

## MEETING MINUTES

### PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

May 20, 2009

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on May 20, 2009 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** : Fletcher N. Platt, P.E., Christopher H. Falcon, Esq., Maraziti, Falcon & Healey; and Daniel D. Kelly, P.E., Kelly Engineering

(Note: Mr. Platt left the meeting in progress at approximately 9:15 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, 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: April 15, 2009 Regular Meeting

Mr. Kelly advised that the minutes for the April 15, 2009 regular meeting will be distributed to the Commissioners for their consideration and adoption at the June 17<sup>th</sup> regular meeting.

## **OPERATIONAL REPORT**

### **1. System Operations**

#### **1.1 Flow Report**

Referring to the draft Flow Report dated May 18, 2009, Mr. Kelly noted that the system flows increased slightly during April, from 1.675 mgd in March to 1.741 mgd. He noted, however, that the system flow increase was not that significant given the amount of rainfall during the month of April, adding that the total system flow year-to-date at 1.811 mgd is substantially lower this year due to the prevailing relatively dry weather conditions.

Reporting on his recent memorandum analyzing the flow data and related emails to ADS Environmental Services, Mr. Kelly advised that he has asked ADS to explain the differences in the meter readings for Meter P-2A and Meter P-4. Explaining further he said that the meter readings from the IntelliServe system (known as Qgross) showed a differential between both flow monitors of 0.002 mgd whereas the final flow data (Qfinal) now show a difference of 0.278 mgd. Commenting on that, Mr. Platt said that he reviewed the data as well and found that the difference between Qgross and Qfinal resulted from a reduction of the P-2A readings by approximating 0.1 mgd and a corresponding increase approximating 0.2 mgd in the P-4 readings.

Mr. Kelly said that ADS has been asked to provide a full explanation as to the data editing function that resulted in such a significant change in the system flows between QGross and Qfinal.

#### **1.2 Contract No. OM-2 Time Extension**

In order to allow additional time for the renewal of Contract OM-2 with ADS Environmental Services for the comprehensive flow monitoring including the extension of the IntelliServe capabilities, Mr. Kelly said that he has requested and ADS has provided confirmation that they will agree to extend the contract for two months at the current terms and unit prices. He recommended that the Authority extend the contract on that basis.

Following discussion, Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-09-5-1**):

**WHEREAS**, the Authority is in receipt of a Request for Change Order filed by Daniel D. Kelly, P.E., the Authority Consulting Engineer, requesting approval of Change Order No. 1 for a contract extension on the Agreement of 6/23/06 with ADS, LLC (Contract No. OM-2) for flow monitoring support services; and

**WHEREAS**, the Authority is satisfied that the additional contract time is necessary, is permitted as an extension pursuant to N.J.S.A. 40A:11-15 and could not be reasonably effectuated by a separately bid contract without unduly disrupting the flow monitoring services, thereby imposing adverse cost consequences on the Authority.

**NOW THEREFORE BE IT RESOLVED**, by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and the State of New Jersey on this 20<sup>th</sup> day of May, 2009 as follows:

1. The Authority hereby approves Change Order No. 1 as described to Contract No. OM-2 in the Request for Change Order filed by Daniel D. Kelly, P.E., on the date hereof payable at the same rates as set forth in the Agreement of 6/23/06 and extending for two months to July 31, 2009.
2. The Chairman is authorized and directed to sign Change Order No. 1 to the Agreement in the foregoing amount.
3. This Resolution shall take effect as provided by law.

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

<b>AYES</b>	Chairman Voorman, Commissioners Howard, Lampmann, Metcalfe and Verdonik
<b>NAYS</b>	None
<b>ABSENT</b>	Commissioner Gall
<b>ABSTAIN</b>	None

### **1.3 I/I Investigation Program**

#### **1.3.1 May 7<sup>th</sup> Field Investigations**

Referring to his May 14<sup>th</sup> letter report on the preliminary results of inspections conducted on Thursday, May 7<sup>th</sup>, and the related May 13<sup>th</sup> draft memorandum of Hatch Mott MacDonald, Mr. Kelly reviewed the nature of those findings. To do so he distributed a mark-up of the PRBRSA Interceptor system that had been requested by Commissioner Lampmann showing the flow monitoring locations, (namely, the six flow monitors including four temporary monitors located between the upstream Meter P-2A and the downstream Meter P-4) along with the I/I locations. He explained that the IntelliServe system functioned well in that it provided real time data allowing coordination of the

field inspections with the elevated system flows. He said that the rain events over the two weeks prior to May 7<sup>th</sup> were relatively minor yet consistent resulting in elevated water table elevations such that the May 7<sup>th</sup> rainfall, which itself was minor on the order of 0.3", produced a significant response in the system.

