

## MEETING MINUTES

### PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY (ORGANIZATION MEETING)

February 19, 2014

Minutes of the organization meeting of the **Pequannock River Basin Regional Sewerage Authority** held on February 19, 2014 in the Conference Room at the Butler Municipal Building, One Ace Road, Butler, New Jersey. The meeting was called to order at approximately 7:30 p.m.

#### ROLL CALL

On roll call:

**PRESENT** : Commissioners Gall, Howard, Lampmann, Metcalfe, Verdonik and Voorman

**ABSENT** : None

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

Andrew Holt, P.E. of Suburban Consulting Engineers joined the meeting in progress at approximately 8 pm and left at approximately 8:30 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 the 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.

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#### ORGANIZATION MEETING

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The organization meeting was called to order by Mr. Falcon who led the proceedings pending the election of officers.

Mr. Falcon also swore in Commissioners Gall, Verdonik and Voorman who were reappointed by their respective towns.

**1. ELECTION OF OFFICERS**

Nominating Committee Chairman Metcalfe, on behalf of the Nominating Committee including Commissioners Howard and Verdonik, presented the following slate of officers for consideration:

**Chairman:** Robert Voorman  
**Vice Chairman:** Raymond Verdonik  
**Secretary:** Edwin Howard  
**Treasurer:** James P. Lampmann  
**Assistant Secretary:** James P. Lampmann

Commissioner Metcalfe moved to approve the slate of officers as presented. That motion was seconded by Commissioner Howard and passed upon the following roll call vote:

**AYES** : Commissioners Gall, Howard, Lampmann, Metcalfe, Verdonik and Voorman  
**NAYS** : None  
**ABSTAIN** : None  
**ABSENT** : None

Acknowledging the Board's reelection, Chairman Voorman thanked the Commissioners for their continued support. At the same time, the Commissioners expressed their appreciation to Chairman Voorman for his years of leadership.

**2. CONSENT AGENDA**

Commissioner Lampmann recommended that the Authority consider approving the organization meeting resolutions by consent agenda, specifically, for Resolutions No. R-14-2-1 through Resolution No. R-14-2-8 as follows:

- 1. Resolution No. R-14-2-1 Open Public Meeting Act
- 2. Resolution No. R-14-2-2 Official Depository
- 3. Resolution No. R-14-2-3 Appointment of Auditor
- 4. Resolution No. R-14-2-4 Appointment of General Counsel
- 5. Resolution No. R-14-2-5 Appointment of Bond Counsel
- 6. Resolution No. R-14-2-6 Appointment of Consulting Engineer
- 7. Resolution No. R-14-2-7 Trustee Incumbency Certificate

8. Resolution No. R-14-2-8 Designate Affirmative Action (PACO)

Commissioner Metcalfe moved the Consent Agenda as presented.

**Resolution No. R-14-2-1**

**RESOLUTION**

**WHEREAS.** The Open Public Meetings Act, Chapter 231 of the Laws of 1975, and more specifically, N.J.S.A. 10:4-8, requires all public bodies at least once a year and within seven (7) days of the Annual Organization Meeting of such body to arrange for the posting of a schedule of the regular meetings of the public body to be held during the succeeding year:

**NOW, THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority as follows:

1. The schedule of regular meetings of the Authority hereinafter set forth is hereby adopted:

**SCHEDULE**

Regular Meetings of the Pequannock River Basin Regional Sewerage Authority are held at the Borough of Butler Municipal Building, One Ace Road, Butler, New Jersey, commencing at 7:30 p.m. unless otherwise noted:

2014

March 19

April 16

May 21

June 18

July 16

August 20

September 17

October 15

November (No Meeting)

December 3 (1st Wednesday)

2015

January 21

February 18

2. The official newspapers of the Authority are:  
A. Suburban Trends  
B. North Jersey Herald and News

3. The Secretary is authorized to:
  - A. Post a copy of this Resolution on the bulletin board at the Authority's Office in the Butler Municipal Building.
  - B. Forward a copy of this Resolution to the Municipal Clerks of Butler, Bloomingdale and Kinnelon for posting in the public place in each community reserved for such notices.
  - C. Forward a copy of this Resolution to two newspapers, one of which shall be the official newspaper of the Authority.
4. This Resolution shall take effect as provided by law.

