

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

April 19, 2023

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on April 19, 2023 at the Borough of Butler. Chairman Verdonik called the meeting to order at approximately 6:00 p.m.

ROLL CALL

On roll call:

PRESENT : Commissioners Verdonik, Daniel (by phone), Howard, Lampmann, Mabey, Pellegrini and Voorman

Note: Commissioner Mabey joined the meeting in progress.

ABSENT : Commissioner Desai (excused)

ALSO PRESENT : Jamie Avagnano, Authority Administrator;
Diane Alexander, Esq., Maraziti Falcon, LLP,
Steve Donati, P.E., CP Engineers

OPEN PUBLIC MEETING STATEMENT

Commissioner 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. The statement also noted that the meeting information was available on the PRBRSA webpage for public access, provided to the municipal clerks and noticed in the Authority's official newspapers.

ADOPTION OF MINUTES

1. Meeting Minutes: Reorganization Meeting – March 15, 2023

Treasurer Lampmann moved acceptance of the minutes of the March 15, 2023 regular meeting. That motion was seconded by Commissioner Pellegrini and approved on the following roll call vote:

AYES : Commissioners Daniel, Lampmann, Pellegrini,
and Verdonik

NAYS : None

ABSENT : Commissioners Desai and Mabey

ABSTAIN : Commissioners Howard and Voorman

OPERATIONAL REPORT

1. SYSTEM OPERATIONS

1.1 Flow Report

Chairman Verdonik noted the Flow Report for March 2023 was in the file folders. Mr. Donati added that the system flows continue to trend within 1% of TBSA Meter M-15 for the past 3 months.

1.1.1 I/I Investigations

Mr. Donati reported on the I/I meter installation and revised locations. He referred to his April 17th memorandum with the updated mapping highlighting the temporary meter locations for each municipality. Steve, commented that it was found that some of the manholes were not accessible and/or located in the field in Riverdale which resulted in utilizing manholes upstream or downstream of the original site. In particular, he mentioned capturing the flow from the line connecting near the Walmart in Riverdale which was moved to the intersection of the Hamburg Turnpike and Newark Pompton Turnpike.

Steve added that CSL is reviewing the 2 weeks of data and has found that the readings are producing adequate results. Ms. Avagnano commented that the meters along Hamburg Turnpike are experiencing some intermittent disruptions since the wireless antenna is under the manhole cover due to paving projects underway.

Commissioner Howard inquired as to the next steps involved regarding the manholes that were not located. Steve Donati responded, advising that CP Engineers is noting the manholes requiring field investigations and possible maintenance to uncover the manholes. As an example, he stated that one manhole in Riverdale is buried, apparently in the vicinity of a food truck. That information was passed on to Brian Pumo for further investigation and recovery under Contact OM-1 with Butler.

Ms. Avagnano advised that when the cloud-based flow information is uploaded a website and password will be forwarded to the towns for access.

1.2 TBSA Flow Report (Budget vs. Actual)

Chairman Verdonik advised that PRBRSA flows are running at a higher percentage of the TBSA Participants. He commented that TBSA uses a 5 year average flow to establish the budgeted flow, however, year-to-date PRBRSA is trending above average in comparison with the other members.

1.3 Easements

1.3.1 Simon Easement

Ms. Avagnano updated the Board on the temporary access agreement pending with Sandra Simon to allow clearing a path through the property enabling access to the PRBRSA easement for maintenance purposes. She further explained that the property owner was reluctant to enter into a permanent access agreement at this time yet expressed willingness to extend the temporary access to a 2 year period allowing PRBRSA access through the property every 6 months or project based.

Diane Alexander, Esq. advised that the temporary access agreement would suffice for the short term, yet a permanent access agreement would be preferable as it is a recorded document and would remain as property ownership changed hands.

Mr. Donati commented that his office could revisit the efforts and NJDEP requirements to reestablish the current access through Vibrations Mountings.

For the short term, Ms. Avagnano stated that they will focus on gaining temporary access in order to maintain the site. Commissioner Howard questioned why it was necessary for the Authority to focus on locating the manholes in the easement after all these years. Mr. Donati stated that during the previous CCTV project, the contractor was unable to inspect the manholes due to various obstacles and further that the surveyor was also unable to locate the water-tight manholes. Therefore, given the sensitive location of the manholes prior to the line dipping under the Brook it is important to inspect the infrastructure in the area.

Commission Howard added that he would like to join the field meeting on April 24th.

1.3.2 Brandt Lane Easement

Chairman Verdonik noted that the clearing was still pending.

1.4 Manhole Replacements/Order

Ms. Avagnano advised that 1 manhole replacement was performed along Hamburg Turnpike and 3 replacements were made along Newark Pompton Turnpike. She added that 1 replacement was scheduled to coincide with the milling of Newark Pompton Tpk to avoid further traffic closures.

Regarding stock replenishment, Ms. Avagnano advised that 4 sets and 2 frames were order from Campbell Foundry with a 15 week delivery time.

