

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes

Regular Meeting held November 10, 2016

- Communications
None.
- Minutes
None.
- Treasurers Reports
Treasurers Report for the month of September 2016 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, Finance, Public Relations and Personnel Committees.
- Unfinished Business
None.
- New Business
Approved the following: Amend Contract #1608 with Hawkins, Delafield & Wood in an amount of \$30,809.08; and Amend Purchasing Limit Policy.
- Bills & Claims

OPERATING FUND	01	\$746,999.72
BUILDING & EQUIPMENT FUND	02	<u>\$38,043.86</u>
TOTAL OF ALL FUNDS:		\$785,043.58

RAHWAY VALLEY SEWERAGE AUTHORITY

Minutes of the Regular Meeting

November 10, 2016

The Chairman, Michael Furci, called the meeting to order at 7:55 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:

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

The following were also present:

James J. Meehan	Executive Director
Robert J. Materna	Secretary-Treasurer
Joanne Grimes	Board Secretary/Office Manager/QPA
Dennis Estis, Esq.	General Counsel, Greenbaum, Rowe, Smith
Dan Ward	Superintendent
John Buonocore	Chief Engineer
Anthony Gencarelli	Manager of Regulatory Compliance

Communications

None.

Approval of Minutes

No action was taken as the October minutes weren't done.

Report of Treasurer

The Treasurers Report for the month of September 2016 has 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 10/18/16 and 11/08/16. 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
2006 - 16 - WF	10/19/16	Joe Buontempo / C&B LLC	Westfield
2007 - 16 - WF	10/19/16	Joe Buontempo / Pete & Ben LLC	Westfield
2008 - 16 - WF	10/19/16	Elegant Homes / Erin Mullman	Westfield
2009 - 16 - WF	10/25/16	Elegant Homes	Westfield
2010 - 16 - WF	10/25/16	Elegant Homes	Westfield
2011 - 16 - WF	10/25/16	Elegant Homes	Westfield
2012 - 16 - WF	10/25/16	Konstruk Enterprise Inc.	Westfield
2013 - 16 - GW	10/27/16	Thomas Mazzeo	Garwood
2014 - 16 - RW	10/31/16	Natalie Williams	Rahway
2015 - 16 - CL	10/31/16	Joao P. Miranda	Clark
2016 - 16 - WF	11/04/16	NCN Properties	Westfield
2017 - 16 - WB	11/07/16	Vivek Arora / H&A Contracting	Woodbridge
2018 - 16 - CL	11/07/16	86 Meadow Road LLC	Clark
2019 - 16 - WB	11/07/16	Chetan Patel	Woodbridge

Contract #173 – Codigestion/Liquid Waste

Contract for a Public Private Partnership to Design, Build and Administer a Liquid Waste Receiving Enterprise was acted upon during the Special Meeting held earlier this month. Application for approval of the contract will be submitted to DLGS and a copy of the written hearing report will be provided to NJDEP.

Purchase of Property

The closing for the purchase of the property located at 1044 East Hazelwood Avenue took place on Wednesday, November 9, 2016.

Mr. Meehan noted that he has been in contact with our Insurance Consultant regarding coverage for the property including during the demolition process.

We will be going out for bids for the demolition work.

Amend Contract #1608 – Special Counsel Services

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 which was amended to \$107,750.00. The Authority has finalized negotiations. HDW is performing work associated with getting DCA approval of the Agreement as required under the Public Private Contracting Act, 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. Negotiations to finalize the agreement took more time than previously anticipated. Based on the foregoing, HDW is asking for an amendment to their contract in the amount of \$30,809.08 which includes the overage of their invoice for September which is on this month's agenda for payment. The total amended contract of \$138,559.08. Action is on the agenda under New Business.

Mr. Greet asked the duration this contract. Mrs. Grimes responded the contract is for the period January 1 through December 31, 2016.

Headwork's Bldg.

The five year capital plan included work proposed to be done in the Headwork's Building. Mr. Meehan provided the Commissioners with an update at the Engineering Committee Meeting.

