

**MINUTES OF THE PUBLIC WORK MEETING
OF THE
PASSAIC VALLEY SEWERAGE COMMISSIONERS**

December 17, 2015

The Passaic Valley Sewerage Commissioners met at their offices on the above date at 12:00 pm. Present: Chairman Thomas Tucci; Vice Chairman Kenneth Lucianin; Commissioner Elizabeth Calabrese; Commissioner David Catuogno (arrived 12:05 p.m.); Commissioner Mildred Crump (arrived 12:14 p.m.); Commissioner Scott Heck; and Commissioner Luis Quintana (arrived 12:15). Absent: None.

Also Present: Executive Director and General Counsel Gregory A. Tramontozzi; Chief Operating Officer Bridget McKenna; Chief Engineer John Rotolo; Chief Financial Officer and Clerk Joseph Kelly; and Special Counsel Michael Witt, Esq.

Chairman Tucci called the meeting to order and read into the record the statement of compliance with the New Jersey Open Public Meetings Act.

Roll Call was taken, with the persons identified above being present with the arrivals after the opening of the Meeting so denoted. Chairman Tucci then led the body in the Pledge of Allegiance.

The following matters were discussed:

ADMINISTRATIVE MATTERS:

A-1 Approval of Minutes

Mr. Kelly presented the minutes from the December 3, 2015, Public Meeting.

A-2 Supplemental Bond Resolution

Mr. Geoff Stewart of Public Financial Management, financial advisors to PVSC, gave a presentation on the refinancing of certain outstanding debt previously issued by PVSC. Refinancing the outstanding debt will allow PVSC to achieve significant cost savings over the life of the obligations. There was also a discussion of financing new projects not to exceed \$35 million. A Power Point presentation accompanied the presentation.

A-3 Connection Fees

Mr. Kelly discussed the recalculation of fees charged by PVSC for connection to the PVSC treatment works. Per Resolution No. 22 (October 23, 2002), the connection fees are recalculated each year based on the cost of capital improvements to the plant and the plant's designed flow. A memorandum accompanied the presentation.

A-4 Approval of Temporary Operating Budget

Mr. Kelly gave a presentation requesting that the Commissioners approve a temporary operating budget for the first portion of Fiscal Year 2016. The temporary operating budget is 25% of the FY2016 proposed budget. The temporary operating budget is proposed in order to give the Commissioners, who were only recently appointed and reconstituted as a public body, sufficient and appropriate time in order to review and adopt the entire budget proposed for FY2016. A handout showing the proposed temporary operating budget accompanied the presentation.

A-5 Evaluation of Contract B017A – Furnish Pipe, Fittings, Valves and Accessories to the PVSC Warehouse for a One (1) Year Period

PVSC Purchasing Agent Thomas Fuscaldo gave a presentation on the referenced contract. Mr. Rotolo recommended awarding the contract to Raritan Group, Inc., as the low bidder for Contract Items 10, 11, 18, 31, and 37. Mr Rotolo recommended rejecting the bid of Bergen Industrial Supply. A memorandum accompanied the presentation.

A-6 Evaluation of Contract B018 – Furnish and Install New Replacement Electric Feeder Cables for a Two (2) Year Period

Mr. Rotolo gave a presentation on the referenced contract. Mr. Rotolo recommended rejecting all bids received and substantially revising and re-advertising the contract. A memorandum accompanied the presentation.

A-7 Evaluation of Contract B019 – Drilling Geotechnical Borings

Mr. Rotolo gave a presentation on the referenced contract. Mr. Rotolo recommended rejecting all bids received and re-advertising the contract. A memorandum accompanied the presentation.

A-8 Evaluation of Contract B021 – Furnish and Deliver Pressure Control Valve Catchpot Inserts & Bottoms for Sludge Heat Treatment to the PVSC Warehouse for a Two (2) Year Period

Mr. Fuscaldo gave a presentation on the referenced contract. Plant Superintendent Michael Urbanski recommended awarding the contract to BR Welding, Inc., as the low bidder on Contract Items 1 and 2. The proposal from Samstubend, Inc., was rejected as non-conforming. A memorandum accompanied the presentation.

- A-9 Evaluation of Contract B022 – Furnish and Deliver Various Maintenance Chemicals & Supplies to the PVSC Warehouse for a Two Year Period

Mr. Fuscaldo gave a presentation on the referenced contract. Mr Urbanski recommended awarding the contract to Penetone Corporation for Contract Items 5, 6, 7, 13, 15, 34, 35, 41, 42, 48, 49, and 55, with a contract price on these items of \$20,000. The remaining items will be re-advertised. A memorandum accompanied the presentation.

- A-10 Evaluation of Contract B023 – Furnish and Deliver Various Hose, Couplings and Fittings to the PVSC Warehouse for a One (1) Year Period

Mr. Fuscaldo gave a presentation on the referenced contract. Mr. Urbanski recommended awarding the contract to D&W Diesel, Inc., for Contract Items 2, 6-11, 13, 16-18, 23, 24, 30, 31, 35, 41-45, 48, 54-56, 58-63, 65, 67, and 68. Mr. Urbanski recommended awarding the contract to JGB Enterprises, Inc., for Contract Items 12, 14, 15, 20-22, 27-29, 33, 34, 38, 47, 49, 50-53, 57, 64, and 66. The remaining items will be re-advertised. A memorandum accompanied the presentation.

- A-11 Evaluation of Contract B026A – Furnish and Deliver One (1) United Marine International Tilt Trailer Model T12-T or Approved Equal to the PVSC

Mr. Fuscaldo gave a presentation on the referenced contract. River Restoration Manager Brian Davenport recommends awarding the contract to United Marine International for the amount of \$97,900. A memorandum accompanied the presentation.

- A-12 Evaluation of Contract B028A – Furnish and Install Various Wireless Monitoring and Alarm Equipment for a One (1) Year Period

Mr. Fuscaldo gave a presentation on the referenced contract. This contract was bid under the North Jersey Cooperative Pricing System, of which PVSC is a member and the lead agency. Nebula LLC was the low bidder on Contract Items 1-20 and a recommendation was made to award the contract to the same. A memorandum accompanied the presentation.

- A-13 Evaluation of Contract B031 – Heat Exchanger Repairs per ASME Code for Unfired Pressure Vessels, on an As Needed Basis for a Two (2) Year Period

Mr. Rotolo gave a presentation on the referenced contract. Mr. Rotolo recommended awarding the contract to Samstubend, Inc., for Contract Items 1-4. A memorandum accompanied the presentation.

- A-14 Contract No. A733 Final Clarifiers Phase IV Modifications – Change Order No. 9

Mr. Rotolo gave a presentation on the referenced contract. Mr. Rotolo recommended approval of Change Order No. 9 for the contract with Stone Hill Contracting, Inc., for the

amount of \$206,439.00 for costs and work that were not previously foreseen. A memorandum accompanied the presentation.

- A-15 Contract A315 Rehabilitation of the Main Interceptor Sewer and Various Manholes Project – Contract Modification No. 11

Mr. Rotolo gave a presentation on the referenced contract. Mr. Rotolo recommended approval of Contract Modification No. 11 to the original contract for additional work items not included in the original contract, which contract is being performed by Cruz Contractors, LLC. The revised contract will be for a not-to-exceed amount of \$20,594,837.61. A memorandum accompanied the presentation.

- A-16 Agreement No. 2592 Amendment to Greeley and Hansen Engineering for Contracts A707 and A809 – Improvements to the Effluent Pumps and Motors

Mr. Rotolo gave a presentation on the referenced contract. Mr. Rotolo recommended an amendment to the contract to extend the services being provided through October 15, 2016, for an amount not-to-exceed \$150,412. A memorandum accompanied the presentation.

- A-17 PVSC 2016 New Jersey Large Energy User Coalition Membership Renewal

Mr. Rotolo gave a presentation on the referenced matter. PVSC is a member of the NJLEUC, which provides services to the regulated community. Mr. Rotolo recommended renewing PVSC's membership. A memorandum accompanied the presentation.

- A-18 Request for Authorization to Solicit an RFQ/RFP for Professional Services – Environmental Outreach Consultant (*REMOVED FROM AGENDA*)

- A-19 Newark Bay Outfall Dechlorination Facility (*Resolution Required*) (*REMOVED FROM AGENDA*)

- A-20 Renewal of Property and Casualty Insurance for 2016

Mr. Fuscaldo advised that PVSC was currently undergoing the process to renew its Property and Casualty Insurance for 2016 with its Broker of Record, Fairview Insurance. No papers accompanied the discussion.

- A-21 Meeting Schedule

Mr. Tramontozzi presented a proposed Public Meeting schedule for 2016. A proposed resolution accompanied the presentation.

A-22 Plant Performance Report

Ms. McKenna presented a report on plant operations for the period January 2015 through November 2015. A report accompanied the presentation.

A-23 Check Register for Payment of Bills (*Resolution Required*)

OTHER MATTERS:

O-1 Approval of Liquid Waste Disposal Agreements

Ms. McKenna gave a presentation regarding Liquid Waste Disposal Agreements executed during the month of December 2015. A memorandum accompanied the presentation. No resolution was required on this matter.

EXECUTIVE SESSION:

Chairman Tucci read into the record a motion in compliance with the New Jersey Open Public Meeting Act to discuss the following matters in Executive Session.

Motion: Commissioner Calabrese; Second: Commissioner Heck. A roll call vote was taken. Yes – Calabrese, Catuogno, Crump, Heck, Lucianin, Quintana, Tucci. No – none. The Executive Session commenced at 1:17 pm.

