

## **MEETING MINUTES**

### **PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY**

**January 21, 2009**

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on January 21, 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 Gall, Howard, Lampmann, Metcalfe and Verdonik

**ABSENT** : None

**ALSO PRESENT** : Christopher H. Falcon, Esq., Maraziti, Falcon & Healey; and Daniel D. Kelly, P.E., Kelly Engineering

Note: Commissioner Lampmann joined the meeting in progress at approximately 7:40 p.m.

#### **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. October 15, 2008 Regular Meeting**

Treasurer Gall moved approval of the October 15, 2008 meeting minutes. That motion was seconded by Commissioner Verdonik and was approved unanimously on the following roll call vote:

**AYES** : Chairman Voorman, Commissioners Gall,  
Howard, Metcalfe and Verdonik

**NAYS** : None

**ABSENT** : Commissioner Lampmann

**ABSTAIN** : None

### **2. December 10, 2008 Regular Meeting**

Vice Chairman Verdonik moved approval of the December 10, 2008 meeting minutes. That motion was seconded by Commissioner Metcalfe and was approved by the following roll call vote:

**AYES** : Chairman Voorman, Commissioners Gall,  
Metcalfe and Verdonik

**NAYS** : None

**ABSENT** : Commissioner Lampmann

**ABSTAIN** : Commissioner Howard

Note: Commissioner Lampmann joined the meeting in progress at approximately 7:40 p.m.

## **OPERATIONAL REPORT**

### **1. System Operations**

#### **1.1 Flow Report**

Referring to the Flow Report dated January 20, 2009 for the period ending December 31, 2008, Mr. Kelly noted that the system flows increased substantially over the following month from 1.821 mgd in November to 2.259 mgd in December.

Referring to the December flow hydrograph, Mr. Kelly also commented that at times the flow recorded by the difference between Meter P-4 and Meter P-2A exceeded 1 mgd.

#### **1.2 I/I Investigation Program**

Continuing on the high flows experienced during December and the ongoing issues with locating the I/I particularly in that portion of the system between Meters P-2A and P-4, discussion focused on the extensive I/I investigations conducted by the Authority as well as by Riverdale and those through Trammel Crow's engineer as well. The Commissioners expressed concern that notwithstanding all of the resources that have been committed to this effort over the years relatively minor I/I sources have been found to date.

There was extensive consideration on the nature and extent of the I/I problem and the most probable sources. Related to that there was also discussion on a potential legal challenge by Riverdale which has effectively taken the position that whatever I/I exists is within the PRBRSA lines, not the Borough's system.

Commissioner Howard suggested a program that would further isolate various segments of the Authority's lines to better pinpoint the general area where the I/I sources exist. In discussing that, Commissioner Lampmann and Vice Chairman Verdonik mentioned that ADS has that capability and thought it would be advisable to conduct an intensive I/I program including additional temporary flow monitoring and development of a real-time monitoring capability providing immediate access to the data.

Responding to the Commissioner's comments Mr. Kelly agreed that an intensive I/I investigation program is necessary given the lack of success on prior efforts.

At the Authority's direction Mr. Kelly said that he would prepare and submit an I/I investigation program for the Board's consideration and approval at the February meeting.

## **2. TBSA Activities**

Vice Chairman Verdonik reported on several matters at TBSA as they affect PRBRSA. For example, he indicated that the ultra-violet disinfection system has been segmented from the remainder of the treatment plant improvements in order to meet a State-imposed deadline and, at the same time, to secure State Loan funding through the stimulus program for the projected \$2 million project. He also advised that TBSA modified its budget to reflect the 100,000 gallon per day transfer from Lincoln Park to Riverdale.

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

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

Mr. Kelly reported that Riverdale's engineer, William Ryden, has filed an engineering report on Riverdale's I/I investigations and related remediation work. In order to satisfy the condition in the Authority's June 2008 approval resolution, Riverdale must also make a presentation on that program. He and Mr. Falcon indicated that Mr. Ryden again has a conflict such that he is unable to attend this meeting date and has asked that the matter be rescheduled to another time.

Following considerable discussion Chairman Voorman said that the matter would be rescheduled for the February meeting and arranged alternate dates, either February 19<sup>th</sup> or February 23<sup>rd</sup>, for the rescheduled PRBRSA meeting.

