

RAHWAY VALLEY SEWERAGE AUTHORITY

**Summary of Minutes of
Regular Meeting held April 16, 2009**

- Minutes
Approved the minutes of the February 26, 2009 Excess Flow Hearings.
Approved the minutes of the March 19, 2009 Regular Meeting.
Approved the minutes of the March 31, 2009 Special Meeting.

- Communications
None.

- Treasurers Reports
The Treasurer Reports for the month of February were received.

- Executive Director
Sewer Connections and the status of various contracts.

- Consulting Engineer
Overview of contracts; flow rights and user charge reports.

- Construction Consultant
Overview of contracts.

- Counsel
Overview of legal matters.

- Committees
Reports were given by the Engineering and Finance, Retreat and Public Relations Committees.

- Unfinished Business
None.

- New Business
Approved the following: Security Purchases; and Treatment Works Application (TWA) for the Township of Scotch Plains and Rahway.

- New Business (Cont'd.)
Approved the following expenditures: Amend Contract #105-C with CCMS in an amount of \$23,743.00; Amend Contract #105-D with HMM/CMM in an amount of \$5,000.00; Amend Contract #144-A/E with PS&S in an amount of \$12,920.00; Award Contract #158 to Montana Construction Co in an amount of \$275,000.00; and Award Contract #0923 to O'Brien & Gere in an amount of \$41,600.00.

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes of (Cont'd.)
Regular Meeting held April 16, 2009

-	Bills & Claims		
	OPERATING FUND	9-01	\$1,123,733.68
	BUILDING & EQUIPMENT FUND	9-02	\$2,557,612.75
	TOTAL ALL FUNDS:		\$3,681,346.43

RAHWAY VALLEY SEWERAGE AUTHORITY

Regular Meeting Minutes – April 16, 2009

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

The Chairman read the statement on “Open Public Meetings Law”.

In accordance with the requirements of the Open Public Meeting Act, State of New Jersey, adequate notice of this meeting has been provided by the inclusion of the date, time and place in a Notice which was forwarded to the Star Ledger, the Home News Tribune and was filed with the Clerk of each of the eleven member municipalities on February 16, 2009.

The Chairman asked if any member of the body believed that this meeting was being held in violation of the provisions of the Open Public Meetings Act; to please state their objection and the reasons for same.

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

The Chairman requested that everyone stand to salute the Flag and observe a moment of silence.

Roll Call

The following members were present:

Maria A. Abram	for the Township of Springfield
Allen Chin	for the Town of Westfield
Rene Dierkes	for the Borough of Mountainside
Richard LoForte	for the Borough of Kenilworth
Charles P. Lombardo	for the Borough of Garwood
* Robert G. Luban	for the Township of Woodbridge
Frank G. Mazzarella	for the Township of Clark
Joan Papen	for the Township of Scotch Plains
Paul M. Sefranka	for the City of Rahway

* Arrived after roll call, at 7:53 p.m.

The following members were absent:

James J. Murphy	for the Township of Cranford
Attilio S. Venturo	for the Borough of Roselle Park

The following were also present:

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

The following were also present (Cont'd.):

Robert Valent	RVSA Superintendent
Dan Ward	RVSA Maintenance Manager
Charles Davis	Careba Mott MacDonald
Russ Johnson	Hatch Mott MacDonald
Dennis Enright	NW Financial LLC
Matt Jessup	McManimon & Scotland
Wayne Baker	The Westfield Leader

Approval of Minutes

Mr. Chin made a motion, seconded by Mrs. Papen, to approve the minutes of the Excess Flow Hearing Meeting held February 26, 2009. The motion was approved by those present with the exception of Mr. Mazzarella and Mr. Sefranka who abstained. Mr. Luban, Mr. Murphy and Mr. Venturo were absent.

Mr. Sefranka made a motion, seconded by Mrs. Papen, to approve the minutes of the Regular Meeting held March 19, 2009. The motion was approved with the exception of Mr. Dierkes who abstained. Mr. Luban, Mr. Murphy and Mr. Venturo were absent.

Mr. Chin made a motion, seconded by Mr. Sefranka, to approve the minutes of the Special Meeting held March 31, 2009. The motion was approved with the exception of Mr. LoForte and Mr. Mazzarella who abstained. Mr. Luban, Mr. Murphy and Mr. Venturo were absent.

Communications

The following letter addressed to Charles Lombardo, Chairman, was received April 16, 2009 from Peter H. Pelissier, Business Administrator for the City of Rahway regarding the Capital Improvement Plan Borrowings:

“I have been provided information from Mr. Paul Sefranka, City of Rahway representative to the Rahway Valley Sewerage Authority, that relates to the above captioned subject.

After reviewing the information, I noticed a line item that had question marks pertaining to CCMS contract extension that was pending. Since the date of the document I received was February 5, 2009, I am to assume that a contract extension has not yet been approved. On the other hand, I assume that work has continued and payments have been made probably on a month to month basis.

I am unclear as to how the RVSA can continue to pay for services beyond the term of the original contract without proper authorization and further, how much more will it cost to oversee the project to completion.

Your response to the above questions is appreciated.”

Suspend the Regular Order of Business

The Chairman stated that Mr. Dennis Enright of NW Financial and Mr. Matt Jessup of McManimon & Scotland are present this evening to address the Board and further discuss the possibility of extending the Authority's outstanding debt. He then asked for a motion to suspend the regular order of business.

Mr. Mazzarella made a motion to suspend the Regular Order of Business. The motion was seconded by Mr. Chin and approved by those present. Mr. Luban, Mr. Murphy and Mr. Venturo were absent.

Mr. Enright and Mr. Jessup gave a lengthy presentation regarding the refinancing options that the Authority can consider.

Mr. Enright noted that they had looked into several options on how to restructure the Authority's present debt service in order to get some current rate relief as requested by the Board. Mr. Enright presented refinancing options that could extend certain existing debt service payment requirements due in the year 2010 and 2011 over another 20 years.

Mrs. Abram asked what is the cost. Mr. Enright stated that taking \$15 million out of the next two years budgets will cost an additional \$13 million in interest, resulting in payback of about \$30 million over the subsequent years.

Mr. Enright also noted that the Authority would need to go before the Local Finance Board (LFB) in Trenton to present its refinancing plan. He noted that the LFB may not look favorably on the refinancing. He also noted that LFB may not approve the refinancing plan, but the Authority can still do the refinancing. In the event the Authority moves forward with the refinancing, a disclosure would need to be included in the Bond documents stating that the LFB did not look favorably on the refinancing.

