



## NEW JERSEY WATER SUPPLY AUTHORITY

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### Minutes of the Meeting of the New Jersey Water Supply Authority

September 12, 2022

A regular meeting of the New Jersey Water Supply Authority was convened on September 12, 2022 at 2:00 P.M. via Microsoft Teams video and teleconference service and in the Annex Building of the New Jersey Water Supply Authority's Clinton Administration Offices, located at 1855 Route 31, Clinton, New Jersey.

As designated by Shawn M. LaTourette, Acting Commissioner New Jersey Department of Environmental Protection and Chair New Jersey Water Supply Authority, Jeffrey Hoffman, State Geologist, Division of Water Supply and Geoscience, served as Acting Chair of the meeting and called the meeting to order.

Deputy Attorney General Kathrine Hunt read the statement required by the "Open Public Meetings Act".

Executive Director Marc Brooks took the roll call of the Authority members.

Present: Jeffrey Hoffman, Acting Chair  
Ellsworth Havens  
Robert Iacullo  
Steven Picco  
Susan Blew

A quorum existed for the transaction of Authority business.

#### Interested Parties Present:

Robert Barth, D&R Canal Watch  
Oleg Kostin, New Jersey American Water  
Frank Marascia, New Jersey American Water  
David Brogle, Middlesex Water  
Linda Ofori, New Jersey Department of Environmental Protection  
Rikki Massand, Journalist  
Councilwoman Mary Logan, The Borough of Lebanon, NJ  
72 Additional Hunterdon County Residents

Authority Staff Present:

Marc Brooks, Executive Director  
Susan Buckley, Director Finance & Administration  
Darin Shaffer, Chief Engineer  
Paul McKeon, Director Manasquan Water Supply System/D&R Canal  
Kenneth Klipstein, Director Watershed Protection Programs  
Julie Shelley, Contracts and Risk Manager  
Rita Shaw, Controller  
Dorota Neulinger, Principal Accountant  
Kathy Hale, Principal Watershed Protection Specialist  
Heather Desko, Senior Watershed Protection Specialist  
Michelle Rollman, Finance and Accounting Analyst  
Kathrine Hunt, Deputy Attorney General  
Jeffry Nielsen, Associate Counsel, Authorities Unit

APPROVAL OF THE MINUTES

Acting Chair Hoffman opened the meeting by asking for the approval of the minutes of the July 11, 2022 meeting. Mr. Havens moved for the approval of the minutes as prepared and this motion was seconded by Ms. Blew. The minutes of the July 11, 2022 meeting were approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

Mr. Brooks stated that everyone has a copy of his report. Mr. Brooks stated that the Authority continues to follow all guidance from the Governor's office with respect to COVID-19. Mr. Brooks discussed the one-year pilot program that has been directed by the governor's office, which allows certain employees to work from home on a limited basis.

Rainfall recorded at Spruce Run gage for July was 1.14 inches which was 3.35 inches below average. Rainfall recorded at Spruce Run gage for August was 3.84 inches which was 0.21 inches below average. Rainfall at the West Farms weather station, in Manasquan, for July was 1.49 inches which was 3.18 inches below average. Rainfall for August was 2.73 inches which was 1.91 inches below average.

Mr. Brooks discussed a harmful algae bloom in the Millstone River. The bloom had a significant impact on the water supply in the Raritan System and necessitated that the Authority significantly increase reservoir releases to keep the bloom from affecting New Jersey American Water's treatment plant intakes in Bridgewater. Mr. Brooks detailed coordinated mitigation efforts between the Authority, New Jersey American Water and the New Jersey Department

of Environmental Protection. The harmful algae bloom has now dissipated, and releases have been returned to normal protocols.

