MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

June 21, 2017

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on June 21, 2017 in the Conference Room at the Butler Municipal Building, One Ace Road, Butler, New Jersey. Chairman Voorman called the meeting to order at approximately 7:30 p.m.

ROLL CALL

On roll call:

PRESENT: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

ABSENT: Commissioner Gall

ALSO PRESENT: Brent Carney, Esq. and Christopher H. Falcon, Esq.,

Maraziti, Falcon LLP; and Daniel D. Kelly, P.E.,

Kelly Engineering.

(Note: Mr. Carney left the meeting in progress at

approximately 8:40 pm)

OPEN PUBLIC MEETING STATEMENT

Chairman Voorman 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.

ADOPTION OF MINUTES

1. Meeting Minutes: Regular Meeting – May 17, 2017

Vice Chairman Verdonik moved acceptance of the minutes of the Authority's May 17, 2017 meeting. That motion was seconded by Commissioner Howard and passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioner Gall

ABSTAIN: None

OPERATIONAL REPORT

1. System Operations

1.1 Flow Report

Commenting on the Flow Report dated June 14, 2017, Mr. Kelly noted that the total system flows remain relatively low at 1.791 mgd year to date. He also indicated that their continues to be a greater difference between the Authority's Meter P-4 readings and those of TBSA's M-15 than in prior years. For the month of May, the readings differed by 2.8%, 1.909 mgd for P-4 versus 1.962 mgd for M-15.

The following reports were distributed to the Board at the meeting:

- Triton Flow Report for May 2017
- Triton Daily Flow Summary for May 2017
- Triton Daily Flow Hydrograph for May 2017
- Triton M-15 vs. P-4 Hydrograph

1.2 TBSA Actual vs. Budgeted Flow Analysis

As indicated by his June 15, 2017 memorandum, although the flow for the month of May exceeded the minimum contractual flow of 1.85 mgd, the trend continues with PRBRSA's flows averaging in excess of those estimated by TBSA going into the budget year by an estimated 1.26% to date.

1.3 PRBRSA Interceptor Inspection: 2017

Mr. Kelly presented Mott MacDonald's June 14, 2017 proposal along with his letter of June 15th recommending award of a contract in the amount of \$67,900. He explained that the work is similar to projects conducted in 2003 and in 2007/2008.

The work will be conducted under predominately dry weather conditions to the extent possible in order to be able to view the entirety of the pipe. To do that Mr. Kelly said the construction specifications will provide for a "plug and release" method of temporarily controlling flow. This would allow the CCTV-inspection to be conducted under essentially dry conditions which would provide the best information to determine the

condition of the pipes, notably the structural integrity, as well as to observe potential leaks that still may be visible under those conditions.

Following discussion Vice Chairman Verdonik moved approval of the following resolution (Resolution No. R-17-6-1):

Resolution No. R-17-6-1

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH MOTT MACDONALD

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the "Authority") has identified a need for the performance of Professional Engineering Services for the preparation of bid plans and specifications for sewer line cleaning and video inspection and an engineering condition assessment of Authority lines; and

WHEREAS, the Authority has received and reviewed a proposal dated June 14, 2017 (the "Proposal") from Mott MacDonald, having an office at 111 Wood Avenue South, Iselin, New Jersey ("Mott MacDonald") for the provision of such services for a cost not-to-exceed \$67,900 (the "Proposal"); and

WHEREAS, the proposed services are to be provided for a not-to-exceed fee of \$67,900.

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 that 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

WHEREAS, the Authority desires to authorize Mott MacDonald to perform the work set forth in the Proposal; and

WHEREAS, funds are available for these purposes.

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 21st day of June, 2017 as follows:

- 1. The Chairman is authorized and directed to sign an agreement between Mott MacDonald and the Authority on a time-plus-materials basis at the rates set forth in the Proposal for a cost not to exceed \$67,900 without further authorization by the Authority. This Resolution shall be published in accordance with N.J.S.A. 40A:11-5 (l)(a)(i).
- 2. This Resolution shall take effect as provided by law.

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

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioner Gall

ABSTAIN : None

2. TBSA Activities

2.1 Status Update

Commenting on the ongoing Two Bridges construction projects for the pumping station improvements as well as improvements to the wastewater treatment plant, Chairman Voorman and Vice Chairman Verdonik advised that the pumping station work is near completion whereas the work at the plant remains substantially behind schedule.