* Mr. Luban arrived during Mr. Enright and Mr. Jessup's presentation, at 7:53 p.m.

Mrs. Abram asked what percentage we are now paying. Mr. Jessup responded that the NJEIT Bonds are split, half are at 0% and half are at 4.5% resulting in a blended rate of approximately 2.25%, however, these funds were limited to a 20 year financing.

Mr. Mazzarella stated that the cost of \$13 million will provide us relief for one year. Mr. Enright stated it would be for 2 years.

Mr. Sefranka asked for the breakdown of the payments and at what interest rate. Mr. Enright responded that the interest payments would be from 2012 to 2024 and principal payments would be from 2025 through 2029 at about 5.5% interest.

Mr. Jessup said that Option one which was addressed provides a 69% relief in 2010 and an additional relief in 2011 of a lesser amount. The second option provides for both 2010 and 2011 to have an equal relief but is a lesser borrowing.

Mrs. Papen asked about the stimulus packages that Washington is offering. Mr. Enright stated

that to his knowledge the stimulus money is only for “new” projects which are “shovel ready” – in other words, have not yet begun. He added that the Authority’s project is almost complete and therefore, would not qualify for those funds.

Mrs. Papen also noted that the towns have caps on their budgets. She added that if assessments go down, it may be difficult for the towns to bring their budgets back up and stay within their cap.

Mrs. Abram asked what the professional fees would be for the refinancing. Mr. Enright said for the \$13 million refinancing, it would be about \$400,000 and for the \$9 million refinancing would be about \$300,000.

Mr. Dierkes asked what is the average savings per household if the Authority were to do the \$13 million refinancing. Mr. Enright said it’s about \$90 per home for one or two years.

The Chairman stated that the Commissioners would discuss the matter further, find out if their municipalities are interested and advise the consultants if the Authority wishes to proceed further.

After further discussion, they left the meeting.

The Chairman stated that Mr. Russ Johnson of HMM and Mr. Charles Davis of CMM were present to discuss the report that they prepared regarding powering the treatment plant.

Mr. Davis stated that they evaluated the cogeneration facility, met with the contractor, and also the Authority’s operations group. The facility was designed for 24/7/365 operation. There have been discussions as to whether the facility can be modified to be more flexible, to be run for less hours for increased savings, for example, the facility can be shut down on weekends because there isn’t a need for the sludge dryer 7 days a week. Also, we evaluated the scenarios for backup power should the cogeneration facility shut down.

Mr. Chin stated that after reviewing the executive summary in the report, he couldn’t believe that there were no hoists or rails engineered into this facility. Mr. Wancho stated that the hoist and rails were eliminated during the value engineering. He added that the Value Engineers recommended purchasing a temporary hoist.

Mr. Chin asked about the comparisons between the CAT Engines and other engines. Mr. Davis stated that the problem is that these are CAT Engines and it’s a CAT design and therefore, you have to look at the specific designs related to the specific engine including the ramp rates.

Mr. Chin asked Mr. Davis many questions regarding the report, specifically about the switch gear equipment and the diesel engines. Mr. Chin also asked Mr. Davis based on the scenarios presented to the Board, “what option would you choose if it was your decision to make”. Mr. Davis stated that based on what will happen to the plant if Public Service loses power and it takes 20 minutes to get Cogen up and running – resulting in no temporary power to the plant, he said without question, he would purchase and install the diesel engines as were recommended by

the Executive Director.

After further discussion, Mr. Johnson stated that additional time was put forth on this contract than anticipated and noted that HMM/CMM was seeking an additional \$5,000.00. Mr. Chin responded that action is on the agenda under New Business.

Mr. Johnson and Mr. Davis thanked the Board and left the meeting at 9:00 p.m.

Mr. Sefranka made a motion, seconded by Mrs. Abram, to return to the Regular Order of Business. The motion was unanimously approved.

Regular Order of Business

Report of Treasurer

The Treasurer's Reports for the month of February 2009 have been distributed to the Commissioners for review and will be spread on the minutes. So ordered.

Report of Executive Director

Sewer Treatment Endorsements

The following is a list of Sewer Treatment Endorsements processed between 3/16/09 and 4/11/09. A copy of the log sheet with additional information related to these applications has been distributed for your reference:

<u>Number</u>	<u>Date</u>	<u>Applicant</u>	<u>Municipality</u>
1100-09-WB	03/18/09	Sudha Realty	Woodbridge
1101-09-WB	03/25/09	SM III Woodbridge LLC	Woodbridge
1102-09-SF	03/27/09	Casey & Keller	Springfield
1103-09-CR	04/07/09	Joao Matos Gafanhao	Cranford

Monthly Reports

The following reports were received, distributed to the Commissioners and discussed at the Engineering Committee Meeting:

- PS&S Monthly Engineering Report
- CCMS - Contract #105 – Cogeneration Facility
- CCMS - Contract #155 – WWTP Upgrade
- Weiner Lesniak – Monthly Update
- RVSA Contractors & Engineers Claims for Payment
- RVSA Purchase Orders in Excess of \$1500.
- IPP Monthly Report
- Monthly Operations Report
- Monthly Grievance Report

The following updated reports were received and will be discussed this evening.

- PS&S Monthly Report

Personnel

A Negotiation session was held on March 30 2009. I recommend that the Board discuss this further in Executive Session.

Contract #105-C Construction Oversight Services - CCMS

Contract Amendments are being processed monthly for work being performed by CCMS on Contract #105-C. CCMS's current invoice (Amendment #14) is in the amount of \$23,743.00 total amended contract amount of \$2,450,372.06. This matter was discussed at the Engineering Committee Meeting. Also discussed was processing the payments to the individual consultants based on their respective invoices similar to what is being done on Contract #155-C. The Committee agreed with that concept and action is on the agenda under New Business.

Mr. Brinker noted that CCMS's executed the contract amendment approved last month, however, they did so with reservation for another \$106,000 that they feel they may still be entitled to.

Contract #105-D Cogeneration Engine Expert

Careba-Mott-MacDonald (CMM) submitted their report on this contract. The report was distributed to the Commissioners for review and representatives of HMM/CMM gave a report earlier in the meeting. The Board may wish to consider action based on their findings.

