

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

April 15, 2020

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on April 15, 2020 via Teleconference Chairman Verdonik called the meeting to order at approximately 5:00 p.m.

ROLL CALL

On roll call:

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

ABSENT : None

ALSO PRESENT : Jamie Avagnano, Authority Administrator;
Christopher H. Falcon, Esq., Maraziti Falcon, LLP;
Daniel D. Kelly, P.E., Kelly Engineering

OPEN PUBLIC MEETING STATEMENT

Chairman Verdonik 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 – March 18, 2020

Commissioner Gall moved acceptance of the minutes of the March 18, 2020 regular meeting. That motion was seconded by Commissioner Lampmann and approved on the following roll call vote:

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

NAYS : None

ABSENT : None

ABSTAIN : None

OPERATIONAL REPORT

1. SYSTEM OPERATIONS

1.1 Alternative Cost Recovery Methodologies

Chairman Verdonik requested that Mr. Falcon update the Board on the status of the Amended and Restated Service Contract and draft ordinances. Mr. Falcon advised that the revised draft agreement and ordinances are being reviewed by bond counsel. On confirmation by bond counsel that all is in order, the documents will be transmitted to PRBRSA for distribution to the Member towns. Another ordinance would simultaneously address the Borough of Riverdale's membership which will be contingent on filing the membership petition in Trenton.

Mr. Falcon further advised that the draft agreement and accompanying ordinances should be available within the next few weeks for introduction by the Towns in May or June.

1.2 Flow Report

Chairman Verdonik noted that the Flow Report for the period ending March 2020 were included in the file folders along with the following items:

March 2020

- Daily Flow Summary for March 2020
- Daily Flow Hydrograph for March 2020
- Hydrograph: Comparison P-4 vs. M-15

Chairman Verdonik stated that the TBSA M-15 meter and PRBRSA Meter P-4 continued to show a 9% difference with M-15 reading higher. Mr. Kelly advised that TBSA was made aware of the differential and, if the trend continues, will request TBSA average the meter readings.

Chairman Verdonik noted that the higher readings would impact the Authority in the future. Mr. Kelly agreed adding that he calculated an approximate \$50,000 additional User Charge could be imposed by TBSA.

1.3 TBSA Flow Report (Budget vs. Actual)

Mr. Kelly referenced his April 13th memo pointing out that if the higher readings continue the Authority will owe TBSA additional User Charges at the end of the fiscal year.

2. TBSA ACTIVITIES

2.1 Status Update

Vice Chairman Voorman reported on the activities currently underway at Two Bridges. He advised that TBSA has limited their meetings to necessary business only via teleconference. He further advised that TBSA has implemented procedures to protect the plant workers with social distancing requirements and protective measures.

3. TWA APPLICATIONS AND CONNECTION PERMITS

3.1 Unauthorized Connection BP Gas Station/Car Wash/Convenience Store Borough of Riverdale

Chairman Verdonik referred to the consulting engineer for a project update. Mr. Kelly advised that we recently reached out to NJDOT and the Borough of Riverdale for temporary access to the impacted properties for the remediation project. NJDOT is currently reviewing the plan and is agreeable to providing temporary access to their property. To date we have not received a response from the Borough of Riverdale.

Mr. Kelly advised that the draft plans and specifications are presently under review. He mentioned that we recently conferenced with Stephanie Cuthbert of RVE regarding a number of review comments on the draft documents including additions to further define the project access limitations for the contractor.

Regarding the resolution to be considered by the Board, Mr. Kelly said the authorization to advertise for bids would be subject to receipt of prior authorization for temporary access to the five properties involved, namely, the Amusen Riley Pool/carpet store property, the NJDOT property (an 18 acre parcel which DOT describes as a maintenance yard, Lot 3, Block 32), as well as the BP property, Liquors 23 and Circle Farms. He explained that NJDOT has been contacted and is in the process of preparing a temporary easement agreement. He further advised that Riverdale officials have agreed to reach out to the other private property owners and tenants affected by the proposed work.

