

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Summary of Minutes**

**Regular Meeting held April 21, 2016**

- Communications  
Letter from Clark regarding Bond Ordinance.
  
- Minutes  
The Engineering Committee Meetings held March 10, 2016 was approved.  
The Finance and Regular Meetings held March 17, 2016 were approved.
  
- Treasurers Reports  
Treasurers Reports for the month of December 2015 were received.
  
- Executive Director  
Sewer Connections and the status of various contracts.
  
- Counsel  
Overview of legal matters.
  
- Committee Reports  
Reports were given by the Engineering and Finance Committees.
  
- Unfinished Business  
None.
  
- New Business  
Approved the following: Tribute to Robert Valent; Direct Deposit for payroll; TWA's Mountainside and Westfield; Amend Contract #1608 with Hawkins, Delafield & Wood in amount of \$65,000.00; Amend Contract #105-NE with Berkeley Research in an amount of \$48,250.00; Amend Contract #105-X with Marsh USA in an amount of \$25,000.00; Amend Contract with ICHP in an amount of \$25,000.00; Amend Contract with Cipolla & Co. in an amount of \$25,000.00; and approve property acquisition.
  
- Bills & Claims

OPERATING FUND	01	\$1,088,137.02
BUILDING & EQUIPMENT FUND	02	<u>\$224,981.27</u>
TOTAL OF ALL FUNDS:		\$1,313,118.29

**RAHWAY VALLEY SEWERAGE AUTHORITY**

**Minutes of the Regular Meeting**

**April 21, 2016**

The Chairman, Michael Furci, called the meeting to order at 7:05 p.m. The Chairman asked that the recorder be turned on and that everyone silence their cell phones.

The Chairman 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.

**Roll Call**

The following members were present:

Allen Chin	for the Town of Westfield
Michael Connelly	for the Borough of Roselle Park
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
Frank G. Mazzarella	for the Township of Clark
Robert Rachlin	for the City of Rahway
John J. Tomaine	for the Borough of Mountainside

The following member was absent:

Richard J. LoForte	for the Borough of Kenilworth
Scott L. Thompson	for the Township of Woodbridge

The following were also present:

James J. Meehan	Executive Director
Robert J. Materna	Secretary-Treasurer
Joanne Grimes	Purchasing Agent / Office Manager
Dennis Estis	General Counsel, Greenbaum, Rowe, Smith
Robert Valent	Deputy Director
John Buonocore	Chief Engineer
Anthony Gencarelli	Manager of Regulatory Compliance
Dan Ward	Superintendent
Andrew Sasso	Operations Manager
Riley Blake	RVSA Union Employee
Wayne Baker	Westfield Leader

**Communications**

An email was received April 15, 2016 from Edie Merkel, Clerk for the Township of Clark with a copy of Ordinance #16-04 attached. Said Ordinance was adopted on March 21, 2016 appropriating the sum of \$800,000 for replacement of sanitary sewer lines within the Township of Clark. This Bond will cover the fee assessed to Clark for their flow exceedence in the year 2015.

**Approval of Minutes**

Mr. Chin made a motion, seconded by Mr. LaCosta, to approve the minutes of the Engineering Committee Meeting held March 10, 2016. The motion was approved by those present except Mr. Chin, Mr. Connelly and Mr. Mazzarella abstained. Mr. LoForte and Mr. Thompson were absent.

Mr. Tomaine made a motion, seconded by Mr. Lambe, to approve the minutes of the Finance Committee and Regular Meetings held March 17, 2016. The motion was approved by those present except Mr. Chin and Mr. Mazzarella abstained. Mr. LoForte and Mr. Thompson were absent.

**Report of Treasurer**

The Treasurers Reports for the month of December 2015 have been distributed to the Commissioners and will be spread on the minutes.

**Report of Executive Director****Sewer Treatment Endorsements**

The following is a list of Sewer Treatment Endorsements processed between 3/14/16 and 4/15/16. A copy of the log sheet with additional information related to these applications has been distributed for your reference.

