

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

March 18, 2020

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on March 18, 2020 in the Conference Room at the Butler Municipal Building, One Ace Road, Butler, New Jersey. Chairman Verdonik called the meeting to order at approximately 7:00 p.m.

ROLL CALL

On roll call:

PRESENT : Chairman Verdonik, Commissioners Gall*, Howard*, and Lampmann

ABSENT : Commissioners Metcalfe and Voorman

ALSO PRESENT : Jamie Avagnano, Authority Administrator; Christopher H. Falcon, Esq.*; Diane Alexander, Esq.*, Maraziti Falcon, LLP; Daniel D. Kelly, P.E., Kelly Engineering* (* teleconference)

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 – February 19, 2020

Commissioner Lampmann moved acceptance of the minutes of the February 19, 2020 regular meeting. That motion was seconded by Commissioner Howard and approved on the following roll call vote:

AYES : Commissioners Gall, Howard, Lampmann, and Verdonik

NAYS : None

ABSENT : Commissioners Metcalfe and Voorman
ABSTAIN : None

OPERATIONAL REPORT

1. SYSTEM OPERATIONS

1.1 Alternative Cost Recovery Methodologies

Chairman Verdonik advised the Board that the draft 5 Party Agreement has been circulated for their review and comments and asked that Mr. Falcon update the Board on the status. Mr. Falcon advised that the 2020 Amended and Restated Service Contract was 99% complete with a few additional comments from Mr. Kelly that were being reviewed. Mr. Falcon advised that his office would circulate the second revision redlined for the Board's review.

Following discussion, Mr. Falcon requested and the Board agreed that the draft 2020 Restated and Amended Service Contract should be circulated to counsel for the towns along with the draft ordinances.

1.2 Flow Report

Chairman Verdonik noted that the Flow Report for the period ending February 2020 was made available to the Board in their file folders along with the following items:

February 2020

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

1.3 TBSA Flow Report (Budget vs. Actual)

Mr. Kelly advised the Board that TBSA's Meter M-15 is running about 10% higher than the Authority's Meter P-4. He referenced his February 26th memo advising that if this trend were to continue the Authority may be assessed a surcharge on the order of \$50,000 at the end of the year advising that the flows would continue to be monitored. He also stated that if the trend continues it would be reasonable to ask TBSA to average the M-15/P-4 flows at the end of the year if the Board consents.

2. TBSA ACTIVITIES

2.1 Status Update

Chairman Verdonik advised that there was no new business to report at this time.

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 RVE's supplemental Option C was forwarded to the Board separately. He explained that Option C shows the bypass pipe around the back of the buildings through a grassy area that would limit interruptions to local business and Route 23 traffic. He noted that the next steps would be to secure access agreements from the property owners, local businesses, the Borough of Riverdale as well as NJDOT.

Commissioner Lampmann questioned if RVE had physically examined the area to confirm the layout was feasible. Mr. Kelly reported that while RVE advised that they had viewed the site, he had not been informed as to whether they had actually walked it. He said that he would follow up with RVE to confirm. Regarding the project length, Mr. Kelly indicated that while the remediation lining would only require 1 day of work, the bypass set up would require approximately 7 days.

Commissioner Howard inquired about the pumps which Mr. Kelly advised included two 6-inch primary pumps and 2 backup 6-inch pumps.

The Administrator advised and the Board agreed that RVE would be authorized to proceed with the design engineering under Option C.

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

Ms. Avagnano advised that Mr. Pumo was advised of a depressed manhole near the Hamburg Turnpike in Bloomingdale. She advised that because this is Passaic County's jurisdiction a Road Opening Permit application and the necessary documentation was currently being prepared. On issuance of the permit, the Borough of Butler would perform the repair under the O&M contract rates.

4. BOONTON AVENUE INTERCEPTOR

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

Chairman Verdonik asked Mr. Kelly for an update on the NYS&W RR project. Mr. Kelly advised that we recently met with Mott MacDonald, Montana Construction and Milani & Sons to resolve open issues regarding the test pit results and the culvert crossing. Mr. Kelly advised that it was agreed that further test

pitting was required to confirm the bottom of the telephone ducts and the gas main which would be invoiced on a time and material basis. He further advised that Montana Construction stated that they expected to do the additional test pitting within 2 weeks with plans to prepare the jacking and receiving pits by mid to late April.

On the culvert crossing Mr. Kelly reported that Milani & Sons advised that to protect the culvert structure, tunneling under the culvert by jack and bore was recommended. Mr. Kelly advised that Milani agreed the work would be performed at the price bid. Commissioner Lampmann recommended that due to the current State of Emergency with Butler schools and businesses closed, Montana Construction should be advised of the possibility of eased restrictions on working hours. Mr. Kelly replied that he would inform Mott MacDonald of the revised restrictions to extend the working hours to so notify the contractor.