A. Legal

- L-1 Status of Sludge Transportation and Disposal Contract with Synagro (N.J.S.A. 10:4-12(b) (7) (contract negotiation and attorney-client privilege)).
- L-2 PVSC v. Villa Italia Pizzeria, Docket No. ESX-C-197-15 (N.J.S.A. 10:4-12(b) (7) (attorney-client privilege)).
- L-3 PVSC v. Atlantic Casting & Engineering Corp., Docket No. ESX-C-104-15 (N.J.S.A. 10:4-12(b) (7) (contract negotiation and attorney-client privilege)).
- L-4 Collective Bargaining Agreement with IBEW, Local 1158 – Blue Collar; (N.J.S.A. 10:4-12(b) (4) (collective bargaining agreement); N.J.S.A. 10:4-12(b) (7) (attorney-client privilege)).
- L-5 Collective Bargaining Agreement with IBEW, Local 1158 – White Collar; discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b) (4) (collective bargaining agreement); N.J.S.A. 10:4-12(b) (7) (attorney-client privilege)).
- L-6 Collective Bargaining Agreement with Professionals Group – PVSC; discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b) (4) (collective bargaining agreement); N.J.S.A. 10:4-12(b) (7) (attorney-client privilege)).

L-7 Collective Bargaining Agreement with Supervisor Group – PVSC; discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b) (4) (collective bargaining agreement); N.J.S.A. 10:4-12(b) (7) (attorney-client privilege).

B. Personnel (Old Business) (N.J.S.A. 10:4-12(b)(8) (Personnel Matters))

- P-1 Request – New Employees
- P-2 Request – New Employees – Previously Authorized Under Executive Order 55
- P-3 Request – Out of Title
- P-4 Request – Promotions
- P-5 Request – Title Change

C. Personnel (New Business) (N.J.S.A. 10:4-12(b)(8) (Personnel Matters))

- P-6 Request – Passed Evaluations
- P-7 Request – Range Changes
- P-8 Request – Step Changes
- P-9 Request – Promotions – Out of Title
- P-10 Request – Extended Medical Leaves of Absence
- P-11 Discussion Only – New Employees
- P-12 Discussion Only – Out of Title
- P-13 Discussion Only – Promotions
- P-14 Discussion Only – Salary Adjustments

The Executive Session ended at 2:37 pm and the Public Work meeting resumed.

There being no further business, Chairman Tucci called for a motion to adjourn the Public Work Session Meeting.

Motion: Calabrese; second: Crump. A voice vote was taken. Yes: 7; no: 0. The Work Session Meeting adjourned at 2:37 pm.


Joseph F. Kelly, Clerk

This is to certify that the within minutes accurately reflect the time and place of this meeting, the members present, the subjects considered, the actions taken, the vote of each member and all other information required to be shown in the minutes by law.

MINUTES OF THE REGULAR PUBLIC MEETING
OF THE
PASSAIC VALLEY SEWERAGE COMMISSIONERS
DECEMBER 17, 2015

The Passaic Valley Sewerage Commissioners met at their offices on the above date at 2:37 pm. Present: Chairman Thomas Tucci; Vice Chairman Kenneth Lucianin; Commissioner Elizabeth Calabrese; Commissioner David Catuogno; Commissioner Mildred Crump; Commissioner Scott Heck and Commissioner Luis Quintana. Absent: None.

Also Present: Executive Director and General Counsel Gregory A. Tramontozzi; Chief Operating Officer Bridget McKenna; Chief Engineer John Rotolo; Chief Financial Officer and Clerk Joseph F. Kelly; and Special Counsel Michael D. Witt, Esq.

Chairman Tucci called the meeting to order and read into the record the statement of compliance with the New Jersey Open Public Meetings Act.

Clerk Joseph F. Kelly took the roll, with the above-identified Commissioners being present.

Chairman Tucci called for comments from the public on any matters, whether on the agenda or not:

1. Anthony Drozd. Mr. Drozd commented on his status as a former employee of PVSC who had been terminated. Mr. Drozd indicated that he was represented by counsel in connection with claims surrounding his former employment. Special Counsel Witt advised Mr. Drozd that he and the Executive Director would contact Mr. Drozd's purported counsel to discuss the matter, but that the Rules of Professional Conduct governing attorneys in the State of New Jersey prevented them from further discussing the matter directly with Mr. Drozd without his counsel's presence or consent.
2. Mario Drozd. Mr. Drozd, father of Anthony Drozd, commented on his son's status as a former employee of PVSC.

Chairman Tucci called for a motion to move Resolutions 236-15 to 255-15 by consent. Motion: Vice Chairman Lucianin; second: Commissioner Catuogno. A roll call vote was taken: Calabrese – yes; Catuogno – yes; Crump – yes; Heck – yes; Lucianin – yes; Quintana – yes; Tucci – yes. Motion passed.

Chairman Tucci called for a motion to move Resolutions 256-15 to 259-15 by consent. Motion: Vice Chairman Lucianin; second: Commissioner Quintana. A roll call vote was taken: Calabrese – yes; Catuogno – yes; Crump – yes; Heck – yes; Lucianin – yes; Quintana – yes; Tucci – yes. Motion passed.

No. 236-15

BE IT RESOLVED that the Minutes for the Regular Public Meeting of December 3, 2015, are hereby approved.

VOTE – 7 AYES

No. 237-15

SUPPLEMENTAL RESOLUTION NO. 16 RELATING TO THE GENERAL BOND RESOLUTION OF PASSAIC VALLEY SEWERAGE COMMISSIONERS AND AUTHORIZING NOT EXCEEDING \$120,000,000 PRINCIPAL AMOUNT OF SEWER SYSTEM BONDS OF THE COMMISSION.

WHEREAS, the Passaic Valley Sewerage Commissioners (including its successors and assigns, the "Commission"), a body corporate and politic and an instrumentality of the State of New Jersey (the "State"), has been organized and exists under, and by virtue of, Chapter 14 of Title 58 of the Revised Statutes of the State, and the acts amendatory thereof and supplemental thereto (codified at N.J.S.A. 58:14-1 et seq., the "Act");

WHEREAS, the Commission has previously authorized and issued Bonds, pursuant to and as defined in, the resolution of the Commission adopted May 20, 1971 and entitled, "Resolution Providing For The Issuance Of Bonds Of Passaic Valley Sewerage Commissioners And For The Rights Of The Holders Thereof, And Authorizing \$23,700,000 Principal Amount Thereof (as amended and supplemented, the "General Bond Resolution");

WHEREAS, the General Bond Resolution has been previously amended and supplemented by:

"Supplemental Resolution No. 1 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners Supplementing the Same, Determining Certain Terms and Amending Various Provisions Thereof" duly adopted by the Commission at a meeting duly called and held February 15, 1972;

"Supplemental Resolution No. 2 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners Supplementing the Same and Determining Certain Terms" duly adopted by the Commission at a meeting duly called and held April 5, 1972;

"Supplemental Resolution No. 3 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, and Authorizing \$490,204,000 Principal

Amount of Sewer System Bonds of the Commission" duly adopted by the Commission at a meeting duly called and held April 9, 1975;

"Supplemental Resolution No. 4 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners Supplementing the Same, and Determining Certain Terms Thereof" duly adopted by the Commission at a meeting duly called and held January 26, 1977;

"Supplemental Resolution No. 5 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, Supplementing the Same and Determining Certain Terms" duly adopted by the Commission at a meeting duly called and held February 23, 1977;

"Supplemental Resolution No. 6 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, and Authorizing \$90,000,000 Principal Amount of Sewer System Bonds of the Commission" duly adopted by the Commission at a meeting duly called and held February 1, 1990;

"Supplemental Resolution No. 7 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners Supplementing the Same, and Determining Certain Terms Thereof" duly adopted by the Commission at a meeting duly called and held May 22, 1990;

"Supplemental Resolution No. 8 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners and Authorizing Not Exceeding \$230,000,000 Principal Amount of Sewer System Bonds of the Commission" duly adopted by the Commission at a meeting duly called and held August 17, 1992;

"Supplemental Resolution No. 9 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, Supplementing the Same, and Determining Certain Terms Thereof" duly adopted by the Commission at a meeting duly called and held November 19, 1992;

"Supplemental Resolution No. 10 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners and Authorizing Not Exceeding \$100,000,000 Principal Amount of Sewer System Bonds of the Commission" duly adopted by the Commission at a meeting duly called and held September 16, 1999;

"Supplemental Resolution No. 11 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners Supplementing the Same and Determining Certain Terms Thereof" duly adopted by the Commission at a meeting duly called and held December 16, 1999;

"Supplemental Resolution No. 12 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners and Authorizing Not Exceeding \$225,000,000 Principal Amount of Sewer System Bonds of the Commission" duly adopted by the Commission at a meeting duly called and held October 23, 2002;

"Supplemental Resolution No. 13 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners and Authorizing Not Exceeding \$32,000,000 Principal Amount of Sewer System Bonds of the Commission" duly adopted by the Commission at a meeting duly called and held on June 9, 2004;

"Supplemental Resolution No. 14 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners and Authorizing Not Exceeding \$41,000,000 Principal Amount of Sewer System Refunding Bonds, Series H of the Commission" duly adopted by the Commission at a meeting duly called and held on September 10, 2009; and

"Supplemental Resolution No. 15 Relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners and Authorizing Not Exceeding \$30,000,000 Principal Amount of Sewer System Bonds, Series I of the Commission" duly adopted by the Commission at a meeting duly called and held on September 10, 2009;

WHEREAS, the Commission desires to issue the Ninth Additional Bonds authorized hereby and by clauses (2) and (3) of Section 301 of the General Bond Resolution, the Act and all other applicable law to raise funds to pay for the costs of the Ninth Additional Project, as described herein.

NOW, THEREFORE, BE IT RESOLVED by the **PASSAIC VALLEY SEWERAGE COMMISSIONERS** as follows:

ARTICLE I

STATUTORY AND OTHER DETERMINATIONS AND DEFINITIONS

Section 101. Short Title.

This resolution may hereafter be cited by the Commissioners, and is hereinafter sometimes referred to, as the "Sixteenth Supplemental Resolution."

Section 102. Definitions.