Continuing with his report, Mr. Kelly reviewed the flow hydrographs and related flow data and summarized the information from the inspections conducted by HMM's field crew on the PRBRSA manholes and several Riverdale manholes as well along with the CCTV-inspection conducted by National Water Main. He said that three significant extraneous flow sources were found within the local system of Riverdale as follows:

1. Cotluss Road – estimated I/I at 139,000 gpd from the Powder Mill Condominium project.
2. Tilcon Property (Riverdale Quarry) – estimated I/I at 42,000 gpd from a 4-inch diameter line.
3. Mathews Avenue Sewer – estimated I/I at 380,000 gpd entering from the Borough's line.

Mr. Kelly further advised, based on his conference call with Nick Valse and Fletcher Platt, that Mr. Valse reported that HMM's flow estimates are conservative on the low side. For example, he explained that Mr. Valse said that both Cotluss Road and the Mathews Avenue I/I estimates are actually equal to half HMM's total estimated flow at both locations. That being the case, Mr. Kelly said that the flow estimate at Matthews Avenue totaled 760,000 gpd and, with a known base flow as monitored by Riverdale and by Dewberry approximating 100,000 gpd, that the net I/I amount would therefore approximate 660,000 gpd at that location.

Following further discussion on HMM's findings, Mr. Platt reported as well. On concluding his remarks, Mr. Platt advised that it would be advisable to pursue the program to confirm the May 7<sup>th</sup> findings and to conduct further investigations at those specific locations. In response to Commissioner Metcalfe's question, Mr. Platt said that the line into the Quarry (i.e., the Tilcon property) was extended to serve the Wal-Mart development. Mr. Kelly advised that that line is almost entirely new with the exception of the downstream lines approximating 3 or 4 sewer segments that were not replaced as a part of the Wal-Mart development project. On that point he noted that he had requested and had been advised that the developer did in fact CCTV-inspect the existing lines to confirm their integrity. Commissioner Metcalfe commented that there was extensive blasting at the Wal-Mart site which could have contributed to these problems. Mr. Platt and Mr. Kelly agreed with that observation.

Lastly, Mr. Platt said that he would revise and reissue HMM's memorandum on the findings and conclusions resulting from the May 7<sup>th</sup> observations.

Mr. Kelly indicated that Riverdale would be notified of these findings inasmuch as they reflect deficiencies in the Riverdale Borough local collection system. On that point Mr. Falcon said that there may need to be appropriate notification under the service contract provisions to have the Borough remedy these deficiencies. In terms of timing, Mr. Kelly said that he would like to make that notification as soon as reasonably possible but certainly would need to have HMM's revised memorandum and, ideally, as Mr. Platt had recommended, with additional field inspections confirming the May 7<sup>th</sup> preliminary findings if wet weather conditions permit further inspections within a reasonable period of time.

Commissioner Metcalfe asked Mr. Falcon if there would be an opportunity to recover costs from the Borough of Riverdale for the extensive work that the Authority has conducted in finding what are essentially deficiencies in the Borough's system. Mr. Falcon said, since the investigations were strictly on the Authority's facilities and since PRBRSA committed with Riverdale to conduct these very investigations in search of extraneous flows, that the Authority would most likely not have a claim against Riverdale for recovery of such costs.

Commenting on the current I/I investigations, Chairman Voorman said that the I/I sources appear to be major and asked why they had not been found previously. Responding to that, Mr. Kelly said timing is the issue. He explained that in the past there was no way to effectively time the field observations with the elevated flows in the system itself. Now, however, the IntelliServe system yields real time flow data to provide the necessary information to trigger the inspection response. A case in point, he said, is the May 7<sup>th</sup> event which typically would not have been expected to elevate the flows to a point that would warrant inspection yet the IntelliServe alarms provided the necessary alert to him and to HMM such that the inspections were immediately scheduled during the relatively high flow conditions experienced on May 7<sup>th</sup>.

