

MEETING MINUTES

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

September 20, 2017

Minutes of the regular meeting of the **Pequannock River Basin Regional Sewerage Authority** held on September 20, 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 Gall, Howard, Lampmann and Verdonik

ABSENT : Commissioner Metcalfe

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 – August 16, 2017**

Commissioner Gall moved acceptance of the minutes of the Authority's August 16, 2017 meeting. That motion was seconded by Commissioner Lampmann and passed on the following roll call vote:

AYES : Chairman Voorman, Commissioners Gall, Howard and Lampmann

NAYS : None

ABSENT : Commissioner Metcalfe

ABSTAIN : Vice Chairman Verdonik

OPERATIONAL REPORT

1. System Operations

1.1 Flow Report

Referring to the draft Flow Report dated September 13, 2017 for the period ending August 31, 2017, Mr. Kelly noted that the flows dropped significantly from the prior month from 1.752 to 1.469 mgd. He observed as well that the total flow on a year-to-date basis at 1.777 mgd is also relatively low.

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

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

1.2 TBSA Actual vs. Budgeted Flow

As indicated by his September 13, 2017 memorandum, Mr. Kelly advised that on a year-to-date basis the Authority's actual flow remains well below its contractual minimum with Two Bridges of 1.85 mgd. Therefore the trend remains that the Authority will owe additional TBSA user charges at the end of the fiscal year. Based on current figures that would amount to an increase of 1.70 percent.

1.3 PRBRSA Interceptor Inspection: 2017

Reporting on the three bids received on September 14th, Mr. Kelly said that the low bid was extraordinarily competitive at \$53,307.25. That compares to a high bid of \$100,925.00.

Following review of the bids and the bid packages, Mott MacDonald, by letter dated September 18, 2017, recommends award of the contract to the lowest bidder, National Water Main Company. As stated by his September 19th letter, Mr. Kelly concurs with that recommendation. Mr. Falcon reported that the bid package is in order and therefore the contract may be awarded.

Following further discussion, Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-17-9-1**):

RESOLUTION AUTHORIZING SANITARY INTERCEPTOR SEWER CLEANING AND INTERNAL VIDEO INSPECTION PROJECT CONTRACT WITH NATIONAL WATER MAIN CLEANING COMPANY

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (“Authority”) solicited bids providing for Sanitary Sewer Cleaning and Internal Video Inspection of sanitary interceptor sewers in the Boroughs of Bloomingdale and Riverdale; and

WHEREAS, three bids were received on September 14, 2017 as follows:

- a) National Water Main Cleaning Company - \$53,307.25
- b) North American Pipeline Services, LLC - \$76,155.55
- c) PIM Corporation - \$100,925.00; and

WHEREAS, National Water Main Cleaning Company, having a business address at 1806 Newark Turnpike, Kearny, NJ 07032-4314 submitted the lowest responsible bid; and

WHEREAS, the Authority Attorney has reviewed the bid as to compliance with the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) and the Bid Specification and finds that the low bid complies with the same; and

WHEREAS, the Authority’s Consulting Engineer, Mott MacDonald, has recommended that the Contract be awarded to National Water Main Cleaning Company; and

WHEREAS, the Authority concurs in the said recommendation and hereby determines to authorize the award.

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 20th day of September, 2017, as follows:

1. The Authority hereby awards Contract No. PRB-17-1 to National Water Main Cleaning Co., having a business address at 1806 Newark Turnpike, Kearny, NJ 07032-4314 in the amount of \$53,307.25.
2. The Contract awarded herein to National Water Main Cleaning Co., Inc. shall commence after the execution of the Contract, the submission of the Performance Guarantees and all required insurance certificates required by the Contract, and after the issuance of a Notice to Proceed issued on behalf of the Authority.
3. The bids and bid security of the unsuccessful bidders shall be returned to them within three days, Sundays and holidays excepted, after the awarding and signing of the Contract and approval of the Contractor’s Performance Bond.

4. Daniel D. Kelly, P.E. is hereby authorized and directed to take such actions as are necessary or desirable to effectuate the terms and conditions of this Resolution.
5. The Authority Treasurer certifies the availability of funds for Contract No. PRB-17-1.
6. This Resolution shall take effect as provided by law.

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

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

NAYS : None

ABSENT : Commissioner Metcalfe

ABSTAIN : None

2. **TBSA Activities**

2.1 **Status Update**

Chairman Voorman and Vice Chairman Verdonik reported on various matters at Two Bridges as they affect Pequannock River Basin. Specifically, they advised that Two Bridges approved its FY 2018 budget in substantially the same amount as initially proposed. The budget includes an approximate \$9,500 increase for PRBRSA.