(A) Wherever used or referred to in this Sixteenth Supplemental Resolution, all words or terms which are defined in Section 105 of the General Bond Resolution, except the words or terms which are defined in the preambles hereof or in paragraph (B) of this Section 102 or are expressly defined elsewhere herein, shall, unless a different meaning clearly appears from the context, have the meanings given or ascribed to such words and terms, respectively, in Section 105 of the General Bond Resolution.

(B) In this Sixteenth Supplemental Resolution, unless a different meaning clearly appears from the context:

(1) Articles and Sections mentioned by number alone and without qualification by the word "hereof" are the respective Articles and Sections of the General Bond Resolution so numbered;

(2) The term "Sixteenth Supplemental Resolution" shall have the meaning ascribed to such term in Section 101 hereof;

(3) "General Bond Resolution" means the resolution adopted by the Commission on May 20, 1971 and entitled, "Resolution Providing For The Issuance Of Bonds Of Passaic Valley Sewerage Commissioners And For The Rights Of The Holders Thereof, And Authorizing \$23,700,000 Principal Amount Thereof," as heretofore amended, modified and supplemented;

(4) "Ninth Additional Bond" means any of the not exceeding \$120,000,000 principal amount of Bonds of the Commission authorized in Section 201 hereof and clauses (2) and (3) of Section 301 of the General Bond Resolution, and authenticated and delivered under and pursuant to Section 303 of the General Bond Resolution, and any Bonds issued in lieu of or in substitution for said bonds pursuant to Section 414, Section 417, Section 419, Section 420, or Section 906 of the General Bond Resolution;

(5) "Ninth Additional Project" means the following:

(i) the planning, design, acquisition, improvement, renovation, replacement, construction and installation of the various capital projects to and for the System more fully described and detailed on Schedule A attached to this Sixteenth Supplemental Resolution and made a part hereof, and any and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto; and

(ii) payment of the principal or Redemption Price of and interest on all or a portion of (a) the outstanding Sewer System Bonds, Series E, of the Commission, dated December 15, 1999, to such date or dates as the Commission shall determine, and/or (b) the outstanding Sewer System Bonds, Series F, of the Commission, dated January 15, 2003, to such date or dates as the Commission shall determine;

(6) "2016 New Money Project" means the portion of the Ninth Additional Project described in clause (i) of the definition of Ninth Additional Project in paragraph (5) above; and

(7) "2016 Refunding Project" means the portion of the Ninth Additional Project described in clause (ii) of the definition of Ninth Additional Project in paragraph (5) above.

(C) The terms "herein", "hereunder", "hereby", "hereto", "hereof", and any similar terms, refer to this Sixteenth Supplemental Resolution, the term "heretofore" means before the date of adoption of this Sixteenth Supplemental Resolution, and the term "hereafter" means after the date of adoption of this Sixteenth Supplemental Resolution; words importing the masculine gender include every other gender; words importing persons include firms, associations and corporations; and words importing the singular number include the plural number, and vice versa.

Section 103. Authority for Sixteenth Supplemental Resolution.

This Sixteenth Supplemental Resolution supplements the General Bond Resolution and is adopted pursuant to the provisions of the Act, all other applicable law, and the General Bond Resolution and in accordance with the terms of Article VIII thereof, particularly Section 801, for the purpose of authorizing Additional Bonds and specifying, determining and authorizing matters and things in connection therewith or relative thereto, and is a Supplemental Resolution. The Commission has ascertained and hereby determines, as hereinafter more particularly set forth in Section 201 hereof, that adoption of this Sixteenth Supplemental Resolution is necessary to carry out the powers, purposes and duties expressly provided in the Act, that each and every act, matter, thing or course of conduct as to which provision is made herein is necessary in order to promote, carry out and effectuate the purposes of the Commission in accordance with the Act and to carry out and effectuate the plans and purposes of the Act, and that the powers of the Commission herein exercised are in each case exercised in accordance with the provisions of the Act and the General Bond Resolution and in furtherance of the purposes of the Commission.

Section 104. Resolution to Constitute Contract.

In consideration of the purchase and acceptance of any or all of the Bonds by those who shall hold the same from time to time, the provisions of the Resolution shall be a part of the contract of the Commission with the Holders of any Bonds Outstanding as of the date hereof and, if and to the extent so provided in the Supplemental Resolution authorizing the issuance of any particular other Additional Bonds, the Holders of such other Additional Bonds, and shall be deemed to be and shall constitute a contract between the Commission, the Trustee and the Holders from time to time of said Bonds and the coupons, if any, appurtenant thereto. The pledge made in the Resolution and the provisions, covenants and agreements therein set forth to be performed by or on behalf of the Commission shall be for the equal benefit, protection and security of the Holders of any and all of said Bonds and coupons. All of the Bonds and the coupons, if any, appurtenant thereto, regardless of the time or times of their issuance or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds or coupons over any other thereof except as expressly provided in or pursuant to the Resolution.

Section 105. Obligation of Bonds and Pledge Securing the Same.

The Ninth Additional Bonds shall be direct and general obligations of the Commission, and the full faith and credit of the Commission are hereby pledged to the payment of the principal or Redemption Price, if any, of and interest on the Ninth Additional Bonds. All other Bonds Outstanding as of the date hereof and, if and to the extent so provided in the Supplemental Resolution authorizing the issuance of any particular other Additional Bonds, such other Additional Bonds shall be entitled to the benefits of the continuing pledge and lien created by the Resolution to secure the full and final payment of the principal or Redemption Price, if any, of and interest on all of said Bonds.

ARTICLE II

NINTH ADDITIONAL PROJECT, NINTH ADDITIONAL BONDS AND FURTHER DETERMINATIONS

Section 201. Estimated Cost of Ninth Additional Project, Authorization of Ninth Additional Bonds and Determinations by Commission.

(A) The estimated cost of the 2016 New Money Project and the 2016 Refunding Project, each constituting a part of the Ninth Additional Project, is not exceeding \$35,000,000 and not exceeding \$85,000,000, respectively, for a total estimated cost of not exceeding \$120,000,000. For the purpose of raising funds to pay the Costs of Construction of the 2016 New Money Project constituting part of the Ninth Additional Project and to raise funds to provide for the 2016 Refunding Project constituting part of the Ninth Additional Project and for purposes of the Act and the General Bond Resolution, negotiable bonds of the Commission, each constituting "Additional Bonds" as mentioned and described in the General Bond Resolution, are hereby authorized to be issued one or more series in the aggregate principal amount of not exceeding \$120,000,000, subject to the terms, conditions and limitations provided herein and in the General Bond Resolution. Said bonds (herein called the "Ninth Additional Bonds") may be issued in one or more series and shall bear such date or dates, mature at such time or times not exceeding forty (40) years from the date thereof, bear interest at such rate or rates and payable at such times, be in such denomination or denominations, be in such registered form, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable from such sources in such medium of payment at such place or places within or without the State, be subject to such terms of redemption (with or without premium), be issued upon such other terms and conditions and be awarded to the successful bidder as shall be determined and approved by the Executive Director of the Commission, to whom all authority to do so is hereby delegated, and as may otherwise be provided by resolution or resolutions of the Commissioners adopted prior to the issuance of the Ninth Additional Bonds.

(B) It is the determination of the Commission that the Ninth Additional Bonds are to be issued for the purposes described in clauses (2) and (3) of Section 301 of the General Bond Resolution, and the Commission shall commence, proceed with and complete the Ninth Additional Project in accordance with the Act and the General Bond Resolution.

Section 202. Qualification for The Depository Trust Company.

Each Fiduciary is hereby authorized to take such actions as may be necessary from time to time to qualify the Ninth Additional Bonds for deposit with The Depository Trust Company, as securities depository for the Ninth Additional Bonds, including, but not limited to, wire transfers of interest and principal payments with respect to the Ninth Additional Bonds, utilization of electronic book-entry data received from The Depository Trust Company in place of actual delivery of the Ninth Additional Bonds, and provision of notices with respect to the Ninth Additional Bonds registered by The Depository Trust Company (or any of its designees identified to the Fiduciaries) by overnight delivery, courier service, telegram, telecopy or other similar means of communication.

ARTICLE III

NOTICE AND PUBLICATION

Section 301. Public Hearing.

In accordance with the provisions of N.J.S.A. 58:14-34.14(b), the Commission hereby determines to hold a public hearing on this Sixteenth Supplemental Resolution at the offices of the Commission, 600 Wilson Avenue, Newark, New Jersey, on January 21, 2016 at 2:00 P.M.

Section 302. Filing and Advertising.

The Clerk of the Commission is hereby authorized and directed (a) to mail, or deliver, at least thirty (30) days prior to the date of the public hearing mentioned in Section 301 hereof, a certified copy of this Sixteenth Supplemental Resolution and a notice of the date, time and place of the public hearing mentioned in Section 301 hereof to the governing body of each contracting municipality, which notice shall be in substantially the form attached hereto as Exhibit A, and (b) at least thirty (30) days prior to the date of the public hearing mentioned in Section 301 hereof, publish the notice referred to in clause (a) above at least once in "The Star-Ledger", a newspaper of general circulation published in the City of Newark, New Jersey.

Section 303 Estoppel Notice.

The Clerk of the Commission is hereby authorized and directed to cause to be published, at least thirty (30) days after the date of the public hearing referred to in Section 301 hereof and after the taking effect of this Sixteenth Supplemental Resolution, in "The Star-Ledger", a notice in substantially the form attached hereto as Exhibit B.

ARTICLE IV

MISCELLANEOUS

Section 401. No Recourse on the Ninth Additional Bonds; Obligations of Contracting Municipalities under the Act.

(A) No recourse shall be had for the payment of the principal or Redemption Price of or the interest on the Ninth Additional Bonds or for any claim based thereon or on the Resolution against any member or Commissioner or officer of the Commission or any person executing the Ninth Additional Bonds. The Ninth Additional Bonds are not and shall not be in any way a debt or liability of the State of New Jersey or of any county or municipality, and do not and shall not create or constitute any indebtedness or obligation, either legal, moral or otherwise, of said State or of any county or municipality, and neither said State nor any county or municipality shall be liable on the Ninth Additional Bonds, and the Ninth Additional Bonds are not and shall not be payable out of any funds other than those of the Commission.

