

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Summary of Minutes**

**Regular Meeting held September 17, 2009**

- Minutes  
Approved Minutes of July 1, 2009 Special Meeting.  
Approved Minutes of July 16, 2009 Regular Meeting.  
Approved Minutes of August 20, 2009 Regular Meeting.
  
- Communications  
None.
  
- Treasurers Reports  
The Treasurer Reports for the month of August 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 Committees.
  
- Unfinished Business  
None.
  
- New Business  
Approved the following: Security Purchase.
  
- New Business (Cont'd.)  
Approved the following expenditures: Amend PSA Contract #105-C with CCMS in an amount of \$10,957.90; Approved C.O. #3 on Contract #155 with E.E. Cruz in an amount of \$683,770.80; and Approved C.O. #4 on Contract #155 with E.E. Cruz in an amount of \$101,723.57.
  
- Bills & Claims

Operating Fund	9-01	\$797,543.99
Building & Equipment Fund	9-02	<u>1,269,507.59</u>
Total All Funds:		\$2,067,051.58

**RAHWAY VALLEY SEWERAGE AUTHORITY**  
**Regular Meeting Minutes – September 17, 2009**

The Chairman called the meeting to order at 8:10 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 and again September 15, 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:

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
James J. Murphy	for the Township of Cranford
Joan Papen	for the Township of Scotch Plains
Paul M. Sefranka	for the City of Rahway
Attilio S. Venturo	for the Borough of Roselle Park

The following member was absent:

Maria A. Abram	for the Township of Springfield
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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:

Wayne Baker

Matthew Baker

The Westfield Leader

Resident

### **Approval of Minutes**

Mr. Chin made a motion, seconded by Mr. Dierkes, to approve the minutes of the Special Meeting held July 1, 2009. The motion was approved by those present with the exception of Mr. LoForte and Mr. Venturo who abstained. Mrs. Abram was absent.

Mr. Chin made a motion, seconded by Mr. Luban, to approve the minutes of the Regular Meeting held July 16, 2009. The motion was approved by those present with the exception of Mr. Luban who abstained. Mrs. Abram was absent.

Mr. Sefranka made a motion, seconded by Mr. Chin, to approve the minutes of the Regular Meeting held August 20, 2009. The motion was approved by those present with the exception of Mr. Dierkes, Mr. Mazzarella, Mr. Murphy and Mrs. Papen who abstained. Mrs. Abram was absent.

### **Communications**

None.

### **Report of Treasurer**

The Treasurer's Reports for the month of August 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 8/18/09 and 9/15/09. 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>
1126-09-WB	08/18/09	Paul Ferriera	Woodbridge
1127-09-WB	08/20/09	Manor Homes	Woodbridge
1128-09-WB	08/20/09	Manor Homes	Woodbridge
1129-09-WB	09/02/09	555 Venture LLC	Woodbridge
1130-09-WB	09/08/09	Cavallero Construction	Woodbridge
1130A-09-WB	09/15/09	Promaster Builders	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
- RVSA Contractors & Engineers Claims for Payment
- RVSA Purchase Orders in Excess of \$1500.
- IPP Monthly Report
- RVSA Operations Report

Contract #105-C Construction Oversight Services - CCMS

Contract Amendments are being processed monthly for work being performed by CCMS and PS&S on Contract #105-C. CCMS's current invoice (Amendment #19) is in the amount of \$10,957.90 total amended contract amount of \$2,598,654.77. This matter was discussed at the Engineering Committee meeting held September 10, 2009 and a motion is on the agenda under New Business.

Contract #155-C Construction Oversight Services - CCMS

CCMS is working on contract close out. Mr. Brinker noted that as of September 18, 2009, E.E. Cruz will be gone from the site as Contract #155 is complete. He added that work will be completed on DSN-003 in the near future, and that there is one claim outstanding from SM Electric against E.E. Cruz which needs to be resolved.