RVSA Number					Date	Applicant's Name	Municipality
1911	-	16	-	KW	03/14/16	611 Springfield Road LLC	Kenilworth
1912	-	16	-	SP	03/16/16	Cardamone Bros. Custom Homes	Scotch Plains
1913	-	16	-	CL	03/17/16	A Ferraro Construction LLC	Clark
1914	-	16	-	MT	03/18/16	Frank Kelly	Mountainside
1915	-	16	-	SF	03/18/16	SPD 521, LLC c/o Charles Larkin	Springfield
1916	-	16	-	SF	03/18/16	SPD 521, LLC c/o Charles Larkin	Springfield
1917	-	16	-	SF	03/18/16	SPD 521, LLC c/o Charles Larkin	Springfield
1918	-	16	-	SF	03/18/16	SPD 521, LLC c/o Charles Larkin	Springfield
1919	-	16	-	WB	03/22/16	Lions Gate Homes LLC	Woodbridge
1920	-	16	-	CL	03/23/16	Fourth MPPL Realty Co.	Clark
1921	-	16	-	RW	03/23/16	Scion Realty	Rahway

1922	-	16	-	WB	03/24/16	Chaturiya, Inc.	Woodbridge
1923	-	16	-	SP	03/29/16	Lourdes Rodriguez	Scotch Plains
1924	-	16	-	MT	03/29/16	NG Holdings LLC	Mountainside
1925	-	16	-	WF	03/30/16	Elshiekh Enterprises LLC	Westfield
1926	-	16	-	WF	03/30/16	Multi Management Realty LLC	Westfield
1927	-	16	-	KW	03/31/16	Chris Licata	Kenilworth
1928	-	16	-	WB	04/04/16	Meridian Developers LLC	Woodbridge
1929	-	16	-	WB	04/04/16	Meridian Developers LLC	Woodbridge
1930	-	16	-	WB	04/04/16	Meridian Developers LLC	Woodbridge
1931	-	16	-	SP	04/05/16	1927 Evelyn Avenue LLC	Scotch Plains
1932	-	16	-	KW	04/06/16	Robert Herbert	Kenilworth
1933	-	16	-	WB	04/06/16	New Dover Homes LLC	Woodbridge
1934	-	16	-	WF	04/06/16	Loft Homes	Westfield
1935	-	16	-	RW	04/11/16	CTBA Electric LLC	Rahway
1936	-	16	-	SP	04/12/16	Daniel Banic	Scotch Plains
1937	-	16	-	WF	04/12/16	248 Avon Road LLC	Westfield
1938	-	16	-	WB	04/14/16	Amit Construction LLC	Woodbridge
1939	-	16	-	WB	04/15/16	Knock on Wood LLC	Woodbridge
1940	-	16	-	WF	04/15/16	Messercola Brothers	Westfield

#### Contract #105 – Cogeneration Litigation

Various sub-contracts (some closed out, some pending). This matter will be discussed under 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. This matter will be discussed under Closed Session.

#### Excess Flow Hearings

Action regarding the Township of Scotch Plains was tabled at the February 18, 2016 meeting. It is on the agenda for action. Mr. LaCosta stated that the Township personnel met with Authority personnel and the equipment manufacturer and have determined that the readings coming from the Scotch Plains owned mag meter installed on their force main are incorrect. After brief discussion it was determined to not take action on the pending resolution.

#### 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 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 is on the agenda for action as recommended by the Engineering Committee.

#### 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. This matter was discussed at the Engineering Committee Meeting and action is on the agenda.

#### 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. This matter was discussed at the Engineering Committee Meeting and action is on the agenda.

#### 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. This matter was discussed at the Engineering Committee Meeting and the Personnel Committee deferred action until after the Personnel Committee being held in May.

#### 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 for signature for those Commissioners who haven't done so yet (Greet, Connelly and Rachlin). 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.

Oil Spill

Mr. Meehan stated that there was recently an oil spill on Dryer and therefore the system had to be temporarily shut down. He added that the staff is doing the cleanup and any necessary repairs will be made. He will keep the board advised of the progress.

Report of Consulting Engineer

The Consulting Engineers report was given at the Engineering Committee Meeting held April 14, 2016.

Report of General Counsel

Dennis Estis, General Counsel, of Greenbaum, Rowe, Smith & Davis submitted the following report for the period from March 17, 2016 through April 21, 2016.

1. GeneralA. Flow Rights

We must act on the Scotch Plains Resolution, which was tabled for the last two (2) months. As it relates to Clark's exceedances and the separate 1994 Settlement Agreement with Clark, I received earlier this week from Clark a copy of the \$800,000 Bond Ordinance which was adopted on second reading in March. I have asked the Business Administrator to let me know when publication took place after the second reading. Passage of this Ordinance certainly satisfies all of Clark's current obligations.

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 and we are awaiting Sellers' final agreement. If the Seller agrees to all of my proposed

changes a resolution will be on the agenda this evening authorizing execution of the contract of sale. 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. As a result, a resolution was adopted last week authorizing settlement of the claims between PS&S, KeySpan and The Authority. There are still a handful of parties that are still parties to the litigation with the Authority.

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 submitted.