**Resolution No. R-14-2-2**

**RESOLUTION**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (hereinafter "Authority") proposes to designate official depositories for the funds of the Authority.

**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 19th day of February, 2014, as follows:

1. The following are designated as the official depositories of the Authority and are directed to honor all withdrawals made by check or withdrawal document signed by the Chairman or Vice Chairman and Treasurer or Secretary/Assistant Secretary of the Authority:

NEW JERSEY CASH MANAGEMENT FUND  
WELLS FARGO, N.A.  
US BANK, N.A.

2. The Authority hereby authorizes the execution and delivery of such authorization and forms as may be required by Wells Fargo, N.A. and US Bank, N.A., providing for deposits and payments as well as the filing of authenticated signatures of Authority officers and Consulting Engineer as official signatures.

3. This Resolution shall take effect as provided by law.

**RESOLUTION**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

**WHEREAS**, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2014 and until the next reorganization meeting of the Authority; and

**WHEREAS**, funds are available for these services;

**WHEREAS**, the foregoing services are "professional" services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A. 40A:11-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Authority has determined that the value of the professional services will exceed \$17,500; and,

**WHEREAS**, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

**WHEREAS**, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 19th day of February, 2014, as follows:

The Authority does hereby name and designate Ferraioli, Wielkotz, Cerullo & Cuva, P.A. of Pompton Lakes, New Jersey as Authority Auditor to provide auditing services as required, and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a copy of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid

auditor within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the General Bond Resolution of July 15, 1986 and all supplements thereto, and other implementing resolutions of the Authority. An Agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

**Resolution No. R-14-2-4**

**RESOLUTION**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

**WHEREAS**, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2014 and until the next reorganization meeting of the Authority; and

**WHEREAS**, funds are available for these services:

**WHEREAS**, the foregoing services are "professional" services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A. 40A:11-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Authority has determined that the value of the professional services will exceed \$17,500; and.

**WHEREAS**, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

**WHEREAS**, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 19th day of February, 2014, as follows:

The Authority does hereby name and designate Christopher H. Falcon, Esq. of Maraziti, Falcon & Healey, L.L.P., Short Hills, New Jersey as General Counsel to provide legal services as

required in accordance with their proposal for these services and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a copy of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid General Counsel within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the General Bond Resolution of July 15, 1986 and all supplements thereto, and other implementing resolutions of the Authority. The agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

**Resolution No. R-14-2-5**

### **RESOLUTION**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

**WHEREAS**, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2014 and until the next reorganization meeting of the Authority; and

**WHEREAS**, funds are available for these services:

**WHEREAS**, the foregoing services are "professional" services as in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A. 40A:11-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:4-A-20.5; and

**WHEREAS**, the Authority has determined that the value of the professional services will exceed \$17,500; and,

**WHEREAS**, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

**WHEREAS**, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure form and the Determination of Value has been placed on file with this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 190th day of February, 2014, as follows:

The Authority does hereby name and designate Hawkins, Delafield and Wood, Esq., Newark, New Jersey as Bond Counsel to provide legal services as required, and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a copy of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid counsel within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the General Bond Resolution of July 15, 1986 and all supplements thereto, and other implementing resolutions of the Authority. The agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

**Resolution No. R-14-2-6**

### **RESOLUTION**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority ("the Authority") is authorized by N.J.S.A. 40:14A-1 et seq. to retain such professional and technical advisors and experts as it may require; and

**WHEREAS**, there is a need to appoint professional consultants and advisors to provide services to the Authority during the year 2014 and until the next reorganization meeting of the Authority; and

**WHEREAS**, funds are available for these services;

**WHEREAS**, the foregoing services are "professional" services as in N.J.S.A. 40A: 1-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A 40A: 1-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Authority has determined that the value of the professional services will exceed \$17,500; and.



