

**BOROUGH OF RAMSEY
THE BOARD OF PUBLIC WORKS
REGULAR MEETING OF JUNE 21, 2010**

Mr. Martin called the regular meeting of The Board of Public Works to order at 7:30 PM. Board members present were Mr. Burgio, Mr. Emmer, Mrs. Lehr, Mr. Popolo, Mr. Tesoriero, Mayor Botta, Councilman Nalbandian, Mr. Corrison, Mr. Saros, Mr. Horton, Mr. Bacolo and Mrs. Culligan.

Mr. Martin announced that the meeting is being held in accordance with the Sunshine Laws of the State of New Jersey. Public Notice of this regularly scheduled meeting was published in The Bergen Record on Monday, December 28, 2009 and The Ridgewood News on Friday, December 25, 2009.

MINUTES

Minutes of May 17, 2010 were presented.

Motion by Mrs. Lehr, seconded by Mr. Burgio. Abstained: Mr. Popolo. Carried.

CORRESPONDENCE

Motion by Mr. Popolo, seconded by Mr. Martin to receive and file with review during Committee reports. Carried.

No.	Date	From	To	Subject
1	5/18/10	Eastwood, Scandariato & Steinberg	Crew	Water Easement/Lots 9 and 10,Block 4701 Transmittal of corres. re extension of water facilities
2	5/19/10	Crew	Isolux Technologies	Cartridges for Arsenic Treatment Facilities Notice of award and request to sign / return copies of contract
3	5/19/10	Crew	Coppola Services, Inc.	Brookfield Lane Sewage Pumping Station Notice of approval of contract with work to commence on 5/29/10 with completion date of 10/16/10
4	5/19/10			(Duplicate of Corres. No. 3)
5	5/26/10	Crew	Eastwood, Scandariato & Steinberg	Saturn Water Main Extension-Lots 9 and 10, Block 4701 Easement plats and descriptions are acceptable
6	5/26/10	Crew	Eastwood, Scandariato & Steinberg	Borough Code Amendment After review of changes made to original draft for Chapters 1 and XIX, Crew has no technical comments as changes to Code amendment were administrative
7	5/26/10	Crew	Conklin Associates	Water Service Connection

				for Block 4702, Lot 4 To comply with appl. requirements, comments and instructions are detailed after revised drawing dated 3/10/10 has been reviewed for property at 806 Route 17 North
8	5/26/10	Crew	Borough of Ramsey Chief Financial Officer	Sanitary Inter-Municipal Agreement Questions raised on flow calculations to determine sewer charges due Ramsey from Mahwah noting data for 2008-2009
9	6/01/10	Borough of Ramsey Administrator	United Water	Water Supply Agreement As NJDEP considers water supply inadequate, detail, operational information and impact to Borough is outlined with request to consider increase in water supply during months from June through September
10	6/02/10	Crew	Borough of Ramsey Borough Administrator	Sewer Charges 2009- 2010 Sanitary Sewer Charges Inter-Municipal Agreement Detail and review of charges for Ramsey sewage flow to Mahwah
11	6/08/10	Breslin & Breslin	Kroll Heinman, Attorneys at Law	Kevin Spence Transmittal of Bergen County Court's Judgment of Conviction with request to withdraw arbitration on the matter
12	6/09/10	Breslin & Breslin	Borough of Ramsey Board of Public Works	Isolux Technologies Contract for Arsenic Treatment Cartridges Recommend contract be executed by President and Chairman as review shows it to be acceptable
13	6/09/10	Breslin & Breslin	Borough of Upper Saddle River (USR)	Skymark Holdings, Inc. Notice that accounts on the above are current to date with no further pursuit required by Ramsey
14	6/08/10	Crew	Borough of Ramsey Borough Engineer	Water Supply Capacity Notice that due to NJDEP's decision on Borough's current water supply with listing of permit restrictions
15	6/09/10	Board of Public Works Superintendent	Borough of Ramsey Board of Public Works Members	555 Franklin Turnpike Water Meters Overpayment of water and sewer payments resulting from plumber installation of

				wrong meters
16	6/15/10	Borough of Ramsey Environmental Commission	Borough of Ramsey Board of Public Works Members	Minutes Receipt of Approved April 13, 2010 Minutes
17	6/16/10	Crew	Borough of Ramsey Board of Public Works Members	Brookfield Lane Sewage Pumping Station Minutes of Preconstruction meeting held on 6/02/10
18	6/15/10	Crew	Borough of Ramsey Board of Public Works Members	Progress Report Status of projects managed by Crew

