

## REGULAR MEETING –NOVEMBER 19, 2007

The Chairman calls the meeting to order at 7:30 p.m.

*- TURN ON RECORDER -*

The Chairman reads the statement on "Open Public Meetings Law".

In accordance with the requirements of the Open Public Meetings 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 and again on November 14, 2007.

If any member of this body believes that this meeting is being held in violation of the provisions of the Open Public Meetings Act, please state your objection and the reasons for same at this time.

Hearing no objections, we shall proceed with our regularly scheduled meeting.

The Chairman requests that everyone stand to salute the Flag.

### **Roll Call**

<u>Pres.</u>	<u>Absent</u>	<u>Town Rep.</u>	<u>Pres.</u>	<u>Absent</u>	<u>Name</u>
_____	_____	Clark	_____	_____	M. Brinker, Interim Exec. Dir.
_____	_____	Cranford	_____	_____	R. Materna, Sec.-Treasurer
_____	_____	Garwood	_____	_____	J. Grimes, Office Administrator
_____	_____	Kenilworth	_____	_____	B. Hak, Counsel
_____	_____	Mountainside	_____	_____	J. Wancho, Cons. Engineer
_____	_____	Rahway			
_____	_____	Roselle Park			
_____	_____	Scotch Plains			
_____	_____	Springfield			
_____	_____	Westfield			
_____	_____	Woodbridge			

**Approval of Minutes**

Chairman: The minutes of the Regular meeting held October 18, 2007, are not finished and therefore will be not be acted on this evening.

**Communications**

The following letter addressed to Mr. Brinker was received November 7, 2007 from Richard F. Guerrero, VP of Car-Tech Auction, Inc.:

On November 2, 2007 at approximately 2:00 AM a fire occurred on our property. If it were not for your employee, Greg Evelyn, the fire could have been catastrophic. Because of his quick thinking and response our damage was limited.

On behalf of all of us at Car-Tech Auction, Inc., please convey to Greg our great appreciation and gratitude.

The following letter and resolution dated October 24, 2007, were received from Barbara Riepe, Township Clerk for the Township of Scotch Plains:

Enclosed please find a certified copy of a resolution adopted last evening by the Township Council of the Township of Scotch Plains regarding opposition to the solicitation of proposals for professional services to explore privatization of the operation of the RVSA.

Resolution #162-07

RESOLUTION STATING OPPOSITION TO THE SOLICITATION OF PROPOSALS FOR PROFESSIONAL SERVICES TO EXPLORE PRIVATIZATION OF THE OPERATION OF THE RAHWAY VALLEY SEWERAGE AUTHORITY.

Whereas, the Township of Scotch Plains is one of the 11 member municipalities of the Rahway Valley Sewerage Authority (RVSA) a regional sewerage authority created and operating pursuant to the

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New Jersey Sewerage Authorities Law, N.J.S.A. 40:14A-1 et. seq.;  
and

WHEREAS, RVSA operates sewage treatment facilities constructed, maintained and operated with funds received from the taxpayers of the member municipalities, which facilities have cost hundreds of millions of dollars to construct and which are undergoing extensive capital projects intended to upgrade and make more efficient the operation of those facilities, the costs of which capital projects exceed \$175 million; and

WHEREAS, RVSA's annual operating costs are in excess of \$18 million, which costs are paid primarily by the member municipalities; and

WHEREAS, RVSA is responsible for the handling and treatment of the sanitary sewage for its 11 member municipalities in a cost efficient and environmentally sound manner; and

WHEREAS, as a member municipality whose taxpayers have paid and continue to pay significant amounts of money to the construction and operation of RVSA, the Township of Scotch Plains is concerned that RVSA be operated in a sound and cost-efficient manner; and

WHEREAS, over the past several years, various consultants for RVSA and some members of RVSA have suggested or recommended that RVSA consider entering into a privatization contract for part or all of its operations; and

WHEREAS, the Township of Scotch Plains and other members have expressed concerns regarding whether such privatization would actually result in better or more cost effective operation of RVSA; and

WHEREAS, despite such concerns raised by the Township of Scotch Plains and other members, RVSA determined to undertake an investigation of privatization of a portion of its operations and retained various consultants to make recommendations to RVSA as to the appropriateness of moving forward to take actions to solicit request for qualifications for a privatization contract; and

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WHEREAS, in response to concerns voiced by the Township of Scotch Plains and other members, RVSA determined to conduct a Mayors Forum to present to the Mayors and other representatives of the member municipalities the reasons why RVSA had decided to move forward to take actions to solicit requests for qualifications for a privatization contract; and

WHEREAS, on November 30, 2006, the RVSA held such a Mayors' Forum, at which it presented statements from the various consultants it had retained who had recommended to RVSA that it move forward with such privatization; and

WHEREAS, during this Mayors Forum, based on questions asked, concerns raised and information presented, RVSA's own consultants, including Steve Kellogg, Senior Vice President of CDM, agreed that it was premature to consider whether privatization might be a sound and cost effective measure for RVSA, and agreed that the appropriate course was to await completion of the significant capital projects being undertaken at the RVSA facility, including the Comprehensive Strategic Plan (CSP) contracts, the Major Upgrades contracts, and the Cogeneration/Sludge Drying Facility contract and a sufficient time after such completion to be able to undertake an informed evaluation of how the RVSA facility was operating; and

WHEREAS, the Township of Scotch Plains and various other member municipalities welcomed these recommendations as a much sounder approach to the question of whether some form of privatization of RVSA's operations or facilities might be sound and/or cost effective; and

WHEREAS, despite the recommendations of its own consultants in November 2006, and despite the fact that the capital projects referred to at the November 30 Mayors' Forum have not all be completed and in operation, RVSA placed on its October 18, 2007 agenda a motion to solicit proposals for the services of (1) Special Counsel, (2) Special Engineer, and (3) Special Financial Advisor, to perform certain work related to the preparation of a Request for Qualifications on a privatization contract; and

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WHEREAS, to solicit such proposals and to move forward with the process contemplated thereby will be a time consuming and costly process, and should not be considered, let alone undertaken, until the capital projects referred to at the November 30 Mayors' Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RVSA facility was operating; and

WHEREAS as recognized by RVSA previously, no such actions should be taken by RVSA toward possible privatization without first informing the Mayors and other municipal representatives of the basis for such action, and seeking the input of these important parties; and

WHEREAS, despite the above, at their October 18, 2007 meeting, in a six to five vote, RVSA passed the Resolution or motion to solicit proposals for the services of (1) Special Counsel; (2) Special Engineer and (3) Special Financial Advisor to perform certain work related to the preparation of the request for qualifications for a privatization contract.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of Scotch Plains hereby affirmatively and emphatically state the position that it is inappropriate and premature for RVSA to solicit proposals for the services of 1) Special Counsel, 2) Special Engineer and/or 3) Special Financial Advisor to perform any work related to the preparation of a Request For Qualifications on a privatization contract or to take any other actions to move forward with the process contemplated thereby, and as previously recognized by RVSA's own consultants and represented to the public at the November 30 2006 Mayors Forum, no further consideration should be given to the actions taken toward possible privatization until the capital projects referred to at the November 30 Mayors Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RVSA facility was operating; and

NOW THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Rahway Valley Sewerage Authority,

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the Governing Body of each member municipality of the RVSA, The Newark Star Ledger, The Record Press, The Scotch Plains Times, Senator Nicholas Scutari, Assemblyman Jerry Green, Assemblywoman Linda Stender, Senator Thomas Kean, Assemblyman Jon Bramnick, Assemblyman Eric Munoz, Senator Joseph Vitale, Assemblyman Joseph Vas and Assemblyman John S. Wisniewski.

