

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

December 4, 2013

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on December 4, 2013 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;

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 – October 16, 2013**

Vice Chairman Verdonik moved acceptance of the minutes of the October 16, 2013 regular meeting. That motion was seconded by Commissioner Lampmann which passed unanimously upon the following roll call vote:

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

NAYS : None

ABSENT : None

ABSTAIN : None

OPERATIONAL REPORT

1. System Operations

1.1 Flow Report (October 2013)

Referring to the Draft Flow Report dated November 18, 2013 for the period ending October 31st, Mr. Kelly noted that the flows continue to be extremely low at 1.339 mgd for the month of October with a year-end total flow of 1.759 mgd. He also commented that the flow differential recorded by Meters P-1A and P-2A for Bloomingdale, while substantially higher than the prior month (0.230 mgd vs. 0.163 mgd for September), still appears to be unusually low. He noted that is the nature of the question that he has continually posed to ADS and, as will be discussed below, more recently with Kleinfelder/Omni.

Mr. Kelly distributed the following reports to the Board for review:

October 2013

- Flow Report dated November 18, 2013 for the period ending October, 2013
- Daily Flow Summary for October 2013
- Daily Flow Hydrograph for October 2013
- Daily Flow Hydrograph Comparing Meters P-4 and TBSA Meter M-15 for October 2013
- TBSA Budgeted vs. Actual Flow for October 2013

1.2 TBSA Actual vs. Budgeted Flow Analysis

Referring to his November 18, 2013 memorandum analyzing the TBSA flow data for October 2013, Mr. Kelly advised that the contractual minimum flow controls, namely the 1.85 mgd minimum, resulting in a year-to-date difference of 0.86% meaning that the Authority's proportion of the total TBSA flow is that much higher than that which had been estimated and budgeted going into the year. As a consequence he said that there will be an increase in the TBSA Annual Charges at year-end.

1.3 ADS Metering System Review

Referring to a proposal dated December 2, 2013 from Kleinfelder/Omni, Mr. Kelly explained that he requested the proposal for review and analysis of the ADS metering system and more particularly the accuracy of the individual flow monitors. He said the information may prove helpful for the year-end billing and therefore requested that Kleinfelder/Omni complete their work within three to four weeks of authorization.

On discussion, Commissioner Howard raised a number of technical points indicating that he was not sure that the analysis would be able to achieve the desired result particularly in such a short time span. He noted that ADS has reviewed its system on several occasions and reported on the accuracy of the monitors and was not convinced that an independent review would accomplish much more. Responding, Mr. Kelly said that he believes that an independent review would be constructive if nothing more than to confirm the results of the analyses that ADS have performed over the years. Commenting further, Chairman Voorman said that he is not sure that the program objectives and scope are sufficiently clear. On discussing the scope and overall program the Board generally agreed that the analysis would be appropriate yet suggested that the program objectives and scope be further refined to assure that the end product will produce the desired result.

On discussion of the methodology, Mr. Kelly noted that the work would also include review of any available water usage data. He explained that he had recently reviewed the NJDEP reports on water demands for each of the four towns yet that information is limited. Commissioner Lampmann indicated that the Borough of Butler's demands, while high, include service to other towns, portions of Kinnelon, portions of West Milford (High Crest Lake) and at times Bloomingdale also. For Bloomingdale Mr. Kelly observed that the water demands seem to suggest that the sewer flows as recorded by the ADS meters for the Borough are low yet acknowledged that the information is difficult to correlate in terms of what areas are serviced by both sewer and water. Discussions continued on possible review of water metering records in that regard.

2. TBSA Activities

Chairman Voorman and Vice Chairman Verdonik reported on a number of matters under consideration at the Two Bridges Sewerage Authority as they affect Pequannock River Basin. Vice Chairman Verdonik, who Chairs the Two Bridges Construction Committee, advised that all construction projects are now complete. He and Chairman Voorman reported that Two Bridges is now proceeding with a project to upgrade the treatment plant's headworks facilities and also to undertake modifications to several existing pumping stations. They explained that TBSA has retained a joint venture engineering firm team of Black & Veatch/Hatch Mott MacDonald to perform the engineering design and construction engineering services for these projects.

3. TWA Applications and Connection Permits

No change in status on this matter

4. Boonton Avenue Interceptor Project

4.1. New Jersey Environmental Infrastructure Trust Program

Mr. Kelly said that the filing with the New Jersey Environmental Infrastructure Trust should assure that the Authority's Boonton Avenue Interceptor project is eligible for funding in the FFY 2014/SFY 2015 funding cycle. He noted that the next milestone in the Trust financing program is in early March when design engineering plans must be submitted along with the trust application and related documentation.