Commissioner Howard asked Mr. Platt if the CCTV-inspection videotape will help to resolve any questions on the depth of flow observed at MH PR-132. Mr. Platt said that that tape had just been received from National Water Main and expects that it would certainly help confirm HMM's field estimates.

Mr. Kelly made several general observations on the I/I findings, noting in particular that this hopefully will resolve in large part the Authority's longstanding efforts to locate extraneous flow sources. If so, he said that should also prove beneficial to Riverdale which has similarly searched without

success for major I/I sources such as these. He said that if the I/I levels are confirmed through HMM's ongoing analysis, Riverdale's actual flows would be substantially reduced from prior levels and, with that, the Borough would experience an effective increase in its available reserve capacity. That would also be true for the PRBRSA system as a whole. In addition, he added that the Borough may now have sufficient capacity for the second phase of the Trammel Crow Residential project on Riverdale Road to the point that Trammel Crow may not need to acquire the balance of the capacity that it has contracted to acquire from the Borough of Lincoln Park. In addition, Mr. Kelly said that the findings should go along way in resolving the questions that Riverdale has raised on the integrity of the PRBRSA Interceptor system and on the accuracy of the ADS metering system and may effectively resolve the Borough's ongoing challenge to the Authority's assessment of Annual Charges with the related litigation potential. Finally, he said major I/I reductions may also serve to limit the Authority's need to acquire additional capacity through the proposed Two Bridges Sewerage Authority treatment plant upgrade project. In making those points Mr. Kelly acknowledged that they are subject to confirmation as to the I/I amounts found as compared to the total system I/I between Meters P-2A and P-4. He further acknowledged that while such predictions may be overly optimistic they nonetheless underscore the potential significance of the May 7<sup>th</sup> findings.

### **1.3.2 HMM Analysis and Report Phase**

Mr. Platt distributed copies of HMM's May 19<sup>th</sup> proposal for professional engineering services to review, evaluate, analyze and report upon the I/I investigation program conducted thus far and through September, 2009, the end of the temporary flow monitoring period per the ADS contract.

Following Mr. Platt's detailed explanation of HMM's proposed work plan and scope of services, the Commissioners had a number of questions and comments. Commissioner Howard said that he is concerned that continuing the program may suggest there is some element of doubt in what were obviously clear observations made on May 7<sup>th</sup>. Commenting on that, Chairman Voorman said that the nature of the program is to confirm the May 7<sup>th</sup> findings along with the related analysis of information available thus far and that which will be obtained through the end of the temporary flow monitoring period.

The Commissioners generally and Commissioner Metcalfe particularly had a number of questions for Mr. Platt on HMM's scope of services and pricing. For example, Commissioner Metcalfe questioned the allocation of Mr. Platt's

time as compared to Engineer, Grade II which Mr. Platt had mentioned in his presentation. Replying to that, Mr. Platt said that the need to evaluate the ADS meter accuracy issues complicates the data analysis and evaluation work such that it would be difficult under the circumstances to define the method of analysis to be performed by others. Consequently, he proposed to conduct that work himself given his years of experience and expertise in these types of investigations.

There was considerable discussion on the advisability of maintaining Mr. Platt's direct involvement in such analyses given that he has been doing that type of work for the Authority over many years and is therefore familiar with the background and would be in the best position to conduct these investigations. On a related matter, Commissioner Metcalfe commented on the corrections that Mr. Platt noted to HMM's May 7<sup>th</sup> memorandum suggesting that HMM should not bill the Authority for the effort necessary to correct that memo. Mr. Platt agreed indicating that HMM will not charge for that work.

