



The Authority View

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Small Systems. Big Matters. About 20 AEA members met June 23 at the offices of the Hanover Township MUA for a workshop on the Local Public Contracts Law, presented by Norman Smith, who is shown here, standing, addressing the group. The presentation prompted a lively dialogue about approaches to bidding and contracts matters, that comply with contracting and pay-to-play statutes. Following that, the discussion broadened to common concerns facing smaller water and wastewater systems. Many executive directors in the group expressed an interest in continuing to have periodic meetings like this in the future. If you are an ED or manager at a small system and interested in participating, please contact AEA staff and let them know.

Highlights

**DEP Considers
Revisions to Bacteria,
Phosphorous and
Ammonia Surface Water
Quality Standards**

Page 4

**Data Management and
Protection Can't be
Forgotten**

Page 6

**Investing in
Infrastructure**

Page 8

Introduction to the AEA's Professional Development Committee

As echoed in the President's Column, the AEA is excited to announce the formation of the Professional Development Committee (PDC), which is dedicated to the further education, integration and succession of the next generation of leaders into the Association and industry at large. The PDC wanted to take this opportunity to provide a summary of who we are, as well as the benefits we can bring to the association and any member that would like to become involved in our mission.

Succession planning and knowledge sharing are absolute essentials to the vitality and long-term stability of any great organization and the industry they serve. The AEA is no exception and following concerns voiced at



By Brian J. Brach, P.E., Chair

the March Manager's Breakfast, the association has taken the initiative to ensure that institutional industry

Continues on page 5

The Authority View

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President's Message

New Professional Development Committee to Cultivate Leaders

AEA's potential for dynamic, committed leadership is alive and well, I am happy to report. I can say this with confidence because I have had the pleasure of working recently with several talented "younger folks" as part of the newly formed Professional Development Committee.

The committee is chaired by Brian Brach, executive director of the Manasquan River RSA, and its members include Brian Valentino, ED at Western Monmouth MUA, Joshua Palumbo, who runs the Wastewater Program at Cape May County MUA, Rina Dilal an engineer with T&M Associates, and Apryl Roach of Franklin Township SA.

The first meeting, in April, grew out of a discussion I participated in with executive directors, senior managers, and commissioners at a breakfast held before the opening of the AEA spring conference. Succession planning and workforce attrition were among the matters of most concern, and folks at the breakfast expressed the desire to see AEA address this. They felt AEA should be proactive in understanding the scope of the succession planning needs and the needs of the younger generation of professionals within AEA. This jived perfectly with my own priorities as president of AEA.

Consequently, we identified several individuals who might be interested in a so-called "succession planning committee" and invited them to a kick-off meeting. Since then, the committee has dubbed itself the "Professional Development Committee," it has developed a mission statement, and it has kicked off a pilot mentoring program. The committee



By Mike Ruppel

members have begun meeting with seasoned members who have agreed to act as mentors. In November, as part of the AEA fall conference, the committee will be reporting about its efforts and seeking member input to broaden the mentoring program and other aspects of its work.

Without AEA, I could not have accomplished all that I have been able to accomplish in my 41-year career. I only wish I had become involved in AEA sooner. The individuals I have mentioned above are "up-and-comers," just as I was once and just as many of those reading this column were. I am glad Brian and his colleagues on the committee are involved with AEA now, not only for the benefit it will provide to their own careers, but because of the benefit it will have for AEA as well. If you are interested in the Professional Development Committee or in mentoring a younger person, please contact me or Peggy Gallos.



Executive Director's Message

A Popular Member Benefit Returns

I always tell prospective members that one of the services AEA provides its member organizations is a “big-picture” view of their world. One of the best examples of that is the salary and benefits survey. Since I joined AEA in 2011, hardly a month has gone by without a request that we do the survey again or an email saying, hey, do you still do that salary and benefits survey? Clearly, this was a service that members wanted. So, this year, we brought it back.

