

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

February 15, 2023

Minutes of the reorganization meeting of the **Pequannock River Basin Regional Sewerage Authority** held on February 15, 2023 at the Borough of Butler. Administrator Avagnano called the meeting to order at approximately 6:00 p.m.

ROLL CALL

On roll call:

PRESENT : Commissioners Verdonik, Daniel, Howard, Lampmann, Mabey, Pellegrini and Voorman

ABSENT : Commissioner Desai

ALSO PRESENT : Jamie Avagnano, Authority Administrator;
Diane Alexander, Esq., Maraziti Falcon, LLP,
Steve Donati, P.E., CP Engineers

OPEN PUBLIC MEETING STATEMENT

Commissioner Verdonik introduced the “Open Public Meeting Statement” indicating that adequate notice of the Authority’s regular meeting had been publicized in accordance with law by posting notice on the bulletin board at the Butler Municipal Building, by providing notice to the municipal clerks of Bloomingdale, Butler, Kinnelon, and Riverdale, and by providing notice to the official newspapers of the Authority. The statement also noted that the meeting information was available on the PRBRSA webpage for public access, provided to the municipal clerks and noticed in the Authority’s official newspapers.

REORGANIZATION MEETING

The reorganization meeting was called to order by Commissioner Verdonik who led the proceedings pending the election of officers.

1. ELECTION OF OFFICERS

Nominating Committee Chairman Howard advised that on discussion with the Committee, the Committee is nominating the present officers with the exception of Secretary Howard's position being opened to Commissioner Desai of Riverdale. He advised that there was no opposition received to the Secretary appointment. Chairman Howard opened presented the Slate of Officers for discussion. There being no further nominations Committee Chairman Howard presented the Slate of Officers for consideration as follows:

Chairman: Raymond Verdonik
Vice Chairman: Robert Voorman
Secretary: Dave Desai
Treasurer: James Lampmann
Assistant Secretary: James Lampmann

Commissioner Howard moved to approve the Slate of Officers as presented. That motion was seconded by Commissioner Voorman and approved unanimously upon the following roll call vote:

AYES : Commissioners Daniel, Howard, Lampmann, Mabey, Pellegrini and Verdonik
NAYS : None
ABSTAIN : None
ABSENT : Commissioners Desai

2. CONSENT AGENDA

The Board elected to adopt the reorganization meeting resolutions under consent agenda.

Administrator Avagnano read aloud the resolutions included in the consent agenda pertaining to reorganizational matters as follows:

CONSENT AGENDA		<u>Resolution #</u>
1.	Resolution: Open Public Meeting Act	R-23-2-1
2.	Resolution: Official Depository	R-23-2-2
3.	Resolution: Appointment of Auditor	R-23-2-3
4.	Resolution: Appointment of General Counsel	R-23-2-4
5.	Resolution: Appointment of Bond Counsel	R-23-2-5
6.	Resolution: Appointment of Consulting Engineer	R-23-2-6
7.	Resolution: Designate Affirmative Action PACO	R-23-2-7
8.	Resolution: Designate Qualified Purchasing Agent	R-23-2-8

Commissioner Mabey moved approval of the consent agenda as follows:

R-23-2-1

WHEREAS, The Open Public Meetings Act, Chapter 231 of the Laws of 1975, and more specifically, N.J.S.A. 10:4-8, requires all public bodies at least once a year and within seven (7) days of the Annual Organization Meeting of such body to arrange for the posting of a schedule of the regular meetings of the public body to be held during the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority as follows:

1. The schedule of regular meetings of the Authority hereinafter set forth is hereby adopted:

SCHEDULE

Regular Meetings of the Pequannock River Basin Regional Sewerage Authority are held at the Borough of Butler Municipal Building, One Ace Road, Butler, New Jersey commencing at 6:00 p.m. unless otherwise noted.