Mr. Kelly advised that Two Bridges will be changing outdated metering equipment for TBSA's Meter M-13, M-14 and M-15. To cross-check the accuracy of the new metering equipment, Mr. Murphy said that the Authority will utilize PRBRSA's Meter P-4 data inasmuch as both meters have correlated extremely well over the last several years.

3. **TWA Applications and Connection Permits**

3.1 **Non-Residential Connection**

Quick Chek

1441 Route 23 Mathews Avenue/Stonehouse Road Sewer Extension Borough of Butler

Noting that the Quick Chek project on the northbound side of Route 23 in Butler has been dormant for some time, Mr. Kelly said that the applicant has submitted data in support of compliance with Article V, Section 5.1 of the Service Rules for oil and grease limits. Although the applicant's engineer has not submitted an engineering report on the results, based on

his review, Mr. Kelly said that the data indicates that the oil and grease interceptor will comply with the 100 mg/l limit.

**3.2 TWA Application
Kinnelon Shelter and Community Center
Borough of Kinnelon**

Mr. Kelly advised that the Borough of Kinnelon has filed with NJDEP a report in support of an Amendment to the Northeast Water Quality Management Plan. He noted that the project remains substantively similar to that originally proposed yet the application provides considerably greater detail on the engineering and environmental aspects of the project. He advised that the Authority need not take action on the matter at this time.

4. Boonton Avenue Interceptor Project

4.1 Contract No. I-4A: Hutton Construction

Mr. Kelly indicated that by letter dated September 12, 2017, Suburban Consulting Engineers recommends final acceptance of all work performed by Hutton Construction under Contract No. I-4A along with release of retainage withheld on the contract. Mr. Kelly said that on review of the payment estimate and related documentation, he concurs with SCE's recommendation.

Following further discussion Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-17-9-2**):

RESOLUTION ACCEPTING THE WORK FOR THE BOONTON AVENUE INTERCEPTOR PROJECT CONTRACT NO. I-4A FOR SANITARY SEWER PIPE AND MANHOLE REPLACEMENT; AUTHORIZING FINAL PAYMENT

WHEREAS, pursuant to Resolution No. R-15-1-3, the Pequannock River Basin Regional Sewerage Authority (hereinafter the "Authority") authorized the award of the Authority's "Boonton Avenue Interceptor Project, Contract No. I-4A Sanitary Sewer Pipe and Manhole Replacement" (hereinafter Contract No. I-4A) to Hutton Construction L.L.C, having a business address of 41 Village Park Road, Cedar Grove, New Jersey 07009 (hereinafter "Hutton Construction") for the Total Bid Amount of \$387,072.00.

WHEREAS, after Contract No. I-4A was fully executed, the Authority issued a Notice to Proceed to Hutton Construction; and

WHEREAS, by letter dated September 12, 2017 to the Authority, Suburban Consulting Engineers, Inc. recommends to the Pequannock River Basin Regional Sewerage Authority final acceptance of this project; and

WHEREAS, the final contract value is \$467,941.33 based on an original contract value of \$387,072.00 plus net changes in the amount of \$80,869.33; and

WHEREAS, the Authority has made payments to Hutton Construction in the total amount of \$458,582.51, leaving a remaining contract balance of \$9,358.82, which includes all retainage withheld; 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 20th day of September, 2017 as follows:

1. The Authority hereby determines that on the date of the adoption of this Resolution, the work performed by Hutton Construction is finally complete and acceptable as to Contract No. I-4A. This Resolution shall be deemed the Notice of Completion required by Contract No. I-4A and shall remain on file at the offices of the Authority.
2. Subject to NJDEP final close-out of NJEIT Loan No. S-340-459-05, the Authority approves Payment Application No. 5 in the remaining contract balance of \$9,358.82 which amount includes all retainage withheld, as the final payment to Hutton Construction.
3. This Resolution shall take effect as provided by law.

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

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

NAYS : None

ABSENT : Commissioner Metcalfe

ABSTAIN : None

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

By letter dated September 18, 2017, the Borough of Butler cited several conditions related to local approval to utilize the Borough park for the Authority's interceptor crossing of the NYS&W railroad.

Mr. Kelly explained that the Borough requests that PRBRSA pay for the water main installation and that no construction activity be conducted which would interfere with the Borough's Memorial Day activities and those of 9/11 as well.

