MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

May 17, 2017

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on May 17, 2017 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,

Metcalfe and Verdonik

ABSENT : Commissioners Gall and Lampmann

ALSO PRESENT: 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 – April 19, 2017

Commissioner Metcalfe moved acceptance of the minutes of the Authority's April 19, 2017 meeting. That motion was seconded by Vice Chairman Verdonik and passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard,

Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN: None

OPERATIONAL REPORT

1. System Operations

1.1 Flow Report

Referring to the flows for April 2017 as summarized by the Flow Report dated May 16, 2017, Mr. Kelly noted that the total system flows increased substantially from 1.779 mgd in March to 2.276 mgd in April. On a year to date basis he said the total system flows remain relatively low at 1.772 mgd.

The following reports were distributed to the Board at the meeting:

- Triton Flow Report for April 2017
- Triton Daily Flow Summary for April 2017
- Triton Daily Flow Hydrograph for April 2017
- Triton M-15 vs. P-4 Hydrograph

1.2 TBSA Actual vs. Budgeted Flow Analysis

As indicated by his May 16, 2017 memorandum analyzing the TBSA budgeted vs. actual flows through April 30, 2017, Mr. Kelly reported that the year to date flows as recorded by TBSA's monitors for the PRBRSA flow and the TBSA total system flow were 1.191 mgd and 5.66 mgd, respectively. Overall he said the PRBRSA flows remain higher than TBSA's estimates going into the fiscal year such that the Authority, if the trend continues, would be assessed an additional 1.32% for TBSA's User Charge at year end.

1.3 ADS Response (Meters P-2A and P-4)

Referring to the response from ADS dated April 26th and his corresponding letter to the Board dated April 27th, Mr. Kelly recommended that the Authority release payment to ADS. The Board agreed that the payments withheld to date should be released and that future payments will be made as upon Board approval.

1.4 PRBRSA Interceptor Inspection: 2017

In order to proceed with the CCTV-inspection and engineering analysis of the pipeline condition of the PRBRSA Interceptor, Mr. Kelly said that Mott MacDonald is expected to submit a proposal for the Authority's consideration at the June meeting.

1.5 Asset Management: GIS System

Based on reports from Duane Chapman of Mott MacDonald, Mr. Kelly said that the work on the GIS system development is proceeding according to schedule. He reported on his review of the initial mapping that he found all information to be well presented and easily accessible. MM advises that the work will be completed next month. The remaining activities involve incorporation of the specific asset attributes, for example, the diameter, slope, type of material of the lines themselves and similar information on the manholes. In addition he said the engineer will be adding supplemental information of particular relevance to each of the individual interceptor segments.

2. TBSA Activities

2.1 Status Update

Vice Chairman Verdonik reported on various matters underway at the Two Bridges Authority as they affect Pequannock River Basin, primarily the status of the ongoing construction work on the pumping stations and wastewater treatment plant improvements.

3. TWA Applications and Connection Permits

3.1 Residential Connection Nos. 84 & 88 Mathews Avenue Borough of Riverdale

No change in status on this matter.

3.2 TWA Application Reeve Avenue Sewer Extension Borough of Bloomingdale

No change in status on this matter.

4. Boonton Avenue Interceptor Project

4.1 Contract No. I-4A: Hutton Construction

Referring to recent communications with Hutton Construction and Suburban Consulting Engineers, Mr. Kelly advised that the close-out is now scheduled for the Board's June 21st meeting.

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

Following Commissioner Howard's indication that work is in progress, Mr. Kelly said that he field inspected the ongoing work, L. Becker & Son's replacement of the NYS&W railroad grade crossing of the Hamburg Turnpike in Riverdale.

As indicated by Mott MacDonald's May 8, 2017 draft report and Mr. Kelly's analysis of MM's findings per his May 16, 2017 memorandum, the tunneling operation is expected to cost between \$1.3 and \$1.4 million dollars for construction costs including contingencies but without the "soft costs" included. Overall Mr. Kelly estimated that the total project cost may be on the order of \$2 million.