**WHEREAS**, the professional consultant named below has completed and submitted a Business Entity Disclosure Certification, which certifies that the firm has not made any reportable contributions to a political or candidate committee represented by an Authority member in the previous one year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract and a C.271 Political Contribution Disclosure Form; and

**WHEREAS**, the Business Disclosure Entity Certification, the C.271 Political Contribution Disclosure Form, and the Determination of Value has been placed on file with this resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority in the State of New Jersey on this 19th day of February, 2014, as follows:

The Authority does hereby name and designate Kelly Engineering, New Vernon, New Jersey as Consulting Engineer to provide engineering services as required in accordance with its proposal to the Authority for these services, and subject to the requirements of the Local Public Contracts Law, the Chairman is authorized to execute an agreement therewith for the provision of such service. This contract is awarded for the provision of professional services pursuant to N.J.S.A. 40A:11-5.

The Secretary is authorized and directed to cause a copy of this Resolution to be published in the official newspaper of the Authority concerning the appointment of the aforesaid consultant within ten (10) days of the date hereof. The aforesaid firm shall be paid from funds appropriated for these purposes in accordance with the duly adopted budget of the Authority, the General Bond Resolution of July 15, 1986 and all supplements thereto, and other implementing resolutions of the Authority. The agreement for services shall be on file and available for inspection by members of the public in accordance with law.

This Resolution shall take effect as provided by law.

**Resolution No. R-14-2-7**

### **RESOLUTION**

**BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and State of New Jersey on this 19th day of February, 2014, as follows:

1. This Resolution is enacted to authorize the Authority's Officers to sign the Incumbency Certificate requested by US Bank, N.A. or its successor bank as Trustee under the General Bond Resolution of July 15, 1986, and Resolutions supplemental thereto.
2. The Authority's Officers and Consulting Engineer are authorized to sign the Incumbency Certificate.

3. The Secretary shall deliver an Incumbency Certificate if required and a certified copy of this Resolution to the Trustee.
4. This Resolution shall take effect immediately.

**Resolution No. R-14-2-8**

**RESOLUTION**

**WHEREAS**, there exists a need for the designation of an official or employee to serve as a Public Agency Compliance Officer (P.A.C.O.) pursuant to N.J.A.C. 17:27 for Pequannock River Basin Regional Sewerage Authority; and

**WHEREAS**, the P.A.C.O. is the liaison official for matters concerning Affirmative Action as set forth in P.L. 1975, c.127 (N.J.A.C. 17:27); and

**WHEREAS**, the Authority desires to comply with the Affirmative Action requirements and wishes to maintain appropriate contracting procedures for the Pequannock River Basin Regional Sewerage Authority;

**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 19th day of February, 2014, as follows:

1. The Authority does hereby appoint the Consulting Engineer, Daniel D. Kelly, P.E. of Kelly Engineering, as the Public Agency Compliance Officer for the Pequannock River Basin Regional Sewerage Authority.
2. The P.A.C.O. shall act as the liaison between the Authority and the New Jersey Department of the Treasury, Affirmative Action Office and shall take appropriate actions to maintain compliance with the Agency's contracting procedures to comply with the Affirmative Action regulations cited at N.J.A.C. 17:27.
3. The Consulting Engineer is authorized and directed to complete the appropriate notification form designating the P.A.C.O. and to forward the same to the Department of the Treasury.
4. This Resolution shall take effect as provided by law.

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

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

**ABSTAIN** : None  
**ABSENT** : None

## **ADOPTION OF MINUTES**

1. Meeting Minutes: Regular Meeting – January 15, 2014

Commissioner Metcalfe moved acceptance of the minutes of the January 15, 2014 regular meeting. That motion was seconded by Vice Chairman Verdonik and passed unanimously upon the following roll call vote:

**AYES** : Chairman Voorman, Commissioners Gal,  
Howard, Lampmann, Metcalfe and Verdonik  
**NAYS** : None  
**ABSENT** : None  
**ABSTAIN** : None

## **OPERATIONAL REPORT**

1. **System Operations**

1.1 **Flow Report**

Mr. Kelly reviewed the Flow Report for the first three months of FY 2014 through January 31, 2014 dated February 19, 2014. He noted that the system flows have increased by almost 400,000 gpd in January over the November period from 1,360 mgd to 1,738 mgd. He further noted the ongoing issue with the flows recorded by the ADS system attributable to the Borough of Bloomingdale which are extraordinarily low (Column 4). He also explained that the Borough of Riverdale's flow for the month of January at 4.85 mgd comprises almost 28% of the total flow for the month.