2023

March 15, 2023
April 19, 2023
May 17, 2023
June 21, 2023
July 19, 2023
August 16, 2023
September 20, 2023
October 18, 2023
December 6, 2023 (1st Wednesday)

2024

January 17, 2024
February 21, 2024 (Reorg. Meeting)

2. The official newspapers of the Authority are:
 - A. Suburban Trends
 - B. North Jersey Herald and News
3. The Secretary is authorized to:
 - A. Post a copy of this Resolution on the bulletin board at the Authority's Office in the Butler Municipal Building.
 - B. Forward a copy of this Resolution to the Municipal Clerks of Butler, Bloomingdale, Kinnelon and Riverdale for posting in the public place in each community reserved for such notices.
 - C. Forward a copy of this Resolution to two newspapers, one of which shall be the official newspaper of the Authority.
4. This Resolution shall take effect as provided by law.

Resolution No. R-23-2-2

RESOLUTION

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (hereinafter “Authority”) proposes to designate official depositories for the funds of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 15th day of February, 2023, as follows:

1. The following are designated as the official depositories of the Authority and are directed to honor all withdrawals made by check or withdrawal document signed by the Chairman or Vice Chairman and Treasurer, Secretary/Assistant Secretary, and Authority Administrator by direction of the Authority:

NEW JERSEY CASH MANAGEMENT FUND
WELLS FARGO, N.A.

2. The Authority hereby authorizes the execution and delivery of such authorization and forms as may be required by Wells Fargo, N.A. and NJCMF providing for deposits and payments as well as the filing of authenticated signatures of Authority officers and Authority Administrator as official signatures.
3. This Resolution shall take effect as provided by law.
Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Pequannock River Basin Regional Sewerage Authority held on February 15, 2023.

Resolution No. R-23-2-3

RESOLUTION

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“the Authority”) is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

WHEREAS, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2023 and until the next reorganization meeting of the Authority; and

WHEREAS, the PRBRSA desires to authorize Wielkott & Company to undertake professional services as set forth in the proposal dated January 24, 2023 and available on file at the offices of the Authority, for a term of one year and in an amount not to exceed \$17,000.00 without additional authorization, and calculated on a time charged plus expense basis at the rates on file in the offices of the Authority; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of “ Professional Services,” which may be awarded without public advertising and competitive bidding, provided a brief notice of the nature, duration, service and

amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection.

WHEREAS, funds are available for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.02 and all supplements thereto, and other implementing resolutions of the Authority.”

WHEREAS, the foregoing services are “professional” services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A 40A:11-5(1) (a) and as a “non-fair and open” contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Authority has determined that the value of the professional services will exceed \$17,500; and,

WHEREAS, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

WHEREAS, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 15th day of February, 2023, as follows:

The Authority does hereby name and designate Wielkotz & Company of Pompton Lakes, New Jersey as Authority Auditor to provide auditing services as required, for a term of one year and in an amount not to exceed \$17,000.00 without additional authorization, and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a notice of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid auditor within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.02 and all supplements thereto, and other implementing resolutions of the Authority. An Agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

Resolution No. R-23-2-4

RESOLUTION

WHEREAS, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

WHEREAS, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2023 and until the next reorganization meeting of the Authority; and

WHEREAS, the PRBRSA desires to authorize Maraziti Falcon, LLP to undertake professional services as set forth in the proposal dated January 18, 2023 and available on file at the offices of the Authority, for a term of one year and in an amount not to exceed \$65,000.00 without additional authorization, and calculated on a time charged plus expense basis at the rates on file in the offices of the Authority; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of “ Professional Services,” which may be awarded without public advertising and competitive bidding, provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection.

WHEREAS, funds are available for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.01 and all supplements thereto, and other implementing resolutions of the Authority.”

