

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2019-067

Council Meeting Date: 02-11-2019

Date Adopted: 02-11-2019

TITLE           RESOLUTION ACCEPTING THE PROPOSAL OF MASER  
CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING SERVICES  
REGARDING TIER 'A' MUNICIPAL STORMWATER PERMIT  
REPORTING

Councilperson Cumiskey submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, the Borough of New Providence acquired Professional Engineering and Professional Environmental Consulting Services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19-44A-20.5; and

WHEREAS, Maser Consulting was awarded a contract with the Borough of New Providence via Resolution 2017-018 to provide professional engineering services; and

WHEREAS, Maser Consulting Services has submitted a proposal dated October 31, 2018 indicating they will provide professional engineering services specific to the Tier 'A' Municipal Stormwater Permit for the Borough of New Providence, for an amount not to exceed \$21,500.00; and

WHEREAS, the fees assessed with this proposal are contained in said contract; and

WHEREAS, the maximum amount of the proposal is not to exceed \$21,500.00, and said funds are available from the following accounts:

9-01-20-165-281-000000

and have been certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of New Providence that they hereby approve and authorize the professional services included in the Maser Consulting Services proposal dated October 31, 2018.

APPROVED, this 11<sup>th</sup> day of February, 2019.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
CUMISKEY	X			
DESARNO	X			
GENNARO	X			
GEOFFROY	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 11<sup>th</sup> day of February, 2019.

Wendi B. Barry, Borough Clerk



Engineers  
Planners  
Surveyors  
Landscape Architects  
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October 31, 2018

Mr. Douglas R. Marvin, Administrator  
Borough of New Providence  
360 Elkwood Avenue  
New Providence, NJ 07974

Re: Tier 'A' Municipal Stormwater Permit Reporting  
Professional Engineering Services  
Borough of New Providence, Union County, NJ  
**MC Project No. NPT-622P**

Dear Mr. Marvin:

Maser Consulting P.A. (Maser Consulting) is pleased to present this agreement for professional engineering services regarding the continued development, maintenance and updating of the Borough's Tier 'A' Municipal Stormwater Permit for 2018/2019 and reviewing and implementing the new conditions of the Tier 'A' Municipal Storm Sewer Systems (MS4) and New Jersey Pollutant Discharge Elimination System (NJPDES) permit. The final NJPDES Master General Permit Program became effective on January 1, 2018. The New Jersey Department of Environmental Protection (NJDEP) has given municipalities a timeline to comply with the new Tier 'A' MS4 NJPDES permit requirements.

#### **TASK 1.0 – 2018 TIER 'A' MUNICIPAL STORMWATER PERMIT PREPARATION**

In review of the Borough of New Providence's Stormwater Management Plan and Stormwater Pollution Prevention Plan, it is necessary to perform the annual permit review and re-certification. In addition, submission of the 2018 Tier 'A' Municipal Stormwater Permit to the NJDEP is required by May 2018 which has been advanced. Inspections are required to be conducted yearly as per the NJDEP Stormwater Management Regulations and the Tier 'A' Municipal Stormwater Permit currently issued by the State of New Jersey to the Borough of New Providence. Please note that partial inspections drainage structures are conducted during the year depending upon the road and drainage projects that the Borough improves as part of their capital improvement programs.

Maser Consulting will utilize existing mapping and coordinate with DPW regarding review of the stormwater outfall structures that is required to be inspected on a yearly basis as per the Tier 'A' Stormwater Management Regulations. This effort will be provided in accordance with the New Jersey State Stormwater Management Regulations.



Documentation of the stormwater outfall structures will be provided to the Borough DPW Superintendent for the scheduling of work orders in those locations that are failing or require debris and sediment removal. The report will be accompanied with commentary and photographs pertaining to the outfall and stream scouring remediation, illicit connection elimination (if any) which discharges into the water bodies and roadway erosion control. Where corrective action is required, Maser Consulting will advise the DPW of the necessary corrective work and maintenance. For those areas that the DPW cannot address, coordination with outside vendors and/or contractors may be required. Certain cleaning or maintenance activities conducted in New Jersey's streams and rivers require permits pursuant to the Freshwater Wetland (FWW) Protection Act Rules (N.J.A.C. 7:7A) and the Flood Hazard Area Control (FHA) Act Rules (N.J.A.C. 7:13); however, minor cleaning activities can be conducted without the need to obtain either permit. Unless necessary, the corrective work will pertain to minor cleaning activities as defined by NJDEP FHA and FWW regulations. Coordination with site access may be necessary and temporary or permanent easements may be required.

