

BORDENTOWN SEWERAGE AUTHORITY
REGULAR MEETING MINUTES
February 16, 2010

The meeting was called to order by the Chairman, Ronald Marino, at 6:00 p.m. in the Conference Room of the Authority located at 954 Farnsworth Avenue, Bordentown, New Jersey.

In compliance with the Open Public Meetings Act, adequate notice of this meeting was provided in the following manner:

- a. posting written notice on the Official Bulletin Boards of the City of Bordentown, Township of Bordentown and Bordentown Sewerage Authority on February 20, 2009,
- b. by mailing written notice to THE TIMES, REGISTER-NEWS and BURLINGTON COUNTY TIMES on February 20, 2009; and
- c. filing written notice with the Clerks of the City of Bordentown and Township of Bordentown and mailing written notice to all persons who requested and paid for same on February 20, 2009.

The following persons were in attendance: Ronald L. Marino, James E. Lynch, Nancy A. Liberman, Zigmont Targonski, Joseph R. Malone III and Stephen Monson. Also in attendance were: Franklin S. Hartman, Jr., Judith W. Klim, Edward Kondracki, and Richard Czekanski.

SWEARING OF NEW BOARD MEMBERS

Mr. Kondracki swore in Nancy A. Liberman and James E. Lynch, Jr.

REORGANIZATION

On motion by Lynch, seconded by Liberman, it was moved to nominate the 2009 slate of officers for 2010.

On motion by Targonski, seconded by Lynch, it was moved to close nominations for the slate of officers.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Targonski, seconded by Malone, it was moved to cast one unanimous ballot for the slate of officers as nominated.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

The members established the meeting dates for the next year. On motion by Lynch, seconded by Monson, it was moved to adopt Resolution 2010-005, designating meeting dates and time:

Monday, March 15, 2010	6:00 p.m.
Monday, April 19, 2010	6:00 p.m.
Monday, May 17, 2010	6:00 p.m.
Monday, June 21, 2010	6:00 p.m.
Monday, July 19, 2010	6:00 p.m.
Monday, August 16, 2010	6:00 p.m.
Monday, September 20, 2010	6:00 p.m.
Monday, October 18, 2010	6:00 p.m.
Monday, November 15, 2010	6:00 p.m.
Monday, December 20, 2010	6:00 p.m.
Tuesday, January 18, 2011	6:00 p.m.
Tuesday, February 15, 2011	6:00 p.m. (Reorganization)
Monday, March 21, 2011	6:00 p.m.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Liberman, seconded by Malone, it was moved to adopt Resolution 2010-006 A-H, designating signatories for the Authority's bank accounts at Sterling Bank.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Liberman, seconded by Malone, it was moved to adopt the latest edition of Robert's Rules of Order as the parliamentary guide of the Authority.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Targonski, seconded by Lynch, it was moved to continue with the Authority's rules and regulations as previously adopted.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Liberman, seconded by Malone, it was moved to approve the minutes of the January 19, 2010 regular and executive meetings as submitted.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Lynch, seconded by Monson, it was moved to adopt Resolution 2010-007, approving the February payment of bills from the Operating Fund in the amount of \$255,661.73, of which \$102,213.45 is a payroll transfer and \$33,587.69 is a capital expense.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. APPOINTMENTS OF PROFESSIONALS:

On motion by Targonski, seconded by Lynch, it was moved to adopt Resolution 2010-009, approving Contract 2010-C2, appointing John J. Maley, Jr. as auditor for the Authority for the one year period commencing on February 1, 2010.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone
Nays:	Monson
Abstained:	None
Absent:	None

On motion by Liberman, seconded by Targonski, it was moved to adopt Resolution 2010-010, approving Contract 2010-C3, appointing the Law Office of Edward A. Kondracki, L.L.C. as counsel for the Authority for the five month period commencing February 1, 2010.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone
Nays:	Monson
Abstained:	None
Absent:	None

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2010-011, approving Contract 2010-C4, appointing EJA Associates as risk management consultant for the Authority for a period of one year commencing February 1, 2010.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone
Nays:	Monson
Abstained:	None
Absent:	None

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2010-012, approving Contract 2010-C5, appointing Remington, Vernick & Arengo as engineering consultant for the Authority for a period of one year commencing February 1, 2010.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone
Nays:	Monson
Abstained:	None
Absent:	None

Mr. Monson stated that he will vote "no" for every professional appointment because he objected to "no-bid" contracts and that he would not vote to approve any "no-bid" contract, even though he had no objection to the professionals that were being appointed.

