

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

June 20, 2018

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on June 20, 2018 in the Conference Room at the Butler Municipal Building, One Ace Road, Butler, New Jersey. Chairman Voorman called the meeting to order at approximately 7:30 p.m.

ROLL CALL

On roll call:

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

ABSENT : Commissioner Gall

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

OPEN PUBLIC MEETING STATEMENT

Chairman Voorman introduced the "Open Public Meeting Statement" indicating that adequate notice of the Authority's regular meeting had been publicized in accordance with law by posting notice on the bulletin board at the Butler Municipal Building by providing notice to the municipal clerks of Bloomingdale, Butler, Kinnelon, and Riverdale, and by providing notice to the official newspapers of the Authority.

ADOPTION OF MINUTES

1. Meeting Minutes: Regular Meeting – May 16, 2018

Commissioner Metcalfe moved acceptance of the minutes of the May 16, 2018 regular meeting. That motion was seconded by Vice Chairman Verdonik and approved on the following roll call vote:

AYES : Chairman Voorman, Commissioners Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : Commissioner Howard

2. Meeting Minutes: Closed Executive Session – May 16, 2018

Commissioner Metcalfe moved acceptance of the minutes of the May 16, 2018 regular meeting. That motion was seconded by Vice Chairman Verdonik and approved on the following roll call vote:

AYES : Chairman Voorman, Commissioners Lampmann, Metcalfe and Verdonik

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : Commissioner Howard

OPERATIONAL REPORT

1. **System Operations**

1.1 **Flow Report**

Mr. Kelly presented the Flow Report dated June 15, 2018 for the period ending May 31, 2018. He noted that the flows remain steady with no significant change from the prior period. He also confirmed that TBSA M-15 continues to track Meter P-4 relatively consistently at 2.157 mgd vs. M-15 at 2.209 mgd, a 2.4% difference year-to-date.

The following reports were made available to the Board in their file folders:

May 2018

- Flow Report ending May 31, 2018
- Daily Flow Summary for May 31 2018
- Daily Flow Hydrograph for May 2018
- M-15 vs. P-4 Hydrograph

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

Referring to his June 15th memorandum, Mr. Kelly advised that the actual flows through May 2018, per TBSA's Meter M-15 were 2.07 mgd, again exceeding the 1.85 mgd minimum contractual flow. Consequently, if this trend were to continue through the end of the fiscal year, TBSA's user charge assessment to PRBRSA would be 1.87% higher than that billed.

1.3 PRBRSA Interceptor Inspection

Mr. Kelly advised that National Water Main Company has submitted a final payment estimate including release of retainage at \$42,138.75. He noted that is more than \$11,000 dollars below the contractor's bid price. It is also substantially less than the second bidder's price at \$78,100 dollars.

He noted that there had been an approximate \$5,000 difference between the contractor's prior submittal and the final submittal which was due to the contractor's inadvertently including the police traffic control allowance. That adjustment has been made. Consequently, Mr. Kelly said that the final payment will be on the Authority's July 18th operating bill list.

2. TBSA Activities

2.1 Status Update

Vice Chairman Verdonik reported on matters at Two Bridges as they affect Pequannock River Basin. Vice Chairman reported that the project continues to experience delays yet anticipates significant progress will be made in July.

3. TWA Applications and Connection Permits

**3.1 TWA Application
Unauthorized Connection: BP Property
Borough of Riverdale**

On counsel's recommendation, this matter will be considered in closed executive session. At approximately 7:34 pm, Vice Chairman Verdonik moved adoption of the following resolution (**Resolution No. R-18-6-1**):

RESOLUTION AUTHORIZING CLOSED SESSION
PURSUANT TO THE OPEN PUBLIC MEETINGS LAW

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 20th day of June, 2018, 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 Law, in order to discuss negotiation of a Consent Agreement and for an attorney client privileged discussion on potential litigation: Riverdale Borough – unauthorized connection.
2. It is not known at the present time when the matter under discussion will be disclosed.

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.

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

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

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

At approximately 7:34 pm, the Authority entered Closed Executive Session.

C L O S E D S E S S I O N

At approximately 7:40 pm, Vice Chairman Verdonik moved to reopen the public meeting. That motion was seconded by Commissioner Howard and approved unanimously on the following roll call vote:

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

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

At approximately 7:40 pm, the meeting was reopened to the public and a regular business agenda pursued.

3.2 R3m Engineering
PCCP Evaluation: Scope of Work

In order to conduct evaluations on the Authority's existing pipeline fronting the BP property in Riverdale to which an unauthorized connection has been made, Mr. Kelly referred to his June 15th letter with R3M's proposal outlining a proposed scope of services. He advised that the engineering fee quoted includes the cost to have Pure Technologies

perform electromagnetic investigations. He recommended approval of R3M's proposal for the PCCP engineering evaluations. Mr. Falcon advised that he would draft a form of engineering agreement before issuing a notice to proceed.