The following letter and resolution dated October 26, 2007, were received from Tara Rowley, RMC, Municipal Clerk for the Township of Cranford:

Enclosed is a certified copy of Resolution #2007-315 adopted by the Township Committee of the Township of Cranford at a meeting held October 23, 2007 opposing Rahway Valley Sewerage Authority's solicitation of proposals for professional services related to a potential privatization contract.

Resolution #2007-315

WHEREAS, the Township of Cranford is one of the eleven member municipalities of the Rahway Valley Sewerage Authority (RVSA), a regional sewerage authority created and operated by the New Jersey Sewerage Authorities Law, N.J.S.A. 40:14A-1 et. seq.; and

WHEREAS, RVSA is responsible for the conveyance and treatment of the sanitary sewerage for its eleven member municipalities in a cost-efficient and environmentally sound manner, operating from sewerage treatment facilities constructed, maintained, and operated with funds from the taxpayers of the member municipalities; and

WHEREAS, such facilities have cost hundreds of millions of dollars to construct and are presently undergoing extensive capital improvements intended to upgrade and make the operation of those facilities more efficient, the costs of which capital projects is expected to exceed \$250 million; and

WHEREAS, RVSA's annual operating costs are approximately \$15 million; upgrades are \$250 million; and these costs are shouldered and paid by the member municipalities; and

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WHEREAS, over the past several years, various consultants for RVSA and some members of RVSA have suggested or recommended that RVSA consider entering into a public/private partnership or a privatization contract; and

WHEREAS, some member municipalities, councils, and mayors have expressed serious concerns regarding whether such privatization would actually result in a better or more cost effective operation of RVSA, recognizing that substantial evidence exists that privatization in some cases increases costs and/or diminishes resident service; and

WHEREAS, in 2006, despite such concerns raised by some member municipalities, RVSA determined to undertake an investigation of privatization of a portion of its operations and retained various consultants to make recommendations to RVSA as to the appropriateness of moving forward to take actions to solicit Requests for Qualifications (RFQ) for a privatization contract; and

WHEREAS, in response to concerns voiced by member municipalities, RVSA decided to conduct a Mayors Forum to present to the Mayors and other representatives of the member municipalities the pros and cons of privatization and the reasons why RVSA was considering moving forward to take actions to solicit RFQ's for a privatization contract; and

WHEREAS, on November 30, 2006, RVSA held such a Mayors Forum, at which time it presented statements from various consultants it had retained who could present the pros and cons of such privatization efforts; and

WHEREAS, during this Mayors Forum, based on questions asked, concerns raised, and information presented, RVSA's own consultants, including Steve Kellog, Senior Vice President, CDM, agreed that it was premature to consider whether privatization might be a sound and cost-effective measure for RVSA, and agreed that the appropriate course was to await completion of the significant capital projects being undertaken at the RVSA facility, including the Comprehensive Strategic Plan (CSP) contracts, the Major Upgrades

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contracts, and the Cogeneration/Sludge Drying Facility contract and a sufficient time after such completion to be able to undertake an informed evaluation of how the RVSA facility was operating; and

WHEREAS, various municipalities welcomed these recommendations as a much sounder approach to the question of whether some form of privatization of RVSA's operations or facilities might be sound and/or cost effective; and

WHEREAS, despite the recommendations of its own consultants in November 2006, and despite the fact that the capital projects referred to at the November 30 Mayors Forum have not all been completed and in operation, and despite strong concerns and objections raised by member municipalities, at its October 18, 2007 meeting, RVSA passed a resolution

" . . . to authorize the publication of Requests For Proposals on its official website from legal service professionals, engineering professionals and financial consultants in connection with all activities associated with the Authority's efforts to explore public/private partnership for the operation of all of its facilities. The Authority Interim Executive Director, Secretary/Treasurer and all of the Authority's other officials, employees and professionals are authorized and directed to execute those documents and perform those tasks that will affect the purposes of this Resolution."

WHEREAS, to solicit such proposals and to move forward with the process contemplated thereby will be a time consuming and costly process, and should not be considered, let alone undertaken, until capital projects referred to at the November 30 Mayors Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RVSA facility was operating; and

WHEREAS, as recognized by RVSA previously, no such actions should be taken by RVSA toward possible privatization without first informing the Mayors and governing bodies of all RVSA member municipalities of the basis for such actions, and seeking the input of these important parties; and

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WHEREAS, a number of member municipalities voiced strong opposition against moving forward with any privatization effort, including the preparation of Request for Proposals (RFP), and, in particular, Cranford requested dialogue with their RVSA representative before such RVSA voting took place, and whereby that dialogue did not occur; and

WHEREAS, such action by RVSA sets off a process with a goal that has not yet been appropriately sanctioned and in fact could ultimately incur substantial costs, yet undetermined at this time, to the constituent communities, with current reports indicating procurement costs up to and perhaps exceeding \$500K, before any contract is executed, with related legal fees for 2006 alone exceeding \$63K; and

WHEREAS, reports indicate a number of communities, large and small, near and far, have rejected privatization in favor of public control, yet executive summaries regarding related studies and decisions, as well as the input of those overseeing such efforts, were not considered in RVSA's decision making process, despite requests that such information should be considered and discussed before voting for the aforementioned RFP; and

WHEREAS, privatization of any given entity has pros and cons that require careful consideration, with downsides including a lack of transparency and a lack of access to important documents, as well as ultimate goals of turning a profit for private interests, as opposed to optimal, cost-effective public service; and

WHEREAS, due diligence has not had an adequate chance in this case to best serve the interests of residents.

NOW THEREFORE BE IT RESOLVED that the Township of Cranford hereby emphatically states its opposition to the inappropriate and premature action by the RVSA to adopt a resolution

" . . . to authorize the publication of Requests For Proposals on its official website from legal service professionals, engineering professionals and financial consultants in connection with all activities associated with the Authority's efforts to explore public/private

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partnership for the operation of all of its facilities. The Authority Interim Executive Director, Secretary/Treasurer and all of the Authority's other officials, employees and professionals are authorized and directed to execute those documents and perform those tasks that will affect the purposes of this Resolution."

or to take any other related actions to move forward with that process at this time. As previously recognized by RVSA's own consultants, and represented to the public at the November 30, 2006 Mayors Forum, no further consideration should be given to or actions taken towards possible privatization until the capital projects referred to at the November 30 Mayors' Forum have all been completed and in operation for a sufficient time (defined previously as one year) to enable an informed evaluation of how the RVSA facility is operating; and

BE IT FURTHER RESOLVED that this Township Committee desires that our RVSA representative rescind his affirmative vote for RFP and instead cast an opposing vote to privatization efforts as, at this time, we do not see such RFP to be in the best interest of the residents we collectively represent, and recognize that such move forward at this time could in fact be to their detriment, while incurring potentially unnecessary and substantial costs; and

BE IT FURTHER RESOLVED that related action regarding RFP for privatization should not be taken until due diligence is allowed to run its course as indicated above; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the RVSA, each of its member municipalities governing bodies, and to the newspapers that regularly cover the business of this Township Committee, as well as the newspapers that cover RVSA meetings.