WHEREAS, the foregoing services are “professional” services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A 40A:11-5(1) (a) and as a “non-fair and open” contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Authority has determined that the value of the professional services will exceed \$17,500; and,

WHEREAS, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

WHEREAS, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 15th day of February, 2023, as follows:

The Authority does hereby name and designate Maraziti Falcon, LLP of Cedar Knolls, New Jersey as Authority General Counsel to provide auditing services as required, for a term of one year and in an amount not to exceed \$65,000.00 without additional authorization, and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

1. The Secretary is authorized and directed to cause a notice of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid general counsel within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the under line item 22.01 and all supplements thereto, and other implementing resolutions of the Authority. An Agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

Resolution No. R-23-2-5

RESOLUTION

WHEREAS, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

WHEREAS, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2023 and until the next reorganization meeting of the Authority; and

WHEREAS, the PRBRSA desires to authorize Hawkins, Delafield & Wood to undertake professional services as set forth in the proposal dated January 23, 2023 and available on file at the offices of the Authority, for a term of one year and in an amount not to exceed \$16,000.00 without additional authorization, and calculated on a time charged plus expense basis at the rates on file in the offices of the Authority; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding, provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection.

WHEREAS, funds are available for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.04 and all supplements thereto, and other implementing resolutions of the Authority."

WHEREAS, the foregoing services are "professional" services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A 40A:11-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Authority has determined that the value of the professional services will exceed \$17,500; and,

WHEREAS, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

WHEREAS, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 15th day of February, 2023, as follows:

The Authority does hereby name and designate Hawkins Delafield & Wood of Newark, New Jersey as Authority Bond Counsel to provide bond services as required, for a term of one year and in an amount not to exceed \$16,000.00 without additional authorization, and subject to

the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a notice of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid bond counsel within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.04 and all supplements thereto, and other implementing resolutions of the Authority. An Agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

RESOLUTION NO. R-23-2-6

WHEREAS, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

WHEREAS, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2023 and until the next reorganization meeting of the Authority; and

WHEREAS, the PRBRSA desires to authorize CP Engineers, LLC to undertake professional services as set forth in the proposal dated February 6, 2023 and available on file at the offices of the Authority, for a term of one year and in an amount not to exceed \$45,000 without additional authorization, and calculated on a time charged plus expense basis at the rates on file in the offices of the Authority; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding, provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection.

WHEREAS, funds are available for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.03 and all supplements thereto, and other implementing resolutions of the Authority."

WHEREAS, the foregoing services are "professional" services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A. 40A:11-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Authority has determined that the value of the professional services will exceed \$17,500; and,

WHEREAS, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

WHEREAS, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 15th day of February, 2023, as follows:

The Authority does hereby name and designate CP Engineers LLC of Sparta, New Jersey as Authority Consulting Engineer to provide auditing services as required, for a term of one year and in an amount not to exceed \$45,000 without additional authorization, and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a notice of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid consulting engineer within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, under line item 22.03 and all supplements thereto, and other implementing resolutions of the Authority. An Agreement for services shall be on file and available for inspection by members of the public in accordance with law.

Resolution No. R-23-2-7

RESOLUTION

WHEREAS, there exists a need for the designation of an official or employee to serve as a Public Agency Compliance Officer (P.A.C.O.) pursuant to N.J.A.C. 17:27 for Pequannock River Basin Regional Sewerage Authority; and

WHEREAS, the P.A.C.O. is the liaison official for matters concerning Affirmative Action as set forth in P.L. 1975, c.127 (N.J.A.C. 17:27); and

WHEREAS, the Authority desires to comply with the Affirmative Action requirements and wishes to maintain appropriate contracting procedures for the Pequannock River Basin Regional Sewerage Authority;

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 15th day of February, 2023, as follows:

1. The Authority does hereby appoint Jamie Avagnano, Administrator, as the Public Agency Compliance Officer for the Pequannock River Basin Regional Sewerage Authority.
2. The P.A.C.O. shall act as the liaison between the Authority and the New Jersey Department of the Treasury, Affirmative Action Office and shall take appropriate actions to maintain compliance with the Agency's contracting procedures to comply with the Affirmative Action regulations cited at N.J.A.C. 17:27.
3. The Administrator is authorized and directed to complete the appropriate notification form designating the P.A.C.O. and to forward the same to the Department of the Treasury.
4. This Resolution shall take effect as provided by law.

