

RAHWAY VALLEY SEWERAGE AUTHORITY

Summary of Minutes

Regular Meeting held November 8, 2018

- Communications
One OPRA request.

- Minutes
October 11, 2018 Engineering Committee Meeting Minutes.
October 18, 2018 Legal Committee Meeting Minutes.
October 18, 2018 Finance Committee and Regular Meeting Minutes.

- Treasurers Report
September 2018 Report was received.

- Executive Director
Sewer Connections and the status of various contracts.

- Consulting Engineer
Overview of engineering matters.

- Counsel
Overview of legal matters.

- Committee Reports
Reports were given by the Engineering, Finance and Personnel Committees.

- Unfinished Business
None.

- New Business
Following action was taken: Rejected the bid received on Contract #1910 and will rebid; Awarded a portion of Contract #1911 to each Hisco Pump and Valley Tech for a total amount of \$100,000.00; Awarded Contract #1913 to Atlantic Analytical in the amount of \$59,980.00; Awarded Contract #1910 to Tomar Construction in an amount of \$210,000.00; Approved CO #2 on Contract #173 with Waste Management to close out the contract in an amount of \$126,800.12; Amended Contract #175-ECS with CDM Smith in an amount of \$151,200.00; Schedule Excess Flow Hearings; TWA for the Town of Westfield; and Award Contract #184 to Pravco in an amount of \$114,000.00.

- Bills & Claims

OPERATING FUND	8-01	\$465,574.50
BUILDING & EQUIPMENT FUND	8-02	<u>\$261,622.56</u>
TOTAL OF ALL FUNDS:		<u>\$727,197.06</u>

RAHWAY VALLEY SEWERAGE AUTHORITY

Minutes of the Regular Meeting

November 8, 2018

The Chairman, Robert Rachlin, called the meeting to order at 7:10 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 6, 2018 and October 11, 2018.

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:

Robert M. Beiner	for the Borough of Kenilworth
Michael Furci	for the Township of Springfield
* Michael J. Gelin	for the Township of Woodbridge
Stephen D. Greet	for the Borough of Garwood
Loren Harms	for the Borough of Roselle Park
Robert B. LaCosta	for the Township of Scotch Plains
Louis C. Lambe	for the Township of Cranford
Robert Rachlin	for the City of Rahway
Martin C. Rothfelder	for the Town of Westfield
John J. Tomaine	for the Borough of Mountainside

* left the meeting at 8:38 p.m.

The following member was absent:

Frank G. Mazzarella	for the Township of Clark
---------------------	---------------------------

The following were also present:

James J. Meehan	Executive Director
Karen A. Musialowicz	Secretary-Treasurer
Joanne Grimes	Purchasing Agent/Board Secretary
Dennis Estis, Esq.	General Counsel, Greenbaum, Rowe, Smith
Dan Ward	Superintendent
John Buonocore	Chief Engineer/Asst. Superintendent
Anthony Gencarelli	Mgr. of Regulatory Compliance

Communications

OPRA request was received November 2, 2018 from Carson Whitelemons, University of California at Berkeley for financial reports. A response with the requested information was sent on November 5, 2018.

Approval of Minutes

Mr. Furci made a motion, second by Mr. Harms, to approve the minutes of the Engineering Committee Meeting held October 11, 2018. The motion was approved by those present, with the exception of Mr. Greet and Mr. Tomaine who abstained. Mr. Mazzarella was absent.

Mr. Lambe made a motion, second by Mr. Tomaine, to approve the minutes of the Legal Committee Meeting held October 18, 2018. The motion was approved by those present. Mr. Mazzarella was absent.

Mr. Furci made a motion, second by Mr. Harms, to approve the minutes of the Finance Committee and Regular Meetings held October 18, 2018. The motion was approved by those present. Mr. Mazzarella was absent.

Report of Treasurer

The September 2018 Treasurers Report was received and distributed to the Commissioners and is attached to the minutes.

Mr. Lambe asked about the expenditure of legal fees over the budgeted amount. Ms. Musialowicz stated that they will be paid from another line item within the budget. Ms. Musialowicz added that she and Dan Ward are continuously working on the budget. She noted that it is very difficult to complete the budget early as historically, the Authority has utilized funds left from the current year to offset any increase.

Ms. Musialowicz stated that the 2018 budget included funds for future rate stabilization and noted that she planned to continue including that in the future budgets.

A few of the Commissioners commented on how the line items in the Operating Budget are titled. They asked that the line items be renamed to better represent what is included in them. Ms. Musialowicz stated she would take care of that.

