MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

April 16, 2014

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on April 16, 2014 in the Conference Room at the Butler Municipal Building. One Ace Road, Butler, New Jersey. Chairman Voorman called the meeting to orce: at approximately 7:40 p.m.

ROLL CALL

On roll call:

PRESENT: Chairman Voorman, Commissioners Howard.

Lampmann, Metcalfe and Verdonsk

ABSENT : Commissioner Gall

ALSO PRESENT: Christopher H. Falcon, Esq., Maraziti, Falcon &

Healey; and Daniel D. Kelly, P.E., Kelly

Engineering:

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 aw 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. <u>Meeting Minutes: Regular Meeting – March 12, 2014 (Rescheduled from March 19, 2014)</u>

Commissioner Lampmann moved approval of the minutes of the Authority's March 12, 2014 regular meeting. 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

OPERATIONAL REPORT

1. System Operations

1.1 Flow Report

Mr. Kelly presented the Flow Reports dated March 17, 2014 and April 14, 2014 for the periods ending February 2014 and March 2014, respectively.

Commenting on the most recent report he noted that the flows have increased substantially over the prior month, specifically, increasing, from 1.659 mgd to 2.31 mgd during the period. He also noted that the difference between Meters P-4 and P-2A representing the Borough of Riverdale's flows have increased to 0.563 mgd.

The following reports were distributed to the Board in the meeting file folders:

- Flow Report dated March 17, 2014 for the period ending. February 2014
- Daily Flow Summary for February 2014
- Daily Flow Hydrograph for February 2014
- Flow Report dated April 14, 2014 for the period ending March 2014
- Daily Flow Summary for March 2014
- Daily Flow Hydrograph for March 2014
- Daily Flow Hydrograph Comparing Meters P-4 and TBSA Meter M-15 for February 2014
- Daily Flow Hydrograph Comparing Meters P-4 and TBSA Meter M-15 for March 2014
- TBSA Budgeted vs. Actual Flow for March 2014

1.2 TBSA Actual vs. Budgeted Flow Analysis

Referring to his memoranda dated March 24, 2014 and April 10, 2014 for the periods ending February 2014 and March 2014, respectively Mr. Kelly noted that the increased flows in March resulted in a substantial decrease in the PRBRSA proportional share of the total Two Bridges flow, reducing that from 34.01% in February to 33.04% in March on a cumulative basis. Accordingly he said TBSA's current budgeted flow is very close to the actual flow on a year-to-date basis.

1.3 ADS Flow Monitoring System Evaluations

Referring to the ongoing evaluations of Kleinfelder East on the ADS flow data and flow monitoring system generally. Mr. Kelly advised that Kleinfelder is in the process of analyzing on all of the data and related information provided by his office and by ADS as well. Further he noted a meeting has been scheduled with Kleinfelder and ADS on April 28 h to further the investigations.

2. TBSA Activities

2.1 Status Update

Vice Chairman Verdonik reported on various activities at the Two Bridges Sewerage Authority as they affect Pequannock River Basin. In particular he reported that Two Bridges officially shut down its sludge incineration operation on March 21st at 7:00 am so will now be hauling sludge to the Passaic Valley Sewerage Commission facility in Newark for treatment and ultimate disposal. He also advised that the engineers are finalizing design on the treatment plant headworks facilities and pumping station upgrades with the expectation that pids will be received in September or October of this year. He reported that costs are preliminarily projected on the order of some \$30 million.

3. TWA Applications and Connection Permits

3.1 TWA Application Paterson Hamburg Turnpike Project Borough of Riverdale

Mr. Kelly advised that Riverdale Mayor Budesheim requested authorization to connect the Borough's Paterson-Hamburg Turrpike pumping station and sewer extension to the system. He said the Mayor explained that there are a few connections involved yet after years of delay the Borough would like to proceed. He said the issue remains that, at present at least, the Borough does not have sufficient capacity allocation which he said the Mayor acknowledged and further advised that the Borough is addressing the high flow conditions by way of infiltration and inflow evaluations and remediation.