Mr. Brooks discussed County Road 629. Mr. Brooks noted that nothing about County Road 629 is on the meeting agenda. Mr. Brooks stated that before the start of the Authority's large-scale construction at Round Valley Reservoir, Authority staff met with Hunterdon County Engineering and proposed closing a portion of County Road 629 during construction at the North Dam and the Dike. County Road 629 crosses over the crest of the Round Valley Dike and is adjacent to the North Dam. It was Authority staff's belief that temporarily closing the road for the project would allow for improved security, dam safety, contractor safety, and contractor productivity during the major earthwork at the structures. The County agreed to the closure of the road from Old Mountain Road to the driveway of the NJDEP Fish and Wildlife "fish-labs" building for the project.

To improve on long-term security at the Dike, Authority staff recently approached the Hunterdon County Engineering Department to ask that they consider making the temporary closure a permanent one at the same locations. Authority Staff's preliminary proposal stipulated that the road would only be closed to vehicular traffic and that it would remain open for use by pedestrians, bicyclists, and emergency response. Following guidance on the process from Hunterdon County Engineering, Authority Staff made formal requests to the mayors of Lebanon Borough and Clinton Township to obtain concurrence with the proposed closure plan.

Mr. Brooks stated that the Authority has received a letter from the Clinton Township Mayor which did not provide concurrence nor objection to the proposed permanent closure but rather requested that more information be shared and in a public manner. The purpose of the proposed closure is to improve dam safety, water supply stability, and protection of downstream residents and communities by mitigating a vulnerability of the Dike. The Authority cannot share specifics of the vulnerability, but Mr. Brooks noted that a very serious threat to earthen dams by bad actors would be facilitated by vehicular access to the structure. Mr. Brooks also noted that there are no current specific credible threats to the Round Valley Embankments.

Mr. Brooks stated that in 2012, a Round Valley site-specific confidential study was performed under a joint effort of the Department of Homeland Security, the Army Corps of Engineers and the NJDEP Bureau of Dam Safety. As a result of the study, the report provided protective measures for consideration which included access control and vehicular barriers to the Round Valley Dike. The

proposed closure area of County Road 629 is the crest of the Round Valley Dike. The Dike is the only embankment of the three at Round Valley that currently permits unrestricted vehicular access. No other New Jersey earthen embankments of comparable size to Round Valley permit public vehicular access on their embankments. Mr. Brooks stated that the failure of any of the three Round Valley embankments would have catastrophic impacts on downstream residents, communities, public infrastructure, and water supply to over 1.5 million people in central New Jersey.

Mr. Brooks stated that the Authority's assigned Deputy Attorney General has recommended that he seek full Authority Board approval before making a formal request to Hunterdon County. Mr. Brooks stated that he has met with the Authority Capital Projects Committee, a three-member subset of the Authority Board, and that the Committee requested Authority staff to obtain an update to the existing study specific to the final configuration of the Dike following its recent construction efforts. The Authority has not yet received an update from either the Army Corps or the Department of Homeland Security. The NJDEP Bureau of Dam Safety has provided the Authority with a letter that supports the request to close the road to vehicular traffic. At this point, no further action on the proposed road closure request to the County will proceed until an updated study has been completed and reviewed or further guidance is received from the subject experts. If it is appropriate, based on updated information, that approval will be sought at a future Authority Board meeting. The Authority has not made an official request to Hunterdon County, and the potential road closure will ultimately be the decision of the County Commissioners.

Mr. Brooks stated that the existing temporary road closure for construction and the proposal to permanently close the road are two separate issues. Since the Authority has not made a formal request of the County and since the reservoir is 32 feet below full pool, the Authority supports reopening the road in the near term while a permanent closure is considered. Mr. Brooks discussed the current construction status and noted that the current contractor schedule targets December 1 for road opening.

#### COMMUNICATIONS/CORRESPONDENCE

Mr. Brooks stated that there are several items of correspondence, mostly articles related to the Authority's proposal to permanently close County Road 629. The letter written to the Authority by the Mayor of Clinton Township has also been provided.