Report of Executive Director**Sewer Treatment Endorsements**

The following is a list of Sewer Treatment Endorsements processed between 10/17/18 and 11/5/18. A copy of the log sheet with additional information related to these applications has been distributed for your reference.

2018 Sewer Treatment Endorsement Permits 0-1999 gpd							
RVSA Number				Date	Applicant's Name		Municipality
2310	-	18	-	RW	10/17/18	Diverse Development LLC	Rahway
2311	-	18	-	RW	10/17/18	Diverse Development LLC	Rahway
2312	-	18	-	WB	10/17/18	Jaspreet Sidhu / Butter Construction	Woodbridge
2313	-	18	-	WB	10/19/18	Knock on Wood LLC	Woodbridge
2314	-	18	-	RW	10/19/18	Al Majlesi / CCAM Engineering Inc.	Rahway
2315	-	18	-	WF	10/23/18	Danielle Maggio	Westfield
2316	-	18	-	WB	10/25/18	Hasmukh Amin	Woodbridge
2317	-	18	-	SP	10/26/18	LTM Properties LLC	Scotch Plains
2318	-	18	-	SP	10/26/18	LTM Properties LLC	Scotch Plains
2319	-	18	-	WF	10/29/18	Jean Nunes / Rock Solid Builders	Westfield
2320	-	18	-	WF	10/30/18	R&A Holdings LLC	Westfield
2321	-	18	-	WB	10/31/18	Abha Desai / S&A General Const. & Dev. Inc.	Woodbridge
2322	-	18	-	SP	11/01/18	11 Essex Road LLC / RWB Developments	Scotch Plains
2323	-	18	-	WF	11/02/18	Raymond Rodgers	Westfield
2324	-	18	-	WF	11/04/18	Philip Lamparello	Westfield
2325	-	18	-	WF	11/04/18	Colicchio Construction	Westfield

Local Sewer Connection Endorsement - TWA

The sewer application received from the Town of Westfield on behalf of Joseph Buontempo has been resubmitted as a TWA, with a flow over 8,000 gpd. John Buonocore reviewed the TWA and found it to be in order. This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Contract #173 – PPP Receiving Station

This contract has been completed and Change Order #1 (CO) has been prepared in order to close out the contract. The CO represents a final accounting of the two Contract Allowances specified, a material change order from stainless steel pipe to PVC pipe for the feed station and the purchase of two new hose pumps. The CO is in a decreased amount of \$126,800.12, total amended contract amount of \$1,625,182.88. I recommend approval. This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Contract #175-ECS Contract Oversight Services

CDM Smith submitted a request for an amendment to their existing contract for contract oversight services on Contract #175 – Digester Lid Replacement. The contract with Tomar Construction is presently behind schedule and anticipated to be completed around March 2019. CDM has proposed an additional \$151,200.00 for oversight for the additional time, total amended contract amount of \$645,470.00. This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Contract #1910 H2C Media Removal

A bid was received on Wednesday, October 31, 2018 for Contract #1910 H2C Media Removal and Replacement on the RVSA's Gas Cleaning System. Although the bid submitted by Spectraserv was found to be in order, it exceeded the contract estimate and therefore it is recommended that the bid be rejected and the contract be rebid. This matter was discussed at the

Engineering Committee Meeting and action is on the agenda under New Business.

<u>Company</u>	<u>Amount</u>
Spectraserv	\$308,500.00 Option 1
S. Kearny, NJ	\$330,500.00 Option 2

Contract #1911 Replacement Parts for Moyno Pumps

Bids were received on Wednesday, October 31, 2018 for Contract #1911 Replacement Parts for Moyno Pumps. Three bids were received as follows:

<u>Company</u>	<u>Amount</u>
Hisco Pump Bloomfield, CT	\$93,680.00
Valley Tech Inc. Whitehouse Station, NJ	\$121,656.00
GMH Associates of America Trenton, NJ	\$170,532.00

The bids were reviewed and found to be in order. A review of the per item prices reflect that it is in the best interest of the Authority to award the contract to Hisco and Valley Tech based on the lowest per unit price bid as outlined below, with a not to exceed amount of \$50,000.00 per vendor. GMH was not the low bidder on any item.

Items 1, 3-4, 6-13, 15, 17-27, 29, 35, 37-38, 40, 43, 45, 47-49, 51-52, 54-55, 57, 59, and 61 shall be awarded to Hisco Pump. Items 2, 5, 14, 16, 28, 30-34, 36, 39, 41-42, 44, 46, 50, 53, 56, 58, 60 and 62-63 shall be awarded to Valley Tech Inc.

