

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Engineering Committee Meeting**

**Minutes**

**January 8, 2015**

Commissioner Chin called the meeting to order at 7:12 p.m.

Commissioner Chin read the statement on “Open Public Meetings Law”.

“In accordance with the requirements of the Open Public Meetings Act, State of New Jersey, adequate notice of this meeting has been provided by the inclusion of the date, time and place in a Notice forwarded to The Star Ledger, the Home News Tribune and the Clerk of each of the eleven member municipalities on February 27, 2014 and January 5, 2015.

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

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

**Roll Call**

The following members were present:

Allen Chin	for the Town of Westfield
Michael Furci	for the Township of Springfield
Stephen D. Greet	for the Borough of Garwood
Robert B. LaCosta	for the Township of Scotch Plains
Robert Rachlin	for the City of Rahway
Scott L. Thompson	for the Township of Woodbridge
John J. Tomaine	for the Borough of Mountainside

The following members were absent:

Mark P. Dugan	for the Township of Cranford
Frank G. Mazzarella	for the Township of Clark
Richard J. LoForte	for the Borough of Kenilworth
Attilio S. Ventura	for the Borough of Roselle Park

The following Executive Staff and Consultants were present:

James J. Meehan	Executive Director
Robert J. Materna	Secretary-Treasurer
Joanne Grimes	Office Admin./Board Secretary
Dennis A. Estis, Esq.	General Counsel, Greenbaum, Rowe, Smith & Davis
Howard Matteson	Cons. Engineer, CDM Smith, Inc.

The following were also present:

Robert Valent	Superintendent
John Buonocore	Staff Engineer
Dan Ward	Manager Plant Maintenance
Anthony Gencarelli	Manager of Regulatory Compliance
Andrew Sasso	Operations Manager

### **New Business**

#### **Contract #105F – Cogeneration Litigation**

Counsel to discuss recent activity on this matter in Closed Session later in the meeting.

#### **Contract #166 – Administrative Offices (upstairs)**

Change Order #2 has been prepared and submitted by the Contractor. The CO is in a negative amount of \$534.00, total amended contract of \$241,444.00. This will close out the contract. John Buonocore, Staff Engineer, recommends approval.

#### **Contract #171 – Gas Cleaning and Chemical Feed Systems**

The contract was awarded at the December meeting.

#### **Contract #172-Rebid #1 – Pump & Blower Roof Replacement**

This contract was awarded to VMG Group at the October 14, 2014 meeting. Work on this project is 80% complete with some final detail work necessary to complete the project.

#### **Contract #174-A Professional Architectural Services for the Administration Building Lower Level (old wing)**

This contract was awarded to OSK Design at the October 14, 2014 meeting. OSK is working on the drawings and specifications to bid the contract.

#### **Contract #1509 – 2015 Air Permit Compliance Service**

This contract is going out for rebid.

#### **Contract #1513 – 2015-2017 Biosolids Hauling and Reuse**

This contract is going out for rebid.

#### **Homeland Security Grant Monies**

Janice Teixeira, RVSA's Health, Safety & Security Coordinator, has submitted the Grant Money Application on behalf of the Authority. She has advised that a meeting is scheduled for June 2015 to determine who will receive Grant Money.

### Monthly Reports

The Operations Report, Engineering Bills & Claims, Litigation Cost Report have been received and were distributed to the Commissioners.

### Report of Consulting Engineer

CDM Smith submitted their monthly report covering their work activities for the month of December 2014.

#### **A. Retainer Services**

During the period, CDM Smith prepared the monthly report and attended the December 2014 Board meeting.

#### **B. Miscellaneous Engineering Services**

During the period, CDM Smith performed the following as requested by RVSA:

- Coordinated with staff and Counsel regarding the development of an RFP for acceptance of food waste.

#### **C. Digester Gas Treatment System Design – Construction Services**

During the period, CDM Smith performed the following as requested by RVSA:

- Assisted RVSA staff in preparing Clarifications to the bid documents.
- Attended the bid opening.