While his May 16th analysis included a method to possibly reduce the tunneling length in half thereby substantially reducing costs, Mr. Kelly said the benefit of replacing approximately 240 feet of pipe may not be worth the expense of doing so yet ultimately that would be the Board's decision.

If, instead of tunneling, the railroad crossing can be open cut, the savings should be substantial. Consequently, the open cut installation will also be presented to the railroad for approval.

In the interim Mr. Kelly reported that he discussed the project with Jim Becker of L. Becker & Son, a local contractor that installs grade crossings for the NYS&W railroad. As a result of that conversation he said that another crossing location will be considered - the possibility of acquiring an easement within the parking lot of 10 Park Place to the west of the location previously proposed in Park Place. He described the pros and cons of the alternative location which has the significant advantage of reducing the utility conflicts, the traffic issues and the need to remove and replace the grade crossing. He said that Mr. Becker advised that the time to complete the grade crossing work, as a practical matter, may not be reduced much less than 3 to 4 days. Therefore the total time of the railroad shutdown, allowing time for the open cut, casing and carrier pipe installation, would likely be on the order of 6 to 7 days.

Based on the above Mr. Kelly reported that 3 options will be discussed with the railroad:

- 1) Tunneling within Park Place
- 2) Open cut within Park Place
- 3) Open cut within an easement in the 10 Park Place property

Lastly, Mr. Kelly indicated that a meeting has been scheduled with the railroad's chief engineer, Todd Dragland, and with John Scheri of Mott MacDonald for Tuesday, May 23rd.

Based on his review of the Mott MacDonald May 8th report and Mr. Kelly's related May 16th memorandum, Commissioner Howard raised a number of points on strategy with the NYS&W railroad. Among others he raised the prospect, per counsel's comments that, under the Sewerage Authorities Law, the Authority effectively has equal rights to those of the railroad. Mr. Falcon agreed adding that the Sewerage Authorities Law grants rights to utilities to maintain access to the public right-of-way to provide for critical public infrastructure. Mr. Kelly explained that the meeting with the railroad will be of a technical nature and therefore the legal rights of the Authority to cross the railroad within the public right-of-way will not be asserted nor will costs be addressed except in broad terms, at least initially. Those matters will of course be addressed at the appropriate time.

FINANCIAL REPORT

1. Treasurer's Report

1.1 April 30, 2017 Treasurer's Report

Mr. Kelly presented the Treasurer's Report for the period ending April 30, 2017 dated May 8, 2017. Vice Chairman Verdonik moved acceptance of the Treasurer's Report as submitted. Commissioner Metcalfe seconded that motion which passed unanimously on the following roll call vote:

AYES: Chairman Voorman, Commissioners Howard

Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN: None

1.2 Riverdale Annual Charge Challenge 2017

Concerning the Borough of Riverdale's challenge to the Authority's Annual Charge Assessment for FY 2014, FY 2015 and FY 2016, Mr. Kelly recommended that the Authority retain an independent engineering expert to review the matter. Since Kleinfelder prepared the prior report commenting on the ADS metering system and the accuracy of ADS' flow data, Mr. Kelly requested authorization to solicit a proposal from the firm. The Board unanimously agreed.

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Mr. Kelly also presented a draft letter to Mayor Carelli advising that the Authority is in the process of reviewing the Borough's position and requesting certain information for that purpose.

UNFINISHED BUSINESS

1. Contingency Operating Plan

No Change in status on this matter.

2. Riverdale Membership Petition

No change in status on this matter

3. By-Laws Review

Consistent with the Board's discussions at the April 19th meeting, Mr. Falcon presented Resolution No. R-17-5-2 by which the Authority would amend the By-Laws. He explained the amendment establishes a prequalification for the Office of the Chairman, a minimum of three years prior service on the Board.