This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Contract #1913 Digester Gas Testing

A bid was received on Wednesday, October 31, 2018 for Contract #1913 Digester Gas Testing. One bid was received from Atlantic Analytical Laboratory LLC.

<u>Company</u>	<u>Amount</u>
Atlantic Analytical Laboratory Whitehouse, NJ	\$59,980.00

The bid was reviewed and found to be in order. This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Contract #1914 Replacement Conveyor

A bid was received on Wednesday, October 31, 2018 for Contract #1914 Replacement Conveyor. One bid was received from Tomar Construction.

<u>Company</u>	<u>Amount</u>
Tomar Construction LLC East Brunswick, NJ	\$210,000.00

The bid document was reviewed and found to be in order with the exception that the vendor failed to include Exhibit L – Request For Prior Approval for Substitution. Tomar did not request prior approval to substitute anything, and therefore Counsel advised that this is a waivable defect. John Buonocore also reviewed the bid. This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Mr. Tomaine asked Mr. Meehan if Tomar understands the work included in the contract. Mr. Meehan stated that it was discussed with them and they have no problems with performing the job. Mr. Meehan added that Tomar has to order the equipment and have it on site before they can start the work and that the work they are currently doing onsite should be completed by the time this work will commence.

Contract #105 – Cipolla

This matter will be discussed in closed session.

Contract #1837 – Benefits

At the November meeting, the Board approved Resolution #18-42 related to benefits, principally Dental, Long Term Disability and Life Insurance. Based on the proposals received, the Authority had planned on changing from Lincoln to UNUM, however, when the Broker went to place the insurance with UNUM, they advised that certain people would not be eligible for coverage. BGIA has suggested that the Authority remain with Lincoln because of this issue. A resolution is on the agenda to amend the award for an additional \$3,777.67, total amended amount of \$105,773.78. This matter may be discussed further if necessary.

Monthly Reports

Flow Right and User Charge Reports were received and have been distributed to the Commissioners. There appears to be an issue with one meter. The Authority engaged a third party to install an additional meter in order to validate the readings of the one meter. Once that work has been completed, anticipated to be by December 31st, the reports that are currently marked “Draft” will be updated and released as Final.

Excess Flow Hearings

Excess Flow Hearings will be scheduled for January 10, 2019 for the Township of Clark and City of Rahway. This matter was discussed at the Engineering Committee Meeting and action is on the agenda under New Business.

Report of General Counsel

General Counsel, Dennis Estis from the firm Greenbaum, Rowe, Smith & Davis, submitted his report for the period October 18, 2018 through November 8, 2018:

1. General

A. Flow Rights

As discussed at the Engineering Committee Meeting, we will schedule hearings for Rahway and Clark on January 10, 2019. As it relates to Springfield, we will wait and see if the meters were registering properly.

B. Local Contracts Law/Open Public Meetings Act

I provided input to Dan Ward and Joanne Grimes regarding various bid issues.

C. QDI Monitoring

I have received comments from our consultant and we will discuss these comments under closed session. I have requested that our consultant provide us with a current proposal to deal with the issues relating to groundwater samples.

2. Contract #105 - Co-Generation Facility

We will discuss this under closed session.

3. Contract #182 - Siphon - Rahway – Union County Park

This will be discussed under closed session.

4. RVSA v. New Jersey, et al.

The motion is now scheduled to be heard on December 3, 2018 before Judge Michael Schipp. Our papers are due on the 19th of November. We are proceeding with discovery since there is no stay in effect.

5. Occidental Chemical

No change.

Committee Reports

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

2/2018-2/2019 Committees

Committee	Committee Chairman	2/2018-2/2019 Committee Members		
Engineering	Louis Lambe	Michael Furci	Loren Harms	Michael Gelin
Finance	Stephen Greet	Loren Harms	Robert LaCosta	Martin Rothfelder
Legal	John Tomaine	Robert Beiner	Louis Lambe	Martin Gelin
Personnel	Frank Mazzarella	Michael Furci	Stephen Greet	John Tomaine
Nominating	Robert LaCosta	Robert Beiner	Frank Mazzarella	Martin Rothfelder

Engineering Committee

Mr. Lambe stated that an Engineering Committee Meeting was held on November 1, 2018. Several items were discussed. Items which require action are on the agenda under New Business.

Finance Committee

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

Legal Committee

No report.