#### **D. Biosolids Hauling and Reuse Contract Assistance**

During the period, CDM Smith performed the following as requested by RVSA:

- Provided limited assisted to RVSA staff in reviewing the bids submitted.

### Report of General Counsel

Greenbaum Rowe Smith & Davis submitted the following report covering the period from December 18 through January 8, 2015.

### General

#### • **Flow Rights**

As was agreed by the Commissioners last year, the Authority will monitor and enforce flow rights violations starting with the current metering year from October 1, 2014 to September 30, 2015. In accordance with information provided to me by John Buonocore for the period from October 1, 2013 to September 30, 2014, four of the eleven municipalities exceeded their flow rights more than 10 times during that period. Three of those municipalities, Clark, Westfield and Woodbridge, only exceeded the maximum permitted (10 times) on 6, 2 and 7 occasions, respectively. Springfield, unfortunately, exceeded its flow rights 150 times during the same measuring year. For October and November 2014, only 2 municipalities had exceedances, *i.e.*, Clark only 2 times and Springfield 4 times. Given the fact that municipalities could be penalized for exceedances during the present metering year, I suggest that we keep the various

municipalities informed on a monthly basis, particularly, Springfield.

There was some discussion regarding alternative methods to metering the system and applying the assessments.

- **Treatment of Organic Waste**  
An issue arose after the last meeting as to whether or not there was already language in the Rules and Regulations that would not require those Rules to be amended. However, I have determined that the Rules do need to be amended and will proceed accordingly.
- **NJEIT Loan Application**  
As of January 5, 2015, we had received the additional pages returned from all but three municipalities. We have spoken with the Clerks for each of those municipalities, and I expect that we will have their completed forms by the time we meet on January 8. The six deeds have been sent to Union County for recording.
- **Local Contracts Law**  
No change.
- **OPRA**  
No change.

#### **Cogeneration Facility**

The parties are still trying to decide on the neutral. Jim Meehan, Brian Hak and I discussed the status of the neutral during a telephone conversation on Tuesday, January 6. We will need to discuss this matter in closed session.

#### **NJDEP v. Occidental Chemical**

I have sent an email to Mr. Hak seeking to determine when he expects to complete the work required by the insurance company. Mr. Estis added that this work should be completed within two weeks.

#### **Blending**

No change.

#### **Report of Litigation Counsel**

No report.

#### **Closed Session**

Mr. LaCosta made a motion to go into closed session at 7:31 p.m. for discussion of pending and or anticipated legal matters, specifically the Contract 105-Cogeneration Facility litigation. The

motion was seconded by Mr. Greet and unanimously approved by those present. Mr. Dugan, Mr. Mazzarella, Mr. LoForte and Mr. Venturo were absent.

Mr. Furci made a motion, seconded by Mr. LaCosta, to return to the Regular Order of Business at 7:32 p.m. The motion was approved by those present. Mr. Dugan, Mr. Mazzarella, Mr. LoForte and Mr. Venturo were absent.

Mr. LaCosta made a motion to go into closed session at 7:33 p.m. for discussion of pending and or anticipated legal matters, specifically the Contract 105-Cogeneration Facility litigation, Personnel and Security matters. The motion was seconded by Mr. Furci and approved by those present. Mr. Dugan, Mr. Mazzarella, Mr. LoForte and Mr. Venturo were absent.

Mr. Furci made a motion, seconded by Mr. LaCosta, to return to the Regular Order of Business at 7:32 p.m. The motion was approved by those present. Mr. Dugan, Mr. Mazzarella, Mr. LoForte and Mr. Venturo were absent.

### **Adjournment**

As there was no further business, on motion of Mr. LaCosta, seconded by Mr. Rachlin, the meeting adjourned at 8:08 p.m. The motion was unanimously approved by those present.

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Chairman

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

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