

AGENDA

ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY Special Board Meeting of August 04, 2011

Gavel To Call the Meeting to Order
Open Public Meeting Statement
Flag Salute

Roll Call

Cegelka – Borough of Victory Gardens
Corbett – Borough of Wharton
Guadagno – Township of Randolph
Klingener – Township of Boonton
Lowell – Township of Denville
MacNeal – Town of Boonton
Schaefer – Borough of Rockaway
Schorno – Township of Rockaway
Schulman – City of Jersey City
Secco – Town of Dover

Correspondence

1. Re: Jersey City Municipal Utilities Auth. Et al. v. Town of Dover

Approval of Minutes – July 14, 2011

Committee Reports

Executive Committee
Planning & Steering Committee
Operations & Personnel Committee

- Resolution 11-056 To Authorize The Execution of an Amendment To The Agreement With Omni Environmental, LLC For The Performance Of An Antidegradation Study.

Infrastructure Committee

- Resolution 11-057 Closed Session – Contract Negotiations
- Resolution 11-058 Authorizing Execution Of Contract Modification CM-1 for the Interceptor Sewer Rehabilitation Project 2009, Contract No. 35-Rebid. **(tentative)**

Jersey City Committee
Finance Committee

- Resolution 11-053 to Amend the 2011 Capital Budget.
- Resolution 11-054 Payment of Vouchers in the Amount of \$72,036.71 to Hatch Mott MacDonald.
- Resolution 11-055 Payment of Vouchers

Old Business
New Business
Executive Director's Report
Principle Engineer Report
Lawyer's Report
Public Portion
Adjournment

AND ALL OTHER BUSINESS AS MAY COME BEFORE THE AUTHORITY



JOSEPH J. MARAZITI, JR.
CHRISTOPHER H. FALCON
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ALBERT I. TELSEY¹
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July 25, 2011

VIA REGULAR MAIL

Chairman Hector R. Schorno
and Members of the RVRSA Board
Rockaway Valley Regional Sewerage Authority
R. D. #1, 99 Greenbank Road
Boonton, NJ 07005

Re: Jersey City Municipal Utilities Authority, et al. v. Town of Dover, et als.
Docket No.: MRS-L-1313-10

Dear Chairman Schorno and Members of the RVRSA Board:

I am pleased to report that on July 21, 2011, the Honorable Thomas L. Weisenbeck, A.J.S.C., granted the RVRSA's motion to compel plaintiffs Jersey City Municipal Utilities Authority and City of Jersey City to produce certain documents which the RVRSA had requested by way of discovery, but which Plaintiffs had refused to produce. We will be happy to provide you with a copy of the Judge's Order upon request.

The documents which the RVRSA had requested, and which Plaintiffs are now ordered to produce, generally pertain to the financing and maintenance of the Jersey City Water System. That information is relevant to this case, because in Plaintiffs' Complaint, Plaintiffs have alleged that their financial obligations to the RVRSA under the 1984 Settlement Agreement are so burdensome that Plaintiffs have been forced for lack of funds to abandon and/or delay important maintenance projects on the Jersey City Water System. In order defend against that claim, it is important for the RVRSA to have access to the documented facts regarding such maintenance projects.

Accordingly, the RVRSA requested, among others, 3 types of documents from Plaintiffs: (1) reports containing recommendations and analysis provided by United Water (Jersey City MUA's contractor for the operation and maintenance of the Jersey City Water System) regarding repair and replacement of components of the Jersey City Water System; (2) "situation reports"

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regarding unanticipated breakdowns on the Jersey City Water System; and (3) and reports of monthly meetings held between United Water and Jersey City MUA regarding the financing and maintenance of the Jersey City Water System. By their very nature, these documents are all relevant to the maintenance issues raised by Plaintiffs in their Complaint; nevertheless, Plaintiffs refused to provide these documents to the RVRSA, arguing that the documents were irrelevant and overly burdensome to produce.

Today, we received a copy of the Judge's decision, which finds that the documents requested by the RVRSA are relevant, and therefore, must be produced by Plaintiffs.

We will continue to vigorously defend against the lawsuit brought by Jersey City Municipal Utilities Authority and Jersey City, and will of course keep you apprised of significant developments in that regard. In the meantime, please do not hesitate to contact us if you have any questions, comments or concerns.

Very truly yours,



Christopher D. Miller

c: Edward K. Ho, P.E., Executive Director, RVRSA