## UNFINISHED BUSINESS

Mr. McKeon provided a report on the Water Treatment Plant and the Manasquan Reservoir System. Mr. McKeon stated that everyone has a copy of his report. Mr. McKeon noted that for the prior two months rainfall was well below normal and that with many days where the air temperature was around 90 degrees, the reservoir reached a low capacity of 70 percent on September 6. New Jersey American Water purchased additional water in September which also contributed to the current reservoir status being below normal. Operations were normal for July and August. The lack of rainfall caused water quality to be consistent in both the river and reservoir sources and the water plant ran well with only a few minor equipment failures and issues. Problems with the ozone system during an excessive heat stretch in July were resolved with the help of an outside service technician. Capital program work is mostly in the planning and approval stages. The top six feet of the surface of the reservoir will be treated with an Algaecide on September 13 to stem the rise of bluegreen algae and head off a bloom in anticipation of when the reservoir water undergoes its fall turnover.

Mr. Shaffer reported on the Raritan Basin System. Mr. Shaffer stated that everyone has a copy of his report. Mr. Shaffer noted that the Spruce Run Reservoir is at 40.5 percent of capacity. Round Valley is drawn down for the rehabilitation project and due to demand. At the date of this meeting, it is at 57.1 percent of capacity which is a record low. The combined reservoir capacity is now at 54.3, which is also a record low. The typical combined level for this date is 90.1 percent.

Mr. Shaffer stated that the harmful algae bloom in the Millstone River has dissipated, allowing the Authority to reduce releases that had been significantly higher than normal for about a month to combat that condition. However, overall conditions in the basin remain dry and rain events in the last couple of weeks have not had a significant long-term impact on flows in the Raritan River, so Authority releases remain elevated.

Mr. Shaffer stated that Canal operations are normal for this time of year. Recent rains affecting the Delaware River basin have improved water levels in the Delaware River ensuring adequate diversion to the Canal.

Mr. Shaffer reported on the Round Valley Reservoir Dams Rehabilitation and Resource Preservation Project. Mr. Shaffer discussed specific ongoing work at both the North and South Dams.

Mr. Klipstein reported on the Watershed Management Program. Mr. Klipstein stated that everyone has a copy of the written Watershed Management Program report. Mr. Klipstein highlighted Watershed Management activities to address aquatic invasive species including the treatment of hydrilla in the D&R Canal and the Manasquan Reservoir; the removal of water chestnut in the South Branch intake pond; and the administration of the boat steward program in Spruce Run and Manasquan Reservoirs. Mr. Klipstein stated that the Authority is working closely with the New Jersey Department of Environmental Protection to develop a statewide aquatic invasive species management plan which will assist in the strategic response to aquatic invasives, especially emergent species that are not yet widespread.

Mr. Klipstein stated that the Authority's D&R Canal Non-Point Source Project has been selected to receive the 2022 Excellence in Water Resources Management Award from the American Water Resources Association, New Jersey section. Mr. Klipstein discussed the activities and funding of that project.

In response to a question from Mr. Havens, Mr. Klipstein stated that one impact of the drought has been to expose areas that contain hydrilla tubers which may allow the Authority to get ahead of some mitigation efforts. In response to a question from Mr. Picco, Mr. Klipstein stated that water milfoil is present in Spruce Run and Manasquan, but that it is not the invasive of greatest concern.

#### NEW BUSINESS

Mr. McKeon provided the background information on the resolution authorizing the award of a contract for the refurbishing of a single-stage vertical turbine pump at the Manasquan River Intake Facility, Wall township, Monmouth County, NJ, WSA C22032M. Mr. McKeon stated that planned Capital Improvements for Fiscal Year 2023 identified the need to rehabilitate a pump at the Intake Pumping Station. Intake pump #2, which has the most operating hours of any of the pumps that have not yet been refurbished since the original installation in 1990, has been selected. Although the pump continues to deliver the same amount of water as it has historically, staff believes it is prudent to replace all bearings and wearing parts in the column sections while pulling out this large pump to correct a known bolt deterioration problem.

The bid was advertised in accordance with standard Authority policies. Two bids were received in the amounts of \$53,960 and \$103,380. Authority staff's estimated cost for this work was \$64,000.

