

**BOROUGH OF RAMSEY
THE BOARD OF PUBLIC WORKS
REGULAR MEETING OF JULY 19, 2010**

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

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 June 21, 2010:

Motion by Mrs. Lehr, seconded by Mr. Emmer to approve Minutes of June 21, 2010. Abstained:

Minutes of Special Meeting of June 28, 2010 were presented. Tabled.

CORRESPONDENCE

Motion by Mrs. Lehr, seconded by Mr. Emmer to receive and file with review during Committee reports. Carried.

No.	Date	From	To	Subject
1	6/29/10	Crew	Borough of Ramsey Board of Public Works	Jack Daniels Porsche Block 1015 Lot 7 Curb Box Replacement
2	7/08/10	Cole, Schotz, Meisel, Forman & Leonard, P.A.		Prestige Toyota / 1096 Route 17 North Appl. No. Notice from applicant's attorney that public hearing will be held before Borough of Ramsey Planning Board on 7/20/10
3	6/23/10	Conklin Associates		Application for Permits / Block 3608, Lots 23/23 /38 and 46 Grant St. Notice of submittal to NJDEP with review of application to be before Borough of Ramsey Planning Board
4	6/25/10	Northwest Bergen County Utilities Authority (NBCUA)	Membership / Mayors and Council Members	2011 Budget Preparation / Service Charges
5	7/15/10	Wells, Jaworski & Liebman,LLP		Upper Saddle River (USR) Public Hearing re Block 304 Lot 1 Notice incl. explanation for public hearing by USR's

				Board of Adjustment
6	7/15/10	Wells, Jaworski & Liebman,LLP		Upper Saddle River (USR) Public Hearing re Block 1307 Lot 7 Notice incl. explanation for public hearing by USR's Board of Adjustment
7	7/01/10	Crew	D2L Associates	Corrosion Inhibitor Monitoring Transmittal of results of the water quality testing done on 6/30/10 incl. required Input Forms for signing and submittal
8	7/08/10	Crew	Coppola Services,Inc.	Brookfield Lane Sewer Pumping Station Review of their submitted Mark No. 1 with notations and actions to be added to project's construction schedule
9	7/10/10			Public Notice of 6/10/10 (Bergen Record) Publication required per monitoring requirements not met by Borough of Ramsey Board of Public Works
10	6/29/10			(Duplication of Item 1)
11	6/09/10	Resident-186 Surrey Court	Board of Public Works	Request for Refund on Water/Sewer Charge Letter explaining as there was no leak in system, 2 nd quarter bill needed review and reduction
12	6/08/10	Crew	NJDEP Bureau of Water System and Well Permitting	Borough of Ramsey Water Supply Deficit Response re decision which will limit and impact Borough of Ramsey's future development with information given on United Water/Ramsey contract noting: minimum purchase/ UW's committed water supply /variable seasonal commitment , etc. with request for meeting of parties involved
13	7/02/10	Conklin Associates	Borough of Ramsey Board of Public Works Members	Water Service Connection / Block 2101 Lot 24 / 360 Shadyside Letter referencing CO denial and violation notice received by homeowner with request to appeal
14	7/14/10	Crew	Borough of Ramsey Board of Public Works	Progress Report Status of current Board of

				Public Works projects managed by Crew
15	6/14/10	Resident-128 Church St	Mayor Botta	Sewer Backup Outline of homeowner's action on backup and sewer blockage giving detail on resolving issue by private plumber and Public Work's participation/and request and reasons why charge should be reimbursed
16	7/15/10	Board of Public Works Operations Supervisor	To Whom It May Concern:	Sewer User Report Transmittal of report noting typo error on increase for total connections carried through from Jan. 2010 to May 2010
17	6/25/10	Borough of Ramsey Board of Public Works		Public Notice Legal ad placed for Notice of 6/28/10 Special Meeting for Board of Public Works
18 / 19		United Water Borough of Ramsey		Water Restrictions Notices / United Water and Borough of Ramsey Ref. Ordinance No. 10-2000
20	7/08/10	D2L	Borough of Ramsey Board Members	Water Supply Issues Status of borough's water supply with transmittal of pertinent reports incl. current and future demand on the system

ENGINEER'S REPORT

There were no questions on submitted Progress Report.

Mr. Bacolo reported on the following items:

Brookfield Lane Sewer Pumping Station

Reviewed: Coppola Services continuing to submit shop drawings on purchase of materials and will be reviewed for approval / once received back by Coppola Services, they will place the order / fabrication will take 4-6 weeks / Loan Payment Request No. 1 for \$70,000 has been submitted to the NJDEP / construction will start in early September 2010.

