

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

June 17, 2020

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on June 17, 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, Lampmann, Metcalfe and Voorman

ABSENT : None

ALSO PRESENT : Jamie Avagnano, Authority Administrator;
Christopher H. Falcon, Esq., 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. He also indicated that the time change and remote meeting information was provided to the public and the municipal clerks as well as noticed in the Authority's newspapers on June 12, 2020.

ADOPTION OF MINUTES

1. Meeting Minutes: Regular Meeting – May 20, 2020

Commissioner Lampmann moved acceptance of the minutes of the May 20, 2020 regular meeting. That motion was seconded by Commissioner Voorman and approved on the following roll call vote:

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

NAYS : None

ABSENT : None

ABSTAIN : None

2. Meeting Minutes: Closed Session May 20, 2020

Commissioner Lampmann moved acceptance of the May 20, 2020 Closed Session meeting minutes. That motion was seconded by Commissioner Voorman 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 advised the Board that the Borough of Butler approved the 2020 Amended and Restated Service Contract on June 16th. Administrator Avagnano added that she had received information from the Borough of Kinnelon that the agreement was on the agenda to be introduced on June 18th. She also informed the Board that Riverdale Deputy Borough Clerk, Linda Forbes, advised that the 2020 Amended and Restated Service Contract was introduced on June 10th, however, the Ordinance for Riverdale Membership was not included.

1.2 **Flow Report**

Chairman Verdonik noted that the Flow Report for the period ending May 2020 was included in the meeting materials along with the following items:

May 2020

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

1.3 **TBSA Flow Report (Budget vs. Actual)**

Referring to his June 12, 2020 TBSA Meter M-15 analysis, Mr. Kelly noted that the differential in PRBRSA Meter P-4 and TBSA Meter M-15 continues. He mentioned that if the trend continues PRBRSA may incur a \$100,000 surcharge at

the end of the fiscal year. He mentioned that TBSA is performing an internal analysis on the meters yet, if no conclusions can be made on the differentials, we may want to consider requesting that TBSA average the two meter readings at year end.

2. TBSA ACTIVITIES

2.1 Status Update

Vice Chairman Voorman reported on the activities currently underway at Two Bridges. He advised that in view of the remote meetings, TBSA was limiting the agenda to essential matters. He further commented that the TBSA plant continues to run properly with Covid-19 safety guidelines.

3. TWA APPLICATIONS AND CONNECTION PERMITS

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

Administrator Avagnano updated the Board on the status of the Temporary Access Agreement. She commented that all 5 agreements have been executed by the property owners for the Chairman's signature that evening. She noted that, for their procedure purposes only, NJDOT requested PRBRSA's signature first yet confirmed that the document was in order and would be executed.

Regarding the Amundsen Pool Company at Block 32, Lot 4.02 owned by the Remhoff's, Ms. Avagnano advised that apparently the Remhoff's have had some bad experiences in past history with NJDOT and have requested that no materials or construction equipment be placed or stored on their property. In order to oblige that request and their specific request for a delineation of the property line between Lot 4.02 (Remhoff) and Lot 4.01 (Slater, Family Carpet store), the Authority agreed to prepare a survey of the property at Block 32, Lot 4.02 with markouts. She referred to DMC's quote of June 5th, Revised June 11th, for survey services in the amount of \$1,800.00

Ms. Avagnano further advised the Board that the final plans and specifications were received late that afternoon from RVE and were under review. She advised that intentions are to advertise for bids by the end of the month.

Commissioner Lampmann provided guidance on the bid opening procedure under the Covid-19 guidelines.

4. BOONTON AVENUE INTERCEPTOR

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

Mr. Kelly addressed the Board on the ongoing construction project at Butler Park noting that field construction work began on June 9th. He referenced the Temporary Construction Agreement and drawing “Revised Exhibit A” which would expand the temporary easement area to allow more working area for the project. He advised, based on conversations with counsel, Green Acres and Butler Borough Administrator Lampmann, that expansion of the temporary construction easement would be approved by Green Acres which would be extremely beneficial to the project with minimal additional disturbance to Butler Park.

Commissioner Howard questioned the line delineating the permanent easement from the temporary easement. Mr. Kelly explained that the temporary expansion was to the southside of the existing easement. He noted that the permanent easement is where the pipe will be installed while the temporary easement outlined the work area.