Monthly Reports

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

Report of Consulting Engineer

Howard Matteson, Consulting Engineer, from the firm CDM Smith submitted his report at the November 3, 2016 Engineering Committee Meeting.

Report of General Counsel

Dennis Estis of Greenbaum, Rowe, Smith & Davis submitted the following report for the period from October 20, 2016 through November 10, 2016.

1. General

A. Flow Rights

The metering year ended on September 30, 2016. Only two municipalities exceeded their flows during the last metering year, Clark and Springfield. We need to discuss in closed session what, if any, actions should be taken with regard to holding hearings.

The Commissioners requested that Counsel contact Clark and Springfield and obtain documentation regarding the work that has been done and any other action that has been taken to mitigate their flow exceedances.

B. Local Contracts Law/Open Public Meetings Act

I was consulted by Ms. Grimes with regard to the need for a headworks bid and other related bidding issues. Prior to this regular meeting, I met with Ms. Grimes, Mr. Ward and Mr. Meehan.

C. US Healthworks

The buildings on the site have now been emptied. We closed on the property on Tuesday, November 9th.

D. QDI Monitoring

No change.

2. Cogeneration Facility

We will discuss this in closed session.

3. Personnel Committee

Unless one of the subject employees has not waived their Rice Notice, this will be discussed in closed session.

Report of Litigation Counsel

No report submitted.

Committee Reports

Committee	Committee Chairman	2/2016-2/2017 Committee Members		
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 Mazarella	Scott Thompson
Insurance Review	Allen Chin	Stephen Greet	Frank Mazarella	John Tomaine
Nominating	Frank Mazarella	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 an Engineering Committee Meeting was held November 3, 2016 at which time several items were discussed. Items which require action are on the agenda under New Business.

Finance Committee (Steve Greet, Committee Member)

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)

Mr. LoForte stated that a Personnel Committee Meeting was held on November 3rd and again earlier this evening to discuss personnel matters. There will be no action at this time.

Insurance Committee (John Tomaine, Committee Member)

No report.

Public Relations Committee (Robert Rachlin, Chairman)

Mr. Rachlin asked that Mr. Meehan provide the Commissioners with a copy of the proposed draft press release for review.

Security Committee (Scott Thompson, Chairman)

No report.

Unfinished Business

None.

New Business

The following Resolution #16-62 was offered by Mr. Tomaine, on motion of Mr. Tomaine, seconded by Mr. LoForte and approved by those present. Mr. Chin, Mr. Connelly and Mr. Lambe were absent.

RESOLUTION #16-62

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 \$107,750.00; and

WHEREAS, Hawkins, Delafield & Wood, LLP has requested an amendment to this contract in the amount of \$30,809.08; total amended contract amount of \$138,559.08; 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 \$138,559.08; 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 #16-63 was offered by Mr. Greet, on motion of Mr. Greet, seconded by Mr. LaCosta and approved by those present. Mr. Chin, Mr. Connelly and Mr. Lambe were absent.

RESOLUTION #16-63

AUTHORIZING PURCHASING LIMITS
& FINANCIAL REPORTING PROCEDURES

WHEREAS, the Rahway Valley Sewerage Authority (the "Authority") previously adopted resolutions regarding purchasing limits and the financial reporting of said purchases, and now seeks to update its procedures accordingly; and

WHEREAS, the State of New Jersey has established guidelines under the Local Public Contracts Law N.J.S.A 40A:11-1 et. seq. and NJ Pay to Play Law N.J.S.A. 19:44A-20.4 et. seq. for local government entities to follow, and provided "Adjustment to Public Bidding Threshold" amounts as per N.J.S.A. 40A:11-3)(a) and (c); and

WHEREAS, the Rahway Valley Sewerage Authority is required to comply with the Local Public Contracts Law; and

WHEREAS, the Authority's Purchasing Agent possesses a Qualified Purchasing Agent Certificate issued by the New Jersey Division of Local Government Services, Department of Community Affairs as required by the statute, which allows for a higher threshold amount.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Rahway Valley Sewerage Authority that:

- All purchases shall be in compliance with NJ State Statutes, specifically N.J.S.A. 40A:11 and N.J.S.A. 19:44A-20.4 et. seq., with the recommendation of the Purchasing Agent; and

- Three informal quotations shall be obtained for any purchase in the amount of \$6,000.00 or greater, unless a formal Request For Proposal, Request For Qualification or Bid is solicited for said item(s); and
- The Purchasing Agent shall review and sign off on all purchases in excess of \$6,000.00; and
- The Executive Director or Purchasing Agent is hereby authorized to approve the award of contracts for professional and/or extraordinary unspecifiable services when the aggregate contract amount will not exceed \$17,500.00; and
- The Executive Director or Purchasing Agent is hereby authorized to approve purchases for goods, services, materials and/or supplies (excluding professional and/or extraordinary unspecifiable services) when the aggregate purchase amount will not exceed \$40,000.00; and
- On a monthly basis, the Executive Director shall provide to the Board, a statement of expenses incurred or committed in each of the Operating, Building & Equipment and/or any other Funds; and
- On a monthly basis, the Executive Director shall provide to the Board a statement of expenses incurred in each of the operating budget line items as well as all unexpended or uncommitted balances in those line items.

BE IT FURTHER RESOLVED that any “single” quotation for work to be performed that is in excess of 90% (or over \$36,000) of the purchasing threshold (currently \$40,000) must go out for public bid providing an allowance opportunity for a change order; and

BE IT FURTHER RESOLVED that the following purchases shall be brought before the Rahway Valley Sewerage Authority Board of Commissioners for formal action by the Commissioners:

- All professional and extraordinary unspecifiable service contracts that are in excess of \$17,500.00; and
- All Contracts that were solicited by formal Request For Proposals, Request For Qualifications and / or Bid; and
- All purchases for goods, services, materials and/or supplies that are in excess of \$40,000.00; and
- Any and all other contracts that the Commissioners deem necessary or request to have brought before them for formal action.

BE IT FURTHER RESOLVED by the Commissioners of the Rahway Valley Sewerage Authority that the amounts indicated in this resolution are set forth by the Governor of

the State of NJ and further outlined in the NJ State Statutes and will automatically increase when said Statutes are amended and approved by the Governor of NJ; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately; and

BE IT FURTHER RESOLVED that this Resolution shall supersede all previous resolutions regarding this matter.

Bills and Claims

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

BILLS AND CLAIMS LISTING

BUILDING & EQUIPMENT FUND

<u>CHECK</u>	<u>DATE</u>	<u>VENDOR</u>	<u>LINE/ACCT</u>	<u>AMOUNT</u>
3033	11/10/16	CDM SMITH, INC.	140.2	6,595.00
3034	11/10/16	CONSOLIDATED STEEL AND	125	8,884.50
3035	11/10/16	G&M CUSTOM FORMICA WORK	140.5	6,150.00
3036	11/10/16	GREENBAUM, ROWE, SMITH & DAVIS	140.1	392.70
3037	11/10/16	THE GUNLOCKE COMPANY C/O BFI	140.5	4,467.09
3038	11/10/16	HAWKINS, DELAFIELD & WOOD LLP	140.2	11,554.57

Total Building & Equipment Fund Checks: 6

Total Void Checks: 0

Total Void Check Amount: \$0.00

Total Building & Equipment Fund Checks Paid: \$38,043.86

OPERATING FUND - MANUAL

<u>CHECK</u>	<u>DATE</u>	<u>VENDOR</u>	<u>LINE/ACCT</u>	<u>AMOUNT</u>
279	11/07/16	NJ STATE HEALTH BENEFITS	03/04	121,335.92