3. TWA Applications and Connection Permits

3.1 Residential Connection Nos. 84 & 88 Mathews Avenue Borough of Riverdale

As indicated by Mayor Carelli's May 30th email, the Borough of Riverdale is in the process of preparing a Treatment Works Approval application for an after the fact approval of the sewer extension constructed to serve Nos. 84 and 88 Mathews Avenue and possibly another property in that vicinity.

4. Boonton Avenue Interceptor Project

4.1 Contract No. I-4A: Hutton Construction

Mr. Kelly reported that, according to SCE, USEPA is conducting audits of various grant programs undertaken by the New Jersey Environmental Infrastructure Trust, a process that has delayed close out of Contract No. I-4A with Hutton Construction. Mr. Kelly said that he will contact NJDEP directly to determine if anything can be done to expedite matters in order that the contract can be closed-out at the Board's July 19th meeting.

4.2 Park Place/NYS&W Railroad Crossing (2017 Project)

Mr. Kelly presented his June 21, 2017 engineering report on the status of the NYS&W railroad crossing project. As the report explains, based on discussions with railroad officials, it has been determined that the cost, complexity and risk of crossing the railroad within Park Place all but preclude that as a viable option. Similarly he said the possibility of crossing the railroad within the 10 Park Place property has been eliminated from consideration.

Since those options are no longer considered feasible, Mr. Kelly recommended that the Authority move ahead with the crossing within the Borough of Butler's park immediately east of Park Place. He explained that there are significant advantages to that location including a substantial reduction of the cost to what he estimated may be on the order of \$500,000 construction costs with a \$700,000 project cost, approximately one-third of the cost estimates for the work within Park Place. He said if it is possible to utilize the park alignment that the risk will also be substantially reduced due to greater access, minimal utilities as compared to Park Place as well as minimal traffic disruption.

Referring to the report's preliminary layout plan of the crossing location within the park, Mr. Kelly explained that he reviewed the location further and believes that the work can be performed with minimal impact to the park, notably, to the 9/11 Memorial and to the centerpiece memorials essentially in the middle of the park. He indicated that the crossing location would be moved farther to the west than that shown on the preliminary layout sketch which should reduce the amount of disruption to the park area itself.

Continuing, Mr. Kelly said that the first issue to be addressed is the Borough of Butler's support for the project. He said that is critical inasmuch as the Borough initially objected to any alignment within the park and further because the Borough itself would be the applicant on the Green Acres application that must be filed for approval.

Due to the extended timeframe and effort involved in filing an application with Green Acres, Mr. Kelly recommended that the Authority proceed initially to determine if the Borough of Butler would support the project. As incentive to the Borough to consider the park crossing location Mr. Kelly recommended that the Authority, upon completion of the new sewer line crossing, dedicate PRBRSA's existing 16-inch diameter sewer line to Butler. That would allow the Borough, at some future date, to utilize that existing pipe as a casing for installation of a 10-inch or possibly a 12-inch HDPE water main. Mr. Kelly said he understands the Borough would like

to be able to install a redundant water main within Park Place. The existing sewer main would allow the Borough to do so.

Assuming that the Borough supports the park alignment, the next step would be to confirm the technical feasibility of the project, effectively working with the railroad to obtain preliminary approval for the crossing location and to simultaneously determine the geotechnical conditions in the area of the proposed work. At that point, the Green Acres application process would be initiated.

Addressing the Green Acres application process, Mr. Carney explained in considerable detail the steps involved in securing approval for construction of the project within a public parkland. Due to the nature of the use, namely a public utility, he said there should be a reasonable expectation that the application would ultimately be approved. He advised that a diversion at a 1 to 1 ratio will be required, that is, a set-aside of property in an equal amount to the area of the easement within the park. Replying to Chairman Voorman's question on how much land may be required, Mr. Kelly said that would vary but assuming a 20 foot wide estimated that it may be on the order of a 10th of an acre. As to the timing Mr. Carney explained that the pre-application and application may now be submitted simultaneously which would expedite matters to some extent yet estimated that the overall application and approval process would likely be on the order of 1 year, possibly more.