RESOLUTION APPOINTING A QUALIFIED PURCHASING AGENT (QPA) FOR THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

WHEREAS, P.O. 2009,c.166 amended Local Public Contracts Law by creating and formalizing the Qualified Purchasing Agent (QPA) program to permit contracting agencies with a QPA to take advantage of the higher bid threshold; and

WHEREAS, the Pequannock River Basin Regional Sewerage Authority desires to appoint a Qualified Purchasing Agent (QPA) in accordance with N.J.S.A.40A:11-9(b); and

WHEREAS, the position of Purchasing Agent was previously held under a Shared Services Agreement with the Borough of Butler; and

WHEREAS, the Pequannock River Basin Regional Sewerage Authority Administrator has received the QPA license;

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority, Morris and Passaic Counties, State of New Jersey, that Jamie J. Avagnano is appointed as the PRBRSA Qualified Purchasing Agent (QPA) and is hereby authorized to exercise the duties of QPA including maintaining the \$44,000 bid threshold.

BE IT FURTHER RESOLVED that a Certified copy of this resolution and a copy of Jamie J. Avagnano's QPA certification be forwarded to the Director of the Division of Local Government Services.

That motion was seconded by Commissioner Lampmann and passed on the following roll call vote:

AYES	:	Chairman Verdonik, Commissioners Daniel, Howard, Lampmann Mabey, Pellegrini and Voorman
NAYS	:	None
ABSENT	:	Commissioner Desai
ABSTAIN	:	None

2.1 ANNUAL STATEMENT

There being no members of the public present, Chairman Verdonik requested that the PRBRSA Annual Report be recorded in the minutes for public viewing as follows:

PRBRSA Annual Report

February 15, 2023

With 36 years of commitment and service to the public and our regional municipalities, PRBRSA continues to operate under our mission to preserve and protect the Pequannock River Basin while serving our members in the most efficient and cost effective means.

Today, the Authority's member towns, Bloomingdale, Butler, Kinnelon and Riverdale, enjoy the benefits of a regional sewer system capable of providing growth and development within our member municipalities while, at the same time, focusing on preservation of the Pequannock River to provide for fishing and recreational opportunities within the communities.

2022 continued with the challenges of the pandemic-related State Health Emergency effecting supplies, project scheduling and exurbanite price increases. Even with added obstacles of the pandemic, the PRBRSA Board successfully completed infrastructure maintenance and inspection projects in order to provide viable information on system operations to the member towns.

Antiquated pipelines have been replaced or rehabilitated. In 2015 through 2020 the Authority completed rehabilitation of the Boonton Avenue Interceptor to serve the region for decades to come as well as a major rehabilitation project completed in 2021 replacing the lines under the NYS&W RR tracks and the surrounding area in Butler, NJ.

In order to allocate charges with utmost accuracy, the Board implemented the 2020 Amended and Restated Service Contract restructuring the billing from a flow-based billing to an EDU method of distributing charges that provides for an evenly balanced and predictable accounting of sewer charges.

The PRBRSA Board continues to have a pro-active outlook and is currently conducting rehabilitation and maintenance programs to ensure continued efficiency within the PRBRSA sewer infrastructure.

We would also like to acknowledge Kinnelon Representative, Commissioner Paul Metcalfe's 15 years of service on the PRBRSA Board.

Respectfully submitted,
Raymond Verdonik, Chairman

ADOPTION OF MINUTES

1. Meeting Minutes: Regular Meeting – January 18, 2023

Vice Chairman Voorman moved acceptance of the minutes of the January 18, 2023 regular meeting. That motion was seconded by Commissioner Howard and approved on the following roll call vote:

AYES	:	Commissioners Daniel, Howard, Lampmann Mabey, Pellegrini, Verdonik and Voorman
NAYS	:	None
ABSENT	:	Commissioner Desai
ABSTAIN	:	None

OPERATIONAL REPORT

1. **SYSTEM OPERATIONS**

1.1 **Flow Report**

Chairman Verdonik noted the Flow Report for January 2023 referencing that the flows were within 1% of TBSA M-15 for the month and referred discussions to Steve Donati.