Total Operating Fund Manual Checks: 1

Total Void Checks: 0

Total Void Check Amount: \$0.00

Total Operating Fund Manual Checks Paid: \$121,335.92

OPERATING FUND

<u>CHECK</u>	<u>DATE</u>	<u>VENDOR</u>	<u>LINE/ACCT</u>	<u>AMOUNT</u>
46607	10/24/16	HOME DEPOT CREDIT SERVICES	32/35	1,783.83
46608	10/27/16	ELIZABETHTOWN GAS	22	596.83
46609	10/27/16	PSE&G COMPANY	19	6,885.09
46610	10/27/16	PUBLIC EMPLOYEES' RETIREMENT SYS.	04	24.15
46611	10/27/16	RAHWAY VALLEY SEWERAGE AUTH.	01/02	187,423.60

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
46612	10/27/16	STAPLES ADVANTAGE	32	421.76
46613	11/01/16	BGIA, INC.	17	57,524.00
46614	11/01/16	DELTA DENTAL OF NEW JERSEY INC	03	7,021.97
46615	11/01/16	THE LINCOLN NATIONAL LIFE	03	1,133.41
46616	11/01/16	NJ MANUFACTURERS INSURANCE CO.	17	34,873.71
46617	11/01/16	STAPLES ADVANTAGE	13	23.74
46618	11/01/16	VISION SERVICE PLAN	03	1,146.24
46619	11/01/16	WAGE WORKS	03	75.00
46620	11/10/16	A&M INDUSTRIAL SUPPLY COMPANY	32	612.21
46621	11/10/16	A TOUCH OF ITALY	49	363.10
46622	11/10/16	ADP, LLC.	16	471.43
46623	11/10/16	ALL AMERICAN SEWER SERVICE INC	32	4,960.00
46624	11/10/16	ALLIED ELECTRONICS INC.	32	105.62
46625	11/10/16	AMERICAN INDUSTRIAL SUPPLY	32	608.38
46626	11/10/16	AMERICAN WEAR	32	997.44
46627	11/10/16	ASSOCIATED AUTO PARTS	35	141.60
46628	11/10/16	BOBCAT OF CENTRAL JERSEY	35	228.00
46629	11/10/16	JOHN BUONOCORE	15	109.00
46630	11/10/16	C&C LIFT TRUCK INC.	35	474.30
46631	11/10/16	CDM SMITH, INC.	05/06	14,162.11
46632	11/10/16	CANON USA INC.	16	444.18
46633	11/10/16	CHARLES F. CONNOLLY DIST. CO.	32	10,151.30
46634	11/10/16	CIVIL SERVICE COMMISSION	31	1,899.00
46635	11/10/16	CRYSTAL SPRINGS	13	25.99
46636	11/10/16	CSL SERVICES, INC.	30	12,870.00
46637	11/10/16	DELL MARKETING L.P.	27	1,876.56
46638	11/10/16	EARTHCARE - A WIND RIVER CO.	26	918.75
46639	11/10/16	EASTERN SHEET METAL & PLATE	28/32	3,238.82
46640	11/10/16	EDIBLE ARRANGEMENTS	18	78.99
46641	11/10/16	EVOQUA WATER TECHNOLOGIES, LLC	40	1,287.00
46642	11/10/16	FACTORY DIRECT PIPELINE	32	1,130.82
46643	11/10/16	FIRST LIGHT TECHNOLOGIES, INC.	34	78,741.50
46644	11/10/16	FISHER SCIENTIFIC	40	1,493.30
46645	11/10/16	CODY GEARDINO	31	7.59
46646	11/10/16	GOVCONNECTION, INC.	27	898.34
46647	11/10/16	GRAINGER	31/32	3,030.16
46648	11/10/16	GREENBAUM, ROWE, SMITH & DAVIS	07	1,546.80
46649	11/10/16	HOME DEPOT CREDIT SERVICES	27/28/32	3,168.74
46650	11/10/16	INTELLIGENT ENERGY	22	65.25
46651	11/10/16	INTELEPEER CLOUD COMMUNICATION	11	431.15
46652	11/10/16	JCI JONES CHEMICALS, INC.	29	3,186.26
46653	11/10/16	JERSEY ELEVATOR COMPANY INC.	32	354.54
46654	11/10/16	JOHNSTONE SUPPLY	32	212.46
46655	11/10/16	KWG INDUSTRIES	32	1,089.00
46656	11/10/16	LOWES BUSINESS ACCOUNT	32	278.37
46657	11/10/16	LYONS ENVIRONMENTAL SERVICES	42	2,550.00