Mr. Kelly further commented on the missing ADS data for the period specifically, that for Meter P-1A. He said the system did not record flows for 29 or 30 days of the period and so has been in contact with Mike Armes of ADS to understand why the data loss continued for such an extended period, particularly in view of the fact that ADS's contract requires a 2-3 day response time as he recalls. Commenting on that, Commissioner Metcalfe inquired if there would be a credit provided by

ADS for the lost data. Mr. Kelly said that he would raise that issue as well.

Mr. Kelly distributed the following reports for the December 2013 period to the Board for review:

- Flow Report dated February 5, 2014 for the period ending December, 2013
- Daily Flow Summary for December 2013
- Daily Flow Hydrograph for December 2013
- Daily Flow Hydrograph Comparing Meters P-4 and TBSA Meter M-15 for December 2013
- TBSA Budgeted vs. Actual Flow for December 2013

Mr. Kelly distributed the following reports for the January 2014 period to the Board for review:

- Flow Report dated February 19, 2014 for the period ending January, 2014
- Daily Flow Summary for January 2014
- Daily Flow Hydrograph for January 2014
- Daily Flow Hydrograph Comparing Meters P-4 and TBSA Meter M-15 for January 2014
- TBSA Budgeted vs. Actual Flow for January 2014

## **1.2 TBSA Actual vs. Budgeted Flow Analysis**

Commenting on his February 19, 2014 memorandum analyzing the PRBRSA actual flows versus those budgeted by TBSA going into the year, Mr. Kelly said that the system flows, while considerably higher than those in the prior two months of the fiscal year, remain below the 1.85 mgd minimum flow per the service contract with TBSA. Accordingly, he said that the year-to-date difference between the budgeted flow at 32.90% versus the actual percentage contributed to date at 34.13% is running 1.23% higher than the budget. He said if that trend were to continue, the Authority would be assessed additional User Charges by Two Bridges at the end of the year.

## **1.3 ADS Metering System Review**

Following the Board's direction at the December meeting, Mr. Kelly said that he continued to work with Jim Cosgrove of Kleinfelder Omni on the scope of services to review and evaluate the ADS flow monitoring system. He said that he met with Mr. Cosgrove and provided additional background information for his review. Based on that, Kleinfelder resubmitted its proposal dated January 30, 2014. As indicated by his letter

dated January 31, 2014, Mr. Kelly said that he recommends award of the contract to Kleinfelder East. He noted that the scope of services has been broadened to include a more expansive scope and now includes a formal presentation to the Board on Kleinfelder's findings.

In response to Commissioner Metcalfe's question on the proposed professional service fee of \$17,000, Mr. Kelly said that the level of effort involved in the evaluations is such that the requested fee is reasonable in his estimate.

Following further discussion, Vice Chairman Verdonik moved approval of the following resolution (**Resolution No. R-14-2-9**):

**Resolution No. R-14-2-9**

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

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (the "Authority") has identified a need to evaluate the flow monitoring system and flow allocation calculations; and

**WHEREAS**, the Authority has received a proposal dated January 30, 2014 from Kleinfelder East, Inc., having an office at 321 Wall Street, Princeton, New Jersey ("Kleinfelder") for discussions, meetings, reviewing existing data, performing an evaluation of the meters and flow calculations, developing a draft summary report, providing a presentation to the Board, and preparing and submitting a final report on a time-plus-expenses basis for a cost not to exceed \$17,000 (the "Proposal"); and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding, provided 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 Kleinfelder to perform the work set forth in the Proposal, subject to a contract by and between the Authority and Kleinfelder that is in a form approved by the Authority's general counsel; and

**WHEREAS**, funds are available for these purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 9<sup>th</sup> day of February, 2014 as follows:

1. The Pequannock River Basin Regional Sewerage Authority recognizes that Kleinfelder East, Inc. has an established reputation in the fields of flow monitoring systems and metering data evaluations for sewer systems 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 Kleinfelder East, Inc. and the Authority, subject to approval by the Authority's general counsel, on a time-plus-expenses basis at the rates set forth in the Proposal for a cost not to exceed \$17,000. The term of the contract shall not exceed one year in accordance with the Local Public Contracts Law. 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 Metcalfe seconded the motion which passed unanimously on the following roll call vote:

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

**2. TBSA Activities**

Vice Chairman Verdonik reported on various activities at Two Bridges as they affect the Pequannock River Basin Authority. Notably, he said that work continues on engineering design of the wastewater treatment plant's headworks facilities. He said that there is also an issue with cavitation on one or more pumping stations that is being addressed along with an issue confronting many agencies around the state if not the country on dealing with blockages resulting from sanitary wipes.

He and Chairman Voorman as well advised that Two Bridges may be forced to discontinue its sludge incineration operation by as early as this June due to onerous water quality regulations under Title 5.

**3. TWA Applications and Connection Permits**

No change in status on this matter

4. **Boonton Avenue Interceptor Project**

4.1 **Status Report**

Mr. Andrew Holt, P.E., Vice President of Suburban Consulting Engineers, joined the meeting in progress. Mr. Holt reported on the status of the engineering activities necessary to complete the preliminary plans and specifications along with other documentation required for submittal under the New Jersey Environmental Infrastructure Trust Loan Program.

Referring to a plan of the proposed improvements including, under Contract No. I-4A, sewer line replacements and, under Contract No. I-4B, pipeline lining and manhole lining, Mr. Holt said advised that the loan program documents must be submitted in their entirety no later than Monday, March 3<sup>rd</sup>, yet Suburban has advanced the work at the Authority's request to be able to make that filing prior to the March 3<sup>rd</sup> deadline. He and Mr. Kelly explained that the early submission is intended to expedite the review and approval process inasmuch as the expectation is that there will be a number of Sandy relief-type projects filed along with regular state loan program projects by the March 3<sup>rd</sup> deadline.

During a break in the business meeting, various documents were executed for the Treatment Works Approval application and other related documents for the necessary filings with various state agencies.

At approximately 8:30 pm, Mr. Holt left the meeting in progress.

4.2 **New Jersey Environmental Infrastructure Trust Program**

In order to complete the filings to the New Jersey Environmental Infrastructure Trust, Mr. Kelly requested approval of two resolutions, one authorizing the loan application filing itself and another authorizing filings of a series of permit applications to various state agencies as required by the Trust.

Following discussion Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-14-2-10**)

**RESOLUTION CONFIRMING AND AMENDING AUTHORIZATION FOR  
APPLICATION FOR A LOAN FROM THE NEW JERSEY  
ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM**

Resolution Number: R-14-2-10

Applicant: Pequanock River Basin Regional Sewerage Authority

Loan Project Number: 334

**WHEREAS**, the Pequanock River Basin Regional Sewerage Authority (the "Authority") filed an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Boonton Avenue Interceptor Project (NJEIT Project No. 334) on October 7, 2013 as authorized by Resolution No. R-13-9-1; and

**WHEREAS**, the Authority desires to reaffirm its intent to file the Loan Application with the NJEIT and to amend and expand certain authorizations related thereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Pequanock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 19<sup>th</sup> day of February, 2014 as follows:

1. Daniel D. Kelly, P.E., Authority Engineer and designated NJEIT Representative be authorized to act as the Authorized Representative to represent the Pequanock River Basin Regional Sewerage Authority in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at One Ace Road, Butler, New Jersey 07504, 973-285-9058.
2. Robert Voorman, Authority Chairman be authorized to act as the Applicant/Owner to represent the Pequanock River Basin Regional Sewerage Authority in all matters relating to the project including the Treatment Works Application, Freshwater Wetlands and any and all other permit applications as applicable to the project. The Applicant/Owner may be contacted at One Ace Road, Butler, New Jersey 07504, 973-285-9058.
3. This Resolution shall take effect as provided by law.

