

RAHWAY VALLEY SEWERAGE AUTHORITY
Agenda Work Session Minutes – November 7, 2019

Loren Harms, Vice Chairman, called the meeting to order at 7:03 p.m.

Commissioner Harms read 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 11, 2019. **As this is a Work Session, no action will be taken.**

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 scheduled meeting.

Commissioner Harms asked everyone to stand for a salute to the Flag and a moment of silence.

Roll Call

The following members were present:

Robert M. Beiner	for the Borough of Kenilworth
Michael J. Gelin	for the Township of Woodbridge
Stephen D. Greet	for the Borough of Garwood
Loren Harms	for the Borough of Roselle Park
Louis C. Lambe	for the Township of Cranford
Robert Rachlin	for the City of Rahway
Martin C. Rothfelder	for the Town of Westfield

The following members were absent:

Michael Furci	for the Township of Springfield
Robert B. LaCosta	for the Township of Scotch Plains
Frank G. Mazzarella	for the Township of Clark
John J. Tomaine	for the Borough of Mountainside

The following were also present:

James J. Meehan	Executive Director
Karen A. Musialowicz	Secretary-Treasurer
Andrea DeCarlo	Purchasing Agent/Board Secretary
Dan Ward	Superintendent
John Buonocore	Chief Engineer/Asst. Superintendent
Anthony Gencarelli	Manager of Regulatory Compliance
Doug Reno	Operations Manager
Janet Thevenin	Environmental Compliance Supervisor
Stephanie Reckord, Esq.	General Counsel, Greenbaum, Rowe, Smith
Howard Matteson	Consulting Engineer, CDM Smith

New BusinessPlant O&M Update

Mr. Meehan stated he is happy to report that the Dryer has been running since late last week, and there have been no issues so far. In addition to burning gas in one Cogen engine, it is also being used in the Authority's heating boiler as well. He stated that parts for the second engine have arrived and it is expected to be running within the next few days.

Mr. Meehan stated that the Authority is caught up on the back log of sludge that was stored in one of the thickeners for quite some time, which is a relief. He also noted that a check was received from the insurance company.

Mrs. Musialowicz stated a reimbursement check was received in the amount of \$264,000 for Dryer downtime in July, August, and September. She added that the expenses incurred in October will be submitted along with the invoices for repairs.

Mr. Greet asked how much in total the Dryer downtime cost the Authority. Mr. Meehan answered that it cost an additional \$100,000 in residuals and another \$150,000 for the repairs. He stated that the remaining charges have been submitted to the insurance company and he expects the reimbursement amount to be prorated.

Mr. Harms asked if the \$264,000 payment received was a prorated amount; Mr. Meehan replied that this was the full amount requested for the three-month period.

Collection System O&M Update

Mr. Meehan stated that a vendor recently came in to discuss re-lining some of the Authority's sewer lines. He stated that some CCTV work has already begun, which is in line with his plan to concentrate more efforts on the Authority's collection system.

Mr. Gencarelli stated that the Authority had previously hired Flow Assessment Services, a third-party metering firm, to check the validity of the current meters. Flow Assessment Services metered four locations; and three of the four were found to be in concurrence with the ADS meters. However, RVO2, which is the outflow from Kenilworth into Cranford, shows a difference of about 10 percent. Mr. Gencarelli stated that because of differing hydraulic conditions, the meter that was installed for verification had to be placed in a different location. He explained that the ADS meter will be moved to the same location as the Flow Assessment meter to see how the two compare. Mr. Gencarelli stated that the contract with Flow Assessment Services also called for a review of all of the current metering sites for suitability for metering; and the firm was happy with all of the sites except for Meter 18 in Scotch Plains. Therefore, alternate metering sites are being evaluated.

Mr. Rothfelder asked if Kenilworth's metering can be further discussed. Mr. Gencarelli stated that while there are several factors that go into the measurement, the flow going out of Kenilworth was shown to be 10% higher than measured by ADS. He stated that

although the meters were not placed in the exact same location, they should have measured roughly the same.