**Committee Reports**

<b>Committee</b>	<b>Committee Chairman</b>	<b>2/2016-2/2017 Committee Members</b>		
Engineering	Robert LaCosta	Allen Chin	Louis Lambe	Scott Thompson
Finance	Stephen Greet	Robert LaCosta	Robert Rachlin	John Tomaine
Legal	John Tomaine	Allen Chin	Stephen Greet	Richard LoForte
Personnel	Richard LoForte	Robert LaCosta	Frank Mazzarella	Scott Thompson
Insurance Review	Allen Chin	Stephen Greet	Frank Mazzarella	John Tomaine
Nominating	Frank Mazzarella	Michael Connelly	Louis Lambe	-
Public Relations	Robert Rachlin	Michael Connelly	Louis Lambe	-
Security	Scott Thompson	Michael Connelly	Richard LoForte	Robert Rachlin

Chairman: Are there reports from any of the following Committees:

Engineering Committee (Robert LaCosta, Chairman)

Mr. LaCosta stated that Engineering Committee Meeting was held April 14, 2016 at which time

several items were discussed. Items that require action are on the agenda under New Business.

Finance Committee (Steve Greet, Chairman)

Mr. Greet stated that a Finance Committee Meeting was held earlier this evening to review the Bills & Claims List. Action is on the agenda under Bills & Claims.

Legal Committee (John Tomaine, Chairman)

No report.

Personnel Committee (Richard LoForte – Chairman)

No report.

Insurance Committee (Allen Chin, Chairman)

No report.

Public Relations Committee (Robert Rachlin, Chairman)

No report.

Security Committee (Scott Thompson, Chairman)

No report.

**Unfinished Business**

The Chairman asked for a motion to bring Resolution #16-09 back to the floor. No one moved it, therefore the resolution died.

**New Business**

The following Resolution #16-19 was offered by Mr. Mazzarella, on motion of Mr. Mazzarella, seconded by Mr. LaCosta.

After the resolution was presented, Mr. Valent said thank you, and noted that his 30 years went by quick and that it has been a good trip. He added he was very proud to be a part of the Authority.

Mr. Mazzarella stated that Mr. Valent has been an impeccable employee and friend and wished him a long happy retirement. Mr. Chin thanked Mr. Valent for his years of service, for sharing his knowledge and experience. Mr. Meehan also thanked Mr. Valent for all the help he provided, he added that he will miss their daily briefings and for Bob acting as the devil's advocate. He wished him well. Mr. Furci also extended best wishes.

The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.



RESOLUTION #16-19

WHEREAS, Robert “Bob” Valent was employed by the Rahway Valley Sewerage Authority for 30 years, from May 1986 through May 2016; and

WHEREAS, prior to Bob joining the Authority, he worked many years at PSE&G as a Utility Operator where he gained extensive experience making for an easy transition to starting a new career with the Authority as a Maintenance Man; and

WHEREAS, shortly after joining the Authority, in 1987 Bob was promoted to Maintenance Supervisor II and proved himself to be a very knowledgeable and dedicated employee; and

WHEREAS in 1999 Bob was promoted to Assistant Operations Supervisor working under the direction of the Director of Operations, which was a big change in his career where he moved from the maintenance area of the plant to the operations of the plant; and

WHEREAS, in 2003 Bob’s leadership was again recognized and he was promoted to Plant Superintendent responsible for overseeing the daily operations and maintenance of the entire treatment plant; and

WHEREAS, during Bob’s time at the Authority, he mentored a new generation of employees in order to ensure the longevity of the Authority for years to come; and

WHEREAS, Bob performed the functions of his positions outstandingly and took great pride in his work; and

WHEREAS, during the nine month period in 2010 that the position of Executive Director was vacant, Bob stepped in to serve as co-Interim Executive Director and co-managed the entire operations of the Authority; and

WHEREAS, in 2015 Bob was given the title of Deputy Director.

NOW, THEREFORE, BE IT RESOLVED that Robert “Bob” Valent who is highly respected personally and professionally will be sorely missed; and

BE IT FURTHER RESOLVED that the Authority Commissioners and Staff express their gratitude for all he contributed to the team and extend to him their best wishes for a long, healthy and happy retirement.

The following Resolution #16-20 was offered by Mr. Mazzarella, on motion of Mr. Mazzarella, seconded by Mr. Rachlin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-20

A RESOLUTION TO MANDATE DIRECT DEPOSIT FOR  
RAHWAY VALLEY SEWERAGE AUTHORITY EMPLOYEES

PURSUANT TO C. 52:14-15f et. seq.

