



NEW JERSEY WATER SUPPLY AUTHORITY

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Minutes of the Meeting of the New Jersey Water Supply Authority

September 13, 2021

A regular meeting of the New Jersey Water Supply Authority was convened on September 13, 2021 at 2:00 P.M. by teleconference.

As designated by Shawn M. LaTourette, Acting Commissioner New Jersey Department of Environmental Protection and Chair New Jersey Water Supply Authority, Linda Ofori, Assistant Director, Division of Water Supply, 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: Linda Ofori, 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

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
Rita Shaw, Controller
Dorota Neulinger, Principal Accountant
Julie Shelley, Property & Permit Administrator
Chris Sotiro, Contracts & Risk Manager
Michelle Rollman, Finance and Accounting Analyst
Kathrine Hunt, Deputy Attorney General
Jeffrey Nielsen, Associate Counsel, Authorities Unit

APPROVAL OF THE MINUTES

Acting Chair Ofori opened the meeting by asking for the approval of the minutes of the July 12, 2021 meeting. Mr. Havens moved for the approval of the minutes as prepared and this motion was seconded by Mr. Iacullo. The minutes of the July 12, 2021 meeting were approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

Mr. Brooks stated that everyone has a copy of his report. Mr. Brooks discussed the remnants of Hurricane Ida which reached New Jersey almost two weeks ago. Mr. Brooks commended staff, some of whom worked through the storm and others who have worked since then, to ensure that there were no disruptions of water supply to Authority customers. Mr. Brooks noted that there was no major damage to the dams and that there will be only modest setbacks to the Round Valley construction schedule. Manasquan had less rain and very little wind during Ida.

Mr. Brooks stated that the Canal flooding was significant and that the Raritan River crested at a record elevation in Bound Brook. The flooding overtopped the embankment and became one with the Canal in many locations. While there were no breaches, the flooding and erosive actions of the river caused significant damage at various places. The western section of the Canal on the Delaware was mostly affected by local flooding. The crest in Stockton, at an 18.5 foot gage height, is in the top 15 crest elevations on record. Mr. Brooks discussed staff inspection, prioritization, debris clearing and sediment clearing activities. Mr. Brooks stated that a contractor has been procured to perform emergency restoration work in South Bound Brook and near 6-Mile Run Culvert in Franklin Township near Blackwells Mills Causeway.

Mr. Brooks stated that the Authority has been in touch with Federal Emergency Management Agency ("FEMA") representatives and is working through the FEMA guidelines. Some costs may be recovered through that agency.

Mr. Brooks stated that the Authority continues to follow all guidance from the Governor's office with respect to COVID-19. Starting October 17, all staff members will either have to show proof of vaccination or proof of negative COVID-19 test results on a weekly basis.

Mr. Brooks stated that rainfall recorded at Spruce Run gage was 6.98 inches for July, and 7.69 inches for August. Rainfall at Spruce Run is 4.24 inches above average for the year through the end of August. Mr. Brooks stated that rainfall recorded at the Manasquan

Reservoir was 8.32 inches for July, and 5.91 inches for August. Rainfall at Manasquan is 7.79 inches above average for the year through the end of August.

Mr. Brooks commended the Authority finance team which again received an award for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada.

COMMUNICATIONS/CORRESPONDENCE

Mr. Brooks stated that there were no communications or correspondence received.

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 discussed summer rain and heat conditions at Manasquan. The Manasquan Reservoir has been at 85 percent of capacity or better throughout the summer months. There have been no additional water purchases. Mr. McKeon stated that operations have been generally normal.

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 100.5 percent of capacity. Round Valley is drawn down for the rehabilitation project and will remain at or below elevation 360.8 for the project duration. At the date of this meeting, it is at elevation 360.4 or 66.4 percent of capacity. The combined reservoir capacity is now at 72 percent while the typical combined level for this date is 90 percent.

Mr. Shaffer stated that Canal operations are in recovery mode since the storm. Mr. Shaffer noted that the dams are in good condition and that Mr. Brooks addressed the Canal updates in his report. Mr. Shaffer added his commendations to staff for their response to the event.

Mr. Shaffer reported on the Round Valley Reservoir Dams Rehabilitation and Resource Preservation Project. Mr. Shaffer stated that the contractors prepared for the heavy rain forecast, so impacts to the construction were minimal, beyond the expected pumping and cleanup needed to restart earthfill work. Mr. Shaffer described components of the earthwork being conducted by the contractor and subcontractor. Mr. Shaffer noted that a diving subcontractor has mobilized and is preparing the 36-inch, low level outlet pipe for abandonment.