As to the proposed \$34,000 fee, Commissioner Metcalfe inquired as to the total HMM cost on the recent I/I work. Mr. Kelly recalled that HMM was authorized in March to prepare bid specifications and to perform related work for a \$14,500 fee along with another \$20,000 for the on-call inspection services. That work in combination with the \$11,116 contract with National Water Main he said brings the current I/I Program cost to approximately \$80,000. That then, Commissioner Metcalfe said, raises two additional questions. First, having found what appears to be the majority of the I/I, why continue? Second, if HMM's ongoing engineering evaluations were necessary in March when the current I/I Program was authorized why was this work not presented then? Replying to Commissioner Metcalfe's second question first, Mr. Kelly explained that HMM was already under contract for similar work with sufficient budget to proceed with the initial I/I evaluations. However, since much of HMM's work plan centers on the ADS IntelliServe system capabilities, as a practical matter, the scope was developed once that system was placed into operation and evaluated by Mr. Platt.

As to Commissioner Metcalfe's first question, Mr. Kelly explained the importance of bringing closure to longstanding issues with I/I sources, meter accuracy and related issues. He explained that the I/I problem has persisted now for years even though the Authority has continued to conduct extensive investigations, albeit largely without success to this point even working with the Borough of Riverdale and with the developer and the developer's engineer on similar efforts. That being the case, he said that now the efforts have produced tangible results, there is a need to first confirm those results and to report upon them in a meaningful way. He commented that Riverdale has long questioned the amount of I/I attributed and billed to the Borough. He

noted also that the ADS metering system is utilized to determine the allocation of costs for some \$4,000,000 in Annual Charges distributed between and among the municipalities. That being the case he said that in his mind the projected cost here is more than reasonable to bring the matter to a reasonable conclusion. In terms of timing, responding to another question raised by Commissioner Metcalfe as to the endpoint of the program, Mr. Kelly said that he would target the end of the calendar year. He explained that the temporary flow monitoring work should extend through September allowing HMM to complete its analysis and report shortly thereafter. Since the Authority's fiscal year ends on October 31<sup>st</sup> and the billings must be prepared by year-end, he said that he would plan to have the entire effort concluded by then to assure maximum accuracy in the distribution of charges to the towns.

Following further discussion on the scope of work and related professional service fee per HMM's May 19<sup>th</sup> proposal, Commissioner Verdonik moved approval of the following resolution (Resolution No. **R-09-5-2**):

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (the "Authority") requires the performance of professional services for the performance of engineering analysis and report preparation in connection with the Authority's Infiltration/Inflow (I/I) Investigation Program; and

**WHEREAS**, the Authority has received and reviewed the proposal of Hatch Mott MacDonald dated May 19, 2009 and is agreeable to the same.

**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 20<sup>th</sup> day of May, 2009 as follows:

1. The Chairman is authorized and directed to sign an agreement in a form approved by the Authority Attorney providing for the performance of the scope of work set forth in the proposal of May 19, 2009 consisting generally of (1) System and Data Monitoring, (2) Data Analysis and Evaluations and (3) Preparation of Reports for a total fee of \$34,000.00, on a not to exceed basis.
2. This Resolution shall be published in accordance with N.J.S.A. 40A:11-5 (l)(a)(I).
3. 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

### **1.3.3 IntelliServe System**

Prior to the meeting, Commissioner Lampmann along with Vice Chairman Verdonik assisted Mr. Platt in accessing the IntelliServe system.

Although Mr. Platt had planned to demonstrate the capabilities of the IntelliServe system to the Board, given the extended discussions on the I/I Program, generally, that demonstration was deferred to a later date.

(Note: Mr. Platt left the meeting in progress at approximately 9:15 pm)

## **2. TBSA Activities**

Chairman Voorman and Vice Chairman Verdonik reported on recent activities at the Two Bridges Sewerage Authority as they affect PRBRSA. Vice Chairman Verdonik reported on TBSA's ultraviolet (UV) disinfection project. He explained that the Two Bridges Authority has been successful, and in fact is only one of 54 projects statewide, to have received Federal Stimulus grant funding through the New Jersey Environmental Infrastructure Trust (NJEIT) Program. He explained that the NJEIT will effectively provide a 50% grant on the \$2 million dollar UV project and will fund the balance as a low interest loan, specifically, 25% of the cost at 0% interest and another 25% at the prevailing market rates. He explained that Two Bridges was successful in receiving the Stimulus package monies by fast-tracking the project through the NJEIT system.