Mr. Havens moved the resolution authorizing the Executive Director to enter into a contract with Longo Electrical-Mechanical Inc., of Wharton, New Jersey, for the refurbishing of a single-stage vertical turbine pump at the Manasquan River Intake Facility, Wall Township, for a lump sum cost of \$53,960.00. Mr. Picco seconded the motion. All Authority members approved the resolution.

Mr. McKeon provided the background information on the resolution authorizing the Executive Director to enter into contract WSA C23000M: Sediment Removal, Manasquan Reservoir Water Supply Intake Pump Station, Wall Township, Monmouth County. Mr. McKeon stated that, depending on storms and rainfall, an accumulation of sediment builds up in the underwater sections of the Manasquan Intake Pump Station Facility. This happens over time and is monitored annually by staff. If not removed periodically, the sediment, leaves, and other plant material can inhibit the traveling water screen operation and cause turbidity scouring through the intake pumps. Measured readings indicate the need for this cleaning in the fall of 2022.

The bid was advertised in accordance with standard Authority policies. Two bids were received in the amounts of \$41,000 and \$59,000. Staff reviewed the bids for content, adherence to the bid documents, and completeness. The lowest bid was missing required certifications and was therefore disqualified. The bid from Coastal Engineering was found to be in compliance with all bid requirements.

Ms. Blew moved the resolution authorizing the Executive Director to enter into a contract with Coastal Engineering, LLC of Greenwood Lake, New Jersey, for the removal of underwater sediments accumulated at the Manasquan Reservoir Water Supply System Intake Pumping Station, Wall Township, NJ, for a lump sum cost of \$59,000.00. Mr. Iacullo seconded the motion. All Authority members approved the resolution.

Mr. McKeon provided the background information on the resolution authorizing the Executive Director to enter into contract WSA C23001M for Maintenance and Repairs of Two FMC Model 45A Traveling Water Screens at the Manasquan River Intake at the Manasquan Water Supply System, Allenwood, Monmouth County, New Jersey. Mr. McKeon stated that the traveling water screens capture and remove leaves, sticks and other debris floating into Manasquan River intake facility that would otherwise be pulled into the pumps, resulting in clogging and problems at the intake pool. There are eight units that have been in service since 1989. In 2016 unit #7 was rebuilt by replacing all components that are continuously submerged. In 2021 units #3 and #4 were rebuilt, replacing worn

chains and sprockets. In late 2021, two additional units became excessively worn, including one that is currently inoperable.

Bids for maintenance and repairs to two traveling water screens have been advertised in accordance with standard Authority procurement procedures. Two bids were received on Friday, August 26, and after consultation with DAG Hunt, one bid was deemed non-responsive. The second bid was found to be responsive and responsible. In response to a question from Mr. Iacullo, Mr. McKeon stated that one factor in the increased cost is an increase in the amount of underwater work required.

Ms. Blew moved the resolution authorizing the Executive Director to enter into a contract with Independence Constructors Inc. of Bridgewater, NJ, for the refurbishment of two traveling water screen units for a lump sum cost of \$196,152.00 for the Manasquan Water Supply System, Monmouth County. Mr. Iacullo seconded the motion. All Authority members approved the resolution.

Ms. Shelley provided the background information on the resolution authorizing execution of a D&R Canal Transmission Complex utility lease agreement with Sunoco Logistics Partners for operation of a 14-inch pipeline transmission line under and adjacent to the D&R Canal in three separate crossings in the Counties of Mercer, Somerset and Middlesex. Ms. Shelley stated that this resolution authorizes execution of a lease agreement with Sunoco Pipeline LP to continue to operate a 14-inch pipeline transmission line under and along the D&R Canal in three locations within six central New Jersey Townships.

In 1956, the Authority's predecessor issued a perpetual lease to Sunoco for a gas pipeline to be installed under the Canal in three different locations. The pipeline was constructed and has been in operation since that time. Due to irreparable pipeline damage at one of the locations, Sunoco will be relocating a section of the pipeline to a different (parallel) area, outside of the currently leased area.