Mr. Gelin asked if this was due to a calibration problem. Mr. Gencarelli replied that calibration should not be the issue, as the ADS meter is calibrated on a monthly basis, and the Flow Assessment meter was recently calibrated as well.

Mr. Lambe stated the measurement may not have correlated to the correct measuring spot which could be the source of the 10 percent difference. He stated if Flow Assessment's measurement is correct, Kenilworth's flow would decrease and cause a slight increase to Cranford's flow. Conversely, if the ADS measurement is correct, the opposite would happen. Mr. Lambe asked Mr. Gencarelli if the meters are continuous wave Doppler or gated; Mr. Gencarelli replied that Doppler meters are being used in both instances.

Mr. Meehan asked Ms. Thevenin if payment has been received from Metro III/Bollywood Truck Wash. Ms. Thevenin replied that a meeting took place and partial payment had since been received. Mr. Meehan asked if a payment plan has been set up and Ms. Thevenin answered yes; stating it might also be a good idea to have a written agreement in place.

Mr. Gelin asked how much of the \$10,000 has been paid; Ms. Thevenin answered \$2,500. Mr. Lambe asked if the owner has filled out a permit; Ms. Thevenin stated that the Authority is currently working with the owners to accomplish that.

Contract #175 – Tomar Construction

Mr. Meehan stated that Mr. Buonocore and Mr. Matteson have put together an email to Tomar outlining all of the outstanding AIS requirements. Mr. Buonocore added that the contractor has been given a two-week timeframe to comply, and if not, a formal letter will be sent. Mr. Matteson stated that if Tomar does not act within this timeframe, the next step would be to have a meeting with the appropriate DEP representative to reinforce the importance of the AIS requirements. Mr. Gelin asked if the contractor has been threatened with prior negative experience. Mr. Matteson replied that although it has not yet come to that, a line will have to be drawn since the materials will need to be removed if an AIS certificate is not received.

Clean Energy/Special Project Update

Mr. Meehan stated that this project is currently under discussion and conceptual, and therefore he would like to discuss the matter in closed session.

Personnel Matters

Mr. Meehan stated that Harassment Training for the Commissioners has been scheduled for 6:15 p.m. on January 9, 2020, prior to the Agenda Work Session. He added that the Authority's Management Staff took this training earlier in the day and it went well.

Mr. Rothfelder asked about the status of the Executive Director’s employment contract. Mr. Meehan stated that the final agreement will be distributed to the Commissioners for discussion and a vote at the following week’s meeting. Mr. Gelin stated he would like further information on the changes to the contract; Mr. Greet stated he would provide the Board with this information in closed session.

Mr. Meehan added that he would like to provide an update on the Union contract in closed session as well.

Professional Services

RFPs were sent to several firms and posted on the Authority’s website, for receipt of proposals based on a Fair and Open Process. Proposals for the following contracts were received on October 21, 2019:

Contract #2002 – Labor Counsel Services (01/01/20 – 12/31/20)

Four proposals were received, as follows:

<u>Firm</u>	<u>Partner/Attorney</u>	<u>Assoc. Rate</u>	<u>Blended Rate</u>	<u>Proposed Total</u>
Chiesa, Shahinian, Giantomasi	\$240.00	\$200.00	N/A	\$33,900.00
Lum, Drasco & Positan, LLC	\$220.00	\$175.00	N/A	\$28,700.00
Ruderman & Roth, LLC	Blended (Partner/Counsel/Assoc.)		\$200.00	\$34,000.00
Weiner Law Group	\$170.00	\$155.00	N/A	\$24,500.00

The proposals were reviewed by the Purchasing Agent and found to be in order. The Executive Director recommends award to Weiner Law Group. If the Commissioners concur, action to award will be placed on the Regular Meeting agenda.