There were differences from the previous surveys. Firstly, the survey was online, not on paper. It was created using a Constant Contact survey tool which collects and analyzes responses. Another difference was that, because we wanted to make the survey less burdensome for respondents, the survey was in two parts. (Actually, we had planned on doing it in three parts, but after seeing how Part One went, we decided two was sufficient and potentially less confusing.) Here is a look at some of the results:

For Part One, 56 organizations are represented. For Part Two, 31 organizations responded.

Of the 36 respondents who answered the Part One question “what is your operating budget less debt service?” the largest budget given was \$52M, the smallest was \$1.4M, and the median was \$6.6M.

Respondents told us their employee counts range from as few as five and as high as 258, with the median being 26.

Of the 56 who participated in Part One overall, 35 respondents answered questions about whether and how much they pay their chairs and boards. Of that number, seven said they paid zero.

The average executive director salary, based on the respondents who answered, was \$130,786. The median was \$131,699. The highest was \$174,678 and the two lowest figures given were \$14,000 and \$59,600.

Since I joined AEA in 2011, hardly a month has gone by without a request that we do the survey again or an email saying, hey, do you still do that salary and benefits survey?

(Possibly one or both of these are part-time.)

Of the 31 who responded to Part Two, for the position “operator,” 30 gave an answer. Of those, the average salary given was \$52,503, the median was \$51,231. The lowest was \$22,660 and the highest was \$101,766. In many cases, respondents indicated that multiple individuals have the title, and they gave ranges of salaries.

We asked about holidays: 25 of the 31 listed Martin Luther King’s birthday as a holiday; 15 said they give Election Day as a paid day off.

22 told us they offer a paid call-out or call-back benefit; 18 said they offer a night-shift differential.

There is much more to the survey! The results of Part One and Part Two are posted. AEA members can view them by visiting the E-News/Document Library page on the Member Content side of our website, www.aeanj.org. (You must register for the Member Content section. If you aren’t



By Peggy Gallos

registered, just click on “Member Content” at the top of the home page and follow the prompts.) We are also looking at ways to organize the data into categories (e.g. small, medium, large) to enable survey readers to more readily compare salaries in like organizations.

I am grateful to those who took the time to participate in one or both of the surveys. I am also grateful to folks including Bernie Bujak of South Monmouth RSA, Scott Conklin of OCUA, and Justin Flancbaum of Lakewood Township MUA who served as test respondents. I wish participation had been higher, but I attribute that to a degree at least to the fact that this was our shake-down cruise. Next year, we will have refined the format and the methods of encouraging participation, and that will lead, I hope, to great participation and results that more accurately reflect the full membership.

A handwritten signature in dark ink, appearing to read 'Peggy Gallos'.

DEP Considers Revisions to Bacteria, Phosphorous and Ammonia Surface Water Quality Standards

Changes in rules at the EPA level prompted DEP to invite AEA and other stakeholders to a meeting in April regarding potential revisions to bacteria, phosphorous, and ammonia surface water quality standards.

DEP officials including Pilar Paterson and Biswarup (Roop) Guha explained that consideration of changes is at its early stages. AEA members who attended provided some feedback but afterward said a more detailed draft proposal would be needed before the regulated community would be able to make substantive comments. The changes discussed:

Bacteria. All NJ waters would be classified for primary contact recreation. Allowable illness rates would be re-evaluated and consideration would be given to whether the standard should be applied year-round or remain seasonal. DEP might require year-round. The regulated parameter now pegged to e.coli may be changed to enterococcus. Jim Cosgrove, of Kleinfelder, an AEA member organization, suggested to the DEP that existing enterococcus data from monitoring required by DEP for many years at treatment plants would be helpful for DEP to evaluate.

Phosphorous. Consideration would be given to extending the Phosphorus Study protocol to tidal fresh waters and possibly applying an effluent limit even when no impairment is demonstrated.

Ammonia. In 2013, EPA adopted new, more stringent criteria aimed at protecting certain species of mussels and snails. What DEP officials did not know was whether these species are found in New Jersey. Of the three parameters, the change to the ammonia standard has the greatest potential for impact. Compliance could be costly

for some treatment plants.