Following discussion, Commissioner Howard moved acceptance of the resolution (Resolution No. R-17-5-2):

Resolution No. R-17-5-2

RESOLUTION AMENDING BY-LAWS REGARDING LENGTH OF SERVICE NECESSARY TO HOLD OFFICE OF CHAIRMAN

WHEREAS, the provisions of the Sewerage Authorities Law, and particularly N.J.S.A. 40:14A-7(11), authorize the Pequannock River Basin Regional Sewerage Authority (hereinafter the "Authority") to make By-Laws and regulations for the management of its business and affairs, and to amend the same from time to time; and

WHEREAS, the Authority desires to amend its By-Laws to provide a tenure requirement of three years prior service on the Authority as a precondition to eligibility to hold the Office of Chairman; and

NOW, THEREFORE, 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 17th day of May, 2017 as follows:

- 1. The By-Laws of the Authority are hereby amended to revise Article IV entitled "Officers" to read as follows:
 - a) The Officers of the Authority shall be a Chairman, a Vice-Chairman, a Secretary, an Assistant Secretary, and a Treasurer.

- b) The Chairman, Vice-Chairman, Secretary, Assistant Secretary and Treasurer shall be elected by the Members of the Authority at the Annual Meeting, and shall hold office until the Annual Meeting next ensuing and until their successors have been elected and qualify.
- c) In order to be eligible to be elected to the Office of Chairman of the Authority, an individual must have served as a Member of the Authority for at least three years.
- d) Vacancies in any office having a fixed term shall be filled by the Authority for the unexpired balance of the term by special election held at the next regular meeting.
- 2. The Consulting Engineer is authorized and directed to provide a copy of this Resolution to the Clerks of Bloomingdale, Butler, Kinnelon and Riverdale within thirty (30) days of the date hereof.
- 3. This Resolution has been adopted in accordance with the provisions of Article XIII "Amendments".
- 4. This Resolution shall take effect as provided by law.

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

AYES: Chairman Voorman, Commissioners Howard

Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN: None

4. Workers Compensation Policy Renewal

Mr. Kelly recommended renewal of the workers compensation policy in accordance with the Liberty Mutual quotation in the amount of \$1,013.00, a \$3.00 reduction from the prior year.

Following discussion Vice Chairman Verdonik moved approval of the resolution (Resolution No. R-17-5-3):

Resolution No. R-17-5-3

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 a quotation for Worker's Compensation Insurance from Liberty Mutual Insurance Group for \$1,013.00;

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 Consulting Engineer 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 May, 2017, as follows:

- 1. The Authority hereby approves and authorizes the Consulting Engineer to acquire the aforesaid insurance policy.
- 2. The Authority hereby authorizes payment to the above company of the premium due in the amount of \$1,013.00.
- 3. The Consulting Engineer 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.

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

AYES: Chairman Voorman, Commissioners Howard

Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN: None

5. General Liability Policy Renewal

A "Schedule of Insurance Coverages" comparing the 2017/2018 premium quotations to those of the prior year was presented to the Board.

As indicated by his May 17, 2017 letter, Mr. Kelly recommended award of the contract to Marsh McLennan for renewal of the Arch Commercial package policy including the \$10 million umbrella coverage. As his letter notes, Stanford Risk Management recommended an increase of the cyber security coverage from \$50,000 to \$200,000 for an additional premium of \$200. With that increase and a

\$5,000 increase for the umbrella coverage the total increase over the prior year amounts to \$5,167.62, or 30.5%.