Contract #155 CSP Plant Expansion – E.E. Cruz

CCMS submitted Change Order #3 for Contract #155 for E.E. Cruz of Holmdel, NJ, which formalizes the settlement of 11 PCO's for various work including an Alternate Storm Water VE, Tunnel Elimination VE at HW, Screw Conveyor Support System, Temporary Boiler Rental, SCADA Alarms, PST Crack Repairs, Asphalt Price Escalation, Service Bldg. HVAC Portion, 480 Volt Duplex Pump, additional drafting work for HW, and Influent Pipe relining, in an amount of \$683,770.80, total amended contract amount of \$138,326,210.40, as recommended by the Construction Manager and me. This matter was discussed at the Engineering Committee meeting held September 10, 2009 and a motion is on the agenda under New Business.

Contract #155 CSP Plant Expansion – E.E. Cruz

CCMS submitted Change Order #4 for Contract #155 for E.E. Cruz of Holmdel, NJ, which represents the reconciliation between the amount of money remaining in the various allowance items specified in the Contract and the amount expended beyond the original contract value, in an amount of \$101,723.57, total amended contract amount of \$138,427,933.97, as recommended by the Construction Manager and me. This matter was discussed at the Engineering Committee meeting held September 10, 2009 and a motion is on the agenda under New Business.

Contract #156 – Gravity Relief Sewer

The overflow elevation of the stop logs placed between the 72” main interceptor and the 42” gravity relief sewer have been set at the interconnection chamber. Arrangements are being made to terminate electric and telephone services to DSN-004 so that this structure can be demolished. Spectraserv is scheduled to start work on September 21<sup>st</sup> and the Union County Parks Department is on board with the project.

Contract #158 – Outfall Line Repairs

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

As communicated to the Commissioners, the Wheelhouse was found to be in non-repairable condition and was demolished. We have decided not to replace the building.

Insurance Archivist – Contract #0925

R. F. Stumpf Associates, Inc. of Bloomingdale, NJ reviewed more documents at our office on September 16<sup>th</sup>.

**Report of Consulting Engineer**

The following report to the Authority Board summarizes our activities for the period of August 15, 2009 through September 11, 2009.

JCO Compliance/NJPDES Permit

Pursuant to the JCO, the Authority is required to submit an Annual I/I Status Report to the NJDEP by October 1 of each year that indicates the status of I/I reduction programs within the service area. On behalf of the Authority, on August 24, 2009, PS&S sent letters to the municipal engineers of each of the member municipalities requesting the status of I/I reduction efforts for the prior year and proposed I/I reduction initiatives for the coming year. This information will be compiled into a report that the Authority will submit to the NJDEP. Information was requested to be provided to PS&S by September 18, 2009. Responses have been received from Woodbridge and Clark.

Mr. Wancho asked the Commissioners to encourage their municipalities to submit their reports.

#### Contract #144 Trunk Sewer Rehabilitation

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 provided follow-up review, discussions and input regarding the Authority's Appeal on the NJDEP new requirements of concern in the NJDEP Title V Air Permit Modification Approval dated July 31, 2009, and PS&S will continue to provide assistance to the Authority during the Appeal process. 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.

#### Contract #105 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.

#### Contract #158 Outfall Repair

Montana Construction has completed installation of the rebar and formwork for repairs at pipe joints sixty-four, sixty-nine and seventy. While mobilizing concrete for these repairs the excavator, carrying the concrete, bogged down in the soft wetlands soil. Removal of the excavator required the use of a larger excavator, the combination of bogged down machine and the use of the larger machine caused some damage to the wetlands. The Contractor is currently restoring the damaged wetlands. Montana Construction has missed their September 2, 2009 Contract Completion Date. PS&S is providing on site supervision.