(B) The Act authorizes and directs the Contracting Municipalities and other users of the System to do and perform any and all acts and things necessary, convenient or desirable to pay to the Commissioners annually the total cost and expense (as referred to and described in the Act) of maintenance, repair and operation of the System apportioned in accordance with the Act. Every obligation assumed by or imposed upon a Contracting Municipality or other such user under or pursuant to the Act shall be enforceable by the Commissioners by appropriate action, suit or proceeding, and the Commissioners may have and pursue any and all remedies provided by law for the enforcement of such obligation.

Section 402. Severability of Invalid Provision.

If any one or more of the provisions, covenants or agreements in this Sixteenth Supplemental Resolution on the part of the Commission or any Fiduciary to be performed should be contrary to law, then such provision or provisions, covenant or covenants, agreement or agreements, shall be deemed separable from the remaining provisions, covenants and agreements, and shall in no way affect the validity of the other provisions of this Sixteenth Supplemental Resolution or of the Ninth Additional Bonds.

Section 403. Effective Date.

Subject to the terms and conditions of N.J.S.A. 58:14-34.14(b), this Sixteenth Supplemental Resolution shall be effective on the thirtieth (30th) day after the conclusion of the public hearing authorized in Section 301 hereof and upon the filing with the Trustee of a copy thereof certified by the Clerk as provided in Section 801 of the General Bond Resolution.

PROJECTS COMPRISING THE 2016 NEW MONEY PROJECT

1. System-wide substation electrical improvements, including the upgrading of a total of 17 substations
2. Phase V Line Assessment including camera and sonar inspection, system wide cleaning and engineering design for Phase V rehabilitation
3. Rehabilitation of 12 combined sewer overflow regulator chambers
4. Purchase and installation of effluent pump motors
5. System-wide roof replacements
6. Various IT projects including the acquisition of various software programs
7. Rehabilitation of storage tanks at the sludge pumping station, the sludge thickener facility, the sludge decant facility and the old sludge storage facility
8. Gearbox rehabilitation/replacement for oxygenation tanks
9. Re-tubing of sludge heat treatment boiler
10. Miscellaneous System-wide HVAC system replacements
11. Recoating of filter press plates
12. Various combined sewer overflow related projects, including a landside characterization update, a plant alternative analysis, long-term control planning and the development of a Newark Bay mixing zone model

**NOTICE OF PUBLIC HEARING ON THE SIXTEENTH SUPPLEMENTAL
RESOLUTION OF PASSAIC VALLEY SEWERAGE COMMISSIONERS**

To the Governing Body of each of the following municipalities:

City Council of the City of Bayonne
Board of Commissioners of the Town of Belleville
Mayor and Council of the Town of Bloomfield
City Council of the City of Clifton
Borough Council of the Borough of East Newark
Mayor and Council of the City of East Orange
Borough Council of the Borough of East Rutherford
Mayor and Council of the Borough of Elmwood Park
Mayor and Council of the Borough of Fair Lawn
Mayor and Council of the City of Garfield
Mayor and Council of the Borough of Glen Ridge
Mayor and Council of the Borough of Glen Rock
Mayor and Council of the Borough of Haledon
Mayor and Council of the Town of Harrison
Mayor and Council of the Borough of Hawthorne
City Council of the City of Jersey City
Mayor and Council of the Town of Kearny
Mayor and Council of the Township of Little Falls
Mayor and Council of the Borough of Lodi
Board of Commissioners of the Township of Lyndhurst
Board of Commissioners of the Town of Montclair
Mayor and Council of the City of Newark
Mayor and Council of the Borough of North Arlington
Board of Commissioners of the Township of North Bergen
Mayor and Council of the Borough of North Haledon
Board of Commissioners of the Township of Nutley
Board of Commissioners of the City of Orange
Mayor and Council of the City of Passaic
Mayor and Council of the City of Paterson
Mayor and Council of the Borough of Prospect Park
Mayor and Council of the Borough of Rutherford
Mayor and Council of the Township of Saddlebrook
Mayor and Council of the Township of South Hackensack
Mayor and Council of the Borough of Totowa
Borough of Commissioners of the City of Union
Mayor and Council of the Borough of Wallington
Mayor and Council of the Borough of Woodland Park
Mayor and Council of the Borough of Wood-Ridge

This notice being directed and given in the case of each such municipality to the commission, council, board or body by whatever name it may be known, having charge of the finances of such municipality.

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On December 17, 2015, the Passaic Valley Sewerage Commissioners (hereinafter called the "Commissioners"), a body politic and corporate created and existing by virtue of chapter fourteen of Title 58 of the Revised Statutes of the State of New Jersey (Section 58:14-1, et seq.) as amended and supplemented, adopted a bond resolution entitled "Supplemental Resolution No. 16 relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, and Authorizing Not Exceeding \$120,000,000 Principal Amount of Sewer System Bonds of the Commission" (hereinafter referred to as the "Resolution").

2. A copy of the Resolution certified by the Clerk of the Commissioners has been served on each Contracting Municipality.

3. Pursuant to the provisions of the Act of the Legislature of the State of New Jersey entitled: "An Act concerning the Passaic Valley Sewerage Commissioners and the sanitation facilities constructed or to be constructed by it, provided for the issuance of bonds and other obligations for financing such facilities, and prescribing powers and duties of said commissioners and of municipalities with respect thereto, and supplementing chapter fourteen of Title 58 of the Revised Statutes", approved August 14, 1953 constituting Chapter 388 of the Laws of 1953 and all acts of said Legislature amendatory thereto heretofore adopted (hereinafter referred to as the "Act"), a Public Hearing at which you or any of the above named municipalities may appear in person or by agent or attorney and be heard with respect to the Resolution, will be held at the offices of the Commissioners at 600 Wilson Avenue, Newark, New Jersey, in the Passaic Valley Sewerage District, on January 21, 2016, at 2:00 P.M. and that such Public Hearing will be continued at said place from day to day beginning at the hour of 2:00 P.M. on each day (except Saturdays and Sundays) until concluded.

4. This Notice is given to you pursuant to and for the purposes of the Act.

**PASSAIC VALLEY SEWERAGE
COMMISSIONERS**

By: /s/ Joseph F. Kelly
Clerk

**PASSAIC VALLEY SEWERAGE COMMISSIONERS
NOTICE OF ADOPTION OF SUPPLEMENTAL BOND RESOLUTION**

PUBLIC NOTICE is hereby given that a resolution entitled "Supplemental Resolution No. 16 relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, and Authorizing Not Exceeding \$120,000,000 Principal Amount of Sewer System Bonds of the Commission" (hereinafter called the "Supplemental Bond Resolution") was adopted by Passaic Valley Sewerage Commissioners (hereinafter called the "Commissioners") on December 17, 2015; that on January 21, 2016, a Public Hearing was held concerning the Supplemental Bond Resolution; that the Supplemental Bond Resolution took effect on February __, 2016, and that any action or proceeding of any kind or nature in any court questioning the validity or the creation and establishment of the Commissioners, or the validity or proper authorization of the bonds provided for by the Supplemental Bond Resolution, or the validity of chapter 14 of Title 58 of the Revised Statutes of New Jersey, N.J.S.A. 58:14-1 et seq. (hereinafter called the "Act") or of any obligations, covenants, agreement or contracts provided for by the Act or the Supplemental Bond Resolution shall be commenced within twenty (20) days after the first publication of this notice, which was first published this __ day of February, 2016.

**PASSAIC VALLEY SEWERAGE
COMMISSIONERS**

By: /s/ Joseph F. Kelly
Clerk

CERTIFICATE

I, MILDRED C. CRUMP, Secretary of Passaic Valley Sewerage Commissioners, a public body corporate and politic of the State of New Jersey (the "Commission"), HEREBY CERTIFY that the foregoing resolution entitled: "Supplemental Resolution No. 16 relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, and Authorizing Not Exceeding \$120,000,000 Principal Amount of Sewer System Bonds of the Commission", is a true copy of an original resolution, which was duly adopted by the Commission at a meeting thereof which was duly called and held on December 17, 2015, and at which meeting a quorum was present and acted throughout, and that the attached resolution has been compared by me with the original resolution, recorded in the records of the Commission and that it is a correct and complete transcript of such resolution, and that the attached resolution has not been altered, amended or repealed, but is in the form attached in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Commission this 17th day of December, 2015.

[SEAL]

**PASSAIC VALLEY SEWERAGE
COMMISSIONERS**

By: /s/ Mildred C. Crump
Secretary

CERTIFICATE

I, JOSEPH F. KELLY, Clerk of Passaic Valley Sewerage Commissioners, a public body corporate and politic of the State of New Jersey (the "Commission"), HEREBY CERTIFY that the foregoing resolution entitled: "Supplemental Resolution No. 16 relating to the General Bond Resolution of Passaic Valley Sewerage Commissioners, and Authorizing Not Exceeding \$120,000,000 Principal Amount of Sewer System Bonds of the Commission", is a true copy of an original resolution, which was duly adopted by the Commission at a meeting thereof which was duly called and held on December 17, 2015, and at which meeting a quorum was present and acted throughout, and that the attached resolution has been compared by me with the original resolution, recorded in the records of the Commission and that it is a correct and complete transcript of such resolution, and that the attached resolution has not been altered, amended or repealed, but is in the form attached in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Commission this 17th day of December, 2015.

[SEAL]

**PASSAIC VALLEY SEWERAGE
COMMISSIONERS**

By: /s/ Joseph F. Kelly
Clerk

VOTE – 7 AYES

No. 238-15:

WHEREAS, Section 602.6 of the PVSC Rules and Regulations requires Users to pay a Connection Fee under certain conditions; and

WHEREAS, Section 602.8 of the PVSC Rules and Regulations authorizes PVSC to establish the schedule of fees and rates on a periodic basis; and

WHEREAS, PVSC Resolution No. 22, dated October 23, 2002, further provides for recalculation of the Connection Fee on an annual basis; and

WHEREAS, in his memorandum dated December 8, 2015, Joseph Kelly, Chief Financial Officer, has recalculated the Connection Fee to be utilized in 2016 (\$2.98 per gallon per day), and has further recommended that the Commission approve it.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby approves the recalculated Connection Fee of \$2.98/gallon per day for use in calendar year 2016.