Mr. Carney further advised that there are multiple public notices and hearings involved in order to secure final Green Acres approval. He also indicated that the Green Acres Committee itself meets quarterly yet on an unpredictable schedule which lengthens the process.

Following discussion Mr. Kelly indicated that he will prepare a report to the Borough of Butler requesting the Borough's support for the project as well as the Borough's consent to serve as applicant for the Green Acres application process.

FINANCIAL REPORT

1. Treasurer's Report

1.1 May 31, 17 Treasurer's Report

Treasurer Lampmann presented the Treasurer's Report for the period ending May 31, 2017. Commissioner Metcalfe moved acceptance of the Treasurer's Report as submitted. Commissioner Howard seconded that motion which passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioner Gall

ABSTAIN : None

1.2 Riverdale Annual Charge Challenge: 2017

On advice of counsel, in order to enter Closed Executive Session, Vice Chairman Verdonik moved approval of the following resolution:

Resolution No. R-17-6-2

RESOLUTION AUTHORIZING CLOSED SESSION PURSUANT TO THE OPEN PUBLIC MEETINGS LAW

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 21st day of June, 2017 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 Law, in order to meet with Counsel pursuant to the attorney client privilege concerning contract interpretation.
- 2. It is not known at the present time when the matter under discussion will be disclosed.
- 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.

Commissioner Howard seconded the motion which passed unanimously on the same vote:

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioner Gall

ABSTAIN: None

Closed Executive Session

At approximately 8:10 pm, Vice Chairman Verdonik moved to adjourn the closed executive session and reopen the meeting to the public. Commissioner Howard seconded that motion which passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioner Gall

ABSTAIN : None

Commissioner Metcalfe moved approval of the following resolution (Resolution No. R-17-6-3):

Resolution No. R-17-6-3

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH KLEINFELDER EAST, INC.

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the "Authority") has identified a need to evaluate its flow monitoring system and calculations underlying the Annual Charges to the Borough of Riverdale; and

WHEREAS, the Authority has received and reviewed a proposal dated June 15, 2017 (the "Proposal") from Kleinfelder East, Inc., having an office at 321 Wall Street, Princeton, New Jersey ("Kleinfelder") for the provision of such services for a cost not to exceed \$20,000 (the "Proposal"); 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 that 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

WHEREAS, the Authority desires to authorize Kleinfelder to perform the work set forth in the Proposal; and

WHEREAS, funds are available for these purposes.

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 21st day of June, 2017 as follows:

- 1. The Chairman is authorized and directed to sign an agreement between Kleinfelder East, Inc. and the Authority on a time-plus-expenses basis at the rates set forth in the Proposal for a cost not to exceed \$20,000 without further authorization by the Authority. This Resolution shall be published in accordance with N.J.S.A. 40A:11-5 (l)(a)(i).
- 2. This Resolution shall take effect as provided by law.

On discussion of the Kleinfelder contract Commissioner Lampmann questioned the advisability of limiting the engineering evaluations to the meters affecting Riverdale and Bloomingdale, namely, Meters P-2A and P-4. He recommended and the Board agreed that it would be appropriate for the Authority to review the entire ADS metering system. To do that Mr. Kelly requested the Board's approval of the Kleinfelder contract as presently structured noting that he would request a supplemental proposal from Kleinfelder for the additional investigations into Meters P-1A and P-3 along with related review of available water consumption records for Butler and Kinnelon.

With that understanding, Vice Chairman Verdonik seconded the motion which passed unanimously on the following roll call vote:

AYES : Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioner Gall

ABSTAIN: None

1.3 Annual Budget: FY 2018

Mr. Kelly presented his June 15, 2017 Rate Stabilization Analysis including several tables summarizing the Authority's actual budget from FY 1999 forward along with the current year budget and projected budgets from FY 2018 though FY 2024.

Primarily due to reduced debt service in the upcoming year, Mr. Kelly said it would be possible to reduce rates by approximately 2.8% from the current \$5,300,000 assessment to \$5,150,000 in FY 2018. Allowing for projected 2% increases in the Two Bridges and PRBRSA operation, maintenance and administrative expenses over the following years, Mr. Kelly said that the budget would fluctuate annually yet the costs and

therefore the revenue requirement, namely, the Annual Charges, return to the current level at \$5,300,000 by FY 2024. Consequently he said the Authority would have the option, if it elects, to maintain the present Annual Charge assessment of \$5,300,000, through the entire period.