Steve Donati, PE, commented that overall the flows are replicating spring like conditions normally experienced in April and May with high ground water conditions.

He advised the Board that he and Ms. Avagnano met with TBSA on Monday where they discussed the Board's concerns about the differences in the meter readings between P-4 and M-15 over prior months. He explained that TBSA described the procedure for calculating the flow measurements noting that PRBRSA is the only TBSA Member that performs their own metering. He also advised that TBSA collects the data and performs the metering analysis in house whereas meter calibration is performed by an outside company quarterly. Mr. Donati also advised that PRBRSA was present at the M-15 calibration and referenced his memo on the Parshall Flume measuring device utilized by TBSA as well as the calibration process and third-party verification that was used to confirm meter installation for optimum readings. Mr. Donati explained that given the differences in the metering equipment, based on his knowledge, the flume measurement was reading accurately and both meters were in conformity. Commissioner Howard questioned why

TBSA would not average the meters when the readings differed by over 5%. Ms. Avagnano commented that she presented that scenario to TBSA, however, given that M-15 is used as a base for the calculation for distribution of user charges, by averaging with the PRBRSA meter, the other TBSA participant's billings may be effected.

Chairman Verdonik clarified that when the entire TBSA system readings are high, all participants pay a percentage of the overall flow.

1.1.1 I/I Investigations

Chairman Verdonik recommended moving ahead with the PRBRSA proposed I/I program with the assistance of the town's local knowledge. He requested that PRBRSA coordinate with the municipalities for recommendations on metering site locations within the PRBRSA Interceptor by March 6th in order to have the meters installed to capture spring conditions and dry summer periods over the 3 month span.

1.2 TBSA Flow Report (Budget vs. Actual)

See comments above.

1.3 Easements

Diane Alexander, Esq. advised that the temporary access agreement for the Simon property was in final review. She further advised that the permanent right of access would be approached separately as a property appraisal was required.

1.4 Riverdale Interceptor Project

Referencing the proposed Riverdale Interceptor cleaning project, Mr. Donati presented his proposal for engineering services including bid preparation, project engineering and inspection services at the not-to-exceed price of \$52,400 on a time and expense basis.

Chairman Verdonik requested a motion on Resolution No. R-23-2-9.

Treasurer Lampmann moved Resolution No. R-23-2-9 as presented.

Resolution No. R-23-2-9

RESOLUTION

WHEREAS, the Authority requires the performance of professional engineering services to assist in the design, bid specification preparation, and field services relevant to inspection and evaluation of the remaining portions of the Riverdale Interceptor not evaluated pursuant to Contract No. PRB 22-1; and

WHEREAS, the Authority is in receipt of a proposal dated February 10, 2023, submitted by CP Engineering, with offices at 11 Park Lake Road, Sparta, New Jersey, for the performance of engineering services for the performance of Design Phase Services, Bid Phase Services, Inspection Services and the preparation of a Final Report, in the amount of \$52,400.00; and

WHEREAS, the foregoing services are “professional services” pursuant to N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A. 40A:11-5(1)(a)(i), provided a brief notice of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection; and as a “non-fair and open” contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, CP Engineering NJ, LLC has completed and submitted a C.271 Political Contribution Disclosure Form and a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and the contract will prohibit the firm from making any reportable contribution through the term of the contract; and

WHEREAS, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution; and

WHEREAS, the Authority has determined that it is in the interest of the Authority to award a contract for the performance of the services proposed in the attached proposal dated February 10, 2023, submitted by CP Engineering; and

WHEREAS, funds are available for these services from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the General Bond Resolution of July 15, 1986 and all supplements thereto, and other implementing resolutions of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this day 15th of February, 2023 as follows:

1. The Chairman is authorized and directed to execute an Agreement with CP Engineering, Inc., in an amount not to exceed \$52,400.00 without further authorization, to perform the work as proposed. The agreement for such services shall be kept on file and available for inspection by members of the public in accordance with law.
2. The Secretary is authorized and directed to cause a notice to be published in the official newspaper of the Authority, within ten (10) days of the date hereof, concerning the nature, duration, service and the amount of the contract of the aforesaid professional service, as well as, notice that the contract will be kept on file and available for public inspection in the offices of the Authority.
3. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the General Bond Resolution of July 15, 1986 and all supplements thereto, and other implementing resolutions of the Authority.
4. This Resolution shall take effect as provided by law.