The AEA NJPDES Committee discussed this matter at its May 27 meeting and will be drafting a letter to DEP providing comments. The committee will be following developments. DEP gave no timetable for further stakeholder input or release of draft rules.

***About the writer:** Jim Cosgrove, P.E., is a vice president/principal at Kleinfelder in Princeton NJ. Jim is a member of the AEA NJPDES Committee, a member of the NJ Clean Water Council and has served on the AEA Board of Directors.*



By Jim Cosgrove



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AEA's Professional Development Committee

Continued from page 1

knowledge is disseminated to the next generation of willing leaders. The president and executive director have overseen the formation of a 5-person committee, which has been hard at work establishing a sound foundation from which to grow this fledgling group. Members consist of Brian Brach, Chair (ED of the MRRSA), Brian Valentino (ED of the WMUA), Josh Palombo (CMCMUA), Rina Dalal (T&M Associates) and Apryl Roach (FTSA).

Age is not a factor in determining eligibility for participation in the PDC. Anyone interested in progressing self-development, career growth and advancement of the industry is invited to contribute to the group. Whether a veteran operator looking for a more senior managerial role, a recent college graduate looking to learn the intricacies of the industry, or an experienced professional joining the ranks of utility managers from another career, there is a role for everyone looking to become an industry leader on this committee.

The PDC's first initiative involves the formation of a mentoring pilot program. Details of the program are currently being developed and several experienced industry leaders have been selected to participate as mentors. The pilot program will help the PDC to identify weaknesses and recognize strengths from which to build upon when a large-scale mentoring program is rolled out the association during 2016. It is envisioned that a successful mentoring program will help initiate sharing of information throughout the ranks of the association and strengthen participation of less experienced members.

The PDC asks that each Member Organization identify and encourage those individuals with the potential to take on leadership roles, within their respective company or industry, to become active within the Committee. Interested individuals are



Brian Brach, executive director of the Manasquan River RSA, chairs a kick-off meeting of pilot mentoring program, which is the first project to be tackled by the new AEA Professional Development Committee.

encouraged to email the Chair, Brian Brach at mrrsabrian@gmail.com, to find out details regarding PDC opportunities.

Likewise, experienced individuals and leaders are also encouraged to contact the PDC chair to share their experiences, concerns and suggestions for what they think should be important initiatives for the group.

The PDC would like to thank the president, executive director and current mentoring volunteers for all

Anyone interested in progressing self-development, career growth and advancement of the industry is invited to contribute to the group.

the assistance they have provided to get this committee off to a great start. We look forward to providing value to the association moving forward!

About the writer: Brian Brach chairs the new PD Committee and recently took the position of executive director at the Manasquan River RSA.

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Data Management and Protection Can't be Forgotten

If I had a dollar for every time I've ever heard an executive director or company manager say, "My IT guy has it covered," I could close the doors of my business today. Conversely, IT people sometimes confide in me they don't have everything handled.

Maybe the IT manager doesn't know what a loss could cost or perhaps he/she was just given a budget and told to work within it. But whatever the reason, the pattern of executive director / IT disconnect forms. It can even exist within the mind of the executive director himself/herself, if that person wears an IT "hat" along with many others.

In larger utilities, for one reason or another, IT can't get the subject out into the open because they've been told to "handle it. I trust you." In smaller systems, the executive director, office manager or other staff member tasked with IT along with many other responsibilities may have many competing priorities. IT issues such as business continuity, backup and disaster recovery may seem vague. IT risks are harder to imagine than a pump failure or a power outage that interrupts service, but IT risks are real. Protecting and recovering critical data and continuing to operate smoothly directly affects the bottom line and the rates customers pay. It could even have economic, environmental and public health impacts. Executives and their boards must open up the budget to protect this critical asset.

Start the conversation by comparing the costs protection versus loss.

The IT director or manager should feel comfortable approaching executive directors or managers and have reasonable access or a process to keep them informed on the risk status for the utility. And as difficult as it may

In larger utilities, for one reason or another, IT can't get the subject out into the open because they've been told to "handle it. I trust you."

be, managers in small utilities need to take the time to address data management and protection. It is important that boards, system users, and (if you have one) IT departments see the big-picture financial, security or operational risks. Once that understanding exists, solution can be developed.