Contract #155 & #156-C CSP Construction Oversight Services - CCMS

CCMS signed and returned the Contract Amendment which was approved by the Board at the last meeting. Payments will be made to each Consultant based on their respective invoices submitted.

Contract #158 – Outfall Line Repairs

A Request For Bids was published in the Star Ledger and posted on the Authority's website. Nineteen vendors purchased bid packages for this contract and bids were received on April 8, 2009 as noted below.

<u>Company</u>	<u>Amount</u>
Montana Construction Corp. Lodi, NJ	\$275,000.00
J. Fletcher Creamer Linden, NJ	\$315,000.00
Rosangela Contract Co.	\$455,340.00

Cliffwood, NJ	
SWERP Lafayette Hill, PA	\$576,000.00
Spectraserv S. Kearney, NJ	\$617,000.00
JAC Excavating, Inc. Farmingdale, NJ	\$675,000.00
Hutton Construction Cedar Grove, NJ	\$933,221.00

The Consulting Engineer and Counsel reviewed the documents and found the low bid to be in order. Action is on the agenda under New Business.

Contract #159 – CSP - Chemical Handling and Feed Systems

The Notice to Proceed was issued to A&A Industrial who are now in the shop drawing phase of this contract. The Consulting Engineer will report further on the status of this contract.

Contract #161E – Rehab. of Sludge Storage Tank Covers, Control Bldg. & Pumping Station

This contract is currently out for bid. Bids will be received on April 29, 2009 for consideration at the May meeting.

Contract #0923 – Air Emission Testing Services

A Request For Proposals was published in the Star Ledger and posted on the Authority’s website. Proposals were received on April 8, 2009 as follows:

<u>Company</u>	<u>Items 1-5</u>	<u>Item #6</u>
O’Brien & Gere Engineering Blue Bell, PA	\$41,600.00	\$1,000.00
Air Nova Pennsauken, NJ	\$42,850.00	\$2,000.00
Avogadro Easton, PA	\$45,550.00	\$3,900.00

Anthony Gencarelli, RVSA Manager of Regulatory Compliance, and Counsel reviewed the documents and found the low bidders documents to be in order. Action is on the agenda under New Business.

TWA – Rahway

A Treatment Works Application was submitted by the City of Rahway for the City of Rahway. The application is for the rehabilitation of an existing sanitary sewer Overflow Bypass Line in a diversion chamber located at the Monroe and Dock Street Pump Station. As this is a rehabilitation project, there will be no increase in flow. Mr. Brinker reviewed the application, found it to be in order and recommends approval. Action is on the agenda under New Business.

TWA – Scotch Plains

A Treatment Works Sewer Connection Application was submitted by the Township of Scotch Plains on behalf of Mid Atlantic Associates / Lewis Residence for property located on Ramapo Way in the Township of Scotch Plains. The application is for site remediation work and the discharge of treated groundwater into the sanitary sewer system, with a proposed discharge of 7,200 gpd for a 12 week period. Mr. Brinker reviewed the application, found it to be in order and recommends approval. Action 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 March 14, 2009 through April 10, 2009.

JCO Compliance

PS&S currently working on the first quarter report; the report is due at the end of April.

Administrative Appeals Re: NJPDES/TWA Permits

After several iterations, the Stipulation of Settlement was finalized by the DAG/NJDEP and the Authority. Action was taken by the Authority at the March Special Meeting to authorize the signing of the document. A final copy has now been executed by all parties and received by the Authority on April 8th.

The NJDEP Green Acres Program also approved the County of Union request, on behalf of the Authority, that DSN 004 be allowed to stay operable until October 20, 2009. This will allow the Authority time to complete the commissioning of the gravity relief sewer diversion chamber and the decommissioning/removal of the DSN 004 structure and equipment. Once the outfall is removed the area must be restored to match the surrounding lawn area as soon as possible.

Specific activities are typically reported by General Counsel.

Trunk Sewer Rehabilitation - Contract #144

PS&S continues to dispute the remaining contractor claims related to the contractor's assertion that he was delayed, and discussing same with the Authority and General Counsel. General Counsel sent a letter to the contractor rejecting his claims and instituting liquidated damages. Counsel has recently received a letter from Marvec's attorney transmitting a report from a

consultant relative to the claims. PS&S will review the report and work with Counsel to prepare a response.

Air Permitting

PS&S has continued to track and provide responses to NJDEP questions and comments on the Title V Air Permit Modification Application and supplemental response submittals previously prepared and submitted to NJDEP by PS&S on behalf of the Authority (the Application was for modifying certain permit required monitoring and record-keeping requirements and addressing some potential variability in digester gas characteristics).

At the request of the Authority, PS&S recently completed the preparation and submittal of a major supplement to the current Air Permit Mod Application under review by NJDEP in order to obtain a Shakedown/Burn-in Period exemption from the NJDEP requirement that catalyst controls be operated at all times that the Cogen engines are operating, and to obtain exemptions from numerous other NJDEP monitoring and recordkeeping requirements during Shakedown/Burn-in Period. In addition, PS&S will be providing assistance to the Authority regarding the preparation of the required USEPA notification and information submittal for the startup of Cogen/Sludge Drying Facility's Thermal Hot Oil Heater; and PS&S will also continue to provide assistance to try to obtain relief from the USEPA requirement to maintain detailed records of every startup & shutdown etc. of the Thermal Hot Oil Heater.

Cogeneration/Sludge Drying Facility – Engine Investigation

PS&S continues to assist the Authority and CCMS in follow-up activities related to the engine “backfire” events associated with engines #1 and #3. During the last period PS&S was involved with the following activities associated with all four engines:

- Review of correspondence.
- Review of work progress.

Inspection and coordination efforts associated with structural repairs to the breeching supports damaged from engine backfire events, repair of engine #3 out of plumb exhaust breeching and misaligned expansion joint, and routine exercise of the stand-by generator sets.

Contract #158 Outfall Repair

The Pre-Bid Meeting was held on Friday March 20th; a total of 11 contractors were represented. Bids were received from a total of seven contractors on April 8th. Bids ranged from \$275,000 to \$933,221. PS&S is currently reviewing the bid documentation and checking references.

PS&S has been in contact with the remediation consultant for Middlesex County related to some site contamination in the general vicinity of the outfall. We are awaiting some information regarding any site limitations they would recommend. Mr. Brinker asked about the “slight” contamination. Mr. Wancho responded that this has been reviewed. He noted that where the pipe goes underground, there is contamination. He also noted that he will again reach out to the County and Negerian Engineering, but noted this should not create an issue with our contractor.

