

RAHWAY VALLEY SEWERAGE AUTHORITY

Engineering Committee Meeting

Minutes

April 14, 2016

Commissioner LaCosta, Engineering Committee Chairman, called the meeting to order at 7:35 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 and again April 5, 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.

Roll Call

The following members were present:

Allen Chin	for the Town of Westfield
Michael Furci	for the Township of Springfield
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
Frank G. Mazzarella	for the Township of Clark
Scott L. Thompson	for the Township of Woodbridge
John J. Tomaine	for the Borough of Mountainside

The following members were absent:

Michael Connelly	for the Borough of Roselle Park
Stephen D. Greet	for the Borough of Garwood
Robert Rachlin	for the City of Rahway

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
Andrew Sasso	Operations Manager

New Business

Contract #105 – Cogeneration Litigation

Various sub-contracts (some closed out, some pending). Counsel stated this matter will be discussed in Closed Session.

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.

Purchase of Property

Counsel is still negotiating the terms of a contract to purchase the property located at 1044 East Hazelwood Avenue, Rahway, NJ. Action will be on the agenda if negotiations are concluded favorably before the regular meeting. Counsel stated this matter will be discussed in Closed Session.

Excess Flow Hearings

Action regarding the Township of Scotch Plains was tabled at the February 18, 2016 meeting. It will be on the April 21, 2016 agenda for action.

Contract #1608 – Special Counsel Services related to the PPP

Hawkins Delafield and Wood (HDW) was awarded a contract for services for the year 2016 related to the PPP in an amount of \$42,750.00. The Authority has negotiated with a vendor and reached a tentative agreement. Eric Sapir of HDW has advised that he estimates that the costs associated with the preparation and negotiation of the agreement with said vendor will be approximately \$50,000.00. Assuming the agreement is finalized with the vendor, there will be work associated with getting DCA approval of the Agreement as required under the Public Private Contracting Act. That work will include preparing a presentation for a public hearing, attending the public hearing, preparing a Local Finance Board application which will include information about the contract, preparing an opinion that the agreement will not adversely affect existing Authority bonds, and preparing an Authority resolution authorizing execution of the Agreement. Finally, once LFB approval is obtained, there is typically minor "finishing work" to coordinate execution of the Agreement. That work is anticipated to cost approximately \$15,000.00. Based on the foregoing, an amendment to their contract in the amount of \$65,000.00, total amended contract of \$107,750.00 will be on the regular meeting agenda for action.

TWA - Westfield

The Authority received a Treatment Works Application (TWA) from the Town of Westfield on behalf of EKA Associates/Residential Housing Development for property located at 321 Grove Street in Westfield. The application is for the construction of a 34 lf sanitary sewer extension to

serve three townhome buildings, consisting of 14 two-bedroom units and 2 three-bedroom units, with an anticipated flow of 3,750 gpd (.00375 mgd). The application was reviewed by John Buonocore, Chief Engineer, who found it to be in order and recommends endorsement.

TWA - Mountainside

The Authority received a Treatment Works Application (TWA) from the Borough of Mountainside on behalf of MBC Developers LLC/Echo Ridge for property located on Rt. 22 in Mountainside. The application is for the construction of a 734 lf sanitary sewer extension to serve a 5 building residential development, consisting of 19 three-bedroom townhouses, 3 two-bedroom townhouses, and 1 three bedroom apartment, with an anticipated flow of 6,675 gpd (.00675 mgd). The application was reviewed by John Buonocore, Chief Engineer, who found it to be in order and recommends endorsement.

RVSA Company Vehicle Policy

The Authority staff in conjunction with Labor Counsel prepared a policy related to the use of company vehicles. A copy of the policy has been distributed to the Commissioners for review.

Monthly Reports

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

Code of Ethics – Financial Disclosure Statements

The new Code of Ethics was adopted at the March meeting. Mrs. Grimes has copies, one to be signed by each Commissioner. Also, everyone was sent an email regarding the submission of their Financial Disclosure Statement. You **must** complete your submission by April 30, 2016. Anyone who does not complete their submission by that date is subject to fines.