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The following letter and resolution dated November 9, 2007, were received from Donna L. Corrigan, Deputy Borough Clerk for the Borough of Roselle Park:

Attached please find a copy of Resolution #232-07, opposing the solicitation of proposals for professional services to explore privatization of the operation of the Rahway Valley Sewerage Authority, which was adopted at the meeting of the Mayor and Council held on November 8, 2007.

Resolution #232-07

Whereas, the Borough of Roselle Park is one of the 11 member municipalities of the Rahway Valley Sewerage Authority (RVSA) a regional sewerage authority created and operating pursuant to the New Jersey Sewerage Authorities Law, N.J.S.A. 40:14A-1 et. seq.; and

WHEREAS, RVSA operates sewage treatment facilities constructed, maintained and operated with funds received from the taxpayers of the member municipalities, which facilities have cost hundreds of millions of dollars to construct and which are undergoing extensive capital projects intended to upgrade and make more efficient the operation of those facilities, the costs of which capital projects exceed \$175 million; and

WHEREAS, RVSA's annual operating costs are in excess of \$18 million, which costs are paid primarily by the member municipalities; and

WHEREAS, RVSA is responsible for the handling and treatment of the sanitary sewage for its 11 member municipalities in a cost-efficient and environmentally sound manner; and

WHEREAS, as a member municipality whose taxpayers have paid and continue to pay significant amounts of money to the construction and operation of RVSA, the Borough of Roselle Park is concerned that RVSA be operated in a sound and cost-efficient manner; and

WHEREAS, over the past several years, various consultants for RVSA

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and some members of RVSA have suggested or recommended that RVSA consider entering into a privatization contract for part or all of its operations; and

WHEREAS, the Borough of Roselle Park and other members have expressed concerns regarding whether such privatization would actually result in better or more cost effective operation of RVSA; and

WHEREAS, despite such concerns raised by the Borough of Roselle Park and other members, RVSA determined to undertake an investigation of privatization of a portion of its operations and retained various consultants to make recommendations to RVSA as to the appropriateness of moving forward to take actions to solicit request for qualifications for a privatization contract; and

WHEREAS, in response to concerns voiced by the Borough of Roselle Park and other members, RVSA determined to conduct a Mayors Forum to present to the Mayors and other representatives of the member municipalities the reasons why RVSA had decided to move forward to take actions to solicit requests for qualifications for a privatization contract; and

WHEREAS, on November 30, 2006, the RVSA held such a Mayors' Forum, at which it presented statements from the various consultants it had retained who had recommended to RVSA that it move forward with such privatization; and

WHEREAS, during this Mayors Forum, based on questions asked, concerns raised and information presented, RVSA's own consultants, including Steve Kellogg, Senior Vice President of CDM, agreed that it was premature to consider whether privatization might be a sound and cost effective measure for RVSA, and agreed that the appropriate course was to await completion of the significant capital projects being undertaken at the RVSA facility, including the Comprehensive Strategic Plan (CSP) contracts, the Major Upgrades contracts, and the Cogeneration/Sludge Drying Facility contract and a sufficient time after such completion to be able to undertake an informed evaluation of how the RVSA facility was operating; and

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WHEREAS, the Borough of Roselle Park and various other member municipalities welcomed these recommendations as a much sounder approach to the question of whether some form of privatization of RVSA's operations or facilities might be sound and/or cost effective; and

WHEREAS, despite the recommendations of its own consultants in November 2006, and despite the fact that the capital projects referred to at the November 30 Mayors' Forum have not all be completed and in operation, RVSA placed on its October 18, 2007 agenda a motion to solicit proposals for the services of (1) Special Counsel, (2) Special Engineer, and (3) Special Financial Advisor, to perform certain work related to the preparation of a Request for Qualifications on a privatization contract; and

WHEREAS, to solicit such proposals and to move forward with the process contemplated thereby will be a time consuming and costly process, and should not be considered, let alone undertaken, until the capital projects referred to at the November 30 Mayors' Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RVSA facility was operating; and

WHEREAS as recognized by RVSA previously, no such actions should be taken by RVSA toward possible privatization without first informing the Mayors and other municipal representatives of the basis for such action, and seeking the input of these important parties; and

WHEREAS, despite the above, at their October 18, 2007 meeting, in a six to five vote, RVSA passed the Resolution or motion to solicit proposals for the services of (1) Special Counsel; (2) Special Engineer and (3) Special Financial Advisor to perform certain work related to the preparation of the request for qualifications for a privatization contract.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Roselle Park hereby affirmatively and emphatically state the position that it is inappropriate and premature for RVSA to

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solicit proposals for the services of (1) Special Counsel, (2) Special Engineer and/or (3) Special Financial Advisor to perform any work related to the preparation of a Request For Qualifications on a privatization contract or to take any other actions to move forward with the process contemplated thereby. As previously recognized by RVSA's own consultants and represented to the public at the November 30 2006 Mayors Forum, no further consideration should be given to the actions taken toward possible privatization until the capital projects referred to at the November 30 Mayors Forum have all been completed and in operation for a sufficient time to enable an informed evaluation of how the RVSA facility was operating; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Rahway Valley Sewerage Authority, the Governing Body of each member municipality of the RVSA, The Newark Star Ledger, The Union Leader, The Home News & Tribune, Senator Thomas Kean, Assemblyman Eric Munoz, Assemblyman Jon Bramnick, Senator Nicholas Scutari, Assemblyman Jerry Green, Assemblywoman Linda Stender, Senator Joseph Vitale, Assemblyman Joseph Vas, Assemblyman John S. Wisniewski, Senator Raymond Lesniak, Assemblyman Neil Cohen and Assemblyman Joseph Cryan.

**Report of Treasurer**

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

**Report of Interim Executive Director**

1. Sewer Treatment Endorsements

The following is a list of Sewer Treatment Endorsements processed between 10/16/07 and 11/15/07, 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>
1011-07-WB	10/19/07	Vincent Brigande	Woodbridge

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1012-07-SF	10/22/07	Steele Built, LLC	Springfield
1013-07-RW	10/25/07	Beata Szerzumska	Rahway
1014-07-KW	10/30/07	Elshiekh Antillc	Kenilworth
1015-07-WB	10/31/07	CTC Contractors	Woodbridge
1016-07-CL	11/08/07	Kelvy Marinez	Clark
1016-07-KW	11/09/07	Girolamo Cuppari	Kenilworth
1017-07-RW	11/13/07	David Ginfrieda Home Imp.	Rahway
1018-07-SF	11/13/07	Matthew s General Contractors	Springfield
1019-07-WB	11/13/07	Prudential Insurance	Woodbridge
1020-07-WB	11/14/07	Milrose Consultants Nanita Shah	Woodbridge

2. Monthly Reports

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

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

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

3. Sale of Equipment

The Authority received approval from the Board at the October 18, 2007 Regular Meeting, to auction off various equipment no longer needed for Authority operations. On November 1, two bids were received for the 1981 Dump Truck. The award was made to Franks Auto Wreckers of Avenel, NJ, in an amount of \$711.00. No bids were received for the Superior Diesel Engine parts, which will be scrapped.

4. Fire Alarm and Sprinkler Systems

This matter is ongoing. The insurance company has not yet inspected the site, however, the City of Rahway's Fire Official has advised that they would like the Authority to install two stand pipes within the building at the Headworks Facility. In addition, a recommendation to install a sprinkler system in the same facility has been made. I reported on this matter at

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the Engineering Committee Meeting.

