

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
March 16, 2015

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 Board of the Bordentown Sewerage Authority on February 26, 2015,
- b. Mailing written notice to THE TIMES and BURLINGTON COUNTY TIMES on February 26, 2015; 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 26, 2015.

The following persons were in attendance: Board Members Ronald L. Marino, Zigmont F. Targonski, Stephen Monson, James E. Lynch, Jr., Joseph R. Malone III, and M. Ellen Gulbinsky. Also in attendance were: Executive Director Richard D. Eustace, Administrative Manager Elizabeth J. Kwelty, The Authority's Solicitor Thomas J. Coleman, III, and The Authority's Engineer Richard Czekanski.

On motion by Lynch, seconded by Monson, it was moved to approve the minutes of the February 17, 2015 regular session.

No discussion on the proposed minutes.

Recorded vote:

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

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2015-027 approving the March payment of bills from the Operating Fund in the amount of \$223,694.39, of which \$101,672.02 is a payroll transfer and \$12,866.00 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by Gulbinsky, seconded by Targonski, it was moved to adopt Resolution 2015-028, approving the payment of March bills from the Escrow Fund in the amount of \$9,461.84.

No discussion on this Resolution.

Recorded vote:

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

On motion by Targonski, seconded by Gulbinsky, it was moved to adopt Resolution 2015-029, approving the credits and/or refunds of customer accounts in the amount of \$6.21.

No discussion on this Resolution.

Recorded vote:

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

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

OPEN SEWER CONNECTION ACCOUNTS:

K. Johnson Urban Renewal, LLC/Team Campus: Payment 1 of Deferred Connection Fee Agreement in the amount of \$17,640.00 was received.

Rivergate Urban Renewal, LLC: Payment of \$13,286.66 was received for Building 4 and payment of \$18,822.77 was received for Building 1 as defined by the deferred connection agreement and payment schedule. (Payment #4)

DR Horton escrow account refund request in the amount of \$2,050.00.

There was discussion between Mr. Eustace, Mr. Monson, Mr. Targonski, and Mr. Czekanski clarifying that this amount is not the Amboy Bank portion, only the house builder portion that is used mostly for Bordentown Sewerage Authority lateral inspections.

East Haven Woods, LLC/Thorntown Lane: S-1 and S-2 approval.

*Mr. Eustace: these applications are for the new owner of the Thorntown Lane project.
Mr. Monson and Mr. Czekanski discussed the State of NJ Rules and Regulations versus the Bordentown Sewerage Authority Rules and Regulations that the previous owner had disputed.
The new owner is using the pre-existing site/design plans meaning the now resolved issues will not become an issue.*

Bruce G Cassidy/81 Old Amboy Road: escrow account refund \$150.00.

Mr. Eustace clarified that the connection fee was paid in full, but this property is not connected to the sewer at this time.

In discussion, Mr. Monson asked how a property in the Bordentown Sewerage Authority service area was not connected to the sewer. Mr. Targonski and Mr. Malone responded that there are many properties not connected to public sewer, and Bordentown Township would be the entity to enforce this connection. The properties not connected have some other solution such as a septic.

On motion by Malone, seconded by Lynch, it was moved to adopt Resolution 2015-030, approving a transfer in the amount of \$500,046.18 from the Trustee Debt Service Reduction Fund to the Trustee Revenue Fund, effectively closing the Debt Service Reduction Fund.

In discussion on the Resolution, Mr. Eustace confirmed that this particular account was created with the intention of using the funds when necessary for budgetary purposes. Mr. Monson raised the question of whether or not this is in direct result of the conversation last year that sufficient revenue is not generated from the rate payers. This resolution is a financial maneuver to transfer reserve monies to the General Fund.

Tom Coleman: This can be seen as the Authority using funds that were set aside as possibly being necessary for Debt Reduction and at this time are not needed for Debt Reduction. The transfer from this account does not violate the Bond Covenant, meaning the money can be used for budgetary purposes.

Mr. Malone: This discussion goes back two years ago when the Board decided it cannot ask the rate payers to pay increased rates when the Authority has an available surplus.

Recorded vote:

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

At the end of the meeting Mr. Malone wanted to revisit the two resolutions 2015-030 and 2015-031. Do we know what surplus we have? The Board wants a report at the next meeting of all available money.

On motion by Targonski, seconded by Lynch, it was moved to adopt Resolution 2015-031, approving a transfer in the amount of \$148,232.39 from the Morgan Stanley Connection Fee Fund to the Trustee Revenue Fund, effectively closing the Morgan Stanley Connection Fee Fund.

In discussion on the Resolution, Mr. Marino clarified that this is the same financial maneuver as Resolution 2015-030.

Recorded vote:

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

On motion by Targonski, seconded by Monson, it was moved to adopt Resolution 2015-032, authorizing the expenditure of Authority funds in connection with the lining of manholes within the Bordentown Waterfront Community project.