Chairman Voorman reported on the plant improvement project. He explained that the Authority's consultant, Black & Veatch, has provided an initial Executive Summary that contains additional cost documentation that will be useful in explaining the economic impacts of the proposed program to TBSA's Participants. He and Vice Chairman Verdonik confirmed that at this point it would be premature to forward any of the information received thus far from Mr. Bongiovanni of TBSA inasmuch as the treatment technology selection process is still underway.

## **3. TWA Application and Connection Permits**

Rev. 6/15/09

**3.1 TWA Application**  
**Paterson Hamburg Turnpike Project**  
**Borough of Riverdale**

Commenting on his April 29<sup>th</sup> letter to Riverdale Borough Engineer, Paul Darmofalski, Mr. Kelly said that Mr. Darmofalski advised that the Paterson Hamburg Turnpike sewer and pumping station project has not been connected to the PRBRSA system. Commissioner Lampmann said that the reason that the pumping station is not in operation is the fact that Riverdale has not constructed the pumping station, apparently due to budgetary constraints.

**3.2 TWA Application**  
**Trammel Crow Residential (Alexan South)**  
**Borough of Riverdale**

Referring to his April 21<sup>st</sup> letter to Riverdale's engineer, William Ryden, Mr. Kelly advised, although PRBRSA had previously notified Riverdale and Trammel Crow Residential that the conditions under the Authority's June 2008 TWA application resolution had been satisfied, that Mr. Ryden has now confirmed that Riverdale does endorse the "Action Plan" prepared by TCR's engineer.

On reviewing the mapping contained within the Action Plan prepared by Dewberry Engineering, particularly Figure 2 showing the proposed flow monitoring points along the Mathews Avenue Interceptor system, Commissioner Metcalfe had a number of questions on the extent of Riverdale's system and the related extent of the Authority's investigations into that system. Mr. Kelly advised that the Authority's investigations will be limited to the PRBRSA system such that Riverdale will be notified of any issues to be addressed within its own local collection system including the Mathews Avenue lines.

There was considerable discussion on the fact that the Mathews Avenue line serves the Powder Mill project, the Rock Creek Crossing project, the Riverdale Square project along with BJ's, Staples, Home Depot and the large residential project known as the Grande at Riverdale built by DR Horton (originally the Trammel Crow/Alexan project). In that regard Commissioner Metcalfe suggested that there was extensive construction and related blasting work in those areas which may have disturbed the Borough's lines leading to the major I/I contributions found on May 7<sup>th</sup>. Agreeing, Mr. Kelly noted that that very point had been made to Riverdale and its consultants on numerous occasions. Mr. Platt said that Riverdale's flow monitoring of the Mathews Avenue line may not have revealed the extent of the I/I contributions due to the fact that much of the Dewberry flow monitoring was conducted during

relatively dry periods when such extraneous flow sources would not be evident.

**3.3 Non-Residential Connection**  
**7-Eleven**  
**Borough of Butler**

Referring to a plan from a recent submittal by an applicant proposing a 7-Eleven project at Route 23 and Boonton Avenue, Mr. Kelly noted that the lot in question is on the northwest corner. Commissioner Lampmann and Vice Chairman Verdonik said that the photograph is evidently quite old since the buildings shown have now been demolished from what had been a Shell gas station.

**4. Wastewater Management Plan Update**

No change in status on this matter.

## **FINANCIAL REPORT**

### **1. Treasurer's Report**

#### **1.1. April 30, 2009 Treasurer's Report**

Commissioner Verdonik moved acceptance of the Treasurer's Report for the period ending April 30, 2009. That motion was seconded by Commissioner Howard and passed unanimously on the following roll call vote:

<b>AYES</b>	:	Chairman Voorman, Commissioners Howard, Lampmann, Metcalfe and Verdonik
<b>NAYS</b>	:	None
<b>ABSENT</b>	:	Commissioner Gall
<b>ABSTAIN</b>	:	None

### **2. Riverdale FY 2009 Annual Charge Challenge**

Responding to Riverdale's request got a meeting on its challenge to the Authority's FY 2009 Annual Charge assessment, Mr. Kelly noted that that meeting was scheduled for May 6<sup>th</sup> at the Authority's auditor's office but was cancelled by Riverdale apparently due to the Mayor's unavailability at that time.