Backing up data is important, but it is not enough. It is not as simple as buying a software program or piece of hardware. Critical facilities like water, wastewater and solid waste utilities need a system that is tested and certified to prove data can be recovered. They need an SOP for how data will be protected, how it will be accessed in an emergency and how service and operations that depend on that data will be restored. Whether it is an IT staff or in smaller systems, an ED or manager, someone needs to be responsible for data protection and restoration. Here are a few tips to keep in mind:

There are many backup types out there: cloud-only backups, on-site backups using USB drives, tapes, onsite with cloud backups and more. The list goes on.

Some approaches are better than others. The best backup and disaster recovery solution is probably a hybrid approach that consist of onsite backups using the cloud to replicate



By Paul J. Franks

the backups, but the solution will be unique to your situation.

Approaching business continuity effectively involve protecting the data, assuring the reliability of where/who/ what is doing the protecting, designating someone to be in charge of data recovery in a disaster, e.g. a "Sandy" event or a terrorist event, and making the SOP redundant so that more than one person understands what needs to be done. It is helpful to have one staff member create processes to manage the solution, and that solution should include daily monitoring, writing the disaster recovery plan and testing yearly. With IT staff members wearing multiple hats, this can be very difficult, and it may be necessary to find a vendor/partner to help.

***About the writer:** Paul J. Franks is the CEO of ThinkGard, a technology risk management firm specializing in intelligent disaster recovery and business continuity planning. ThinkGard provides services to public agencies including several in New Jersey.*

What to Ask, For Roofs That Last

By John L. Pierson, PE and
Jim Collins

When it comes to roofing, there are some basic fundamentals of design, which when properly applied, virtually guarantee the success of all but the most highly specialized roofing projects. Identifying those principles, and using them as guideposts in selecting your roofing partners, will maximize your potential for success.

Critical factors of concern to specify long-term watertight roofing solutions include code compliance, weather exposure, thermal expansion and contraction, moisture condensation, sealant compositions, insulation composition, overflow capacity, surfacing and coating materials.

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Building codes generally consist of minimum standards, but complying with them is a legal requirement. Determining which requirements apply to your situation requires both knowledge and expertise because every roof has its own unique design configuration.

Aside from compliance with state and local building codes, it is critical to ensure the roof system selected is best suited for that building. There is no such thing as a generic, one-size-fits-all roofing system. There are various environmental factors that can affect the performance of a roof and as an architect, engineer, building owner or facility manager, it is your responsibility to define each of the factors as they apply to your project. It is then the responsibility of your roofing partners to verify that your roofing solution is designed to accommodate all relevant environmental conditions, which include humidity, temperature range, rapidity of temperature changes, degree of UV exposure, rainfall, snow load, marine (salt water) exposure, elevation and wind.

Since all buildings move, roof systems need to be constructed to withstand that movement. It's also important to note that different types of materials will expand and contract at different rates. Metal roofing solutions

accommodate thermal movement in a variety of ways, including free-floating panels and fully attached metal systems. On the other hand, a roofing membrane with high tensile strength will accommodate great amounts of expansion and contraction.

The condensation of moisture between a roof and its adjoining substrates may be a cause of mold, which can be drawn into a building via its heating and ventilation system. Whether moisture is being generated from outside the building or from within it, vapor retarders are the best defense against condensation. Vapor retarders are particularly critical for buildings that house pools, atriums or moisture-generating processes. There are two main categories of roofing system sealants: exposed and unexposed. As a general rule, sealants that remain exposed to UV will eventually crack and dry out, regardless of their composition. Exposed sealants should be avoided except for the most temporary roofing applications.

To evaluate whether a sealant used is appropriate for your application, consider: The material compatibility between the sealant used and the materials being sealed; the application's level of UV exposure; and the possibility of surface ponding.

