

RAHWAY VALLEY SEWERAGE AUTHORITY

**Summary of Minutes of
Regular Meeting held August 20, 2009**

- Minutes
Approved Minutes of June 18, 2009 Regular Meeting.
- Communications
OPRA Request from Republican Office, General Assembly of NJ; and Lawsuit filed by the Township of Clark.
- Treasurers Reports
The Treasurer Reports for the month of July 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
Report was given by the Finance Committee.
- Unfinished Business
None.
- New Business
Approved the following: Security Purchases; and Sewer Connections for the Townships of Scotch Plains and Springfield.
- New Business (Cont'd.)
Approved the following expenditures: Amend PSA Contract #105-C with CCMS in an amount of \$14,392.30; Approved C.O. #2 on Contract #155 with E.E. Cruz in an amount of \$206,805.73; Approved C.O. #1 on Contract #161 with Spectraserv in an amount of \$34,845.00; Approved C.O. #1 on Contract #0824 with AXYS Analytical in an amount of \$7,650.00; and Award Contract #0922 to Woodruff Energy in an amount of \$0.831/therm.

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes of (Cont'd.)
Regular Meeting held August 20, 2009

-	Bills & Claims		
	Operating Fund	9-01	\$1,445,979.85
	Building & Equipment Fund	9-02	\$1,454,484.04
	Construction Fund	9-04	<u>\$1,530.00</u>
	Total All Funds		\$2,901,993.89

RAHWAY VALLEY SEWERAGE AUTHORITY

Regular Meeting Minutes – August 20, 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
Allen Chin
Richard LoForte
Charles P. Lombardo
Robert G. Luban
Paul M. Sefranka
Attilio S. Venturo | for the Township of Springfield
for the Town of Westfield
for the Borough of Kenilworth
for the Borough of Garwood
for the Township of Woodbridge
for the City of Rahway
for the Borough of Roselle Park |
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- * Arrived after roll call at 7:41 p.m.

The following members were absent:

- | | |
|--|---|
| Rene Dierkes
Frank G. Mazzarella
James J. Murphy
Joan Papen | for the Borough of Mountainside
for the Township of Clark
for the Township of Cranford
for the Township of Scotch Plains |
|--|---|

The following were also present:

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

The following were also present:

- | | |
|-------------------------------|------------------------------|
| John Buonocore
Wayne Baker | CCMS
The Westfield Leader |
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Approval of Minutes

Mr. Luban made a motion, seconded by Mr. Chin, to approve the minutes of the Regular Meeting held June 18, 2009. The motion was approved by those present; Mrs. Abram, Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

The Chairman stated that the minutes of the Special Meeting held July 1, 2009 were distributed to the Commissioners, however, they could not be acted on at the meeting because two of the members present would have to abstain resulting in less than a majority vote required to adopt the minutes. Action was deferred to the September 17, 2009 meeting.

The Chairman stated that the minutes of the Regular Meeting held July 16, 2009 were distributed to the Commissioners, however, they could not be acted on at the meeting because two of the members present would have to abstain resulting in less than a majority vote required to adopt the minutes. Action was deferred to the September 17, 2009 meeting.

Communications

An OPRA Request was received from William A. Guhl, Assembly Republican Deputy Chief Counsel for the State of NJ General Assembly Minority Office, regarding various personnel and expenditure records. A copy of the request was forwarded to the Commissioners for their information.

A Lawsuit was served on the Authority on August 18, 2009 from the Township of Clark, et. al. A copy of the suit was forwarded to Counsel.

Report of Treasurer

The Treasurer's Reports for the month of July 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 7/20/09 and 8/17/09. 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>
1121-09-KW	07/20/09	Joseph Rizzo	Kenilworth
1122-09-CR	07/20/09	Phoenix Medical Construction	Cranford
1123-09-WB	07/30/09	Metrotop Plaza Associates	Woodbridge
1124-09-WB	08/04/09	Servio E. Alin	Woodbridge
1125-09-WB	08/13/09	Ivan Tymiv	Woodbridge

Monthly Reports

The following reports were received and distributed:

- PS&S Monthly Engineering Report
- CCMS - Contract #105 – Cogeneration Facility
- CCMS - Contract #155 – WWTP Upgrade
- Weiner Lesniak – Monthly Update
- IPP Monthly Report

Contract #155-C Construction Oversight Services - CCMS

Correspondence was received and forwarded to the Commissioners regarding this contract. This matter requires discussion.

Contract #158 – Outfall Line Repairs

Montana Construction Corp. is working on this contract. The Consulting Engineer will report further on the status of this contract.

Contract #159 – CSP - Chemical Handling and Feed Systems

A&A Industrial is working on this contract. The Consulting Engineer will report further on the status of this contract.

Contract #161 – Rehabilitation of Sludge Storage Tank Covers, Control Bldg. and Pumping Station

Spectraserv has begun work on this contract. The Consulting Engineer will report further on the status of this contract.