Personnel Committee

Mr. Furci stated that the Executive Director will briefly discuss personnel matters under closed session this evening and a Personnel Committee Meeting will be held on December 6, 2018.

There was some discussion regarding the new sick leave law. Mr. Meehan is to confer with Labor Counsel regarding the Authority's policy on sick leave and record keeping as it relates to the new law.

Unfinished Business

None.

New Business

The following Resolution #18-55 was offered by Mr. LaCosta, on motion of Mr. LaCosta, second by Mr. Rothfelder.

Several Commissioners asked for an explanation. Mrs. Grimes stated that when this insurance was awarded at the October meeting, UNUM has proposed that they would provide the same coverage as the Authority presently had; however, when implementing the change from Lincoln Financial to UNUM, UNUM advised that they would not provide coverage for the Commissioners. The Authority was making the change because there was a significant savings.

Mr. Greet asked how many commissioners take the benefit. Mrs. Grimes stated that only five of the Commissioners applied for the benefit. After lengthy discussion three of the five Commissioners stated that they would like to be removed from the policy and no longer want this benefit. Mr. Beiner did not wish to give his up, and Mr. Mazzarella was absent.

After further discussion, the Chairman called the motion. He noted a nay vote means the Commissioners will no longer receive the life insurance benefit.

The motion was unanimously defeated. The Authority will move to place the insurance with UNUM as approved at the October meeting.

RESOLUTION #18-55

WHEREAS, the Rahway Valley Sewerage Authority solicited and received a proposal for insurance coverage related to its employee benefits, principally Dental, Long Term Disability and Life; Contract #1837; and

WHEREAS, pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-5, contracts of this nature may be awarded without bidding, however, a Request For Proposal (RFP) was sent to the Authority's approved Broker of Record, Business and Governmental Insurance Agency (BGIA) and a proposal was received for the award of this contract through a non-fair and open process in accordance with N.J.S.A. 19:44A-20, et seq.

WHEREAS, the Authority had awarded this contract to Business & Governmental Insurance Agencies (BGIA) of Woodbridge, NJ, on Resolution #18-42 in an estimated amount of \$101,995.78; and

WHEREAS, BGIA has advised that there is a need to amend this contract in order to place the Long Term Disability and the Life insurance coverages with the current carrier Lincoln National for an additional \$3,777.67 total amended contract \$105,773.45.

WHEREAS, the Secretary-Treasurer of the Authority, who is the Chief Financial Officer, hereby certifies that funds for said contract are available in the respective Annual Budgets.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Agreement with BGIA, in an amount of \$101,995.78 be and is hereby amended for an additional amount of \$3,777.67, total amended contract amount of \$105,773.45; and

BE IT FURTHER RESOLVED that a Notice of Award will be published in accordance with law.

The following Resolution #18-56 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Greet and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-56

WHEREAS, the Rahway Valley Sewerage Authority (Authority) solicited and accepted bids for Contract #1910 H2C Media Removal; and

WHEREAS, Spectraserv, Inc. of South Kearny, NJ, submitted the sole bid in the amounts of \$308,500.00 for Option 1 or \$330,500.00 for Option 2; and

WHEREAS, the Authority has determined that this bid exceeds the cost estimate for this contract and therefore recommends that the bid be rejected and the contract be rebid.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the sole bid for Contract #1910 submitted by Spectraserv, Inc. be rejected and that the Contract be rebid, based on the recommendation of the Authority staff.

The following Resolution #18-57 was offered by Mr. Lambe, on motion of Mr. Lambe, second

by Mr. Harms and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-57

WHEREAS, the Rahway Valley Sewerage Authority solicited bids for Contract #1911 - Replacement Parts for Moyno Pumps for calendar year 2019 and received bids on October 31, 2018; and

WHEREAS, the Authority received three bids which were reviewed and found to be in order, and

WHEREAS, the bid documents allow for the Authority to award the contract to separate contractors based upon unit prices bid if it is determined to be in the best interest of the Authority; and

WHEREAS, upon review of the bids, it was determined that the contract shall be awarded in part to each, Hisco Pump of Bloomfield, CT, for Items 1, 3-4, 6-13, 15, 17-27, 29, 35, 37-38, 40, 43, 45, 47-49, 51-52, 54-55, 57, 59, and 61, and to Valley Tech, Inc. of Whitehouse Station, NJ, for Items 2, 5, 14, 16, 28, 30-34, 36, 39, 41-42, 44, 46, 50, 53, 56, 58, 60, 62-63, in an amount not to exceed \$50,000.00 per vendor, the third vendor did not have the lowest price on any item; and

WHEREAS, the Secretary-Treasurer of the Authority, who is the Chief Financial Officer, hereby certifies that funds for said contract are available in the respective Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it hereby awards Contract #1911 in part to each Hisco Pump and Valley Tech in an amount of \$50,000.00 per vendor; and

BE IT FURTHER RESOLVED that a Notice of Award will be published in accordance with law.