ENGINEER'S REPORT

There were no questions on the Progress Report (Corres. No.18)

Mr. Bacolo reported on the following items:

Brookfield Lane Sewage Pumping Station

Pre-construction meeting with contractor (Coppolo Services, Inc.), Crew and NJDEP representatives was held with site visit and meeting moved over to the Borough (Corres. No. 17). Under requirements of the NJEIT loan, there was review on: responsibilities / shop drawings on hand for review / project will be in early August with October completion / notices will be handed out to the residents as to when construction will start. Mr. Corrison said Mr. Pust wanted to be advised on construction progress as access to his property will be needed.

Water Main Replacement

Future work involved existing 4" main throughout Borough. Crew would analyze data as information was needed on large-user customers to update computer model and to see what improvements are needed with regard to 4" main replacements.

Consumer Confidence Report

It has been published and they were in the process of bundling reports for delivery to Mr. Horton for distribution to residents and customers.

Water Supply Deficit

Letter sent to UW by the Borough on committed supply to Ramsey (Corres. No. 9). UW reviewed and asked that formal written approval and confirmation was required from NJDEP and Bureau of Water Supply. If NJDEP agreed, it was still UW's decision. Mayor Botta said he and Mr. Saros had a conference call last week with UW who did not get the same vibes from NJDEP that the Borough gets. UW spoke to Rob Hodskins of NJDEP. Decision would impact UW's high yield for the whole year since a 1.1 million commitment to the Borough who may use only 400,000, if the other 700,000 can't be sold; it's applied to the whole year. Mr. Bacolo said the NJDEP water supply people see there can be some variation. There is a set allocation and that changes through the summer and NJDEP does review case by case. A definitive answer was needed from NJDEP to see if this is feasible. If the Borough has to buy 1.3 million, it will be at an exorbitant cost and financial burden to the Borough, as it was not needed all year long. Mr. Burgio asked if UW have any contracts where they get varied amounts of water per month? Mr. Bacolo said no and they don't want to set a precedent. Mayor Botta said their answer is they have to answer to the shareholders and Board has to answer to the community and relief was needed. Mr. Bacolo said different bureaus were involved and suggestion was made to get all involved into one room for a face-to-face meeting so issue can be resolved.

Retirement

In July, there will be a different Operator for the Water Department. In that light, the Operating Committee will look into how the Board can move forward. A firm has been recommended by Mr. Bacolo as an outside consultant to provide Operator service to Ramsey upon retirement of full-time Operator. Mr. Saros presented copies of two proposals obtained for Operator services.

Mayor Botta spoke conceptually on plan to replace Mr. Horton in the short term for water operations. Councilman Nalbandian said they reached out to other municipalities but it was not an option at present. Mayor Botta said the second plan was to look at private entities with water services that they provide to other communities. Mr. Madsen and Water Department can operate on a day-to-day basis. State regulations for water systems have to be met. Private entities throughout the state will be considered. He said the thirteen tasks noted by Mr. Horton were set forth and two proposals with their scope of services were received, i.e. Agra of Dover (and do water testing for Board of Public Works) and currently service 4-5 towns in northern Jersey.

The one-year contract for Agra's of \$900/month varied from D2L's \$2,750/month fee. Actual cost, as added cost for separate services, has to be defined. Scope of services included set hours and supplying required regulatory reports, and both can be on site. Both firms have all licenses up-to-date, i.e. D2, W2 and C2.

Mrs. Lehr referenced Board's concern when Mr. Horton and Mr. Madsen were out of the area and Board's concern that they needed to be accessible. She also questioned if this was considered to be a long-term arrangement. If only Mr. Madsen was present, did that present a problem? / response was that firm would be available on an as-needed basis.

Mr. Corrison said: the firms provide a professional service and will be exempt from public bid / some services fall outside of the professional category, i.e. D2L will do repairs and maintenance at a fee (that cannot be done for the Borough / it can only provide the professional licenses as others are contracted for repair/maintenance work). D2L has more professionals on staff and firm's experience was outlined.