Consumer Confidence Report (CCR)

Crew completed the CCR that was taken by Mr. Horton to the Post Office to be mailed to customers on 6/23/10 with publication in The Record on 6/10/10.

Water Supply Deficit

Ref. Corres. No. 12, Mr. Bacolo said letter was sent on 7/8/10 to NJDEP. Today he tried to reach Bureau of Water System and Well Permitting Bureau Chief, Mr. Fields but he or his assistance were not in the office. Mr. Bacolo said he would try again tomorrow.

PUBLIC COMMENT

Two persons were present to request they be heard on matter of water service for new home construction at 360 Shadyside Road. The meeting was paused for the hearing.

Mr. Angelo Onelli, EIT of Conklin Associates and homeowner, Mr. Rosario Vizzari were present per request in letter dated 7/2/10 (Corres. No. 13) that detailed denial of Certificate of Occupancy for newly-built home at 360 Shadyside Road with violation issued by Construction Code Official that noted a pre-existing well on the property that cannot be used and has to be closed.

Mr. Onelli said his client, Mr. Vizzari was requesting use of the well for lawn watering and property maintenance. The previous home had town water and existing well / present owner would like to use the well (location shown on the drawing on hand) for his sprinkler system / there was a cap on this existing shallow well. Location of home was described. Mr. Onelli had a property site plan for display that showed development of the property and location of the well. Mr. Martin said that before property was purchased, the well should have been turned off as borough policy was that once property was hooked up to the borough water system, existing well had to be sealed according to borough guidelines. Mr. Bacolo confirmed this was policy and wells could not be used for irrigation of the property and said concern was for the aquifer, not individual wells but well safety in general, also the cumulative affect and risk. Mr. Martin said issues were: any potable water going onto the property still required testing / a well can be hooked up to the home when water gets too expensive with possibility of untested potable water going through water system. Mr. Onelli said homeowner has young children and would never hook it up to his home. The well would be for irrigation only with water coming out of the shallow well onto the ground. Further explanations were: ordinance in place declares that when properties were hooked up to water system, wells must be abandoned and sealed / commercial properties can come asking for the same thing. Mr. Martin said well cannot be used as it should have been sealed up prior to the previous owner's sale of the property noting state guidelines along with town policy were in place and for Ramsey it was a town-wide ban. Mr. Vizzari questioned use of a shallow well with a pump versus rain catching system with comment from Mr. Martin that using rainwater did not involve the aquifer. Mr. Vizzari believed that use of a rain catching system was more dangerous than use of a well, i.e. many problems, including mosquitoes. He said he positioned the house on the site because of the well, as he hoped to use it. Other issues to be considered were noted by Mr. Martin, i.e. engineering and monitoring issues.

Board members questions and comments:

The well's use is a violation. A property owner can catch rainwater in a proper receptacle and use that water for irrigation. The Board of Public Works has authority over water and sewer requirements. The matter raised by Construction Official at the time of CO request was discussed. The town policy on well use was reviewed noting well must be closed per drawbacks noted earlier: use of wells will draw on the aquifer / well use was not consistent with what has been permitted in the past / there could be infiltration into water system / no request to use the well was initiated by previous owner and property was hooked up to the city water system. On use of rain-catching system, Mr.

Vizzari said that caused more contamination problems than a shallow well could cause giving reasons why he wanted to use this well. Mr. Martin said property has water service and the question would not arise if the well had been properly sealed when that service was initiated. Mr. Bacolo said the matter of illegal wells would affect the aquifer. Mr. Vizzari reviewed the footprint of his house / working with the Building Department for the required permits / why he did not close the well / asking why the Building Department did not say anything even though the existing well did show on the plans. Mr. Saros asked if he pointed out to the Building Department that he wanted to use the well for landscaping purposes (No). Did he ask if he should shutdown the well? (No). Mr. Saros asked specific questions regarding getting his permits. Did you ever tell Construction Code Official, Mr. Connell, that use of the well was to be for landscaping purposes? Mr. Vizzari said he submitted plan and no one told him he could not use the well. Mr. Martin said there was never a request to use it. Violation involved an individual using a well and the Board was not in a position to allow it. Mr. Saros will check the permit and the fine for the violation. Mr. Bacolo reiterated that once a property has water service, a well couldn't be used under town policy. Overall, one homeowner cannot use a well, as it will require monitoring wells in town. The Board and Building Department requirements have to be met. Mr. Vizzari asked what he would have to do. Mr. Martin said it would be necessary to meet state requirements for capping the well, i.e. concrete capped so it was not a safety hazard and check with Building Department as to conditions to be met.