Continues on page 10

Investing in Infrastructure

On these pages, we tell the story of AEA member organizations that are investing in infrastructure. Jackson Township MUA managed the timing and debt so that it could address big-ticket infrastructure needs while keeping rates stable. Mount Laurel MUA developed a carefully coordinated schedule to address 50 projects large and small in a manner that maintained excellent service and kept the public informed when work affected them. These are examples of the work public water, wastewater and solid waste service providers do every day, all year 'round.

Jackson Township: Smart Asset Management Keeps Costs Down

Jackson Township Municipal Utilities Authority

Operational budget: Approximately \$8.9 million

Customers served: 11,734 water accounts (approximately 33,000 residents). In summer, about 30,000 additional people are served through Six Flags Great Adventure.

Employees: 46

In the past seven years, Jackson Township's MUA has been fortunate enough to spend \$29.9 million on infrastructure – with little impact on rates. And even though the Authority is starting a \$10 million project soon, the rates are expected to stay fairly constant, says executive director, Dave Harpell.

Harpell heartedly concurs with the philosophy that “timing is everything,” saying he keeps a keen eye on MUA's debts and starts projects at the optimum time in the financial cycle whenever possible. “You can actually reduce your operating costs by making some smart capital improvements – and obviously the level of service to the rate bearers is better,” he says.

As for the new \$10 million project, it will connect the stand-alone water system at theme park Six Flags Great Adventure in Jackson Township to the existing system, resulting in much better efficiency. Although the project had been talked about for



These backwash tanks are part of approximately \$13 million in infrastructure improvements that ensured Jackson Township's capacity for potable water for decades to come.

years, Harpell felt it could be postponed until the MUA was in a better financial position. “If we tried to do this Great Adventure project in 2007 or 2008, it would have had a major impact on rates,” he says.

As it is, the theme park signed an agreement with the MUA in late 2014 to pay for half the costs, so the township will only be on the hook for \$5 million.

JTMUA's major projects since 2007 include:

Improving potable water capacity.

At a cost of more than \$13 million, the MUA added a new 4 MGD water treatment plant, a 2 MGD backup well and 1 million gallon elevated storage tank. In 2013, after several years of working with the state to change its water allocation, JTMUA received authorization for an additional 2,060 billion gallons per year, a 49 percent

increase. “This was huge,” says Harpell, adding that the additional allocation will provide adequate supplies for 20 years.

Closing of dead-end water mains.

This project cost almost \$900,000 and included adding a 24-inch carrier pipe that surrounded a 12-inch pipe for transporting water across Route 195.

Sewer upgrades. JTMUA replaced pipes, renovated pump stations and rehabilitated trenches, costing approximately \$3.5 million.

Harpell says he had the full support of his board in making the investments and that their attitude is, “Let's not fix it halfway. Let's fix it right and be done with it.”

“It really helps when you've got a board that has that perspective,” he notes.

Long-term Investments Pay Off for Mt. Laurel Township MUA

Mt. Laurel Township Municipal Utilities Authority

Operational budget: Approximately \$19 million

Customers served: Approximately 17,500 water accounts and 16,400 sewer accounts, all in Mt. Laurel
Employees: 69

The Mt. Laurel Municipal Utilities Authority is continuously investing in infrastructure, spending about \$3 million annually for almost two decades. The staff is quite busy handling about 50 projects a year, which have ranged from rehabilitating sewer lines to a \$22 million water treatment plant that became operational in 2007. By far the MUA's largest project, it overlapped with a multi-year aquifer storage restoration project that went online in 2004.

With such a large variety of projects, scheduling is one of the authority's biggest challenges, according to Pam Carolan, executive director. "It's a lot of work to coordinate all these," she said, noting that the MUA hired a construction coordinator about 10 years ago who came onboard about the same time as the township's new drinking water treatment plant. "We knew we needed help there, and we knew we would have continued work for him," she said.

Another thing that requires coordination is communicating with residents about road closings and water shutoffs in connection with repairs. For the past few years, Carolan has successfully used letter writing campaigns to notify residents about the scope of various projects, the schedule, road closings, water shutoffs and contact information. Project team members also go door to door with updates and leave printed information at residents' homes.