Mr. Saros arrived at the meeting and gave input on both D2L and Agra. Mr. Furrey of Agra has been doing the lab work for the Borough. Mr. Corrison was asked whether or not the operator contracted would be permitted to do the lab work with response being yes, as long as he's licensed. Other items noted: Agra was a small one-stop shop / both firms would like to work for the Borough / decision has to be made on having licensed Operator on board / towns he spoke with on their experience with both firms were good. Mr. Corrison said with both proposals, the requirements are structured and neither of them detailed the parameters. Mr. Horton had provided 13 tasks that fall under Water Operator's responsibilities. There were different parameters in both parameters and need clarification on what tasks should be covered.

Regarding D2L and Agra proposals, Board members received them this evening. Board Attorney and Crew indicated they have had experience with both firms. Mr. Saros

reviewed: he would check out experience with other municipalities so the Board can review and see how they can cover Mr. Horton's licensed duties / obtain more

information by the end of the week / check with NJDEP to determine when licensed Operator has to be on site and would review the two companies with NJDEP / put together the tasks and services needed by the Board. Mr. Corrison said any repairing or construction cannot be included in proposal noting some of the responsibilities are hybrids and detailed what the consultants were not able to do.

Mr. Madsen would be continuing the daily operations. Mayor Botta asked if the Board was okay with going with the concept as outlined. A decision has to be made in the interim period until Board can review any restructuring that may happen in the future. A special meeting will be held to review updated information, as time was a factor. Arrangements and publication of a special meeting for Board review on the matter will be held on June 28, 2010 with time set at 8:00 or 8:30 PM. Borough Clerk, Ms. Bendian, will do publication of meeting.

PUBLIC COMMENT

Mr. Don Dillon, as a Ramsey resident, was present to see what the Board planned regarding retirement of Superintendent of the Water Department.

MAYOR'S REPORT

Mayor Botta reported on the following:

Water and Sewer Evaluation

The evaluation should be available within thirty days.

COUNCIL LIAISON'S REPORT

Councilman Nalbandian reported:

The Council passed ordinance on grease traps initiated by that this Board and there was a final reading at the last Council meeting. Mr. Corrison said it would be published and noted Health Department would administer the ordinance, with notice to be sent out.

Referencing Mr. Horton's retirement, Councilman Nalbandian said he has done a good job with the Road Department and Buildings and Grounds (snow removal) also, and looking at the town, it is very well kept. He thanked him and wished Mr. Horton happiness and success in retirement.

ADMINISTRATOR'S REPORT

Mr. Saros did not have a report. He thanked Mr. Horton for his service to the town over the years working not only with the Water Department, but also with the Road Department and Buildings and Grounds and that has contributed on a daily basis to a well-kept town.

ATTORNEY'S REPORT

Mr. Corrison reported on the following:

He referenced pending development on Route 17 North near Home Depot (with part of the project to be in Mahwah). Project was before the Board of Adjustment and will

receive services through Mahwah. Called the Castle, it will be an entertainment area and will need water service. He has talked to Mr. Rolling of Crew regarding this location. As the site has no service, line would have to come down Route 17, across the railroad tracks. There was an existing sewer through Ramsey. Mr. Horton said sewer lines got buried years ago and although it was not brought to the Board tonight, advise will have to be sent to the Board of Adjustment that property has to be resurveyed by the applicant's architect, as what they show on the site plan may not be accurate. Mr. Bacolo said they will have to review the sewers. Mr. Corrison said as the Board was aware of it, there would have to be an Inter-local Agreement as the property was in both Ramsey and Mahwah.

Kevin Spence

He called union attorney asking hearing be held at July 2010 meeting as there will be no August meeting. He has not heard anything from the state. In regard to the contract, the matter is not subject to arbitration and Mr. Corrison has objected to it (Corres. No. 11). He detailed the arbitration process noting arbitrators make the decision. He will keep the Board apprised on the item.