Mr. Kondracki reminded Mr. Monson that, under the law, professional contracts and certain other types of contracts are not bid, but are advertised as Requests For Proposals. The reason is that a governmental entity has the right to select its professionals based upon their knowledge, reputation, skill and ability and not just on the basis of the lowest price. If bids are submitted based on an hourly rate, an inexperienced professional may bid a lower hourly rate to get the contract, but take longer to perform the work, costing ratepayers more. Mr. Kondracki stated that the Authority advertised for RFP's according to law and that no others submitted proposals other than the incumbents. Proposals are similar to bids in that cost is one consideration, but is not the only consideration. Every other qualified professional in New Jersey had the ability to submit a proposal but did not do so. Mr. Kondracki stated that the Authority is in full compliance with the law.

Mr. Kondracki stated that some contracts can only go out under an RFP because the services are incapable of being specified

B. DRIVER SUBSTANCE ABUSE AND ALCOHOL MISUSE :

On motion by Malone, seconded by Lynch, it was moved to adopt Resolution 2010-013, authorizing Agreement for Extraordinary, Unspecifiable Services for driver substance abuse and alcohol misuse testing with Interstate Mobile Services under Contract 2010-C6, commencing for a period of one year on February 1, 2010.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone
Nays:	Monson
Abstained:	None
Absent:	None

C. ANTI-HARASSMENT POLICY:

On motion by Targonski, seconded by Monson, it was moved to adopt Resolution 2010-014, approving the re-adoption of the Authority's Anti-Harassment Policy.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

D. PNC CAPITAL MARKETS:

The Board discussed refinancing opportunities for existing debt in light of potential savings to the Authority.

E. LATTIMER & SON CONSTRUCTION:

On motion by Liberman, seconded by Lynch, it was moved to approve payment to Lattimer & Son in the amount of \$30,478.00.

PROFESSIONAL REPORTS:

EXECUTIVE DIRECTOR:

Mr. Hartman reported that the Authority has received revised plans for "Home 2 Suites". Mr. Hartman noted he met with the NJ Turnpike Authority regarding their soil lab on Dix Drive. The Authority will receive the water discharged as a result of the Turnpike's project. The Authority engineer will review the Turnpike project and determine the connection fee. Mr. Hartman informed the Board that TRC approved the Authority's choice of CDM for the Authority's energy audit.

SOLICITOR:

Mr. Kondracki discussed his meeting with Omni Environmental. Mr. Kondracki suggested that the Authority may benefit from Omni's presentation on solar energy. Mr. Kondracki provided a report for this month's activities.

ENGINEER:

Mr. Czekanski provided a report of monthly activities. The report is attached.

PUBLIC PARTICIPATION:

Mr. Jason Medina and Mr. Jim Can of Bordentown Township attended the meeting to discuss the expansion of shared services.

On motion by Monson, seconded by Targonski, it was moved to adopt Resolution 2010-013 to meet in executive session.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

On motion by Liberman, seconded by Malone, it was moved to go out of Executive Session.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

ENERGY AUDIT SERVICES:

On motion by Monson, seconded by Lynch, it was moved to adopt Resolution 2010-014, authorizing the purchase of energy audit services from Camp Dresser & McKee.

Recorded vote:

Ayes:	Marino, Targonski, Liberman, Lynch, Malone, Monson
Nays:	None
Abstained:	None
Absent:	None

Prior to the vote, Mr. Kondracki reminded Mr. Monson that this was a "no-bid" contract. The project went out under an RFP, and CDM's proposal was actually higher than the apparent low bidder, but they proposed to do more tasks. Mr. Monson said he would vote in favor of this "no-bid" contract.

SHARED SERVICES:

Mr. Malone suggested that the Authority initiate a meeting with both the Township and City to discuss shared services.

On motion by Liberman, seconded by Lynch, it was moved to adjourn the meeting at approximately 8:00 p.m.

Respectfully submitted,

APPROVED ON:

March 15, 2010

Nancy A. Liberman, Secretary

10-014