For the record, Mr. Kelly distributed a copy of his May 6<sup>th</sup> calculations on the "Simplified Example" proffered by Mr. Clemack's April 13<sup>th</sup> letter wherein Mr. Clemack suggested that the Authority's flow estimates disadvantaged Riverdale. In actuality Mr. Kelly explained that Riverdale receives full benefit of the flow estimating methodology that the Authority used in calculating the prior year (FY 2008) flows.

### **3. FY 2010 Annual Budget**

Also for the record, Mr. Kelly advised that the State's Division of Local Governmental Services issued their "Certification of Amended Budget" on April 24, 2009 for the budget amendment submitted in January. Commenting on that, Chairman Voorman noted that the amendment related to minor budget revisions occasioned by the transfer of capacity from Two Bridges to PRBRSA and from PRBRSA to the Borough of Riverdale.

**4. Trustee Matters**

Referring to a Notice dated April 13, 2009 for various money market funds available through US Bank's "First American Funds, Inc.", Mr. Kelly advised that the Bank will continue their participation in the government program backing these money markets until at least September 18, 2009. He explained, however, that PRBRSA will not be affected inasmuch as it has transferred all of its monies into US Bank's "US Treasurer Money Market Fund" which Fund has not elected to continue participation due to the underlying security of the Treasury investments.

**UNFINISHED BUSINESS**

**1. Insurance**

Mr. Kelly provided a brief update per the email of John Campanile of Stanford Risk Management as to the ongoing insurance bidding process noting that he has asked Mr. Campanile to have the bid prices available for action at the June 17<sup>th</sup> PRBRSA regular meeting.

**2. Email Communications**

For the record, Mr. Kelly noted that Heather Pierce of Mr. Falcon's office replied to his most recent letter of April 20<sup>th</sup> confirming that PRBRSA does have an obligation to permanently retain electronic communications. Accordingly, he said that his office is in the process of reviewing the current email system and related procedures which he will be able to report on at the June 17<sup>th</sup> meeting.

**3. Financial Disclosure Forms**

For the record, Mr. Kelly advised that the Financial Disclosure Forms were filed with the State's Local Finance Board on April 29<sup>th</sup>.

**NEW BUSINESS**

**1. Qualified Purchasing Agent**

Under proposed legislation concerning Qualified Purchasing Agents, Mr. Kelly said that the current form of that bill provides for grandfathering of purchasing agents as appointed by public agencies prior to the effective date of the statute. To qualify for the grandfathering provision, Mr. Falcon advised that the Authority would be able to designate Mr. Kelly as its Qualified Purchasing Agent in advance of the final adoption of such legislation.

Following further discussion on the matter, Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-09-5-3**):

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (the “PRBRSA”) is a sewerage authority subject to the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq.; and

**WHEREAS**, pursuant to section N.J.S.A. 40:14A-7 of the Sewerage Authorities Law, sewerage authorities have the statutory power to make purchases and enter into contracts awarded by a contracting agent for the provision or performance of goods or services subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the PRBRSA is a “contracting unit” under the Local Public Contracts Law; and

**WHEREAS**, pursuant to section N.J.S.A. 40A:11-9 of the Local Public Contracts Law, the governing body of any contracting unit may by resolution establish the office of purchasing agent, with the authority, responsibility, and accountability as its contracting agent, for the purchasing activity for the contracting unit, to prepare public advertising for bids and to receive bids for the provision or performance of goods or services on behalf of the contracting unit and to award contracts which are not required to be advertised under the Local Public Contracts Law in the name of the contracting unit, and conduct any activities that may be necessary or appropriate to the purchasing function of the contracting unit; and

**WHEREAS**, the PRBRSA wishes to establish the office of purchasing agent to carry out any of the aforementioned purchasing and contracting functions of the PRBRSA which may be necessary or appropriate from time to time;

**NOW, THEREFORE, BE IT RESOLVED**, on this 20<sup>th</sup> day of May, 2009, by the governing body of the Pequannock River Basin Regional Sewerage Authority, in the Counties of Morris and Passaic in the State of New Jersey, as follows:

1. The Pequannock River Basin Regional Sewerage Authority hereby establishes the office of purchasing agent of the Pequannock River Basin Regional Sewerage Authority.
2. The Pequannock River Basin Regional Sewerage Authority (“PRBRSA”) hereby appoints Daniel D. Kelly, P.E. to serve as the purchasing agent of the PRBRSA pursuant to N.J.S.A. 40A:11-9.
3. This Resolution shall take effect immediately.