Following further discussion, Commissioner Metcalfe moved approval of the resolution (Resolution No. R-17-5-4):

Resolution No. R-17-5-4

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, Stanford Risk Management has recommended award of the contract to Arch Insurance Company for coverage from June 23, 2017 through June 23, 2018; and

WHEREAS, the Authority desires to award a contract to Arch Insurance Company for the following coverages for the premiums indicated by Broker quotation of May 16, 2017 as generally summarized below:

ARCH INSURANCE COMPA	<u>NY</u>	
General Liability	\$	3,629.00
Employment Practices Liability	\$	386.00
Professional Liability	\$	752.00
Crime	\$	435.00
Commercial Auto	\$	197.00
Property	\$	578.00
Umbrella Package	\$	15,000.00
Subtotal:	\$	20,977.00
Taxes:	\$	114.62
Total Premium:	\$	21,091.62

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 Consulting Engineer 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 May, 2017, as follows:

- 1. The Authority hereby approves and authorizes the Consulting Engineer to acquire the aforesaid insurance policies.
- 2. The Authority hereby authorizes payment to the Broker of the premium due in the total amount of \$21,091.62 in order to obtain the policies.
- 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.

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

AYES: Chairman Voorman, Commissioners Howard

Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN: None

NEW BUSINESS

1. 2017 LFB Financial Disclosure

For the record Mr. Kelly distributed a copy of the "2017 - Local Government Officer - Roster" showing that all PRBRSA required filings have been submitted to the Local Finance Board prior to the deadline

PAYMENT OF BILLS

1. Operating Budget

1.1 Operating Request for Payment No. 363

Mr. Kelly presented Operating Request for Payment No. 363. Vice Chairman Verdonik moved approval of Operating Request for Payment No. 363 as follows:

			OPE	RAT	ING EXPEN	ISES		
				Operating Request for Payment No. 363				
						approval for payment at the		
May 1	17, 2017 mee	ting of the Auth	ority from the (Opera	ting Account	(Wells Fargo Bank Account 1425985):		
######################################	PRBRSA	VOUCHER	VOUCHER	PAYMENT				
	ACCT. NO.	NO.	DATE		MOUNT	CHECK PAYABLE TO		
1)	24.05	OP-17-5-1	3/31/2016	\$	250.00	Borough of Butler		
2)	·	OP-17-5-2	10/1/2016		2,570.00	Borough of Butler		
3)	******	OP-17-5-3	5/1/2017		7,500.00	Mott MacDonald		
4)	23.03	OP-17-5-4	4/18/2017	\$	1,013.00	Liberty Mutual		
5)	24.07	OP-17-5-5	5/5/2017	\$	131.89	Kelly Engineering		
6)	22.03	OP-17-5-6	5/3/2017	\$	10,400.00	Kelly Engineering		
7)	32.02	OP-17-5-7	5/8/2017	\$	8,062.52	Kelly Engineering		
8)	22.01	OP-17-5-8	5/9/2017	\$	2,974.60	Maraziti Falcon LLP		
9)	24.07	OP-17-5-9	4/30/2017	\$	65.38	North Jersey Media		
10)	33.03	OP-17-5-10	4/4/2017	\$	17.96	Borough of Butler Electric		
11)	33.03	OP-17-5-11	5/2/2017	\$	17.96	Borough of Butler Electric		
12)	33.03	OP-17-5-12	4/28/2017	\$	37.29	Verizon		
13)	7	OP-17-5-13	4/23/2017	\$	33.02	Verizon		
14)	33.03	OP-17-5-14	4/4/2017	\$	37.20	Verizon		
15)	33.03	OP-17-5-15	3/28/2017		37.08	Verizon		
16)	33.03	OP-17-5-16	4/28/2017		37.29	Verizon		
17)	33.03	OP-17-5-17	5/4/2017		37.19	Verizon		
18)	33.03	OP-17-5-18	5/10/2017		3.32	JCP&L		
19)		OP-17-5-19	5/16/2017		15,056.62	Marsh & McLennan		
20)	32.03	OP-17-5-20	5/16/2017		6,035.00	Marsh & McLennan		
***************************************					***************************************			
	The state of the s		TOTAL:	<u>\$</u>	<u>54,317.32</u>			

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

AYES: Chairman Voorman, Commissioners Howard,

Metcalfe and Verdonik

NAYS : None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN : None

2. Construction Fund Disbursements

2.1 Construction Disbursement Requisition No. C-13-49

Mr. Kelly presented the bills as listed on Construction Fund Disbursement Requisition No. C-13-49. Vice Chairman Verdonik moved its approval as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-13-49