USR Route 17 Water Usage for Car Wash

Mr. Burgio said he noticed car wash was operating which was against earlier ruling made under the Ten Cees Agreement. Mr. Corrison said he had spoken to the owner. He said owner was negotiating with another property owner to obtain rights for water use. Question was raised on what should be done. Mr. Corrison said hold off and operator can pay for what usage there is. USR has been copied on any communications being made on the matter.

OLD BUSINESS

NEW BUSINESS

Profile of Water System Accounts

Mr. Martin introduced Mr. Roche who has distributed report to Board members. He was presenting the analysis to show outline and breakdown on Borough's water/sewer revenue, budget funding and anticipated shortfall. His presentation detailed the following:

Page 1: provides a snap short of water customers and number of such that are charged the minimum which approximates 42 percent of customers / have been advised the system can provide a breakdown of commercial and industrial services by size / sprinkler accounts are charged a \$300 annual fee plus for usage / approximately 90 percent of accounts are residential;

Page 2: provides an overview of sewer customers that indicates approximately 44 percent are charged minimum;

Page 3: revenue generated from minimum charges approximated 45 percent of 2009 rent revenue with water revenue equal to 27 percent and sewer revenue equal to 59 percent; revenue from fixed minimum charges equaled approximately 37 percent;

Page 4: illustrates revenue shortage to finance 2011 budget and available funds to cover shortfall;

Page 5: details Board of Public Works' water/sewer revenue covering 2001-2009;

Page 6: details Board of Public Works' revenue 2009-2010 comparison by month from January through May.

There was discussion on cash flow resulting from water use and sewer charges. Councilman Nalbandian asked if there was a comparison available that showed what other towns or municipalities paid on water/sewer services. Mr. Roche said there was information that was available from Mr. Horton that would be provided to him. Mr. Horton said he and Mr. Roche Pull gallons out of the bill, have service charges and pay for water used which would help out the seniors and eliminate discounts, meter size has a formula with different size calculating individual charges. Variations regarding commercial, residential, condos can be noted.

FINANCE

Budget and Revenue/Expense Reports were submitted to Board members.

Resolution by: Mrs. Lehr
Seconded by: Mr. Burgio

RESOLVED THAT: The following bills be paid and charged to the current Water/Sewer 2010 Budget:

\$560,918.25

RESOLVED THAT: The following bills be paid and charged to the Capital Account:

Crew Engineers \$ 4,865.00

AYES: Mr. Burgio, Mr. Emmer, Mrs. Lehr, Mr. Martin, Mr. Popolo, Mr. Tesoriero, Mayor Botta

NAYS: None

ABSENT:

OPERATIONS REPORT

Operations Report – May 2010 (Attachment A)

Reports prepared and distributed for May 2010: Well Usage / System Usage.

Mr. Horton reported on the following:

16 New England Drive

Sewer line was dug up and line had to be replaced as it was angled causing a problem and it had to be properly pitched.

Ramsey Square Shopping Center

They found a problem and repaired a 10' section of the sewer line. Mr. Horton reported that it was only 3' underground which was done sometime ago when Staples came in and grade was lowered. It was a problem out of the way.

555 Franklin Turnpike

The occupant of property called and referenced for water and sewer readings that were suspected as overpayments (Corres. No. 15). Mr. Horton had asked that photo of meter be supplied. It was a commercial customer and it was determined plumber installed a cu. ft. rather than gallon meter. Sizeable amount was due and it has been handed over to Mr. Mathieson. The meter has been changed out and office staff has been asked to be aware

when there were such irregularities. It was also suggested that inspectors be aware of meter installations being correct.

Retirement

Mr. Horton thanked the Board and said it has been interesting working in the town. Mr. Martin related that Mr. Horton has been an asset and was well known in the state and well considered in the many areas that he covers professionally and personally. He was invited by the Board to celebrate his retirement after the meeting. Mayor Botta thanked him for his service and presented a commemorative gift from the Borough. Mr. Corrison complimented him on his capabilities and noted the one-on-one connection with the public, solving problems and taking pressure off the Board and the elected officials; people understand the effort being made. He said it was very much appreciated.

Applications – None

ADJOURNMENT

Mr. Martin entertained a motion to adjourn.

Motion by Mrs. Lehr, seconded by Mr. Popolo to adjourn at 8:50 PM. Carried.

Submitted:

Bernardine Culligan