5. Contract #0512 – 2005 Legal Services for Regulatory Matters

Hall & Associates have continued to provide services related to ongoing matters with the NJDEP. Based on their continued work, there is a need to amend their contract to cover the additional services. It is requested that the existing contract in an amount of \$50,000.00 be amended for an additional \$16,000.00, total amended amount of \$66,000.00. This matter was discussed at the Engineering Committee Meeting and a motion is on the agenda under New Business.

6. Contract #0721- User Charge System Evaluation

Hatch Mott MacDonald (HMM) received information from two municipalities which appears to be acceptable. Additionally, based on HMM's revised information and PS&S's flow reports, I recalculated the figures for the final user charge percentages. A copy of the calculations were distributed to the Commissioners.

7. Contract #0812 – 2008 Public Relations Services, 2<sup>nd</sup> Request

A Second Request For Proposals was posted on the Authority's website and a copy was sent to our present consultant The Spi Group. On November 14, 2007, the following proposals were received:

<u>Company</u>	<u>Amount</u>
The Spi Group Fairfield, NJ	\$10,540.00/Est. Total \$130.00/hr
Winning Strategies Newark, NJ	\$10,700.00/Est. Total \$195.00/hr \$125.00/hr \$50.00/hr

The above amounts are based on an equal comparison of the proposals received. The Spi Group is the Authority's present consultant. Their proposed hourly rate for 2008 reflects an 8.3% increase over the \$120.00/hr. rate that was charged for the last three years. The proposals

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were sent to Counsel for review and Counsel found the proposals to be in order. Joanne Grimes, Office Administrator, reviewed the proposals and recommends awarding the contract to The Spi Group. I concur.

8. Contract #0813 – 2008 Legal Services for Regulatory Matters, 2<sup>nd</sup> Request

A Second Request For Proposals was posted on the Authority's website and a copy was sent to our present consultant Saul Ewing Associates. On November 14, 2007, the following proposals were received:

<u>Company</u>	<u>Amount</u>
Hall & Associates Washington, DC	\$70,000.00/Est. Total \$325.00 - \$120.00/hourly rates
Saul Ewing LLP Newark, NJ	\$71,325.00/Est. Total \$350.00 - \$185.00/hourly rates

The proposals were sent to Counsel for review and found to be in order. I recommend award to Hall & Associates.

9. Contract #0817 – Equipment Rental & Sewer Line Inspection Services

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to companies on RVSA's Goods & Services Bidders List, posted an ad in the Star Ledger and on the Authority's website. Two companies picked up bid packages and on October 18, 2007 the following bids were received:

<u>Company</u>	<u>Amount</u>
All American Sewer Service Newark, NJ	\$147,330.00/Option A (1 Year Contract) \$294,660.00/Option B (2 Year Contract)
National Water Main Cleaning Newark, NJ	\$153,225.00/Option A (1 Year Contract) \$306,350.00/Option B (2 Year Contract)

The current contractor for this service is All American Sewer. The bids were sent to Counsel for review and comment, and a copy of my bid report was distributed to the Commissioners. Counsel advised that the bid from All

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American Sewer Service was defective due to non-waivable deficiencies. At the Engineering Committee Meeting, the Commissioners recommended that I research the possibility of purchasing a jetvac and other equipment for use by the Authority to perform this work, instead of outsourcing it, and to rebid the contract for a six month period. A motion is on the agenda to reject the bids and resolicit bids.

10. Contract #0819 – Bulk Lubricating Oil

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to companies on RVSA's Goods & Services Bidders List, posted an ad in the Star Ledger and on the Authority's website. Three companies picked up bid packages and on October 18, 2007 the following bids were received:

<u>Company</u>	<u>Amount</u>
Prime Lube Inc. Carteret, NJ	\$6.69/gal. \$80,280.00 Estimated Total
David Weber Oil Carlstadt, NJ	\$7.25/gal. \$87,000.00 Estimated Total
Citgo – US Lubes New Brunswick, NJ	No Bid

The current supplier for this product is David Weber Oil. The bids were sent to Counsel for review and comment, and a copy of my bid report was distributed to the Commissioners. Counsel advised that the bid of Prime Lube Inc. did not include a Consent of Surety and therefore was defective. The Engineering Committee recommended that all bids be rejected and the contract rebid. A motion is on the agenda under New Business.

11. Contract #0821 – Emulsion Polymer

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to companies on RVSA's Goods & Services Bidders List, posted an ad in the Star Ledger and on the Authority's website. Three companies picked up bid packages and on October 18, 2007 the following bids were received:

<u>Company</u>	<u>Amount</u>
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Polydyne, Inc. Riceboro, GA	\$0.90/lb x 36 lbs/DT x 8000 DT = \$259,200. \$0.90/lb x 36 lbs/DR x 15000 DT = <u>\$486,000.</u> Total Estimated Amount \$745,200.
Pollu-Tech Inc. Richboro, PA	\$1.20/lb x 40 lbs/DT x 8000 DT = \$384,000. No bid on item #2
Atlantic Coast Polymers Austin, TX	No Bid

The current supplier for this product is Polydyne. The bids were sent to Counsel for review and comment, and a copy of my bid report was distributed to the Commissioners. It was the recommendation of the Engineering Committee to award the contract to Polydyne, for the dewatering facility polymer only, after an on site performance test was conducted and the estimated disage confirmed.

12. Contract #0822 – Sodium Hypochlorite

Joanne Grimes, Office Administrator, sent a copy of the Notice to Bidders to companies on RVSA's Goods & Services Bidders List, posted an ad in the Star Ledger and on the Authority's website. Three companies picked up bid packages and on October 18, 2007 the following bids were received:

<u>Company</u>	<u>Amount</u>
JCI Jones Chemicals Warwick, NY	\$0.87/gal \$435,000.00 Estimated Total
Univar USA Inc. Middletown, PA	\$0.9175/gal \$458,750.00 Estimated Total
Kuehne Chemical Co. S. Kearney, NJ	\$0.9875/gal \$493,750.00 Estimated Total

The current supplier for this product is Univar USA. The bids were sent to Counsel for review and comment, and a copy of my bid report was distributed to the Commissioners. The matter was discussed at the Engineering Committee Meeting at which time it was recommended that the contract be awarded to JCI Jones Chemicals. A motion is on the agenda

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under New Business.

13. Contract #144 – Rehabilitation of Trunk Sewer

A lien claim was received by the Authority from ISCO Industries, LLC in an amount of \$43,837.73 against Marvec Construction Corporation, for non-payment of HDPE pipe and fittings rental and equipment. A copy of the lien along with a “draft” letter putting Marvec on notice, were forwarded to Counsel for review.

14. Contract #155 – CSP Plant Upgrade

A lien claim was received by the Authority from Coastal Technical Sales, Inc. in an amount of \$30,598.27 against E.E. Cruz & Company, Inc. alleging non-payment for the temporary hypochlorite storage and pumping system. A copy of the lien along with a “draft” letter putting E.E. Cruz on notice, were forwarded to Counsel for review.

15. Sewer Connection - Woodbridge

A Treatment Works Application was submitted by the Township of Woodbridge for the modification, construction and operation of 10,590 lf of sanitary sewer, which is a continuation of the Merrill Park Trunk Sewer Replacement project, in the Township of Woodbridge. As this is replacement of existing sewer, there will not be any new flow generated from this project. I reviewed the application and found it to be in order. This matter was discussed at the Engineering Committee Meeting and a motion is on the agenda under New Business.