### **3.2 TWA Application Paterson Hamburg Turnpike Borough of Riverdale**

No change in status on this matter.

### **3.3 TWA Application Salvation Army Camp (Star Lake) Borough of Bloomingdale**

For the record Mr. Kelly advised that a Wastewater Management Plan Amendment has been approved for certain improvements proposed to serve the Salvation Army Camp in Bloomingdale.

**4. Lincoln Park/Riverdale Capacity Transfer**

Again, for the record, Mr. Kelly advised that the four agreements authorizing the transfer of capacity from Lincoln Park to Riverdale became effective as of December 31, 2008. He briefly noted the corresponding efforts to implement that change as discussed later in the meeting.

**5. Wastewater Management Plan Update**

Commissioner Lampmann reported that Butler continues to work with Morris County on mapping of the sewer service areas within the Borough.

**FINANCIAL REPORT**

**1. Treasurer's Report**

**1.1. Treasurer's Report for the Period Ending November 30, 2008**

Treasurer Gall presented the Treasurer's Report for the period ending November 30, 2008. Commissioner Lampmann moved acceptance of the Treasurer's Report for the period ending November 30, 2008. That motion was seconded by Commissioner Verdonik and approved unanimously on the following roll call vote:

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

**1.2. Treasurer's Report for the Period Ending December 31, 2008**

Treasurer Gall presented the Treasurer's Report for the period ending December 31, 2008. Commissioner Verdonik moved acceptance of the Treasurer's Report for the period ending December 31, 2008. That motion was seconded by Commissioner Lampmann and approved unanimously on the following roll call vote:

**AYES** : Chairman Voorman, Commissioners Gall,  
Howard Lampmann, Metcalfe and  
Verdonik

**NAYS** : None

**ABSENT** : None

**ABSTAIN** : None

**2. Audit: FY 2008**

Mr. Kelly noted that the draft audit report has been filed with and distributed to the Board members for review and comment.

**3. Riverdale FY 2009 Annual Charge Challenge**

Mr. Falcon reported that Riverdale Special Attorney, Richard Clemack, has filed another letter protesting the Authority's Annual Charges. He said he spoke to Mr. Clemack again reminding him that the Annual Charges are due and payable notwithstanding the Borough's protest of same.

**4. Annual Budget: FY 2009**

In order to modify the Authority's Annual Budget and related to that to revise the Annual Charge billings to the municipalities, Mr. Kelly requested approval of a budget amendment dated January 21, 2009.

On discussion of the proposed budget amendment (Revision No. 2), Commissioner Howard moved approval of the following resolution (**Resolution No. R-09-1-1**):

**FY 2008 BUDGET (PRBRSA FY 2009) – REVISION NO. 2  
REQUEST FOR CHANGE IN TITLE, TEXT OR AMOUNT  
OF APPROPRIATION AND/OR REVENUE PURSUANT TO N.J.A.C. 5:31-2.8**

**WHEREAS**, N.J.A.C. 5:31-2.8 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of an Authority or District, make such correction of the title, text or amount of any Appropriation and/or Revenue appearing in the budget as may be necessary to make said item of Appropriation and/or Revenue available for the purpose or purposes required for the needs of any such Authority or District;

**NOW THEREFORE BE IT RESOLVED** that in accordance with the provisions of N.J.A.C. 5:31-2.8, the **Pequannock River Basin Regional Sewerage Authority** hereby

requests the Director of the Division of Local Government Services to make the following revisions to the budget for fiscal year 2008 (PRBRSA FY 2009):

<u>Budget Page</u>	<u>Line Item</u>	<u>Budget Revisions</u>		<u>Increase/ (Decrease)</u>
		<u>From</u>	<u>To</u>	
4	A-1	\$4,630,000	\$4,659,366	\$29,366
4	R-1	\$4,630,000	\$4,659,366	\$29,366
4	B-1	\$5,270,000	\$5,299,366	\$29,366
5	Other Expense/ (TBSA Charges)	\$2,647,228	\$2,676,594	\$29,366
5	E-2	\$2,647,228	\$2,676,594	\$29,366
5	B-2	\$4,304,096	\$4,333,462	\$29,366
6	B-5	\$5,320,000	\$5,349,366	\$29,366
6	B-6	\$5,270,000	\$5,299,366	\$29,366
SS-1	Intergovernmental	\$4,630,000	\$4,659,366	\$29,366
SS-1	A-1	\$4,630,000	\$4,659,366	\$29,366