Contract #159 Chemical Feed System Improvements

PS&S is currently reviewing Contractor submittals and several RFI's. Coordination efforts associated with Contract #155 regarding the furnishing of the chemical feed equipment is ongoing.

Contract #160 Emergency Outfall Feasibility Study

Due to timing issues related to the EE Cruz Contract (#155), PS&S prepared several iterations of design drawings of the proposed improvements/modifications to the 003 chamber. CCMS obtained pricing from EE Cruz and the Authority took action to approve a change order to the contract at the March Special Meeting. EE Cruz is currently working on the 003 chamber modifications.

Contract #161 Rehabilitation of the Sludge Storage Tank Covers, Sludge Storage Tank Control Building and Sludge Pumping Station

PS&S finalized the plans and specifications detailing the rehabilitation work. The contract is currently out to bid, with a bid receipt scheduled for April 29th. A pre-bid meeting is also scheduled for April 8th.

User Charge and Flow Rights Reports

The Authority continues to collect additional data to review the composite sampler data that does not appear to be normal. PS&S will continue to work with the Authority staff to assist with the data evaluation. PS&S recommends that we continue to evaluate the data and hold off on finalizing the February and March reports.

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 March 17, 2009 through April 13, 2009.

CSP Improvements & related issuesContract #155

We continue to monitor and evaluate potential delay claims being asserted by the contractor/electrical subcontractor with respect to Contract #155. We previously provided the Executive Director with detailed legal memoranda evaluating the merits of same and making recommendations with respect to actions to be taken by the Authority.

This office has received a Notice of Claim from the contractor on behalf of its electrical subcontractor which is presently being reviewed by the Authority and its consultants for

purposes of formulating a response. This item was discussed in Executive Session during the Engineering Committee meeting of April 9, 2009.

Administrative Appeals Re: Treatment Works Approval

With respect to the Treatment Works Approval, the final issue on appeal has been consolidated with the appeal that was filed regarding the Authority's NJPDES permit. (See discussion of NJPDES Permit Appeal- item #1 under "Miscellaneous").

Cogeneration Facility

We have conducted extensive legal research with respect to potential change orders that have been submitted by the contractor, including its recent request for additional overhead, and have provided the Executive Director with a detailed legal memorandum evaluating the merits of same and making recommendations with respect to actions to be taken by the Authority. We have also evaluated the Authority's claims for liquidated damages against the contractor. We have conferred with the Executive Director and the construction oversight engineer relative to the issue of liquidated damages versus the amount of monies left in the contract. On March 5, 2009 we attended a meeting with the contractor in order to discuss this issue as well as other outstanding issues relative to the contract. Further details regarding this item may be discussed in Executive Session.

We also continue to monitor the progress of the claim that has been submitted by the contractor to its builder's risk insurance carrier for the payment of the Authority's legal fees associated with the Caterpillar engine explosions.

Finally, the Authority and the contractor have been named as defendants in a lawsuit filed by Caterpillar and Foley Power Systems ("CAT/Foley") seeking to repossess the temporary diesel generators that were installed by CAT/Foley on the Authority's property pursuant to an agreement executed between them and the contractor. On March 12, 2009 we met with counsel for the contractor and CAT/Foley in an effort to resolve the matter, however, such efforts were not unsuccessful. The Authority's responsive pleading was filed on April 9, 2009. This litigation was discussed in Executive Session during the Engineering Committee meeting of April 9, 2009.

Miscellaneous

NJPDES Permit Appeal

On October 26, 2007 a settlement conference was held at the Office of Administrative Law at which time a resolution of the remaining two (2) issues in the case (an emergency bypass and the required loading limits) was discussed with NJDEP. The parties at that time had reached an agreement in principle; however, NJDEP has since failed to finalize the proposed settlement. By letter dated June 4, 2008 we requested that the Administrative Law Judge re-list our motion for sanctions that we previously filed on behalf of the Authority. After several follow-up telephone calls to the Judge and still not having received any response to our June 4, 2008 letter, we sent a follow-up letter to the Judge dated June 23, 2008 which also has gone unanswered.

As discussed in Executive Session on August 21, 2008, on September 5, 2008 this office filed a Notice of Appeal with the Appellate Division of the Superior Court of New Jersey based upon the agency inaction of the NJDEP and the Office of Administrative Law (“OAL”). Simultaneously, we also filed a Motion to join the OAL as a party Respondent as well as a Motion to accelerate the appellate schedule. On October 3, 2008 NJDEP responded by filing a Motion to Dismiss to which we submitted response papers.

By Order dated October 29, 2008 the Appellate Division granted both of our motions to join the OAL and to accelerate the appeal. The appeal was scheduled to be heard on January 13, 2009, however, the appellate schedule has been adjourned until February 12, 2009 in order to allow for further settlement negotiations between the parties to take place. A settlement conference was held among the parties at the Authority site on January 23, 2009. A Stipulation of Settlement has been executed by the parties in accordance with the Board’s resolution adopted at the Special Meeting of March 31, 2009.

This matter was resolved and a settlement agreement executed.

Trunk Sewer conflicts

We have prepared an agreement with the owner of a property located in Cranford on which the Bank of America proposes to build a branch for purposes of establishing the property owner’s responsibilities with respect to an encroachment on the Authority’s trunk sewer line. A meeting was held on March 11, 2009 with the property owner and his counsel in order to discuss the proposed easement agreement. To date, we still have not received a revised easement agreement from the property owner’s counsel. This item may be discussed in Executive Session. We have also prepared a similar agreement with the Breathless Go-Go bar in Rahway regarding a similar issue. Finally, the Easement Agreement with respect to the Leonardis property in Clark has been executed by the property owner and sent to the Union County Clerk’s office for recording.