As part of the Tier 'A' Municipal Stormwater Permit requirements as designated by NJDEP, the Borough is responsible to identify and eliminate the illicit connections that may currently discharge into the water bodies. During our investigation and coordination with the DPW, should illicit connections be identified, they shall be noted and the appropriate documentation forms specific to the outfall will be prepared. If the source of the illicit connection is not able to be immediately identified, then a separate agreement will be prepared to perform the additional engineering services need to further investigate the source of the potential illicit connection and responsible party.

#### **TASK 2.0 – TIER 'A' MS4 NJPDES NEW REQUIRMENTS IMPLEMENTATION**

The Phase II stormwater rule was revised by U.S. Environmental Protection Agency (EPA) in December 2016; and as a result, the NJDEP drafted and issued a revised and more comprehensive NJPDES General Permit requiring changes to the Tier 'A' MS4 NJPDES permit. A majority of the Statewide Basic Requirements (SBR) shall be met by December 31, 2018 with the exception of Outfall Pipe Maps submitted to the NJDEP electronically by December 21, 2020. Maser Consulting will coordinate with the Borough and the DPW implementation of the SBRs and prepare the necessary documents. Outlined below are the SBRs and other new permit conditions that are required by 2019 and are listed starting with the highest priority.

- Updating the Stormwater Pollution Prevention Plan (SPPP) and Municipal Stormwater Management Plan (MSWMP) and posting on the municipalities website;
- Provide Municipal Board and Governing Body Members that review and approve redevelopment application the Post-Construction Stormwater Management "Training Tools" to complete;
- Advertise public involvement programs pertaining to outreach and education activities;



- Implementing Best Management Practices (BMP) for construction debris storage, street sweeping, catch basin cleaning, yard trimming and wood waste management sites;
- Provide training resources to Borough's employees;
- Update Outfall Pipe Map and include in the SPPP;
- Assist the DPW in developing a program to detect and investigate localized stream scouring from outfall pipes;
- Assist the DPW in developing a program to enforce long-term cleaning, operation and maintenance of stormwater facilities not owned or operated by the Borough;
- Provide stormwater facility inspection and maintenance logs to the DPW;
- Coordinate with Building Department to keep on record copies of maintenance plans for stormwater facilities approved by the Borough; and
- Identify and review TMDL reports for the water bodies located in the Borough.

Creating and submitting the Outfall Pipe Map electronically per the new MS4 NJPDES requirements is not included as part of this agreement. The electronic Outfall Pipe Map submission to the NJDEP is not required until December 21, 2020. The Borough should look to budget funds for this task in 2019.

### **FEE SCHEDULE**

Our efforts will be performed in accordance with the terms and provisions in our contractual agreement with the Borough for professional engineering services. For your convenience, we have broken down the total cost of the project into the tasks identified within the Scope of Services.

TASK 1.0	TIER 'A' MUNICIPAL STORMWATER PERMIT PREPARATION	\$7,500.00
TASK 2.0	TIER 'A' MS4 NJPDES NEW REQUIREMENTS IMPLEMENTATION	\$14,000.00
<b>TOTAL LUMP SUM FEE</b>		<b>\$21,500.00</b>

The above engineering services will be provided on a lump sum basis not to exceed the listed amount without authorization. The project shall commence immediately upon authorization. This contract and Fee Schedule is based upon the 2018 Borough Engineering Contract authorized by Borough of New Providence.

The Finance Department should review the Borough Finances regarding allocating the appropriate funding for the scope of services.

### **EXCLUSIONS**

If any item listed herein, or otherwise not specifically mentioned within this agreement or the Borough Engineering Agreement, is deemed necessary, then Maser Consulting may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services. Unanticipated additional service



shall be in accordance with the Schedule of Hourly Rates. No extra services will be performed without authorization from the Borough.

### **PROJECT DELIVERABLES**

During the permit preparation process, Maser Consulting will provide the Borough with one (1) set of documents that are submitted to the review agency for their use. Additional correspondences will be forward to the Borough Clerk.

### **REIMBURSABLE EXPENSES**

Reimbursable expenses including delivery, printing, copying, postage and other reproducible costs for the above mentioned deliverables are included within this agreement and are included in the project cost.

If you find this agreement acceptable, please forward a copy of the Resolution of Approval to this office. This will constitute approval of the proposed engineering services.

We thank you very much for the opportunity to offer our services and look forward to working with you on this and future projects. In the meantime, should you have any questions regarding this agreement, please feel free to contact me.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in blue ink, appearing to read 'Michael J. O'Kreky', written over a horizontal line.

Michael J. O'Kreky, P.E., C.M.E.

CPO/mt

cc: Andrew R. Hipolit, P.E. (Maser Consulting)