Engineering Bills:

Contractor	Contract Number	Contract Name	Invoice Amount
CDM Smith	1607	Consulting Engineer Retainer - January 2016	1,333.33
	175	Digester Lids Replacement & Waste Gas Burner - January 2016	14,230.16
Greenbaum, Rowe, Smith	1601	Retainer - March 2016	792.00
	1601	General Counsel - February 2016	8,297.10
	1601	US Healthworks - February 2016	2,029.20
	1601	RVSA vs JH Reid - February 2016	367.20
Hawkins, Delafield & Wood	1608	Bond Counsel Services - February 2016	4,432.72
J&M Quality Contracting	174	Construction of Admin. Bldg. Lower Level Renovations - March 2016	40,467.09

NW Financial	1605	Financial Advisory Services - February 2016	1,025.00
OSK Design Partners, P.A.	174-A	Administration Building - Lower Level Renovations - January 2016	1,269.70
	174-A	Administration Building - Lower Level Renovations - February 2016	372.00
Spectraserv	171	Digester Gas Cleaning System - March 2016	55,710.60
Weiner Lesniak	1600	Special Counsel - Caterpillar Foley - February 2016	2,393.00

Report of Consulting Engineer

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

A. Retainer Services

During the period, CDM Smith prepared the monthly report and attended the Engineering Committee meeting report for March 2016.

B. Miscellaneous Engineering Services

During the period, CDM Smith performed the following:

- Began preparation of the Asset Management Plan for the Digester Gas Treatment System project.

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 system startup with facility staff.
- Prepared responses to Requests for Information and reviewed shop drawings.

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:

- Finalized the Draft Energy Audit Report and began preparing it for submittal to RVSA.

Report of General Counsel

Greenbaum Rowe Smith & Davis submitted the following report covering the period from March 17, 2016 through April 14, 2016:

1. General

A. Flow Rights

We must still act on the Scotch Plains Resolution which was tabled the last two (2) months. As it relates to Clark's exceedances and the separate 1994 Settlement Agreement with Clark, I have been advised that Clark is in the process of adopting an \$800,000.00 bond ordinance which is intended to address the exceedances and the obligations under the 1994 Settlement Agreement. I have not received the ordinance as of yet.

B. Treatment of Organic Waste

No change.

C. Local Contracts Law

No change.

D. US Healthworks

We are still negotiating the final terms of the purchase contract. The Seller has refused to assume the entire cost of additional environmental investigation on behalf of our consultant. The other issue that is preventing our finalizing the contract relates to the extent to which we are willing to release the seller. We will discuss this in closed session.

E. QDI Monitoring

We reached agreement as to the terms of the Access Agreement permitting Quala's environmental engineer to install wells on RVSA's property. We have signed the agreement and we are waiting for QDI and Quala to do likewise.

2. Cogeneration Facility

The mediation session was held on April 1, 2016. This will be discussed in closed session and may then require action on a resolution at the Special Meeting.

3. S-848

No change.

4. 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 and I have asked Brian Hak, Rahway's attorney, to look into this.

Report of Litigation Counsel

No report.

Mr. Matteson left the meeting at this time, 8:05 p.m.

Closed Session

Mr. Thompson made a motion, seconded by Mr. Chin, to go into Closed Session at this time, 8:09 p.m. to discuss pending and or anticipated legal matters based on Attorney/Client privilege. (Contract #105 Litigation/Mediation, Contract #173 PPP, property acquisition and Excess Flow Hearing matter). The motion was approved by those present. Mr. Greet, Mr. Connelly, and Mr. Rachlin were absent.

Mr. Mazzarella made a motion, seconded by Mr. Tomaine, to return to the Regular Order of Business at 8:35 p.m. The motion was approved by those present. Mr. Greet, Mr. Connelly, and Mr. Rachlin were absent.

Adjournment

As there was no further business, on motion of Mr. Tomaine, seconded by Mr. Chin, the meeting adjourned at 8:35 p.m. The motion was approved by those present.

Chairman

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

/jg