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. E.E. Cruz received a partial delivery of the chemical feed metering pump system on September 1, 2009 and has indicated that the remaining pump skids will be shipped on September 18, 2009. Further, we have had several discussions and correspondence with Contract #159 General Contractor, regarding the integration of the chemical feed SCADA system with the existing plant SCADA system. This issue remains unresolved. A request for further clarification of the Contractor's proposal was issued and we await his response. In addition, work has continued 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, concrete containment walls, masonry 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. The gate was delivered on August 31st and is being installed.

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

To date Spectraserv Inc. has completed all contract work required for Sludge Storage Tanks #1, #3 and #4. Spectraserv Inc. has demolished the Control Building and as per the Authority directive will not replace the structure. The Contractor is currently preparing Sludge Storage Tank #2 for sandblasting and painting. Spectraserv is awaiting approval to proceed with the work at DSN-004 authorized by Change Order #1. Spectraserv is on schedule to complete the contract work by the October 30, 2009 Contract Completion Date. PS&S is providing on site supervision.

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 user charge reports. PS&S issued the May Flow Rights report at the June Engineering Committee Meeting, and the June and July Flow Rights reports at the July and August Board Meetings, respectively.

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 August 18, 2009 through September 16, 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 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. By letter dated August 25, 2009 the contractor has formally disputed the municipal mechanic's lien claim. 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. An answer was filed on behalf of PS&S on September 8, 2009. 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.

#### Miscellaneous

##### 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. 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 August 18, 2009 the Authority was served with a lawsuit filed by Clark Township seeking to rescind or otherwise reform the 1995 Service Agreement in order to allow for a reduction in the Township's assessment due to the closure of operations of a major industrial user, United Gypsum. This matter will be discussed in further detail in Executive Session.

#### Misc. Contracts

We reviewed bid documents and made a recommendation regarding the award of Contract #0922 for non-recallable gas.

#### Committee Reports

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

Engineering Committee (Allen Chin, Chairman)

Mr. Chin stated that an Engineering Committee Meeting was held September 10, 2009, at which time several items were discussed. Items that require action are on the agenda under New Business.

He further stated that an Engineering/Personnel Committee Meeting was held earlier this evening, at which time a personnel matter was discussed. If action is necessary it will be taken under New Business.

Finance Committee (Joan Papen)

Mrs. Papen 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 Mazarella, Chairman)

No report.

Sludge Management Committee (Attilio Venturo, Chairman)

No report.

**Unfinished Business**

Mr. LoForte stated that at the last meeting he asked if the minutes could be posted on the website and was pleased to see that this had already been taken care of. He thanked Mrs. Grimes for her prompt attention to this.

**New Business**

The following Resolution #09-63 was offered by Mrs. Papen, on motion of Mrs. Papen, and

seconded by Mr. Murphy. The resolution was approved by those present with the exception of Mr. Chin who abstained. Mrs. Abram was absent.

RESOLUTION #09-63

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 December 14, 2009:

<u>Amount</u>	<u>Rate</u>	<u>Bank</u>
\$2,042,062.62	1.13%	Town Bank, Westfield, NJ

The following Resolution #09-64 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 abstained. Mrs. Abram was absent.

RESOLUTION #09-64

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, #09-60 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 \$10,957.90; 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 \$2,587,696.87 be and are hereby amended to provide for the increased contract amount of \$10,957.90 resulting in an amended contract amount not to exceed

\$2,598,654.77; 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 #3 for Contract #155 with E.E. Cruz of Holmdel, NJ, formalizing the settlement of 11 PCO’s for various work including an Alternate Storm Water VE, Tunnel Elimination VE at HW, Screw Conveyor Support System, Temporary Boiler Rental, SCADA Alarms, PST Crack Repairs, Asphalt Price Escalation, Service Bldg. HVAC Portion, 480 Volt Duplex Pump, additional drafting work for HW, and Influent Pipe relining, in an amount of \$683,770.80, total amended contract amount of \$138,326,210.40, as recommended by the Construction Manager and the Executive Director and as discussed at the September 10, 2009 Engineering Committee Meeting. The motion was seconded by Mr. Sefranka and approved by those present. Mrs. Abram was absent.