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

Commissioner Gall moved approval of the following resolution  
(**Resolution No. R-14-2-11**):

**Resolution No. R-14-2-11**

**RESOLUTION TO AUTHORIZE SUBURBAN CONSULTING ENGINEERS, INC. TO  
APPLY FOR PERMITS AND APPROVALS NEEDED TO IMPLEMENT THE  
BOONTON AVENUE INTERCEPTOR PROJECT**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (the "Authority") intends to undertake the construction of the Boonton Avenue Interceptor Project (the "Project") in accordance with plans and specifications therefor which have been prepared by Suburban Consulting Engineers, Inc. ("Suburban"); and

**WHEREAS**, the implementation of the Project will necessitate the acquisition of various permits and approvals from governmental agencies as required by law; and

**WHEREAS**, Suburban has identified certain permits and approvals which will be required and the Authority desires to authorize the acquisition of said permits and approvals, as well as such additional permits and appeals as shall be required, with the assistance, as needed, of the Authority's Counsel and Consulting Engineer;

**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 19<sup>th</sup> day of February, 2014 as follows:

1. Suburban is hereby authorized to apply for the permits and approvals required in connection with the Project including, but not limited to:
  - New Jersey Environmental Infrastructure Financing Program
  - NJDEP Treatment Works Application
  - NJDEP Freshwater Wetlands – General Permit #1
2. To the extent that Suburban is required to advance permit fees or other charges assessed by the respective governmental agencies involved, the Authority shall reimburse Suburban for such payments.
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:

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

## **FINANCIAL REPORT**

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

#### **1.1 Acceptance of 1/31/14 Treasurer's Report**

Treasurer Lampmann presented and moved acceptance of the Treasurer's Report for the period ending January 31, 2014. Commissioner Gall 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 Budget Status**

For the record Mr. Kelly advised that the Revised Annual Charge Certifications were issued to the municipalities on January 22<sup>nd</sup>.

#### **2.2 Bloomington Subflow Billings**

Also for the record, Mr. Kelly reported that Second Revised Annual Charge Certifications were issued to Bloomington and to Butler to adjust their respective Debt Service Charges based upon the Bloomington Subflow adjustments.

### **2.3 Potential Surplus Refund**

Mr. Kelly advised that the audit report establishes that the Authority's operations generated a year-end surplus (unrestricted net assets) exceeding \$251,000. Chairman Voorman raised the possibility of refunding some or all of that operational surplus to the municipalities. On discussion, the Board elected to retain the surplus generated for the year

### **3. Audit: FY 2013**

Mr. Kelly advised that his office circulated the draft audit as well as the final audit to the Board for review prior to the meeting. On discussion, Treasurer Lampmann moved approval of the following resolution (**Resolution No. R-14-2-12**):

#### **Resolution No. R-14-2-12**

#### **RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause annual audit of its accounts to be made; and

**WHEREAS**, the annual audit report for the fiscal year ended October 31, 2013 has been completed and filed with the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15; and

**WHEREAS**, N.J.S.A. 40A:5A-17 requires the governing body of each Authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

**WHEREAS**, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Pequannock River Basin Regional Sewerage Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended October 31, 2013, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

**BE IT FURTHER RESOLVED** that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

Commissioner Gall seconded the resolution 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

#### **4 Report on Compliance (FY 2013 Audit)**

Mr. Kelly advised that he has directed the auditor to proceed with the Report on Compliance for FY 2013.

### **UNFINISHED BUSINESS**

#### **1 Contingency Operating Plan**

Continuing on the discussions initiated at the January 15<sup>th</sup> meeting, Mr. Kelly briefed the Board on a series of activities that he and his company are pursuing in order to put in place a contingency operating plan comprised of several elements. The overall objective is to assure reasonably seamless continuity of the Authority's business operations in the event that the consulting engineer is suddenly unable to perform.

He said that two parts of the plan are underway or will be shortly including a compilation of all relevant electronic documents for remote access, either via the cloud or through the InterMedia services which would provide direct access to those documents if the need were to arise. The second component he said is compilation of a procedures manual which would document effectively the day-to-day practices that the firm performs on behalf of the Authority. He said that he estimates preparation of a procedures manual will be a reasonably formidable task yet must be done to provide guidelines on the Authority's day-to-day business practices and procedures. The next two items he said are more complicated including potential reorganization of the firm to a different business form and the possibility of bringing on an employee or an independent consultant, an individual who would be capable of filling in should that need arise to assist in any transition and to be generally to be familiar with the ongoing business activities of the Authority.