Contract #2007 – As-Needed Special Project Engineer (01/01/20 – 12/31/20)

Mr. Gelin stated that this should have been an RFQ so that it would not be necessary to select the lowest bidders. Ms. DeCarlo explained that the RFP process was used; however, Mr. Meehan and Mr. Buonocore felt the two lowest proposers were the most qualified. Mr. Gelin stated he wanted to make sure the decision was not based solely on money; and Mr. Meehan stated that the decision was made based on which firms would be the best fit for special projects.

Mr. Greet asked why two additional engineers are needed; and Mr. Meehan replied that while two are not necessarily needed, it would be beneficial to have two on an as-needed basis. Mr. Greet asked if Mr. Meehan expects to use the full amounts awarded and Mr. Meehan stated these firms will only be used if they are needed.

Mr. Meehan stated that the following four proposals were received:

<u>Firm</u>	<u>Sr. Engineer Rate</u>	<u>Jr. Engineer Rate</u>	<u>Blended Rate</u>	<u>Proposed Total</u>
CME Associates	\$182.00	\$169.00	N/A	\$104,600.00
Hazen & Sawyer	\$275.00	\$100.00	\$150.00	\$112,500.00
H2M Associates, Inc.	\$175.00	\$135.00	N/A	\$93,000.00
PS&S	\$165.00-185.00	\$130.00-150.00	\$165.00	\$89,250.00

The proposals were reviewed by the Purchasing Agent and found to be in order. The Chief Engineer and Executive Director recommend award to both H2M Associates and PS&S.

Mr. Meehan stated that all of the proposals were from good companies. He mentioned that PS&S has a lot of knowledge about the Plant since they have done a lot of work for the Authority in the past. He noted that he and Mr. Buonocore were also very impressed by H2M Associates.

Mr. Lambe stated that the Authority had previously settled with PS&S and asked if the staff is confident about using this firm. Mr. Buonocore stated that PS&S always performed great work, aside from the single issue in the past; and the Authority would benefit significantly given the firm’s knowledge.

Mr. Meehan stated if the Commissioners concur, action to award will be placed on the Regular Meeting agenda.

Bids

Notice to Bidders was advertised in the Star Ledger and emailed to several vendors; and bid packages were posted to the Authority’s website for download. Receipt of bids for the following contracts took place on October 22, 2019:

Contract #2011 – Air Permitting Compliance (01/01/20 – 12/31/21)

Two bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
Environmental Compliance Assistance	\$57,500.00
Chapman Environmental Services	\$100,400.00

The low bid was reviewed and found to be in order. Anthony Gencarelli recommends award to Environmental Compliance Assistance; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2012 – Digester Gas Testing Services (01/01/20 – 12/31/21)

One bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
Atlantic Analytical Laboratory	\$121,540.00

The bid was reviewed and found to be in order. Anthony Gencarelli recommends award to Atlantic Analytical Laboratory; and if the Commissioners concur, action will be placed on the Regular Meeting agenda. Mr. Greet asked if there was a large increase on this contract and Mr. Meehan replied that there was not.

Contract #2013 – Sewer Cleaning Equipment Rental/Pipe Inspection – Treatment Plant (01/01/20 – 12/31/21)

Four bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
National Water Main Cleaning Co.	\$243,600.00
All American Sewer Service, Inc.	\$206,250.00
Russell Reid Waste Hauling & Disposal	\$505,250.00
North American Pipeline Services LLC	\$360,500.00

Mr. Meehan stated the Authority has used All American for several years now and the company has done a great job. Ms. DeCarlo stated that this contract increased by \$20,000 for the two-year period. The low bid was reviewed and found to be in order. Dan Ward recommends award to All American Sewer Service; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2014 – Equipment Rental & Sewer Line Inspections – Interceptor Sewer (01/01/20 – 12/31/21)