Mount Laurel MUA's goal is to maintain state-of-the-art infrastructure while getting the longest life possible out of each piece of equipment. Assessing the system to make upgrades at the most cost-effective moment takes skill and top-level planning.

"The feedback from our customers is great," she says, noting her department gets very few complaints, even if a project inconveniences hundreds of people in condo developments for days at a time.

As for large-scale projects, one of the major challenges has been keeping existing systems operational while construction is underway, which can become especially difficult when there's limited space to set up temporary systems on site. It's a situation that happens all too often, according to Carolan, because the construction boom of the 1980s ate up so much land. Carolan has sometimes had to put equipment on neighboring properties, which has driven up project costs.

Her goal is to maintain state-of-the-art infrastructure while getting the longest life possible out of each piece of equipment. And that's another challenge: taking an educated

guess on how long various parts of the infrastructure will last, while using them to their fullest until then. "You don't want them to fail," she says, noting that, "Failure definitely costs more than doing the work in advance." She feels that being proactive has definitely paid off for the township in the long term, and cited the 2004 aquifer storage and restoration project as a great example. It was triggered when the state limited the amount of water Mt. Laurel could retrieve locally, which required the township to purchase water elsewhere. The aquifer restoration project created a larger underground storage well so the township could store more water during winter for peak summertime use, which resulted in huge savings from the private company supplying the water. As a result, a \$2 million project that went online in 2004 has reaped about \$5 million in savings during the last 10 years.

What to Ask, For Roofs That Last

Continued from page 7

The R-value of insulation is of primary consideration when determining what materials should be specified. For BUR systems, it is equally critical to consider whether the insulation specified can be compatibly adhered with the specified insulation adhesive. For example, expanded polystyrene (EPS) insulation is not compatible with solvent-based adhesives. However, newer urethane asphalt-based adhesives are compatible with most insulation, including EPS. It is also important to know if the roof material specified is compatible with the insulation.

A roof system's overflow capacity is another design consideration that is too often overlooked. The installation of secondary drains may be required during retrofit, especially with older buildings that may have been built prior to today's more stringent codes. As with so many roofing design considerations, ensuring overflow capacity is the responsibility of the designer during building construction, and is frequently overlooked when renovating existing roofs. A properly installed roof should accommodate not only the rainfalls typical of your region, but also those occasional, excessive rainfalls that may occur. Building codes typically require overflow drainage systems to double the capacity of the primary drainage system.

Since the surface of a roof takes the most direct hit from UV, weather and effluents, protective surfacing or coating materials should be used to extend roof longevity. Where coal tar is used in a conventional built-up roofing configuration, that solution wouldn't be suitable for water or wastewater treatment plants due to the solvent content. For projects that require, a solvent-free application, there are several cold-applied, zero VOC adhesive options available for membrane securement.

Where solvents aren't as large of

a concern, gravel surfacing, with a flood coat of coal tar, is probably the most durable roof surfacing available for non-metal roofs. For BUR applications using coal tar, the IBC allows a minimum slope as low as 1/8-inch and 12 inches. That means that using a coal tar pitch with gravel surfacing in retrofit applications may help you reduce costs associated with adding tapered insulation.

A mineral-surfaced modified bitumen cap sheet is a more attractive, less expensive solution that is popular for roofs that are visible from the ground or from surrounding buildings or have slopes greater than 1:12. Somewhat less durable than gravel, it is nonetheless a popular alternative for many applications.

Summary

Roof designs, with their various code requirements, system types, and details are complex. It is important to have expert advice when making decisions about such a key part of your facility.

***About the writers:** John L. Pierson, PE, is the engineering services manager and product manager for metal roofing systems for The Garland Company, Inc., a Cleveland-based manufacturer of roofing materials. Jim Collins is territory manager for Garland covering south and central New Jersey. He works closely with architects, engineers, building owners, facility managers and contractors to help them meet their roofing performance, budgetary and scheduling objectives.*

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Risk Management

Understanding Status as an “Additional Insured”

The following article is the second in a series aimed at helping public water/wastewater/solid waste utilities manage their insurance. Because it is a key aspect of management and because the insurance world changes constantly, it is important, the writer advises, to review your policies periodically. In this and upcoming articles of Authority View, we will explore a few of the more common control techniques currently in use by almost all governmental agencies.

