and transmitted to NJDEP on July 25, 2006. PS&S issued letters to all member municipalities on July 18, 2006 requesting the information required for the JCO required Annual I/I Report. Copies were sent to the Board members. Information is due by September 1, 2006.

Laboratory Renovation - Contract #145

PS&S continues to provide construction observation of the Contractor activities. The Contractor

has completed the building construction and the majority of the final “punch list” work. The Contractor has passed all of the Township of Woodbridge inspections. The Certificate of Occupancy will be issued upon resolution of the soil erosion and sediment control permit issue. During the previous period PS&S has evaluated the contract close-out conditions and issued a summary letter regarding consideration of liquidated damages.

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

General Counsel has consolidated the NJPDES and TWA appeals. The key remaining issue is related to the design flow that will be utilized for the mass limit calculations in the NJPDES permit. PS&S continues to coordinate activities with General Counsel and Special Counsel, Hall & Associates.

#### Trunk Sewer Rehabilitation - Contract #144

PS&S completed the contract documents and issued them for bid on June 26, 2006. A total of 15 sets of contract documents were issued by the Authority to prospective bidders. PS&S prepared and issued an Addendum in response to Contractor inquiries and extended the Bid Opening to August 3, 2006. A total of nine bids were received from eight contractors. One bidder having bid on both alternates, cured in place repair and slip-lining. PS&S is recommending that the contract be awarded to Marvec Construction, the low bidder, for Alternate A.

#### Wastewater Management Planning

The revised WMP document was previously submitted to NJDEP, however there continues to be an issue related to the WMP delineated design flows resulting from the NJPDES and TWA permit challenges. Since the issue of the design flows has delayed the adoption of the WMP document, NJDEP had previously suggested that the service area mapping be adopted without the rest of the WMP document; more recently the NJDEP has requested that RVSA participate in the adoption of the “Facilities Table” which is the component of the WMP that includes the design flow. PS&S continues to coordinate with General and Special Counsel on this issue. Based on a review of the option with Special Counsel PS&S responded to NJDEP that the RVSA was opposed to the adoption.

PS&S continues to provide assistance related to the WMP mapping and previous amendments that were implemented by NJDEP pursuant to approved TWA permits endorsed by the Authority.

#### Cogeneration Funding

PS&S continues to track the status of the BPU Office of Clean Energy Renewable Energy Advanced Power Program grant application and have been responding to NJBPU questions. PS&S conducted a conference call with several representatives of NJBPU to discuss their latest request for information. PS&S was able to verbally respond to most of their questions and there still remains several clarification issues regarding the economics since the spreadsheet provided to NJBPU requires updating with the most recent costs. NJBPU indicated that they would be

willing to meet as soon as the clarification items are responded to.

#### Cogeneration Facility - 4th Engine Design/Permitting – Contract #105

PS&S continues to track the permit application process. During this period comments from PS&S/RVSA on the third pre-draft permit were submitted to NJDEP. PS&S will continue to follow-up with NJDEP.

#### Digester Brick Replacement - Contract #157

PS&S has proceeded with design drawings developing the scope of work for the digester brick replacement. PS&S has finalized the drawings and is almost complete with technical specifications and the “front end”.

#### General Consulting

PS&S worked with RVSA staff to prepare an application to the USEPA for reimbursement of approved grant money. Application was finalized and submitted on June 14, 2006.

PS&S was requested by the Interim Executive Director to assist with structural evaluation of the Sludge Dewatering Facility to prepare for installation of new centrifuges. Preliminary evaluation took place on August 3, 2006.

#### User Charge and Flow Rights Reports

Commissioner Mazzarella advised PS&S regarding an error in the July Flow Rights Utilization report relative to the Clark information. PS&S has corrected the report and reissued it. The July User Charge and Flow Rights reports, covering June 2006, were finalized and submitted during the last period. August reports covering July 2006 have also been finalized and submitted.

#### **Report of Construction Manager**

Mr. Parada of CCMS gave the following report:

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

##### Work Completed this Period

The balance of site work, restoration, plantings, cleanup, building construction and plumbing work will be done shortly.

Fire Protection: Work is nearly complete.

Process Equipment: The gas compressor, gas blending system, pneumatic sludge system and the carbon bed absorber systems are not yet installed. Please note that these systems are not required for the start up the engines in August. All other major mechanical devices are installed and are being piped and wired.