Four bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
National Water Main Cleaning Co.	\$132,000.00
All American Sewer Service, Inc.	\$67,550.00
Russell Reid Waste Hauling & Disposal	\$155,050.00
North American Pipeline Services LLC	\$100,500.00

The low bid was reviewed and found to be in order. Janet Thevenin recommends award to All American Sewer Service; and if the Commissioners concur, action will be placed on the Regular Meeting agenda. Ms. DeCarlo stated that the contract has increased by approximately \$15,000. Mr. Meehan added that despite the increase, All American was still the low bidder by far. Mr. Lambe asked how the cost is calculated and Mr. Gencarelli responded that for sewer cleaning, the price is based on the equipment and manpower needed; and TV work is billed by the foot.

Contract #2017 – Furnish & Deliver Emulsion Polymer (01/01/20 – 12/31/21)

One bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
Polydyne, Inc.	\$907,800.00

Mr. Meehan explained that the cost of this contract has risen significantly due to an increase in unit price and also an increase in product use. Mr. Ward added that the Authority does not have a storage tank to hold entire shipments and therefore is unable to benefit from bulk pricing. Mr. Rothfelder asked if there is any concern since only one vendor submitted a bid for this contract. Mr. Meehan replied that the vendors are asked to test their products with the Authority's sludge and Polydyne's product was the only one that was truly successful. The bid was reviewed and found to be in order. Dan Ward recommends award to Polydyne, Inc.; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2018 – Furnish & Deliver Sodium Hypochlorite (01/01/20 – 12/31/21)

Three bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
Kuehne Chemical Company, Inc.	\$112,000.00
JCI Jones Chemicals, Inc.	\$134,400.00
Miracle Chemical Company	\$94,640.00

Mr. Meehan stated the low bid was reviewed and found to be in order, and Miracle Chemical has been the Authority's supplier for several years. Ms. DeCarlo stated that the price of this contract has decreased. Mr. Meehan explained that the price per unit has actually increased, however the Authority does not use as much of the product as it did in the past. Mr. Gelin asked what the product is used for and Mr. Meehan replied that it is used in the scrubber and the odor control system. Dan Ward recommends award to Miracle Chemical Company; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2019 – Furnish & Deliver UV Replacement Parts (01/01/20 – 12/31/21)

Two bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
First Light Technologies	\$224,172.00
Xylem Water Solutions	\$482,886.60

First Light Technologies only bid on five of the 43 items listed, and was not the low bidder on any item. Xylem's bid contained all 43 items and was found to be in order. Dan Ward recommends award to Xylem Water Solutions. Mr. Ward stated there have recently been issues with some of the components provided by First Light, so it is beneficial that Xylem was the low bidder on all items. Mr. Meehan stated that the full contract amount would not be utilized; Mr. Ward added that a much lower amount is typically budgeted for this expense. If the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2020 – Service for CAT Engines (01/01/20 – 12/31/21)

One bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
Foley, Inc.	\$250,463.20

The bid was reviewed and found to be in order. Dan Ward recommends award to Foley, Inc.; and if the Commissioners concur, action will be placed on the Regular Meeting agenda. Mr. Rothfelder asked if there should be any concern about only one bidder responding. Mr. Ward replied that Foley is the OEM dealer, and there are several requirements for the certifications needed to service these particular engines. Mr. Greet asked if the contract amount has increased and Ms. DeCarlo replied that the hourly rates have increased.

Mr. Meehan mentioned that a lot of time is spent checking Foley's invoices for accuracy; however, this is primarily on the parts contract. Ms. DeCarlo stated that Foley is on a national co-op; and Michelle DeFrancis, Purchasing Officer at JMUA, was very helpful in providing her the documentation needed to use this co-op for the parts contract. Ms. DeCarlo stated the paperwork is in progress and would be ready for the December meeting agenda. Mr. Ward stated that using this national co-op would save a lot of time, as our current contract has over 900 parts.