5. FINANCIALS

5.1 Treasurer's Report: February 29, 2020

Treasurer Lampmann presented the Treasurer's Report for the period ending February 29, 2020. Commissioner Howard 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 and Lampmann
NAYS	:	None
ABSENT	:	Commissioners Metcalfe and Voorman
ABSTAIN	:	None

5.2 FY 2020 Annual Budget: Amendment 1

Ms. Avagnano requested that the February 19, 2020 Budget Amendment Resolution be readopted as revised. She advised that some minor revisions were requested by DLGS which were included in the resolution.

Commissioner Lampmann moved approval of the revised budget resolution as follows:

Resolution No. R-20-3-1

RESOLUTION APPROVING AMENDMENT NO. 1 TO FY 2020 ANNUAL BUDGET

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the “Authority”) adopted its Annual Budget for Fiscal Year 2020 on October 16, 2019; and

WHEREAS, in accordance with N.J.A.C.5:31-2.8(a), said Annual Budget must be approved by the State of New Jersey, Department of Local Government Services (the “DLGS”) prior to amendment thereof; and

WHEREAS, the Authority desires to amend its Fiscal Year 2020 Annual Budget as adopted on October 16, 2019 and approved by DLGS on October 25, 2019; and

WHEREAS, at N.J.A.C. 5:31-2.8(a) provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of the Authority or District make such correction of the title, text, or amount of any Appropriation or decrease in Revenue with corresponding decrease in budgeted costs appearing in the budget as may be necessary to make said item of Appropriation available for purpose or purposes required for the needs of any such Authority or District.

NOW, THEREFORE, BE IT RESOLVED, in accordance with said provisions of N.J.A.C.5:31-28 the Pequannock River Basin Regional Sewerage Authority requests the Director of the Division of Local Government Services to make the following amendments to the Annual Budget for PRBRSA Fiscal Year 2020 (State Fiscal Year 2019):

1. Page F-1: Summary

Total Operating Revenues:	From	\$5,420,000
	To:	\$5,135,118

Appropriations:

Total Cost of Providing Services:	From:	\$4,407,000
	To:	\$4,122,118

Total Appropriations and Accumulated Deficit	From:	\$5,471,000
	To:	\$5,186,118

Net Total Appropriations	From:	\$5,471,000
	To:	\$5,186,118

2. Page F-2: Revenue Schedule

Operating Revenues

Service Charges (Residential)	From: \$5,420,000 To: \$5,135,118
Total Operating Revenues	From: \$5,420,000 To: \$5,135,118
Total Anticipated Revenues	From: \$5,471,000 To: \$5,186,118

3. Page F-4: Appropriation Schedule

Cost of Providing Services – Other	From: \$4,407,000 To: \$4,122,118
Total Costs – Other	From: \$4,407,000 To: \$4,112,118
Total Cost of Providing Services	From: \$4,407,000 To: \$4,112,118
Total Operating Appropriations	From: \$5,037,200 To: \$4,752,318
Total Appropriations	From: \$5,471,000 To: \$5,186,118
Total Appropriations & Accumulated Deficit	From: \$5,471,000 To: \$5,186,118
Total Net Appropriations	From: \$5,471,000 To: \$5,186,118

4. Page N-1

Corresponding revisions to “Attachment A to Page N-1”
And “Attachment B to Page N-1” (see Attached)

BE IT FURTHER RESOLVED, that the foregoing Amendments are, in the opinion of the Governing Body, warranted and authorized by the statute as referenced above and are necessary for the orderly operation of the Authority for reasons set forth herein as follows:

1. The \$284,882 decrease in Appropriations, Annual Charges due to the Two Bridges Sewerage Authority, is being applied as a corresponding reduction in Revenues by reducing the rates or Annual Charges payable by the four (4) municipalities in like amount.
2. This resolution shall take effect upon approval of the FY 2020 Annual Budget Amendment by the Director of the Division of Local Government Services. This resolution shall supersede the resolution adopted on February 19th. Amendment No. 1 and the Revised Annual Charge Certifications will be submitted to the municipalities served by the Authority on receipt of approval by the Division.

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 and Lampmann
NAYS	:	None
ABSENT	:	Commissioners Metcalfe and Voorman
ABSTAIN	:	None

6. UNFINISHED BUSINESS

6.1 Riverdale Membership

Status unchanged from previous meeting.

7. NEW BUSINESS

7.1 Stanford Risk Management Contract Renewals

Ms. Avagnano advised that the Stanford Risk Management contracts for general insurance review and construction-related risk management were up for renewal. She noted that the proposed services and fees remained the same as last year.

7.2 Up and Running Computer Consultant Contract

Ms. Avagnano advised that the Computer Consultant contract was up for another 2 year term with no change in services or pricing.