WHEREAS, P.L. 2013 c. 28, authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

WHEREAS, P.L 2013 e. 28 permits public employers to grant exemptions on such terms and conditions as they deem necessary.

WHEREAS, the Rahway Valley Sewerage Authority is desirous of enacting a mandatory direct deposit policy.

NOW THEREFORE, BE IT RESOLVED, by the Rahway Valley Sewerage Authority, located in the counties of Union and Middlesex, State of New Jersey according to the following:

Section 1. All employees who receive compensation from the Rahway Valley Sewerage Authority are mandated to have direct deposit of their compensation in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f (b).

Section 2. Rahway Valley Sewerage Authority employees may request, in writing, an exemption from the direct deposit mandate. The Rahway Valley Sewerage Authority Board of Commissioners delegates its authority to grant exemptions to the direct deposit mandate to the Rahway Valley Sewerage Authority Executive Director. Such requests may be granted only for good cause.

Section 3. If any Section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged invalid, such adjudication shall apply only to the Section, paragraph subdivision, clause or provision so adjudged and the remainder of the Resolution shall be deemed valid and effective.

Section 4. This Policy shall take effect July 31, 2016.

The following Resolution #16-21 was offered by Mr. Chin, on motion of Mr. Chin, seconded by Mr. Mazzarella. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-21

WHEREAS, the Town of Westfield submitted a Treatment Works Application for EKA Associates/Residential Housing Development located on 321 Grove Street in the Town of Westfield, State of New Jersey; and

WHEREAS, the application is for the construction of 34 lf of sanitary sewer to serve 3 buildings consisting of 14-two bedroom townhouses and 2-three bedroom townhouses; and

WHEREAS, the proposed connection will generate an approximate discharge of 3,750 gpd (0.00375 mgd) of flow; 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 John Buonocore, 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 #16-22 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Mazzarella. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-22

WHEREAS, the Borough of Mountainside submitted a Treatment Works Application for MBC Developers LLC/Echo Ridge located on Rt. 22 in the Borough of Mountainside, State of New Jersey; and

WHEREAS, the application is for the construction of 734 lf of 8" sanitary sewer to serve a proposed 5 Bldg. - 23 unit townhouse/apartment development consisting of 19-three bedroom townhouses, 3-two bedroom apartments and 1-three bedroom apartment; and

WHEREAS, the proposed connection will generate an approximate discharge of 6,675 gpd (0.00667 mgd) of flow; 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 John Buonocore, 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 #16-23 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Chin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-23

WHEREAS, the Rahway Valley Sewerage Authority (Authority) engaged Hawkins, Delafield & Wood, LLP, One Gateway Center, Newark, NJ 07102, for Contract #1608

Professional Services, to serve the Authority as Special Counsel on the PPP for the Design, Build, Administration of Liquid Receiving Enterprise; and

WHEREAS, Hawkins Delafield & Wood, LLP has requested an amendment to this contract as the work associated with the ongoing negotiations in calendar year 2016 related to this contract will exceed the approved amount of \$42,750.00; and

WHEREAS, Hawkins, Delafield & Wood, LLP has requested an amendment to this contract in the amount of \$65,000.00; total amended contract amount of \$107,750.00; and

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that the necessary funds for said contract will be budgeted for in the 2016 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority approve the amendment for Contract #1608 with Hawkins, Delafield & Wood, LLP, with a total amount not to exceed \$107,750.00; and

BE IT FURTHER RESOLVED that said Contract must be executed by both parties within 90 days of award, in the event that the designated Party to this contract fails or refuses to sign said contract and all terms and conditions included therein, this Resolution shall be void and services shall be forthwith terminated; and

BE IT FURTHER RESOLVED that a "Notice of Award" be published in Accordance with law.

The following Resolution #16-24 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Chin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-24

WHEREAS, the Rahway Valley Sewerage Authority (RVSA) previously approved Resolutions #15-08 and #15-18 and related Agreements with Berkeley Research Group, LLC (Berkeley) of Pittsburgh, PA, for professional services related to Contract #105 Litigation, specifically where they will serve as the Neutral Expert, Contract #105-NE; and

WHEREAS, the Agreement for said services by and between Berkeley, RVSA, Judge John E. Keefe, Sr. Mediator; Paulus, Sokolowski & Sartor, LLC (PS&S); Hatch, Mott, MacDonald I&E, LLC (HMM); and Consolidated Construction Management Services, Inc. (CCMS); and

WHEREAS, RVSA, PS&S, HMM and CCMS (the parties) have agreed to enter into said contract with Berkeley; and