He advised that the Preliminary Annual Budget will initially present a reduction in the Annual Charges to reflect actual costs for the upcoming year yet the Authority will be able to make a final determination at or prior to the August 16th Board meeting to establish the proposed rates then. Following initial budget adoption in August, Mr. Kelly said that the Board would still have the discretion to modify the budget before final introduction at the October meeting at which time a public hearing will be held on the budget prior to its adoption.

UNFINISHED BUSINESS

1. Contingency Operating Plan

Chairman Voorman and Vice Chairman Verdonik advised that the contingency operating plan matter has been discussed with TBSA in anticipation that a meeting will be scheduled to consider it further.

2. <u>Riverdale Membership Petition</u>

No change in status on this matter.

NEW BUSINESS

No new business was presented for discussion.

PAYMENT OF BILLS

1. Operating Budget

1.1 Operating Request for Payment No. 364

Treasurer Lampmann presented and moved approval Operating Request for Payment No. 364. as follows:

					F VOUCHE		
			OPE	RAT	ING EXPEN	SES	
				Operating Request for Payment No. 364			
		··· ··································			***************************************	pproval for payment at the	
ıne 2	1, 2017 mee	ting of the Auth	ority from the	Oper	ating Account	(Wells Fargo Bank Account 1425985):	
	PRBRSA	VOUCHER	VOUCHER	D .	AYMENT		
i	ACCT. NO.	NO.	DATE		MOUNT	CHECK PAYABLE TO	
1)	24.05	OP-17-6-1	3/31/2016		250.00	Borough of Butler	
2)	33.01	OP-17-6-2	10/1/2016		2,570.00	Borough of Butler	
3)	33.01	OP-17-6-3	6/8/2017		3,333.00	ADS LLC	
4) 5)	33.01 24.07	OP-17-6-4	6/8/2017 6/8/2017		3,333.00	ADS LLC	
5) 6)	22.03	OP-17-6-5 OP-17-6-6	6/8/2017		131.89 10,400.00	Kelly Engineering Kelly Engineering	
7)	32.02	OP-17-6-7	6/9/2017		6,309.74	Kelly Engineering Kelly Engineering	
8)	22.01	OP-17-6-8	6/12/2017		3,955.50	Maraziti Falcon LLP	
9)	33.01	OP-17-6-9	6/8/2017		3,333.00	ADS LLC	
10)	24.07	OP-17-6-10	5/24/2017		66.65	North Jersey Media	
11)	24.04	OP-17-6-11	5/30/2017	S	485.50	The Tab Group	
12)	33.03	OP-17-6-12	6/12/2017		36.00	Trukmann's Reprographics	
13)	33.03	OP-17-6-13	6/1/2017		17.96	Borough of Butler Electric	
14)	33.03	OP-17-6-14	5/23/2017		32.94	Verizon	
15)	33.03	OP-17-6-15	6/4/2017		37.44	Verizon	
	33.03		·				
16)		OP-17-6-16	6/4/2017		37.44	Verizon	
17)	26.04	OP-17-6-17	6/1/2017		2,042.00	US Bank	
18)	26.04	OP-17-6-18	6/1/2017		585.00	US Bank	
19)	24.07	OP-17-6-19	5/24/2017		47.53	North Jersey Media	
20)	33.03	OP-17-6-20	6/12/2017		173.00	Trukmann's Reprographics	
21)	33.03	OP-17-6-21	6/4/2017	\$	37.44	Verizon	
			TOTAL:	<u>\$</u> _	<u>37,215.03</u>		
						Respectfully Submitted,	
			4			Daniel D. Kelly, P.E.	
						Consulting Engineer	

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

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioner Gall

ABSTAIN : None

2. Construction Fund Disbursements

2.1 Construction Disbursement Requisition No. C-13-50

Treasurer Lampmann presented the bills as listed on Construction Fund Disbursement Requisition No. C-13-50 and moved its approval as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-13-50

Gentlemen:

In accordance with Section 513(B) of the Resolution adopted by the Authority on July 15, 1986, as amended and supplemented, and entitled "Resolution Providing for the Issuance of Bonds of the Pequannock River Basin Regional Sewerage Authority and for the Rights of the Holders Thereof, and Authorizing \$20,000,000 Principal Amount Thereof" (the "Resolution"), you are hereby instructed to make the following disbursements from the Construction Fund (Account #2576006501) as authorized by the Authority at a meeting on June 21, 2017:

	AUTHORITY ACCOUNT #	VOUCHER NUMBER	VOUCHER DATE		YMENT IOUNT	PAYEE
1)	120322	C-13-50-6-1	6/8/17	\$	318.00	Kelly Engineering
2)	120326	C-13-50-6-2	5/10/17	\$	203.50	Cleary Giacobbe Alfieri Jacobs
		TOTAL DISBURSEMENTS			521.50	

UNLESS OTHERWISE DIRECTED, ALL CHECKS SHALL BE MAILED DIRECTLY TO THE CLAIMANT AT THE ADDRESS INDICATED ON THE VOUCHER FORM.

In compliance with Section 513, Subsection (B) of the Resolution, all disbursement requests listed above are supported by copies of the enclosed voucher forms, each of which has been signed by two Authority Officers and the Consulting Engineer certifying that such disbursement is necessary to pay part of such cost of the Project.

As required by Section 513(B) of the Resolution, any disbursements for "... the purpose of paying the purchase price or cost of any lands, easements, rights or interest in or relating to lands or paying the cost or expense of work, materials, supplies or equipment ...", will be

accompanied by a Consulting Engineer's Certificate as required by Section 513(B) of the Resolution. The supporting Consulting Engineer's Certificate is attached.

Vice Chairman Verdonik seconded the motion which passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioner Gall

ABSTAIN: None

2.2 <u>Construction Disbursement Requisition No. C-17-2</u>

Treasurer Lampmann presented the bills as listed on Construction Fund Disbursement Requisition No. C-17-2 and moved its approval as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-17-2

Gentlemen:

In accordance with Section 513(B) of the Resolution adopted by the Authority on July 15, 1986, as amended and supplemented, and entitled "Resolution Providing for the Issuance of Bonds of the Pequannock River Basin Regional Sewerage Authority and for the Rights of the Holders Thereof, and Authorizing \$20,000,000 Principal Amount Thereof" (the "Resolution"), you are hereby instructed to make the following disbursements from the Construction Fund (Account #2576006501) as authorized by the Authority at a meeting on June 21, 2017:

	AUTHORITY ACCOUNT #	VOUCHER NUMBER	VOUCHER DATE	PAYMENT AMOUNT	PAYEE	
1) 2)	120327 120327	C-17-1-6-1 C-17-1-6-2	6/9/17 6/9/17	\$ 3,478.48 \$ 3,054.53	Kelly Engineering Mott MacDonald	
	TOTAL DISBUR	SEMENTS		<u>\$ 6,533.01</u>		

UNLESS OTHERWISE DIRECTED, ALL CHECKS SHALL BE MAILED DIRECTLY TO THE CLAIMANT AT THE ADDRESS INDICATED ON THE VOUCHER FORM.

In compliance with Section 513, Subsection (B) of the Resolution, all disbursement requests listed above are supported by copies of the enclosed voucher forms, each of which has been signed by two Authority Officers and me certifying that such disbursement is necessary to pay part of such cost of the Project.

As required by Section 513(B) of the Resolution, any disbursements for "... the purpose of paying the purchase price or cost of any lands, easements, rights or interest in or relating to lands or paying the cost or expense of work, materials, supplies or equipment . .", will be accompanied by a Consulting Engineer's Certificate as required by Section 513(B) of the Resolution. The supporting Consulting Engineer's Certificate is attached.

Upon payment of the above vouchers, please forward to the undersigned a statement of the balance in the 2017 Project account.

Vice Chairman Verdonik seconded the motion which passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard,

Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN: None

OPEN MEETING FOR PUBLIC COMMENT

There being no members of the public present, Chairman Voorman dispensed with the public participation portion of the meeting.

ADJOURNMENT

At approximately 9:15 pm, Commissioner Howard moved adjournment. Commissioner Metcalfe seconded the motion which was approved unanimously on voice vote.

At approximately 9:15 pm, the meeting was adjourned.

Respectfully submitted

Daniel D. Kelly, P.E.

Recording Secretary

Enclosures: Treasurer's Report for the period ending May 31, 2017