Mr. Shaffer discussed the South Branch Pump Station Pump Rehabilitation and Equipment Upgrades. The engineering consultant

has evaluated the four existing pumps and motors which are to be rehabilitated as part of the initial phase of this project. A schematic design report was recently submitted for the pump work.

Mr. Shaffer stated that there are several change orders discussed in his written report and offered to answer any questions.

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 stated that the contract agreement with Rutgers Cooperative Extension for the Spruce Run/Mulhockaway Watershed Plan has been executed and that a kickoff meeting for the project will be planned for this fall.

Mr. Klipstein discussed the storm damages to the Mulhockaway Creek biochar project. A large percentage of the biochar material was lost. Mr. Klipstein also noted that there was minimal damage to the stormwater basins in Franklin Township and that they are in good condition.

NEW BUSINESS

Mr. Sotiro provided the background information on the resolution authorizing the execution of a Risk Management Consulting Services Agreement. Mr. Sotiro stated that the Authority solicits risk management consulting services on a three-year cycle. Mr. Sotiro described the advertisement and bid process and stated that two consultants responded to the advertised request for proposals. Mr. Sotiro discussed the evaluation and negotiation process and reviewed specific elements and qualifications outlined in the proposals. Mr. Sotiro stated that although the negotiated amount is less than the \$44,000 threshold required for Board approval, the inclusion of the contract option to renew for two subsequent years, results in the three-year contract value approximating \$114,000.

Mr. Havens moved the resolution authorizing the Executive Director to execute a Risk Management Consultant Services Contract with Albert Risk Management Consultants of Needham, Massachusetts for a one-year period in a reimbursable cost not to exceed amount of \$38,000 for program review and remarketing, with options to renew for two consecutive one-year periods for general risk management consulting services. Mr. Picco seconded the motion. All Authority members approved the resolution.

Mr. Sotiro provided the background information on the resolution authorizing the Executive Director to negotiate and execute a contract with the NJ American/Roxbury Water Company for renewal of uninterruptible service from the Raritan Basin System. Mr. Sotiro stated that the New Jersey American/Roxbury Water Company is currently under contract with the Authority for an uninterruptible supply of 0.274 million gallons per day ("MGD") of which 0.041 MGD is

deemed consumptive for public water supply purposes. Mr. Sotiro noted that this contract will expire at the end of this month, September, 30, 2021.

Mr. Sotiro stated that in June 2021, NJ American/Roxbury Water Company requested a renewal of its contract for a period of ten years commencing October 1, 2021. The Authority confirmed with the New Jersey Department of Environmental Protection Bureau of Water Allocation that the applicant's Water Allocation Permit would be renewed with no material changes. The water is currently, and will continue to be, withdrawn from existing diversion sites located within the Township of Roxbury. A notice of Public Hearing was mailed to interested parties and published in a number of New Jersey newspapers on July 9. After no interested party responded, no objections were received from any party and because the Authority had no other independent issues of concern, the Public Hearing was canceled pursuant to New Jersey statute.

Mr. Picco moved the resolution authorizing the Executive Director to enter into a contract with the NJ American/Roxbury Water Company for renewal of uninterruptible service from the Raritan Basin System, subject to the standard conditions. 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 Ewing Lawrence Sewerage Authority for continued maintenance and operation of two sewer lines crossing under and adjacent to the D&R Canal in the Township of Lawrence, Mercer County. Ms. Shelley stated that the proposed lease agreement is a renewal to an expired 50-year lease related to two existing sewer lines, owned and operated by Ewing Lawrence Sewerage Authority. Following the state guidance for lease valuation, the lessee commissioned an appraisal of the crossing which the Authority compared to the state guidance. It was determined that the state minimum lease fee of \$700 per year was appropriate. Ms. Shelley stated that the Deputy Attorney General has reviewed and approved this form of lease, as have representatives of the D&R Canal Commission, the State Parks Service, and the Office of Leases and Concessions at the NJDEP.

