

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Engineering Committee Meeting**

**Minutes**

**March 10, 2016**

Commissioner LaCosta, Engineering Committee Chairman, called the meeting to order at 7:00 p.m.

Commissioner LaCosta 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 9, 2016.

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

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

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

**Roll Call**

The following members were present:

Michael Furci	for the Township of Springfield
Stephen D. Greet	for the Borough of Garwood
Robert B. LaCosta	for the Township of Scotch Plains
Louis C. Lambe	for the Township of Cranford
Richard J. LoForte	for the Borough of Kenilworth
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:

Allen Chin	for the Town of Westfield
Michael Connelly	for the Borough of Roselle Park
Frank G. Mazzarella	for the Township of Clark

The following were also present:

James J. Meehan	Executive Director
Robert J. Materna	Secretary-Treasurer
Joanne Grimes	Purchasing Agent / Office Manager / Board Sec.
Howard Matteson, PE	Cons. Engineer, CDM Smith, Inc.
Dennis A. Estis, Esq.	General Counsel, Greenbaum, Rowe, Smith & Davis
John Buonocore	Chief Engineer
Dan Ward	Superintendent
Anthony Gencarelli	Manager of Regulatory Compliance
Andrew Sasso	Operations Manager

**New Business****Contract #105-C – Cogeneration Litigation**

Counsel to discuss recent activity on this matter in Closed Session. Possible action regarding a settlement will be discussed and action may be taken at the March 17, 2016 Regular Meeting.

**Contract #173 – Codigestion/Liquid Waste**

Proposals for a Public Private Partnership to Design, Build and Administer a Liquid Waste Receiving Enterprise were received in 2015. We are continuing review and consideration of the Proposals that were received. This matter may be discussed further, in Closed Session.

**Purchase of Property**

Counsel is still negotiating the terms of a contract to purchase the property located at 1044 East Hazelwood Avenue, Rahway, NJ. If negotiations are concluded favorably before the March 17, 2016 meeting, a resolution will be on the agenda for action.

**Repairs to Centrisys Centrifuge**

Counsel has prepared a resolution regarding the repairs made to a Centrifuge by Centrisys at a cost of \$60,825.00 which was done outside of the NJ Local Public Contracts Law. This matter will be discussed further at the meeting. A copy of the draft resolution was distributed to the Commissioners for review and will be on the March 17, 2016 agenda for action.

**Excess Flow Hearings**

Action regarding the Township of Scotch Plains was tabled at the February 18, 2016 meeting. It will be on the March 17, 2016 agenda for action.

**Monthly Reports**

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

**Code of Ethics**

Counsel has prepared an updated Code of Ethics. A copy of the updated Code has been distributed to the Commissioners and will be acted on at the March 17, 2016 Regular Meeting. Once the new Code is adopted, everyone (Commissioners, Employees and Professional Consultants) will be required to sign off that they received a copy.

**Engineering Bills:**

Contractor	Contract Number	Contract Name	Invoice Amount
Greenbaum, Rowe, Smith	1601	Retainer - February 2016	792.00
	1601	General Counsel - January 2016	890.40
	1601	US Healthworks - January 2016	782.70
	1601	RVSA vs JH Reid - January 2016	612.00
Hawkins, Delafield & Wood	1604	Bond Counsel Services - January 2016	4,343.17

J&M Quality Contracting	174	Construction of Admin. Bldg. Lower Level Renovations - February 2016	15,351.26
NW Financial	1605	Financial Advisory Services - January 2016	1,622.50
Spectraserv	171	Digester Gas Cleaning System - February 2016	98,245.00
Weiner Lesniak	1600	Special Counsel - Caterpillar Foley - January 2016	2,800.00

### Report of Consulting Engineer

Howard Matteson of CDM Smith, Inc. submitted the following report covering the period of February 2016.