A new lease with Sunoco has been created per current State guidelines for terms, conditions and valuation, for the three pipeline crossings under the Canal. The parties to the lease are the Authority, the NJDEP, the D&R Canal Commission, and the tenant (Sunoco). The parties and the attorneys for each party have approved the lease. The rent was determined by appraisal. The State House Commission approved the lease on June 13, 2022. In response to a question from Mr. Picco, Ms. Shelley confirmed that the Department of Environmental Protection approved the re-alignment.

Mr. Picco moved the resolution authorizing the Executive



Director to execute a twenty (20) year lease agreement, consistent with standard terms and conditions, with Sunoco Pipeline LP pursuant to the "Agreement for the Development, Maintenance and Operation of the D&R Canal Transmission Complex as a Water Supply Facility and for Public Recreation, Conservation and Historic Purposes as Part of the D&R Canal State Park," dated June 17, 1986, and to execute an amendment to the lease agreement to change the rent to \$4,900 for year one upon the State House Commission's approval. Ms. Blew seconded the motion. All Authority members approved the resolution.

Mr. Klipstein provided the background information on the resolution authorizing the Executive Director to execute a contribution agreement between the Authority and the United States Department of Agriculture - Natural Resources Conservation Service ("USDA-NRCS") to provide conservation technical assistance in the Raritan Basin. Mr. Klipstein discussed the history and purpose of the technical assistance agreement. This agreement follows previous agreements dating back to 2015 that established the shared staff position to facilitate the implementation of agricultural best management practices. Mr. Klipstein stated that this resolution authorizes the Authority to enter into a five-year conservation technical assistance agreement with the USDA-NRCS to fund a shared conservation planner position. The Authority and the USDA-NRCS will each contribute a total of \$162,934.50 over five years. Mr. Klipstein noted that the Authority portion will be funded through the Source Water Protection rate component.

Mr. Havens moved the resolution authorizing the Executive Director to execute a contract agreement with the USDA-NRCS for a contribution agreement to provide conservation technical assistance in the Raritan Basin. Mr. Picco seconded the motion. All Authority members approved the resolution.

#### COMMITTEE REPORTS

- (a) Personnel - no report
- (b) Finance - no report
- (c) Audit - no report
- (d) Public Participation - no report
- (e) Capital Projects - no report
- (f) Insurance - no report
- (g) Watershed Lands Acquisition Committee - no report

#### PUBLIC COMMENT

Public comment was given as follows:

Resident Quinlan noted to general agreement that the scheduled

time of the Board meeting was inconvenient to members of the public and provided the testimony of other residents who were unable to attend. Mr. Quinlan represented that he and many of the present residents of Hunterdon County are members of a Facebook group which was formed in opposition to the closure of County Road 629 and that a petition has been circulated in support of this opposition which has more than 2100 signatures.

Several additional residents spoke to express their strong opposition to the closure of County Road 629. Residents highlighted serious concerns regarding resident access to timely emergency services, economic impacts, and aesthetic value. Residents requested increased inclusiveness and transparency by the Authority and made specific requests for the Authority meeting correspondence; the framework for security analysis and risk evaluation; and detailed economic analysis. Residents expressed skepticism regarding the timing of the closure proposal and questioned the motivations of the Authority.

Residents made suggestions for improved security in place of road closure. Residents also discussed and questioned the temporary closure of the road and requested that the road be re-opened earlier than the contractor's currently scheduled date of December 1.

Councilwoman Logan of Lebanon Borough echoed the concerns of many residents and expressed disappointment that she has received no response to her correspondence to the Authority Chair.

#### EXECUTIVE SESSION

There was no need for an executive session.

#### Adjourn

Mr. Picco moved to adjourn the meeting. Ms. Blew seconded the motion. All Authority members approved of the motion. The meeting was adjourned at 3:24 P.M.

I hereby certify this to be a true and original copy of the September 12, 2022 New Jersey Water Supply Authority meeting minutes.

*Michelle Rollman*

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Michelle Rollman  
Finance and Accounting Analyst