Treasurer Lampmann noted that the resolution stated "in the amount of" requesting that it state "not-to-exceed" referencing the dollar value of the quoted amount. With that change, Vice Chairman Verdonik moved approval of the following resolution (**Resolution No. R-18-6-2**):

RESOLUTION

WHEREAS, the Authority requires the performance of professional engineering services to assist in investigating the condition of the existing PCCP within the right-of-way of State Highway Route 23; and

WHEREAS, the Authority is in receipt of the proposal of R3m Engineering, Inc. dated June 15, 2018; and

WHEREAS, the 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 has determined that it is in the interest of the Authority to award a contract for the performance of the following portions of the proposed services; 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 day 20th of June, 2018 as follows:

1. The Chairman is authorized and directed to execute an Agreement with R3m Engineering, Inc. not to exceed \$42,620.00 to perform the work as proposed.
2. This Resolution shall be published in one of the Authority's official newspapers in accordance with N.J.S.A. 40A:11-5 (l)(a)(ii).
3. This Resolution shall take effect as provided by law.

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

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

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

3.3 Non-Residential Connection
1424 Route 23
Borough of Butler

Mr. Kelly advised that a Non-Residential application has been filed by LWC Properties for a connection at 1424 Route 23 in Butler. He noted that the application would be approved if acceptable to TBSA.

4. Boonton Avenue Interceptor

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

Reporting progress on the railroad crossing design and related elements, Mr. Kelly said, based on a meeting with Mott MacDonald and Brian Pumo of Butler on June 14th and subsequent exchanges, that a number of design decisions have been made. He noted, due to delays on completion of the geotechnical report, the schedule has been extended to mid to late July for completion of design.

Continuing, Mr. Kelly said that traffic control will be a primary focus of MM's design, something that was considered in depth at the recent meeting. Due to MM's proposed receiving pit sizing, increasing it from 10'x10' to 10' x 14' feet, special traffic maintenance, control and protection measures will be necessary to allow traffic to pass the work area during the day. During non-working hours, he said the design will include special requirements for plating the road so that the traffic can pass as smoothly as possible in both directions.

Finally, he noted that on review of the Oweiss geotechnical report, MM is considering a 3-foot diameter casing for the tunnel in lieu of the 4-foot diameter recommended by Oweis. There are a number of reasons for that not the least of which is the substantially lower cost of a small diameter tunnel. He said as well if the contractor does utilize pipe ramming that the smaller tunnel will substantially reduce the size of the thrust block which Oweis estimated will require a 16'x16' concrete structure.

4.2 Green Acres Application

Mr. Kelly advised that the final Green Acres application package was submitted informally to NJDEP Green Acres Program on Friday, June 15th. At the same time the submittal was made to the Borough of Butler requesting the Borough's endorsement of the application and authorization to file it with NJDEP. Simultaneously, the Board was copied on the final application package.

Included within the application, at Butler's request, Mr. Kelly said is an alternative form of compensation. Rather than pay the \$2,500 compensation required under the regulations to the State of New Jersey, the alternative method would allow the Borough of Butler to receive funding for improvements to the park. He noted that Borough Administrator Lampmann provided details on the nature of those improvements along with the cost estimate which have been incorporated into the application package.

Commissioner Lampmann reported that Butler Borough Council approved a resolution at their June 19th meeting authorizing the endorsement and filing. That being the case, Mr. Kelly said the final application package with additional documentation required under NJDEP regulations will be submitted to Green Acres this week.

1.3 Geotechnical Report

As noted, the final geotechnical report has been filed with the Authority and has been submitted to MM for design purposes. Accordingly, Oweis Engineering's final billing is on the construction bill list.

1.4 Permits and Applications

On review of the design requirements versus NJDEP Flood Hazard Area permitting requirements. Mr. Kelly said that Mott MacDonald has determined that an individual permit will be needed for approval by the Flood Hazard Group. He said that MM has estimated the cost of preparation and filing of that permit at \$9,600. He requested the Board's affirmation that the currently available design budget, which he said has an unexpended surplus exceeding \$15,000, will be sufficient for this work.

Vice Chairman Verdonik moved to authorize the consulting engineer to transfer \$9,600 from Mott MacDonald's prior design authorizations to the budget for permits and applications work to prepare for an individual Flood Hazard Area permit. That motion was seconded by Commissioner Lampmann and approved unanimously on the following roll call vote:

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

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

FINANCIAL REPORT

1. Treasurer's Report

1.1 May 31, 2018 Treasurer's Report

Treasurer Lampmann presented and moved acceptance of the Treasurer's Report for the period ending May 31, 2018 That motion was seconded by Vice Chairman Verdonik and approved unanimously on the following roll call vote:

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

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

UNFINISHED BUSINESS

1. Annual Charge Challenge: 2017

This matter was discussed in closed executive session.