Process Mechanical Piping work: Pipe insulation is 70% completed throughout the building.

Electrical work is ongoing, specifically the 13.2 KV cable is essentially completed but not fully terminated. Control wiring also continues and is nearing completion. GE/Zenith is testing their switchgear and will energize that gear shortly. Delays were encountered due to the poorly designed battery rack system by GE.

#### Summary of Major Project Issues

There are a number of significant issues which will impact the present schedule and the project cost. These are summarized below:

The Gas Compressor System was re-submitted and was still not acceptable. The system, which is in fabrication at the Contractor's risk, is being modified to address these concerns. This system will be ready for the Substantial completion date of November 15, 2006 for use of all fuels. The compressor is set to be delivered to the site by August 31.

Sequence of Operations: The current O&M Manual has been transmitted to RVSA and includes the Sequence of Operations. The O&M Manual will continue to be updated through the start up of the various systems.

Partial Utilization: The intent of the time extension was to allow for the running of the engines under natural gas by September 30 to meet the JCO requirements. In order to accomplish that, the engine room would need to be completed and occupied by RVSA. Within the last month, safety concerns have been expressed by the Authority as well as occupancy issues regarding the building permit have emerged. We have received no additional word from the Woodbridge Building Department to determine the possibility of a partial Certificate of Occupancy without completing the entire building to their satisfaction. Additionally, we are attempting to address the safety concerns expressed by RVSA with a partial utilization of the building. We will update the Board as the issues are worked out with both parties.

#### Contract #155 – CSP Plant Upgrade

##### Summary of Present Status:

Contract Administration: The Contractor, E.E. Cruz, continues to submit RFI's and shop drawings. A total of 944 shop drawings have been submitted to date. There have been 145 formal requests for information.

Earthwork: Excavation for the Grit area of the Headwork's continues to progress well. The sheeting for PST-4 has also started, although excavation has not yet begun in that area. Excavated material has been disposed of off-site as either clean fill or as ID-27 as determined by the Soils Sampling program. The soil in the area of PST-4 will mostly be clean soil not subjected to ID-27 regulations.

Contaminated Soils: Soil disposal continues at the site in Bucks County, PA that is willing to accept the non-hazardous industrial waste from this site. Recently, 18,041 tons of this soil was removed and sent to the disposal site.



Foundations, Site Piping and Concrete: Concrete work is ongoing at the Headwork's, the Effluent Filters, and the RAS Pump Station. There has been 18,907 cubic yards of structural concrete poured to date, 1,710 cubic yards in July. Site piping work is ongoing including site process drains, storm sewers and embedded piping within the structures, the 54-inch secondary effluent and the 72-inch final effluent piping.

Mechanical and Electrical: Electrical work includes installing branch and feeder work at the Pump and Blower Building. Transformers and Motor Control Centers (MCC) are being installed. The Screw Pumps on the Effluent Pump Station have been installed. The clarifier mechanisms on FST 5 and 6 have been started. The temporary blower is ready to be started, allowing for demolition of Blower #4 to start shortly.

Value Engineering (VE) items: Information provided to the Commissioners.

#### Contract #156 – Gravity Relief Sewer

Summary of Present Status:

The Tunneling Operations are now complete. Punchlist work is being completed.

Final restoration of the wetlands continues and is progressing well.

Work on the Diversion Chamber is essentially complete with minor punchlist work remaining. The road is open.

Final paving is completed on the City owned street east of Routes 1&9. Final paving on the County owned streets west of 1&9 will be several months away as the County desires a six month wait prior to the application of the final pavement.

The Contractor will videotape the entire run of pipe for the baseline condition documentation. This work will begin shortly.

Mr. Ventura asked if Mr. Brinker is in agreement with these reports. Mr. Brinker responded that he has been involved in all aspects and is in concurrence.

#### 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 July 19, 2006 through August 8, 2006.

#### 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 a renewal of its general and excess liability insurance policies that expired on November 24, 2005. All policies are now current.