Contract #2022 – Decanter Centrifuge Rotating Assy. Rebuild (01/01/20 – 12/31/21)

One bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
Centrisys Corporation	\$139,000.00

Mr. Meehan stated that this vendor is the OEM dealer and the contract amount has only increased by a few thousand dollars. The bid was reviewed and found to be in order. Dan Ward recommends award to Centrisys Corporation; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2023 – Centrifuge Rotating Assy. Replacement Parts (01/01/20 – 12/31/21)

One bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
Centrisys Corporation	\$316,086.09

Mr. Greet asked if the full amount would be utilized. Mr. Ward replied that the contract amount is probably much higher than would be needed; however the system is getting older, so it is good having this contract in place in the event that parts need to be replaced. The bid was reviewed and found to be in order. Dan Ward recommends award to Centrisys Corporation; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2024 – Rotary Drum System Replacement Parts (01/01/20 – 12/31/21)

One bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
GP Jager, Inc.	\$144,263.54

The bid was reviewed and found to be in order. Dan Ward recommends award to GP Jager, Inc.; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2026 – H2S Media Removal & Replacement (01/01/20 – 12/31/21)

Two bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
Allstate Power Vac/ACV Enviro Corp.	\$507,900.00
Nichem Company	\$203,720.00

The low bid was reviewed and found to be in order. Dan Ward recommends award to Nichem Company; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2027 – Replacement Parts for Moyno Pumps (01/01/20 – 12/31/21)

Receipt of bids took place on October 24, 2019, however no bids were received. The bid has since been re-advertised and receipt of bids will take place November 26, 2019. Mr. Ward remarked that sometimes the price of several replacement parts is similar to the cost of replacing the entire pump, which the Authority had also received bids for.

Contract #2028 – Replacement Progressive Cavity Pumps (01/01/20 – 12/31/21)

Receipt of bids took place on October 24, 2019 and one bid was received, as follows:

<u>Vendor</u>	<u>Amount</u>
Dave Heiner Associates	\$54,420.00

The bid was reviewed and found to be in order. Dan Ward recommends award to Dave Heiner Associates; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Contract #2015 – Grit & Screenings Disposal (01/01/20 – 12/31/21)

Receipt of bids took place earlier today and four bids were received, as follows:

<u>Vendor</u>	<u>Amount</u>
Environmental Protection & Improvement Co.	\$358,800.00
Waste Management of NJ	\$234,400.00
Spectraserv Inc.	\$300,000.00
ACV Enviro Corporation	\$575,080.00

The low bid was reviewed and found to be in order. Mr. Meehan stated that typically only \$60,000-70,000 is budgeted for grit and screenings, but the contract is much higher just in case it is needed. Dan Ward recommends award to Waste Management; and if the Commissioners concur, action will be placed on the Regular Meeting agenda.

Mr. Harms asked how the budget is affected by awarding contracts at higher amounts than are actually budgeted for. Mr. Meehan stated that Mrs. Musialowicz needs to verify that the funds are available in case they are needed; however she does not need to budget for the full contract amounts. Mrs. Musialowicz stated that she and Mr. Ward factor in the anticipated maintenance needs to determine what amounts will actually be needed. She added that the total budget needs to cover all expenses that will be paid; however, expense lines can be adjusted within the overall budget and therefore do not need to be completely precise. Mr. Ward stated that it is good to have the availability of the full contract amounts in the event that something goes wrong. Mrs. Musialowicz added that if a major equipment breakdown occurred, the funds could be paid for out of the capital account; however the Authority would still need the purchasing ability.

Mr. Gelin asked how the reallocation of funds occurs and if it must be approved by the Executive Director. Mrs. Musialowicz stated that Mr. Meehan does not need to approve this; however he does approve every purchase order. Mr. Meehan added that Mrs. Musialowicz certifies the availability of funds but the funds can come from capital or surplus money.

