

**ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY
MINUTES OF THE REGULAR SCHEDULED BOARD MEETING OF THE
DECEMBER 9, 2021**

The regularly scheduled meeting of the Rockaway Valley Regional Sewerage Authority was held on Thursday, December 9, 2021. The meeting started at 7:00 PM

This meeting was held through ZOOM Meetings, telephonically and in person as to follow the Governors COVID-19 guidelines.

NOTICE is hereby given, pursuant to Section 13 of the Open Public Meetings Act and guidance issued by the Department of Community Affairs, entitled Local Operational Guidance- Covid-19: Guidance for Remote Public Meetings in New Jersey, issued on April 24, 2020, that the regular meeting of the Rockaway Valley Regional Sewerage Authority will convene telephonically and/or Zoom Video on Thursday, December 9, 2021, at 7 P.M. Due to the COVID-19 pandemic, the offices of the RVRSA will be closed to the public for this meeting due to concerns for public health and safety however; the public is invited to participate in the meeting telephonically or through Zoom Video Meeting. The agenda is available on the website of the RVRSA at <https://rvrsa.org/agenda/>

<https://us02web.zoom.us/j/84168372222?pwd=eDdySWREWTB6SHYrSVMrZUFwWEJDdz09>

Meeting ID: 841 6837 2222 Passcode: 5hcaL3

One tap mobile+16465588656,,84168372222#,,,,*456293# US (New York)

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Meeting ID: 841 6837 2222 Passcode: 456293

Find your local number: <https://us02web.zoom.us/j/84168372222?pwd=eDdySWREWTB6SHYrSVMrZUFwWEJDdz09>

- **This meeting was posted on the RVRSA website and on the public notice board in the main RVRSA building.**
- **This meeting was advertised in the Daily Record and the Star Ledger newspapers.**

Assistant Board Secretary, Janice Fox, read a statement that timely notice of the meeting had been provided in accordance with the Open Public Meeting Act to member municipalities, members of the Authority and designated newspapers.

The salute to the United States flag followed.

Roll Call Attendance was taken:

The following Board Members were present: Messrs. Andes of Town of Denville, Cegelka of Borough of Victory Gardens, Farrell of Township of Boonton, Guadagno of Township of Randolph, Howarth of Borough of Rockaway, Isselin of Town of Dover, Recchia of Town of Boonton, Schorno of Township of Rockaway, and Zuppa of City of Jersey City.

The following Board member was absent: Corbett of the Borough of Wharton.

There was a quorum.

Also present was Joseph Maraziti and Brad Carney, Heather Pierce, and Phoebe Youhanna, Esqs. of Maraziti Falcon, Dina Adinolfi, Stenographer for Maraziti Falcon.

Authority staff present was JoAnn Mondsinì, Robert Bocchino, and Janice Fox.

Also present was Nancy Wohlleb of Mott McDonald.

Correspondence

- None

Public Portion – Agenda Items Only

- No Public Comment

Consent Agenda

- **Approval of Minutes** of November 11, 2021 Special Board Meeting
- **Resolution 21-132** Authorizing Award Lab Contract to ALS Group USA Corp. DBA ALS Environmental

Commissioner Schorno offered the Consent Agenda and second by Commissioner Guadagno and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa

Nays: (0) None

Abstain (0)

Absent: (1) Corbett

Consent Agenda passed on 9 yeas.

Executive Committee – Meeting held November 30 and December 7, 2021.

- Report – Discussed Contract 41 Contract, Maraziti Falcon and Mott MacDonald contract amendments, salary range amendment and purchase order signatory change.

Commissioner Guadagno offered **Resolution 21-133** – Amending Adopted Salary Ranges for Non-Union Employees and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa

Nays: (0) None

Abstain: (0) None

Absent: (1) Corbett

Resolution 21-133 passed on 9 yeas.

Commissioner Guadagno offered **Resolution 21-134** – Authorizing Second Amendment to Annual Professional Services Contract with Mott MacDonald and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett
Resolution 21-134 passed on 9 yeas.