Contract #156 – Gravity Relief Sewer (located in Wheatina Park, Rahway, NJ)

As a condition of the JCO, DSN-004 is to be closed and sealed, preventing future discharges to the Rahway River during periods of peak wet weather flows. This task was to have been performed by NE Remsco as part of Contract #156. However, since NE Remsco completed Contract #156-Gravity Relief Sewer about 1.5 years before the wastewater treatment plant expansion was completed by Cruz under Contract #155; this work was removed from NE Remsco's contract and placed into Cruz's contract. Subsequently, Cruz decided that they were no longer interested in completing this additional work due to scheduled work elsewhere and their desire to finish the work at our site and leave. As a result, I solicited proposals from both Spectraserv and Montana Construction Corp. presently performing Contracts #161 and #158 respectively, to perform this task. Both of these contractors are presently on site and the work could be approved as a change order to either contract. Spectraserv submitted a proposal in the amount of \$34,845.00 and Montana submitted a proposal in the amount of \$36,900.00. This work involves the demolition of the above ground structure as well as the closing of underground outlet facilities in the existing chambers. The work must be completed by no later than October 20th as part of the recently negotiated extension to the JCO. Based on the foregoing, I

recommend a Change Order be issued on Contract #161 to Spectraserv in an amount of \$34,845.00. A motion is on the agenda under New Business.

Contract #0824 – Lab Contract Services

This matter was discussed at last months meeting and subsequently removed from that agenda. An amended memorandum dated August 17th from Anthony Gencarelli was distributed to the Commissioners. This contract was awarded to AXYS Analytical Services in September of 2008. Since that time, the Authority has determined that there is a need for additional analytical services in an amount of \$7,650.00, total amended amount of \$38,500.00. Action to amend this contract based on the August 17th memorandum is on the agenda under New Business.

Contract #0922 – Non Recallable Natural Gas

A copy of the Notice to Bidders was sent to 20 companies, posted on the Authority's Web Site and advertised in the Star Ledger. The Bid package was purchased by two vendors and the following bid was received on Tuesday, August 18, 2009:

<u>Company</u>	<u>Option</u>	<u>Term</u>	<u>Total Per Therm</u>	<u>Up Charge</u>	<u>Commodity Charge *</u>
Woodruff Energy	#1	6 Months	\$0.760	- \$0.260	= \$0.500
Bridgeton, NJ	#2	12 Months	\$0.761	- \$0.239	= \$0.522
	#3	18 Months	\$0.828	- \$0.254	= \$0.574
	#4	24 Months	\$0.831	- \$0.242	= \$0.589

* For Bid comparison purposes only. Commodity Charge to be set as of closing on September 1, 2009.

Our current contract is with Woodruff Energy whose bid in 2008 for one year was \$1.6884/th.

The bid was sent to Counsel for review and recommendation. If Counsel finds their bid documents to be in order, my recommendation is to award the contract to Woodruff Energy based on the price proposed, the fact that are our present supplier and they were the sole bidder. A motion to award Contract #0922 is on the agenda under New Business.

Mr. Brinker recommended that the contract be awarded for a two year period. He also noted that the prices shown were for bid comparison only and that the price locks on September 1st based on market rates plus the "up charge" reflected in the bid.

Air Permitting Work

Mr. Brinker stated that Anthony Gencarelli solicited proposals from both ECA and PS&S for additional Air Permitting work. ECA proposed \$5,100.00, PS&S's proposal was \$15,400 for the same work, however, PS&S proposed \$2,500.00 for oversight work. Mr. Brinker stated that no action was necessary at this time since both firms presently have contracts with the Authority and this work can be performed for the proposed fees under their existing contracts.

Report of Consulting Engineer

The following report to the Authority Board summarizes our activities for the period of July 11, 2009 through August 14, 2009.

* Commissioner Abram arrived at this time, 7:41 p.m.

JCO Compliance/NJPDES Permit

PS&S prepared, finalized and submitted the second quarter report on July 28th, prior to the July 31st deadline.

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 received a letter from Marvec's attorney transmitting a report from a consultant relative to the claims; PS&S also received a letter from the Contractor with a revised claim summary. PS&S finalized responses to these documents; this was forwarded by General Counsel to the Contractors Attorney on June 17th. The Contractor has requested mediation of his claims and this is being coordinated by General Counsel. No new activity.

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 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, addressing some potential variability in digester gas characteristics, obtaining a Shakedown/Burn-in Period exemption from the NJDEP requirement that the 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 the Shakedown/Burn-in Period). On 7/31/09 NJDEP issued the Title V Air Permit Modification Approval and PS&S has provided follow up review of the Approval, and has provided discussions with the Authority and NJDEP concerning additional NJDEP requirements of concern to the Authority.

In addition, upon startup of the Cogeneration/Sludge Drying Facility's Thermal Hot Oil Heater (Oil Heater), PS&S will be providing assistance to the Authority regarding the preparation of the required USEPA notification and information submittal for the startup of the 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 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, 2 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 routine exercise of the stand-by generator sets.

Mr. Venturo asked about the redesign of the restraints for the exhaust system. He asked why you would increase the value of the restraints to hold down the exhaust... what are you basing that on.

Mr. Wancho stated that we (PS&S) are right now in the position where we need to set up a meeting with the various responsible parties for the supports, the restraints, and the pressure venting system, to get an understanding of what the internal forces are that are acting in the system both with and without a backfire event. Until such time that there is an agreement as to what those forces are, restraints can't be designed into the system. It is our position that the design of the restraints is the responsibility of the contractor. The contractor has hired a sub, Carpenter & Patterson, who did all the pipe analysis and we need to get them to coordinate with the other subcontractor, ITG, who designed the pressure venting system, to understand exactly what the intent is supposed to be with the venting system. It was obviously put in there to mitigate damage during a backfire event but that hasn't happened. There are two things going on. One, is understanding what ITG's intent was with the design and what they did anticipate from the breeching when a backfire event occurred. Until we have a full understanding of that, the restraints can't be designed. Once we understand that, PS&S can analyze what those impact restraints have on the structure. That is the current path we are taking. We're trying to get these parties to meet so that we can get that understanding.