4. Boonton Avenue Interceptor Project

4.1 Status Report

Mr. Kelly advised that DMC Survey completed the topographic survey work in the vicinity of Park Place and Main Street. Based on that

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information he said that Suburban will evaluate the possibility of installing the sewer main within Park Place in the location previously indicated on the west side of the existing sewer line and the Borough of Butler's water main. He noted that utilities remain an issue so those evaluations are ongoing including the various contacts with PSE&G to secure mark-outs or at least markups of the engineering plans to locate the existing gas main locations in that area.

4.2 NJEIT Loan Program

No change in status on this matter.

4.3 Geotechnical Investigations

Mr. Kelly reported on the proposal received from SESI Engineers for geotechnical evaluations in Park Place and adjacent to the proposed railroad crossing. In response to Commissioner Metealfe's question he advised that the fee quoted at a \$13.500 lump sum does include the subcontract work, notably, the driller along with payment of bonds and other costs such as police traffic control.

Following further discussion. Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-14-4-1**):

Resolution No. R-14-4-1

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH SESI CONSULTING ENGINEERING

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the "Authority") has identified a need for a geotechnical investigation and report in connection with the Boonton Avenue Interceptor Project; and

WHEREAS, the Authority's Consulting Engineer has received and reviewed the proposal of SESI Consulting Engineers ("SESI"), dated March 27, 2014, for services to consist generally of a geotechnical engineering investigation, analyses and report; and

WHEREAS. SESI has indicated that the cost of such services for "Phase 1-Geotechnical/Environmental Investigation and Report" is \$13.500.00; 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; and

WHEREAS, funds are available for these purposes.

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regiona. Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 16th day of April, 2014 as follows:

- 1. The Pequannock River Basin Regional Sewerage Authority recognizes that SES Consulting Engineers has an established reputation in the field of geotechnical engineering and that they possess the specialized abilities and resources to provide Tele and related services necessary to meet the Authority's needs.
- 2. 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 SESI of March 27, 2014 for a fee not to exceed a total cost of \$13.50).00 without prior approval of the Authority, for a geotechnical engineering investigation analyses, and report.
- 3. This Resolution shall be published in accordance with N.J.S.A. 40A:11-5 (1)(a)(i).
- 4. This Resolution shall take effect as provided by law.

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

4.4 **Budget Analysis/Cash Flow Projections**

Referring to his April 8th letter, Mr. Kelly reported that he prepared a detailed budget for the Boonton Avenue Interceptor, the "2013 Project". He noted that the costs are essentially those included within Part II of the State Loan Application filed on February 24th by Suburban with additional costs included for the Park Place/railroad crossing which were not included in the NJEIT loan program loan request. He noted that the total budgeted cost is \$2,990,000 including all engineering, legal, geotechnical, administrative, survey and other "soft" costs involved with the project. That compares to the original cost estimate prepared by Alaimo of \$2,970,000.

Continuing, Mr. Kelly said that the cash flow analysis projects the Authority's cash flow needs and the maximum cash flow deficit through early 2015 when the State Loan proceeds should become available. He said indications are that the Authority's maximum cash flow needs will approximate \$240,000 and on that basis requested that the Authority authorize a transfer from the Revenue Fund to the Construction Fund to effectively provide a bridge loan during that period. He advised that the expectation is that those funds would be reimbursed upon availability of the loan interest state loans and therefore the Revenue Fund would be reimbursed at that time to the extent funds are available for that purpose.

Following discussion on the cash flow needs, Treasurer Lampmann moved approval of the following resolution (**Resolution No. R-14-4-2**):

Resolution No. R-14-4-2

RESOLUTION TO AUTHORIZE REVENUE FUND TRANSFER TO CONSTRUCTION FUND

WHEREAS. the Pequannock River Basin Regional Sewerage Authority (the "Authority") created the 2013 Project Construction Fund (Account No. 2576006501) by Resolution No. R-13-5-1 on May 15, 2013; and

WHEREAS, the Authority desires to proceed with the Boonton Avenue Interceptor Project to be funded from said 2013 Project Construction Fund; and

WHEREAS. the Authority's Consulting Engineer has projected cash flow needs through initiation of construction in anticipation that state loan proceeds will be available in early 2015 and

WHEREAS, the projected cash flow needs are estimated at \$240,000 over the period

NOW, THEREFORE BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic, New Jersey as follows:

- 1. The Treasurer is authorized and directed to transfer \$240,000.00 from the Revenue Fund (Account 2576006500) to the 2013 Construction Fund (Account 2576006501).
- 2. Funds to be transferred shall be unrestricted/undesignated net assets
- 3. Upon transfer, the Treasurer shall invest said monies within the New Jersey Cash Management Fund.
- 4. This resolution shall take effect immediately

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

AYES : Chairman Vocrman, Commissioners.