On March 3, 2006 the Woodbridge Township Building Department issued a Stop Work Order to the Authority on the basis that building permits were not yet obtained for work that was being done on the site. On March 6, 2006 myself, Mike Brinker and Manny Parada met with Woodbridge Township officials including the Mayor, Business administrator, Director of Planning and Development and Building Official at which time it was agreed that the Township would expedite its review of the permit applications, however, would continue to fine the Authority \$2,000 per day until such time as the building permits are issued. The Township indicated that it would not issue the permits until such time as a final resolution was adopted by its planning board which is contingent upon the board receiving final sign-offs from its engineering and planning consultants. The final sign-offs have now been received and a final resolution is expected from the planning board sometime this week. Once the resolution has been received by the Construction Official, he will commence issuing building permits. In order to protect the Authority's rights, we have filed an appeal to the Middlesex County Construction Board of Appeals from the Stop Work Order. The Authority has received a fine in the amount of \$78,000 from Woodbridge. Woodbridge has accepted the Authority's offer to pay \$28,000 in full settlement of the outstanding fine.

#### Administrative Appeals Re: Air Quality Permit and Treatment Works Approval

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

With respect to the Treatment Works Approval, there is one remaining issue in the case and we are attempting to have the case consolidated with the NJPDES appeal so that all remaining issues from both appeals may be considered together. We have been having discussions with NJDEP on resolving the remaining issues on appeal with respect to this permit.

#### Barnett Street Acquisitions

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

MiscellaneousMethane Gas from City of Linden Landfill

The City's consultant has recently presented its report and calculations to the City Engineer and we have been provided with those calculations along with the report and have shared them with RVSA staff. RVSA staff has been reviewing the documentation in order to determine the level of the Authority's interest in entering into an agreement with the City for the methane gas given the quantity of gas that exists as reflected in the pump test calculations.

Mr. Ventura stated that there was an article in The Star Ledger on August 8<sup>th</sup> which the Commissioners should read.

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. We are attempting to have the case consolidated with the TWA appeal so that all remaining issues from both appeals may be considered together. Miscellaneous Contracts: Reviewed the draft Request for Proposals prepared by CDM for the biosolids reuse and hauling contract. Performed legal research and had several meetings and telephone conferences with Mike Brinker and CDM regarding issues involving the biosolids reuse and hauling contract.

Received and reviewed bid documents for Contract #144

A report will be issued for the Board's consideration at the August Regular meeting. Counsel stated that they recommend the contract be awarded to Marvec Construction as they submitted the lowest responsible bid.

Privatization/Contract Operations

We have been in contact with the Authority's bond counsel with respect to issues regarding the Authority's current financing and any impact that privatization/contract operations may have on same. Bond counsel has issued a report for the Board's consideration at the July Regular meeting.

Occidental Chemical/Tierra Solutions – Potential litigation

We attended a presentation on July 12, 2006 with Mike Brinker and Bob Materna regarding the Notices of Potential Lawsuit that the Authority recently received from Occidental and Tierra.

Mr. Ventura noted that there was an article in The Star Ledger regarding this matter, and suggested that the Commissioners read it.

Contract #145 – Renovation of Old Laboratory/Administration Building

Sent letter to W.D. Snyder regarding delay in completion date.

**Committee Reports**

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

Engineering Committee (Frank Mazzarella, Chairman)

Mr. Mazzarella stated that no meeting was held this month, however, 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 other matters were discussed. Necessary action will be taken later in the meeting.

Personnel Committee (Allen Chin, Chairman)

Mr. Luban stated that a Personnel Committee meeting was held earlier this evening. Items which require action will be addressed later in the meeting under New Business.

Commissioner Handbook Committee (Thomas J. McHale, Chairman)

No report.

Computer Committee (C. Clark Landale, Chairman)

No report.

Insurance Review Committee (Allen Chin, Chairman)

No report.

Legal Committee (Joan Papen, Chairwoman)

No report.

Nominating Committee (Robert G. Luban, Chairman)

No report.

Public Relations Committee (Joan Papen, Chairwoman)

Mrs. Papen stated that the Public Relations firm is working on a newsletter, however, she noted that we are waiting for the appointment of the Executive Director prior to scheduling the photographer to take the necessary pictures.

Retreat Committee (Allen Chin, Chairman)

No report.

Search Committee (Allen Chin, Chairman)

Mr. Chin stated that a meeting will be held in September.

Security Committee (James J. Kennedy, Chairman)

Mr. Luban asked why the gate is being left open. Mr. Brinker responded that someone had crashed through the gate a month or so ago, taking out the gate and all of its controls. Mr. Brinker added that we are in the process of installing the new gates.