Mr. Venturo stated that he believes that is the wrong direction for PS&S to be going in ... to increase the strength of the restraints, because the force that will overcome that which will make anything effected by the force become a projectile ... having greater power underneath it, in propelling it. Basically you are putting the value of human life in danger. He stated that he thinks the building would be much better off with just blow-out panels – because he noted that you cannot actually calculate the amount of energy that is produced by a secondary fire. That is an impossibility.

Mr. Wancho stated he will ask ITG that question, when we get them to the table.

Mr. Venturo stated that it is now noted that due to the restraints being installed, that a jeopardy has been noted and it is up to PS&S and those who designed this to apprehend that serious injuries can be had. Mr. Venturo stated that he is free.

Mr. Sefranka stated that he heard Mr. Wancho say that he is “trying to set up a meeting” however, Mr. Sefranka noted he would like something more definitive than that. He added “for the record”, I don't think anyone mitigates the seriousness of the issue, or the fact that any decision has been made on the restraints or non-restraints, and a decision will not be made until the final analysis is done.

Mr. Ventura stated that in regard to constructing something or evaluating something, if you know that there is a possible cause for harm or a collapse, etc., and it can be proven that you have the expertise of this, and you do not proclaim that you are responsible, even if you are not involved, you can be held responsible. He stated that he feels he is involved because he is on this board.

Mr. Wancho asked Mr. Ventura if he should be held personally responsible. Mr. Ventura stated no, because you are not the designer. Mr. Wancho stated that he knows what his responsibilities are as a professional engineer as well as the Authority's Consulting Engineer.

Mr. Luban stated that he thinks Mr. Wancho understands what Mr. Ventura is saying and added that at this time, we do know that PS&S is going through an analysis phase and a decision will be made.

Contract #158 Outfall Repair

To date Montana has cleaned and repaired approximately 95% of the pipe joints. Montana is anticipated back on site this week to complete the joint repairs and concrete repair work remaining. PS&S is currently providing on site inspection of work.

Contract #159 Chemical Feed System Improvements

PS&S is currently reviewing Contractor submittals. Coordination efforts associated with Contract #155 regarding the furnishing of the chemical feed equipment is ongoing. In addition work has begun in both the Headwork's and Pump and Blower Buildings; work includes demolition; installation of process piping, chemical tanks, electrical conduits and supports, fire protection system, fill concrete within containment walls and concrete encasement of existing electrical conduits.

Contract #160 Emergency Outfall

E.E. Cruz is currently working on the 003 chamber modifications; the chamber structure is complete. PS&S has reviewed the shop drawings for the gate and they were approved; the gate is in fabrication and PS&S continues to coordinate activities with CCMS. The scheduled delivery date of the gate is August 31, 2009.

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

Spectraserv has completed work on Sludge Storage Tanks #1 & #3. Tank #2 has now been drained, cleaned, sandblasted and primed. Spectraserv is preparing for finish painting. Work in the attic space of Tanks #2 & #4 has been negotiated and authorized under the allowance item. Work will include removal of concrete, sandblasting and painting. PS&S is currently providing on site inspection of work.

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 reports. PS&S will meet with the Authority to further discuss the situation. PS&S issued the Flow Rights reports for March and April at the May Board Meeting and the May report at the June Engineering Committee.

Report of Construction Management ConsultantContract #105 Cogen/Sludge Drying Facility

The following is our current monthly report for this project. We will provide a similar report each month for the review of the Authority.

Current Work

1. The balance of sitework, restoration and plantings, was suspended until the start up issues are worked out.
2. Process Equipment: See Summary of Major Project issues below.
3. The sludge dryer has completed its 10 day performance test.
4. The engines have now been tested on all fuels.

Summary of Major Project Issues

The Contractor has completed all the required repair work and is prepared to restart the 10-Day Operation Period on June 12, 2009, however this has been postponed. The Caterpillar Commissioning Report recommended restraints be added to the engine exhaust breeching to limit excessive movement during startup. There are ongoing discussions between the RVSA and the designers PS&S regarding these restraints. This issue must be resolved prior to the 10-Day Operation Period recommencing.

The Contractor has begun work related to Change Order #11 and the two (2) stand-by diesel generators. The Contractor has submitted technical information on the equipment and the two foundation pads have been poured. The generators are scheduled to be delivered to the site in the coming week.

Negotiations between all parties are being set up and the path forward to completion of all outstanding items will be established shortly. See Comments Below.

Financial Summary:

Base Contract (with allowances):	\$ 17,133,295.00
Amendments to Date (see below):	\$ 7,084,218.79
Present Contract Amount:	\$ 24,217,513.79
Approved Payments to Date:	\$ 23,155,503.44 (95.6%)

This amount represents Total Completed and Stored to Date (with retainage) and includes payments pending Authority approval.