16. Sewer Connection - Rahway

A Treatment Works Application was submitted by the City of Rahway on behalf of LGA Engineering and Carriage Park, for redevelopment of an 8 acre site in the City of Rahway. The application is for the construction of 1,210 lf of 8” sewer main, manholes and laterals to provide service for 20 townhouse buildings (130 residential units) and a club house. The new flow generated from this project will be approximately .036 mgd. I reviewed the application and found it to be in order. This matter was discussed at the Engineering Committee Meeting and a motion is on the

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agenda under New Business.

17. Grant Monies

An email was received from John Montgomery of Murray, Montgomery & O'Donnell (MMO), the Authority's lobbyists in Washington. The email advised that the WRDA has become law and therefore, the Authority could potentially receive a grant for \$25 million dollars. MMO is working out the final details with New Jersey's delegation in Washington. A copy of the email was distributed to the Commissioners at the Engineering Committee Meeting.

**Report of Consulting Engineer**

The following report to the Authority Board summarizes our activities for the period of October 13, 2007 through November 9, 2007.

1. JCO Compliance

PS&S prepared the Annual Infiltration/Inflow report and submitted it to the NJDEP prior to the October 1st deadline. The report summarizes any investigative and remediation work that may have been conducted within the member municipalities during the past year. PS&S forwarded the information received from Woodbridge, Springfield, Clark, Scotch Plains, Westfield and Kenilworth. Information was received after the NJDEP submittal from Rahway. A follow-up submittal to NJDEP will be prepared when the remaining municipal information is received.

PS&S prepared the third quarter report covering JCO related activities for the months of July, August and September 2007. The report was transmitted on October 29, 2007.

2. Administrative Appeals Re: NJPDES/TWA Permits

PS&S continues to coordinate activities with General Counsel and Special Counsel, Hall & Associates. General Counsel set up a Settlement Conference at the Office of Administrative Law on October 26, 2007, to discuss the NJPDES and TWA permit appeals; this meeting was attended

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by the Interim Executive Director Mike Brinker, Rich Rudin of Weiner Lesniak, John Hall of Hall & Associates (Special Counsel), Tim Bradley of Omni Environmental and Jim Wancho of PS&S. A summary of the appeals and the general results of the conference are as follows:

RVSA has maintained that an “emergency bypass” is required if an extreme wet weather or other type of event was in a position to harm the plant or surrounding communities. This emergency bypass is allowed under the Clean Water Act, but would no longer be available to the Authority once all the overflows have been permanently sealed and all flow directed to the plant. The Authority discussed the use of the 004 overflow structure as the emergency outfall. A preliminary agreement that an “emergency outfall” could be maintained as long as it had a seal that would need to be broken when it is needed. Some information needs to be submitted to the NJDEP and discussion with the Enforcement group at NJDEP is also required to finalize an agreement.

RVSA had contested the loading limits contained in the last issued NJPDES permit; the limits are based on 40 MGD and will be problematic to meet under certain wet weather flow events. The Authority was able to reach a preliminary agreement that the weekly limits will be suspended in the event of a flow to the plant in excess of 72 MGD. Certain information needs to be prepared to support the Authority position prior to a final agreement by all parties.

A related Wastewater Management Plan issue was discussed. Refer to the WMP section in this report for further information.

3. Trunk Sewer Rehabilitation - Contract #144

At the end of July the Contractor encountered a problem in the field. While test pitting to identify the location of a slip lining insertion point it was discovered that the actual location of the trunk sewer is not consistent with the as-built drawings. After further investigation, based on additional television work and physical inspection, it was determined that the majority of the pipeline could be slip-lined. The contractor was therefore able to complete approximately 1200 linear feet of slip lining with the only remaining sections to repair being the manholes and the bends. PS&S is working with the contractor to develop cost data for lining the remaining

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“bend” sections that cannot be slip-lined. A change order will need to be processed for this work within the next few weeks when costs have been defined. A credit change order will also be processed at that time for the work that does not need to be performed under the river.

PS&S continues to keep the County advised as to the status and activities required in the park. The contractor was able to remove all piping out of the parking area that the County had allowed as a staging area prior to the Union County recycling day that was held on October 21st.

Contractor is working on the manhole rehabilitation work.

The project completion date (June 11, 2007) has been exceeded and the Contractor has requested an extension of time. PS&S is in the process of reviewing this request in light of the current situation. The contractor has requested a meeting with the Authority regarding his claims which was held November 7th.

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

4. Wastewater Management Planning

PS&S continues to provide services related to the Authority Wastewater Management Plan (WMP) on an as needed basis. PS&S received a letter from NJDEP dated October 17, 2007 indicating that previous comments submitted by RVSA regarding the draft WMP were non responsive and they would reject the plan unless they received response to their letter within 30 days. The WMP issue as you may recall is related to the NJPDES appeal of the flow that is being using to compute loading limits. As part of the Settlement meeting with the NJDEP it was agreed that pending a final agreement between all parties on the appeals the RVSA would request an extension to the 30 day response deadline in the letter. PS&S drafted and sent the extension request letter on November 12th. If the NJPDES appeal is resolved satisfactorily for all parties the RVSA can accept the WMP language as currently drafted and proceed with the adoption process.

5. Cogeneration Funding

The NJBPU Office of Clean Energy-Renewable Energy Advanced Power Program grant has been awarded to the Authority in the amount of \$500,000. PS&S has responded to all the NJBPU questions concerning the use of the digester gas and the blending system since the original grant documentation pre-dated the inclusion of the blender. The NJBPU forwarded the draft agreement to the Authority for review. The Authority met with a representative of the NJBPU during the last period to discuss the agreement and provide invoice documents for their review of eligibility against the loan.

6. Cogeneration Facility- 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. PS&S is assisting RVSA in assessing potential emissions test method issues with regard to the Cogeneration engine emissions testing methodologies, and has prepared a response to NJDEP comments regarding testing methods for particulate matter (PM and PM-10). NJDEP has reviewed this response and has given approval to the Cogeneration engines emission testing protocol.

7. Digester Brick Replacement - Contract #157

A preconstruction meeting was held on September 12, 2007. At the meeting the contractor requested to perform the work in accordance with bid alternate "A" instead of bid alternate "B" for which he was the low bidder. After some discussion the contractor, Agia Mason Inc., agreed to proceed with bid alternate "A" for the same price. The revised bonds and insurance were resubmitted by the contractor and the Notice to Proceed has been issued effective October 22nd. PS&S provided signed and sealed plans and specifications for submittal to Rahway for building permits. Shop drawings have also been submitted and reviewed. The contractor is

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currently removing the face brick and coping in preparation for the panel installation. PS&S has reviewed the Contractor's submittals and is providing construction observation.

8. **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 related to Engines #1 and #3. PS&S in addition to participating in project conference calls was involved with the following activities:

- Review of the ITG rupture disc shop drawings.
- Electrical assistance/coordination related to provision of stand-by power, and related issues with the contractor.
- Follow-up with the NJDEP regarding the Title V modification application to cover installation and operation of the temporary generators.

9. **User Charge and Flow Rights Reports**

The October reports covering September were finalized and submitted after the October Board meeting. These October reports are typically utilized to prepare the end of year assessments after the inter-municipal adjustments are applied. Based on the findings of the Hatch Mott McDonald (HMM) report on the User Charge System these adjustments need to be finalized after consultation with the member municipalities, as they now affect all the municipalities. PS&S attended a meeting with HMM and the Authority to discuss this issue on October 30, 2007.