Contract #144-Trunk Sewer Rehabilitation

We have had several discussions with the Executive Director and the Consulting Engineer regarding the contractor’s potential change orders (claims) as well as the Authority’s claims for liquidated damages and credits being asserted against the contract. In addition, we have conducted extensive legal research with respect to the issues surrounding the contractor’s two largest claims which was the subject of a detailed legal memorandum previously provided to the Executive Director. On May 15, 2008 we sent a letter to the contractor’s counsel denying the contractor’s claims and making a demand for liquidated damages and credits against the contract to which the Authority is entitled. The contractor’s counsel responded by letter dated June 18, 2008 whereby he requested that if the claims could not be resolved in the near future that the Authority designate its desired alternate dispute resolution (ADR) procedure and that the matter proceed in accordance with such ADR. We responded by letter dated June 23, 2008 requesting certain information from the contractor which, to date, has not been provided. By letter dated September 4, 2008 the Contractor made a formal request for an extension of time from June 11, 2007 to December 11, 2007, a time period of 153 days. We prepared a response to the Contractor’s request for an extension of time on behalf of the Executive Director. By letter dated

October 24, 2008 the contractor expressed its desire to continue with its delay claims. On April 9, 2009 this office received an expert's report from the contractor's counsel purportedly supporting its three (3) claims. The report has been forwarded to the Authority and its consultants for review and response.

NJDEP v. Occidental Chemical Corp. et al. (Passaic River Litigation):

The RVSA and all of its constituent municipalities have been named as Third Party Defendants by the original defendants to this lawsuit. The original lawsuit was filed in 2005 by NJDEP against several chemical companies that had an interest in a piece of property located in Newark alleging that the companies had polluted the Passaic River with various hazardous chemicals including DDT and TCDD, some of the most hazardous dioxins known to man. The Complaint alleges that as a result of the defendants practices of dumping these chemicals into the river between 1940 and 1971 the entire Newark Bay Complex, defined as the lower 17 miles of the Passaic River, Newark Bay, the lower reaches of the Hackensack River, the Arthur Kill, the Kill van Kull, and adjacent waters, have become polluted and seeks to have the original defendants pay for the cost of the clean up. The original defendants in their Third Party Complaint allege that approximately 73 public entities such as various municipalities and sewerage authorities, including the RVSA and its constituent municipalities, should share in the liability for the cleanup due to their alleged practices of discharging hazardous chemicals into the Newark Bay Complex.

We are in the process of evaluating the Third Party Complaint for purposes of filing an Answer to same. NJDEP invited the Authority as well as some of the other public entities listed in the Third Party Complaint to a meeting that was held on March 19, 2009 at the Springfield Township Municipal Building at which time the claims against the public entities was discussed. It is NJDEP's position "that many of the Third Parties have nominal, if any, liability for contamination in the Passaic River." On April 1, 2009 a day long presentation was held by the Special Master who has been assigned to the case for the purposes of discussing electronic service, filing and discovery as well as various procedural issues. Finally, this office has arranged to have a meeting among counsel and administrators to the Authority's constituent members on April 15, 2009 in order to further discuss the impact of the litigation on the Authority and its member municipalities.

Mr. Hak added that subsequent to preparing his report, they reviewed the bids on Contract #158 and found the bid from Montana Construction, the low bidder, to be responsive.

Committee Reports

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

Engineering Committee (Allen Chin, Chairman)

Mr. Chin stated that an Engineering Committee Meeting was held April 9, 2009, at which time several items were discussed. Items that require action are on the agenda under New Business.

Finance Committee (Joan Papen, Chairman)

Mrs. Papen stated that a Finance Committee Meeting was held earlier this evening at which time the Bills and Claims were reviewed, the 2008 Audit Report and the 2008 Budget Tracking Report were discussed. Action is on the agenda under Bills and Claims.

Legal Committee (Frank Mazzarella, Chairman)

No report.

Personnel Committee (Robert Luban, Chairman)

No report.

Public Relations Committee (Paul Sefranka, Chairman)

Mr. Sefranka stated that the Public Relations Committee met earlier this evening with the Spi Group, who made a presentation to the Board earlier in this meeting. Necessary action may be taken under New Business.

Retreat Committee (Allen Chin, Chairman)

Mr. Chin stated that the Commissioners Retreat will be held on Saturday, May 16, 2009 at 8:30 a.m. at the Westwood in Garwood, NJ. Please mark your calendar. Also, surveys were distributed to the Commissioners. Please complete those and return them to me (Allen Chin) as soon as possible.

Security Committee (Frank Mazzarella, Chairman)

No report.

Sludge Management Committee (Attilio Venturo, Chairman)

No report.

Unfinished Business

Chairman Lombardo noted that a meeting was held at the treatment plant with representatives of the Union County Resource Recovery Facility to discuss possibly working together on sludge disposal.

New Business

The following Resolution #09-28 was offered by Mrs. Papen, on motion of Mrs. Papen, and seconded by Mr. Luban. The resolution was approved by those present with the exception of Mr. Chin who abstained. Mr. Murphy and Mr. Venturo were absent.

RESOLUTION #09-28

BE IT RESOLVED that the officers of the Rahway Valley Sewerage Authority be and are hereby authorized to invest the following for the Capital Replacement Fund, to mature on July 8, 2009:

<u>Amount</u>	<u>Rate</u>	<u>Bank</u>
\$2,530,043.89	1.23%	The Town Bank, Westfield, NJ

The following Resolution #09-29 was offered by Mrs. Papen, on motion of Mrs. Papen, and seconded by Mr. Luban. The resolution was unanimously approved by those present. Mr. Murphy and Mr. Venturo were absent.

RESOLUTION #09-29

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

<u>Amount</u>	<u>Rate</u>	<u>Bank</u>
\$1,500,000.00	1.02%	NJ Cash Management, Trenton, NJ

The following Resolution #09-30 was offered by Mrs. Papen, on motion of Mrs. Papen, and seconded by Mr. Luban. The resolution was unanimously approved by those present. Mr. Murphy and Mr. Venturo were absent.

RESOLUTION #09-30

BE IT RESOLVED that the officers of the Rahway Valley Sewerage Authority be and are hereby authorized to invest the following for the Operating Fund, to mature on July 14, 2009:

<u>Amount</u>	<u>Rate</u>	<u>Bank</u>
\$2,800,000.00	1.16%	Investors Savings Bank, Clark, NJ

The following Resolution #09-31 was offered by Mrs. Papen, on motion of Mrs. Papen, and seconded by Mr. Luban. The resolution was unanimously approved by those present. Mr. Murphy and Mr. Venturo were absent.

RESOLUTION #09-31

WHEREAS, the Township of Scotch Plains submitted a Treatment Works Sewer Connection Endorsement Application on behalf of Mid Atlantic Associates/Lewis Residence for property located on Ramapo Way in the Township of Scotch Plains, State of New Jersey; and

WHEREAS, the application is for the discharge of treated groundwater from site remediation and will generate approximately 7,200 gpd for a period of approximately 12

weeks; and

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

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

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

The following Resolution #09-32 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mr. Sefranka. The resolution was approved by those present with the exception of Mr. Mazzarella who voted against. Mr. Murphy and Mr. Ventura were absent.