Change-Orders to Date:

1. Fourth Engine/gas level system: \$2,708,200.00
2. Gas Blending System: \$403,591.00
3. Fourth Engine/DCA/Time Extension: \$476,459.00
4. Centrysis Purchase: \$581,900
5. OH Door/Lighting/Fenwal/Roof Breeching/Flash File \$206,882.61
6. 25 PCO Consolidation - \$290,306.22
7. 6 PCO Consolidation - \$106,039.00
8. 3 PCO Consolidation - \$156,535.74
9. 7 PCO Consolidation - \$46,000
10. Emergency lights, Enclosure, XP lights - \$56,371.22
11. Two Stand-by Diesel Generators - \$1,979,314.00
12. 5 PCO Consolidation - \$72,620.00

Summary of Allowances:

Description	Contract Basis	Approved to Date
A – Independent testing	\$25,000	\$ 22,021.51
B – Maintain Engineers trailer	\$25,000	\$ 7,705.42
C – Unforeseen Conditions	\$500,000	\$496,336.69
D – Optimization Services	\$30,000	\$ 9,900.00
E – Add'l equip/ I&C	\$75,000	\$ 75,000.00

Schedule Summary:

Initial Contract Period: 640 days
 Time extensions to Date: 370 days
 Present Contract Period: 1010 days

Notice to Proceed: (effective date) March 10, 2004
 Original Contractual comp. date: December 10, 2005
 Present Contract Comp. date: December 15, 2006

Substantial Completion Phase 1: Aug. 15, 2006 Included ability to run the Engines on Natural gas
 Substantial Completion Phase 2: Nov. 15, 2006 Included the ability to run the engines with all gases
 Substantial Completion Phase 3: Nov. 15, 2006 Included start up of the dryer system
 Final Completion: Dec. 15, 2006 All punchlist items must be completed.

Present Anticipated Comp. Date: October 16, 2009*

*Note: This includes the installation and start-up of the two new diesel generators.

JH Reid had committed to completing the balance of the contract work on or before the JCO date of April 20, 2009. It should be noted that while this date was not met, the temporary standby generators currently satisfy the requirements of the JCO. CCMS has formally gone on record

with the Contractor confirming their contractual obligation to maintain these temporary generators on site until such time as the Cogen facility is fully functional and available for use by the RVSA.

The Full Contract Completion Date is being negotiated. A detailed letter stating anticipated liquidated damages has been sent to the Contractor which was responded to by his Attorney. Negotiations between all parties on establishing the limits of the work remaining as well as the damages that will be sought are ongoing.

CCMS Monthly Report – Contract #155 Treatment Plant Upgrade

Summary of Present Status

1. Contract Administration: The Contractor, E.E. Cruz, continues to submit RFI's and shop drawings. A total of 2139 shop drawings have been submitted to date. There have been 320 formal requests for information. Approximately 90% of the as-built drawings have been submitted by the Contractor with 75% approved. CCMS is working with the Contractor on the remaining 25%.
2. Contaminated Soils: There was no contaminated soil removal this past month.
3. Concrete: Concrete curb and sidewalks are complete.
4. Building Status

Headworks

The Building has a temporary Certificate of Occupancy, and is in operation by RVSA. Minor labeling work remains.

Service Building

The work within the Service Building is complete.

Primary Settling Tanks

All four primary settling tanks are available for service.

Rotary Drum Thickener

The RDT Facility is ready for operation by the RVSA. Minor labeling work remains.

Final Settling Tanks

All six final settling tanks are available for service.

Return Sludge Pump Station

The RAS pump station is now in operation.

Effluent Filters

The Effluent Filters are in operation.

Ultraviolet Disinfection

The system is in operation and the Authority is currently meeting permit. The final report from the most recent three day performance test was submitted and shows the system to function properly. Final documentation is being coordinated with CCMS.

Effluent Pump Station

Work at the station is complete.

DSN-001/-002

Work on the structure is complete.

DSN-003

The concrete work is complete and has been backfilled. The weir gate has been approved and is due on site at the end of August.

Site Work

All site work is complete.

Schedule Summary

Notice to Proceed: April 18, 2005

Initial Contract Periods/Dates:

Substantial Completion:	1170 days – July 1, 2008
Contract Completion	1260 days – Sep. 29, 2008
Time extensions to Date:	0 days
Pending Time Extensions:	None - See Special Milestones Below

Present Contract Periods/ Dates:

Substantial Completion:	1170 days – July 1, 2008
Contract Completion	1260 days – Sep. 29, 2008

Special Milestones

The substantial completion date of the Contract (September 29, 2008) was not met. The actual JCO date for the closure of DSN-004 of April 20, 2009 was extended as part of the Stipulation of Settlement for the Emergency Discharge Outfall.

The delays that the Contractor has documented are as follows, with any updates detailed below:

Electrical Design issues

The RVSA Counsel received a formal Claim from SM Electric through E.E. Cruz on March 26, 2009 for a total value of \$6,312,712.00 inclusive of unpaid change orders, contract balance, and retainage. CCMS responded to the RVSA on May 1, 2009 and a formal response to the Contractor was issued by RVSA Counsel on May 4, 2009. A follow-up meeting was held at the RVSA site with representatives from RVSA, CCMS, E.E. Cruz, and SM Electric to discuss the outstanding electrical PCO's on the project. As a result of this negotiation, 28 of the original 34 open PCO's have been settled or withdrawn. CCMS will issue CO #2 to the Contract to formalize this settlement. A meeting was scheduled for Tuesday August 18th to discuss the remaining items however this has been postponed by SM Electric.