That motion was seconded by Vice Chairman Voorman and passed on the following roll call vote:

AYES : Commissioners Daniel, Howard, Lampmann
Mabey, Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

2. **TBSA ACTIVITIES**

2.1 **Status Update**

Related to information received from TBSA on the State Water/Sewer Assistance Program, Diane Alexander, Esq. described the program as it relates to water and sewer customers. She further advised that PRBRSA does not participate in the program since the assistance is awarded through municipalities through public participation/applications for sewer/water billing assistance. As PRBRSA does not bill private users, rather the municipalities, the program does not pertain to PRBRSA. However, she further stated, that PRBRSA is promoting the program in efforts to provide information to our Members. Treasurer Lampmann advised that the Borough of Butler provides brochures and information on the program to their customers with the sewer/water invoices. Ms. Avagnano commented that she would forward more information to the towns on the program for distribution.

Vice Chairman Voorman commented on TBSA's agreement with the State of NJ to provide PFAS samples for testing. He further advised that as a component of the agreement, TBSA would not be penalized based on the samples submitted. Steve Donati explained that PFAS is considered a forever chemical that is currently under regulations in the water industry which is now expanding to include regulations for wastewater facilities.

Ms. Alexander commented that AEA is currently working with legislature to shield Authorities from potential liabilities under volunteer sampling including source reduction given the high costs to treatment facilities.

Discussions continued on the matter regarding effluent levels for wastewater and internal testing capabilities as well as remediation efforts for high levels.

3. **TWA APPLICATIONS AND CONNECTION PERMITS**

3.1 TWA Application
Riverdale Phase 5 Sewer Extension
Borough of Riverdale

Tabled from the January 18, 2023 Meeting, Chairman Verdonik requested a motion to Table Resolution R-23-2-10 as no agreement has been reach on the outstanding claim matter.

A motion to Table R-23-2-10 was moved by Commissioner Mabey. Treasurer Lampmann seconded the motion which passed on the following roll call vote:

AYES : Commissioners Daniel, Howard, Lampmann,
Mabey, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

4. **CONSTRUCTION CONTRACTS**

Related to the Maintenance Bond inspection for Contract PRB 19-1, Chairman Verdonik reported that the Authority received three quotes on the CCTV project with National Water Main being the lowest responsible quote at \$16,085 and requested a motion to award the project.

Commissioner Mabey moved Resolution No. R-23-2-11 as follows:

Resolution No. R-23-2-11

RESOLUTION AWARDING CONTRACT TO NATIONAL WATER MAIN
CLEANING COMPANY FOR SEWER LINE CLEANING & INTERNAL
CCTV INSPECTION

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“Authority”) solicited proposals to provide for the Sanitary Sewer Cleaning & Internal CCTV-Inspection and cleaning of sanitary sewer pursuant to Maintenance Bond Contract 19-1; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-6.1(a), contracts that do not exceed the bid threshold may be awarded after soliciting quotations therefore; and

WHEREAS, the Authority received three (3) quotations from the companies listed below at the rate shown; and

	Total Price
National Water Main Company	\$16,085.00
Vortex Industries	\$22,625.00
TAM Enterprises, Inc.	\$123,810.00

WHEREAS, the Authority’s Attorney and Consulting Engineer have reviewed the quotations as to compliance with the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) and recommend that the contract be awarded to National Water Main Cleaning Company, with offices located at 1806 Newark Turnpike, Kearney, New Jersey, 07032; and

WHEREAS, the Authority concurs in the said recommendation and hereby determines to proceed with the work; and

WHEREAS, sufficient funds are available in line item 33.00.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and State of New Jersey, on this 15th day of February, 2023, as follows:

1. The Chairman is authorized and directed to execute a Contract with National Water Main Cleaning Company in an amount not to exceed \$16,085.00 without further authorization.
2. A copy of the resolution and contract shall be kept available for public inspection at the offices of the Authority located at One Ace Road, Butler, New Jersey.
3. The Consulting Engineer shall provide a copy of this Resolution to National Water Main Cleaning Company within 10 days of the date hereof.
4. This Resolution shall take effect immediately.