Commissioner Howard 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

## **PAYMENT OF BILLS**

### **1. Operating Request for Payment No. 266**

Mr. Kelly presented the bills as listed on Operating Request for Payment No. 266 as follows:

### **Operating Request for Payment No. 266**

The following bills have been reviewed and are recommended for approval for payment at the **May 20, 2009** meeting of the Authority from the Operating Account (Wachovia Bank Account 1425985):

	<b><u>PRBRSA</u></b>	<b><u>VOUCHER</u></b>	<b><u>VOUCHER</u></b>	<b><u>PAYMENT</u></b>	
	<b><u>ACCT. NO.</u></b>	<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>AMOUNT</u></b>	<b><u>CHECK PAYABLE TO</u></b>
1)	33.01	OP-09-5-1	11/28/08	\$ 2,180.00	Borough of Butler
2)	24.05	OP-09-5-2	3/14/08	\$ 250.00	Borough of Butler
3)	33.03	OP-09-5-3	4/28/09	\$ 28.38	Verizon
4)	33.03	OP-09-5-4	5/4/09	\$ 28.20	Verizon
5)	33.03	OP-09-5-5	4/20/09	\$ 3.25	JCP&L
6)	24.04	OP-09-5-6	4/27/09	\$ 41.40	The Tab Group
7)	22.01	OP-09-5-7	5/8/09	\$ 8,207.00	Maraziti, Falcon & Healey
8)	22.03	OP-09-5-8	5/13/09	\$ 10,400.00	Kelly Engineering
9)	32.02	OP-09-5-9	5/13/09	\$ 4,188.35	Kelly Engineering
10)	32.02	OP-09-5-10	5/13/09	\$ 2,917.48	Kelly Engineering
11)	33.11	OP-09-5-11	5/6/09	\$ 542.36	Hatch Mott MacDonald
12)	33.11	OP-09-5-12	5/6/09	\$ 2,112.98	Hatch Mott MacDonald
13)	33.06	OP-09-5-13	4/27/09	\$ 621.59	Hatch Mott MacDonald
14)	33.07	OP-09-5-14	5/4/09	\$ 540.40	Hatch Mott MacDonald
15)	33.01	OP-09-5-15	5/5/09	\$ 14,480.00	ADS, LLC

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16)	33.05	OP-09-5-16	5/6/09	\$	1,500.00	Borough of Riverdale
17)	26.01	OP-09-5-17	4/21/09	\$	2,500.00	US Bank
18)	26.01	OP-09-5-18	11/25/08	\$	2,500.00	US Bank
19)	33.03	OP-09-5-19	4//30/09	\$	17.96	Borough of Butler - Electric
20)	33.03	OP-09-5-20	4/23/09	\$	26.15	Verizon
21)	33.03	OP-09-5-21	4/28/09	\$	<u>28.38</u>	Verizon

**TOTAL:    \$ 53,113.88**

Commissioner Lampmann moved approval of the bills as submitted. 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

**OPEN MEETING FOR PUBLIC COMMENT**

There being no members of the public present, Chairman Voorman indicated that there would be no need to open a meeting for public comment.

**ADJOURNMENT**

At approximately 9:40 pm, Commissioner Howard moved for adjournment. Commissioner Metcalfe seconded the motion which passed unanimously on voice vote.

At approximately 9:40 pm, the meeting was adjourned.

Respectfully submitted,

Daniel D. Kelly, P.E.  
Recording Secretary

Enclosures: Treasurer's Report for the period ending April 30, 2009

DDK/bh (001)

:BusDoc/word/minutes/Minutes-May 2009