Financial Summary

Base Contract (with allowances):	\$ 137,137,000.00
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Amendments to Date:	\$ 298,633.92
Present Contract Amount:	\$ 137,435,633.92
Pending Change-Orders:	\$ 206,805.73
Approved Payments to Date:	\$ 137,222,441.63 (99.8%)

This amount represents Total Completed and Stored to date (with retainage) and includes payments pending Authority approval.

Report of Counsel

The following is a summary of all General Counsel services that have been provided by this office to the Rahway Valley Sewerage Authority for the time period covering July 14, 2009 through August 17, 2009.

CSP Improvements & related issues

Contract #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 has been reviewed by the Authority and its consultants. A response has been submitted to the contractor setting forth the Authority's position with respect to same. The subcontractor has also recently filed a municipal mechanic's lien claim pursuant to N.J.S.A. 2A:44-125 et seq. in the amount of \$256,609.61 against monies owed to the general contractor. We have had several conversations with counsel for both the contractor and the subcontractor relative to these claims and have consulted with the Executive Director regarding a possible resolution of same. This matter may be discussed in Executive Session.

Cogeneration Facility

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. The Authority's responsive pleading setting forth its Answer, Counterclaim and Crossclaim, including its claim for liquidated damages against the contractor, was filed on April 9, 2009. On May 11, 2009 the Authority filed its Answer to the contractor's Crossclaim. The case has been referred to mediation by the Court. On July 2, 2009 the Authority filed 3rd party claims against its consultants PS&S and CCMS alleging its right to indemnification/contribution based on the contractor's crossclaim for delay and errors and omissions. We have been contacted by counsel for both PS&S and CCMS and have consented to an extension of time to file answers to the Authority's Complaint. Finally, we have had extensive consultations with the Executive Director regarding the exhaust breeching restraint issue. This matter may be further discussed in Executive Session.

MiscellaneousContract #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. A response to the report prepared by the Authority's consultants denying the basis for the contractor's claims has been forwarded to the contractor. The contractor has also been informed that the Authority has elected to mediate the claims and currently we are in the process of arranging for such a mediation session. This matter may be discussed in Executive Session.

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. The Authority's Answer to the Third Party Complaint is due on either September 25,

2009 or October 26, 2009, depending on when certain documentation is received from the Third Party Plaintiffs. In addition, the court has recently issued several Case Management Orders regarding various procedural issues such the electronic filing of papers and discovery.

Clark Township Assessment Issue

On June 29, 2009 this office along with Mike Brinker and Bob Materna, met with representatives of Clark Twsp. in order to discuss the impact on the Township's assessment resulting from the closure of operations of a major industrial user, United Gypsum. This matter will be discussed in further detail in Executive Session.

Draft NJPDES Permit

We have received and reviewed the draft permit that was recently provided by NJDEP.

Committee Reports

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

Engineering Committee (Allen Chin, Chairman)

No report.

Finance Committee (Joan Papen, Chairman)

The Chairman stated that he appointed Commissioners LoForte, Luban and Sefranka to serve on the Finance Committee for the August 20, 2009 meeting only, as three of the four committee members could not be present.

Commissioner LoForte stated that a Finance Committee Meeting was held earlier this evening at which time the Bills and Claims were reviewed. Action is on the agenda under Bills and Claims.

Insurance Review Committee (J. Murphy, Chairman)

No report.

Legal Committee (Frank Mazarella, Chairman)

No report.

Personnel Committee (Robert Luban, Chairman)

No report.

Public Relations Committee (Paul Sefranka, Chairman)

No report.

Security Committee (Frank Mazzarella, Chairman)

No report.

Sludge Management Committee (Attilio Venturo, Chairman)

No report.

Unfinished Business

None.

New Business

The following Resolution #09-59 was offered by Mr. LoForte, on motion of Mr. LoForte, and seconded by Mr. Luban. The resolution was approved by those present with the exception of Mr. Chin who abstained; Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

RESOLUTION #09-59

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 November 17, 2009:

<u>Amount</u>	<u>Rate</u>	<u>Bank</u>
\$1,008,760.41	1.23%	Town Bank, Westfield, NJ

The following Resolution #09-60 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mr. Luban. The resolution was approved by those present; Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

RESOLUTION #09-60

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, #09-32, #09-41, #09-49, 09-58 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 \$14,392.30; 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 \$2,573,304.57 be and are hereby amended to provide for the increased contract amount of \$14,392.30 resulting in an amended contract amount not to exceed \$2,587,696.87; 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.

Mr. Chin made a motion approving Change Order #2 for Contract #155 with E.E. Cruz of Holmdel, NJ, pertaining to negotiated PCO’s from SM Electric in an amount of \$206,805.73, total amended contract amount of \$137,642,439.60, as recommended by the Construction Manager and the Executive Director. The motion was seconded by Mr. Sefranka and approved by those present with the exception of Mr. Venturo who voted against. Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

Mr. Chin made a motion to approve Change Order #1 on Contract #161 to Spectraserv of S. Kearney, NJ, for the work necessary to close DSN-004 including demolition and restoration of the site, in an amount of \$34,845.00, total amended contract amount of \$972,645.00, as recommended by the Executive Director. The motion was seconded by Mrs. Abram and approved by those present. Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were

absent.

