

## MEETING MINUTES

### PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

March 12, 2014

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on March 12, 2014 in the Conference Room at the Butler Municipal Building, One Ace Road, Butler, New Jersey. Chairman Voorman called the meeting to order at approximately 7:40 p.m.

#### ROLL CALL

On roll call:

**PRESENT** : Chairman Voorman (Note: Chairman Voorman joined the meeting in progress at approximately 7:50 pm), Commissioners Gall, Foward, 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

Vice Chairman Verdonik, acting as Chairman Pro Term, 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 – February 19, 2014

Commissioner Lampmann moved acceptance of the minutes of the February 19, 2014 regular meeting with two minor corrections noted by Chairman Voorman prior to the meeting and by Commissioner Gall. That motion was seconded by Commissioner Gall which passed unanimously upon the following roll call vote:

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

**NAYS** : None

**ABSENT** : Chairman Voorman

**ABSTAIN** : None

## **OPERATIONAL REPORT**

Note: Chairman Voorman joined the meeting in progress at approximately 7:50 pm.

### **1. System Operations**

#### **1.1 Flow Report**

Mr. Kelly advised that no Flow Report is available for February 2014 inasmuch as that data is not normally received from ADS until the 15<sup>th</sup> of the month.

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

No report available pending receipt of TBSA data.

#### **1.3 Kleinfelder Review of ADS Flow Monitoring System**

Mr. Kelly advised that Kleinfelder East has been authorized to proceed with their review and analysis of the ADS flow monitoring system and that he has forwarded additional information to Jim Cosgrove for that purpose.

#### **1.4 ADS Meter P-1A Data Loss**

Responding to Mr. Kelly's notification on the data loss throughout most of January for Meter P-1A, Mr. Kelly advised that, by letter dated March 4<sup>th</sup>, Mike Armes of ADS advised that they have corrected their internal procedures to assure that data will not be lost for such an extended period, specifically acknowledging, by contract, ADS must and will respond within the four day period required. Further, he said that ADS has calculated a credit for the data loss approximating \$750 which credit will be finalized and made available to the Authority next month.

### **2. TBSA Activities**

Chairman Voorman and Vice Chairman Verdonik reported on various matters at the Two Bridges Sewerage Authority as they affect Pequannock River Basin. In particular they advised that due to Federal Title V air regulations effective March 21, 2014 that TBSA will shut down its sludge incineration operation effective that date. Vice Chairman Verdonik said that the cost to haul sludge to the Passaic Valley Sewage Commission facility in Newark as well as the cost of disposal there is estimated at a \$900,000 annually. In response to Commissioner Lampmann's question, he and Chairman Voorman advised that that is a gross cost and that there will be energy costs and other cost savings realized from mothballing the operation.

**3. TWA Applications and Connection Permits**

No change in status on this matter

**4. Boonton Avenue Interceptor Project**

**4.1 Status Report**

Mr. Kelly advised that Suburban Consulting Engineers filed the engineering plans, specifications, related contract documents, engineering technical report and various applications with NJDEP and other agencies electronically on February 24th and hand delivered those documents to Trenton on February 25th. A copy of all submittals was made available to the Board electronically and were displayed on the table for the Board Member's review as well.

Commissioner Lampmann advised that the Borough of Butler had a number of residents, more than 20 he recalled, come into Town Hall to question the nature and timing of the proposed work along the Boonton Avenue area. He said that was evidently the result of public notification required for the Freshwater Wetlands permit which was noticed to adjacent property owners in and around Valley Road and Boonton Avenue and Brook Street. He reported that he was able to explain the project to the residents utilizing the plan prepared by Suburban to do so.

**4.2 Park Avenue Sewer Realignment**

Referring to a sketch prepared by Suburban, Mr. Kelly explained the potential realignment of the sewer within Park Place crossing the railroad into Main Street now under evaluation. He said Suburban is currently reviewing the possibility of installing the new sewer line on the opposite side of Park Place away from the park to avoid the Green Acres problems there. The revised alignment is within the street and therefore would also avoid any potential problems with SHPO were the line to be installed within an easement across the 10 Park Place building parking lot. Mr. Falcon advised that SHPO restrictions are typically not as severe or time consuming as those involved with approval by Green Acres.

On discussing the potential alignment, Commissioner Lampmann commented that it appears to be in a reasonable location in terms of maintaining traffic and noted that the jacking pit location is such that it may allow for two lanes of traffic during construction.