### Engineering Services Summary

- A. Retainer Services  
During the period, CDM Smith prepared the monthly report and attended the Engineering Committee meeting.
- B. Miscellaneous Engineering Services  
No activity during the period.
- C. Biosolids Hauling and Reuse Contract Assistance  
No activity during the period.
- D. Digester Gas Treatment System Design – Construction Services  
During the period, CDM Smith performed the following:
- Participated in progress meetings with RVSA and DEP staff.
  - Coordinated with staff during early phase startup of the new digester gas treatment system.
- E. Digester Covers and Waste Gas Burner Replacement – Design, Bidding, and Construction  
During the period, CDM Smith performed the following:
- Continued to coordinate with the DEP with regard to the Title V permit modification.
- F. Energy Audit  
During the period, CDM Smith performed the following:
- Continued development of the Baseline Energy Use.
  - Continued analysis of data and evaluation of Energy Conserving and Retrofit Measures.
  - Began development of the Draft Energy Audit Report.

Report of General Counsel

Greenbaum Rowe Smith & Davis submitted the following report covering the period from February 18, 2016 through March 10, 2016:

1. GeneralA. Flow Rights

We must still act on the Scotch Plains Resolution which was tabled last month. It is my understanding that it will have to be tabled again. As it relates to Clark's exceedances and the separate 1994 Settlement Agreement with Clark, we are still waiting submission by Clark of copies of the underlying documents referenced in Clark's letter to the effect that Clark is satisfying its obligations under the 1994 Settlement Agreement.

B. Treatment of Organic Waste

No change.

C. Local Contracts Law

We reviewed the Mass Communication Contract. Notwithstanding the negotiations that have occurred, we have advised the staff that we cannot contract with this party since it refuses to delete the requirement that New York law governs. A problem has arisen regarding the rebuilding of a decanter centrifuge rotating assembly. As a result there will be a resolution on the agenda for next week's meeting regarding this issue.

D. US Healthworks

The purchase contract is now complete and it is my understanding that it is acceptable to US Healthworks. A resolution will be on the agenda for next week's meeting authorizing entry into the contract subject to various pre-conditions. A deposit will be required. The Seller has refused to assume the cost of additional environmental investigation on behalf of our consultant. See Subsection F below.

E. QDI Monitoring

We have reached agreement as to the terms of the Access Agreement permitting Quala's environmental engineer to install wells on RVSA's property. Quala's only objection relates to US Healthworks' authorization to disclose information to RVSA. That has been taken care of in the US Healthworks' contract.

F. Rahway Billing

Rahway has referenced RVSA in Rahway's sewer bills. A letter was sent to Rahway requesting that they cease doing this. I have not yet heard back from Rahway.

2. Cogeneration Facility

The mediation session is now scheduled to be held on April 1, 2016. There will be resolution on next week's agenda involving one settlement.

3. S-848

A hearing was held before the State Government, Wagering, Tourist and Historical Preservation Committee. The prime Sponsor, Senator Brian Stack, may be withdrawing this bill and introducing a new bill which should be of far less concern to the Authority. We must wait until we see the actual language.

**Report of Litigation Counsel**

No report.

Mr. Matteson left the meeting at this time, 7:22 p.m.

**Closed Session**

Mr. Greet made a motion, seconded by Mr. Tomaine, to go into Closed Session at this time, 7:13 p.m. to discuss pending and or anticipated legal matters based on Attorney/Client privilege. (Contract #105 Litigation/Mediation, Contract #173 PPP, and the Centrifuge Repair). The motion was approved by those present. Mr. Chin, Mr. Mazzarella and Mr. Connelly were absent.

Mr. Tomaine made a motion, seconded by Mr. Greet, to return to the Regular Order of Business at 7:45 p.m. The motion was approved by those present. Mr. Chin, Mr. Mazzarella and Mr. Connelly were absent.

**Adjournment**

As there was no further business, on motion of Mr. Thompson, seconded by Mr. Rachlin, the meeting adjourned at 7:47 p.m. The motion was approved by those present.

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Chairman

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