**BE IT FURTHER RESOVLED** that the foregoing budget modifications are, in the opinion of the Authority, warranted and authorized by the statute above referred to, and are necessary for the orderly operation of the Authority for the reasons hereinafter set forth:

1. To effect the orderly transfer of 100,000 gallons per day of reserve capacity allocation from the Pequannock, Lincoln Park and Fairfield Sewerage Authority (PLPFSA) and the Borough of Lincoln Park to the Pequannock River Basin Regional Sewerage Authority and the Borough of Riverdale; and
2. To provide for the necessary increase in Appropriations for the additional capacity allocation with the associated increase in Revenues through an Annual Charge increase of \$29,366; and
3. To distribute the Annual Charges to the municipalities as follows:

	<u>FROM</u>	<u>TO</u>	<u>INCREASE/ (DECREASE)</u>
<b>Bloomingtondale</b>	\$1,698,541.00	\$1,665,090.00	(\$33,451.00)
<b>Butler</b>	\$1,919,388.00	\$1,884,238.00	(\$35,150.00)
<b>Kinnelon</b>	\$355,319.00	\$346,525.00	(\$8,794.00)
<b>Riverdale</b>	<u>\$656,752.00</u>	<u>\$763,513.00</u>	<u>\$106,761.00</u>
<b>TOTAL:</b>	<b>\$4,630,000.00</b>	<b>\$4,659,366.00</b>	<b>\$29,366.00</b>

4. To incorporate the above Annual Charge distributions resulting from the \$29,366 increased charges from the PLPFSA, an unbilled debt service surcharge of \$12,577 increase to the Borough of Riverdale and an increase in the total system distribution denominator from 2.50 mgd to 2.60 mgd into the FY 2008 (PRBRSA FY 2009) Annual Budget.

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

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

## **NEW BUSINESS**

### **1. Electronic Communications System**

Commissioner Howard outlined the concept of having the Authority communicate electronically rather than issue paper documents during the course of the month including the meeting packets prior to and at the regular monthly meetings. Commissioner Howard described a similar procedure adopted by a school district in Bergen County where each of the School Board members was issued personal computers for dedicated School Board-related use. He noted that many laptop computers are typically on the order of \$450 to \$500 each such that an investment on the order of several thousand dollars may actually save the Authority cost in producing hard copy documents with related distribution and postage expense as is current practice.



In discussing Commissioner Howard's proposal, the Board briefly considered some of the practical aspects of implementing that type of system. They discussed for example whether each of the Commissioners would want to work with a laptop computer rather than have the documents available in hard copy. They also discussed the advantage to having documents available electronically which would facilitate access to prior months if not years of information that may come up in the course of a meeting. The Board also discussed the potential downside in terms of possible misuse of the computer by one of the Board Members and related potential liability issues, both to the Authority and to the individual Board members. Access by the public and related security of internal documents, draft documents and potentially privileged materials would need to be addressed. Another issue, also primarily legal, Mr. Falcon explained is to what extent the information made available to each of the Commissioners and any emails between and among the Board Members would be discoverable in the event of litigation.

Following extensive discussion on the point, the Board asked Mr. Kelly to review it further.

**2. AEA Spring Conference**

Mr. Kelly asked if any of the Commissioners are interested in attending the March 10<sup>th</sup> and March 11<sup>th</sup> Conference of the Association of Environmental Authorities that they advise his office to make the arrangements.