Following further discussion Mr. Kelly advised that Suburban will be evaluating this option in more detail on availability of the additional survey information that they have requested in Park Place and vicinity.

**4.3 DMC Contract Authorization**

Referring to the March 7, 2014 proposal from DMC Associates for additional survey work along Park Place, High Street, Kiel Avenue and Main Street, Mr. Kelly recommended award of a contract amendment authorizing an additional \$4,750 of survey work.

Commissioner Lampmann moved approval of Resolution No. R-14-3-1 as follows:

**Resolution No. R-14-3-1**

**RESOLUTION AUTHORIZING CONTRACT AMENDMENT TO  
DMC ASSOCIATES, INC. CONTRACT**

**WHEREAS**, on July 17, 2013 by Resolution No. R-13-7-1 the Pequannock River Basin Regional Sewerage Authority (the "Authority") authorized and directed the Chairman to sign an agreement with DMC Associates, Inc., Land Surveyors ("DMC"), providing for the performance of the scope of work set forth in the DMC proposal of June 6, 2013; and

**WHEREAS**, the Authority has retained Suburban Consulting Engineers ("Suburban") to prepare the final design plans and specifications for the Boonton Avenue Interceptor Project; and

**WHEREAS**, Suburban has advised the Authority that additional survey work will be required; and

**WHEREAS**, on March 7, 2014 DMC proposed to complete the additional survey work for \$4750.00; and

**WHEREAS**, surveying work constitutes a professional service in accordance with N.J.S.A. 40A:11-5, and the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes contracts for the provision of "Professional Services," to 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 the performance of the said services pursuant to an Amendment to the aforesaid agreement; 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 12<sup>th</sup> day of March, 2014 as follows:

1. The Chairman is authorized and directed to execute an Amendment to the Agreement of July 17, 2013 so as to authorize the expenditure of an additional \$4,750.00 to enable DMC to complete the survey work authorized under Resolution No. R-13-7-1.
2. This Resolution shall be published in accordance with N.J.S.A. 40A:11-5 (l)(a)(ii).
3. This Resolution shall take effect as provided by law.

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

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

#### **4.4 Geotechnical Investigations**

Mr. Kelly advised that he has requested an additional proposal on the geotechnical investigations. He noted that the geotechnical work is not critical at the present time and therefore will request the Board's approval of the geotechnical engineering agreement at a later date. He advised as well that the location of the soil borings and soil quality testing may be altered due to the potential realignment of the line within Park Place.

## **FINANCIAL REPORT**

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

#### **1.1 Acceptance of February 28, 2014 Treasurer's Report**

Treasurer Lampmann moved acceptance of the Treasurer's Report for February 2014. Vice Chairman Verdonik seconded that motion which passed unanimously upon the following roll call vote:

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

**ABSENT** : None

**ABSTAIN** : None

**2. Report on Compliance**

Referring to the report of the Authority's auditor titled "Report on Compliance with Section 406 (C ) of the 1990 Amendment to the 1985 Service Contract and Section 403 (C ) of the 1987 Riverdale Service Contract", Mr. Kelly advised that the auditor has again confirmed the accuracy of the Authority's billings to the municipalities for fiscal year 2014 including the initial Annual Charge Certifications, the Revised Annual Charge Certifications as well as the Second Revised Annual Charge Certifications which include the Bloomingdale Subflow debt service adjustments for Bloomingdale and Butler.

**UNFINISHED BUSINESS**

**1. AmeriCorps Watershed Ambassador Program**

Mr. Kelly advised that Thayla Reyes will be in attendance at the April 16<sup>th</sup> meeting to discuss the AmeriCorps Watershed Ambassador Program.

**2. Contingency Operating Plan**

No Change in status on this matter.

**NEW BUSINESS**

**1. Insurance Consultation Contract**

Referring to his March 7, 2014 letter, Mr. Kelly recommended award of the insurance consultation contract to Stanford Risk Management. He explained that Stanford's proposal is broken down into two parts, the first for the annual authorization consistent with past practice at the same fee authorization of \$1400. The second, he explained, is a \$3500 authorization for insurance and risk consultation services pertaining to the construction contract insurance coverages and related activities.

On discussion, Commissioner Metcalfe asked for confirmation that the \$3500 authorization would be paid from the construction project account, not from the general or operating account. Mr. Kelly confirmed that that is the case.

Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-14-3-2**):

**Resolution No. R-14-3-2**

**RESOLUTION TO AWARD CONTRACT TO STANFORD RISK MANAGEMENT SERVICES, INC.**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority ("Authority") desires to retain the services of an insurance consultant to provide services associated with insurance and risk management consultation and related services; and

**WHEREAS**, the Authority is authorized by N.J.S.A. 40A:11-5(1)(m) to award both a contract for the provision of insurance and risk management consultant services, as extraordinary unspecifiable services; and

**WHEREAS**, the Authority has reviewed the Certification of even date delivered in accordance with the regulations of the Division of Local Government Services;

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Pequannock River Basin Regional Sewerage Authority, in the State of New Jersey on this 12<sup>th</sup> day of March, 2014 as follows:

1. The Authority does hereby name and designate John Campanile of Stanford Risk Management Services, Inc. to provide insurance and risk management consultant services as required and subject to the requirements of the Local Public Contracts Law.

2. The Chairman is authorized to execute an agreement for 2014/2015 through March 31, 2015 therewith for the provision of such services which agreement shall provide for compensation at the rate of \$175.00 an hour, not to exceed \$1,400.00 without further approval, including out of pocket expenses.

3. The Chairman is further authorized to execute an agreement therewith for the provision of such services as related to the Authority's Boonton Avenue Interceptor construction project which agreement shall provide for compensation at the rate of \$175.00 an hour, not to exceed \$3,500.00 without further approval, including out of pocket expenses.

4. Both above-named contracts shall be awarded for the provision of extraordinary unspecifiable services pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and pursuant to N.J.S.A. 40A:11-5(m).

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 appointments 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 budgets of the Authority, and other implementing actions of the Authority. The agreements for services shall be on file and available for inspection by members of the public in accordance with law.

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

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

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

## 2. Office Lease

Referring to his March 6<sup>th</sup> email, Mr. Kelly advised that he has recommended entering into a two year lease with the Borough of Butler under the same terms and conditions as the present lease. Commissioner Lampmann said that he believes the Borough would be agreeable to those terms.

Commissioner Lampmann asked counsel if, given his position as Butler Borough Administrator, he would be able to vote on the lease matter. Mr. Falcon advised that there is no conflict and therefore Commissioner Lampmann may vote on the matter.

Following discussion Commissioner Metcalfe moved approval of the following resolution (**Resolution No. R-14-3-3**):

**Resolution No. R-14-3-3**

### **RESOLUTION TO AUTHORIZE LEASE AGREEMENT WITH THE BOROUGH OF BUTLER**

**WHEREAS**, the Pequannock River Basin Regional Sewerage Authority (hereinafter "the Authority") previously negotiated an agreement with the Borough of Butler to lease 150 square feet for office space; and

**WHEREAS**, pursuant to N.J.S.A. 40:14A-7 the Authority is authorized to acquire interests in real property necessary for the purposes of the Authority; and

**WHEREAS**, pursuant to N.J.S.A. 40:A11-5 contracts between the Authority and a municipality are exempt from the requirements of public advertisement and bidding; and



**WHEREAS**, the Authority finds that it is in the interest of the Authority to extend its present lease and to enter into a new lease which includes the following terms:

Rental Property: 150 sq. ft. at 1 Ace Road, Butler, New Jersey  
Rent and Term: April 1, 2014 to March 31, 2015 (two years)  
\$250.00 per month = \$6,000.00 for the full term.

**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 12th day of March, 2014, as follows:

1. The Chairman of the Authority is authorized to execute a lease on behalf of the Authority with the Borough of Butler in a form acceptable to the Authority Attorney and upon the above terms.
2. This Resolution shall take effect as provided by law.

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

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

**PAYMENT OF BILLS**

1. **Operating Budget**

1.1 **Operating Request for Payment No. 324**

Treasurer Lampmann presented and moved approval of Operating Request for Payment No. 324 for February 2014 as follows:

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

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**Operating Request for Payment No. 324**

The following bills have been reviewed and are recommended for approval for payment at the **March 12, 2014** meeting of the Authority from the Operating Account (Wells Fargo Bank Account 1425985):