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

Mr. Gencarelli, RVSA Manager of Regulatory Compliance, addressed the Board. Mr. Gencarelli stated that he is concerned that the Board is in the process of making decisions based on bad information. He stated that he did his own personal research and came up with some facts on items that are pretty interesting and need to be considered before any more money is spent with regard to privatization. He noted he had obtained a consumer confidence report which was issued by United Water in 2005 and that he wanted to highlight two things that it said. First it says that the City retains ownership of the water facilities including the water treatment plant and distribution systems; which to him means that any capital improvements will be on the backs of the ratepayers. Secondly United Waters report states that they are going to save the City about 1.6 million dollars a year – up to \$32 million over the life of the contract, which is very impressive. Mr. Gencarelli then researched to see where the rates were going in the City of Rahway, based on these savings being projected by United Water. Mr. Gencarelli noted that he looked into the Rahway water rates, going back to 1983 and found that from 1983 to 1998 there was only one increase which took place in 1987 in the amount of 20%. In 1999 the City of Rahway privatized their water and the rates went up 56.35%. Mr. Gencarelli stated that the rates really went up more than that because when Rahway Water was owned and operated by the City, there was a discount offered to Merck & Co., however, when United Water took over, they did away with the discount and therefore, Merck & Co. would have had a greater cost, but instead Merck chose to purchase its water from the City of Linden at a lower cost.

Subsequently, Rahway residents received an increase of 3% each year for the years 2000 to 2004 and 4% each year thereafter. Mr. Gencarelli stated that he even took all of the data and did averages on the rate increases. He further stated that he has been unable to figure out any savings that the City is realizing from the privatization of Rahway Water.

Mr. Gencarelli stated that he wanted to touch on one other item, that being Resolution #06-39 which is on the agenda this evening for action to hire an employee with a salary range of \$85,000-\$95,000 per year. Mr. Gencarelli added that we have a facility here that requires a C-4 Licensed Operator and an S-4 License Operator for our collection system and treatment plant respectively. Mr. Gencarelli noted that we presently have two individuals, each of those individuals has one of the necessary licenses; and added that we needed someone who has these

licenses, for backup purposes. Mr. Gencarelli stated that before the board hires anyone within this salary range, they should be looking to hire someone with the qualifications that the facility is in need of, for the benefit of the ratepayer.

Mr. Gencarelli thanked the board for their time.

Mr. Kennedy stated that he would like to respond to the comments made by Mr. Gencarelli. Mr. Kennedy stated that he is not here to defend Rahway's water rates, however, noted that if you check the water rates throughout the State of New Jersey, you will find Rahway to be the lowest in the entire state. Mr. Kennedy noted that a major piece of information left out by Mr. Gencarelli is that the City Counsel had the responsibility of increasing the water rates, however, politically no one wanted to do that and therefore in 1990, the State of NJ planned to close down the Rahway Water Facility because it was being run with a deficit, specifically in the years 1988 and in 1989. Mr. Kennedy added that he became Mayor in 1990 and one of the first orders of business was to get relief from the State on the closure and also obtain funds from the NJ Spill Compensation Fund to pay for the improvements that the Rahway Water Facility needed to do. Mr. Kennedy noted that Rahway is presently negotiating with Merck for the sale of additional water and added that the information provided by Mr. Gencarelli is not completely full in terms of the savings that the City has had.

The Vice Chairman asked if anyone else wished to address the Board. As no one responded, the Vice Chairman moved to continue with the regular order of business.

### **Unfinished Business**

None.

### **New Business**

Mr. Mazzarella made a motion, seconded by Mr. Chin, authorizing Counsel to prepare a letter to advise the City of Rahway that the Authority will provide \$3,000 to the City so they may utilize chip seal for the rehabilitation of Lafayette Street. The motion was unanimously approved.

Mr. Mazzarella made a motion, seconded by Mr. Chin, to award Contract #144 – Trunk Sewer Rehabilitation, Alternate B, to the low bidder Marvec Construction of Verona, NJ, who provided a responsive and responsible bid at a cost of \$1,449,199.00 as recommended by the Consulting Engineer and Interim Executive Director.

Mr. Brinker asked the Secretary-Treasurer if the Authority has sufficient funds to cover the project. Mr. Materna responded that he would utilize funds from the Capital Replacement Fund.