RESOLUTION #09-32

WHEREAS, the Rahway Valley Sewerage Authority previously approved Resolutions #03-89, #07-16, #07-23 and #09-23, #09-31, #09-32, #09-44, #09-46, #09-51, #09-62, #08-80, #09-08, #09-17, #09-23 and related Agreements for Contract #105-C, for the purpose of engaging Consolidated Construction Management Services (CCMS), for Professional Services specifically to serve as the Construction Manager on Contract #105-Cogeneration/Sludge Drying Facility; and

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

WHEREAS, CCMS engaged the firm Paulus, Sokolowski & Sartor (PS&S) as a subcontractor ("Subcontractor") to assist them on this contract; and

WHEREAS, CCMS submitted documentation reflecting the need for a contract extension and additional monies related to their work on Contract #105-C; and

WHEREAS, the additional amount to be authorized for this Contract is \$23,743.00; and

WHEREAS, based on information received from CCMS's Subcontractor, the Authority finds that CCMS has not provided adequate reimbursement to its Subcontractor in accordance with their respective monthly invoices, and in order to provide for the continued support of the Subcontractor to the project during the remaining period of this contract, the Authority, in continuing the services of CCMS, shall pay the subcontractor directly; 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 2009 Annual Budget.

WHEREAS Professional Services have been determined to be exempt from public

bidding under Title 40A.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with CCMS in an amount of \$2,426,629.06 be and are hereby amended to provide for the increased contract amount of \$23,743.00 resulting in an amended contract amount not to exceed \$2,450,372.06; and

BE IT FURTHER RESOLVED that CCMS shall be required to provide the Authority with monthly invoices which shall include supporting documentation for its services and the services of its Subcontractor; and

BE IT FURTHER RESOLVED, that the Authority will make payment to CCMS and its Subcontractor based upon the Authority's analysis of the monthly submissions; and

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

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

The following Resolution #09-33 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mrs. Papen. The resolution was approved by those present with the exception of Mr. Mazzarella who voted against. Mr. Murphy and Mr. Ventura were absent.

RESOLUTION #09-33

WHEREAS, the Rahway Valley Sewerage Authority previously approved Resolution #09-21 and related Agreement for the purpose of engaging Hatch Mott MacDonald / Careba Mott MacDonald (HMM / CMM) for Professional Services specifically related to Contract #105D-Expert in Gaseous Fueled Engine Generator Sets; and

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

WHEREAS, HMM / CMM submitted documentation reflecting the need for additional monies related to the contract; and

WHEREAS, the additional amount to be authorized for this Contract is \$5,000.00; 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 2009 Annual Budget.

WHEREAS Professional Services have been determined to be exempt from public bidding under Title 40A.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolution and related Agreement with Hatch Mott MacDonald / Careba Mott MacDonald in an amount of \$35,000.00 be and are hereby amended to provide for the increased contract amount of \$5,000.00 resulting in a total contract not to exceed \$40,000.00; and

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

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

Mr. Chin made a motion, seconded by Mr. Sefranka, to accept the recommendation made by HMM/CMM to purchase emergency generators and hereby authorize the Executive Director to secure quotations.

Mr. Sefranka stated that he will vote in favor of this although he is doing it under duress. He noted however, that since the switchgear equipment is a new item that we should look into stimulus money for it.

Mr. Luban asked about the switchgear equipment. Mr. Chin stated they would discuss it at the next Engineering Committee meeting. Mr. Luban suggested that we get quotations for the switchgear now rather than delay it.

Mr. Chin moved to amend the motion, to accept the recommendation made by HMM/CMM and to authorize the Executive Director to solicit quotations for emergency generators and also for switchgear equipment for Contract #105 – Cogeneration/Sludge Drying Facility. The motion to amend was seconded by Mr. Sefranka and approved.

The motion as amended was approved with the exception of Mr. LoForte who voted against and Mr. Mazzarella who abstained. Mr. Murphy and Mr. Venturo were absent.

The following Resolution #09-34 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mrs. Papen. The resolution was approved by those present with the exception of Mr. Mazzarella who voted against. Mr. Murphy and Mr. Venturo were absent.

RESOLUTION #09-34

WHEREAS, the Rahway Valley Sewerage Authority previously approved Resolutions #03-50, #07-25, #07-54, #07-74, #08-05 and #08-20 and related Agreements for Contract #144A/E, for the purpose of engaging Paulus, Sokolowski & Sartor (PS&S), 67A Mountain Blvd. Ext., Warren, NJ, for Professional Services specifically related to Contract #144 Trunk Sewer Rehabilitation; and

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

with this contract; and

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

WHEREAS, the additional amount to be authorized for this Contract is \$12,920.00; 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 2009 Annual Budget.

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

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with Paulus, Sokolowski & Sartor in an amount of \$274,433.00; be and are hereby amended to provide for the increased contract amount of \$12,920.00 resulting in a total contract not to exceed \$287,353.00; and

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

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

Mr. Chin made a motion, seconded by Mr. LoForte, to award Contract #158 – Outfall Line Repairs to the low bidder, Montana Construction Corp., Inc. of Lodi, NJ, whose bid was found to be in order by both the Consulting Engineer and Counsel, at a cost of \$275,000.00.

The Executive Director asked if there was any ground contamination in the work area which would cause for change orders or affect the work. Mr. Wancho of PS&S said there were not.

After brief discussion, the motion was unanimously approved by those present. Mr. Murphy and Mr. Venturo were absent.

The following Resolution #09-35 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mr. Sefranka. The resolution was approved by those present. Mr. Murphy and Mr. Venturo were absent.

RESOLUTION #09-35

WHEREAS, the Rahway Valley Sewerage Authority (Authority) received a proposal from O'Brien & Gere Engineers Inc., 512 East Township Line Road, Two Valley Square / Suite 120, Blue Bell, PA 19422, for Engineering Services related to Contract #0923 – Air Emission Testing Services on Caterpillar Engines; and

WHEREAS, the Authority received the proposal from O'Brien & Gere, dated April 8, 2009, reflecting an amount of \$41,600.00 for the work necessary on this contract; and

WHEREAS, Services of this nature have been determined to be exempt from public bidding under Title 40A; and

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that the necessary funds for said contract have been budgeted for in the 2009 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority engage O'Brien & Gere to perform the services described herein at a cost of \$41,600.00; and

BE IT FURTHER RESOLVED that a Contract for the services described herein be entered into and approved by the Authority; and

BE IT FURTHER RESOLVED that said Contract must be executed by both parties within 90 days of award, in the event that the designated Party to this contract fails or refuses to sign said contract and all terms and conditions included therein, this Resolution shall be void and services shall be forthwith terminated; and

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

The following Resolution #09-36 was offered by Mr. Sefranka, on motion of Mr. Sefranka, and seconded by Mr. Chin. The resolution was approved by those present with the exception. Mr. Murphy and Mr. Ventura were absent.