Again he explained that the structure of those arrangements, while under discussion, are not formalized at this time and asked if the Board had any specific guidelines on achieving the objective of the contingency operating plan to allow a smooth transition. Mr. Kelly advised that he should continue on these activities to be in a position to report to the Board in the future.

**2. PRBRSA Website**

Mr. Kelly recommended that the Board authorize a contract with Up & Running for computer consultation services for the next year.

Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-14-2-13**):

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (the "Authority") requires computer consultation services to support its previously established electronic communications system (email) and website; and

**WHEREAS**, the computer consultant Up & Running, of Randolph, New Jersey, has agreed to provide such general computer consultation services on an as needed basis; and

**WHEREAS**, by proposal dated February 5, 2014 the consultant proposes to provide services at a not-to-exceed fee of \$1,350.00; and

**WHEREAS**, the consultant will submit periodic invoices not more frequently than monthly for work completed; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. does not require public bidding in this situation because the contract is for the provision of extraordinary unspecifiable services; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. does not require that the Authority solicit at least two competitive quotations, as the agreed-on amount does not exceed 15% of the bid threshold, or \$2,625.00.

**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 19th day of February, 2014 as follows:

1. The Chairman is authorized and directed to sign an agreement in a form approved by the Authority Attorney providing for general computer consultation services on an as needed basis to support the previously established electronic communications system (email) and website in accordance with the February 5, 2014 proposal of Up & Running at a not-to-exceed fee of \$1,350.00.
2. This Resolution shall take effect as provided by law.

Commissioner Gall seconded the 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

## **NEW BUSINESS**

### **1. Kinnelon Reappointment**

The Board congratulated Commissioner Gall on his reappointment to the Authority through 2019.

### **2. AmeriCorps Watershed Ambassador Program**

Mr. Kelly advised that a representative of the AmeriCorps Watershed Ambassador Program has made contact with the Authority and plans to attend an upcoming meeting.

### **3. AEA Utility Management Conference**

Mr. Kelly encouraged the Board Members to attend the upcoming Association of Environmental Authority's Utility Management Conference scheduled for March 11<sup>th</sup> and 12<sup>th</sup> in Atlantic City and asked any of the Members interested in attending to contact his office.

## **PAYMENT OF BILLS**

### **1. Operating Budget**

#### **1.1 Operating Request for Payment No. 322**

Treasurer Lampmann presented Operating Request for Payment No. 322 for January 2014 and moved its approval with two corrections as noted:

**Operating Request for Payment No. 322**

The following bills have been reviewed and are recommended for approval for payment at the **February 19, 2014** meeting of the Authority from the Operating Account (Wells Fargo Bank Account 1425985):

	<u>PRBRSA ACCT. NO.</u>	<u>VOUCHER NO.</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>CHECK PAYABLE TO</u>
1)	33.01	OP-14-2-1	9/12/2012	\$ 250.00	Borough of Butler
2)	24.05	OP-14-2-2	3/17/2012	\$ 2,475.00	Borough of Butler
3)	22.01	OP-14-2-3	2/6/2014	\$ 2,257.00	Maraziti, Falcon & Healey
4)	24.07	OP-14-2-4	2/4/2014	\$ 131.89	Kelly Engineering
5)	22.03	OP-14-2-5	2/3/2014	\$ 10,400.00	Kelly Engineering
6)	32.02	OP-14-2-6	2/7/2014	\$ 5,928.95	Kelly Engineering
7)	33.01	OP-14-2-7	12/17/13	\$ 2,952.29	ADS LLC
8)	25.03	OP-14-2-8	1/6/14	\$ 4,500.00	Association of Environmental Au herities
9)	24.04	OP-14-2-9	2/11/2014	\$ 205.29	Chatham Print & Design
10)	24.04	OP-14-2-10	2/1/2014	\$ 219.33	Intuit
11)	24.04	OP-14-2-11	1/1/2014	\$ 811.80	The TAB Group
12)	26.04	OP-14-2-12	1/17/2014	\$ 2,317.50	US Bank
13)	33.03	OP-14-2-13	1/7/2014	\$ 17.96	Borough of Butler-Electric Dept
14)	33.03	OP-14-2-14	1/31/2014	\$ 17.96	Borough of Butler-Electric Dept
15)	33.03	OP-14-2-15	1/10/2014	\$ 3.25	JCP&L
16)	33.03	OP-14-2-16	2/10/2014	\$ 3.25	JCP&L
17)	33.03	OP-14-2-17	12/28/2013	\$ 33.70	Verizon
18)	33.03	OP-14-2-18	1/4/2014	\$ 33.81	Verizon
19)	33.03	OP-14-2-19	12/28/2014	\$ 33.89	Verizon
20)	33.03	OP-14-2-20	1/28/2014	\$ 33.89	Verizon
21)	33.03	OP-14-2-21	1/23/2014	\$ 30.17	Verizon
22)	33.03	OP-14-2-22	2/4/2014	\$ <u>33.80</u>	Verizon
<b>TOTAL:</b>				<b><u>\$ 32,690.73</u></b>	