**PAYMENT OF BILLS**

**1. Operating Request for Payment No. 262**

Treasurer Gall presented the bills as listed on Operating Request for Payment No. 262 as follows:

The following bills have been reviewed and are recommended for approval for payment at the **January 21, 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>CHECK PAYABLE TO</u></b>
	<b><u>ACCT. NO.</u></b>	<b><u>NO.</u></b>	<b><u>DATE</u></b>	<b><u>AMOUNT</u></b>	
1)	33.01	OP-09-1-1	11/28/08	\$ 2,180.00	Borough of Butler
2)	24.05	OP-09-1-2	3/14/08	\$ (250.00)	Borough of Butler-Credit
3)	33.03	OP-09-1-3	12/28/08	\$ 28.20	Verizon

4)	33.03	OP-09-1-4	11/28/08	\$ 27.77	Verizon
5)	33.03	OP-09-1-5	12/23/08	\$ 26.00	Verizon
6)	33.03	OP-09-1-6	11/28/08	\$ 27.77	Verizon
7)	33.03	OP-09-1-7	12/4/08	\$ 28.20	Verizon
8)	33.03	OP-09-1-8	11/23/08	\$ 25.65	Verizon
9)	22.01	OP-09-1-9	12/11/2008	\$ 1,454.50	Maraziti, Falcon & Healey
10)	33.05	OP-09-1-10	12/11/2008	\$ 1,604.14	Maraziti, Falcon & Healey
11)	22.03	OP-09-1-11	1/5/09	\$ 10,400.00	Kelly Engineering
12)	32.02	OP-09-1-12	1/5/09	\$ 2,825.63	Kelly Engineering
13)	32.02	OP-09-1-13	1/12/09	\$ 5,861.44	Kelly Engineering
14)	33.03	OP-09-1-14	12/18/08	\$ 3.25	JCP&L
15)	33.03	OP-09-1-15	12/3/08	\$ 11.60	Borough of Butler-Electric
16)	33.03	OP-09-1-16	1/8/09	\$ 23.20	Borough of Butler-Electric
17)	24.07	OP-09-1-17	12/16/2008	\$ 126.72	North Jersey Media Group
18)	33.01	OP-09-1-18	3/30/2008	\$ 2,320.00	ADS LLC
19)	33.01	OP-09-1-19	4/30/08	\$ 2,320.00	ADS LLC
20)	33.01	OP-09-1-20	5/31/08	\$ 2,320.00	ADS LLC
21)	33.01	OP-09-1-21	6/30/08	\$ 2,320.00	ADS LLC
22)	33.01	OP-09-1-22	7/31/08	\$ 2,320.00	ADS LLC
23)	33.01	OP-09-1-23	8/31/08	\$ 2,320.00	ADS LLC
24)	33.01	OP-09-1-24	9/30/08	\$ 2,320.00	ADS LLC
25)	33.01	OP-09-1-25	11/30/08	\$ 2,320.00	ADS LLC
26)	24.04	OP-09-1-26	12/19/2008	\$ 28.88	Chatham Print & Design
27)	33.06	OP-09-1-27	12/26/2008	\$ 566.78	Hatch Mott MacDonald
28)	26.04	OP-09-1-28	1/8/09	\$ 945.00	US Bank
29)	24.04	OP-09-1-29	1/7/09	\$ 608.28	The TAB Group
30)	*	OP-09-1-30	1/12/09	\$ 513,897.00	Pequannock, Lincoln Park & Fairfield Sewerage Authority
31)	31.01	OP-09-1-31	1/5/09	\$ 2,320.00	ADS LLC
32)	22.01	OP-09-1-32	1/12/09	\$ 3,268.50	Maraziti, Falcon & Healey
33)	33.05	OP-09-1-33	1/8/2009	\$ 2,610.24	Maraziti, Falcon & Healey
34)	33.03	OP-09-1-34	1/4/09	\$ 27.98	Verizon
35)	33.06	OP-09-1-35	1/12/2009	\$ 1,765.23	Hatch Mott MacDonald
36)	33.06	OP-09-1-36	1/12/09	\$987.15	Hatch Mott MacDonald

**TOTAL:      \$ 569,989.11**

Vice Chairman Verdonik moved approval of the bills as submitted. Commissioner Howard seconded the motion which passed unanimously on the following roll call vote:

**AYES** : Chairman Voorman, Commissioners Gall,  
Howard, Lampmann, Metcalfe and  
Verdonik

**NAYS** : None

**ABSENT** : None

**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 9:15 pm, Commissioner Lampmann moved for adjournment. Vice Chairman Verdonik seconded the motion which passed 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 November 30, 2008  
Treasurer's Report for the period ending December 31, 2008

DDK/bh (001)

:BusDoc/word/minutes/Minutes-January 2009