RESOLUTION #09-36

WHEREAS, the City of Rahway submitted a Treatment Works Application for a project known as Dock Street Pump Station Rehabilitation located on Dock Street., in the City of Rahway, State of New Jersey; and

WHEREAS, the application is for the rehabilitation of 660 lf of existing sanitary sewer bypass line with 6 intermediate manholes, at the Diversion Chamber in Monroe Street at the intersection with Dock Street ending at the existing Dock Street Pump Station, and no new flow will be generated by this rehabilitation project; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority

that it does hereby accept and approve the aforesaid application.

Bills and Claims

Mrs. Papan made a motion, seconded by Mr. Chin, that the following bills and claims previously audited by the Finance Committee be ordered paid. The motion was approved by those present. Mr. Murphy and Mr. Venturo were absent.

BUILDING & EQUIPMENT FUND

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
2379	04/06/09	CAMP, DRESSER & MCKEE, INC.	140.7	60,311.22
2380	04/06/09	CONS. CONST. MGMT. SRV.(VOID)	140.7	67,253.02
2381	04/06/09	METCALF & EDDY, INC.	140.7	31,023.81
2382	04/06/09	PAULUS, SOKOLOWSKI & SARTOR	140.7	24,419.57
2383	04/16/09	A&A INDUSTRIAL PIPING, INC.	140.7	19,600.00
2384	04/16/09	ALL AMERICAN SEWER SERVICE INC.	140.7	13,860.00
2385	04/16/09	ARGENT ASSOCIATES LLC	140.7	545.00
2386	04/16/09	CONSOLIDATED CONST. MGT. (VOID)	140.2/7	158,055.06
2387	04/16/09	EE CRUZ COMPANY INC.	140.7	2,080,414.02
2388	04/16/09	J.H. REID, GENERAL CONTRACTOR	140.2	38,234.45
2389	04/16/09	PAULUS, SOKOLOWSKI & SARTOR	140.2/7/9	35,357.62
2390	04/16/09	WEINER LESNIAK LLP	140.9	28,538.98
2391	04/16/09	CAMP, DRESSER & MCKEE	140.7	16,504.45
2392	04/16/09	CONSOLIDATED CONSTRUCTION MGT.	140.2/7	72,987.88
2393	04/16/09	METCALF & EDDY, INC.	140.7	27,313.39
2394	04/16/09	PAULUS, SOKOLOWSKI & SARTOR	140.2/7	41,249.34

Total Building & Equipment Fund Checks: 16
Total Void Checks: 1
Total Amount Void: \$158,055.06
Total Amount Paid: \$2,557,612.75

OPERATING FUND - MANUAL CHECKS

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
176	04/15/09	NJ STATE HEALTH BENEFITS	03/04	68,385.59

Total Operating Fund Manual Checks: 1
Total Void Checks: 0
Total Amount Void: \$0
Total Amount Paid: \$68,385.59

OPERATING FUND

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
36057	03/18/09	BJ'S WHOLESALE CLUB	52	69.55
36058	03/25/09	FERRARO'S	49	496.57
36059	03/31/09	LOUIS DUPLESSIS	04	289.20
36060	03/31/09	RAHWAY VALLEY SEWERAGE AUTH.	01/02	164,464.17
36061	04/06/09	DELTA DENTAL PLAN OF NJ	03	5,768.86

36062	04/06/09	ELIZABETHTOWN GAS	22	13,332.11
36063	04/06/09	STANDARD INSURANCE COMPANY	03	2,200.83
36064	04/06/09	STAPLES BUSINESS ADVANTAGE	13	106.98
36065	04/06/09	VERIZON WIRELESS	11	709.72
36066	04/06/09	VISION SERVICE PLAN	03	1,255.80
36067	04/13/09	PURCHASE POWER	48	1,218.99
36068	04/13/09	RAHWAY VALLEY SEWERAGE AUTH.	01/02	178,697.79
36069	04/16/09	A TOUCH OF ITALY	49	107.00
36070	04/16/09	AAF INTERNATIONAL	32	439.52
36071	04/16/09	ADP, INC.	03	170.28
36072	04/16/09	ADP, INC.	16	2,007.12
36073	04/16/09	ALL AMERICAN SEWER SERVICE INC.	21/32	7,809.50
36074	04/16/09	AMERICAN INDUSTRIAL SUPPLY	32	1,432.90
36075	04/16/09	AMERICAN WEAR	32	1,533.88
36076	04/16/09	APPLIED ANALYTICS, INC.	32	7,740.00
36077	04/16/09	ATLANTIC COMMUNICATIONS	31	670.00
36078	04/16/09	BENDISH & ASSOCIATES	08	898.50
36079	04/16/09	BOWCO LABORATORIES, INC.	32	63.00
36080	04/16/09	CANON FINANCIAL SERVICES, INC.	16	1,299.72
36081	04/16/09	CDW GOVERNMENT, INC.	13	130.99
36082	04/16/09	CITY OF RAHWAY-UNITED WATER RES.	33	10,037.43
36083	04/16/09	COGENT COMMUNICATIONS, INC.	27	674.00
36084	04/16/09	COMMERCIAL KIT/JAY-HILL REPAIRS	40	169.00
36085	04/16/09	CRAFT OIL CORP.	32	1,400.00
36086	04/16/09	CSL SERVICES, INC.	30	19,081.88
36087	04/16/09	D2L ASSOCIATES, INC.	42	2,480.00
36088	04/16/09	DAVID WEBER OIL COMPANY	32	1,476.75
36089	04/16/09	DELL MARKETING L.P.	27	7,823.55
36090	04/16/09	D.R. CORDELL & ASSOCIATES	32	831.02
36091	04/16/09	e-CUBED CONSULTING, LLC	27	2,620.00
36092	04/16/09	ELIZABETHTOWN GAS	22	350.85
36093	04/16/09	ENVIRONMENTAL COMPLIANCE	41	999.50
36094	04/16/09	ENVIRONMENTAL RESOURCE ASSOC.	40	152.75
36095	04/16/09	KIDDE FENWAL, INC.	32	1,755.00
36096	04/16/09	FISHER SCIENTIFIC	40	1,988.54
36097	04/16/09	FLEXLINE	32	146.51
36098	04/16/09	ANTHONY GENCARELLI	31	150.00
36099	04/16/09	GARY W. GRAY TRUCKING, INC.	25	98,240.81
36100	04/16/09	GREENWOOD PRODUCTS, INC.	40	499.12
36101	04/16/09	JOANNE GRIMES	49	164.90
36102	04/16/09	HACH COMPANY	40	2,818.69
36103	04/16/09	HALL & ASSOCIATES	08	2,224.37
36104	04/16/09	HOME DEPOT CREDIT SERVICES	32	69.84
36105	04/16/09	HUDSON BLUEPRINT COMPANY	12	517.95
36106	04/16/09	ITT WATER AND WASTEWATER	32	327.37
36107	04/16/09	JERSEY ELEVATOR COMPANY INC.	32	660.75
36108	04/16/09	LAB SAFETY SUPPLY, INC.	31	867.41
36109	04/16/09	LONGO ELECTRICAL-MECHANICAL, INC.	32	441.00
36110	04/16/09	MAFFEY'S SECURITY GROUP	32	342.00
36111	04/16/09	MAX L. BROWN HARDWARE CO., INC.	32	1,332.88
36112	04/16/09	McELROY, DEUTSCH, MULVANEY	08	3,248.00
36113	04/16/09	MCINTYRE'S LOCK & LAWNMOWER SHOP	32	159.90