Mr. Kelly further explained that, with the change in the site conditions and the Covid-19 distancing requirements, the contractor was claiming that the temporary easement was too constrained. He advised that the Borough of Butler adopted a resolution last evening authorizing execution of the temporary easement expansion and that the Board will be asked to do the same by resolution tonight.

5. FINANCIALS

5.1 Treasurer’s Report: May 31, 2020

Treasurer Lampmann presented the Treasurer’s Report for the period ending May 31, 2020. Vice Chairman Voorman moved its approval as presented.

That motion was seconded by Commissioner Howard 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 Annual Budget: FY 2021

Administrator Avagnano advised that Board that the FY 2021 budget process has begun and requested Board direction on moving forward with a 0% increase.

The Board agreed, with the imminent change from flow metering to the EDU-based billing system, that maintaining the current budget was reasonable. Commissioner Lampmann added that a zero rate increase would also be beneficial to all but particularly to the Borough of Bloomingdale for budgetary means.

Chairman Verdonik and Commissioners unanimously directed the Administrator to prepare the preliminary budget with a 0% rate increase to the towns.

Due to the transition from flow metering to the EDU-based system, Commissioner Howard requested that the budget highlight changes where flow metering calculations have been replaced by EDUs. He requested that the EDU calculations be marked out with comments on the change in methodology. Ms. Avagnano advised she would include highlights and comments in the preliminary and final budget documents.

6. UNFINISHED BUSINESS

None

7. NEW BUSINESS

7.1 Insurance

Administrator Avagnano recommended renewal of the Umbrella and General Liability policies with Marsh McLennan. She advised there was a \$577 or 3% price increase over the prior year that seemed reasonable for the market. She also advised that the Authority would be receiving a quote for cyber security coverage which would be considered at a later date.

7.2 Public Meetings: Covid-19 Regulations

During the Open Public Meeting section of the meeting, Commissioner Howard requested counsel's advice on regulations in place to return to in-person meetings.

Mr. Falcon referenced Governor Murphy's Executive Order 152 which limits public gathering to 25% of the room capacity. For meetings under 10 people you must wear face coverings and be 6 feet apart with no contact.

On discussion the Board agreed that the July 15th meeting would be conducted in the Mayor and Council Chambers of Butler Borough with social distancing measures in place. At the same time, the meeting would be offered with remote dial-in service for the Board Members, consultants and public that may not be comfortable with person to person interaction at this time. The Board also agreed that the meeting time would be moved from 7:00 pm to 5:00 pm with regularly scheduled meetings returning in August.

8. CONSENT AGENDA

Administrator Avagnano read the following resolutions by title for Board consideration under the consent agenda as follows:

- 1) Resolution No. 20-6-1: Authorize Survey of Lot 4.02 Riverdale
- 2) Resolution No. 20-6-2: Authorize expansion of Temporary Construction Easement
- 3) Resolution No. 20-6-3: Renew Umbrella & General Liability Insurance Policies

Resolution R-20-6-1

RESOLUTION

WHEREAS, there exists a need for a survey to delineate the boundary limits of Block 32, Lot 4.02 in the Borough of Riverdale for temporary access within and across said property for a pipeline remediation project being undertaken by the Pequannock River Basin Municipal Sewerage Authority (“the Authority”); and

WHEREAS, the Authority is in receipt of the proposal of DMC Associates dated June 5, 2020 (Revised June 11, 2020); 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, Jamie Avagnano and Daniel D. Kelly, P.E, Consulting Engineer have recommended that the Authority authorize DMC Associates to perform the services as quoted in the June 5, 2020 report, in a total fee amount of \$1,800.00; 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 17th day of June 2020 as follows:

1. The Chairman is authorized and directed to execute an Agreement so as to authorize the expenditure of \$1,800.00 to perform survey work.
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.