Mr. Chin made a motion approving Change Order #1 on Contract #0824 - PCB Lab Contract Services with AXYS Analytical Services of Sidney, British Columbia, for additional unanticipated analysis for PCB's, in an amount of \$7,650.00, total amended contract amount of \$38,500.00, as recommended by Anthony Gencarelli, RVSA Manager of Regulatory Compliance, as noted in a memo dated August 17, 2009; a copy of which was distributed to the Commissioners. The motion was seconded by Mr. LoForte and approved by those present. Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

Mr. Chin made a motion to award Contract #0922 - Firm Non-Recallable Comm. Natural Gas to the sole bidder Woodruff Energy of Bridgeton, NJ, for Option #4 – a period of 24 months, at a cost of \$0.831/therm, as recommended by the Executive Director.

Mr. Ventura asked if there were any restrictions on how much gas could be purchased under this contract. Mr. Brinker responded there were not, that it is for normal gas consumption purchase.

After brief discussion, the motion was seconded by Mr. Sefranka and approved by those present. Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

The following Resolution #09-61 was offered by Mr. Chin, on motion of Mr. Chin, and seconded by Mrs. Abram. The resolution was approved by those present; Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

RESOLUTION #09-61

WHEREAS, the Township of Scotch Plains submitted a Treatment Works Sewer Connection Endorsement Application on behalf of Herb and Edith Singer and Tank Solutions for property located at 1220 South Martine Avenue 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 2 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 #09-62 was offered by Mrs. Abram, on motion of Mrs. Abram, and seconded by Mr. Chin. The resolution was approved by those present; Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen were absent.

RESOLUTION #09-62

WHEREAS, the Township of Springfield has submitted a Treatment Works Application on behalf of Casey & Keller and Springfield Gardens for a project located at Mountain Avenue and Route 22 West in the Township of Springfield, State of New Jersey; and

WHEREAS, the application is for the construction of 3,280 lf of 8” sewer to service a 253 unit mixed residential development (single family, townhouses and apartments) known as Springfield Gardens, with a proposed flow of .060 mgd (or 60,000 gpd) of new flow and .139 mgd of existing flow, total flow .199 mgd; 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

Mr. Sefranka made a motion, seconded by Mr. Luban, that the following bills and claims previously audited by the Finance Committee be ordered paid. The motion was unanimously approved.

BUILDING & EQUIPMENT FUND

<u>CHECK</u>	<u>DATE</u>	<u>VENDOR</u>	<u>ACCT/LINE#</u>	<u>AMOUNT</u>
2433	07/30/09	DAVID GINFRIDA HOME IMP.	140.7	11,150.00
2434	08/20/09	A&A INDUSTRIAL PIPING, INC.	140.7	157,868.20
2435	08/20/09	ARGENT ASSOCIATES LLC	140.7	522.50
2436	08/20/09	CAMP, DRESSER & MCKEE, INC.	140.7	4,274.43
2437	08/20/09	CDW GOVERNMENT, INC.	140.2	1,428.81
2438	08/20/09	CONSOLIDATED CONSTR. MGT.	140.2/7	27,385.15
2439	08/20/09	DELL MARKETING L.P.	140.7	9.95
2440	08/20/09	EE CRUZ COMPANY INC.	140.7	153,870.90
2441	08/20/09	EE CRUZ COMPANY INC.	140.7	206,805.73
2442	08/20/09	GENERAL ELECTRIC COMPANY	140.2	12,619.00
2443	08/20/09	HATCH MOTT MACDONALD	140.2	35,756.94
2444	08/20/09	J.H. REID, GENERAL CONT.	140.2	572,157.12
2445	08/20/09	OMNI ENVIRONMENTAL LLC	140.7	1,074.80
2446	08/20/09	PAULUS, SOKOLOWSKI & SARTOR	140.2/7/9	26,110.99
2447	08/20/09	SPECTRASERV INC.	140.2	224,420.00
2448	08/20/09	WEINER LESNIAK LLP	140.9	19,029.52

Total Checks: 16
 Total Void Checks: 0
 Total Amount Void: \$0.00
 Total Amount Paid: \$1,454,484.04

CONSTRUCTION FUND

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
1189	08/20/09	PAULUS, SOKOLOWSKI & SARTOR	140.4	1,530.00

Total Checks: 1
 Total Void Checks: 0
 Total Amount Void: \$0.00
 Total Amount Paid: \$1,530.00

OPERATING FUND - MANUAL

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
186	08/10/09	NJ STATE HEALTH BENEFITS	03	70,195.88

Total Checks: 1
 Total Void Checks: 0
 Total Amount Void: \$0.00
 Total Amount Paid: \$70,195.88