Mr. Kelly distributed an engineering plan titled "Proposed Sanitary Sewer Crossing of NYS&W Railroad" dated September 2017 showing additional details on the proposed Butler water main and the proposed sewer line installation.

Discussions centered on the possibility that Butler would install the two 10"x10" tees and 10" valves with capped stub connections (the material will be provided by or the cost paid by PRBRSA). That would facilitate the sewer construction work allowing PRBRSA's contractor to work without the need to directly tie-in to Butler's system. It would also allow flexibility in terms of schedule, the contractor would be able to work independently of the water system shutdowns required for the connections on both sides of the railroad. Should the Borough not elect to install the valved connections, Mr. Kelly said that work would need to be included in the sewer construction contract.

Commissioner Lampmann and Verdonik explained that the Memorial Day ceremonies are typically conducted in the vicinity of the centerpiece memorials away from the proposed construction work closer to the railroad. With proper protection in place to safeguard the public, construction activities may proceed before and following the ceremony.

As to the 9/11 ceremonies, they said while the construction contract will stipulate the intent to have all construction work and restoration completed prior to 9/11, if that is not possible for the jacking operation itself (a 12'x45' tight sheeted pit located some 15' east of the 9/11 Memorial itself), the area must be cordoned off, graded, temporarily sodded and a temporary bituminous sidewalk installed for public access to the Memorial.

The Board agreed that it would be reasonable to pay for the Butler water main installation as an integral part of the sewer construction project and to limit construction activities to the extent possible to avoid conflicts with the Borough's Memorial Day and 9/11 ceremonies. The Consulting Engineer was directed to advise the Borough accordingly.

FINANCIAL REPORT

1. Treasurer's Report

1.1 August 31, 2017 Treasurer's Report

Treasurer Lampmann presented and moved approval of the Treasurer's Report for the period ending August 31, 2017. Vice Chairman Verdonik seconded that motion which passed unanimously on the following roll call vote:

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

NAYS : None

ABSENT : Commissioner Metcalfe

ABSTAIN : None

1.2 Annual Budget: FY 2018

For the record Mr. Kelly advised that the State's Division of Local Government Services approved the Authority's annual budget for the upcoming year on September 18th. He noted that action will enable the Authority to proceed with budget adoption following a budget hearing at its October 18th meeting.

1.3 Capital Reserve Fund

Chairman Voorman called attention to the analysis prepared by the auditor of the capital reserves of other authorities. He noted that Mr. Cuva's analysis included four agencies with significant variance in the amount of reserves relative to each agency's operating budget. Mr. Cuva's letter of September 14, 2017 indicates that there are no guidelines nor maximums in the regulations for authorities or municipalities.

UNFINISHED BUSINESS

1. Contingency Operating Plan

Discussions continued from those at the August 16th meeting on the creation of a staff position of Authority Administrator. Mr. Kelly distributed his September 14, 2017 letter with drafts of the Authority Administrator Job Description along with a Succession Plan of the same date. At the same time Mr. Kelly distributed updated versions dated September 20th of each of those documents.

On review of both documents, the Board discussed at length the best path forward to create and fill the Authority Administrator position. Based on Member comments at the meeting, the Board asked Mr. Kelly to amend the Job Description and the Succession Plan in accordance with their comments and redistribute it to the Board.

In response to Chairman Voorman's question, Commissioner Lampmann said he believes the Borough of Butler would be willing, if neither of the other towns comes forward, to enter into a shared services agreement with PRBRSA to retain the Authority Administrator as a Butler Borough employee. Mr. Kelly noted that Mr. Lampmann distributed, and that he and counsel have reviewed, Butler's current agreement for a comparable arrangement with the New Jersey Public Power Supply Authority for that agency's executive director.

Mr. Falcon said that he would prepare a draft of the shared services agreement and other documents required to move forward with the establishment and staffing of the Authority Administrator position for the Board's review.

2. **Riverdale Membership Petition**

No change in status on this matter.

3. **Riverdale Annual Charge Challenge:2017**

In view of potential litigation, counsel recommended discussing Riverdale's challenge to the Authority's Annual Charges in Closed Executive Session.

On advice of counsel, in order to enter Closed Executive Session, Commissioner Lampmann moved approval of the following resolution (**Resolution No. R-17-9-3**):

**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 September, 2017, 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 anticipated litigation.
2. It is not known at the present time when the matter under discussion will be disclosed.
4. 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.

Closed Executive Session

At approximately 8:50 pm, Commissioner Lampmann moved to adjourn the closed executive session and reopen the meeting to the public. Vice Chairman Verdonik seconded that motion which passed unanimously on the following roll call vote:

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

At approximately 8:50 pm, the closed session was adjourned and the meeting reopened to the public.