As there was no further discussion, the motion was unanimously approved.

The following Resolution #06-38 was offered by Mr. Lombardo, on motion of Mr. Lombardo,

seconded by Mrs. Papen, and unanimously approved.

**GRANT AGREEMENT  
BETWEEN  
THE RAHWAY VALLEY SEWERAGE AUTHORITY  
AND  
THE STATE OF NEW JERSEY, BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GRANT NUMBER CW06-002**

WHEREAS, the governing body of the Rahway Valley Sewerage Authority (RVSA) desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$1,856,899 to fund the Gravity Relief Sewer Project (RVSA's Contract #156), S340547-11.

NOW, THEREFORE, BE IT RESOLVED by the governing body that Michael J. Brinker, Jr., Interim Executive Director or the successor to the office of Executive Director is authorized to (a) make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$1,856,899 and not more than \$1,856,899, and (c) to execute any amendments thereto which do not increase the Grantee's obligations; and

BE IT FURTHER RESOLVED that the Rahway Valley Sewerage Authority authorizes and hereby agrees to match 0% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 0% of the match will be made up of in-kind services; and

BE IT FURTHER RESOLVED that the Grantee agrees to comply with all applicable Federal, State and Municipal laws, rules and regulations in its performance pursuant to the agreement.

The following Resolution #06-39 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mr. Luban.

WHEREAS, the membership of the RAHWAY VALLEY SEWERAGE AUTHORITY (hereinafter the "Authority") has as one of its primary functions the right to act upon and oversee all issues pertaining to the Authority's positions of employment and any other personnel matters; and

WHEREAS, the membership has previously created the position of Assistant to the Executive Director of the Authority with all of the rights, duties and responsibilities that will allow the Authority to carry out its beneficial statutory purposes; and

WHEREAS, the membership of the Authority desires to fill the position of Assistant to

the Executive Director and approve and confirm the job description and salary for same.

NOW, THEREFORE, BE IT RESOLVED, by the Membership of the Rahway Valley Sewerage Authority as follows:

1. James L. Cassella is hereby appointed to the position of Assistant to the Executive Director.
2. The rights, duties and responsibilities of the Assistant to the Executive Director as set forth in the job description attached hereto and incorporated herein are hereby ratified and confirmed.
3. The salary range for this position shall be between \$75,000 and \$95,000.
4. All appropriate personnel, are hereby authorized and directed to perform such tasks and execute such documents, if any, as are necessary to implement the intent and letter of this Resolution.
5. This Resolution shall take effect immediately.

Mrs. Papen stated that she has reviewed the resume and the job description, she noted that she has seen four different job descriptions whereby the Commissioners are pulling from various different positions to create this position and in her opinion, this is a waste of taxpayer money and is opposed to it. She added that we need help in Engineering not in this “created” position.

Mr. McHale stated that he too is opposed. He noted that we are taking from other positions to make it look like there is a job here, the salary is ridiculous and he doesn’t think it should be a permanent position.

Mr. Landale stated that this person does not have the licenses that this Authority needs, nor does he have the qualification to operate this plant in absence of the Executive Director. He added we don’t need another administrative aide. He added that we need help in Engineering. He continued on to say that we are spending taxpayer money on a fictitious position without properly researching the need for the position. The salary proposed for this individual has no validation and the position was created for this person. He added that he totally opposes creating the position and hiring this individual.

After brief discussion, the Vice Chairman called for a role call vote.

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



As the vote was 6 to 3 with 1 abstention, Resolution #06-39 was approved.

Mr. Chin stated that Resolution #06-40 should be removed from the agenda, for discussion and consideration at a later date.

The following Resolution #06-41 was offered by Mr. Lombardo, on motion of Mr. Lombardo, seconded by Mr. Chin and unanimously approved.

BE IT RESOLVED that the officers of the Rahway Valley Sewerage Authority be and are hereby authorized to purchase from Wachovia Bank of Summit, New Jersey for the Operating Fund, the following Certificate of Deposit:

<u>Amount</u>	<u>Rate</u>	<u>Maturing</u>
\$5,000,000.00	5.21%	09/13/06

Mr. Mazzarella made a motion, seconded by Mr. Lombardo, to formally approve Change Order #4 on Contract #105 in an amount not to exceed \$581,900.00 as negotiated by the Interim Executive Director. The motion was unanimously approved.