Howard, Lamomann, Metcalfe and

Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

FINANCIAL REPORT

1. Treasurer's Report

1.1 Acceptance of March 31, 2014 Treasurer's Report

Treasurer Lampmann presented the Treasurer's Report for the period ending March 31, 2014. Vice Chairman Verdonik moved acceptance of the Treasurer's Report as presented. That motion was seconded by Treasurer Lampman 1 and approved unanimously upon the following roll call vote:

AYES: Chairman Voorman, Commissioners

Howard, Lampmann. Metcalfe and

Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

UNFINISHED BUSINESS

1. Riverdale Capacity Allocation Request

Referring to Mayor Budesheim's March 21, 2014 letter, Mr. Kelly said that the Borough of Riverdale has now formally requested another 100,000 gallons per day of capacity allocation indicating that they would like to have the additional capacity available by the end of this year or early 2015.

On discussion the Board requested that Mr. Kelly forward the request onto Bloomingdale, Butler and Kinnelon for consideration.

2. Insurance Contract

Mr. Kelly advised that the Authority received a quotation on renewal of its Workers Compensation insurance policy with Liberty Mutual at a cost of \$1007, an increase o 5.2% over the prior year. He noted that John Campanile of Stanford 3isk Management advised that the premium is the lowest available and the eforc recommended award of the contract to Liberty Mutual.

Following discussion Treasurer Lampmann moved approval of the following resolution (Resolution No. R-14-4-3):

Resolution No. R-14-4-3

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (hereinafte: "the Authority") maintains policies of insurance in accordance with Section 611 of the Bond Resolution of July 15, 1986; and

WHEREAS, the Authority desires to maintain appropriate coverage and has received a quotation for Worker's Compensation Insurance from Liberty Mutual Insurance Group for \$1,007.00;

WHEREAS. N.J.S.A. 40:11-5(1)(m) authorizes the Authority to award contracts or insurance without public advertising for bids and bidding thereof: and

WHEREAS, the Authority has reviewed the Certification of the Consulting Engineer of even date herewith:

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Reg on al Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 15th

day of April, 2014, as follows:

- 1. The Authority hereby approves
- 2. The Authority hereby authorizes payment to the above company of the premium due in the amount of \$1,007.00.
- 3. The Consulting Engineer shall cause a copy of the within Resolution to be published once in an official newspaper of the Authority.
- 4. This Resolution shall take effect immediately.

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

AYES: Chairman Voorman, Commissione's.

Howard, Lampmann, Metcalfe and

Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

3. Wells Fargo Bank Signatories

At counsel's recommendation Mr. Kelly requested the Board's authorization for signatories on the PRBRSA Operating Account held at Wells Fargo Bank in Bloomingdale.

Following discussion Treasurer Lampmann moved approval of the following resolution (Resolution No. R-14-4-4):

Resolution No. R-14-4-4

RESOLUTION TO AUTHORIZE SIGNATORIES FOR THE PAYMENT OF CLAIMS AND EXECUTION OF CHECKS

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the "Authority") desires to designate the signatories for the payment of claims, issued by check, drawn upon accounts of the Authority; and

WHEREAS, the Local Finance Board has promulgated a regulation at N.J.A.C. 31:4.2 whereby the Authority is required to annually name the individuals who are the authorized signatories for the Authority.