When the Authority engages the good or services of another entity, it could be held liable for the acts and completed operations of these entities. One of the most common protections against this exposure is adding “Additional Insured” status to the provider’s insurance policies. According to Wikipedia, the U.S. Insurance term “additional insured” is a person or organization that enjoys the benefits of being insured under an insurance policy, in addition to whoever originally purchased the insurance policy.

“Additional Insured” (AI) status under another’s policy is generally

not automatic and will require some form of endorsement to the affected policies. As discussed in part one of this series, in the Winter 2015 issue of *Authority View*, there are more than 94 such “Additional Insured” insurance service office (ISO) endorsements.

For the majority of authorities, you will see a relatively new endorsement providing automatic Additional Insured status to owners, lessees or contractors when it is required as part of your construction agreement. The endorsement would state that an additional insured is any person or organization performing operations under a contract that includes a provision that adds that person or organization as an additional insured to your policy.

The critical issue is the requirement of a written contract requiring the AI status under the policy. Generally this is not an issue for the authority with its prime contractor (assuming the contract is properly drafted). However, be aware that subcontractors and sub-subcontractors (third parties) employed by the prime contractor do not have a direct contractual relationship with the authority. Hence they do not have “automatic” AI status.



By John J. Campanile

Although the intent of this endorsement is to facilitate the “automatic” additional insured status for the insureds customers, I often find the endorsement is misunderstood and misused with serious consequences for both the Insured and the customer. In order to overcome the exposure pertaining to third-party operations, the ISO has developed an alternative endorsement that provides automatic status for other parties when required in the contract.

Although not yet court-tested,

Continues on page 12



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Understanding Status as an “Additional Insured”

Continued from page 11

the intent is to provide coverage for the third-party additional insured. This is a vast improvement and it is one you should specify in your construction contracts.

Current ISO endorsement guidelines provide for further restrictive language that now limits the protection to no broader than the contract requirements. The authority should be very articulate in the contractual insurance specifications because the contract can now be used to limit the coverage available to the AI.

Most construction AI endorsements do not provide coverage after operations have been completed. This can be contrary to most contracts which require coverage be maintained for one to three years after the project completion. To overcome this, be sure the insurance contract specification includes an endorsement (or its equivalent) that extends the additional insured status for the completed operations to scheduled persons or entities at the scheduled location. Contract insurance specifications should require all contractors and subcontractors of any tier to use this endorsement and include the additional insureds required in the specifications. In this instance as in others mentioned previously, the contract insurance requirements are critical.

In all cases, AI status will cease at the expiration of the policy unless it is provided in the renewal. This should be required in your insurance contract specifications.

Policy language has come to rely more heavily on “contractual obligations,” and this is now becoming a driving force in insurance protection under another’s policy. Remember the term “contractual obligation.” You will hear it from the claims adjuster when he/she discusses your rights and benefits under the policy where you are an “additional insured.”

About the writer: John Campanile is President of Stanford Risk Management Services, Inc. If you have any questions on the above or other risk management concerns John can be reached at 973-383-3260. More about Stanford Risk Management can be had at www.stanford-riskmgmt.com.



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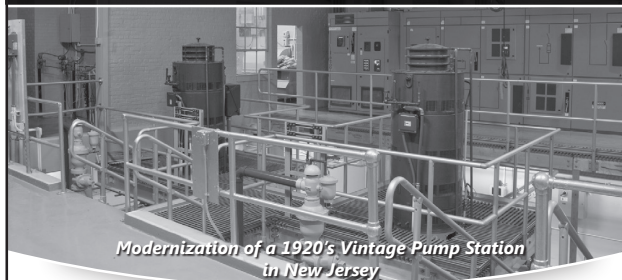
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