The following Resolution #18-58 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Harms and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-58

WHEREAS, the Rahway Valley Sewerage Authority solicited bids for Contract #1913 - Digester Gas Testing and received said bids on October 31, 2018; and

WHEREAS, one bid was received from Atlantic Analytical Laboratory of Whitehouse, NJ, in the amount of \$59,980.00 for the calendar year 2019; and

WHEREAS, the bid submitted by Atlantic Analytical Laboratories was reviewed and found to be in order with the exception of the Consent of Surety for Performance Bond; and

WHEREAS, Atlantic Analytical Laboratories did submit the required Bid Check and as a

Performance Bond is not required for this contract, the Authority's Counsel has advised that the failure to submit the surety can be waived; and

WHEREAS, the Secretary-Treasurer of the Authority, who is the Chief Financial Officer, hereby certifies that funds for said contract are available in the respective Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it hereby awards Contract #1913 to Atlantic Analytical Laboratories in an amount of \$59,980.00; and

BE IT FURTHER RESOLVED that a Notice of Award will be published in accordance with law.

The following Resolution #18-59 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Furci and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-59

WHEREAS, the Rahway Valley Sewerage Authority solicited bids for Contract #1914 - Screw Conveyor Replacement and received said bids on October 31, 2018; and

WHEREAS, one bid was received from Tomar Construction LLC of East Brunswick, NJ, in the amount of \$210,000.00; and

WHEREAS, the bid submitted by Tomar Construction LLC was reviewed and found to be in order; and

WHEREAS, Tomar Construction LLC failed to include with their bid form Exhibit L – Request For Prior Approval for Substitution; and

WHEREAS, as Tomar did not request prior approval to substitute anything, the Authority's Counsel advised that this is a waivable defect; and

WHEREAS, the Secretary-Treasurer of the Authority, who is the Chief Financial Officer, hereby certifies that funds for said contract are available in the respective Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it hereby awards Contract #1914 to Tomar Construction LLC in an amount of \$210,000.00; and

BE IT FURTHER RESOLVED that a Notice of Award will be published in accordance with law.

The following Resolution #18-60 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Greet and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-60

WHEREAS, the Rahway Valley Sewerage Authority awarded Contract #173 – PPP Design, Build of the Liquid Receiving Facility on November 3, 2016 to Waste Management; and

WHEREAS, the total amount awarded to Waste Management for said contract was \$1,751,983.00; and

WHEREAS, the construction of the facility has been completed and there is a need to close out that aspect of the PPP Contract; and

WHEREAS, a Change Order has been prepared in the decreased amount of \$126,800.12 total amended contract amount of \$1,625,182.88.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that it hereby approves Change Order #1 in the decreased amount of \$126,800.12 to Waste Management to close out Contract #173; and

BE IT FURTHER RESOLVED that the Executive Director is hereby authorized to sign the necessary Change Order documentation.

The following Resolution #18-61 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Furci and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-61

WHEREAS, the Rahway Valley Sewerage Authority previously approved Resolutions #15-07, #17-34 and related Agreement for the purpose of engaging CDM Smith Inc., 110 Fieldcrest Avenue, #8, 6th Floor, Edison, NJ 08837, for Professional Engineering Services specifically related to Contract #175-ECS Replacement of Digester Covers and Waste Gas Flares; and

WHEREAS, the Authority has determined that there is a need to amend this agreement; and

WHEREAS, CDM Smith Inc. submitted a proposal for additional Construction Oversight Services related to the aforementioned contract in an amount of \$151,200.00; and

WHEREAS, the additional amount to be authorized for this Contract is \$151,200.00; 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 respective Annual Budgets.

WHEREAS, Professional Services have been determined to be exempt from public bidding under Title 40A.

NOW, THEREFORE, BE IT RESOLVED by the Rahway Valley Sewerage Authority that the previously adopted Resolution and related Agreement with CDM Smith Inc. in an amount of \$494,270.00 be and are hereby amended to provide for the increased contract services and amount of \$151,200.00 resulting in a total contract not to exceed \$645,470.00; 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 #18-62 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Harms and approved by those present. Mr. Mazzarella was absent.