Commissioner Guadagno offered **Resolution 21-135** – Authorizing an Amendment to the Agreement with Joseph J. Maraziti, Jr., Esq. of the firm Maraziti, Falcon, LLP, for the Performance of General Legal Counsel Services and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, and Schorno
Nays: (0) None
Abstain: (1) Zuppa
Absent: (1) Corbett
Resolution 21-135 passed on 8 yeas.

Commissioner Guadagno offered **Resolution 20-142** – Authorizing Purchase Order Signatories and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett
Resolution 21-142 passed on 9 yeas.

Planning Committee - No meeting held.

- No Report

Operations Committee – No meeting held.

- No Report.
- Operation and Maintenance and Trunkline Reports are in the packet.

Infrastructure Committee – Meeting held December 9, 2021.

- Report – Discussed Contract 41 status, CM-004 and TWA Application.

Commissioner Andes offered **Resolution 21-137** Authorizing Contract Modification No. 004 for Contract 41 Filtration and Phosphorus Removal Facilities Project and Second by Commissioner Schorno and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None

Abstain: (0) None
Absent: (1) Corbett
Resolution 21-137 passed on 9 yeas.

Commissioner Andes offered **Resolution 21-138** – Authorizing Endorsement of Application for Treatment Works Approval (TWA-1) Town of Dover for 63/65 W. Blackwell Street and 58/70 Bassett Highway and Second by Commissioner Howarth and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett
Resolution 21-138 passed on 9 yeas.

Jersey City Committee – No meeting held.

- No Report.

Sewer User Committee – Meeting held November 29, 2021.

- Report – Discussed status of proposed WWMP Amendments.

Finance Committee – No meeting Held.

- No Report
- CFO's Report is in the packet.

Commissioner Howarth offered **Resolution 21-140**– Authorizing Appropriation Transfer and Second by Commissioner Guadagno and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett
Resolution 21-140 passed on 9 yeas.

Commissioner Guadagno offered **Resolution 21-141** – Resolution to Authorize Payment of Vouchers for \$1,409,360.81 and Second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (8) Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (1) Andes
Absent: (1) Corbett
Resolution 21-141 passed on 8 yeas.

Executive Director's Report

- HR/Safety Coordinators Report is in the packet.

- Executive Directors Reports for October and November are in the packet.

Engineers Report

- Engineering Report is in the packet.
- Industrial Pre-Treatment Report is in the packet.
- Electrical Engineer's Report is in the packet.
- IPP Report is in the packet.

Lawyers Report

- Report- Joseph Maraziti reported that today we received Jersey City's response to our brief, in connection with the motion for reconsideration, of the decision by Judge Minkowitz. Our oral argument will be held next Friday, on that motion and we will advise as soon as we have a decision from the judge on that.

7:15 PM - Public Hearing - Pre-Qualifications Contract 43- Mandatory Minimum Qualifications for Rockaway River Regional Interceptor Sewer-Boonton Section Replacement Project

Speakers:

Brad Carney, Esq. Maraziti Falcon
Nancy Wohlleb of Mott MacDonald
Dina Adinolfi, Stenographer for Maraziti Falcon.

Commissioner Howarth offered a motion to open the Public Hearing and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett

Exhibits attached are as follows:

RVRSA-1- Affidavit of Publication, on November 18, 2021 in the Star Ledger, of the Public Notice of Hearing regarding the proposed mandatory minimum bidder qualifications for Contract 43 - Rockaway River Regional Interceptor Sewer-Boonton Section Replacement Project advertising tonight's public hearing at 7:15 PM.

RVRSA- 2 - Affidavit of Publication, on November 17, 2021 in the Daily Record, of the Public Notice of Hearing regarding the proposed mandatory minimum bidder qualifications for Contract 43 - Rockaway River Regional Interceptor Sewer-Boonton Section Replacement Project advertising tonight's public hearing at 7:15 PM.