The November reports covering October 2007 will be finalized when all the data has been received.

**Report of Counsel**

Not yet received.

**Committee Reports**

Chairman: Are there reports from any of the following Committees:

Engineering Committee (C. Clark Landale, Committee Chair)

An Engineering Committee Meeting was held on November 8, 2007, at which time several items were discussed. Items which require action are on the agenda under New Business.

Finance Committee (Charles Lombardo, Chair)

A Finance Committee Meeting was held earlier this evening at which time the Bills and Claims were reviewed and action is on the agenda under Bills and Claims.

Personnel Committee (Joan Papen, Chair)

Sludge Management Committee (Frank Mazzarella, Chair)

Legal Committee (Joan Papen, Chair)

A Legal Committee Meeting was held earlier this evening at which time proposals received on Contract #0813 were discussed. Action is on the agenda under New Business.

Public Relations Committee (Rosalie Berger, Chair)

A Public Relations Committee Meeting was held earlier this evening at which time proposals received on Contract #0812 were discussed. Action is on the agenda under New Business.

Insurance Review Committee (Allen Chin, Chair)

**Unfinished Business**

**New Business**

Mr. Papen to offer three resolutions and one motion

1. #07-63 (Action to Rescind #07-62)

Motion:

Second:

Discussion:

Those in favor of the motion say Aye: \_\_\_\_\_

Those opposed to the motion say Nay: \_\_\_\_\_

RESOLUTION #07-63

WHEREAS, the Rahway Valley Sewerage Authority (RVSA) previously approved Resolution #07-62 on October 18, 2007, for the purpose of soliciting proposals for the services of Special Counsel, Special Engineer and Special Financial Advisor to advise the RVSA through the privatization process; and

WHEREAS, there are significant capital projects currently being undertaken at the RVSA facility, including the Comprehensive Strategic Plan (CSP) contracts, the Major Upgrades contracts and the Cogeneration/Sludge Drying Facility contract; and

WHEREAS, RVSA constructs, maintains and operates its treatment facilities with funds received from the taxpayers of the eleven member municipalities; and

WHEREAS, on November 30, 2006, the RVSA conducted a Mayors' forum for the Mayors and Governing Bodies of the eleven member municipalities to present and discuss the consideration of a privatization process and the timing for same; and

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WHEREAS, as a result of the aforementioned Mayors' forum, there was a strong and clear consensus among the eleven member municipalities that the consideration of the privatization process should await completion of the significant capital projects referenced above; and

WHEREAS, it is recommended that another Mayors' forum with the Mayors and Governing Bodies of the eleven member municipalities be conducted before soliciting proposals for professionals to advise the Authority through the privatization process; and

WHEREAS, the majority of the Board is of the opinion that expending time, effort and money to explore privatization of RVSA facilities prior to completion of the capital projects is premature; and

WHEREAS, Resolution #07-62 was prematurely adopted; and

NOW THEREFORE BE IT RESOLVED that Resolution #07-62 be and is hereby rescinded in its entirety.

2. #07-64 (Amend PSA - #0512 – Hall & Assoc. \$16,000.00)

Motion:

Second:

Discussion:

Those in favor of the motion say Aye: \_\_\_\_\_

Those opposed to the motion say Nay: \_\_\_\_\_

**RESOLUTION #07-64**

WHEREAS, the Rahway Valley Sewerage Authority previously approved Resolutions #04-76 and #05-51 and related Agreements for the purpose of engaging Hall & Associates, 1101 15th Street NW, Suite 203, Washington, DC 20005 for Professional Services specifically to provide Legal Services on Regulatory Matters - Contract #0512; and

WHEREAS, the Authority has determined that there is a need to amend this agreement to provide for additional ongoing services related to Regulatory matters with the NJDEP; and

WHEREAS, Hall & Associates has submitted documentation reflecting the need for the additional monies related to the additional work on this contract; and

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WHEREAS, the additional amount to be authorized for this Contract is \$16,000.00; 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.

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

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with Hall & Associates in an amount of \$50,000.00 be and are hereby amended to provide for the increased contract amount of \$16,000.00 resulting in an amended contract amount of \$66,000.00; 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.

3. #07-65 (PSA - #0813 – Hall & Assoc. \$70,000.00)

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

**RESOLUTION #07-65**

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from Hall & Associates of 1101 15th St., NW, Suite 203, Washington, DC, for Professional Services; and

WHEREAS, the Authority has a need to engage a consultant to provide Legal Services for Regulatory Matters, Contract #0813; and

WHEREAS, Professional Services of this nature have been determined to be exempt from public bidding under Title 40A; however, RFP's were received for

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the award of this contract through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, et. seq.; and

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

WHEREAS, the Authority received a proposal from Hall & Associates on November 14, 2007, reflecting hourly billing rates that range from \$325.00 for Partner to \$120.00 for Research Associate, with an estimated amount of \$70,000.00 for Tasks 1-5 as outlined in the RFP and related proposal; and

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that the necessary funds for said contract will be budgeted for in the 2008 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage Hall & Associates to perform the services described herein at an estimated amount of \$70,000.00 for a period of one year commencing on January 1, 2008; and

BE IT FURTHER RESOLVED that a Professional Service 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 Professional 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.

4. Motion approving the purchase of 60 \$30.00 Holiday Gift Certificates from Supermarkets General, one to be given to each employee from the Commissioners.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye: \_\_\_\_\_

Those opposed to the motion say Nay: \_\_\_\_\_

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Mrs. Berger to offer one resolution.

1. #07-66 (PSA #0812 - The Spi Group \$10,540.00)

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

RESOLUTION #07-66

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from The Spi Group, 165 Passaic Avenue, Fairfield, NJ 07004 for 2008 Public Relations Services, Contract #0812; and

WHEREAS, pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-5, contracts of this nature may be awarded without advertising for bids; 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-20.5, et. seq.; and

WHEREAS, the Authority received a proposal from The Spi Group on November 14, 2007, reflecting an hourly rate of \$130.00, Monthly Web Hosting Fee of \$50.00, and a total estimated amount of \$10,540.00 based on tasks outlined in the RFP; and

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that the necessary funds for said contract will be budgeted for in the 2008 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage The Spi Group to perform the services described herein at an estimated amount of \$10,540.00 for a period of one year commencing on January 1, 2008; and

BE IT FURTHER RESOLVED that a Service 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

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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. Landale to offer four motions.

1. Motion to reject both bids received on Contract #0817 – Equipment Rental & Sewer Line Inspection Services, as the low bid was found to have non-waivable deficiencies, and to re-solicit bids for other options, as recommended by the Engineering Committee.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

2. Motion to reject both bids received on Contract #0819 – Bulk Lubricating Oil, as the low bid was found to have non-waivable deficiencies, and to re-solicit bids, as recommended by the Engineering Committee.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

3. Motion to award Contract #0821 – Furnish and Deliver Emulsion Polymer to the low bidder, Polydyne, Inc. of Riceboro, GA, for the portion of the bid on the Dewatering Facility only, contingent upon

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Polydyne, Inc. passing the necessary performance tests, in an amount of \$0.90/lb., total estimated amount of \$259,200.00, as recommended by the Engineering Committee.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

4. Motion to award Contract #0822 – Furnish and Deliver Sodium Hypochlorite to the low bidder, JCI Jones Chemicals, Inc. of Warwick, NY in an amount of \$0.87/gal., total estimated amount of \$435,000.00, as recommended by the Engineering Committee.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

Mr. Pelissier to offer one resolution.