OPERATING FUND

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
36507	07/17/09	CHARLES P. LOMBARDO	49	598.97
36508	07/22/09	AMALGAMATED GENERAL AGENCIES	17	134,398.00
36509	07/24/09	SANDY'S FRUIT BASKETS	18	89.95
36510	07/30/09	ADP, INC.	03	170.28
36511	07/30/09	CANON FINANCIAL SERVICES	16	1,299.72
36512	07/30/09	COGENT COMMUNICATIONS, INC.	27	674.00
36513	07/30/09	ELIZABETHTOWN GAS	22	763.07
36514	07/30/09	FEDEX	48	265.28
36515	07/30/09	HESS CORPORATION	19	132,969.24
36516	07/30/09	LIBERTY MUTUAL INS. GROUP	17	3,601.00
36517	07/30/09	PITNEY BOWES, INC.	48	82.00
36518	07/30/09	ROBERT POLTZ	27	212.30
36519	07/30/09	PSE&G COMPANY	19	59,458.66
36520	07/30/09	STANDARD INSURANCE COMPANY	03	2,236.78
36521	07/30/09	TREASURER - STATE OF NJ	40	118.80
36522	07/30/09	UNITED PARCEL SERVICE	48	57.86
36523	07/30/09	VERIZON WIRELESS	11	965.37
36524	07/30/09	WOODRUFF ENERGY	22	164.20
36525	07/31/09	RAHWAY VALLEY SEWERAGE AUTH.	01/02	174,291.81
36526	08/05/09	TD BANK, NA	09	4,140.00
36527	08/10/09	DELTA DENTAL PLAN OF NJ	03	6,266.09
36528	08/10/09	HOME DEPOT CREDIT SERVICES	32	536.78
36529	08/10/09	VISION SERVICE PLAN	03	1,193.01
36530	08/12/09	NEVES JEWELERS	18	195.00
36531	08/20/09	A TOUCH OF ITALY	49	127.33
36532	08/20/09	ADP, INC.	16	2,227.88
36533	08/20/09	ADVANCED SPECIALTY SALES	32	1,710.41
36534	08/20/09	ALL AMERICAN SEWER SERVICE	21/32	6,667.00

36535	08/20/09	ALLIED FILTER COMPANY	32	429.00
36536	08/20/09	AMERICAN INDUSTRIAL SUPPLY	32	268.24
36537	08/20/09	AMERICAN WEAR	32	1,413.50
36538	08/20/09	APPLIED ANALYTICS, INC.	32	1,860.66
36539	08/20/09	ARCHTECH ELECTRONICS CORP.	32	1,561.79
36540	08/20/09	AXYS ANALYTICAL SERVICES	41	4,450.00
36541	08/20/09	B & B DISPOSAL	32	700.00
36542	08/20/09	BOWCO LABORATORIES, INC.	32	63.00
36543	08/20/09	MICHAEL J. BRINKER, JR.	31	1,105.00
36544	08/20/09	CANON FINANCIAL SERVICES	16	1,299.72
36545	08/20/09	CDW GOVERNMENT, INC.	27	434.97
36546	08/20/09	CENTRISYS CORPORATION	32	6,149.62
36547	08/20/09	RAHWAY-UNITED WATER RES.	33	9,619.69
36548	08/20/09	COGENT COMMUNICATIONS, INC.	27	674.00
36549	08/20/09	COOPER ELECTRIC SUPPLY CO.	32	4,225.11
36550	08/20/09	CSL SERVICES, INC.	30	15,331.88
36551	08/20/09	CUNY & GUERBER, INC.	32	137.45
36552	08/20/09	D2L ASSOCIATES, INC.	42	4,960.00
36553	08/20/09	DAVID WEBER OIL COMPANY	32	1,774.25
36554	08/20/09	EDIBLE ARRANGEMENTS-WDBR.	18	81.00
36555	08/20/09	ELIZABETHTOWN GAS	22	7,119.55
36556	08/20/09	EMPEROR AQUATICS	32	13,474.53
36557	08/20/09	ELIZABETHTOWN GAS	22	8,169.25
36558	08/20/09	FABRITool INC.	32	995.00
36559	08/20/09	FEDEX	48	109.81
36560	08/20/09	FISHER SCIENTIFIC	40	2,022.28
36561	08/20/09	FLEXLINE	32	49.46
36562	08/20/09	GANNETT NJ NEWSPAPERS	12	500.27
36563	08/20/09	GARY W. GRAY TRUCKING	25	135,416.46
36564	08/20/09	GREAT LAKES ENVIRONMENTAL	42	783.56
36565	08/20/09	GREENBAUM, ROWE, SMITH	08	3,281.20
36566	08/20/09	GREENWOOD PRODUCTS, INC.	40	258.30
36567	08/20/09	GUARDRITE STEEL DOOR CORP.	32	1,600.00
36568	08/20/09	HACH COMPANY	40/41	2,330.89
36569	08/20/09	HALL & ASSOCIATES	41	352.97
36570	08/20/09	HESS CORPORATION	19	123,300.08
36571	08/20/09	HUDSON BLUEPRINT CO., INC.	12	212.10
36572	08/20/09	IDEXX DISTRIBUTION INC.	40	180.79
36573	08/20/09	JCI JONES CHEMICALS, INC.	29	4,228.20
36574	08/20/09	JERSEY ELEVATOR COMPANY INC.	32	579.66
36575	08/20/09	LIBERTY MUTUAL INSURANCE GROUP	17	61,607.56
36576	08/20/09	LONGO ELECTRICAL-MECHANICAL	32	1,223.00
36577	08/20/09	MAFFEY'S SECURITY GROUP	32	373.90
36578	08/20/09	MARIBELL ASSOCIATES, INC.	31	3,400.00
36579	08/20/09	McELROY, DEUTSCH, MULVANEY	08	3,870.45
36580	08/20/09	MCINTYRE'S LOCK & LAWMOWER	32	59.90
36581	08/20/09	MCMANIMON & SCOTLAND, L.L.C.	08	2,373.80
36582	08/20/09	MCMASTER-CARR SUPPLY CO.	32	1,597.99
36583	08/20/09	MECHANICAL SERVICE CORP.	32	582.00
36584	08/20/09	MIDDLESEX WATER COMPANY	33	789.48
36585	08/20/09	MILLER MECHANICAL CORP.	32	9,398.00
36586	08/20/09	MOTION INDUSTRIES, INC.	32	25.68