Mr. Chin made a motion to approve Change Order #4 for Contract #155 with E.E. Cruz of Holmdel, NJ, which represents the reconciliation between the amount of money remaining in the various allowance items specified in the Contract and the amount expended beyond the original contract value, in an amount of \$101,723.57, total amended contract amount of \$138,427,933.97, as recommended by the Construction Manager and the Executive Director and as discussed at the September 10, 2009 Engineering Committee Meeting. The motion was seconded by Mr. Murphy and approved by those present with the exception of Mr. Venturo who abstained. Mrs. Abram was absent.

**Bills and Claims**

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

**BUILDING & EQUIPMENT FUND**

<b>CHECK</b>	<b>DATE</b>	<b>VENDOR</b>	<b>ACCT/LINE#</b>	<b>AMOUNT</b>
2449	09/17/09	A&A INDUSTRIAL PIPING, INC.	140.7	75,141.50
2450	09/17/09	CDW GOVERNMENT, INC.	140.7	262.90
2451	09/17/09	CONSOLIDATED CONST. MGT.	140.2/7	21,331.29
2452	09/17/09	EE CRUZ COMPANY INC.	140.7	852,827.18
2453	09/17/09	HATCH MOTT MACDONALD	140.2	41,049.94

2454	09/17/09	LOMBARDI ENTERPRISES, INC.	140.7	1,781.00
2455	09/17/09	OMNI ENVIRONMENTAL LLC	140.7	749.17
2456	09/17/09	PAULUS, SOKOLOWSKI & SARTOR	140.2/7	45,114.66
2457	09/17/09	SPECTRASERV INC.	140.2	230,300.00
2458	09/17/09	WEINER LESNIAK LLP	140.9	949.95

**Total Building & Equipment Fund Checks: 10**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$1,269,507.59**

**OPERATING FUND MANUAL CHECK**

<u>CHECK</u>	<u>DATE</u>	<u>VENDOR</u>	<u>ACCT/LINE#</u>	<u>AMOUNT</u>
189	09/15/09	NJ STATE HEALTH BENEFITS	03/04	70,195.88

**Total Operating Fund Manual Checks: 1**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$70,195.88**

**OPERATING FUND**

<u>CHECK</u>	<u>DATE</u>	<u>VENDOR</u>	<u>ACCT/LINE#</u>	<u>AMOUNT</u>
36628	08/21/09	ROBERT POLTZ	27	520.06
36629	08/26/09	ADP, INC.	03	170.28
36630	08/26/09	AXYS ANALYTICAL SERVICES LTD	41	7,650.00
36631	08/26/09	DELTA DENTAL PLAN OF NJ	03	5,569.72
36632	08/26/09	ELIZABETHTOWN GAS	22	609.02
36633	08/26/09	NJ MANUFACTURERS INSURANCE CO.	17	1,085.00
36634	08/26/09	RAHWAY VALLEY SEWERAGE AUTH.	01/02	78,385.27
36635	08/26/09	STAPLES CREDIT PLAN	13	199.71
36636	08/26/09	VERIZON	11/30	1,005.88
36637	08/26/09	VISION SERVICE PLAN	03	1,234.87
36638	08/26/09	WOODRUFF ENERGY	22	76,501.82
36639	09/03/09	PURCHASE POWER	48	1,218.99
36640	09/03/09	STANDARD INSURANCE COMPANY	03	2,236.78
36641	09/03/09	UNITED PARCEL SERVICE	48	72.00
36642	09/17/09	A TOUCH OF ITALY	49	254.66
36643	09/17/09	MARIA VASSALLO ABRAM	49	113.85
36644	09/17/09	A.C. NEWMAN & COMPANY	17	1,360.00
36645	09/17/09	ADP, INC.	16	1,894.74
36646	09/17/09	ALL AMERICAN SEWER SERVICE	21/32	4,040.00
36647	09/17/09	AMERICAN INDUSTRIAL SUPPLY	32	989.68
36648	09/17/09	AMERICAN WEAR	32	1,114.00
36649	09/17/09	APPLIED ANALYTICS, INC.	32	1,627.50
36650	09/17/09	APPROVED FIRE PROTECTION CO.	31	965.38
36651	09/17/09	AQUATIC SCIENCES CONSULTING	41	2,399.00
36652	09/17/09	ATLANTIC ANALYTICAL LABORATORY	41	850.00
36653	09/17/09	AVENEL REFRIGERATION	40	351.97
36654	09/17/09	BOWCO LABORATORIES, INC.	32	63.00
36655	09/17/09	HECTOR L. CARTAGENA	04	289.20
36656	09/17/09	JAMES CASSELLA	31	29.50