1. #07-67 (TWA - Rahway)

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

RESOLUTION #07-67

WHEREAS, the City of Rahway filed a Treatment Works Application on behalf of

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LGA Engineering and Carriage Park, for a project to be located at West Scott and West Grand Avenues in the City of Rahway, State of New Jersey; and

WHEREAS, the application is for the construction of 1,210 lf of 8" sewer main, manholes and laterals to service a 20 townhouse buildings (130 residential units) and a club house with a proposed additional flow of 35,925 gpd or .036 mgd; and

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

WHEREAS, the application has been reviewed by Michael J. Brinker, Jr., P.E., Interim Executive Director/Chief Engineer, and found to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it does hereby accept and approve the aforesaid application.

Mr. Luban to offer one resolution.

1. #07-68 (TWA - Woodbridge)

Motion:

Second:

Discussion:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

RESOLUTION #07-68

WHEREAS, the Township of Woodbridge filed a Treatment Works Application for a project to located in Merrill Park in the Township of Woodbridge, State of New Jersey; and

WHEREAS, the application is for the modification, construction and operation of 10,590 lf of sanitary sewer which is a continuation of the Merrill Park Trunk Sewer Replacement project; and

WHEREAS, there will not be any additional flow from this project as it is rehabilitation work of an existing line, and

WHEREAS, the flow from foregoing will not cause the Authority to exceed its

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permitted flow of 40 mgd; and

WHEREAS, the application has been reviewed by Michael J. Brinker, Jr., P.E., Interim Executive Director/Chief Engineer, and found to be in order.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it does hereby accept and approve the aforesaid application.

**Bills and Claims**

Motion that the following bills and claims previously audited by the Finance Committee be ordered paid.

Motion:

Second:

Discussion:

Those in favor of the motion say Aye: \_\_\_\_\_

Those opposed to the motion say Nay: \_\_\_\_\_

**BILLS & CLAIMS FOR FINANCE COMMITTEE**

**BUILDING & EQUIPMENT FUND**

<u>CHECK#</u>	<u>DATE</u>	<u>VENDOR</u>	<u>ACCT/LINE#</u>	<u>AMOUNT</u>
2250	11/19/07	ARGENT ASSOCIATES LLC	140.7	472.50
2251	11/19/07	CONSOLIDATED CONSTRUCTION MGT.	140.2/7	311,766.65
2252	11/19/07	EE CRUZ COMPANY INC.	140.7	2,858,663.30
2253	11/19/07	J.H. REID, GENERAL CONTRACTOR	140.2	14,249.20
2254	11/19/07	PAULUS, SOKOLOWSKI & SARTOR	140.2	19,827.25
2255	11/19/07	WEINER LESNIAK	140.9	14,006.47

**Total Building & Equipment Fund Checks: 6**

**Total Void Checks: 0**

**Total Amount Void: \$0.00**

**Total Amount Paid: \$3,218,985.37**

**CONSTRUCTION FUND**

<u>CHECK#</u>	<u>DATE</u>	<u>VENDOR</u>	<u>ACCT/LINE#</u>	<u>AMOUNT</u>
1166	11/19/07	PAULUS, SOKOLOWSKI & SARTOR	140.4	11,100.00

**Total Construction Fund Checks: 1**

**Total Void Checks: 0**

**Total Amount Void: \$0.00**

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**Total Amount Paid: \$11,100.00**

**OPERATING FUND**

<u>CHECK#</u>	<u>DATE</u>	<u>VENDOR</u>	<u>ACCT/LINE#</u>	<u>AMOUNT</u>
34009	10/25/07	CANON FINANCIAL SERVICES, INC.	16	1,299.72
34010	10/25/07	COGENT COMMUNICATIONS, INC.	27	674.00
34011	10/25/07	ECHO LAKE COUNTRY CLUB	49	780.00
34012	10/25/07	HESS CORPORATION	19	76,835.24
34013	10/25/07	MAGELLAN BEHAVIORAL HEALTH	03	550.83
34014	10/25/07	NJ STATE LEAGUE OF MUNICIPALITIES	31/49	450.00
34015	10/25/07	NJ WATER ENVIRONMENT ASSOCIATION	31	674.00
34016	10/25/07	POLAND SPRING WATER COMPANY	46	108.86
34017	10/25/07	PSE&G COMPANY	19	22,209.65
34018	10/25/07	RJG BUILDERS	37	100.00
34019	10/25/07	ROADWAY EXPRESS, INC.	32	441.56
34020	10/25/07	STANDARD INSURANCE COMPANY	03	2,339.96
34021	10/25/07	UNITED PARCEL SERVICE	48	53.36
34022	10/25/07	VERIZON WIRELESS	11	396.39
34023	10/31/07	ADP, INC.	03	170.00
34024	10/31/07	DELTA DENTAL PLAN OF NJ	03	5,773.82
34025	10/31/07	ELIZABETHTOWN GAS	22	958.21
34026	10/31/07	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	155,680.26
34027	10/31/07	STANDARD INSURANCE COMPANY	03	2,311.62
34028	10/31/07	VERIZON	11/30	1,146.98
34029	10/31/07	VISION SERVICE PLAN	03	1,193.01
34030	10/31/07	WOODRUFF ENERGY	22	608.97
34031	11/07/07	HOME DEPOT CREDIT SERVICES	32	177.75
34032	11/07/07	PURCHASE POWER	48	1,558.98
34033	11/07/07	THE BRAKE STOP PLUS	38	2,389.00
34034	11/07/07	UNITED PARCEL SERVICE	48	30.57
34035	11/19/07	A TOUCH OF ITALY	49	202.00
34036	11/19/07	ADP, INC.	16	1,686.80
34037	11/19/07	ADVANCED TECHNOLOGY SERVICES	38	938.13
34038	11/19/07	ADVANTECH CORPORATION	32	584.37
34039	11/19/07	ALL AMERICAN SEWER SERVICE INC.	32	2,058.00
34040	11/19/07	AMERICAN INDUSTRIAL SUPPLY CORP.	32	70.42
34041	11/19/07	AMERICAN WEAR	32	1,106.00
34042	11/19/07	APPLIED INDUSTRIAL TECH, INC.	38	623.32
34043	11/19/07	ASSOCIATED AUTO PARTS	35	537.00
34044	11/19/07	BALCO INDUSTRIES INC.	31	2,475.00
34045	11/19/07	B & B DISPOSAL	32	750.00
34046	11/19/07	RILEY BLAKE	31	149.98
34047	11/19/07	BOWCO LABORATORIES, INC.	32	63.00
34048	11/19/07	CDW GOVERNMENT, INC.	27	160.00
34049	11/19/07	CENTRAL FORKLIFT, INC	32	575.00
34050	11/19/07	CITY OF RAHWAY, UNITED WATER RESOURCES	33	10,877.37
34051	11/19/07	COGENT COMMUNICATIONS, INC.	27	674.00
34052	11/19/07	COMPUSA	27	419.46
34053	11/19/07	CONSOLIDATED STEEL & ALUMINUM FENCE CO.	32	496.00
34054	11/19/07	CSL SERVICES, INC.	11/30	39,521.98
34055	11/19/07	CUSTOM BANDAG, INC.	35	411.20
34056	11/19/07	D2L ASSOCIATES, INC.	42	5,720.00
34057	11/19/07	DAVID WEBER OIL COMPANY	32	806.40
34058	11/19/07	JOHN DERKACK	31	79.98
34059	11/19/07	EDIBLE ARRANGEMENTS-WOODBRIDGE	18	152.00