Ms. Blew moved the resolution authorizing the Executive Director to execute a twenty (20) year D&R Canal Transmission Complex utility lease agreement with Ewing Lawrence Sewerage Authority for continued maintenance and operation of two sewer lines crossing under and adjacent to the D&R Canal in the Township of Lawrence, Mercer County. Mr. Havens seconded the motion. All Authority members approved the resolution.

Mr. Shaffer provided the background information on the resolution authorizing the award of a construction contract for the

Spruce Run Reservoir Discharge Channel Clearing Project in Union Township and Town of Clinton, Hunterdon County, WSA-C22000. Mr. Shaffer stated that the primary spillway's discharge channel consists of a 1,900-foot long channel connecting to a stilling basin at the downstream end. Mr. Shaffer noted that the channel was constructed by removing overburden (existing soil) and blasting bedrock and that the proposed discharge channel clearing will restore the channel to its original condition. The intent of the work is to remove trees and vegetation from an estimated area of 14.2 acres.

Mr. Shaffer stated that this project stems from a recommendation generated by the Technical Review Board ("TRB") during their evaluation of the dam. The TRB recommended that the Authority monitor all springs in the spillway discharge channel to detect changes in flow volume or turbidity as a potential early indicator of changes in the dam's foundation. Authority staff visually monitors these springs, but the task is challenging due to the heavy vegetation. Collecting and measuring the seepage is nearly impossible under current conditions. Mr. Shaffer stated that in addition to the seepage monitoring improvement, the removal of large trees and heavy vegetation will provide the added benefit of improved hydraulic capacity during high flows.

Mr. Shaffer described the advertisement and bid process. The bids ranged from \$345,000 to \$1.4 Million and the Engineer's estimate was \$727,200. When considering the disparity of the bids, staff noted that the low bid was a land clearing specialty contractor, while the other bids were all general contractors. Authority staff reviewed the low bid and found it to be legally and technically responsive.

Mr. Iacullo moved the resolution authorizing the Executive Director to enter into a construction contract with Peter Downes & Son, Inc. from West Milford, New Jersey, for the Spruce Run Reservoir spillway discharge channel tree clearing project in Union Township and the Town of Clinton in Hunterdon County, New Jersey, for a lump sum and unit price cost not to exceed amount of \$345,000.00. Ms. Blew seconded the motion. All Authority members approved the resolution.

Mr. Shaffer provided the background information on the resolution ratifying the actions of the Executive Director in executing a construction contract required for the emergency construction services for replacement of the left sluice gate at the South Bound Brook Lock on the Delaware and Raritan Canal in South Bound Brook, Somerset County, New Jersey. Mr. Shaffer stated that a sluice gate at the South Bound Brook Lock became stuck in the open position last May. Stop logs in place at the time of the gate operation prevented adverse impacts to the Canal level and the Authority's customers, but the stuck gate represented a loss of redundancy that required prompt correction. Mr. Shaffer noted that

sluice gates typically have a long lead time of several months, which would be compounded by normal procurement.

After receiving approval from the Capital Projects Committee on May 21, the Executive Director initiated an emergency procurement utilizing a modified procurement process. Authority staff prepared construction plans, specifications, and a bid package to solicit bids. Four contractors were invited to submit bids and one sealed bid was received on June 14, 2021.

Upon recommendation from engineering staff, a contract to furnish and install a new replacement sluice gate was executed by the Executive Director with Independence Constructors, Inc. in the amount of \$97,000.00 on June 24, 2021. The contractor subsequently took underwater measurements, ordered the replacement gate, and the anticipated delivery date is late November.

Ms. Blew moved the resolution to ratify the actions of the Executive Director in executing a contract with Independence Constructors, Inc. of Bridgewater, New Jersey in the amount of \$97,000 to furnish and install a new, replacement sluice gate at the South Bound Brook Lock on the Delaware & Raritan Canal, Borough of South Bound Brook, Somerset County. Mr. Havens 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

In response to a question from Mr. Nielsen, Mr. Shaffer stated that the Authority does not anticipate any difficulties with a cold weather installation of the South Bound Brook sluice gate.

EXECUTIVE SESSION

There was no need for an executive session.

Adjourn

Mr. Havens moved to adjourn the meeting. Mr. Picco seconded the motion. All Authority members approved of the motion. The meeting was adjourned at 2:24 P.M.

I hereby certify this to be a true and original copy of the September 13, 2021 New Jersey Water Supply Authority meeting minutes.

Michelle Rollman

Michelle Rollman
Finance and Accounting Analyst