8. CONSENT AGENDA

Treasurer Lampmann moved approval of the following resolutions under the consent agenda as follows:

Resolution No. R-20-3-2

RESOLUTION TO AWARD CONTRACT TO STANFORD RISK MANAGEMENT SERVICES, INC. FOR INSURANCE CONSULTATION SERVICES AS EXTRAORDINARY UNSPECIFIABLE SERVICES

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“Authority”) desires to retain the services of an insurance and risk management consultant to provide services associated with its annual insurance coverages; 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 and related risk management consultant services as extraordinary unspecifiable services; and

WHEREAS, the Authority has reviewed the Certification of the Consulting Engineer 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 18th day of March 2020 as follows:

1. The Authority does hereby name and designate John Campanile of Stanford Risk Management Services, Inc. to provide insurance and related 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 therewith for the provision of such services in accordance with the proposal of March 2, 2020, 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. This contract 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(1)(m). The contract is awarded subject to the requirements that evidence of Professional Liability Insurance be provided prior to the expiration date of the current policy, that coverage be maintained at the level of \$1,000,000 each claim/\$2,000,000 aggregate and that the agreement with Stanford Risk

Management Services, Inc. provides that notice shall be sent to the Authority 90 days prior to any cancellation of coverage.

4. 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 budget 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.
5. This Resolution shall take effect as provided by law.

Resolution No. R-20-3-3

RESOLUTION TO AWARD CONTRACT TO STANFORD RISK MANAGEMENT SERVICES, INC. FOR INSURANCE CONSULTATION SERVICES FOR CONSTRUCTION PROJECTS AS EXTRAORDINARY UNSPECIFIABLE SERVICES

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“Authority”) engaged the services of Stanford Risk Management Services, Inc. (“Stanford Risk Management”) to perform insurance consultant services pursuant to Resolution 20-3-3 of March 18, 2020; and

WHEREAS, in the event the Authority engages in a construction project(s) which will require consultation services to review and analyze risks under the construction contract and recommendations on appropriate types of coverages to mitigate those risks, and verification that the contractor and any subcontractors are in compliance with contract specifications; and

WHEREAS, the Authority has determined the consultation services required for the upcoming construction project are more expansive than those covered within the annual insurance consultation services renewal with Stanford Risk; 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 and related risk management consultant services as extraordinary unspecifiable services; and

WHEREAS, the Authority has reviewed the Certification of the Consulting Engineer 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 18th day of March 2020 as follows:

1. The Authority does hereby name and designate John Campanile of Stanford Risk Management Services, Inc. to provide additional insurance and related risk management consultant services as required and subject to the requirements of the Local Public Contracts Law, for construction projects.
2. The Chairman is authorized to execute an agreement therewith for the provision of such services in accordance with the proposal of March 2, 2020, which agreement shall provide for compensation at the rate of \$175.00 an hour, not to exceed \$5,000.00 without further approval, including out of pocket expenses.
3. This contract 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(1)(m). The contract is awarded subject to the requirement that the agreement with Stanford Risk Management Services, Inc. provides that notice shall be sent to the Authority 90 days prior to any cancellation of coverage.
4. This Resolution shall take effect as provided by law.

Resolution No. R-20-3-4

**RESOLUTION AWARDING CONTRACT FOR PROVISION
OF COMPUTER CONSULTATION SERVICES**

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“the Authority”) requires computer consultation services to support its previously established electronic communications system (email) and website; and

WHEREAS, the computer consultant Up & Running (“the Consultant”), of Randolph, New Jersey, has agreed to provide such general computer consultation services on an as needed basis; and

WHEREAS, by proposal dated March 10, 2020 the Consultant proposes to provide services at a not-to-exceed fee of \$1,350.00 per two-year term; and

WHEREAS, the Consultant will submit periodic invoices not more frequently than monthly for work completed; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. does not require public bidding in this situation because the contract is for the provision of extraordinary unspecifiable services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. does not require that the Authority solicit at least two competitive quotations, as the agreed-on amount does not exceed 15% of the bid threshold, or \$2,625.00.

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 18th day of March, 2020 as follows:

1. The Chairman is authorized and directed to sign an agreement in a form approved by the Authority Attorney providing for general computer consultation services on an as needed basis to support the previously established electronic communications system (email) and website in accordance with the March 10, 2020 proposal of Up & Running at a not-to-exceed fee of \$1,350.00.
2. 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 budget 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.
3. 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 and Lampmann
NAYS	:	None
ABSENT	:	Commissioners Metcalfe and Voorman
ABSTAIN	:	None

9. PAYMENT OF BILLS

Operating Budget

9.1 Operating Request for Payment No. 394

Treasurer Lampmann presented and moved approval of Operating Request for Payment No. 394 as follows:

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

Operating Request for Payment No. 394

The following bills have been reviewed and are recommended for approval for payment at the March 18, 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-20-3-1	3/31/2018	\$ 250.00	Borough of Butler
2)	33.01	OP-20-3-2	10/1/2018	\$ 2,705.00	Borough of Butler
3)	24.07	OP-20-3-3	3/5/2020	\$ 151.88	J. Avagnano
4)	22.03	OP-20-3-4	3/10/2020	\$ 12,500.00	Kelly Engineering
5)	32.02	OP-20-3-5	3/13/2020	\$ 5,425.04	Kelly Engineering
6)	22.01	OP-20-3-6	3/5/2020	\$ 11,635.60	Maraziti Falcon LLP
7)	22.01	OP-20-3-7	3/5/2020	\$ 370.50	Maraziti Falcon LLP
8)	22.04	OP-20-3-8	2/25/1998	\$ 11,454.80	Hawkins Delafield & Wood
9)	33.03	OP-20-3-9	2/25/2020	\$ 32.10	Borough of Butler Electric
10)	33.03	OP-20-3-10	2/26/2020	\$ 41.67	Borough of Butler Electric
11)	24.07	OP-20-3-11	2/26/2020	\$ 82.62	North Jersey Media Group
12)	24.07	OP-20-3-12	2/26/2020	\$ 77.26	North Jersey Media Group
13)	24.07	OP-20-3-13	2/26/2020	\$ 113.14	North Jersey Media Group
14)	24.07	OP-20-3-14	2/26/2020	\$ 67.90	North Jersey Media Group
15)	24.07	OP-20-3-15	2/26/2020	\$ 69.46	North Jersey Media Group
16)	24.07	OP-20-3-16	2/26/2020	\$ 68.68	North Jersey Media Group
17)	24.07	OP-20-3-17	2/26/2020	\$ 68.68	North Jersey Media Group
18)	24.07	OP-20-3-18	2/26/2020	\$ 67.90	North Jersey Media Group
19)	25.01	OP-20-3-19	3/18/2020	\$ 280.52	Jamie Avagnano
20)	33.03	OP-20-3-20	2/7/2020	\$ 3.10	JCP&L
21)	33.06	OP-20-3-21	2/27/2020	\$ 596.31	Mott MacDonald
22)	33.02	OP-20-3-22	3/13/2020	\$ 550.00	County of Passaic
23)	22.03	OP-20-3-23	3/13/2020	\$ 1,093.28	Kelly Engineering
24)	23.01	OP-20-3-24	3/10/2020	\$ 175.00	Marsh McLennan
25)	24.04	OP-20-3-25	3/5/2020	\$ 310.03	Chatham Print & Design
26)	22.02	OP-20-3-26	3/5/2020	\$ 6,398.84	Remington & Vernick Engineers
			TOTAL:	\$ <u>54,589.31</u>	

Respectfully Submitted,

Jamie Avagnano
 Authority Administrator

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

AYES : Chairman Verdonik, Commissioners Gall,
 Howard and Lampmann

NAYS : None

ABSENT : Commissioners Metcalfe and Voorman

ABSTAIN : None

2. Construction Fund Disbursements

2.1 Construction Disbursement Requisition No. C-17-31

Treasurer Lampmann presented the bills as listed on Construction Fund Disbursement Requisition No. C-17-31 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)	120327C2	C-17-31-3-1	3/10/2020	\$ 2,798.20	Kelly Engineering
2)	120328C1	C-17-31-3-2	3/6/2020	\$46,840.08	Montana Construction
3)	120328C3	C-17-31-3-3	2/27/2020	\$10,585.43	Mott MacDonald
4)	120327C4	C-17-31-3-4	2/17/2020	\$ 3,088.05	NYS&W Railway
5)	120327C4	C-17-31-3-5	3/2/2020	\$ 1,715.00	Stanford Risk Management
TOTAL DISBURSEMENTS				<u>\$65,026.76</u>	

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

AYES : Chairman Verdonik, Commissioners Gall,
 Howard and Lampmann

NAYS : None

ABSENT : Commissioners Metcalfe and Voorman

ABSTAIN : None

OPEN MEETING FOR PUBLIC COMMENT

Chairman Verdonik opened the meeting to the public.

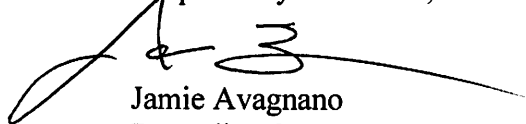
With no members of the public present Chairman Verdonik dispensed with the public participation portion of the meeting.

ADJOURNMENT

At approximately 7:21 pm, Commissioner Lampmann moved to adjourn the meeting. That motion was seconded by Commissioner Gall and approved unanimously on voice vote.

At approximately 7:21 pm, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Avagnano', with a long horizontal flourish extending to the right.

Jamie Avagnano
Recording Secretary

Enclosures: Treasurer's Report for the period ending February 29, 2020