VOTE – 7 AYES

No. 239-15:

WHEREAS, the Proposed Gross Budget for 2016 is \$173,502,384; and

WHEREAS, the Commissioners require additional time to review the proposed 2016 budget; and

WHEREAS, funds are necessary to operate the Commission as of January 1, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Commissioners hereby approve a temporary 2016 budget in the amount of \$43,375,596 which represents twenty-five percent (25%) of the proposed 2016 budget amount of \$173,502,384.

VOTE – 7 AYES

No. 240-15

WHEREAS, in October 2015, the Passaic Valley Sewerage Commission advertised for bids relative to Contract B017A (Furnish Pipe, Fittings, Valves and Accessories to the PVSC Warehouse for a One (1) Year Period); and

WHEREAS, the bid opening took place on October 28, 2015, and bids were received from Raritan Group, Inc., and Bergen Industrial Supply; and

WHEREAS, the bid of Raritan Group, Inc., meets the technical bid requirements; and

WHEREAS, Raritan Group, Inc., submitted a bid with the highest discounts on items 10, 11, 18, 31, and 37; and

WHEREAS, the bid of Bergen Industrial Supply was submitted without bid security as required by the bid specifications; and

WHEREAS, in a memo dated November 18, 2015, John Rotolo, Chief Engineer, recommends that the bid proposal of Raritan Group, Inc., be accepted relative to those items for which their bids contain the highest discounts and that the bid of Bergen Industrial Supply be administratively rejected as non-responsive; and

WHEREAS, in a memo dated November 27, 2015, Thomas Fuscaldo, Purchasing Agent, concurs with Mr. Rotolo's recommendations, subject to review by PVSC's legal staff.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposal of Raritan Group, Inc., for the items as listed above and rejects the bid of Bergen Industrial Supply as non-responsive.

VOTE – 7 AYES

No. 241-15

WHEREAS, in September 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B018 (Furnish and Install New Replacement Electric Feeder Cables for a two (2) year period); and

WHEREAS, the bid opening took place on October 22, 2015, and bids were received from the following vendors:

1.	R. Spark Inc	\$260,101.00
2.	Travis Inc.	\$260,421.00
3.	JBL Electric Inc.	\$265,460.00
4.	Meridian Property Services	\$265,608.80
5.	HBC Company	\$274,800.00
6.	Daidone Electric, Inc.	\$277,200.00

; and

WHEREAS, in a memo dated November 23, 2015, John Rotolo, Chief Engineer, recommends that all of the bid proposals received be rejected for the purposes of substantially revising the bid specifications and advertising a new contract bid; and

WHEREAS, in a memo dated November 25, 2015, Thomas Fuscaldo, Purchasing Agent, concurs with Mr. Rotolo’s recommendation, subject to review by PVSC’s General Counsel.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby rejects all bids received under Contract B018 for the purposes of substantially revising the bid specifications, and

BE IT FURTHER RESOLVED that upon revision of the specifications, the proper PVSC officials are authorized to advertise a new contract bid.

VOTE – 7 AYES

No. 242.15

WHEREAS, in October 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract No. B019 (Drilling Geotechnical Borings); and

WHEREAS, the bid opening took place on October 28, 2015, and one bid was received from Uni-Tech Drilling Company, Inc., in the amount of \$71,840.00; and

WHEREAS, the PVSC Program Manager, Aecom+HDR, A Joint Venture (Aecom+HDR), has reviewed the bid and determined that the bid submission included an amount for mobilization that exceeded the maximum allowable under the specifications and is non-responsive, and that the total bid amount exceeded the pre-bid estimate by over forty percent. Aecom+HDR, in a memorandum dated November 17, 2015, recommends that the bid from Uni-Tech Drilling Company, Inc., be rejected; and

WHEREAS, in a memo dated November 18, 2015, Chief Engineer John Rotolo recommends that the bid proposal received be rejected as non-responsive as substantially exceeding the engineer's estimate, and further recommends re-bidding the contract; and

WHEREAS, in a memo dated November 27, 2015, Purchasing Agent Thomas Fuscaldo concurs with Mr. Rotolo's recommendations, subject to review and approval by PVSC's legal staff.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby rejects the bid received under Contract B019 as non-responsive and substantially exceeding the engineer's estimate.

VOTE – 7 AYES

No. 243-15:

WHEREAS, in September 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B021 (Furnish and Deliver Pressure Control Valve Catchpot Inserts and Bottoms for Sludge Heat Treatment to the PVSC Warehouse for a Two (2) Year Period); and

WHEREAS, the bid opening took place on October 14, 2015, and one (1) bid was received from BR Welding, Inc.; and

WHEREAS, the low bidder on items 1 and 2, BR Welding, Inc., meets the technical bid requirements; and

WHEREAS, in a memo dated October 26, 2015, Michael Urbanski, Plant Superintendent, recommends that the bid proposal of BR Welding, Inc., be accepted; and

WHEREAS, in a memo dated October 28, 2015, Thomas Fuscaldo, Purchasing Agent, concurs with Mr. Urbanski's recommendation, subject to review by PVSC's legal staff.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposal of BR Welding, Inc., for its low bids on items 1 and 2.

VOTE – 7 AYES

No. 244-15

WHEREAS, in September 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B022 (Furnish and Deliver Various Maintenance Chemicals and Supplies to the PVSC for a One (1) Year Period); and

WHEREAS, the bid opening took place on October 14, 2015, and one (1) bid was received with the low bidder on Items 5, 6, 7, 13, 15, 17, 34, 35, 41, 42, 48, 49, and 55 being Penetone Corporation; and

WHEREAS, the low bidder, Penetone Corporation, meets the technical bid requirements and has reliably furnished such maintenance chemicals to PVSC in the past; and

WHEREAS, in a memo dated October 27, 2015, Plant Superintendent Michael Urbanski recommends that the bid proposal of Penetone Corporation be accepted; and

WHEREAS, in a memo dated October 29, 2015, Purchasing Agent Thomas Fuscaldo concurs with Mr. Urbanski's recommendation, subject to review by PVSC's legal staff.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposal of Penetone Corporation for its low bids as listed above.

VOTE – 7 AYES

No. 245-15

WHEREAS, in September 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B023 (Furnish and Deliver Various Hose, Couplings and Fittings to the PVSC Warehouse for a One Year Period); and

WHEREAS, the bid opening took place on October 14, 2015, and two bids were received from D&W Diesel, Inc., and JGB Enterprises, Inc.; and

WHEREAS, the bidders, D&W Diesel, Inc., and JGB Enterprises, Inc., meet the technical bid requirements to supply the specified filters; and

WHEREAS, D&W Diesel, Inc., submitted the lowest responsive and responsible bids on Items 2, 6, 7, 8, 9, 10, 11, 13, 16, 17, 18, 23, 24, 30, 31, 35, 41, 42, 43, 44, 45, 48, 54, 55, 56, 58, 59, 60, 61, 62, 63, 65, 67, and 68, and JGB Enterprises, Inc., submitted the lowest responsive and responsible bids on Items 12, 14, 15, 20, 21, 22, 27, 28, 29, 33, 34, 38, 47, 49, 50, 51, 52, 53, 57, 64, and 66; and

WHEREAS, in a memo dated October 27, 2015, Plant Superintendent Michael Urbanski recommends that the bid proposals of D&W Diesel, Inc., and JGB Enterprises, Inc., be accepted for their low bids on the items as listed above; and

WHEREAS, in a memo dated October 29, 2015, Purchasing Agent Thomas Fuscaldo concurs with Mr. Urbanski's recommendation pending review and approval of PVSC legal staff.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposals of the lowest responsible and responsive bidders relative to Contract B023, D&W Diesel, Inc., and JGB Enterprises, Inc.

VOTE – 7 AYES

No. 246-15

WHEREAS, in October 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B026A (Furnish and Deliver One (1) United Marine International Tilt Trailer Model T12T or Approved Equal); and

WHEREAS, the bid opening took place on October 28, 2015, and one (1) bid was received from United Marine International, Inc. in the amount of \$97,900.00.; and

WHEREAS, in a memo dated November 4, 2015, River Restoration Program Manager Brian Davenport recommends that the bid proposal of United Marine International, Inc., be accepted; and

WHEREAS, in a memo dated November 9, 2015, Purchasing Agent Thomas Fuscaldo concurs with Mr. Davenport’s recommendation, subject to review by PVSC’s Special Legal Counsel.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposal of United Marine International, Inc., relative to Contract B026A.

Certification of Available Funds:

I hereby certify that funds are available for this expenditure and shall be charged to the following account:

<u>Fund/Cost Center/ Account</u>	<u>Amount</u>
370.11380.6570	<u>\$97,900.00</u>

/s/ Joseph F. Kelly
Chief Financial Officer

VOTE – 7 AYES

No. 247-15

WHEREAS, in November 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B028A (Furnish and Install Various Wireless Monitoring and Alarm Equipment for a One (1) Year Period); and

WHEREAS, the bid opening took place on November 25, 2015, and one bid was received from Nebula, LLC; and

WHEREAS, Nebula, LLC, submitted the low bid on Items 1 through 20; and

WHEREAS, the low bidder, Nebula LLC, meets the technical bid requirements and has reliably furnished such equipment and services to members of the North Jersey Wastewater Cooperative Pricing System in the past; and

WHEREAS, in a memo dated December 4, 2015, Purchasing Agent Thomas Fuscaldo recommends that the bid proposal from Nebula, LLC, be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposal of Nebula, LLC, on Contract B028A for its low bids on items as listed above.