That motion was seconded by Treasurer Lampmann and passed on the following roll call vote:

AYES : Commissioners Daniel, Howard, Lampmann,
Mabey, Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

5. FINANCIAL MATTERS

5.1 Treasurer's Reports: January 31, 2023

Before presenting the Treasurer's Report, Ms. Avagnano referred to notations on the January 31st report that were added based on discussions during the FY 2022 audit. She advised that reserves restricted under the General Bond Resolution were rolled over into the Revenue Fund as the reserves are no longer required as restricted funds for bond payments.

Treasurer Lampmann presented the Treasurer's Report for the period ending January 31, 2023 and moved approval as presented.

That motion was seconded by Commissioner Mabey and approved on the following roll call vote:

AYES : Commissioners Daniel, Howard, Lampmann,
Mabey, Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

5.2 Audit FY 2022

Vice Chairman Voorman stated that he had some comments and observations on the FY 2022 audit which he would discuss with the Administrator separately yet the comments did not related to the audit figures, recommendations or general comments.

Chairman Verdonik reported that the FY 2022 requested approval of the FY 2022 audit by Resolution No. R-23-2-12 and execution of the Audit Affidavit.

Vice Chairman Voorman moved Resolution No. R-23-2-12 as presented.

R-23-2-12

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

RESOLUTION

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended October 31, 2022 has been completed and filed with the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Pequannock River Basin Regional Sewerage Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended October 31, 2022, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

That motion was seconded by Commissioner Howard and approved on the following roll call vote:

AYES : Commissioners Daniel, Howard, Lampmann,
Mabey, Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

6. UNFINISHED BUSINESS

6.1 Unauthorized Connection – Riverdale Claim

Diane Alexander, Esq. advised that she had received the requested appendix documents to the Langan Report. She also advised that a meeting was scheduled with Eric Nemeth, Esq. for Friday, February 17, 2023. Commissioner Desai stated that Riverdale requested that Mr. Nemeth contact Ms. Alexander on February 10, 2023 which obviously was not done.

Chairman Verdonik recommended that this matter be discussed further under closed session at the end of the meeting. The Board agreed.

7. NEW BUSINESS

7.1 AEA Conference March 14-15 Caesars, Atlantic City

Chairman Verdonik requested that any member interested in attending the AEA Conference in March please reach out to Ms. Avagnano for registration.

8. CONSENT AGENDA

See above.

9. PAYMENT OF BILLS

9.1 Operating Request for Payment No. 427

Treasurer Lampmann presented Operating Request for Payment No. 427 and moved approval as follows:

Operating Request for Payment No. 427

The following bills have been reviewed and are recommended for approval for payment at the **February 15, 2023** meeting of the Authority from the Operating Account (Wells Fargo Bank Account 1425985):