Other Board comments: it was more of a failure to abandon the well / previous home had a pipe to the well that was abandoned / Mr. Connell did look at it and issued a violation on it and said it was an issue to be resolved with the Water Department. Mr. Vizzari said the C.O. was being held up and wanted to resolve the matter.

MAYOR'S REPORT

Mayor Botta welcomed Mr. DeBlock and Mr. Lyons to the system and commended Mr. Madsen, Mr. Bacolo and Mr. DeBlock on their work during water emergency. He said Looking at usage data for July 4th and 5th, quick action prevented crisis and a public service emergency, if it was not taken care of at that time / after water emergency was declared, usage was kept down for the whole town / UW was called to see what they could release to us.

Church St.

Mayor Botta spoke to the resident who asked if there was any way she could be reimbursed for cost she incurred on sewer backup (Corres. No. 15). His response was town policy was no on reimbursement. He said it was important to explain policy when resident experiences backup. Resident said there was nothing on Ramsey's website as to what steps to take. Mr. Bacolo said on backups, usually homeowner calls a plumber. She should not have called a plumber first (opinion was that most often it was on the homeowner's property). Mr. Bacolo declared it would not hurt to have something on the town's website that DPW should be contacted on sewer backups.

Board members' questions and comments:

There was discussion on 24-hour coverage: Mr. Madsen / if emergency occurs off-hours, the police department can be called to get in touch with proper person at the DPW with

someone available 24 hours/day on weekends and holidays and no one has to wait for Monday morning to call in an emergency. Mr. Saros / the police contact the DPW person if there is a water/sewer emergency and no answer calling DPW. On reimbursement, has a precedent been set? Mr. Saros said there was no reimbursement through the town with cost handled through the insurance companies. He said for emergency calls placed through the borough phone number, message advises that police department should be contacted in emergency. How does homeowner know if it's a town problem? Mr. Madsen said when DPW responds to homeowner's call, they can determine if blockage is on the homeowner's line; if at the curb or lateral, it would be town's responsibility that is determined when the cap at the curb is pulled. If Rotor Rooter or plumber is called, they may work to clean out the line and hand the homeowner the bill. Mr. Madsen said if DPW was not there to witness the occurrence or location of blockage, they would not be responsible for the bill. If resident calls regarding sewer emergency, Mr. Saros said the town's phone message could give instructions on reporting it.

OPERATIONS REPORT

Management Report – July 2010 (Attachment A)

Reports prepared and distributed for July 2010: Well Usage / System Usage / Water Consumption & Reserves / NBCUA Monthly Sewer Users.

Mr. Madsen referenced attached Operations Report and highlighted items: repair of five mainline valves; replaced 4 mainline valves at lower country club; service leak repaired at 135 Morton Drive; replaced arsenic filters; worked with summer crew cleaning valves boxes and replaced valve posts; replaced hydrant at 32 Rose Ave. Mr. Corryton asked if claim went to the insurance company with response from Mr. Madsen that there was a police report on Rose Drive. Item will be taken care of by Mr. Corryton or Mr. Saros.

Mr. DeBlock reported:

Water Quality

Wanted to review and improve cross-connection controls. Also, use of backflow preventors (BFP) inspection reports were an area of concern noting not too many were on file. He spoke on recent water quality complaint at Cambridge Heights. There were some BFP protecting fire system and some were not proper. Mr. Saros said Fire Prevention also has a report on the issue at Cambridge Heights. Mr. Corrison said ordinance was in place, also covered by state law, and should be enforced by the Building Department. Mr. DeBlock explained risks and issues and there was discussion on use of BFP's in use to prevent contaminated water getting into the water system. Mr. Bacolo said it was a recognized threat and notice should go out that requirements have to be met and matter corrected. Mr. Saros said there has been involvement with Cambridge Heights. Mr. Corrison said it would be necessary to have Homeowners' Associations involved.

Sanitary Sewers Maintenance

In the future as directed by EPA, basement flooding has to be reported to NJDEP. Mr. DeBlock said that statistically on national level, EPA determined there were unusually low numbers for NJ resulting from NJ's past practice not to report sanitary sewer overflow into basements (caused at curb or lateral). He said: overflow into

basement resulting from blockage in the street or lateral has to be reported / requirement came within the last few months / repeats would not be acceptable / fines would be considered / it has been in effect but has been ignored. There was discussion on sewer cleaning, i.e. better timing on cleaning / problematic areas that have to be taken care of on a regular basis / possibility of potential backups in different areas. Observation from Mr. DeBlock and Board members was more cleaning was required and a definite plan was needed. Mr. DeBlock said the issue had to be brought to the Board's attention to see how to proceed.