Mr. Ward stated he would like the Moyno pumps contract to be awarded in an amount higher than the original bid as there may be several replacements needed over the two-year term.

Mr. Gelin stated he would like to see a projected capital plan for the next five years. Mrs. Musialowicz stated this is currently being worked on, but overall the Authority is looking at approximately \$2.1 million in capital expenses for next year, along with a barscreen project which would be financed.

Report of Consulting Engineer

Howard Matteson, Consulting Engineer from the firm CDM Smith, submitted the following report for work activities during the month of October 2019.

1. Retainer Services
During the period, CDM Smith prepared the monthly report for October 2019 and attended the October 2019 Engineering Committee Meeting.
2. Miscellaneous Engineering Services
During the period, CDM Smith performed the following:

- Completed technical specification for staff review and began development of a drawing to for the Authority’s use in soliciting prices for the weigh scale replacement.
3. Digester Gas Treatment System Design – Construction Services
No work during the period. Mr. Matteson added that the project is completed and there will be no more reporting on this matter.
 4. Digester Covers and Waste Gas Burner Replacement – Design, Bidding, and Construction
During the period, CDM Smith performed the following:
 - Continued to coordinate with staff in responding to Contractor claim request. This consisted primarily of review of AIS submissions.

Mr. Matteson stated that Tomar still owes the Authority a permit in order to close out this project, as well as some very minor punch list items.

5. Riverwalk Siphon Rehabilitation
During the period, CDM Smith completed our review of the draft survey and provided comments to the surveyor on necessary revisions.

Mr. Matteson added that to his understanding, this survey will be used as the basis for an easement. He stated that the Authority’s sewer pipe is not a straight line and therefore is difficult to designate exactly where it goes on the drawing; therefore he is going to investigate the possibility of using remote sensing to see exactly which route the interceptor takes. Mr. Lambe asked if 3-D scanning could be used and Mr. Matteson stated that is a potential option. Mr. Matteson stated that ultimately the goal is to develop a metes and bounds of this area.

Mr. Gelin asked if RVSA has technical details; for example, if a contractor needed to know the details of the upcoming barscreen project. Mr. Matteson stated that this project would have its own set of details; and the Authority does not do a lot of sewer line installation so a set of standard details probably would not be necessary. Mr. Buonocore added that the Authority has the details from the original installations but any details needed for a specific project would be included in the contract drawings. Mr. Matteson stated that it probably would not be worth the money to develop standard details unless they are going to be used repetitively. Mr. Lambe stated that PVSC only began to develop standard details when completing sewer rehabilitations a few years ago; and otherwise the original drawings were used. Mr. Meehan stated that the Authority might do something similar once repairs on the sewer lines begin.

Report of General Counsel

Stephanie Reckord, General Counsel from the firm Greenbaum, Rowe, Smith & Davis, presented Mr. Estis' report for the period October 17, 2019 through November 7, 2019.

1. GeneralA. Flow Rights

Mr. Estis prepared a letter to go to each of the Member Municipalities that exceeded their Flow Rights more than ten times during the metering year of October 1, 2018 to September 30, 2019. The letter was reviewed and revised by Mr. Rothfelder. Copies have been sent to the members of the Legal Committee. Mr. Estis expects that the final version will go out in the next two weeks.

Mr. Gelin stated that he does not agree with some paragraphs in the letter; specifically, it seems as if municipalities are being told to perform I&I studies when that may not always be appropriate. Ms. Reckord replied that the intent of the letter is to provide municipalities the option to waive a hearing. Ms. Reckord added that the letter is not yet final and she would share Mr. Gelin's comments with Mr. Estis.

Mr. Rothfelder recommended that the letter be circulated to all Commissioners for their input.

B. Local Contracts Law/Open Public Meetings Act

The resolution amending the bylaws was passed on second reading by more than a two-thirds vote of the entire membership.