**Bills and Claims**

Mr. 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
2162	07/31/06	ANGELINA & JOSE MATOS	140.8	1,250.00
2163	07/31/06	JOSHUA D. NOVIN, ESQ. PA	140.8	750.00
2164	08/10/06	ALLIED OFFICE SUPPLIES	134	4,210.20
2165	08/10/06	ARGENT ASSOCIATES LLC	140.7/8	1,170.00
2166	08/10/06	CONSOLIDATED CONSTRUCTION MGT.	140.2/7/8	295,127.18
2167	08/10/06	EE CRUZ COMPANY INC.	140.7	5,179,717.66
2168	08/10/06	J.H. REID, GENERAL CONTRACTOR	140.2	433,376.96
2169	08/10/06	NORTHEAST REMSCO CONSTRUCTION	140.8	72,485.95

**Total Checks: 8**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$5,988,087.95**

**OPERATING FUND**

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
32215	07/24/06	AMALGAMATED GENERAL AGENCIES	17	126,747.38
32216	07/26/06	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	266,238.00

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
32217	07/26/06	VIOLA R. ROSANIO	18	423.71
32218	07/27/06	CONTINENTAL CARS, L.L.C.	17	500.00
32219	08/04/06	DELTA DENTAL PLAN OF NJ	03	5,672.39
32220	08/04/06	STANDARD INSURANCE COMPANY	03	2,010.59
32221	08/04/06	VISION SERVICE PLAN	03	1,193.01
32222	08/10/06	A TOUCH OF ITALY	49	129.95
32223	08/10/06	ADP, INC.	03	167.54
32224	08/10/06	ADP, INC.	16	1,118.57
32225	08/10/06	AIRGAS SAFETY, INC.	31	1,235.89
32226	08/10/06	ALL AMERICAN SEWER SERVICE, INC.	21	3,328.00
32227	08/10/06	AMERICAN TIME RECORDER, INC.	13	40.00
32228	08/10/06	AMERICAN INDUSTRIAL SUPPLY CORP.	32	1,771.76
32229	08/10/06	ARCH WIRELESS	11	11.19
32230	08/10/06	BOWCO LABORATORIES, INC.	47	63.00
32231	08/10/06	CANON FINANCIAL SERVICES, INC.	16	953.20
32232	08/10/06	CLEAN RENTAL SERVICES, INC.	32	607.20
32233	08/10/06	CONTROL SYSTEMS COMPANY	38	284.86
32234	08/10/06	COOPER ELECTRIC SUPPLY COMPANY	32/38	1,111.27
32235	08/10/06	D2L ASSOCIATES, INC.	42	2,240.00
32236	08/10/06	DAVID WEBER OIL COMPANY	34	2,956.16
32237	08/10/06	DOLAN & TRAINOR	32	421.95
32238	08/10/06	DORR-OLIVER EIMCO USA, INC.	38	11,512.00
32239	08/10/06	DRAPKIN PRINTING CO., LLC	12	610.00
32240	08/10/06	DYNAFLOW ENGINEERING	32/38	2,375.00
32241	08/10/06	EDIBLE ARRANGEMENTS-WOODBRIDGE	18	143.50
32242	08/10/06	ELIZABETHTOWN GAS	22	8,471.14
32243	08/10/06	EMSL ANALYTICAL INC.	41	2,142.50
32244	08/10/06	EMTEC, INC.	27	1,422.87
32245	08/10/06	FISHER SCIENTIFIC	40/43	2,546.88
32246	08/10/06	FLEXLINE	32	1,425.78
32247	08/10/06	FLUID DYNAMICS INC.	32	730.76
32248	08/10/06	FREDERICK T. GEARDINO	31	44.99
32249	08/10/06	GENSERVE INC.	34	3,235.00
32250	08/10/06	W.W. GRAINGER, INC.	32	987.32
32251	08/10/06	GARY W. GRAY TRUCKING, INC.	26	6,021.32
32252	08/10/06	GREENWOOD PRODUCTS, INC.	43	233.00
32253	08/10/06	HACH COMPANY	40	1,370.60
32254	08/10/06	HALL & ASSOCIATES	08	10,939.51
32255	08/10/06	HATCH MOTT MACDONALD	09	23.93
32256	08/10/06	HOME DEPOT CREDIT SERVICES	32	49.88
32257	08/10/06	JERSEY ELEVATOR COMPANY INC.	32	164.31
32258	08/10/06	LAB SAFETY SUPPLY, INC.	31	1,038.70
32259	08/10/06	C. CLARK LANDALE	49	50.00
32260	08/10/06	LIBERTY MUTUAL GROUP	17	35,320.00
32261	08/10/06	MAFFEY'S SECURITY GROUP	32	878.50
32262	08/10/06	MAGELLAN BEHAVIORAL HEALTH, INC.	03	550.83
32263	08/10/06	MCMASTER-CARR SUPPLY CO.	32	621.32
32264	08/10/06	MECHANICAL SERVICE CORP.	32	3,741.91
32265	08/10/06	METALS USA PLATES & SHAPES NORTH	32	590.00
32266	08/10/06	MOTION INDUSTRIES, INC.	32	295.24
32267	08/10/06	GARDNER DEVER NASH LLC	32	886.02
32268	08/10/06	NATIONAL FUEL OIL, INC.	20	9,998.85
32269	08/10/06	NEW PIG CORPORATION	31	1,186.03
32270	08/10/06	NJ MANUFACTURERS INSURANCE CO.	17	8,737.00
32271	08/10/06	ONE CALL SYSTEMS, INC.	32	23.18
32272	08/10/06	PARKSON CORPORATION	32	3,548.48