North Bergen County Utility Authority (NBCUA)

Mr. DeBlock attached their monthly report. He would need to review how monthly report has been generated; it was a critical issue noting usage base is predicated on the October report. He would like to get together with Mr. Bacolo on defining the report.

Applications - None

COUNCIL LIAISON'S REPORT

Councilman Nalbandian reported:

He said the July water restrictions were well handled. He welcomed Mr. DeBlock and Mr. Lyons working with the Board.

Ordinance

Mr. Martin raised a question on septic system abandonment and well ordinance stating it would be important to define what was stated in the ordinance. Councilman Nalbandian agreed it was important to have clarification and prevent debate on decisions that have to be made / ordinance states that septic abandonment was necessary once property has sewer service / some people in the borough were still on wells although not that many.

ADMINISTRATOR'S REPORT

Mr. Saros thanked Mr. DeBlock, Mr. Lyons and Mr. Madsen.

Consumer Confidence Report (CCR)

He referenced: a resident attending last Council meeting who questioned possibility of pesticide and asbestos contamination asking whether those items were tested. He said his response was as borough system was an underground system, testing for those contaminants was not required. Resident asked that since Ramsey used UW, do they have to send in those tests to state? Mr. Saros believed they would have to send tests to the state. Mr. Bacolo said UW may send results to borough, also.

Referencing CCR, there was no problem with those contaminants. UW's absence of testing for asbestos shows that they have a waiver from the state on asbestos testing and with underground system, borough does not test. Mr. Bacolo reviewed: state does assessment on testing on piping and groundwater wells that Ramsey provides to them / their assessment to determine the vulnerability of the system having the type of contaminants that are low and they thus do not require those particular tests.

Bid Requirements

Spoke to Mr. Bacolo on two required purchases: phosphates at over \$30,000, but may be proprietary / Real Supply \$43,861 for meters which were proprietary; both may have to be bid. Mr. Corrison said NJ does not have a proprietary exception. There may be one where borough falls under for certain services under sewer and

water. There are supply exceptions for larger systems, i.e. UW and others but were not geared to a system of borough's size. Other comments: there are exceptions under sewer/water as to supply factors, i.e. state contracts. Mr. Martin asked that bid specifications for the type of meter that Ramsey buys be obtained and do the same for the phosphate and if it has to be done, it can be bid. On phosphates, there are many blends and Mr. Bacolo said Ramsey uses specific phosphates (as submitted to the NJDEP these specifications have to be used; if switched, NJDEP has to be advised.

ATTORNEY'S REPORT

Mr. Corrison will report in Closed Session on the following:

Kimber Petroleum (they are again exceeding allotment on sewage); question on hearing for Mr. Spence.

To question –

OLD BUSINESS

NEW BUSINESS

August Meeting

Mr. Saros referenced presentation of Water/Sewer Evaluation by H. G. Mulle, which will be available in August. August scheduling was discussed by members and with timing constraints of Board members, decision was made to cancel the August meeting and present the report at September 2010 meeting (exact date to be determined). Public Notice will be published of cancellation of the August meeting and for rescheduled date of September 2010 meeting.

FINANCE

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

Resolution by: Mrs. Lehr

Seconded by: Mr. Emmer

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

\$264,007.23

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

Crew Engineers \$ 8,660.77

New Jersey Environmental
Infrastructure Trust \$ 11,950.99

AYES: Mr. Emmer, Mrs. Lehr, Mr. Martin, Mayor Botta

NAYS: None

ABSENT: Mr. Burgio, Mr. Popolo, Mr. Tesoriero

EXECUTIVE SESSION

Resolution by: Mrs. Lehr

Seconded by: Mr. Emmer

To go into Executive Session at 8:35 PM.

AYES: Mrs. Lehr, Mr. Martin, , Mayor Botta

NAYS: None

ABSENT: Mr. Burgio, Mr. Popolo, Mr. Tesoriero

RESOLVED THAT :

WHEREAS, The Board of Public Works of the Borough of Ramsey deem it necessary to meet to discuss certain actions under Section 7B of the Open Public Meeting Act, and

WHEREAS, the discussion more specifically will involve certain matters in Litigation.

NOW, THEREFORE, BE IT RESOLVED that immediately following this meeting, The Board of Public Works shall meet at the Municipal Building to discuss such matters and they deem it necessary to exclude the public from such meeting. The outcome of the meeting will be disclosed when a course of action is determined or a decision is reached.

Motion by Mrs. Lehr, seconded by Mr. Emmer to return to regular meeting at 8:55 PM. Carried.

ADJOURNMENT

Mr. Martin entertained a motion to adjourn.

Motion by Mrs. Lehr, seconded by Mr. Martin to adjourn at 9:00 PM. Carried.

Submitted:
Bernardine Culligan