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

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

NAYS : None

ABSENT : None

ABSTAIN : None

**1.2 Operating Request for Payment No. 323**

Treasurer Lampmann presented Operating Request for Payment No. 322 for January 2014 and moved its approval with two corrections as noted:

**PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY**

**SUMMARY OF VOUCHERS FOR OPERATING EXPENSES**

**Operating Request for Payment No. 323  
NJEIT (Permit Applications)**

The following bills have been reviewed and are recommended for approval for payment at the **February 19, 2014** meeting of the Authority from the Operating Account (Wells Fargo Bank Account 1425985):

	<b>PRBRSA ACCT. NO.</b>	<b>VOUCHER NO.</b>	<b>VOUCHER DATE</b>	<b>PAYMENT AMOUNT</b>	<b>CHECK PAYABLE TO</b>
1)	34.05	OP-14-2-1A	2/19/2014	\$ 225.00	NJ Dept. of Transportation (NJDOT Road Permit) Treasurer, State of NJ, Environmental Svs. Fund (TWA Permit)
2)	34.05	OP-14-2-2A	2/19/2014	\$ 14,443.09	
3)	34.05	OP-14-2-3A	2/19/2014	\$ 600.00	Treasurer, State of NJ (Freshwater Wetlands General Permit)
<b>TOTAL:</b>				<b><u>\$ 15,268.09</u></b>	

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



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

NAYS : None

ABSENT : None

ABSTAIN : None

**2 Construction Fund Disbursements**

**2.1 Construction Fund Disbursement Request No. C-13-8**

Treasurer Lampmann presented the bills listed on Construction Fund Disbursement Request No. C-13- 8 and moved approval of the bills as listed:

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 **February 19, 2014**

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120322C6.1	C-13-8-2-1	1/29/14	\$ 706.75	Suburban Consulting Eng.
2)	120322C2	C-13-8-2-2	2/06/14	\$ 5,887.62	Maraziti, Falcon & Healey
2)	120322C3	C-13-8-2-3	1/07/14	\$ <u>5,410.10</u>	Kelly Engineering
<b>TOTAL DISBURSEMENTS</b>				<b>\$<u>12,004.47</u></b>	

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

Mr. Kelly explained that the application fees would normally be disbursed from the Construction Fund however since the applications must be filed with the fees and insufficient time remains to secure those disbursements from the Trustee from the Construction Fund the application fee payments will be reimbursed from the Construction Fund back into the Revenue Fund/Operating account.

### **OPEN MEETING FOR PUBLIC COMMENT**

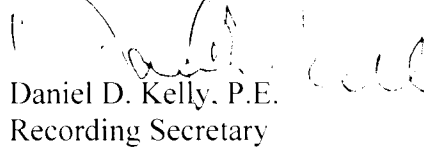
There being no members of the public present. Chairman Voorman dispensed with the public participation portion of the meeting.

### **ADJOURNMENT**

At approximately 9:15 pm. Commissioner Lampmann moved for adjournment. That motion was seconded by Commissioner Howard and approved unanimously on voice vote.

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

Respectfully submitted.

  
Daniel D. Kelly, P.E.  
Recording Secretary

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