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
36657	09/17/09	CDW GOVERNMENT, INC.	13/27	2,272.69
36658	09/17/09	ALLEN CHIN	49	46.50
36659	09/17/09	CITY OF RAHWAY-UNITED WATER	33	7,496.59
36660	09/17/09	COOPER ELECTRIC SUPPLY CO.	32	7,944.69
36661	09/17/09	D2L ASSOCIATES, INC.	42	2,480.00
36662	09/17/09	DELTA PRODUCTS, CO.	32	322.88
36663	09/17/09	LOUIS DUPLESSIS	04	289.20
36664	09/17/09	EATON CORPORATION	32	3,776.00
36665	09/17/09	ELIZABETHTOWN GAS	22	142.00
36666	09/17/09	ENVIRONMENTAL RESOURCE ASSOC.	40	310.50
36667	09/17/09	ELIZABETHTOWN GAS	22	8,169.25
36668	09/17/09	EXAMINETICS, INC.	31	1,345.00
36669	09/17/09	FISHER SCIENTIFIC	40	58.50
36670	09/17/09	W.W. GRAINGER, INC.	32	753.08
36671	09/17/09	GARY W. GRAY TRUCKING, INC.	25	74,557.79
36672	09/17/09	GREENBAUM, ROWE, SMITH	08	1,400.00
36673	09/17/09	HACH COMPANY	40/41	1,736.52
36674	09/17/09	HALL & ASSOCIATES	08	6,479.57
36675	09/17/09	HAYES PUMP INC.	32	1,379.00
36676	09/17/09	HOME DEPOT CREDIT SERVICES	32	331.23
36677	09/17/09	INGERSOLL RAND NORTHLAND	32	130.12
36678	09/17/09	J & H BERGE INC.	40	3,390.47
36679	09/17/09	JRM MEDICAL SERVICES, INC.	40	385.00
36680	09/17/09	JOHNSTONE SUPPLY	32	487.56
36681	09/17/09	SARAH KEYSER	31	84.99
36682	09/17/09	LIBERTY MUTUAL INSURANCE	17	13,697.56
36683	09/17/09	LOC PUMP & EQUIPMENT	41	212.00
36684	09/17/09	RICHARD LoFORTE	49	99.00
36685	09/17/09	CHARLES P. LOMBARDO	49	598.97
36686	09/17/09	ROBERT G. LUBAN	49	137.85
36687	09/17/09	FRANK G. MAZZARELLA	49	128.85
36688	09/17/09	McELROY, DEUTSCH, MULVANEY	08	10,659.19
36689	09/17/09	MCMASTER-CARR SUPPLY CO.	32	464.82
36690	09/17/09	MIDDLESEX WATER COMPANY	33	792.19
36691	09/17/09	MOTION INDUSTRIES, INC.	32	994.89
36692	09/17/09	ROBERT MRASZ	04	289.20
36693	09/17/09	JAMES J. MURPHY	49	167.85
36694	09/17/09	NATIONAL FUEL OIL, INC.	24	2,025.81
36695	09/17/09	OCCUPATIONAL SAFETY SERVICES	31	785.00
36696	09/17/09	ONE CALL SYSTEMS, INC.	32	39.60
36697	09/17/09	P-M INDUSTRIAL SUPPLY, INC.	32	1,544.49
36698	09/17/09	JOAN PAPAN	49	140.01
36699	09/17/09	PAULUS, SOKOLOWSKI & SARTOR	05/06	17,870.25
36700	09/17/09	EDMUND PETROSKY	04	289.20
36701	09/17/09	POLAND SPRING	46	115.48
36702	09/17/09	PRECISION ELECTRIC MOTOR	32	285.00
36703	09/17/09	PSE&G COMPANY	19/42	58,983.39
36704	09/17/09	QC LABORATORIES	41	3,416.00
36705	09/17/09	RAHWAY ELECTRIC SUPPLY CO.	32	510.90
36706	09/17/09	RAHWAY POLICE DEPARTMENT	18	1,440.00
36707	09/17/09	RARITAN SUPPLY COMPANY	32	826.70
36708	09/17/09	RAHWAY VALLEY SEWERAGE AUTH.	01/02	236,548.36