36114	04/16/09	MCMASTER-CARR SUPPLY CO.	32	601.58
36115	04/16/09	MILLER AND CHITTY CO., INC.	32	1,203.00
36116	04/16/09	MULTI-CARE HEALTH CENTER	50	750.00
36117	04/16/09	NJBIA	52	525.00
36118	04/16/09	NJ MANUFACTURERS INSURANCE CO.	17	18,085.00
36119	04/16/09	NJ MOTOR VEHICLE COMMISSION	35	139.50
36120	04/16/09	NJ MOTOR VEHICLE COMMISSION	35	105.00
36121	04/16/09	TREASURER - STATE OF NJ	37	30.00
36122	04/16/09	NW FINANCIAL GROUP	09	1,020.00
36123	04/16/09	O'JOHNNIES, INC.	13	2,634.70
36124	04/16/09	ONE CALL SYSTEMS, INC.	32	40.70
36125	04/16/09	PARTSNOW	27	88.06
36126	04/16/09	PAULUS, SOKOLOWSKI & SARTOR	05/06	21,036.84
36127	04/16/09	POLAND SPRING	46	93.39
36128	04/16/09	POLYDYNE INC.	23	18,018.00
36129	04/16/09	PRECISION ELECTRIC MOTOR WORKS	32	1,031.00
36130	04/16/09	PSE&G COMPANY	19/42	495.66
36131	04/16/09	QC LABORATORIES	41	2,756.50
36132	04/16/09	RAHWAY ELECTRIC SUPPLY CO.	32	2,587.86
36133	04/16/09	RVSA PETTY CASH	14	272.46
36134	04/16/09	ROBERT SAFCHINSKY	15/31	237.49
36135	04/16/09	SAFETY-KLEEN CORP.	32	265.02
36136	04/16/09	SCHNEIDER AUTOMATION	32	688.00
36137	04/16/09	SIMPLEX GRINNELL LP	31/32	3,221.88
36138	04/16/09	SPECTRASERV INC.	26	4,883.30
36139	04/16/09	STAR LEDGER	12	259.50
36140	04/16/09	THE SPI GROUP, LLC	27/46	623.75
36141	04/16/09	TREASURER - STATE OF NJ	40	530.80
36142	04/16/09	TURTLE & HUGHES INC.	32	2,923.63
36143	04/16/09	UNITED PARCEL SERVICE	48	72.00
36144	04/16/09	UNITED STATES PLASTIC CORP.	40	229.74
36145	04/16/09	US FILTER/SIEMENS WATER TECH.	40	720.00
36146	04/16/09	USA BLUEBOOK	32	379.01
36147	04/16/09	VAN HOUTEN-AVENEL PLUMBING	32	88.66
36148	04/16/09	ATTILIO S. VENTURO	49	149.68
36149	04/16/09	VERIZON	11/30	1,347.43
36150	04/16/09	WARREN LIGHTNING ROD COMPANY	32	400.00
36151	04/16/09	WEINER LESNIAK LLP	07	39,527.36
36152	04/16/09	921-GTS-WELCO	32	312.13
36153	04/16/09	WIDMER TIME RECORDER CO., INC.	13	331.80
36154	04/16/09	WOODBRIIDGE PRINTING CENTER	12	1,295.55
36155	04/16/09	WOODRUFF ENERGY	22	72,366.36
36156	04/16/09	RAHWAY VALLEY SEWERAGE AUTH.	04	296,016.00

Total Operating Fund Checks: 100

Total Void Checks: 0

Total Amount Void: \$0.00

Total Amount Paid: \$1,123,733.68

Total All Checks: 117

Total Void Checks: 1

Total Amount Void: \$158,055.06
 Total Amount Paid: \$3,681,346.43

OPERATING FUND	9-01	\$1,123,733.68
BUILDING & EQUIPMENT FUND	9-02	\$2,557,612.75
TOTAL ALL FUNDS:		\$3,681,346.43

Open the Floor to the Public

No one was present to address the Board.

Closed Session

Mr. Luban made a motion to go into closed session at this time, 9:35 p.m., to discuss legal and personnel related matters, based on Attorney Client privilege. The motion was seconded by Mr. Chin and unanimously approved.

Mr. Dierkes made a motion to return to the regular order of business at this time, 9:51 p.m. The motion was seconded by Mr. Luban and unanimously approved.

Return to Regular Order of Business

Adjournment

As there was no further business, on motion of Mr. Chin, seconded by Mr. Mazzarella, the meeting adjourned at 9:52 p.m. The motion was unanimously approved.

Robert J. Materna
 Robert J. Materna, Secretary-Treasurer

JG/jg
 Attachments