C. QDI Monitoring

We received from QDI's LSRP an update as to the status of its investigation of the QDI site and the potential for groundwater impact on the RVSA property. The LSRP advised as to objectives and scope of services to evaluate the groundwater and the vapor conditions. Objectives: Further its understanding of the subsurface conditions; evaluate for potential upgrading of its sources to determine if impacts are migrating onto the RVSA property; evaluate QDI's potential contribution to the impacts on RVSA property; and evaluate vapor intrusion on the RVSA property. The LSRP's scope of services also includes a seismic refraction survey of the QDI property and Rahway's rights of ways; a groundwater grab sampling program in order to differentiate and evaluate the nature and extent of groundwater contaminate transport. Based upon the survey and the sampling, the LSRP will recommend installation of permanent overburden monitoring wells, as well as site-wide groundwater sampling. The LSRP is also recommending a vapor intrusion evaluation related to the RVSA building located to the west of the QDI building. QDI's attorney is finally keeping Mr. Estis informed as to what is happening in connection

with the evaluation. Our environmental consultant is reviewing the report and will ask for a schedule as to dates when tasks will be completed and to provide to us copies of documents submitted to the DEP.

Mr. Lambe asked which building is located to the west of the QDI building. Mr. Buonocore replied that the directions appear to be incorrect and it is probably the U.S. Healthworks property that is being referenced.

D. License for US Health Property

Mr. Estis will remove this from future reports.

2. Siphon – Rahway – Union County Park

The resolution authorizing execution of the Emergency Work Agreement with Union County was adopted last month. It has been forwarded to Union County and we are awaiting receipt of a fully executed Agreement. When Mr. Estis receives the metes and bounds description, he will finish preparing the necessary easement.

Mr. Meehan added that the City of Rahway's attorney has requested information from the Authority and is looking to cooperate by providing funds for the emergency work that was done. He mentioned the attorney might be interested in a maintenance agreement going forward as well.

3. Occidental Chemical

No change. Ms. Reckord stated this matter is being handled by Allen Silver of Greenbaum, Rowe, Smith & Davis.

4. Industrial User Compliance

The resolution authorizing commencement of an action against Metro and its principals was adopted last month. In conversations with Janet Thevenin in October, the principals verbally agreed to pay the \$10,000.00 penalty. This is to be paid by an initial payment of \$2,500.00 and \$1,000.00 for the next seven to eight months. Mr. Estis was advised by Janet that the \$2,500.00 check was to have been dropped off last Thursday. Purportedly, the permit application has been submitted to the owner of the facility for completion, though it had not been submitted to the Authority as of last Thursday.

5. Water Research Foundation

Mr. Estis will remove this from future reports.

6. Personnel

Mr. Estis prepared the new Contract for the Executive Director, which has been approved by the Personnel Committee; a resolution is on the agenda for next week. Ms. Reckord stated that this matter will be discussed further in closed session.

Closed Session

Mr. Lambe made a motion to close the meeting at this time, 8:17 p.m., for an update on the Union Contract, discussion on the Executive Director's employment contract, and discussion on a special project that is currently in negotiations. The motion was second by Mr. Greet and approved by those present.

Regular Order of Business

Mr. Greet made a motion, second by Mr. Rothfelder, to return to the Regular Order of Business at 8:53 p.m. The motion was approved by those present.

Mr. Meehan shared that the fan displayed on the boardroom table was given to the Authority by a group from the Central and Southern China Municipal Engineering, Design and Research Institute. This group of 14 engineers and a translator visited the Authority for a plant tour, at the direction of Fort International Enterprises. Mr. Meehan stated the group was very excited and interested in the Authority's operations.

Adjournment

As there was no further business, on motion of Mr. Lambe, second by Mr. Gelin, the meeting adjourned at 8:55 p.m. The motion was approved by those present.

Chairman

Andrea DeCarlo
Andrea DeCarlo, Board Secretary