VOTE – 7 AYES

No. 248-15

WHEREAS, in November 2015, the Passaic Valley Sewerage Commission advertised for bids on Contract B031 (Heat Exchanger Repairs per ASME Code for Unfired Pressure Vessels for a Two (2) Year Period); and

WHEREAS, the bid opening took place on November 25, 2015, and one (1) bid was received, with the low bidder on Items 1 through 4 being Samstubend, Inc.; and

WHEREAS, the low bidder, Samstubend, Inc., meets the technical bid requirements and has reliably furnished such services to PVSC in the past; and

WHEREAS, in a memo dated December 1, 2015, Chief Engineer John Rotolo recommends that the bid proposal from Samstubend, Inc., be accepted; and

WHEREAS, in a memo dated December 4, 2015, Purchasing Agent Thomas Fuscaldo concurs with Mr. Rotolo's recommendation, subject to review by PVSC's legal staff.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the bid proposal from Samstubend, Inc., on Contract B031 for its low bid on Items 1 through 4.

VOTE – 7 AYES

No. 249-15

WHEREAS, Stone Hill Contracting, Inc. (“Stone Hill”), is currently performing work under Contract A733 which consists of modifications and upgrades to various mechanisms and system components within each of the twelve (12) final clarifiers. This contract includes demolition of existing and installation of new scum removal pumping, piping and control systems on each tank; repair and repainting of all thirty-six (36) sludge collection mechanisms; repair of existing handrail system; and new pumps for the mix liquor channel and necessary electrical and instrumentation work; and

WHEREAS, Stone Hill is requesting a change order in the amount of \$206,439 for extra work that was not foreseen previously and not covered within the contract documents. The Change Order would increase the contract amount from \$21,001,941 to \$21,208,380. A time extension was not requested with this contract modification. This change order consists of the following seven (7) additional work items:

1. Furnish and Install a new Bladder Tank for the seal water system. The contractor will furnish and install a new bladder tank controls, piping, supports and concrete pad for the seal water system. The cost for this work is \$35,540.
2. Furnish and Install additional analog inputs. The contractor will furnish and install two new analog inputs in the Nocardia Control panel. The cost for this work is \$1,956.
3. Extended Overhead Costs. The contractor is requesting a cost for the expenses related to the contract time extension that was approved in Change Order No. 8 for installation of ducking skimmer. The cost for these expenses to extend the contract completion time from July 19, 2015, to October 31, 2015 is \$62,360.
4. Furnish and install Sludge Withdrawal Pipes. The contractor will furnish and install hard piping on the sludge withdrawal line to eliminate the large gaps and to support the existing elbows. The cost for this work is \$3,273.
5. Nocardia Electrical Modifications. The contractor will perform modifications to the Nocardia system including supplying and installing a power panel, pump and level control panels on the new platform. The contractor will also extend power and communication conduits across the Mixed Liquor Channel and will modify the power panel feeders, communication panel signal conduit and pump motor connection and other electrical changes to the Nocardia System. The cost for this work is \$39,781.
6. Paint New Steel Repairs. The contractor will sandblast to prepare and then apply three (3) coats of paint to the new steel plates installed to reinforce the truss structure in Finals Tank 1C. The cost for this work is \$38,792.
7. Furnish and Install New Sensors to Ducking Skimmer. The contractor will furnish and install four (4) new sensors to replace the existing sensors that have corroded. The contractor will also rewire the sensor connection in all twelve (12) tanks to prevent damage due to condensation. The cost for this work is \$24,792.

WHEREAS, the Consulting Engineer T&M has reviewed the Change Order No. 9 proposal and has found it to be fair and reasonable, and recommends approval; and

WHEREAS, in a memo dated November 23, 2015, John Rotolo, Chief Engineer, recommends that PVSC accept the proposal from Stone Hill Contracting, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the proposal from Stone Hill Contracting, Inc., with an amendment to Stone Hill's contract for a cost not to exceed \$206,439. This will increase the contract price from \$21,001,941 to \$21,208,380. This project is funded as part of the 2010 NJEIT Project No. S340689-18.

Contract Change Order History

Original Contract Amount:	\$17,715,500
Previous Change Orders to date:	3,286,441
Proposed Change Order #9	206,439
Total Revised Contract Amount	<u>\$21,208,380</u>
Change Order %	19.71%

Certification of Available Funds

I hereby certify that funds are available for this expenditure and shall be charged to the following Account:

<u>Fund/Cost Center/ Account</u>	<u>Amount</u>	<u>Grantor</u>
430.20100.8962	<u>\$206,439.00</u>	NJEIT S340689-18

/s/ Joseph F. Kelly
Chief Financial Officer

VOTE – 7 AYES

No. 250-15

WHEREAS, in a memo dated February 8, 2013, John Rotolo, P.E., Chief Engineer, recommended award of Contract No. A315 to Cruz Contractors, LLC, in the amount of \$17,891,176.00 for the Rehabilitation of the Main Interceptor Sewer and Various Manholes Project; and

WHEREAS, Executive Directives No. 17-13, 183-13, 38-14, 112-14, 201-14, 240-14, 246-14, 32-15, 82-15, 157-15, and 197-15 were awarded to Cruz Contractors, LLC, for the revised not-to-exceed Contract Amount of \$20,594,837.61 and the revised contract duration of eighty (80) additional calendar days; and

WHEREAS, as a result of changes to the existing conditions observed in the field once construction activities commenced, Cruz Contractors, LLC, needed to perform scope of work items not included within the Contract Documents; and

WHEREAS, the following is a summary of the additional scope of work items not included within the Contract Documents that Cruz Contractors, LLC, was required to perform for the rehabilitation of the Main Interceptor Sewer:

- Extra work (in the amount of \$9,935.36 – for PCO No. 35) associated with the additional work to install supportive steel brackets within MH MI-141 within the City of Clifton;
- Extra work (in the amount of \$72,572.39 – for PCO No. 42) associated with the initial excavation, backfill, and paving for the 42” and 8” PVWC water main pits in 5th Avenue (Passaic County Roadway) within the City of Paterson, which the rehabilitation work was stopped by the Passaic County Engineering Department;
- Extra work (in the amount of \$136,062.06 – for PCO No. 45) associated with the additional MPT for the rehabilitation work between MH MI-214 and MH MI-218 from April 20, 2015, to July 20, 2015, in 5th Avenue (Passaic County Roadway) within the City of Paterson, Passaic County, which the rehabilitation work was stopped by the Passaic County Engineering Department;
- Extra work (in the amount of \$59,152.65 – for PCO No. 48) associated with the additional MPT with the additional MPT for the rehabilitation work between MH MI-214 and MH MI-218 from July 21, 2015, to October 9, 2015, in 5th Avenue (Passaic County Roadway) within the City of Paterson, Passaic County, which required additional coordination as per the Passaic County Engineering Department; and

WHEREAS, the consulting engineer, Charles A. Manganaro, Consulting Engineers (“CAMCE”) has reviewed the Contract Modification Proposal and Acceptance (i.e., Contract Modification No. 11) submitted by Cruz Contractors, LLC, and has found it to be fair and reasonable, and recommends approval to Cruz Contractors, LLC, to increase its not-to-exceed contract amount by \$277,722.46 to the revised not-to-exceed Contract Amount of \$20,872,560.07; and

WHEREAS, in a memo dated November 25, 2015, John Rotolo, P.E., Chief Engineer, recommends authorization of the Contract Modification Proposal and Acceptance (i.e., Contract Modification No. 11) to Cruz Contractors, LLC, to increase the not-to-exceed contract amount by \$277,722.46 to the revised not-to-exceed Contract Amount of \$20,872,560.07, subject to acceptance and approval from the NJDEP.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby authorizes the Contract Modification Proposal and Acceptance (i.e., Contract Modification No. 11) to Cruz Contractors, LLC, to increase the not-to-exceed contract amount by \$277,722.46 to the revised not-to-exceed Contract Amount of \$20,872,560.07, subject to acceptance and approval from the NJDEP. This project will be funded as part of the NJEIT Project No. S340689-10 and S340689-10-1.

Contract/Change Order History

Original Contract Amount:	\$17,891,176.00
Previous Change Orders to date:	2,703,661.61
Proposed Change Order #11	277,722.46
Total Revised Contract Amount	<u>\$20,872,560.07</u>
Change Order %	16.66%

Certification of Available Funds

I hereby certify that funds are available for this expenditure and shall be charged to the following Account:

<u>Fund/Cost Center/ Account</u>	<u>Amount</u>	<u>Grantor</u>
430.20100.8962	<u>\$277,722.46</u>	NJEIT S340689-10-1

/s/ Joseph F. Kelly
Chief Financial Officer

VOTE – 7 AYES

No. 251-15

WHEREAS, Greeley and Hansen is currently providing Design Service During Construction (“DSDC”) and Resident Project Representative Services (“RPRS”) for the Improvements to the Effluent Pumps and Motors (Contract Nos. A707 and A809). Additional DSDC and RPRS effort will be required to address project delays associated with various scope changes in the refurbishment of Effluent Pump Motors 401 and 402; and

WHEREAS, scope increases for professional services are related to extensive motor machining that was required due to severe distortion of the stator, rotor hubs, upper and lower bearing brackets, and shaft replacement not included in the original scope of work. Corrective action resulted in project delays beyond the original completion date of October 15, 2015; and

WHEREAS, Greeley and Hansen submitted a proposal dated November 19, 2015, to extend its services through October 15, 2016, for an amount not-to-exceed \$150,412. The proposal is based on the Contractor’s (Longo Electrical) revised project schedule, including one (1) month of close-out time as follows:

- DSDC Services – Based on two (2) days per month until October 31, 2016 (\$36,658)
- RPR Services – Based on two (2) days per week until October 31, 2016 (\$78,754)

- Other Direct Costs (ODCs) for travel expenses to test sites (\$15,000)
- Pump and Motor Specialist Services on an as needed basis (\$20,000)

WHEREAS, in a memo dated November 23, 2015, Chief Engineer John Rotolo recommends that the proposal from Greeley and Hansen be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby accepts the proposal from Greeley and Hansen with an amendment to its contract for a cost not to exceed \$150,412. This will increase the contract price from \$905,800 to \$1,056,212. This project is funded as part of the 2010 NJEIT Series 1 ARRA Project No. S340689-15A.