	<u>PRBRSA</u> <u>ACCT. NO.</u>	<u>VOUCHER</u> <u>NO.</u>	<u>VOUCHER</u> <u>DATE</u>	<u>PAYMENT</u> <u>AMOUNT</u>	<u>CHECK PAYABLE TO</u>
1)	33.01	OP-14-3-1	9/17/2012	\$ 2,475.00	Borough of Butler
2)	22.05	OP-14-3-2	2/24/2014	\$ 125.00	Pete Serrao
3)	22.01	OP-14-2-3	3/6/2014	\$ 2,563.80	Maraziti, Falcon & Healey
4)	24.07	OP-14-3-4	3/3/2014	\$ 131.89	Kelly Engineering
5)	22.03	OP-14-3-5	3/5/2014	\$ 10,400.00	Kelly Engineering
6)	32.02	OP-14-3-6	3/5/2014	\$ 1,324.48	Kelly Engineering
7)	22.03	OP-14-3-7	02/20/14	\$ 14,000.00	Ferraioli, Wilkotsz, Cerullo & Cava
8)	24.04	OP-14-3-8	2/28/2014	\$ 303.83	Chatham Print & Design
9)	33.03	OP-14-3-9	2/26/2014	\$ 25.00	Navitend
10)	33.03	OP-14-3-10	2/23/2014	\$ 30.10	Verizon
11)	33.03	OP-14-3-11	3/4/2014	\$ 33.80	Verizon
12)	33.03	OP-14-3-12	2/28/2014	\$ 33.80	Verizon
13)	33.03	OP-14-3-13	3/10/2014	\$ 3.25	JCP&L

**TOTAL:     \$ 31,449.95**

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

- AYES** : Chairman Veorman, Commissioners Gall, Howard, Lampmann, Metcalfe and Verdonik
- NAYS** : None
- ABSENT** : None
- ABSTAIN** : None

**1.1 Operating Request for Payment No. 325 (Permits)**

Treasurer Lampmann presented and moved approval of Operating Requests for Payment No. 325 for March 2014 as follows:

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

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**Operating Request for Payment No. 325 NJEIT Permit Applications**

The following bills have been reviewed and are recommended for approval for payment at the **March 12, 2014** 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>CHECK PAYABLE TO</u>
<u>ACCT. NO.</u>	<u>NO.</u>	<u>DATE</u>	<u>AMOUNT</u>	
1) 34.05	OP-14-3-1A	3/12/2014	\$ 7,621.24	Treasurer, State of NJ, Environmental Sys. Fund (TWA Permit)
<b>TOTAL:</b>			<b><u>\$ 7,621.24</u></b>	

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

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

**2 Construction Fund Disbursements**

**2.1 Construction Disbursement Request No. C-13-9**

Treasurer Lampmann presented and moved approval of the bills listed on Construction Fund Disbursement Request No. C-13-7 as follows:

**CONSTRUCTION DISBURSEMENT REQUISITION No. C-13-9**

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 on **March 12, 2014:**

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120322C6.1	C-13-9-3-1	3/6/14	\$39,623.27	Suburban Consulting Eng.
2)	120322C6.1	C-13-9-3-2	3/6/14	\$15,869.96	Suburban Consulting Eng.
3)	120322C2	C-13-9-3-3	3/6/14	\$ 5,204.20	Maraziti, Falcon & Healey
4)	120322C3	C-13-9-3-4	2/7/14	\$ 5,172.63	Kelly Engineering
5)	120322C3	C-13-9-3-5	3/5/14	\$ 7,167.29	Kelly Engineering
6)	130322C3	C-13-9-3-6	3/6/14	<u>\$ 1,365.00</u>	Stanford Risk Management
<b>TOTAL DISBURSEMENTS</b>				<b><u>\$74,402.35</u></b>	

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

**OPEN MEETING FOR PUBLIC COMMENT**

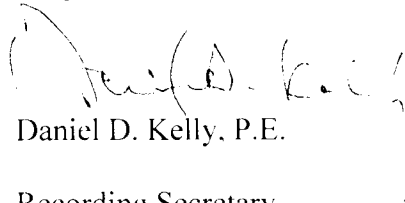
There being no members of the public present, Chairman Voorman dispensed with the public participation portion of the meeting.

## ADJOURNMENT

At approximately 8:15 pm, Commissioner Howard moved for adjournment. That motion was seconded by Commissioner Gall and approved unanimously on voice vote.

At approximately 8:15 pm, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel D. Kelly". The signature is written in a cursive style and is enclosed within a large, hand-drawn right curly bracket on the right side.

Daniel D. Kelly, P.E.

Recording Secretary

Enclosures: Treasurer's Report for the period ending February 28, 2014