NEW BUSINESS

None

PAYMENT OF BILLS

1. **Operating Budget**

- 1.1 **Operating Request for Payment No. 367**

Treasurer Lampmann presented and moved approval of Operating Request for Payment No. 367 as follows:

PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY					
SUMMARY OF VOUCHERS FOR OPERATING EXPENSES					
Operating Request for Payment No. 367					
The following bills have been reviewed and are recommended for approval for payment at the September 20, 2017 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-17-9-1	3/31/2016	\$ 250.00	Borough of Butler
2)	33.01	OP-17-9-2	10/1/2016	\$ 2,570.00	Borough of Butler
3)	24.07	OP-17-9-3	9/7/2017	\$ 131.89	Kelly Engineering
4)	22.03	OP-17-9-4	9/5/2017	\$ 10,400.00	Kelly Engineering
5)	32.02	OP-17-9-5	9/8/2017	\$ 8,080.24	Kelly Engineering
6)	22.01	OP-17-9-6	9/8/2017	\$ 5,778.51	Maraziti Falcon LLP
7)	33.06	OP-17-9-7	9/8/2017	\$ 974.00	Maraziti Falcon LLP
8)	33.06	OP-17-9-8	8/31/2017	\$ 9,005.12	Kleinfelder
9)	33.06	OP-17-9-9	9/11/2017	\$6,442.55	Mott MacDonald
10)	33.01	OP-17-9-10	8/25/2017	\$ 3,333.00	ADS LLC
11)	24.07	OP-17-9-11	8/19/2017	\$ 124.45	North Jersey Media
12)	24.07	OP-17-9-12	8/23/2017	\$ 124.45	North Jersey Media
13)	24.04	OP-17-9-13	8/28/2017	\$ 61.75	Tab Group
14)	33.03	OP-17-9-14	8/31/17	\$ 17.96	Borough of Butler Electric
15)	33.03	OP-17-9-15	9/11/2017	\$ 3.32	JCP&L - No Voucher Needed per Legislation
16)	33.01	OP-17-9-16	9/11/2017	\$ 3,333.00	ADS LLC
17)	24.07	OP-17-9-17	9/13/2017	\$ 608.34	Star Ledger - NJ Advance Media
TOTAL:				\$ 51,238.58	

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

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

2. Construction Fund Disbursements

2.1 Construction Disbursement Requisition No. C-13-52

Treasurer Lampmann presented and moved approval of the bills as listed on Construction Fund Disbursement Requisition No. C-13-52 as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-13-52

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 **September 20, 2017**:

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120322C6.1	C-13-52-9-1	5/4/17	\$ 9,358.82	Hutton Construction
			TOTAL DISBURSEMENTS	<u>\$ 9,358.82</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.

Upon payment of the above vouchers, please forward to the undersigned a statement of the balance in the **2013 Project** account.

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

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

2.2 Construction Disbursement Requisition No. C-17-5

Treasurer Lampmann presented and moved approval of the bills as listed on Construction Fund Disbursement Requisition No. C-17-5 as follows:

CONSTRUCTION DISBURSEMENT REQUISITION No. C-17-5

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 **September 20, 2017**:

	<u>AUTHORITY ACCOUNT #</u>	<u>VOUCHER NUMBER</u>	<u>VOUCHER DATE</u>	<u>PAYMENT AMOUNT</u>	<u>PAYEE</u>
1)	120327	C-17-5-9-1	9/8/17	\$ 5,933.26	Kelly Engineering
TOTAL DISBURSEMENTS				<u>\$ 5,933.26</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.

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

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

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

NAYS : None

ABSENT : Commissioner Metcalfe

ABSTAIN : None

OPEN MEETING FOR PUBLIC COMMENT

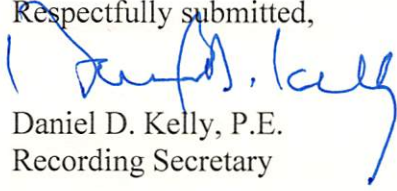
There being no members of the public present, Chairman Voorman dispensed with the public participation portion of the meeting.

ADJOURNMENT

At approximately 8:50 pm, Commissioner Lampmann moved adjournment. Commissioner Gall seconded the motion which was approved unanimously on voice vote.

At approximately 8:50 pm, the meeting was adjourned.

Respectfully submitted,


Daniel D. Kelly, P.E.
Recording Secretary

Enclosures: Treasurer's Report for the period ending August 31, 2017