Contract Amendment History

Original Professional Services Award:	\$ 446,656.00
Previous Amendments to date:	459,144.00
Proposed Amendment #4	15,412.00
	<hr/>
Total Amended Professional Services Award	<u>\$ 1,056,212.00</u>

Certification of Available Funds

I hereby certify that funds are available for this expenditure and shall be charged to the following Account:

<u>Fund/Cost Center/ Account</u>	<u>Amount</u>	<u>Grantor</u>
470.20100.8965	<u>\$150,412.00</u>	NJEIT S340689-15A

/s/ Joseph F. Kelly
Chief Financial Officer

VOTE – 7 AYES

No. 252-15

WHEREAS, the Passaic Valley Sewerage Commission is a member of the New Jersey Large Energy Users Coalition (“NJLEUC”); and

WHEREAS, the NJLEUC provides New Jersey’s large commercial and industrial consumers of electricity and natural gas a voice in the formulation of state and federal policies; and

WHEREAS, the NJLEUC promotes and protects the interests of its members through participation in administrative policy and ratemaking proceedings before the New Jersey Board of Public Utilities and also participates in matters before the Federal Energy Regulatory Commission, legislative bodies and the courts; and

WHEREAS, among other examples of activities of the NJLEUC that have been beneficial to PVSC is the creation by the New Jersey Board of Public Utilities of the Large Energy Users Pilot Program. This program allows qualified applicants to receive up to \$1 million in grant funding to offset the cost of making energy efficiency upgrades to existing buildings; and

WHEREAS, recently, the NJLEUC successfully intervened on behalf of the members to significantly reduce to more reasonable levels the amounts that PSE&G will ask for cost recovery over five years from ratepayers under its Gas System Modernization Program. PSE&G reduced the amount currently asked for under the Program from \$1.594 billion to \$650 million; and

WHEREAS, in a memorandum dated November 24, 2015, John Rotolo, Chief Engineer, recommends that PVSC renew its membership in the New Jersey Large Energy Users Coalition for 2016 for the membership fee of \$25,000.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby approves renewal of its membership in the New Jersey Large Energy Users Coalition for 2016 for the amount of \$25,000.

Certification of Available Funds

I hereby certify that funds are available for this expenditure and shall be charged to the following Account:

<u>Fund/Cost Center/ Account</u>	<u>Amount</u>
100.10150.6980	<u>\$25,000.00</u>

/s/ Joseph F. Kelly
Chief Financial Officer

VOTE – 7 AYES

No. 253-15

BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby approves the following Meeting Schedule for the year 2016.

<u>DATE</u>	<u>DAY</u>	<u>PUBLIC WORK MEETING TIME</u>	<u>REGULAR PUBLIC MEETING TIME</u>
January 7, 2016	Thursday	12:00 PM	2:00 PM
January 21, 2016	Thursday	12:00 PM	2:00 PM
February 11, 2016	Thursday	12:00 PM	2:00 PM
March 10, 2016	Thursday	12:00 PM	2:00 PM
April 14, 2016	Thursday	12:00 PM	2:00 PM
May 3, 2016	Tuesday	12:00 PM	(ANNUAL RE-ORG.)
May 19, 2016	Thursday	12:00 PM	2:00 PM
June 16, 2016	Thursday	12:00 PM	2:00 PM
July 14, 2016	Thursday	12:00 PM	2:00 PM
September 8, 2016	Thursday	12:00 PM	2:00 PM
October 13, 2016	Thursday	12:00 PM	2:00 PM
November 17, 2016	Thursday	12:00 PM	2:00 PM
December 15, 2016	Thursday	12:00 PM	2:00 PM

VOTE – 7 AYES

No. 254-15

BE IT RESOLVED that the payment of bills for the following Accounts be and the same is hereby approved as per the attached list (December 2016):

<u>FUND</u>	<u>AMOUNT</u>
RATIFICATION	\$ 20,681,534.11
GENERAL	2,534,793.94
RESERVE 370	1,767,522.54
RESERVE 380	199,693.89
RESERVE 430	<u>3,756,464.41</u>
TOTAL:	<u>\$ 28,940,008.89</u>

No. 255-15

WHEREAS, pursuant to Passaic Valley Sewerage Commission Resolution No. 29 (December 18, 1997), the Commissioners delegated the authority to execute all Sludge and Liquid Waste Disposal Agreements with both governmental and private entities to PVSC's Clerk, Joseph Kelly.

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission hereby ratifies the actions of Joseph Kelly, Clerk, in approving the following contracts:

CUSTOMER

Roxbury, Township of
Russell Reid
Russell Reid
Bernardsville, Borough of
Mt. Olive Villages Sewer Co.
Wayne, Township of

GENERATOR

Roxbury, Township of
Oakwood Village WTP
Trump National Bedminster
Bernardsville ST Plant
Mt. Olive Villages Sewer Co.
Wayne, Township of

VOTE – 7 AYES

No. 256-15

WHEREAS, the Passaic Valley Sewerage Commission (“PVSC”) is party to a Sludge Management Service Agreement with Synagro-WCWNJ, LLC (“Synagro”) dated August 22, 1996, which contract was awarded pursuant to the New Jersey Waste Water Treatment Privatization Act, N.J.S.A. 58:27-1, et seq. (the “Act”), for an original term of 10 years, which has been extended by PVSC for two (2) consecutive five (5) year options and is scheduled to terminate on September 1, 2016; and

WHEREAS, PVSC has been advised by its attorneys that it has the discretion to extend the Synagro contract for a term not to exceed an additional 20 years, subject to compliance with the Act; and

WHEREAS, Synagro in a Proposal dated November 6, 2015, has specified the terms and conditions on which it would agree to extend the contract, including the pricing thereof; and

WHEREAS, PVSC has been advised by its technical staff and attorneys that a consulting engineering study should be undertaken for the economic and market review and comparison of the Synagro Proposal; and

WHEREAS, Arcadis U.S. Inc. (“Arcadis”), consulting engineering firm, has in a letter dated December 8, 2015, a copy of which is attached hereto and made a part hereof, proposed an economic and market review in accordance with the needs of PVSC in an amount not to exceed \$84,390.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. PVSC does hereby award a professional services contract to Arcadis in accordance with its Proposal of December 8, 2015, in an amount not to exceed \$84,390; and
2. The Chairman of PVSC is hereby authorized to execute and deliver a contract with Arcadis in form to be approved by PVSC counsel.

VOTE – 7 AYES

No. 257-15

WHEREAS, the Passaic Valley Sewerage Commission has instituted legal proceedings against Villa Italia Pizzeria (“VILLA”), by way of a Complaint bearing Docket No. ESX-C-197-15, for allegedly having violated PVSC’s Rules and Regulations and N.J.S.A. 58:14-1, et seq.; and

WHEREAS, in accordance with the terms and conditions of a negotiated Settlement Agreement and Release, VILLA shall pay PVSC a settlement in the amount of FIVE HUNDRED DOLLARS (\$500.00).

NOW, THEREFORE, BE IT RESOLVED that the Settlement of PVSC vs. Villa Italia Pizzeria, Docket No. ESX-C-197-15, is hereby approved.

VOTE – 7 AYES

No. 258-15

WHEREAS, the Passaic Valley Sewerage Commission has instituted legal proceedings against Atlantic Casting & Engineering Corp. (“ATLANTIC”), by way of a Complaint bearing Docket No. ESX-C-104-15, for allegedly having violated PVSC’s Rules and Regulations and N.J.S.A. 58:14-1, et seq.; and

WHEREAS, in accordance with the terms and conditions of a negotiated Settlement Agreement and Release, ATLANTIC shall pay PVSC a settlement in the amount of SIX THOUSAND DOLLARS (\$6,000.00).

NOW, THEREFORE, BE IT RESOLVED that the Settlement of PVSC vs. Atlantic Casting & Engineering Corp., Docket No. ESX-C-104-15, is hereby approved.

VOTE – 7 AYES

No. 259-15

BE IT RESOLVED, that the following individuals are approved for appointment as probationary employees effective December 28, 2015:

FLORES, Luis is approved for the position of Operations Worker, Range 1, Step1, Annual Salary \$30,205.

GOSSER, William F. is approved for the position of Instrumentation Technician I, Range 9, Step 2, Annual Salary \$72,506.

KAHN, John J. is approved for the position of Low Voltage Electrician I, Range 9, Step 3, Annual Salary \$75,950.

MCGUIRE, Michael J. is approved for the position of Security Officer, Range 6, Step 2, Annual Salary \$52,009.

MURTAGH, Kevin R. is approved for the position of Maintenance Apprentice, Range 4, Step 1, Annual Salary \$42,300.

BE IT FURTHER RESOLVED, that the above appointments are subject to the passing of a physical examination given by a physician selected by the Passaic Valley Sewerage Commission.

VOTE – 7 AYES

No. 260-15

BE IT RESOLVED, that the following individuals are authorized for appointment as probationary employees, having previously been authorized for appointment under Executive Order 55 (Christie):

BELL, Robert J. is approved for the position of Low Voltage Electrician III, Range 7, Step 2, Annual Salary \$59,091, effective December 14, 2015.

CARLSEN Jr., Gerard T. is approved for the position of Operator I, Range 10, Step 1, Annual Salary \$76,188, effective November 2, 2015.

DAVILA Jr., Francisco is approved for the position of Operations Worker, Range 1, Step 1, Annual Salary \$30,205, effective November 2, 2015.

HART, Ana is approved for the position of Financial Assistant, Range 6, Step 1, Annual Salary \$49,529, effective November 2, 2015.

HENRY, Joshua is approved for the position of Operations Worker, Range 1, Step 1, Annual Salary \$30,205, effective November 2, 2015.

SMALLWOOD, Corey is approved for the position of Operations Worker, Range 1, Step 1, Annual Salary \$30,205, effective November 2, 2015.