RVRSA- 3 – Copy of the proposed mandatory minimum bidder qualifications for Rockaway River Regional Interceptor Sewer-Boonton Section Replacement, Contract 43, Rockaway Valley Regional Sewerage Authority, Morris County, NJ, which has been available to the public at the offices of the RVRSA in accordance with the public notices that have been marked as RVRSA – 1

and RVRSA -2.

The Swearing in of Nancy Wohlleb of Mott MacDonald by Dina Adinolfi, Stenographer for Maraziti Falcon.

This Public Hearing Transcript is attached to the December 9, 2021 Minutes.

No public comment.

7:36 PM-Commissioner Howarth offered a motion to close the Public Hearing and second by Commissioner Guadagno and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett

Commissioner Howarth offered **Resolution 21-136** Authorizing Adoption of Mandatory Minimum Qualifications for Prospective Bidders for Contract 43 Boonton Interceptor Siphon Chambers and Washington Street Pipe Replacement and Second by Commissioner Andes and approved on a roll call vote as follows:

Yeas: (8) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Schorno, and Zuppa
Nays: (0) None
Abstain: (1) Recchia
Absent: (1) Corbett
Resolution 21-136 passed on 8 yeas.

Brad Carney stated that copies of the Resolution, the Adopted Mandatory Minimum Qualifications as prequalification regulations, the transcript of tonight's hearing, the proofs of publication, the Standard Certification Form, together with all the other documents required by the Local Public Contracts Law and Local Finance Notice 2016-12, will be provided to the Director for the Division of Local Government Services within ten days, as part of the application and requests for approval.

Public Hearing (7:30pm) – User Charge System Update

Speaker: Joseph Maraziti, Esq. Maraziti Falcon.

7:39 PM - Commissioner Guadagno offered a motion to open the Public Hearing and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa
Nays: (0) None
Abstain: (0) None
Absent: (1) Corbett

Nancy Wohlleb of Mott MacDonald, offered a statement of behalf of the Authority, to explain the following changes to the User Charge System:

Schedule A:

- Updates have been made to certain non-residential properties in all town to reflect current usage. As such, all formulas have been reviewed to updated EU counts.
- The Denville and Randolph formulas have been updated to reflect the incorporation of the Den Brook Pump Station flow metering.
- Randolph's formula has been updated to include the Mine Hill flow metering
- Change to the Rockaway Borough formula to use the sum of meters upstream of M:RT3 in lieu of the reading at M:RT3. The purpose is to minimize if not eliminate the calculated Rockaway Borough flow being a negative value.
- Added a value for Mine Hill unmetered flow and the reference to Appendix F

Schedule B:

- The Mine Hill flow meters are now described on the worksheet. (Available at RVRSA Offices.)
- The Den Brook Pump Station flow meter is now described on the worksheet. (Available at RVRSA Offices.)

Appendix A:

- Updates have been made to certain non-residential properties in all towns to reflect current usage. In certain instances, water consumption data has not been updated since 1998. There are still some properties where water consumption data is still used. We recommend in a future update to review and update water consumption data. It may make sense to do such a review every few years to stay current with occupancy and usage.
- An update was made to the EU count for the Morris County Garage in Wharton.
- An update was made to address the use of the Den Brook Pump Station meter and in doing so, there have been numerous changes to the unmetered area tabulation that is itemized in both the Randolph and Denville sections.
- Updates were made to the Boonton Town and Township formulas to reflect an additional residential unit in Boonton Township tributary to Boonton Town.
- Updated to reflect the recommended change to the Rockaway Borough formula (see above).

Appendix F:

- RVRSA has provided an updated list of unmetered areas in Mine Hill Township. We have placed the updated list in Appendix F and have also updated the descriptive text.
- Added a value for Mine Hill Unmetered Flow and the reference to Appendix F.
- Updated the jointly modified language in the descriptive text per our June 2, 2021 ZOOM call.