WHEREAS, all invoices from Berkeley shall go through Judge Keefe as outlined in the Agreement, who will in turn submit RVSA's invoices directly to the RVSA Accounts

Payable Dept. at 1050 East Hazelwood Avenue, Rahway, NJ; and

WHEREAS, the RVSA's previously approved an amount not to exceed \$88,145.10 however, to date they have billed an amount of \$136,395.10; and

WHEREAS, the RVSA needs to allocate additional funds for the services which were provided by Berkeley in an amount of \$48,250.00, total not to exceed \$136,395.10; and

WHEREAS, the Secretary-Treasurer of the Authority hereby certifies that funds for said contract are budgeted for in the 2016 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED that the Rahway Valley Sewerage Authority make the final payment to Berkeley Research Group, LLC for services performed and as described herein at the hourly rates detailed in the Agreement, with the RVSA's share not to exceed \$48,000.00 which will close out this contract; and

BE IT FURTHER RESOLVED that a "Notice of Award" be published in Accordance with law.

The following four resolutions, #16-25 through #16-28, were discussed in Closed Session and then acted upon after the closed session.

The following Resolution #16-25 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Chin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-25

WHEREAS, the Rahway Valley Sewerage Authority engaged the services of Marsh USA Inc. (Marsh), 1060 State Road 206, 2<sup>nd</sup> Floor, Princeton, New Jersey 08540 for Professional Construction Consulting Practice Services and Expert Witness Testimony, Contract #105-X, related to the litigation on Contract #105 Cogeneration/Sludge Drying Facility; 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 2016 Annual Budget; and

WHEREAS Professional Services have been determined to be exempt from public bidding under N.J.S.A. 40A:11-5.

WHEREAS, the Authority has determined that there is a need to amend the agreement with Marsh to provide additional services specifically related to the final Litigation Expert Report.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority

that it hereby approves an amendment in the amount of \$25,000.00 for the above referenced report; and

BE IT FURTHER RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with Marsh USA Inc. be amended for the aforementioned cost for said report; 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.

The following Resolution #16-26 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Chin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-26

WHEREAS, the Rahway Valley Sewerage Authority (the "Authority") has the need of continued consultant services of Integrated CHP Systems Corp., (the "Contractor") 68 Bayberry Road, Princeton, N.J. 08540, Contract #105-G, in connection with the Authority's operation of the Cogeneration Facility, Contract #105.

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 2016 Annual Budget; and

WHEREAS Professional Services have been determined to be exempt from public bidding under N.J.S.A. 40A:11-5.

WHEREAS, the Authority has determined that there is a need to amend the agreement with Integrated CHP Systems Corp. to provide additional services specifically related to the final Litigation Expert Report.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it hereby approves an amendment in the amount of \$25,000.00 for the above referenced report; and

BE IT FURTHER RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with Integrated CHP Systems Corp., be amended for the aforementioned cost for said report; 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.

The following Resolution #16-27 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Chin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-27

WHEREAS, the Rahway Valley Sewerage Authority requires the continued professional services of Cipolla & Co., LLC (the "Contractor"), 851 Franklin Lake Road, Franklin Lakes, NJ 07417, for Contract #105-F Professional Forensic Accounting Services related to the litigation on Contract #105 Cogeneration/Sludge Drying Facility; 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 2016 Annual Budget; and

WHEREAS Professional Services have been determined to be exempt from public bidding under N.J.S.A. 40A:11-5.

WHEREAS, the Authority has determined that there is a need to amend the agreement with Cipolla & Co., LLC to provide additional services specifically related to the final Litigation Expert Report.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it hereby approves an amendment in the amount of \$25,000.00 for the above referenced report; and

BE IT FURTHER RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolutions and related Agreements with Cipolla & Co., LLC be amended for the aforementioned cost for said report; 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.

The following Resolution #16-28 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. Chin. The resolution was approved by those present. Mr. LoForte and Mr. Thompson were absent.

RESOLUTION #16-28

WHEREAS, US Healthworks of New Jersey, Inc. is a New Jersey Corporation owning land located at 1044 East Hazelwood Avenue in the City of Rahway, State of New Jersey and designated as Block 340, Lots 1, 2, 3 & 4 on the Tax Map of the City of Rahway

(“Property”); and

WHEREAS, the Rahway Valley Sewerage Authority (“RVSA”) maintains its plant at 1050 East Hazelwood Avenue in Rahway, New Jersey; and

WHEREAS, RVSA is desirous of purchasing the Property from US Healthworks in accordance with a certain purchase and sale agreement (“Agreement”); and

WHEREAS, US Healthworks and RVSA have determined to enter into the attached agreement for the RVSA to purchase said Property, subject to approvals set forth hereafter.