RESOLUTION #18-62

AUTHORIZING PROCEDURES & HEARING IN CONNECTION WITH THE EXCEEDENCE OF FLOW RIGHTS IN ACCORDANCE WITH THE REVISED AGREEMENT DATED JANUARY 11, 1995, BY AND BETWEEN THE RAHWAY VALLEY SEWERAGE AUTHORITY'S MEMBER MUNICIPALITIES

WHEREAS, the Rahway Valley Sewerage Authority (the "Authority") is governed in part by a certain revised Agreement (the "Agreement") dated January 11, 1995 by and between the Authority's member municipalities; and

WHEREAS, the Agreement provides for the procedures to be employed and the hearing to be held attendant to the exceedence of flow rights belonging to the individual member municipalities as set forth in the Agreement; and

WHEREAS, the Authority has received information that one or more of the member municipalities have exceeded the amount of flow rights specifically provided for under the Agreement; and

WHEREAS, as a result the foregoing information, the Authority wishes to commence those procedures that would result in a hearing before the Authority concerning whether or not there has been a violation of the flow rights as set forth in the Agreement.

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

1. The Authority authorizes an Exceedence Hearing on the matter of the Township of Clark and City of Rahway. Such Hearings to be held on the 10th day of January 2019 at 6:00 and 6:30 p.m. respectively, at the Rahway Valley Sewerage Authority, 1050 East Hazelwood Avenue, Rahway, New Jersey in the Administration Building, Authority Board Room.

2. At the time of the Exceedence Hearing the Authority shall hear any and all evidence presented by the Municipalities disputing the exceedence(s) or the amount thereof.
3. Notice of the above meeting shall consist of a certified copy of this Resolution served upon the municipal clerk of Township of Clark and City of Rahway by regular mail no less than two (2) weeks prior to the date of the hearing set forth in Paragraph 1, herein.
4. Requests for adjournments must be in writing and received by the Authority at least one week (no later than January 3, 2019) before the scheduled date of hearing.

BE IT FURTHER RESOLVED that all appropriate Authority officials, professionals and personnel are authorized to prepare those documents and perform those tasks that will affect the purposes of this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and/or as required by law.

The following Resolution #18-63 was offered by Mr. Rothfelder, on motion of Mr. Rothfelder, second by Mr. Harms and approved by those present. Mr. Mazarella was absent.

RESOLUTION #18-63

WHEREAS, the Town of Westfield submitted a Treatment Works Application for The Westfield Bentley LLC for property located at 501 South Avenue West in the Town of Westfield, State of New Jersey; and

WHEREAS, the application is for the construction and connection of a three story building which will include 1-1 bedroom apartment, 13-2 bedroom apartments, 16-3 bedroom apartments, and 7,050 sq. ft. of retail space; and

WHEREAS, the connection will generate an approximate discharge of 8,757 gpd (0.0088 mgd) proposed increase in 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.

Resolution #18-64 was removed from the agenda.

Mr. Lambe made a motion to allow for the addition of an item to the published agenda, as per N.J.S.A. 10:4-6 Open Public Meetings Law; said item is for roof replacement of the Primary Building at an estimated cost of \$95,000.00. The motion was second by Mr. Rothfelder and approved by those present. Mr. Mazzarella was absent.

Resolution #18-65 in an amount of \$95,000.00 was offered by Mr. Lambe, on motion of Mr. Lambe, second by Mr. Furci.

Mr. Meehan stated that a contingency of 20% was supposed to be included in the resolution and asked the Commissioners to consider an amendment for the additional \$19,000.00.

Mr. Rothfelder moved to amend the resolution to include a 20% contingency amount of \$19,000.00, total amended contract amount of \$114,000.00. The amendment was second by Mr. Greet and unanimously approved by those present.

Resolution #18-65 was approved as amended by those present. Mr. Mazzarella was absent.