Resolution No. R-20-6-2

RESOLUTION AMENDING THE TEMPORARY CONSTRUCTION EASEMENT BY AND BETWEEN THE BOROUGH OF BUTLER AND PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY, DATED APRIL 18, 2018

WHEREAS, on March 20, 2018, the Borough Council of the Borough of Butler, County of Morris, State of New Jersey (hereinafter referred to as the “Borough”) authorized the execution of a “Temporary Construction Agreement for the Butler Borough Park” by and between the Borough and the Pequannock River Basin Regional Sewerage Authority (hereinafter referred to as “PRBRSA”) pursuant to Resolution No. 2018-38; and

WHEREAS, the Temporary Construction Agreement for Butler Borough Park was executed on behalf of the Borough on March 21, 2018 and on behalf of PRBRSA on April 18, 2018 for a temporary construction easement, the area being depicted in Exhibit A of said agreement, necessary for installation by PRBRSA of a new sewer line (the “Temporary Construction Easement”); and

WHEREAS, the Temporary Construction Easement is located in Block 14, Lot 30 on the Borough Tax Map, known as Butler Borough Park; and

WHEREAS, the installation of the new sewer line is within the permanent easement area of Butler Borough Park for which there was a minor diversion of Green Acre restrictions that was approved by the New Jersey Department of Environmental Protection (“NJDEP”) and the State House Commission; and

WHEREAS, during the construction of the new sewer line, unforeseen site conditions have arisen due to conflicting existing underground utilities that requires the new sewer line to be installed at a deeper elevation within the permanent easement area and results in the necessity to expand the area of the Temporary Construction Easement; and

WHEREAS, no modification of the permanent easement area is required; and

WHEREAS, a copy of the proposed expansion of the Temporary Construction Easement area is attached hereto which depicts an enlargement of the existing Temporary Construction Easement by approximately 2,140 square feet (the “Proposed Modification to Temporary Construction Easement”); and

WHEREAS, a copy of the Proposed Modification to Temporary Construction Easement was provided to NJDEP Green Acres; and

WHEREAS, the Borough of Butler affirms that no impact to recreational amenities in the Butler Borough Park will occur as a result of enlarging the Temporary Construction Easement to include the Proposed Modification to Temporary Construction Easement area; and

WHEREAS, an existing 8-inch plum tree will be saved as a result of the Proposed Modification to Temporary Construction Easement and an additional dead river birch tree within the Proposed Modification to Temporary Construction Easement will be removed and replaced; and

WHEREAS, NJDEP Green Acres has advised that the proposed amendment to the “Temporary Construction Agreement for the Butler Borough Park” for the inclusion of the Proposed Modification to Temporary Construction Easement area must provide that said area would be restored to pre-construction conditions; and

WHEREAS, NJDEP Green Acres has advised that the Temporary Construction Agreement for the Butler Borough Park may include an amendment for the two year term (together with the potential for a six-month extension) to reflect a commencement date of June 9, 2020 for the area encompassed by the Temporary Construction Easement and Proposed Modification to Temporary Construction Easement, said commencement date reflecting the date of the commencement of construction; and

WHEREAS, on June 16, 2020, the Borough adopted Resolution 2020-64 authorizing the Mayor to execute an Amended Temporary Construction Agreement for the Borough of Butler Park to enlarge the existing Temporary Construction Easement to include the additional 2,140 square foot area as depicted in the Proposed Modification to Temporary Construction Easement, together with the above mentioned provisions, in a form that is satisfactory to the Borough Attorney (the “Amended Temporary Construction Agreement”).

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 17th day of June, 2020 as follows:

1. The Chairman is authorized and directed to execute the Amended Temporary Construction Agreement to enlarge the existing Temporary Construction Easement to include the additional 2,140 square foot area as depicted in the Proposed Modification to Temporary Construction Easement and include the above mentioned provisions in a form that is satisfactory to PRBRSA’s Attorney.
2. PRBRSA’s staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
3. This Resolution shall take effect as provided by law.

Resolution No. R-20-6-3

RESOLUTION

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (hereinafter “the Authority”) maintains policies of insurance in accordance with Section 611 of the Bond Resolution of July 15, 1986; and

WHEREAS, the Authority desires to maintain appropriate coverage and has received quotations from Marsh & McLennan Agency (Broker); and

WHEREAS, the Authority is authorized by N.J.S.A. 40A:11-5(1)(m) to award a Contract for the provision of annual insurance as an extraordinary unspecifiable service; and

WHEREAS, the Authority Administrator has recommended award of the Contract to Philadelphia Indemnity Insurance Company for coverage from June 23, 2020 through June 23, 2021 per Stanford Risk Management’s review and recommendation; and

WHEREAS, the Authority desires to award a contract to Philadelphia Indemnity Insurance Company for the following coverages for the premiums indicated by Broker quotation of May 20, 2020 as generally summarized below:

PHILADELPHIA INDEMNITY INSURANCE COMPANY

General Liability	\$ 3,930.00
Property	\$ 639.00
Wrongful Acts	\$ 798.00
Employment Practices Liability	\$ 418.00
Crime	\$ 626.00
Commercial Automobile	<u>\$ 174.00</u>
Commercial Package	<u>\$ 6,585.00</u>
Umbrella Package:	<u>\$ 15,756.00</u>
Total:	<u>\$ 22,341.00</u>

WHEREAS, N.J.S.A. 40:11-5(1)(m) authorizes the Authority to award contracts for insurance without public advertising for bids and bidding thereof; and

WHEREAS, the Authority has reviewed the Certification of the Administrator of even date herewith.

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 17th day of June 2020, as follows:

1. The Authority hereby approves and authorizes the Authority Administrator to acquire the aforesaid insurance policies.
2. The Authority hereby authorizes payment to the Broker of the premium due in the total amount of \$22,341.00 in order to obtain the policies
3. The Authority shall cause a copy of the within Resolution to be published once in an official newspaper of the Authority.
4. This Resolution shall take effect immediately.

Treasurer Lampmann moved approval of the consent agenda for Resolution Nos. R-20-6-1, R-20-6-2 and Resolution No. 20-6-3 as follows:

That motion was seconded by Commissioner Metcalfe 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

9. PAYMENT OF BILLS

Operating Budget

9.1 Operating Request for Payment No. 397

Treasurer Lampmann presented and moved approval of Operating Request for Payment No. 397 as follows:

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

Operating Request for Payment No. 397

The following bills have been reviewed and are recommended for approval for payment at the June 17, 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-20-6-1	3/31/2020	\$ 250.00	Borough of Butler
2)	33.01	OP-20-6-2	10/1/2018	\$ 2,705.00	Borough of Butler
3)	24.07	OP-20-6-3	6/5/2020	\$ 151.88	J. Avagnano
4)	22.03	OP-20-6-4	6/1/2020	\$ 12,500.00	Kelly Engineering
5)	22.03	OP-20-6-5	6/9/2020	\$ 3,818.36	Kelly Engineering
6)	22.01	OP-20-6-6	6/8/2020	\$ 2,437.50	Maraziti Falcon LLP
7)	22.01	OP-20-6-7	6/8/2020	\$ 2,515.50	Maraziti Falcon LLP
8)	23.03	OP-20-6-8	6/11/2020	\$ 15,756.00	Marsh McLennan
9)	23.03	OP-20-6-9	6/11/2020	\$ 6,585.00	Marsh McLennan
10)	33.01	OP-20-6-10	6/8/2020	\$ 3,357.40	ADS LLC
11)	24.07	OP-20-6-11	5/31/2020	\$ 59.96	North Jersey Media Group
12)	24.07	OP-20-6-12	5/17/2020	\$ 47.96	North Jersey Media Group
13)	24.07	OP-20-6-13	5/27/2020	\$ 28.50	Tab Group
14)	24.07	OP-20-6-14	5/25/2020	\$ 113.13	Staples Business Credit
15)	33.03	OP-20-6-15	5/27/2020	\$ 13.60	Borough of Butler Electric
16)	33.03	OP-20-6-16	5/8/2020	\$3.10	JCP&L
TOTAL:				<u>\$ 50,342.89</u>	

Commissioner Howard 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-17-34

Treasurer Lampmann presented the bills as listed on Construction Fund Disbursement Requisition No. C-17-34 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-17-34-6-1	6/9/2020	\$ 707.10	Kelly Engineering
2)	120328C3	C-17-34-6-2	6/1/2020	\$ 2,851.95	Mott MacDonald
3)	120328C3	C-17-34-6-3	6/3/2020	\$ 40.99	North Jersey Media
4)	120328C3	C-17-34-6-4	6/3/2020	\$ 42.63	North Jersey Media
TOTAL DISBURSEMENTS				<u>\$ 3,642.67</u>	

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.

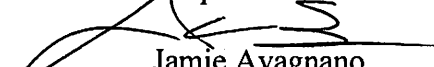
With no members of the public present Chairman Verdonik dispensed with the public participation portion of the meeting.

ADJOURNMENT

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

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

Respectfully submitted,


Jamie Avagnano
Recording Secretary