NOW, THEREFORE, BE IT RESOLVED BY THE RAHWAY VALLEY SEWERAGE AUTHORITY that the Chairman or the Executive Director and the Secretary are authorized to enter into the Agreement in accordance with its terms, subject to the General Counsel and the Executive Director approving the provisions of Paragraph 9 of the Agreement; and

BE IT FURTHER RESOLVED, that the Executive Director and the Secretary are authorized to proceed in accordance with the terms of the Agreement, subject to the final terms of Paragraph 9.

**Bills and Claims**

Mr. Greet made a motion, seconded by Mr. LaCosta, that the following bills and claims previously audited by the Finance Committee be ordered paid. The motion was approved by those present. Mr. LoForte and Mr. Thompson were absent.

**BILLS AND CLAIMS LISTING**

**BUILDING & EQUIPMENT FUND**

<b>CHECK</b>	<b>DATE</b>	<b>VENDOR</b>	<b>LINE/ACCT</b>	<b>AMOUNT</b>
2990	04/21/16	CDM SMITH, INC.	140.2	14,230.16
2991	04/21/16	J. CRONCE SEPTIC & EXCAVATING	140.2	34,136.00
2992	04/21/16	GENSERVE INC.	140.2	900.00
2993	04/21/16	HAWKINS, DELAFIELD & WOOD LLP	140.2	4,432.72
2994	04/21/16	J & M QUALITY CONTRACTING	140.2	40,467.09
2995	04/21/16	OSK DESIGN PARTNERS, PA	140.2	1,641.70
2996	04/21/16	SPECTRASERV INC.	140.2	55,710.60
2997	04/21/16	BEYER FORD	136	25,463.00
2998	04/21/16	BERKELEY RESEARCH GROUP, LLC	140.2	48,000.00

Total Building & Equipment Fund Checks: 9

Total Void Checks: 0

Total Void Check Amount: \$0.00

Total Building & Equipment Fund Checks Paid: \$224,981.27



## OPERATING FUND - MANUAL

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
272	04/05/16	NJ STATE HEALTH BENEFITS	03/04	119,170.38

Total Operating Fund Manual Checks: 1

Total Void Checks: 0

Total Void Check Amount: \$0.00

Total Operating Fund Manual Checks Paid: \$119,170.38

## OPERATING FUND

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
45616	03/18/16	FLUID COMPONENTS	28	26,247.37
45617	03/22/16	CANON FINANCIAL SERVICES, INC.	16	449.16
45618	03/22/16	DIRECT ENERGY BUSINESS	22	42,905.15
45619	03/22/16	FEDEX	48	20.32
45620	03/22/16	INTELLIGENT ENERGY	22	3,434.53
45621	03/22/16	VERIZON WIRELESS	11	884.65
45622	03/29/16	ELIZABETHTOWN GAS	22	1,934.15
45623	03/29/16	NJ GMIS TEC FOUNDATION	31	50.00
45624	03/29/16	PSE&G COMPANY	19	41,515.12
45625	03/29/16	STAPLES ADVANTAGE	13	583.85
45626	03/31/16	RAHWAY VALLEY SEWERAGE AUTH.	01/02	180,247.55
45627	04/05/16	BGIA, INC.	17	13,650.33
45628	04/05/16	CANON USA INC.	16	444.18
45629	04/05/16	DELTA DENTAL OF NEW JERSEY INC	03	6,624.50
45630	04/05/16	ELIZABETHTOWN GAS	22	3,906.76
45631	04/05/16	GANNETT NJ NEWSPAPERS	12	477.18
45632	04/05/16	HOME DEPOT CREDIT SERVICES	28/31/32	545.06
45633	04/05/16	THE LINCOLN NATIONAL LIFE INS. CO.	03	1,052.40
45634	04/05/16	NJ MANUFACTURERS INSURANCE CO.	17	12,858.93
45635	04/05/16	VISION SERVICE PLAN	03	1,194.00
45636	04/12/16	INTELLIGENT ENERGY	22	6,507.42
45637	04/12/16	READYREFRESH BY NESTLE	13	71.36
45638	04/12/16	PSE&G COMPANY	19	472.64
45639	04/12/16	STAPLES ADVANTAGE	13	35.55
45640	04/12/16	STAPLES CREDIT PLAN	27/32	567.47
45641	04/12/16	TREASURER - STATE OF NEW JERSEY	37	181,171.44
45642	04/12/16	VERIZON	11	75.42
45643	04/12/16	VERIZON	11	1,708.74
45644	04/12/16	WAGE WORKS	03	75.00
45645	04/14/16	MIDDLESEX WATER COMPANY	33	8,540.99
45646	04/14/16	VOID - INCORRECT AMOUNT		0.00
45647	04/14/16	NJ MOTOR VEHICLE COMMISSION	35	371.00
45648	04/15/16	FEDEX	48	20.17
45649	04/21/16	A TOUCH OF ITALY	49	436.05
45650	04/21/16	ADP, INC.	16	1,625.74