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
46658	11/10/16	HELDER MALTA	31	10.00
46659	11/10/16	MCMASTER-CARR SUPPLY CO.	32	1,680.38
46660	11/10/16	JAMES J. MEEHAN	15/35	555.69
46661	11/10/16	MILLER AND CHITTY CO., INC.	32	560.00
46662	11/10/16	MOTION INDUSTRIES, INC.	28	444.50
46663	11/10/16	NAVITEND	27	25.00
46664	11/10/16	COLOGIX	11	588.00
46665	11/10/16	NEW PIG CORPORATION	32	242.76
46666	11/10/16	NJ ADVANCE MEDIA	12	373.89
46667	11/10/16	NJ MOTOR VEHICLE COMMISSION	35	71.50
46668	11/10/16	OPTIMUM CONTROLS CORP.	32	2,408.00
46669	11/10/16	PRAXAIR DISTRIBUTION, INC.	32	584.21
46670	11/10/16	PRECISION ELECTRIC MOTOR WORKS	32	1,480.00
46671	11/10/16	PUMPING SERVICES, INC.	32	39,270.59
46672	11/10/16	EUROFINS QC, INC.	41	1,095.50
46673	11/10/16	QUALITY CONTROLS, INC.	32	2,902.00
46674	11/10/16	RADWELL INTERNATIONAL, INC.	32	1,921.00
46675	11/10/16	RARITAN SUPPLY	32	256.96
46676	11/10/16	ROBERT REMITE	31	125.00
46677	11/10/16	RAHWAY VALLEY SEWERAGE AUTH.	01/02/13	97,216.64
46678	11/10/16	PETTY CASH	14	7.20
46679	11/10/16	ROBERT SAFCHINSKY	31	124.99
46680	11/10/16	ANDREW SASSO	31	109.99
46681	11/10/16	SCHWARTZ SIMON EDELSTEIN	08	3,153.80
46682	11/10/16	SCIENTIFIC WATER CONDITIONING	32	780.00
46683	11/10/16	SHALLCROSS BOLT & SPECIALTIES	32	499.00
46684	11/10/16	SIMPLEX GRINNELL LP	31	475.00
46685	11/10/16	STAPLES CREDIT PLAN	31/32	3,141.66
46686	11/10/16	JAMES THOR	31	125.00
46687	11/10/16	USA BLUEBOOK	32	1,022.16
46688	11/10/16	WALKER PROCESS EQUIPMENT	32	1,101.21
46689	11/10/16	WEINER LESNIAK LLP	08	10,170.78

Total Operating Fund Checks: 83
 Total Void Checks: 0
 Total Void Check Amount: \$0.00
 Total Operating Fund Checks Paid: \$625,663.80

OPERATING FUND	01	\$746,999.72
BUILDING & EQUIPMENT FUND	02	\$38,043.86
TOTAL OF ALL FUNDS:		\$785,043.58

Open the floor to the Public for questions or comments

None.

Closed Session

Mr. Tomaine made a motion to go into closed session at 8:10 p.m. for discussion of legal matters, specifically Contract #105 litigation. The motion was seconded by Mr. Greet and approved by those present. Mr. Chin, Mr. Connelly and Mr. Lambe were absent.

Regular Order of Business

Mr. Greet made a motion, seconded by Mr. Tomaine, to return to the Regular Order of Business at 8:15 p.m. The motion was approved by those present. Mr. Chin, Mr. Connelly and Mr. Lambe were absent.

Adjournment

As there was no further business, on motion of Mr. Greet, seconded by Mr. Tomaine, the meeting adjourned at 8:15 p.m. The motion was approved by those present. Mr. Chin, Mr. Connelly and Mr. Lambe were absent.

Chairman

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

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Attachments