	PRBRSA ACCT. NO.	VOUCHER NO.	VOUCHER DATE	PAYMENT AMOUNT	CHECK PAYABLE TO
1)	24.05	OP-23-2-1	3/31/2022	\$ 250.00	Borough of Butler
2)	33.01	OP-23-2-2	10/1/2022	\$ 2,814.25	Borough of Butler
3)	24.07	OP-23-2-3	2/3/2023	\$ 221.85	J. Avagnano
4)	25.03	OP-23-2-4	1/31/2023	\$ 4,918.00	AEA
5)	33.01	OP-23-2-5	1/31/2023	\$ 2,500.00	CSL
6)	24.04	OP-23-2-6	1/30/2023	\$ 1,493.28	Tab Group (archives)
7)	22.01	OP-23-2-7	1/19/2023	\$ 565.50	Maraziti Falcon LLP
8)	22.01	OP-23-2-8	1/19/2023	\$ 435.00	Maraziti Falcon LLP
9)	22.03	OP-23-2-9	2/10/2023	\$ 4,117.50	CP Engineers LLC
10)	32.02	OP-23-2-10	2/10/2023	\$ 3,652.25	CP Engineers LLC
11)	25.02	OP-23-2-11	2/15/2023	\$ 150.00	IPD (webinar QPA)
12)	33.03	OP-23-2-12	1/26/2023	\$ 8.97	Borough of Butler Electric
13)	24.03	OP-23-2-13	2/6/2023	\$ 82.07	J. Avagnano (postage expense)
14)	22.01	OP-23-2-14	2/7/2023	\$ 2,164.50	Maraziti Falcon LLP
15)	22.01	OP-23-2-15	2/7/2023	\$ 3,938.29	Maraziti Falcon LLP
16)	33.03	OP-23-2-16	2/8/2023	\$ 4.09	JCP&L
TOTAL:				\$ 27,315.55	

Commissioner Mabey seconded the motion which passed on the following roll call vote:

- AYES** : Commissioners Daniel, Howard, Lampmann, Mabey, Pellegrini, Verdonik and Voorman
- NAYS** : None
- ABSENT** : Commissioner Desai
- ABSTAIN** : None

CLOSED SESSION:

Commissioner Pellegrini left the meeting in progress at 6:40 pm.

At approximately 6:40 pm the Board entered Closed Session to discuss potential litigation.

Commissioner Howard moved Resolution Number R-23-2-13 as follows:

Resolution No. R-23-2-13

**RESOLUTION AUTHORIZING CLOSED SESSION
PURSUANT TO THE OPEN PUBLIC MEETINGS ACT**

BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and State of New Jersey on this 15th day of February 2023 as follows:

1. The Authority shall adjourn to executive session in accordance with N.J.S.A. 10:4-12(b)(7), being the Open Public Meetings Act, in order to engage in attorney client privileged discussion: Riverdale Borough - unauthorized connection to the Authority System litigation.
2. The minutes of the executive session relating to Riverdale Borough attorney client privileged discussion will be released to the public in the event of successful negotiations or, in the event of litigation, the minutes shall be available to the public upon: the issuance of an unappealable Order of a Court of competent jurisdiction; upon settlement of all issues in the matter; or the failure to institute litigation after the passage of reasonable time.
3. The Authority shall convene following the executive session to consider other matters on its regular meeting agenda.
4. This Resolution shall take effect as provided by law.

That motion was seconded by Vice Chairman Voorman and passed on the following roll call vote:

- AYES** : Commissioners Daniel, Howard, Lampmann, Mabey, Verdonik and Voorman
- NAYS** : None
- ABSENT** : Commissioner Desai
- ABSTAIN** : None

At approximately 7:10 pm Vice Chairman Voorman motioned to return to the regular agenda.

That motion was seconded by Commissioner Howard and passed on the following vote:

AYES : Commissioners Daniel, Howard, Mabey,
Lampmann, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

OPEN MEETING FOR PUBLIC COMMENT

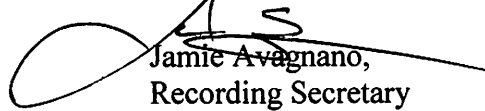
Chairman Verdonik opened the meeting to the public. There being no public present, Chairman Verdonik closed the public portion of the meeting.

ADJOURNMENT

At approximately 7:20 pm, Treasurer Lampmann moved to adjourn the regular meeting. That motion was seconded by Vice Chairman Voorman and approved unanimously on voice vote.

At approximately 7:20 pm, the meeting was adjourned.

Respectfully submitted,


Jamie Avagnano,
Recording Secretary

Enclosures: Treasurer's Report for the period ending January 2023