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
45651	04/21/16	ALL AMERICAN SEWER SERVICE INC	32	2,000.00
45652	04/21/16	ALLIED ELECTRONICS INC.	32	301.73
45653	04/21/16	AMERICAN INDUSTRIAL SUPPLY	32	518.38
45654	04/21/16	AMERICAN WEAR	32	1,021.04
45655	04/21/16	APPLIED ANALYTICS, INC.	28	4,420.00
45656	04/21/16	ASSOCIATED AUTO PARTS	35	14.44
45657	04/21/16	ASSOC. OF ENVIRONMENTAL AUTH.	31	200.00
45658	04/21/16	ATLANTIC COMMUNICATION	32	1,279.84
45659	04/21/16	BOWCO LABORATORIES, INC.	32	63.00
45660	04/21/16	JOHN BUONOCORE	15	110.52
45661	04/21/16	C&C LIFT TRUCK INC.	32	1,135.00
45662	04/21/16	CDM SMITH, INC.	05	1,333.33
45663	04/21/16	CITY OF RAHWAY - UNITED WATER	33	7,787.75
45664	04/21/16	CONFIRE FIRE PROTECTION	31	1,102.00
45665	04/21/16	COOPER ELECTRIC SUPPLY CO.	32	1,166.74
45666	04/21/16	CSL SERVICES, INC.	30	12,870.00
45667	04/21/16	HARRY DONES	31	125.00
45668	04/21/16	EARTHCARE - A WIND RIVER COMPANY	26	3,102.50
45669	04/21/16	THE ENERGY COMPANY, INC.	28	26,003.00
45670	04/21/16	ENVIRONMENTAL RESOURCE ASSOC.	40	179.30
45671	04/21/16	ELIZABETHTOWN GAS	22	23,051.97
45672	04/21/16	EVOQUA WATER TECHNOLOGIES, LLC	40	901.00
45673	04/21/16	FACTORY DIRECT PIPELINE	28	163.49
45674	04/21/16	FISHER SCIENTIFIC	40	1,411.92
45675	04/21/16	FLEXLINE	28	637.75
45676	04/21/16	FOLEY, INCORPORATED	28	9,758.99
45677	04/21/16	CODY GEARDINO	31	117.41
45678	04/21/16	GOVCONNECTION, INC.	27	329.17
45679	04/21/16	GRAINGER	31/32	5,354.12
45680	04/21/16	GREAT LAKES ENVIRONMENTAL	41	1,346.45
45681	04/21/16	GREENBAUM, ROWE, SMITH & DAVIS	07	11,485.50
45682	04/21/16	JOANNE GRIMES	49/15	495.16
45683	04/21/16	HACH COMPANY	40	562.52
45684	04/21/16	HARTFORD STEAM BOILER	28	55.00
45685	04/21/16	WILLIAM HIGGINS	31	52.99
45686	04/21/16	IMPACT COMPUTERS & ELECTRONICS	27	238.85
45687	04/21/16	INTELEPEER CLOUD COMMUNICATION	11	430.52
45688	04/21/16	JCI JONES CHEMICALS, INC.	29	3,805.34
45689	04/21/16	JERSEY ELEVATOR COMPANY INC.	32	994.54
45690	04/21/16	PATRICK KELLAWAY	31	125.00
45691	04/21/16	LABCHEM INC.	40	662.12
45692	04/21/16	LUBRICATION ENGINEERS, INC.	28	753.20
45693	04/21/16	LYONS ENVIRONMENTAL SERVICES	42	6,375.00
45694	04/21/16	MCMASTER-CARR SUPPLY CO.	32	1,345.10
45695	04/21/16	JAMES J. MEEHAN	27	69.97
45696	04/21/16	STEPHEN MOREIRA	31	125.00