VOTE – 7 AYES

No. 261-15

BE IT RESOLVED, that the following out of title assignment is hereby approved:

CURTIS, Lance – Operator III – Range 7, Step 2, Annual Salary \$59,091, approved for out of title pay as an Operator II – Range 8, Step 1, Annual Salary \$62,518.

BE IT FURTHER RESOLVED, that this out of title assignment shall be effective Sunday, November 15, 2015.

VOTE – 7 AYES

No. 262-15

BE IT RESOLVED, that the following promotions are hereby approved:

CAPUTO, Damon – Instrumentation Technician II, Range 8, Step 4, Annual Salary \$71,881, be promoted to Instrumentation Technician I, Range 9, Step 3, Annual Salary \$75,950.

CURTIS, Lance – Operator III, Range 7, Step 2, Annual Salary \$59,091, be promoted to Operator II, Range 8, Step 1, Annual Salary \$62,518.

GAETA, Joseph – Instrumentation Technician III, Range 7, Step 2, Annual Salary \$59,091, be promoted to Instrumentation Technician II, Range 8, Step 2, Annual Salary \$65,639.

HALL, David – Instrumentation Technician II (Line Operations), Range 8, Step 3, Annual Salary \$68,760, be promoted to Instrumentation Technician II (Plant Maintenance), Range 8, Step 5, Annual Salary \$75,002.

HERNANDEZ, Rusbel – Operations Apprentice, Range 4, Step 1, Annual Salary \$42,300, be promoted to Instrumentation Technician III, Range 7, Step 1, Annual Salary \$56,257.

MOSCARITOLA, John – Low Voltage Electrician III, Range 7, Step 2, Annual Salary \$59,091, be promoted to Low Voltage Electrician II, Range 8, Step 2, Annual Salary \$65,639.

SCALZITTI, Joseph – Instrumentation Technician II, Range 8, Step 6, Annual Salary \$78,123, be promoted to Instrumentation Technician I, Range 9, Step 6, Annual Salary \$86,282.

SHAW, James M. – Operations Worker, Range 2, Step 1, Annual Salary \$33,800, be promoted to Operations Apprentice, Range 4, Step 1, Annual Salary \$42,300.

TYLER, Eric J. – Operator II, Range 8, Step 2, Annual Salary \$65,639, be promoted to Operator I, Range 9, Step 1, Annual Salary \$69,062.

WATKINS, Robert S. – Financial Assistant, Range 7, Step 6, Annual Salary \$67,693, be promoted to Operator II, Range 8, Step 4, Annual Salary \$71,881.

ZURAWSKI, Michael – Operations Apprentice, Range 5, Step 2, Annual Salary \$49,071, be promoted to Operator III, Range 7, Step 1, annual Salary \$56,257.

BE IT FURTHER RESOLVED, that these promotions shall be effective Sunday, December 27, 2015.

VOTE – 7 AYES

No. 263-15

BE IT RESOLVED, that the following title change is hereby approved:

PALMIERI, Giuseppe – Security Officer, Range 5, Step 3, Annual Salary \$49,411, be changed to Safety Officer, Range 5, Step 3, Annual Salary \$49,411.

BE IT FURTHER RESOLVED, that this title change shall be effective Sunday, December 27, 2015.

VOTE – 7 AYES

264-15

WHEREAS, the following employees were evaluated by their supervisor and have satisfactorily completed their working probationary period:

<u>EMPLOYEE</u>	<u>TITLE</u>
CVERCKOVA, Lubica	GIS Coordinator
FERNANDEZ, Jorge	Fleet Mechanic III
PAREJA, Giovanni	Facilities Worker II
VELARDI, Joseph D.	Maintenance Worker
ZOZULIA, William A.	Security Officer

NOW, THEREFORE, BE IT RESOLVED that the Passaic Valley Sewerage Commission approves the above employees for regular employment status in their current job title.

VOTE – 7 AYES

No. 265-15

BE IT RESOLVED, that the following range changes are hereby approved:

MAROTTI, Francesco – Facilities Worker II, Range 1, Step 1, Annual Salary \$30,205, be changed to Range 2, Step 1, Annual Salary \$33,800, effective January 12, 2016.

BARILARI, Joseph – Maintenance Worker, Range 1, Step 1, Annual Salary \$30,205, be changed to Range 2, Step 1, Annual Salary \$33,800, effective January 26, 2016.

MAINIERO, Louis – Facilities Worker II, Range 1, Step 1, Annual Salary \$30,205, be changed to Range 2, Step 1, Annual Salary \$33,800, effective January 26, 2016.

VOTE – 7 AYES

No. 266-15

BE IT RESOLVED, that the following step changes are hereby approved:

DRAGO, Michael – Operations Supervisor I, Range 13, Step 5, Annual Salary \$117,625, be

changed to Range 13, Step 6, Annual Salary \$122,523, effective January 27, 2016.

ESTEVEZ, William – Foreman Warehouse, Range 9, Step 5, Annual Salary \$83,255 be changed to Range 9, Step 6, Annual Salary \$86,716, effective January 16, 2016.

LEONE, Marc – River Restoration Apprentice, Range 6, Step 1, Annual Salary \$51,530, be changed to Range 6, Step 2, Annual Salary \$54,111, effective January 11, 2016.

LENNON, William – Mechanic II, Range 8, Step 4, Annual Salary \$71,881, be changed to Range 8, Step 5, Annual Salary \$75,002, effective January 12, 2016.

OSBORNE Jr., James – Operator III, Range 7, Step 1, Annual Salary \$56,257, be changed to Range 7, Step 2, Annual Salary \$59,091, effective January 12, 2016.

ZONIN, Donald – Mechanic III, Range 7, Step 1, Annual Salary \$56,257, be changed to Range 7, Step 2, Annual Salary \$59,091, effective January 12, 2016.

VOTE – 7 AYES

No. 267-15

BE IT RESOLVED, that the following promotions (out of title) are hereby approved

GRANHOLM, Eric – Engineer II – Civil, Range 14, Annual Salary \$115,000, be promoted to Engineer I, Range 14, Step 5, Annual Salary \$125,966, effective December 27, 2015.

MASTROLIA, Pasquale – Operator II, Range 8, Step 2, Annual Salary \$65,639, be promoted to Operator I, Range 10, Step 1, Annual Salary \$76,188, effective January 10, 2016.

MONTEIRO, Daniel – Operations Apprentice, Range 4, Step 2, Annual Salary \$44,414, be promoted to Operator III, Range 7, Step 1, Annual Salary \$56,257, effective January 10, 2016.

VOTE – 7 AYES

No. 268-15

BE IT RESOLVED, that the Passaic Valley Sewerage Commission hereby approves the following personnel matter:

Extended Medical Leaves of Absence

NEVELS, Steven – Mechanic III
December 8, 2015 through January 7, 2016

WILLIAMS, Garrett – Operations Apprentice
December 5, 2015 through January 5, 2016

VOTE – 7 AYES

No. 269-15

WHEREAS, Section 8 of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, the Passaic Valley Sewerage Commissioners are of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The public shall be excluded from discussion of the subject matters specified in this resolution, the general nature of which are as follows:

L-1 Status of Sludge Transportation and Disposal Contract with Synagro (N.J.S.A. 10:4-12(b)(7) (contract negotiation and attorney-client privilege)).

L-2 PVSC v. Villa Italia Pizzeria, Docket No. ESX-C-197-15 (N.J.S.A. 10:4-12(b)(7) (attorney-client privilege)).

L-3 PVSC v. Atlantic Casting & Engineering Corp., Docket No. ESX-C-104-15 (N.J.S.A. 10:4-12(b)(7) (contract negotiation and attorney-client privilege)).

L-4 Collective Bargaining Agreement with IBEW, Local 1158 – Blue Collar; Kelly discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b)(4) (collective bargaining agreement); N.J.S.A. 10:4-12(b)(7) (attorney-client privilege)).

L-5 Collective Bargaining Agreement with IBEW, Local 1158 – White Collar; discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b)(4) (collective bargaining agreement); N.J.S.A. 10:4-12(b)(7) (attorney-client privilege)).

L-6 Collective Bargaining Agreement with Professionals Group – PVSC; discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b)(4) (collective bargaining agreement); N.J.S.A. 10:4-12(b)(7) (attorney-client privilege)).

L-7 Collective Bargaining Agreement with Supervisor Group – PVSC; discussion of negotiations status with collective bargaining unit (N.J.S.A. 10:4-12(b)(4) (collective bargaining agreement); N.J.S.A. 10:4-12(b)(7) (attorney-client privilege)).

B. Personnel (Old Business) (N.J.S.A. 10:4-12(b)(8) (Personnel Matters))

P-1 Request – New Employees

P-2 Request – New Employees – Previously Authorized Under Executive Order 55

- P-3 Request – Out of Title
- P-4 Request – Promotions
- P-5 Request – Title Change

C. **Personnel (New Business)** (N.J.S.A. 10:4-12(b)(8) (Personnel Matters))

- P-6 Request – Passed Evaluations
- P-7 Request – Range Changes
- P-8 Request – Step Changes
- P-9 Request – Promotions – Out of Title
- P-10 Request – Extended Medical Leaves of Absence
- P-11 Discussion Only – New Employees
- P-12 Discussion Only – Out of Title
- P-13 Discussion Only – Promotions
- P-14 Discussion Only – Salary Adjustments

2. PVSC may take official action on those items discussed in Executive Session upon completion of the Execution Session.
3. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature. Attorney-client privileged communications and discussions of personnel matters shall not be made available to the public.
4. This resolution shall take effect immediately.

VOTE – 7 AYES

There being no further business before the Commissioners, without objection, Chairman Tucci adjourned the Meeting at 2:47 pm.



Joseph F. Kelly, Clerk

This is to certify that the within minutes accurately reflect the time and place of this meeting, the members present, the subjects considered, the actions taken, the vote of each member and all other information required to be shown in the minutes by law.