Joseph Maraziti added to this record, an email that came in this afternoon, which will be available to the Authority and available as a public record in the RVRSA offices:

Email from Mr. Paul Sterbanz, of Colliers Engineering, engineering firm for the Township Mine Hill stated: The Township of Mine Hill believes that the following corrections are needed to Appendix F of the October 29, 2021 report issued by Mott MacDonald:

1. A meter was installed as part of the Indian Falls Sewer Extension that was constructed by the township in the 2020 calendar year, thus the 10 lots that are listed in the appendix F are metered. Appendix F must be updated to remove the 10 homes from the list.
2. There are 17 lots in the unmetered list in Appendix F that are developed with detached

single-family dwellings that are shown to have an issued flow of 275 gpd. The Townships review of Schedule C, shows the gallonage figure of single-family detached dwellings is 225 gpd. Appendix F must be updated to reflect the 225 gpd for these 17 lots.

3. Based on comments in numbers 1 and 2 above, the number of unmetered properties and total issued flow on page F4 must be revised.

Email from Mine Hill Township Mayor Sam Morris, voiced opposition of the RVRSA use of equivalent dwelling units as a basis of calculating usage for properties not included in metering of sewer mains. Mine Hills position is the unmetered properties should be allowed to have usage calculated using modern electronic water meters. This is the generally accepted standard in just about every area of the country. I am attaching a sample of properties on the EDU list for Mine Hill using their average water consumption for the last year. It averages out to 124 gpd. This is 100 gpd less than the estimated usage via the EDU method. This is a significant difference, and significant enough to warrant a consideration to a change of methodology.

8:14 PM Open to Public Comment

Mayor Sam Morris of Mine Hill Township:

- Clarified that Indian Falls meter is installed there and has been operating. Jeff Heiner will get the data from it. RVRSA will go out and inspect it.
- Reviewed the appendix. The bulk of the houses are a direct connect to the Jackson Street interceptor and there is no way to meter them. In 2012, Mine Hill put in as many meters as we could, but we cannot meter the single connections. We have data on I & I infiltration. Mine Hill's system is only about 20 years old; the manholes are all cast concrete and gasketed. We have a rain meter on our systems. Probably the only two streets we can actually additionally meter, for the 6th & 7th meters, are James Street and Xenia Street.
- We have done everything we could in good faith.
- We will go over the other numbers 225 gpd vs 275 gpd. I will get you the information on the Indian Falls meter.
- There are five meters in Mine Hill. The 5th is the Indian Falls meter.

RVRSA Attorney, Joseph Maraziti, will amend the language in the Resolution 21-139 to be subject to the administrative revision of all the calculations, if necessary, based on 1; verification of certain other lots, located in Mine Hill, identified as having a flow of 275 gpd, may more appropriately be assigned a flow of 225 gpd. 2; verification that the 17 lots, on the vacant unmetered list in Appendix F, that are developed with attached single home dwellings.

No other Public Comments

8:27 PM - Commissioner Guadagno offered a motion to close the Public Hearing and second by Commissioner Cegelka and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa

Nays: (0) None

Abstain: (0) None

Absent: (1) Corbett

Old Business

- No Report

New Business

- None

Public Portion

The public portion was open at 8:29 PM. There were no public comments
The public portion ended at 8:30 PM.

ADD-ON AGENDA

Executive Committee

Commissioner Schorno offered **Resolution 21-143** Authorizing the Award of a Contract for Sodium Hypochlorite Solution Supply and second by Commissioner Guadagno and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa

Nays: (0) None

Abstain: (0) None

Absent: (1) Corbett

Resolution 21-143 passed on 9 yeas.

Commissioner Schorno offered **Resolution 21-139** Authorizing Adoption of Amendments to the Rockaway Valley Regional Sewerage Authority User Charge System and Second by Commissioner Howarth and approved on a roll call vote as follows:

Yeas: (9) Andes, Cegelka, Farrell, Guadagno, Howarth, Isselin, Recchia, Schorno, and Zuppa

Nays: (0) None

Abstain: (0) None

Absent: (1) Corbett

Resolution 21-139 passed on 9 yeas.

Closed Session

- None

Commissioner Schorno offered a motion to adjourn and second by Commissioner Guadagno and all in favor.

Meeting ended at 8:42 PM.

The next scheduled meeting is January 13, 2022.



Janice Fox
Assistant Board Secretary