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
45697	04/21/16	MOTION INDUSTRIES, INC.	32	552.54
45698	04/21/16	NAVITEND	27	131.25
45699	04/21/16	COLOGIX	11	294.00
45700	04/21/16	NJ ADVANCE MEDIA	12	145.98
45701	04/21/16	NJ WATER ENVIRONMENT ASSOCIATION	31	1,927.00
45702	04/21/16	NORTH EAST TECHNICAL SALES	41	600.00
45703	04/21/16	NW FINANCIAL GROUP, LLC	09	1,025.00
45704	04/21/16	OPTIMUM CONTROLS CORP.	32	13,120.89
45705	04/21/16	ONE CALL CONCEPTS, INC.	32	30.00
45706	04/21/16	STERLIN PAYANO	32	80.00
45707	04/21/16	PETROCHOICE LUBRICATION	28	1,340.00
45708	04/21/16	ERIC PITUSIAK	31	119.99
45709	04/21/16	POLYDYNE INC.	23	32,800.00
45710	04/21/16	PRAXAIR DISTRIBUTION, INC.	32	539.93
45711	04/21/16	PRECISION ELECTRIC MOTOR WORKS	32	2,875.00
45712	04/21/16	PUMPING SERVICES, INC.	32	11,493.32
45713	04/21/16	QC LABORATORIES	41	1,720.50
45714	04/21/16	RADWELL INTERNATIONAL, INC.	32	5,139.43
45715	04/21/16	RAHWAY VALLEY SEWERAGE AUTH.	01/02/13	177,465.13
45716	04/21/16	PETTY CASH	14	169.34
45717	04/21/16	SCHWARTZ SIMON EDELSTEIN	08	2,334.00
45718	04/21/16	SCIENTIFIC WATER CONDITIONING	28/32	1,030.00
45719	04/21/16	WILLIAMS SCOTSMAN, INC.	32	164.10
45720	04/21/16	SIMPLEX GRINNELL LP	31/32	2,145.75
45721	04/21/16	SOS GASES, INC.	32	68.00
45722	04/21/16	SPECTRASERV INC.	25	21,991.30
45723	04/21/16	SUMMIT ELECTRICAL SUPPLY CO.	32	307.50
45724	04/21/16	TAYLOR OIL CO., INC.	24	1,030.82
45725	04/21/16	TEMPLE UNIVERSITY - WET CENTER	52	3,000.00
45726	04/21/16	JANET THEVENIN	15	104.58
45727	04/21/16	KEVIN TIERNEY	32	80.00
45728	04/21/16	TURTLE & HUGHES INC.	28/32	1,708.15
45729	04/21/16	US HEALTHWORKS MEDICAL GROUP	31	535.00
45730	04/21/16	U.S. HEALTHWORKS MEDICAL	50	86.00
45731	04/21/16	USA BLUEBOOK	29	579.90
45732	04/21/16	VERIZON WIRELESS	11	906.13
45733	04/21/16	CARLO VIGLIAROLO	31	117.05
45734	04/21/16	W. A. BIRDSALL & CO.	32	113.42
45735	04/21/16	WEINER LESNIAK LLP	08	2,393.00
45736	04/21/16	WHIRL-AIR-FLOW	28	1,049.00
45737	04/21/16	WIDMER TIME RECORDER CO., INC.	13	58.40
45738	04/21/16	XTREME MACHINES	35	560.60
45739	04/21/16	YRC	28	336.12
45740	04/21/16	ANDREA DeCARLO	15	443.70
45741	04/21/16	NJBIA	31	99.00
45742	04/21/16	CONNOR WATTERS	31	69.99

Total Operating Fund Checks: 126  
 Total Void Checks: 1  
 Total Void Check Amount: \$0.00  
 Total Operating Fund Checks Paid: \$968,966.64

OPERATING FUND	01	\$1,088,137.02
BUILDING & EQUIPMENT FUND	02	<u>\$224,981.27</u>
TOTAL OF ALL FUNDS:		\$1,313,118.29

**Open the floor to the Public for questions or comments**

None.

**Closed Session**

Mr. Mazzarella made a motion to go into closed session at 7:35 p.m. for discussion of legal matters, specifically Contract #105 Litigation/Mediation, and property acquisition. The motion was seconded by Mr. Lambe and approved by those present. Mr. LoForte and Mr. Thompson were absent.

**Regular Order of Business**

Mr. Rachlin made a motion, seconded by Mr. Chin, to return to the Regular Order of Business at 8:13 p.m. The motion was approved by those present. Mr. LoForte and Mr. Thompson were absent.

Action was subsequently taken on several items which are listed under New Business.

**Adjournment**

As there was no further business, on motion of Mr. LaCosta, seconded by Mr. Rachlin, the meeting adjourned at 8:20 p.m. The motion was approved by those present. Mr. LoForte and Mr. Thompson were absent

\_\_\_\_\_  
 Chairman

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

jg - Attachments