Vice Chairman Voorman moved Resolution R-20-4-1 as follows:

Resolution No. R-20-4-1

**RESOLUTION TO AUTHORIZE PUBLICATION OF
NOTICE TO BIDDERS FOR CONTRACT NO. PRB-20-1**

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (hereinafter the “Authority”) desires to authorize the publication of a Notice to Bidders to advertise for the receipt of sealed bids in connection with the Authority’s Unauthorized Connection Remediation Project, Borough of Riverdale, Contract No. PRB-20-1; and

WHEREAS, the Authority desires to proceed with the foregoing publication following the receipt of temporary access from the property owners along the proposed route; and

NOW, THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and the State of New Jersey on the 15th day of April, 2020 as follows:

1. The Authority shall cause to be published a Notice to Bidders in accordance with N.J.S.A. 40A:11-23, and in a form approved by the Authority Attorney.
2. This Resolution shall take effect as provided by law.

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

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

**3.2 Manhole Emergency Repair
Elizabeth Street
Borough of Bloomingdale**

Chairman Verdonik advised that the Road Opening Permit Application was currently being reviewed by Passaic County. Mr. Kelly stated that the Traffic Control Plan was prepared and submitted by Brian Pumo, Butler DPW. He further

advised that Mr. Pumo believes that Passaic County's current requirement for a Traffic Control Plan may be actually more time consuming and costly than the emergency repair itself and are counter-productive to completing the project particularly in view of the extremely light traffic conditions. Commissioner Lampmann reported that Mr. Pumo submitted the modified Traffic Control Plan to Passaic County incorporating the requested revisions.

4. BOONTON AVENUE INTERCEPTOR

4.1 Park Place/NYS&W Railroad Crossing (2017 Project)

Based on the additional test pit work performed on March 23rd and 24th, Mr. Kelly explained that the exploratory work revealed four 12-inch diameter telephone conduits at a depth of 9.5 feet below the ground surface. He said, due to the depth of those conduits, the proposed 18-inch diameter sewer must be lowered by 2.4 feet from the present design elevations. Additionally he said the test pits uncovered an 8-inch diameter high pressure gas main in close proximity to proposed manhole RR-3 in Park Place.

As a result of the more definitive utility location information, MM redesigned the pipeline which redesign was submitted to Montana Construction for review and pricing for an anticipated Change Order for negotiations on what will be Change Order No. 2 on the contract. He said MM's redesign was submitted on March 31st, yet the contractor has not responded thus far.

Responding to Commissioner Howard's question, Mr. Kelly explained that the engineering design did not have utility depth information which is why the design included the exploratory test pit work. With the utility locations as uncovered, it was clear that the design needed to be modified both in depth and in a slight relocation of manhole number RR-3 horizontally.

Vice Chairman Voorman questioned whether the construction project could proceed under Executive Order 122. Mr. Falcon advised that since the project was being performed for local government that it was exempt from the Order. He further advised that utility projects were also exempt and therefore the sewer installation would fall under that category.

Vice Chairman Voorman asked if the redesign will affect the completion schedule. Mr. Kelly said that is not known as yet and will not be known until the contractor submits pricing based on MM's redesign, the pricing is negotiated, and a change order prepared and approved by the Board. He said the work can not and should not go forward until the change order is approved.

On Change Order No. 1 for the time and material work on the second round of test pits, Commissioner Lampmann asked if the contract included a line item for test pits. Responding, Mr. Kelly explained that Item No. 6 covered the test pit work

with an estimated 25 cy at \$200/cy. However, the first round of test pits required almost 85 cy of excavation. At the March 12th meeting he explained, on negotiating the additional test pits, the contractor consented to accept the unit price in the contract for the test pit work completed originally.

Administrator Avagnano requested Board approval for the Change Order.

