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cc: Admin  
DPW  
CFO

**SPECIAL EMERGENCY MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY**

Chairman Rattner called the meeting to order at 7:00 PM. Following salute to colors, announcement was made that adequate notice of this meeting had been provided for as defined by the "Open Public Meetings Act".

- MEMBERS PRESENT: Donald Bates, James Benson, David Hoyt, John Kieser (by telephone), Brian McNeilly, Steven Rattner, John Sylvester.
- MEMBERS ABSENT: Patrick Kunkel, Melanie Michetti, Daren Phil, Michael Pucilowski, Joseph Schwab.
- OTHERS PRESENT: David Biasi, Larry Kron, Esq.

Chairman Rattner opened and closed the meeting to the public.

**Res. No. 08-31 Terminating Contract SH-06** was moved by Mr. Hoyt, seconded by Mr. McNeilly and the unanimous roll call vote of members present.

**RESOLUTION NO. 08-31**

**Resolution of the Musconetcong Sewerage Authority  
Releasing and Terminating Contract No. SH-06  
with Applied Water Management, Inc.**

WHEREAS, Applied Water Management, Inc., (hereinafter "AWM") and the Musconetcong Sewerage Authority (hereinafter "MSA") entered into Contract No. SH-06 dated February 10, 2006 pursuant to which AWM agreed to provide certain Sludge Hauling and related services to MSA; and

WHEREAS, AWM is selling its sludge transportation and disposal business to a third party, which transaction is expected to close on December 16, 2008; and

WHEREAS, AWM and MSA desire to terminate the Contract, effective as of December 16, 2008; and

WHEREAS, MSA has awarded Contract No. SH-09 to provide sludge hauling and related services to MSA which Contract is at a lower rate and which Contract can become effective immediately;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract No. SH-06 to which AWM agreed to provide certain sludge hauling and related services to MSA through February 14, 2009 is hereby terminated and Steven Rattner, as Chairman is authorized to execute the Termination and Release Agreement which will become effective upon adoption of this Resolution.

**Res. No. 08-32 Awarding Contract SH-09** was moved by Mr. Sylvester, seconded by Mr. Bates and the unanimous roll call vote of members present.

**RESOLUTION NO. 08-32**

**Resolution of the Musconetcong Sewerage Authority  
Awarding Contract No. SH-09 to Pump and to Transport  
Sludge from the Musconetcong Sewerage Treatment  
Plant to R-D Trucking, Inc., to Pump and Transport Sludge  
from the Musconetcong Sewerage Treatment Plant to  
Passaic Valley Sewerage Commissioners**

WHEREAS, on December 3, 2008, the Musconetcong Sewerage Authority received the following bids to pump sewage sludge from Musconetcong Sewerage Authority (hereinafter "MSA") sewage treatment plant on a periodic basis and transport and unload the sludge in compliance with all appropriate regulations to the Passaic Valley Sewerage Commissioners, 600 Wilson Avenue, Newark, New Jersey - Contract SH-09:

<u>Company Name</u>	<u>2/15/09 - 2/14/10</u>	<u>2/15/10 - 2/14/11</u>	<u>2/15/11 - 2/14/12</u>
R-D Trucking, Inc. 1874 Route 23 North West Milford, NJ 07480	\$40.00 per 1,000 gallons	\$43.00 per 1,000 gallons	\$45.00 per 1,000 gallons

Accurate Waste Removal Services 226 Prospect Point Rd Lake Hopatcong, NJ 07849	\$41.96 per 1,000 gallons	\$41.96 per 1,000 gallons	\$45.00 per 1,000 gallons
Spectraserv, Inc. 75 Jacobux Ave. Kearny, NJ 07032	\$43.60 per 1,000 gallons	\$46.30 per 1,000 gallons	\$48.00 per 1,000 gallons
Freehold Cartage PO Box 5010 Freehold, NJ 07728	\$48.70 per 1,000 gallons	\$48.70 per 1,000 gallons	\$48.70 per 1,000 gallons
Russell Reid 200 Smith Street; PO Box 130 Keasbey, NJ 08832	\$48.70 per 1,000 gallons	\$50.70 per 1,000 gallons	\$51.70 per 1,000 gallons
All County Earthcare 99 Maple Grange Road Vernon, NJ 07461	\$61.00 per 1,000 gallons	\$63.44 per 1,000 gallons	\$65.98 per 1,000 gallons

WHEREAS, the Commissioners of the Musconetcong Sewerage Authority hereby make the following findings of fact:

1. R-D Trucking, Inc., submitted the lowest bid for Contract No. SH-09 for the periods:
  - a. 2/15/09 - 2/14/10; \$40.00 per 1,000 gallons;
  - b. 2/15/10 - 2/14/11; \$43.00 per 1,000 gallons;
  - c. 2/15/11 - 2/14/12; \$45.00 per 1,000 gallons.
2. R-D Trucking, Inc., is a conforming bid in that it complied with all of the requirements of the Notice of Bidders and submitted all of the required documents, namely:
  - a. Consent of Surety;
  - b. Bid Bond;
  - c. Public Works Contractor's Registration Act;
  - d. Business Registration Certificate;
  - e. Non-collusion Affidavit;
  - f. Affirmative Action/Questionnaire;
  - g. Certificate of Registration of Vehicles;
  - h. Certificate of Public Conveyance and Necessity;
  - i. Material and Equipment Information;
  - j. Statement of Experience;
  - k. Ownership Statement Compliance;
  - l. Contractor Certification and Disclosure of Political Contribution; and

WHEREAS, sufficient funds are available in the Budget of the Musconetcong Sewerage Authority to pay for said Contract.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract No. SH-09 to pump liquid sewage sludge from the MSA treatment plant on a periodic basis and transport and unload the sludge in compliance with all appropriate regulations at the Passaic Valley Sewerage Commissioners, 600 Wilson Avenue, Newark, New Jersey is hereby awarded to R-D Trucking, Inc., on its bids of: a) \$40.00 per 1,000 gallons for the period from 2/15/09 to 2/14/10; b) \$43.00 per 1,000 gallons for the period from 2/15/10 to 2/14/11; and c) \$45.00 per 1,000 gallons for the period from 2/15/11 to 2/14/12; and be it

FURTHER RESOLVED, that Applied Water Management, Inc., the current Contractor transporting sludge for the MSA having been released from the balance of its sludge hauling contract at \$42.39 per 1,000 gallons, which expires on February 14, 2009, and the bid of R-D Trucking, Inc., being \$40.00 per 1,000 gallons, the Commissioners hereby authorize the Contract with R-D Trucking, Inc., to become effective immediately; and it is

FURTHER RESOLVED, that the Secretary is hereby authorized and directed to return the bid bonds of all of the unsuccessful bidders upon receipt of the fully executed Contract and other required documents from R-D Trucking, Inc.; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is hereby authorized to execute a Contract with R-D Trucking, Inc., on behalf of the Musconetcong Sewerage Authority.

Motion was offered by McNeilly, seconded by Mr. Hoyt to adjourn and by the affirmative vote of members present, Chairman Rattner adjourned the meeting at 7:03 PM.

Respectfully Submitted:

Martha Soccio  
Admin Asst