CHECK	DATE	VENDOR	ACCT/LINE#	AMOUNT
36709	09/17/09	RVSA PETTY CASH	14	244.59
36710	09/17/09	COLONEL SATTERWHITE	04	289.20
36711	09/17/09	PAUL SEFRANKA	49	90.99
36712	09/17/09	WILLIAM SEIBOTH	04	578.40
36713	09/17/09	SHALLCROSS BOLT & SPEC.	32	254.00
36714	09/17/09	SPECTRASERV INC.	26	2,537.06
36715	09/17/09	STAR LEDGER	12	1,981.00
36716	09/17/09	GEORGE SZOTAK	04	578.40
36717	09/17/09	THE SPI GROUP, LLC	27	185.00
36718	09/17/09	THOMAS SCIENTIFIC	40	447.00
36719	09/17/09	TRAVELERS	17	90.00
36720	09/17/09	TURTLE & HUGHES INC.	32	236.56
36721	09/17/09	UNISAFE INC.	31	404.40
36722	09/17/09	US FILTER-SIEMENS WATER	40	1,437.00
36723	09/17/09	USA BLUEBOOK	32	330.27
36724	09/17/09	ATTILIO S. VENTURO	49	89.97
36725	09/17/09	VERIZON CONFERENCING	11	43.54
36726	09/17/09	VERIZON	11/30	1,293.07
36727	09/17/09	WEINER LESNIAK LLP	07	43,922.83
36728	09/17/09	921-GTS-WELCO	32	343.65
36729	09/17/09	WOODRUFF ENERGY	22	48.41
36730	09/17/09	ARTHUR M. WRIGHT, JR.	04	289.20

**Total Operating Fund Checks: 103**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$727,348.11**

**Total All Fund Checks: 114**  
**Total Void Checks: 0**  
**Total Amount Void: \$0.00**  
**Total Amount Paid: \$2,067,051.58**

OPERATING FUND	9-01	\$797,543.99
BUILDING & EQUIPMENT FUND	9-02	<u>\$1,269,507.59</u>
TOTAL ALL FUNDS:		\$2,067,051.58

**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, 8:20p.m., to discuss legal matters, based on Attorney Client privilege. The motion was seconded by Mr. Sefranka and unanimously approved.

Mr. Mazzarella made a motion to return to the regular order of business at this time, 9:06 p.m. The motion was seconded by Mrs. Papen and unanimously approved.

**Regular Order of Business**

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

**Adjournment**

As there was no further business, on motion of Mr. Sefranka, seconded by Mr. Chin, the meeting adjourned at 9:07 p.m. The motion was unanimously approved.

*Robert J. Materna*

Robert J. Materna, Secretary-Treasurer

JG/jg  
Attachments