NOW, THEREFORE, BE IT RESOLVED, that the Authority does designate the following signatories for the payment of claims by check drawn on the accounts of the Authority, which signatories are as follows:

- 1. Chairman. Robert Voorman, and in his absence. Vice Chairman Raymond Verdonik
- 2. Treasurer, James Lampmann, and in his absence, Secretary Edwin Howard
- 3. Consulting Engineer, Daniel D. Kelly

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

4. Contingency Operating Plan

Following the Board's direction Mr. Kelly outlined two initial steps that are being undertaken in connection with a contingency operating plan. First, he said that his office will develop a procedures manual providing a detailed guide of the day-to-day operations that his firm conducts on the Authority's behalf. Related to that he said the effort will also involve preparation of an electronic filing system which will be accessible to designated users. He explained that on investigation of the "cloud" type storage he recommends procuring that capability through the Authority's existing contract with Intermedia. He indicated that the Intermedia SecuriSyne system provides, first and foremost, security and access at various levels depending upon the user and would allow, as needed, the Authority or a designated third party to download documents and modify those as may be necessary. He added that users would not be able to upload documents (with the exception of his office or a future designated user) and that those documents could be readily synchronized and organized in a manner consistent with the procedures manual itself.

Continuing Mr. Kelly referred to his April 16th letter to the Board which also addresses the possibility of Kelly Engineering providing, in some manner, a backup capability for PRBRSA activities through a contract with an individual or another firm. He summarized several issues associated with such an arrangement. On discussion Commissioner Howard suggested that it may be better that the Authority consider merging with the Two Bridges Sewerage Authority. Chairman Voorman explained that there have been some discussions with Two Bridges in general but primarily on the concept of developing an inter-local agreement.

As discussion continued on both the development of an inter-local agreement and some form of consolidation and/or merger with Two Bridges. Mr. Falcon explained that an inter-local agreement could be implemented in a relatively short order with Two Bridges to have TBSA assume the responsibilities of Pequannock River Basin's day-to-day operations on an emergency backup basis as may be needed at the Eoard's discretion. In contrast he said a merger or consolidation of both authorities a ong with a potential dissolution of Pequannock River Basin itself has innumerable issues that would need to be negotiated between and among the two authorities and likely with six to eight individual municipalities so would be a formidable and time consuming task. Commissioner Lampmann observed that it could be a 3 to 5 year effort. Commenting on that Mr. Kelly said that both authorities were able to negotiate and conclude on the present service contract relationship from early 1984 through December 1985 when the present contract became effective.

As the Board Members discussed that along with other possibilities as well, many of the likely issues surfaced including, for example, the issue of representation on the Two Bridges Board which Vice Chairman Verdonik and Chairman Voorman both agreed would likely be problematic for Two Bridges.

Before approaching Two Bridges on an inter-local agreement the Board agreed that the next step would be to develop the procedures manual and possibly the related electronic access capabilities as well. That would provide a definition of the scope of the activities and would allow the Authority to initiate a specific dialog with Two Bridges on a contingency arrangement to step in in the event that Kelly Engineering would be unable to perform.

Commissioner Metcalfe considered the possibility that Kinnelon, for example, since it has a very low flow contribution approximating less than 2% of TBSA's total flow, may not need representation on the Two Bridges Board. Responding to that, Commissioner Lampmann indicated that that would then put Kinnelon in a posit on similar to Riverdale, essentially a customer relationship with Two Bridges. He also expressed concern that if Two Bridges assumed responsibility for Pequannock River Basin's operations through an inter-local agreement that the Authority would ose control and that there may be a loss of direct attention to the business of PRBRSA under such an arrangement.

Mr. Falcon explained that under the sewerage authorities statute, if Two Bridges were, for example, to bring on the PRBRSA three Member towns that would add an additional 4 Members on the TBSA Board in which case the PRBRSA municipalities would have equal voting representation and control at Two Bridges. Charman Voorman and Vice Chairman Verdonik again commented that that would be extraordinarily difficult for Two Bridges to accept. Mr. Falcon also explained that if the Authority began to consider a dissolution process it would necessarily have to unwind the present service contracts and either pay down all outstanding debt or have, in this case, Two Bridges assume that debt.

The difficulties notwithstanding, the Board agreed that it would be advisable to at least consider the long range possibility of a more formal merger/consol dation approach between both agencies.

NEW BUSINESS

1. Financial Disclosure Forms

Mr. Kelly reported that the Department of Community Affairs, Division of Local Government Services, Local Finance Board has modified its procedure for filing this year's Financial Disclosure Statements. That being the case he said there have been delays in the availability of the forms and in the procedures for filing same. He said the latest information indicates that the state has extended the filing deadline to May 15th. [Note: Subsequently extended to June 6th].