CHECK #	DATE	VENDOR	LINE/ACCT#	AMOUNT
32273	08/10/06	POLAND SPRING WATER COMPANY	46	66.90
32274	08/10/06	POLYDYNE INC.	23	15,934.40
32275	08/10/06	PSE&G	19/42	27,857.92
32276	08/10/06	PUMPING SERVICES, INC.	32	601.45
32277	08/10/06	PURCHASE POWER	48	1,016.99
32278	08/10/06	RELIABLE ELECTRIC MOTOR REPAIR	38	581.94
32279	08/10/06	PETTY CASH	14	101.38
32280	08/10/06	SANDY'S FRUIT BASKETS & FLORIST	18	58.00
32281	08/10/06	STAR LEDGER	12	51.00
32282	08/10/06	STATE OF NEW JERSEY	02	906.12
32283	08/10/06	STORR TRACTOR COMPANY	32	27.36
32284	08/10/06	THE SPI GROUP, LLC	32	50.00
32285	08/10/06	TREASURER - STATE OF NJ	27	54.00
32286	08/10/06	TWENTIETH CENTURY PRODUCTS	40	46.15
32287	08/10/06	UNITED PARCEL SERVICE	13	44.20
32288	08/10/06	UNIVAR USA INC.	48	25,213.55
32289	08/10/06	SIEMENS WATER TECHNOLOGIES	29	250.00
32290	08/10/06	USA BLUEBOOK	40	387.26
32291	08/10/06	VERIZON	32	315.72
32292	08/10/06	WATER FILTER STORE	11/30	201.00
32293	08/10/06	WEARGUARD/ARAMARK	43	92.91
32294	08/10/06	WELCO GAS TECHNOLOGIES	32	709.36
32295	08/10/06	WHITEMARSH CORPORATION	32/40	14.51
32296	08/10/06	WIPE-TEX INTERNATIONAL	32	890.00
32297	08/10/06	WOODRUFF ENERGY	32	118.91
32298	08/10/06	ARTHUR M. WRIGHT, JR	22	265.50

**Total Checks: 84**  
**Total Void Checks: 0**  
**Total Amount Void: 0.00**  
**Total Amount Paid: \$616,998.50**

**Total All Checks: 92**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$6,605,086.45**

FUND DESCRIPTION	FUND #	AMOUNT
OPERATING FUND	6-01	\$ 616,998.50
BUILDING & EQUIP FUND	6-02	<u>\$5,988,087.95</u>
TOTAL ALL FUNDS		<u>\$6,605,086.45</u>

**Closed Session**

None.

**Adjournment**

As there was no further business, on motion of Mr. Chin, seconded by Mr. Kennedy, the meeting adjourned at 9:32 p.m. The motion was unanimously approved.

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Robert J. Materna, Secretary-Treasurer

/jg

**Attachments**

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