4.2. Selection Committee Recommendation

Reporting on the Selection Committee's November 4th meeting to consider the six engineering proposals submitted in response to the Authority's September 30th Request for Proposals, Mr. Kelly advised that the Committee ranked the top three firms as follows:

Suburban Consulting Engineers
Hatch Mott MacDonald
The Alaimo Group

He noted that the Selection Committee members, Commissioners Howard, Lampmann and Metcalfe, agreed on the top three firms and recommended that the Authority negotiate the terms of an agreement with the top ranked firm, Suburban Consulting Engineers.

Reporting on the contract deliberations Mr. Kelly said that he and counsel reviewed the draft form of contract and submitted a number of requested modifications to the agreement which Suburban has accepted. He noted that the form of agreement is available in the file folders as transmitted over his December 2nd letter. On the basis of the proposals submitted and the modified terms of the engineering agreement itself Mr. Kelly said he recommends award of the contract to Suburban Consulting Engineers for the prices as submitted within Proposals A, B & C revised November 14, 2013. He explained that the revised pricing reflects a reduction of \$28,000 in the engineering fees for a reduction of the professional engineering liability coverage limit from \$5 million to \$3 million.

Following discussion Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-13-12-1**):

Resolution No. R-13-12-1

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT
WITH SUBURBAN CONSULTING ENGINEERS, INC.**

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the "Authority") has identified a need for design, permitting, bidding and construction engineering services for the Boonton Avenue Interceptor Project; and

WHEREAS, on September 30, 2013 the Authority issued a Request for Proposal (the "RFP") that was amended by addendum issued on October 18, 2013 in order to solicit professional engineering services for the aforementioned purpose; and

WHEREAS, the RFP was divided into three proposal sections consisting of: (1) Proposal A for the preparation of engineering design plans and specifications, permit applications preparation and filings and bid phase services; (2) Proposal B for the provision of assistance to the Authority during NJEIT review/approval process through project certification and from project certification and during construction/contract close-out; and (3) Proposal C for construction engineering services (collectively the "RFP"); and

WHEREAS, the Authority received proposals responsive to its RFP on October 24, 2013 from six engineering firms as set forth in the proposal pricing summary dated October 28, 2013; and

WHEREAS, the Selection Committee reviewed the responses to the RFP and ranked the submittal of Suburban Consulting Engineers, Inc., having a business address of 100 Valley Road, Suite 202, Mount Arlington, New Jersey as the recommended top firm based on qualifications and

WHEREAS, by reducing the professional liability limit from \$5 million to \$3 million, the total fee proposal from Suburban Consulting Engineers, Inc. for Proposal A is \$67,139.00;

Proposal B is \$24,360; and Proposal C is \$69,659.00; 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, the Authority desires to authorize Suburban Consulting Engineers, Inc. to initially perform the work for Proposals A and B; and

WHEREAS, Suburban Consulting Engineers, Inc. shall not proceed with any of the work set forth in Proposal C unless the Authority determines by separate Resolution to authorize Suburban Consulting Engineers, Inc. to proceed with the Proposal C.

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 4th day of December, 2013 as follows:

1. The Pequannock River Basin Regional Sewerage Authority recognizes that Suburban Consulting Engineers, Inc. has an established reputation in the fields of design, permitting, bidding and construction engineering services and that they possess the specialized abilities and resources to provide the services necessary to meet the Authority's needs.
2. The Chairman is authorized and directed to sign an agreement between Suburban Consulting Engineers, Inc. and the Authority, in substantially the form attached hereto, providing for only the performance of the scope of work set forth in Proposal A for a total lump sum fee of \$61,035.00 plus \$6,104.00 for supplemental services as may be required and separately authorized by the Authority at the rate schedule set forth in response of Suburban Consulting Engineers, Inc. to the RFP dated October 24, 2013, together with the work quoted in Proposal B having a total lump sum fee of \$24,360.00. 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.

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

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

NAYS : None

ABSENT : None

ABSTAIN : None

5. Meeting with Bloomingdale Officials

Chairman Voorman and Commissioner Howard reported on the meeting convened with Bloomingdale officials, Borough Administrator John Dunleavy and three council members. Chairman Voorman explained that the meeting was called at the Borough's request primarily to explain the Authority's Flow Report and generally how that pertains to the Authority's billings to Bloomingdale. He said the meeting expanded well beyond that but generally speaking believed it was productive in answering the questions posed by local officials. Commissioner Howard agreed and said he thought the information was quite well received including discussions more broadly on the Authority's activities and relationship with Two Bridges, service contract relationships and other matters. Mr. Kelly noted that he responded to Administrator Dunleavy's request for information on the Authority's charges following the meeting.

FINANCIAL REPORT

1. Treasurer's Report

1.1 Treasurer's Report for Period Ending October 31, 2013

Vice Chairman Verdonik moved acceptance of the Treasurer's Report for the period ending October 31, 2013. Treasurer Lampmann seconded that motion which passed unanimously upon the following roll call vote:

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

NAYS : None

ABSENT : None

ABSTAIN : None

2. Annual Budget: FY 2014

2.1 DLGS Annual Budget

For the record Mr. Kelly advised that the Authority's Annual Budget for Fiscal Year 2014 was filed with the State's Division of Local Government Services on October 18th for review and final certification.