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34060	11/19/07	EDMUNDS & ASSOCIATES, INC.	27	4,995.00
34061	11/19/07	ELECTRONIC DRIVES & CONTROLS	32	1,209.85
34062	11/19/07	ELIZABETHTOWN GAS	22	5,116.53
34063	11/19/07	ENVIRONMENTAL COMPLIANCE	41	4,992.50
34064	11/19/07	ENVIRONMENTAL RESOURCE ASSOCIATES	40	207.93
34065	11/19/07	ELIZABETHTOWN GAS	22	9,452.55
34066	11/19/07	FEDEX	48	145.88
34067	11/19/07	FISHER SCIENTIFIC	32/40	3,004.13
34068	11/19/07	FLEXLINE	32	799.90
34069	11/19/07	GALETON GLOVES	32	103.60
34070	11/19/07	GARDNER DENVER NASH LLC	32	4,200.00
34071	11/19/07	W.W. GRAINGER, INC.	32/38	1,258.15
34072	11/19/07	GARY W. GRAY TRUCKING, INC.	25/26	76,882.97
34073	11/19/07	GREAT LAKES ENVIRONMENTAL	41	130.47
34074	11/19/07	GREENWOOD PRODUCTS, INC.	43	234.76
34075	11/19/07	HACH COMPANY	40	1,000.30
34076	11/19/07	HALL & ASSOCIATES	08	15,967.60
34077	11/19/07	HARTFORD STEAM BOILER	32	150.00
34078	11/19/07	HOCHHEISER BROTHERS INC.	32	1,260.20
34079	11/19/07	INDEPENDENT OVERHEAD DOOR CO.	32	736.00
34080	11/19/07	JERSEY ELEVATOR COMPANY INC.	32	649.00
34081	11/19/07	JOHNSTONE SUPPLY	32	124.99
34082	11/19/07	LABCHEM INC.	40	457.27
34083	11/19/07	LIBERTY MUTUAL INSURANCE GROUP	17	40,076.06
34084	11/19/07	LONGO ELECTRICAL-MECHANICAL, INC.	32	1,467.00
34085	11/19/07	MAFFEY'S SECURITY GROUP	32	694.55
34086	11/19/07	ROBERT J. MATERNA	15	578.40
34087	11/19/07	MCMASTER-CARR SUPPLY CO.	32	274.39
34088	11/19/07	MECHANICAL SERVICE CORP.	16	1,720.00
34089	11/19/07	MGL FORMS - SYSTEMS, LLC.	12	347.50
34090	11/19/07	MIDDLESEX WATER COMPANY	33	2,417.71
34091	11/19/07	MURRAY, MONTGOMERY & O'DONNELL	09	10,000.00
34092	11/19/07	NATIONAL POWER EQUIPMENT CO.	32	4,500.00
34093	11/19/07	NEW PIG CORPORATION	32	1,846.74
34094	11/19/07	NJ MOTOR VEHICLE COMMISSION	35	151.00
34095	11/19/07	NW FINANCIAL GROUP	09	85.00
34096	11/19/07	O'JOHNNIES, INC.	13	402.50
34097	11/19/07	ONE CALL SYSTEMS, INC.	32	53.82
34098	11/19/07	DAVID PATRICK	15	33.95
34099	11/19/07	POLARIS LABORATORIES	32	337.48
34100	11/19/07	POLYDYNE INC.	23	16,596.80
34101	11/19/07	PRECISION ELECTRIC MOTOR WORKS	38	97.50
34102	11/19/07	PSE&G COMPANY	19/30	413.09
34103	11/19/07	PUMPING SERVICES, INC.	32	1,495.00
34104	11/19/07	QC LABORATORIES	40/41	5,288.00
34105	11/19/07	RAHWAY VALLEY SEWERAGE AUTHORITY	01/02	161,051.89
34106	11/19/07	RAHWAY ELECTRIC SUPPLY	32	1,457.92
34107	11/19/07	RELIABLE ELECTRIC MOTOR REPAIR	32/38	2,451.26
34108	11/19/07	ROADWAY EXPRESS, INC.	32	109.02
34109	11/19/07	PETTY CASH	14	157.38
34110	11/19/07	SAFETY-KLEEN CORP.	32	458.98
34111	11/19/07	SCIENTIFIC SALES, INC.	32	485.95
34112	11/19/07	STAR LEDGER	12	1,067.02
34113	11/19/07	THE BRAKE STOP PLUS	35	1,625.78
34114	11/19/07	THE SPI GROUP, LLC.	27	363.95
34115	11/19/07	TURTLE & HUGHES INC.	32	314.69
34116	11/19/07	UNITED PARCEL SERVICE	48	27.01
34117	11/19/07	UNIVAR USA INC.	29	58,740.41

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34118	11/19/07	US FILTER/SIEMENS WATER TECHNOLOGIES	40	572.00
34119	11/19/07	USA BLUEBOOK	32	592.92
34120	11/19/07	USA MOBILITY WIRELESS, INC.	11	23.96
34121	11/19/07	VERIZON	11/30	828.28
34122	11/19/07	DANIEL WARD	31	127.95
34123	11/19/07	WATER FILTER STORE	43	234.00
34124	11/19/07	WEINER LESNIAK	07/08	29,551.43
34125	11/19/07	921-WELCO-CGI GAS TECH LLC.	32/40	335.30
34126	11/19/07	TOWN OF WESTFIELD	41	218.40
34127	11/19/07	WIPE-TEX INTERNATIONAL	32	800.00
34128	11/19/07	WOODRUFF ENERGY	22	26,830.75
34129	11/19/07	WILLIAM YACHERA	31	150.00
34130	11/19/07	ZEP MANUFACTURING COMPANY	32	1,650.51

**Total Operating Fund Checks: 122**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$862,232.98**

**Total All Checks: 129**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$4,092,318.35**

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OPERATING FUND	7-01	862,232.98
BUILDING & EQUIPMENT FUND	7-02	3,218,985.37
CONSTRUCTION FUND	7-04	<u>11,100.00</u>
TOTAL ALL FUNDS:		4,092,318.35

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

**Closed Session      (Only If Necessary)**

Chairman: Do I hear a motion to close the meeting for discussion of pending and/or anticipated legal matters, based on Attorney Client privilege. *(TURN OFF RECORDER)*

Motion:

Second:

Discussion:

Time:

Those in favor of the motion say Aye:\_\_\_\_\_

Those opposed to the motion say Nay:\_\_\_\_\_

Chairman: Do I hear a motion to return to the regular order of business.  
*(TURN ON RECORDER)*

Motion:

Second:

Discussion:

Time:

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Those in favor of the motion say Aye: \_\_\_\_\_

Those opposed to the motion say Nay: \_\_\_\_\_

**Regular Order of Business**

Chairman: Is there any other business? (Action from issues discussed during closed session.)

**Adjournment**

If there is no further business, do I hear a motion that this meeting be adjourned?

Motion:

Second:

Discussion:

Time:

Those in favor of the motion say Aye: \_\_\_\_\_

Those opposed to the motion say Nay: \_\_\_\_\_

/jg

- *TURN OFF RECORDER* -