2. 2% Cap Legislation

Commenting on the recent invitation to join litigation initiated by the Two Rivers Water Reclamation Authority, litigation joined by the Rahway Valley Sewerage Authority, Mr. Kelly said that the idea of litigating against the state is generally difficult. Also, since Chairman Voorman previously reported that AEA has been invited to work with the DCA on the development of regulations on the 2% cap, he said he would not recommend joining the ongoing suit yet deferred to counsel. Mr. Falcon concurred.

PAYMENT OF BILLS

1. Operating Budget

1.1 Operating Request for Payment No. 375

Treasurer Lampmann presented Operating Request for Payment No. 375 and moved approval as follows:

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY				
SUMMARY OF VOUCHERS FOR OPERATING EXPENSES				
Operating Request for Payment No. 375				
The following bills have been reviewed and are recommended for approval for payment at the June 20, 2018 meeting of the Authority from the Operating Account (Wells Fargo Bank Account 1425985):				
PRBRSA ACCT. NO.	VOUCHER NO.	VOUCHER DATE	PAYMENT AMOUNT	CHECK PAYABLE TO
1) 24.05	OP-18-6-1	3/31/2018	\$ 250.00	Borough of Butler
2) 33.01	OP-18-6-2	10/1/2016	\$ 2,605.00	Borough of Butler
3) 33.01	OP-18-6-3	6/5/2018	\$ 131.89	Kelly Engineering
4) 24.07	OP-18-6-4	6/4/2018	\$ 12,500.00	Kelly Engineering
5) 32.02	OP-18-6-5	6/7/2018	\$ 5,700.09	Kelly Engineering
6) 22.01	OP-18-6-6	6/13/2018	\$ 1,679.09	Maraziti Falcon LLP
7) 24.07	OP-18-6-7	6/4/2018	\$ 1,329.79	Borough of Butler
8) 33.03	OP-18-6-8	5/31/2018	\$ 17.94	Borough of Butler Electric
9) 24.07	OP-18-6-9	5/23/2018	\$ 56.45	North Jersey Media Group
10) 24.07	OP-18-6-10	5/23/2018	\$ 49.23	North Jersey Media Group
11) 24.07	OP-18-6-11	5/23/2018	\$ 51.35	North Jersey Media Group
12) 24.07	OP-18-6-12	5/23/2018	\$ 93.58	Chatham Print
13) 33.03	OP-18-6-13	5/25/2018	\$ 369.82	Chatham Print
14) 33.03	OP-18-6-14	6/8/2018	\$ 3.15	JCP&L - No Voucher Needed per Legislation
15) 23.01	OP-18-6-15	6/19/2018	\$89.39	Marsh & McLeman
16) 23.01	OP-18-6-16	6/19/2018	\$26.38	Marsh & McLeman
TOTAL:			\$ 24,953.15	

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

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

NAYS : None

ABSENT : Commissioner Gall

ABSTAIN : None

2. Construction Fund Disbursements

2.1 Construction Disbursement Requisition No. C-17-12

Treasurer Lampmann presented the bills as listed on Construction Fund Disbursement Requisition No. C-17-12 and noted a discrepancy between the amount shown on the transfer letter against the actual invoice for Maraziti Falcon in the amount of \$34.00. Treasurer Lampmann amended the Disbursement instructions to correct the actual invoice amount. With that Treasurer Lampmann moved approval as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-17-12

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 **June 20, 2018**.

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120327C2	C-17-12-6-1	6/7/18	\$ 13,899.50	Kelly Engineering
2)	120327C1	C-17-12-6-2	6/13/18	\$ 7,074.00	Maraziti Falcon
3)	120327C4	C-17-12-6-3	6/4/18	\$ 10,200.00	Oweis Engineering
4)	120327C3	C-17-12-6-4	6/4/18	\$ 250.00	DMC Survey
5)	120327C5	C-17-12-6-5	5/3/18	\$ 9,725.07	Mott MacDonald
6)	120327C5	C-17-12-6-6	6/7/18	\$ 5,203.01	Mott MacDonald
7)	120327C3	C-17-12-6-7	6/14/18	\$ 1,329.95	Trukmanns
TOTAL DISBURSEMENTS				<u>\$ 47,647.53</u>	<u>\$47,681.53</u> (Corrected Amount)

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

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

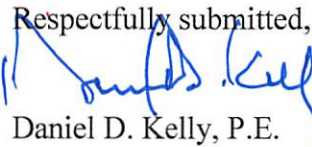
OPEN MEETING FOR PUBLIC COMMENT

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

ADJOURNMENT

At approximately 7:58 pm, Commissioner Lampmann moved adjournment. Vice Chairman Verdonik seconded the motion which was approved unanimously on voice vote.

At approximately 7:58 pm, the meeting was adjourned.

Respectfully submitted,

Daniel D. Kelly, P.E.
Recording Secretary

Enclosure: Treasurer's Report for the period ending May 31, 2018