2.2 Annual Charge Certifications

Also, for the record, Mr. Kelly advised that his office issued the FY 2014 Annual Charge Certifications to the four municipalities on November 25th.

3. Audit: FY 2013

Referring to his December 4th letter to Edward Winkle, Mr. Kelly further advised that his office prepared substantial documentation in connection with the FY 2013 audit process which he noted began that morning in his office.

UNFINISHED BUSINESS

None

NEW BUSINESS

None

PAYMENT OF BILLS

1. Operating Budget

1.1 Operating Request for Payment No. 319 (November 2013)

Treasurer Lampmann moved approval of the bills as presented on Operating Request for Payment No. 319 as follows:

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY
SUMMARY OF VOUCHERS FOR
OPERATING EXPENSES

Operating Request for Payment No. 319

The following bills have been reviewed and are recommended for approval for payment at the **December 4, 2013** meeting of the Authority from the Operating Account (Wells Fargo Bank Account 1425985

	<u>PRBRSA</u>	<u>VOUCHER</u>	<u>VOUCHER</u>	<u>PAYMENT</u>	
	<u>ACCT. NO.</u>	<u>NO.</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>CHECK PAYABLE TO</u>
1)	33.01	OP-13-11-1	9/12/2012	\$ 2,475.00	Borough of Butler
2)	24.05	OP-13-11-2	3/17/2012	\$ 250.00	Borough of Butler
3)	22.01	OP-13-11-3	11/13/2013	\$ 2,028.11	Maraziti, Falcon & Healey
4)	22.03	OP-13-11-4	11/4/2013	\$ 10,400.00	Kelly Engineering
5)	32.02	OP-13-11-5	11/6/2013	\$ 3,567.68	Kelly Engineering
6)	24.07	OP-13-11-6	10/30/2013	\$ 131.89	Kelly Engineering
7)	24.07	OP-13-11-7	11/1/2013	\$ 131.89	Kelly Engineering
8)	22.04	OP-13-11-8	11/18/2013	\$8,156.48	Hawkins, Delafield & Wood
9)	22.02	OP-13-11-9	10/18/2013	\$ 1,203.75	Ferraioli, Wielkotz, Cerullo & Cuva
10)	33.01	OP-13-11-10	10/7/2013	\$ 2,952.29	ADS LLC
11)	33.01	OP-13-11-11	10/7/2013	\$ 2,952.29	ADS LLC
12)	33.03	OP-13-11-12	11/8/2013	\$ 3.25	JCP&L
13)	33.03	OP-13-11-13	11/4/2013	\$ 33.70	Verizon
14)	33.03	OP-13-11-14	10/4/2013	\$ 33.69	Verizon
15)	33.03	OP-13-11-15	10/23/2013	\$ 29.98	Verizon
16)	33.03	OP-13-11-16	10/23/2013	\$ 33.68	Verizon
17)	33.03	OP-13-11-17	10/28/2013	\$ 33.68	Verizon
18)	33.03	OP-13-11-18	11/1/2013	\$ 17.96	Borough of Butler-Electric
19)	24.07	OP-13-11-19	11/1/2013	\$ 23.66	North Jersey Media Group
SUBTOTAL:				\$ 34,458.98	

Commissioner Gall 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

1. Construction Fund Disbursements

1.1 Construction Disbursement Request No. C-13-6

Vice Chairman Verdonik moved approval of the bills as presented on Construction Fund Disbursement Request No. C-13-6 as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-13-6

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 **December 4, 2013**:

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120322C2	C-13-6-11-1	11/13/13	\$ 444.00	Maraziti, Falcon & Healey
2)	120322C63	C-13-6-11-2	11/6/13	\$ 3,852.55	Kelly Engineering
3)	120322C7.2.2	C-13-6-11-3	11/6/13	\$ 4,845.15	Kelly Engineering
TOTAL DISBURSEMENTS				<u>\$ 9,141.70</u>	

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

OPEN MEETING FOR PUBLIC COMMENT

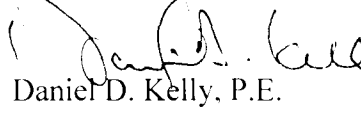
There being no members of the public present, Chairman Voorman dispensed with the public participation portion of the meeting.

ADJOURNMENT

Commissioner Lampmann moved for adjournment at approximately 8:50 pm. That motion was seconded by Vice Chairman Verdonik and was approved unanimously on voice vote.

At approximately 8:50 pm, the meeting was adjourned.

Respectfully submitted,



Daniel D. Kelly, P.E.
Recording Secretary

Enclosures: Treasurer's Report for the period ending October 31, 2013