RESOLUTION #18-65 As Amended

WHEREAS, the Rahway Valley Sewerage Authority (Authority) is a member of the Union County Cooperative Pricing System – 8UCCP (the County); and

WHEREAS, the County solicited and received bids in accordance with the New Jersey Local Public Contracts Law for Contract #BA7-2016-Extension Roofing Maintenance and Repair Services Rebid; and

WHEREAS, the County awarded said contract to Pravco, Inc. (Pravco) of Rahway, NJ on February 25, 2016 and has subsequently extended the contract for a two year period through April 26, 2020; and

WHEREAS, the Authority has determined that there is a need to contract with Pravco based on the bid submitted to the County #BA7-2016 and quote submitted to the Authority, for the removal and replacement of the Authority's Primary Building Roof with Thermoplastic Polyolefin membrane; and

WHEREAS, the Authority has advised Pravco that there may be asbestos in the existing roof and Pravco has included in its proposal the associated cost for removal and disposal; and

WHEREAS, the proposal from Pravco to perform said work is in an amount of \$114,000.00 based on time and material; and

WHEREAS, the Secretary-Treasurer of the Authority has certified that funds for said Contract are available in the 2018 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Authority engage Pravco, Inc. of Rahway, NJ, to perform the services described in the proposal, the Authority's Contract

#184, at the rates referenced in the County of Union Contract, for a total not to exceed \$114,000.00; and

BE IT FURTHER RESOLVED, that a Contract must be executed by both parties within 60 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.

Bills and Claims

Mr. Greet made a motion, second by Mr. Harms, that the following bills and claims previously reviewed by the Finance Committee be ordered paid. The motion was approved by those present. Mr. Mazarella was absent.

BILLS AND CLAIMS LISTING

BUILDING & EQUIPMENT FUND

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
3159	11/08/18	GOVCONNECTION, INC.	123.0	974.16
3160	11/08/18	RAHWAY VALLEY SEWERAGE AUTH.	140.2	24,000.00
3161	11/08/18	TOMAR CONSTRUCTION, LLC.	140.2	205,349.40
3162	11/08/18	ATLAS MOTOR GROUP LLC	136.0	31,299.00

Total Building & Equipment Fund Checks: 4
 Total Void Checks: 0
 Total Void Check Amount: \$0.00
 Total Building & Equipment Fund Checks Paid: \$261,622.56

OPERATING FUND - MANUAL

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
303	11/02/18	NJ STATE HEALTH BENEFITS	03/04	122,511.41

Total Operating Fund Manual Checks: 1
 Total Void Checks: 0
 Total Void Check Amount: \$0.00
 Total Operating Fund Manual Checks Paid: \$122,511.41

OPERATING FUND

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
49679	10/22/18	JAMES J. MEEHAN	35	606.07
49680	10/23/18	AMERICAN AQUATIC TESTING, INC	41	1,030.00
49681	10/23/18	PSE&G COMPANY	19	176.20

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
49682	10/23/18	VERIZON WIRELESS	11	1,344.23
49683	10/23/18	WAGE WORKS INC.	03	90.00
49684	10/31/18	PLYMOUTH ROCK ENERGY, LLC.	22	33.06
49685	10/31/18	RAHWAY VALLEY S.A. - PAYROLL	01/02	197,758.06
49686	11/08/18	A TOUCH OF ITALY	49	434.95
49687	11/08/18	ADP, LLC.	16	1,503.11
49688	11/08/18	ADP SCREENING & SELECTION SVC.	13	9.00
49689	11/08/18	AMERICAN AQUATIC TESTING, INC	41	1,030.00
49690	11/08/18	AMERICAN WEAR	32	1,077.96
49691	11/08/18	AQUA PRO-TECH LABORATORIES	41	3,477.00
49692	11/08/18	ATLANTIC ANALYTICAL LABORATORY	41	2,305.00
49693	11/08/18	JAVIER BAEZ	31	125.00
49694	11/08/18	B & B DISPOSAL	32	675.00
49695	11/08/18	BOWCO LABORATORIES, INC.	32	63.00
49696	11/08/18	BUYWISE AUTO PARTS	28/35	853.69
49697	11/08/18	CANON FINANCIAL SERVICES, INC.	16	751.21
49698	11/08/18	CDW GOVERNMENT, INC.	27	464.34
49699	11/08/18	CONFIRE FIRE PROTECTION	32	1,433.00
49700	11/08/18	COOPER ELECTRIC SUPPLY CO.	32	1,163.92
49701	11/08/18	J. CRONCE SEPTIC & EXCAVATING	32	5,960.00
49702	11/08/18	DELTA DENTAL OF NEW JERSEY INC	03	7,324.60
49703	11/08/18	PAUL DYMYD	31	119.96
49704	11/08/18	EASTERN SHEET METAL & PLATE	32	745.81
49705	11/08/18	ELECTRONIC MEASUREMENTS LAB	31	259.06
49706	11/08/18	FACTORY DIRECT PIPELINE	32	1,662.51
49707	11/08/18	IEP TECHNOLOGIES, LLC	28	2,225.00
49708	11/08/18	FISHER SCIENTIFIC	40	4,933.40
49709	11/08/18	GENSERVE INC.	32	3,830.00
49710	11/08/18	GRAINGER	28/31/32	7,774.82
49711	11/08/18	GREAT LAKES ENVIRONMENTAL	41	1,945.14
49712	11/08/18	GREENBAUM, ROWE, SMITH & DAVIS	07	18,219.70
49713	11/08/18	HACH COMPANY	40	1,633.76
49714	11/08/18	HIGHMARK ANALYTICS	41	1,752.50
49715	11/08/18	INDEPENDENT OVERHEAD DOOR CO.	32	370.00
49716	11/08/18	EDWARD KOCHICK	31	115.38
49717	11/08/18	KOMLINE-SANDERSON	28	3,847.26
49718	11/08/18	THE LINCOLN NATIONAL LIFE	03	1,469.75
49719	11/08/18	MOTION INDUSTRIES, INC.	28/32/34	7,827.68
49720	11/08/18	NAVITEND	27	25.00
49721	11/08/18	COLOGIX	11	294.00
49722	11/08/18	STATE OF NEW JERSEY	31	257.00
49723	11/08/18	NJ MANUFACTURERS INSURANCE CO.	17	17,722.00
49724	11/08/18	NJ MOTOR VEHICLE COMMISSION	35	71.50
49725	11/08/18	NJ STATE LEAGUE	12/31	230.00
49726	11/08/18	NJ WATER ENVIRONMENT ASSOC.	31	17.00
49727	11/08/18	NORTHEAST INDUSTRIAL TECH, INC	32	756.99