Commissioner Howard moved approval of resolution R-20-4-2 as follows:

Resolution No. R-20-4-2

**RESOLUTION TO AUTHORIZE CHANGE ORDER NO. 1
TO CONTRACT NO. PRB-19-1 (RE-BID) WITH MONTANA CONSTRUCTION CORP., INC.**

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“the Authority”) is in receipt of a Request filed by Jamie Avagnano, Authority Administrator, recommending approval of Change Order No. 1 for the following:

Change Order No. 1 to Contract PRB-19-1 with Montana Construction Corp. in the amount of \$15,522.30 for all time and materials recommended by and certified for payment by Mott McDonald, the Authority’s Project Engineer, as set forth in the application and certification for payment dated April 14, 2020. This Change Order results in the total contract price in like amount.

NOW, THEREFORE, BE IT RESOLVED, by the Pequannock River Basin Regional Sewerage Authority in the Counties of Morris and Passaic and the State of New Jersey on this 15th day of April, 2020 as follows:

1. The Authority hereby approves Change Order No. 1 to the Agreement with Montana Construction Corp as described in the Request for Change Order No. 1 of even date in the total amount of \$15,522.30.
2. The Chairman is authorized and directed to sign the said Change Order in the foregoing amount.
3. This Resolution shall take effect as provided by law.

That motion was seconded by Commissioner Lampmann and approved unanimously on the following roll call vote:

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

NAYS : None

ABSENT : None
ABSTAIN : None

5. FINANCIALS

5.1 Treasurer’s Report: March 31, 2020

Treasurer Lampmann presented the Treasurer’s Report for the period ending March 31, 2020. Commissioner Gall moved its approval as presented.

That motion was seconded by Treasurer Lampmann and approved unanimously on the following roll call vote:

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

5.2 Compliance Report & EMMA Filings

Chairman Verdonik reported that both the Compliance Report and the EMMA Report had been filed by the auditor. Mr. Kelly explained that the Compliance Report verified the calculation of the Annual Charges for FY 2020.

Commissioner Howard pointed out what appeared to be a slight discrepancy in the information contained for Kinnelon and Butler within the EMMA Report. Commissioner Lampmann explained that while the report shows the same information for both towns, the data reporting is correct for the report filing since the data is only available by county.

6. UNFINISHED BUSINESS

None

7. **NEW BUSINESS**

7.1 **Executive Order 122**

As referenced above, Mr. Falcon explained that the Authority's contracted projects are exempt from Executive Order 122 being that they are local government contracts as well as utility contracts.

7.2 **Financial Disclosure Filing**

Chairman Verdonik reminded the Board to complete the Financial Disclosure Filing by April 30th if they haven't done so already. Commissioner Lampmann added that he had just received notice that the filing deadline had been extended to July. Chairman Verdonik requested completion of the filing by April 30th if possible.

8. **CONSENT AGENDA**

None

9. **PAYMENT OF BILLS**

Operating Budget

9.1 **Operating Request for Payment No. 395**

Treasurer Lampmann presented and moved approval of Operating Request for Payment No. 395 as follows:

**SUMMARY OF VOUCHERS FOR
 OPERATING EXPENSES**

Operating Request for Payment No. 395

The following bills have been reviewed and are recommended for approval for payment at the April 15, 2020 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)	24.05	OP-20-4-1	3/31/2020	\$ 250.00	Borough of Butler
2)	33.01	OP-20-4-2	10/1/2018	\$ 2,705.00	Borough of Butler
3)	24.07	OP-20-4-3	4/6/2020	\$ 151.88	J. Avagnano
4)	22.03	OP-20-4-4	4/8/2020	\$ -	Kelly Engineering
5)	32.02	OP-20-4-5	4/8/2020	\$ 3,676.15	Kelly Engineering
6)	22.03	OP-20-4-6	4/8/2020	\$ 2,839.97	Kelly Engineering
7)	22.01	OP-20-4-7	4/3/2020	\$ 7,898.60	Maraziti Falcon LLP
8)	22.01	OP-20-4-8	4/3/2020	\$ 2,203.50	Maraziti Falcon LLP
9)	22.03	OP-20-4-9	3/24/2020	\$ 1,500.00	Wielkotz & Company LLC
10)	24.07	OP-20-4-10	4/1/2020	\$ 600.00	Up and Running
11)	24.07	OP-20-4-11	3/29/2020	\$ 66.98	North Jersey Media Group
12)	24.07	OP-20-4-12	3/29/2020	\$ 62.44	North Jersey Media Group
13)	24.07	OP-20-4-13	3/29/2020	\$ 61.66	North Jersey Media Group
14)	*	OP-20-4-14	2/26/2020	\$ 674,192.00	Pequannock Lincoln Park & Fairfield Sewerage Authority
15)	33.01	OP-20-4-15	4/7/2020	\$ 3,357.40	ADS LLC
16)	33.01	OP-20-4-16	4/7/2020	\$ 3,357.40	ADS LLC
17)	22.02	OP-20-4-17	4/1/2020	\$ 3,370.25	Remington & Vernick Engineers
18)	33.03	OP-20-4-18	3/27/2020	\$ 4.34	Borough of Butler Electric
19)	33.03	OP-20-4-19	4/7/2020	\$ 3.10	JCP&L
20)	22.05	OP-20-4-20	4/9/2020	\$ 25,147.70	Borough of Butler Shared Services Admin Salary
21)	22.05	OP-20-4-21	4/9/2020	\$ 6,928.55	Borough of Butler - Shared Services - Health Benefits
22)	22.03	OP-20-4-22	4/9/2020	\$ 750.00	Wielkotz & Company LLC
			TOTAL:	<u>\$ 739,126.92</u>	

*** Breakdown**

27.00	\$57,300.00
13.00	\$262,835.00
35.00	\$641,585.00
35.00	<u>(287,528.00)</u>
Total	<u>674,192.00</u>

Respectfully Submitted,

Jamie Avagnano
 Authority Administrator

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

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

NAYS : None

ABSENT : None

ABSTAIN : None

2. Construction Fund Disbursements

2.1 Construction Disbursement Requisition No. C-17-32

Treasurer Lampmann presented the bills as listed on Construction Fund Disbursement Requisition No. C-17-32 and moved approval as follows:

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120328C2	C-17-32-4-1	4/8/2020	\$ 4,691.38	Kelly Engineering
2)	120328C2	C-17-32-4-2	4/3/2020	\$ 370.50	Maraziti Falcon LLP
3)	120328C1	C-17-32-4-3	4/9/2020	\$15,211.85	Montana Construction
4)	120328C3	C-17-32-4-4	4/7/2020	\$ 6,640.07	Mott MacDonald

TOTAL DISBURSEMENTS **\$26,913.80**

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

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

NAYS : None

ABSENT : None

ABSTAIN : None

OPEN MEETING FOR PUBLIC COMMENT

Chairman Verdonik asked if any members of the public were on the teleconference.

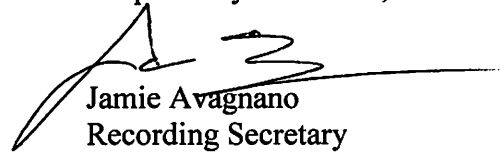
With no members of the public present Chairman Verdonik dispensed with the public participation portion of the meeting.

ADJOURNMENT

At approximately 5:28 pm, Vice Chairman Voorman moved to adjourn the meeting. That motion was seconded by Commissioner Metcalfe and approved unanimously on voice vote.

At approximately 5:28 pm, the meeting was adjourned.

Respectfully submitted,



Jamie Avagnano
Recording Secretary

Enclosures: Treasurer's Report for the period ending March 31, 2020