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 May 17, 2017:

	AUTHORITY ACCOUNT #	VOUCHER NUMBER	VOUCHER DATE		YMENT MOUNT	PAYEE
1)	120322	C-13-49-5-1	5/8/17	\$	1,101.22	Kelly Engineering
2)	120326	C-13-49-5-2	3/10/17	\$	1,535.50	Cleary Giacobbe Alfieri Jacobs
3)	120326	C-13-49-5-3	4/6/17	\$	166.50	Cleary Giacobbe Alfieri Jacobs
		TOTAL DISBURSEMENTS			2,803.22	

UNLESS OTHERWISE DIRECTED, ALL CHECKS SHALL BE MAILED DIRECTLY TO THE CLAIMANT AT THE ADDRESS INDICATED ON THE VOUCHER FORM.

In compliance with Section 513, Subsection (B) of the Resolution, all disbursement requests listed above are supported by copies of the enclosed voucher forms, each of which has been signed by two Authority Officers and the Consulting Engineer certifying that such disbursement is necessary to pay part of such cost of the Project.

As required by Section 513(B) of the Resolution, any disbursements for "... the purpose of paying the purchase price or cost of any lands, easements, rights or interest in or relating to lands or paying the cost or expense of work, materials, supplies or equipment ...", will be accompanied by a Consulting Engineer's Certificate as required by Section 513(B) of the Resolution. The supporting Consulting Engineer's Certificate is attached.

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

AYES: Chairman Voorman, Commissioners Howard,

Metcalfe and Verdonik

NAYS: None

ABSENT: Commissioners Gall and Lampmann

ABSTAIN: None

2.2 Construction Disbursement Requisition No. C-13-49

Mr. Kelly presented the bills as listed on Construction Fund Disbursement Requisition No. C-17-1. Vice Chairman Verdonik moved its approval as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-17-1

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 May 17, 2017:

	AUTHORITY ACCOUNT #	VOUCHER NUMBER	VOUCHER DATE	PAYMENT AMOUNT	PAYEE	
1)	120327	C-17-1-5-1	4/7/17	\$ 816.40	Kelly Engineering	
2)	1203272	C-17-1-5-2	5/8/17	\$ 396.80	Kelly Engineering	
3)	120327	C-17-1-5-3	5/1/17	\$ 1,971.80	Mott MacDonald	
	TOTAL DISBURSEMENTS			<u>\$_3,185.00</u>		

UNLESS OTHERWISE DIRECTED, ALL CHECKS SHALL BE MAILED DIRECTLY TO THE CLAIMANT AT THE ADDRESS INDICATED ON THE VOUCHER FORM.

In compliance with Section 513, Subsection (B) of the Resolution, all disbursement requests listed above are supported by copies of the enclosed voucher forms, each of which has been signed by two Authority Officers and me certifying that such disbursement is necessary to pay part of such cost of the Project.

As required by Section 513(B) of the Resolution, any disbursements for "... the purpose of paying the purchase price or cost of any lands, easements, rights or interest in or relating to lands or paying the cost or expense of work, materials, supplies or equipment . ..", will be accompanied by a Consulting Engineer's Certificate as required by Section 513(B) of the Resolution. The supporting Consulting Engineer's Certificate is attached.

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Upon payment of the above vouchers, please forward to the undersigned a statement of the balance in the 2017 Project account.

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

AYES : Chairman Voorman, Commissioners Howard,

Metcalfe and Verdonik

NAYS : None

ABSENT : Commissioners Gall and Lampmann

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 8:20 pm, Vice Chairman Verdonik moved adjournment. Commissioner Metcalfe seconded the motion which was approved unanimously on voice vote.

At approximately 8:20 pm, the meeting was adjourned.

Respectfully submitted

Recording Secretary

Enclosures: Treasurer's Report for the period ending April 30, 2017