1.5 Contract PRB 19-1 Maint. Bond Close-Out

Mr. Donati advised that the project was complete and recommended payment to National Water Main. Chairman Verdonik noted that the project came under budget by \$1250.

1.6 PRB Contract 23-1 Riverdale CCTV

Steve Donati reported that his firm is ready to proceed with the bid documents and advertise for bid next month.

Treasurer Lampmann moved Resolution No. R-23-4-1 to authorize the Notice to Bidders as follows:

Resolution No. R-23-4-1

RESOLUTION TO AUTHORIZE PUBLICATION OF NOTICE TO BIDDERS FOR CONTRACT NO. PRB-23-1

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 CCTV Inspection and Cleaning Project, Contract No. PRB-23-1; 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 19th day of April, 2023 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.

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Pequannock River Basin Regional Sewerage Authority held on April 19, 2023.

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

AYES : Commissioners Daniel, Howard, Lampmann, Mabey, Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

2. TBSA ACTIVITIES

2.1 Status Update

Vice Chairman Voorman reported that TBSA matters are moving as scheduled, noting that the service contract drafts are under attorney review. He also mentioned that the TBSA May 10th meeting was rescheduled to May 17th prior to the PRBRSA meeting.

3. TWA APPLICATIONS AND CONNECTION PERMITS

3.1 TWA Application
Riverdale Phase 5 Sewer Extension
Borough of Riverdale

Pending claim negotiations, R-23-4-2 was tabled to May 17, 2023.

4. CONSTRUCTION CONTRACTS

None

5. FINANCIAL MATTERS

5.1 Treasurer's Reports: March 31, 2023

Treasurer Lampmann presented the Treasurer's Report for the period ending March 31, 2023. Vice Chairman Voorman moved approval as presented.

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

AYES : Commissioners Daniel, Howard, Lampmann,
Mabey, Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

6. UNFINISHED BUSINESS

6.1 Risk Manager Contract

Ms. Avagnano advised that Marsh McLennan, the Authority's current Insurance Broker, confirmed that the firm offers risk management services at no cost to current customers. Therefore, she recommended utilizing Marsh McLennan for project insurance specifications and contract review.

6.2 NJWEA Conference

Chairman Verdonik advised that the NJWEA Conference is May 8-12 in Atlantic City and that any Member wishing to attend should contact Jamie Avagnano.

6.3 Unauthorized Connection – Riverdale Claim

Diane Alexander, Esq. recommended moving forward with a Tolling Agreement to extend the statute of limitations thru July 31, 2023 to allow for settlement finalization.

Treasurer Lampmann moved Resolution No. R-23-4-3 authorizing execution of the Tolling Agreement as follows:

Resolution No. R-23-4-3

RESOLUTION AUTHORIZING EXECUTION OF TOLLING AGREEMENT

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

1. The Chairman is hereby authorized and directed to execute a Tolling Agreement, substantially in the form attached, between the Borough of Riverdale and the Pequannock River Basin Regional Sewerage Authority ("PRBRSA").

2. The Chairman is authorized to execute the Tolling Agreement in modified form, provided that any modifications are, in the opinion of the Authority Attorney, not of a significant nature such as would substantially impair the intent and purpose of the Agreement hereby approved.
3. This Resolution shall take effect as provided by law.

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Pequannock River Basin Regional Sewerage Authority held on April 19, 2023.

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

AYES	:	Commissioners Daniel, Howard, Lampmann, Mabey, Verdonik and Voorman
NAYS	:	None
ABSENT	:	Commissioner Desai
ABSTAIN	:	Commissioner Pellegrini

Regarding sewer connections at the B&A market site, Commissioner Pellegrini advised that he performed a site visit and can confirm there are currently 2 sewer connections.

7. **NEW BUSINESS**

7.1 **Financial Disclosure Forms**

Chairman Verdonik reminded the Board that the Financial Disclosure filing was due by April 30, 2023 to avoid penalties. Regarding discussion on the late notification by the State, Chairman Verdonik confirmed that the filing was still due on April 30th with penalties to be assessed in June.

7.2 **Computer Consultant Contract**

Chairman Verdonik advised that the 2nd year of the computer consultant agreement began April 1st and was on the bill list for approval.

8. **CONSENT AGENDA**

None

9. PAYMENT OF BILLS

9.1 Operating Request for Payment No. 429

Treasurer Lampmann presented Operating Request for Payment No. 429 and moved approval as follows:

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

Operating Request for Payment No. 429

The following bills have been reviewed and are recommended for approval for payment at the April 19, 2023 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) ✓	24.05	OP-23-4-1	3/31/2023	\$ 250.00	Borough of Butler
2) ✓	33.01	OP-23-4-2	10/1/2022	\$ 2,814.25	Borough of Butler
3) ✓	24.07	OP-23-4-3	4/6/2023	\$ 198.80	J. Avagnano
4)	*	OP-23-4-4	12/22/2022	\$ 986,750.00	Pequannock, Lincoln & Fairfield Sew. Aty.
5)	33.01	OP-23-4-5	4/10/2023	\$ 2,680.00	CSL
6) ✓	22.01	OP-23-4-6	4/10/2023	\$ 2,379.00	Maraziti Falcon LLP
7) ✓	22.01	OP-23-4-7	4/10/2023	\$ 741.00	Maraziti Falcon LLP
8)	32.02	OP-23-4-8	4/7/2023	\$ 2,473.75	CP Engineers LLC
9)	32.02	OP-23-4-9	4/7/2023	\$ 274.00	CP Engineers LLC
10)	22.03	OP-23-4-10	4/7/2023	\$ 9,535.68	CP Engineers LLC
11)	33.06	OP-23-4-11	4/10/2023	\$ 14,835.00	National Water Main
12)	33.06	OP-23-4-12	3/28/2023	\$ 1,400.00	Borough of Butler Police
13)	33.05	OP-23-4-13	4/10/2023	\$ 1,400.00	Bloomington Police Department
14)	33.01	OP-23-4-14	3/31/2023	\$ 560.00	Campbell Foundry Company
15)	24.02	OP-23-4-15	4/1/2023	\$ 650.00	Up & Running
16)	24.07	OP-23-4-16	3/26/2023	\$ 42.78	North Jersey Media Group
17)	25.01	OP-23-4-17	3/22/2023	\$ 50.00	Institute for Professional Development
18)	33.03	OP-23-4-18	3/27/2023	\$ 22.28	Borough of Butler Electric
19)	33.05	OP-23-4-19	4/10/2023	\$ 700.00	Borough of Butler
20)	22.05	OP-23-4-20	4/13/2023	\$ 26,185.24	Borough of Butler (Admin. payroll)
21)	22.05	OP-23-4-21	4/13/2023	\$ 7,843.46	Borough of Butler (Admin. benefits)
22)	33.05	OP-23-4-22	4/14/2023	\$ 700.00	Bloomington Police Department
23)	33.05	OP-23-4-23	4/10/2023	\$ 1,350.00	Borough of Riverdale
24)	33.05	OP-23-4-24	4/11/2023	\$ 2,700.00	Borough of Riverdale
25)	25.01	OP-23-4-25	4/13/2023	\$ 480.00	NJWEA
26)	33.03	OP-23-4-26	4/10/2023	\$ 4.09	JCP&L

TOTAL: \$ 1,067,019.33

* Breakdown

27.00	\$56,370.00
13.00	\$184,876.00
35.00	\$745,504.00
	<u>\$986,750.00</u>

Respectfully Submitted,
 Jamie Avagnano
 Authority Administrator

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

AYES : Commissioners Daniel, Howard, Lampmann,
Pellegrini, Verdonik and Voorman

NAYS : None

ABSENT : Commissioner Desai

ABSTAIN : None

CLOSED SESSION:

At approximately 6:30 pm the Board entered Closed Session to discuss potential litigation.

Commissioner Mabey moved Resolution Number R-23-4-4 as follows:

Resolution No. R-23-4-4

**RESOLUTION AUTHORIZING CLOSED SESSION
PURSUANT TO THE OPEN PUBLIC MEETINGS ACT**

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 April 2023 as follows:

1. The Authority shall adjourn to executive session in accordance with N.J.S.A. 10:4-12(b)(7), being the Open Public Meetings Act, in order to engage in attorney client privileged discussion: Riverdale Borough - unauthorized connection to the Authority System litigation.
2. The minutes of the executive session relating to Riverdale Borough attorney client privileged discussion will be released to the public in the event of successful negotiations or, in the event of litigation, the minutes shall be available to the public upon: the issuance of an unappealable Order of a Court of competent jurisdiction; upon settlement of all issues in the matter; or the failure to institute litigation after the passage of reasonable time.
3. The Authority shall convene following the executive session to consider other matters on its regular meeting agenda.
4. This Resolution shall take effect as provided by law.

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

AYES : Commissioners Daniel, Howard, Lampmann,
Verdonik and Voorman

NAYS : None

ABSENT : Commissioners Desai and Pellegrini

ABSTAIN : None

At approximately 6:35 pm Treasurer Lampmann motioned to return to the regular agenda.

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

AYES : Commissioners Daniel, Lampmann, Mabey,
Verdonik and Voorman

NAYS : None

ABSENT : Commissioners Desai and Pellegrini

ABSTAIN : None

Diane Alexander, Esq. advised that the claim settlement matter was on the JIF May meeting agenda.

OPEN MEETING FOR PUBLIC COMMENT

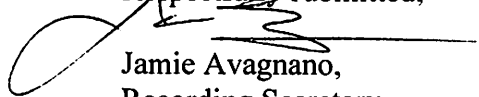
Chairman Verdonik opened the meeting to the public. There being no public present, Chairman Verdonik closed the public portion of the meeting.

ADJOURNMENT

At approximately 6:35 pm, Treasurer Lampmann moved to adjourn the regular meeting. That motion was seconded by Commissioner Howard Desai and approved unanimously on voice vote.

At approximately 6:35 pm, the meeting was adjourned.

Respectfully submitted,


Jamie Avagnano,
Recording Secretary

Enclosures: Treasurer's Report for the period ending March 2023