36587	08/20/09	MSC INDUSTRIAL SUPPLY CO.	32	312.69
36588	08/20/09	MULTI-CARE HEALTH CENTER	50	250.00
36589	08/20/09	NJ MANUFACTURERS INSURANC	17	19,072.00
36590	08/20/09	NJ WATER ENVIRONMENT ASSOC.	31	305.00
36591	08/20/09	NORTHERN SAFETY CO., INC.	31	1,942.10
36592	08/20/09	O'JOHNNIES, INC.	13	534.52
36593	08/20/09	ONE CALL SYSTEMS, INC.	32	53.90
36594	08/20/09	PAULUS, SOKOLOWSKI & SARTOR	06	6,095.88
36595	08/20/09	PITNEY BOWES, INC.	48	82.00
36596	08/20/09	POLAND SPRING	46	103.39
36597	08/20/09	POLYDYNE INC.	23	34,038.00
36598	08/20/09	PRIME LUBE INC.	32	843.70
36599	08/20/09	PSE&G COMPANY	19/42	425.02
36600	08/20/09	QC LABORATORIES	41	1,058.00
36601	08/20/09	RAHWAY ELECTRIC SUPPLY CO.	32	3,968.30
36602	08/20/09	MICHAEL ROGERS, SR.	31	50.00
36603	08/20/09	ROMAN ASPHALT CORPORATION	32	4,500.00
36604	08/20/09	RAHWAY VALLEY SEWERAGE AUTH.	01/02	254,858.00
36605	08/20/09	RVSA PETTY CASH	14	185.78
36606	08/20/09	SAFETY-KLEEN CORP.	32	551.10
36607	08/20/09	SIMPLEX GRINNELL LP	31	4,379.36
36608	08/20/09	SPECTRASERV INC.	26	5,647.52
36609	08/20/09	STAPLES BUSINESS ADVANTAGE	13	1,548.80
36610	08/20/09	STAR LEDGER	12	751.50
36611	08/20/09	STATE OF NEW JERSEY	02	776.74
36612	08/20/09	STORR TRACTOR COMPANY	35	215.16
36613	08/20/09	THE BANK OF NEW YORK MELLON	09	3,000.00
36614	08/20/09	JANET THEVENIN	15	103.13
36615	08/20/09	TRAVELERS	08	4,155.00
36616	08/20/09	UNISAFE INC.	31	404.40
36617	08/20/09	UNITED STATES PLASTIC CORP.	40	230.94
36618	08/20/09	US FILTER-SIEMENS WATER TECH.	40	347.00
36619	08/20/09	USA BLUEBOOK	32	2,230.06
36620	08/20/09	VERIZON CONFERENCING	11	438.97
36621	08/20/09	VERIZON	11/30	2,383.69
36622	08/20/09	VERIZON WIRELESS	11	734.13
36623	08/20/09	VARIABLE FREQUENCY DRIVES	32	180.00
36624	08/20/09	WEINER LESNIAK LLP	07	36,294.30
36625	08/20/09	921-GTS-WELCO	32	333.14
36626	08/20/09	WOODRUFF ENERGY	22	79.96
36627	08/20/09	YOUR TOPS, INC.	32	35.00

Total Checks: 121
Total Void Checks: 0
Total Amount Void: \$0.00
Total Amount Paid: \$1,375,783.97

Total Checks: 139
Total Void Checks: 0
Total Amount Void: \$0.00
Total Amount Paid: \$2,901,993.89

OPERATING FUND	9-01	\$1,445,979.85
BUILDING & EQUIPMENT FUND	9-02	\$1,454,484.04
CONSTRUCTION FUND	9-04	<u>\$1,530.00</u>
TOTAL ALL FUNDS		\$2,901,993.89

Open the Floor to the Public

No one was present to address the Board.

Closed Session

Mr. Chin made a motion to go into closed session at this time, 8:07p.m., to discuss legal matters, based on Attorney Client privilege. The motion was seconded by Mr. Luban and unanimously approved.

Mr. Luban made a motion to return to the regular order of business at this time, 8:34 p.m. The motion was seconded by Mr. Sefranka and unanimously approved.

Regular Order of Business

The Chairman asked if there was action based on what was discussed in Closed Session. There was none.

Mr. LoForte stated that he has had many requests for the Authority minutes to be posted on the Authority’s website and asked if this could be done.

The Commissioners stated they had no objection and requested that Mrs. Grimes take care of this matter.

Mr. Ventura stated that he received a letter from his municipality asking for information as to what is going on at the Authority and noted that Mr. Robert Knapp of Roselle Park had also contacted Mr. Materna, the Authority’s Secretary Treasurer. Mr. Lombardo stated that he prepares a report and makes a presentation to his Borough Council quarterly, and suggested that Mr. Ventura consider doing the same.

Adjournment

As there was no further business, on motion of Mr. Chin, seconded by Mr. Luban, the meeting adjourned at 8:38 p.m. The motion was unanimously approved.

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

JG/jg
Attachments