PAYMENT OF BILLS

1. Operating Budget

1.1 Operating Request for Payment No. 326

Treasurer Lampmann presented and moved approval of Operating Requestion Payment No. 326 and moved approval of the bills as presented as follows:

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

SUMMARY OF VOUCHERS FOR OPERATING EXPENSES

Operating Request for Payment No. 326

The following bills have been reviewed and are recommended for approval for payment at the **April 16, 2014** meeting of the Authority from the Operating Account (Wells Fargo Bank Account 14.25985):

PRBRSA <u>ACCT. NO</u> .		VOUCHER <u>NO.</u>			AYMENT MOUNT	CHECK PAYABLE TO	
1)	33.01	OP-14-4-1	9/17/2012	\$	2,475.00	Borough of Butler	
2)	24.05	OP-14-4-2	3/31/2014	\$	250.00	Borough of Butler	
3)	24.05	OP-14-4-3	3/31/2014	\$	250.00	Borough of Butler	
4)	24.07	OP-14-4-4	4/7/2014	\$	131.89	Kelly Engineering	
5)	22.03	OP-14-4-5	4/7/2014	\$	10,400.00	Kelly Engineering	
6)	32.02	OP-14-4-6	4/7/2014	\$	1,569.03	Kelly Engineering	
7)	32.03	OP-14-4-7	4/3/2014	\$	1.007.00	Liberty Mutual Insurance	
						Pequannock, Lincoln Park & Fairfield Sev.	
8)	*	OP-14-4-8	4/15/13	\$	709,214.00	Authority	
9)		OP-14-4-9	03/10/14	\$	2,324.92	ADS LLC	
10)	33.01	OP-14-4-10	03/10/14	\$	3,099.90	ADS LLC	
11)	33.01	OP-14-4-11	04/02/14	\$	3,099.90	ADS LLC	
12)	24.07	OP-14-4-12	4/9/2014	\$	55.78	North Jersey Media	
13)	33.03	OP-14-4-13	3/28/2014	\$	33.80	Verizon	
14)	33.03	OP-14-4-14	3/28/2014	\$	31.79	Verizon	
15)		OP-14-4-15	2/28/2014	\$	33.80	Verizon	
16)	33.03	OP-14-4-16	3/23/2014	\$	30.10	Verizon	
17)	33.03	OP-14-4-17	3/5/2014	\$	17.96	Borough of Butler -Electric	
18)	33.03	OP-14-4-18	4/9/2014	\$	17.96	Borough of Butler -Electric	
19)	33.03	OP-14-4-19	4/7/2014	\$	3.25	JCP&L	
20)	22.01	OP-14-4-20	4/8/2014	\$	1,942.50	Maraziti, Falcon & Healey	

TOTAL: <u>\$ 735,988.58</u>

Respect ully Submitted.

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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, Lamomann, Metcalfe and

Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

2 Construction Fund Disbursements

2.1 Construction Disbursement Request No. C-13-10

Treasurer Lampmann presented the bills listed on Construction Func Disbursement Request No. C-13-10. Vice Chairman moved approval of the bills as presented on Construction Fund Disbursement Request No. C-13-10 as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-13-10

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 or **April 16, 2014:**

	AUTHORITY ACCOUNT #	VOUCHER NUMBER	VOUCHER DATE	PAYMENT AMOUNT	PAYEE
1)	120322C6.1	C-13-10-4-1	4.8.14	\$ 4.750.00	DMC Associates, Inc.
2)	120322C3	C-13-10-4-2	4 7 14	\$ 4,878.45	Kelly Engineering
3)	120322C2	C-13-10-4-4 4 8 14		\$ 3,675.01	Maraziti, Falcon & Healey
		TOTAL I	DISBURSEMENTS	<u>\$13,303.46</u>	

Treasurer Lampmann seconded the motion which passed unanimous y 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 8:45 pm. Commissioner Metcalfe moved for adjournment. Tha motion was seconded by Commissioner Howard and approved unanimously on voice vote.

At approximately 8:45 pm, the meeting was adjourned.

Respectfully submitted.

Recording Secretary

Enclosures: Treasurer's Report for the period ending March 31, 2014