CHECK	DATE	VENDOR	LINE/ACCT	AMOUNT
49728	11/08/18	OPTIMUM CONTROLS CORP.	28	1,986.80
49729	11/08/18	PLYMOUTH ROCK ENERGY, LLC.	22	84.22
49730	11/08/18	PRAXAIR DISTRIBUTION, INC.	32	515.03
49731	11/08/18	PRECISION ELECTRIC MOTOR WORKS	32	1,200.00
49732	11/08/18	RADWELL INTERNATIONAL, INC.	32	3,812.42
49733	11/08/18	PETTY CASH	14	102.41
49734	11/08/18	SAKER SHOPRITES, INC.	49	56.23
49735	11/08/18	SUEZ TREATMENT SOLUTIONS, INC	32	11,489.18
49736	11/08/18	TAYLOR OIL CO., INC.	24	3,430.90
49737	11/08/18	JANICE TEIXEIRA	31	124.99
49738	11/08/18	TELEDYNE INSTRUMENTS, INC.	43	928.00
49739	11/08/18	TRI-POWER TRADING CO., INC.	28	5,566.00
49740	11/08/18	TURTLE & HUGHES INC.	32	2,871.05
49741	11/08/18	UNITED PARCEL SERVICE	48	17.40
49742	11/08/18	USA BLUEBOOK	43	536.70
49743	11/08/18	VISION SERVICE PLAN	03	1,279.59
49744	11/08/18	VANTON PUMP & EQUIPMENT	32	1,178.00
49745	11/08/18	W. A. BIRDSALL & CO.	32	28.63
49746	11/08/18	WOODBIDGE PRINTING CENTER	12	61.92

Total Operating Fund Checks: 69
 Total Void Checks: 0
 Total Void Check Amount: \$0.00
 Total Operating Fund Checks Paid: \$343,063.09

OPERATING FUND	8-01	\$465,574.50
BUILDING & EQUIPMENT FUND	8-02	<u>\$261,622.56</u>
TOTAL OF ALL FUNDS:		<u>\$727,197.06</u>

Open the floor to the Public for questions or comments

None.

Closed Session

Mr. Furci made a motion to go into closed session at 8:28 p.m. for discussion of legal matters, specifically related to the Siphon Chamber, QDI, Contract #105, and personnel matters. The motion was second by Mr. Harms and approved by those present.

* Mr. Gelin left during closed session.

Regular Order of Business

Mr. Lambe made a motion, second by Mr. Tomaine, to return to the Regular Order of Business at 9:36 p.m. The motion was approved by those present.

Adjournment

As there was no further business, on motion of Mr. Harms, second by Mr. Greet, the meeting adjourned at 9:36 p.m. The motion was approved by those present.

Chairman

Joanne Grimes
Joanne Grimes, Board Secretary

/jg
Attachments
September 2018 Treasurer Report
Draft 9-2018 Flow Right and User Charge Reports