In discussion on the Resolution, Mr. Eustace explained the technical reasons for changing the specifications mid-project for the product used for lining of manholes. This is a proprietary product that the Authority will now use for all manholes. The Authority will pay the difference in price between the cost of the originally specified product to the cost of the now required product.

Recorded vote:

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

On motion by Lynch, seconded by Gulbinsky, it was moved to adopt Resolution 2015-033, awarding contract to Lookfirst Technology, LLC in the amount of \$3,074.13 for fourteen (14) email addresses from Microsoft Exchange online plan, Acronis backup software, 146GB hard drive, Synology Diskstation backup NAS, two (2) 3TB hard drives, shipping and labor, & installation.

In discussion on the Resolution, Mr. Malone asked if using your personal email account for Sewer Authority business is OPRAable. Mr. Coleman confirmed that yes it is OPRAable. All emails associated with Authority business are OPRAable. The question was asked that if emails originating from the Authority are on the Authority's server. If an Authority email gets sent to anyone outside of the Authority's server does the email get saved on the Authority's server? The Authority needs to have one place an OPRA requestor can go to retrieve all Authority related emails.

Clarification is requested to be reported to the Board at the next meeting. General email guidelines are requested to be provided to Board Members.

Recorded vote:

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

On motion by Targonski, seconded by Monson, it was moved to adopt Resolution 2015-034, authorizing the Authority's Executive Director to execute a license to cross agreement with the New Jersey Turnpike Authority.

In discussion on the Resolution, Mr. Coleman and Mr. Czekanski explained the need for this agreement in relation to the Grainger project. The Sewerage Authority is trying to work with Grainger and the Turnpike Authority to get the project progressing. The purpose of this resolution is to allow the Executive Director to sign an agreement to prevent the any delays with the project.

Recorded vote:

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

On motion by Lynch, seconded by Monson, it was moved to adopt Resolution 2015-035, authorizing the form of a proposed sanitary sewerage improvement reimbursement agreement between the Authority and G.S. Realty Corp.

In discussion on the Resolution, Mr. Coleman reviewed the drafted agreement from G.S. Realty Corp and is waiting for a response with any changes. This resolution allows the Executive Director to sign and prevent any delays with the project.

Recorded vote:

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

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

- The Bordentown Sewerage Authority payroll period ending dates will change. Currently, the pay period ending date is also the payroll pay date. The change will be complete for the July 31, 2015 payroll pay date which will pay for the previous two weeks ending July 24, 2015.
- The annual audit on-site portion is now complete
- Bradford Point Pump Station had a failure and the hauler brought the product here to the plant
- The Crystal Lake Pump Station had the new pump installed.
- Reverse Energy Auction took place on 3/13/15. We will wait for next month's auction before we sign a contract. Township Committeeman Moynihan was asked to take a look at the numbers before Rick signs a contract. Committeeman Moynihan agreed to take a look and help any way he can.
- Financial Disclosure Roster is to be completed by the end of March, and the Disclosures filed by the end of April.
- Rick requested dates for a Finance Committee meeting.

B. GENERAL COUNSEL:

Mr. Coleman reported on the month's activities.

-Harry Kantor's attorney called and sent an email to Mr. Coleman. The connection fee for Building 2W was paid in 2007. Mr. Kantor participated with this Authority and other developers in recognizing as with the rest of the Central Crossings buildings there is not enough capacity. This building cannot connect at this time. Mr. Kantor and his attorney need to reach out to the other developers and cooperate with the collected effort to improve the capacity at the location.

C. ENGINEER:

Mr. Czekanski reported briefly on the month's activities and his report is attached to these minutes and made a part thereof.

IV. PUBLIC PARTICATION:

In attendance were John Moynihan and Rich Carson. All in attendance wanted to listen to the meeting and did not have any comments.

On motion by Targonski, seconded by Lynch, it was moved to adjourn the meeting at approximately 7:05 p.m.

Recorded vote:

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

Respectfully submitted,

APPROVED ON:

April 20, 2015


Stephen Monson, Secretary

ED Report 3-16-15

- 1) Questions on Pay roll periods.
- 2) On Site portion of Annual Audit complete
- 3) Bradford point Pump Station Failure
- 4) New pump crystal lake pump station
- 5) Reverse Energy Auction 3/13/15

**BORDENTOWN SEWERAGE AUTHORITY
ENGINEER'S STATUS REPORT
FOR MARCH 2015 MEETING
PREPARED BY REMINGTON VERNICK & ARANGO (RV&A)
ENGINEERS**

DEVELOPMENT TOPICS:

- **Bordentown Waterfront Community:**

Phase I: Apartment units that are being occupied by the new residents have their wastewater flowing to the pump station. The pump station is operational. BSA personnel are monitoring its operation but it is still owned by the Applicant.

Phase II: In design. The site layout for the entirety of Phase II has not been submitted to date. No action.

- **Thorntown Lane Development:** Approved shop drawings have been returned to the contractor. Construction is expected to commence within the next 30 days.
- **Dunkin Donuts @ Bottom Dollar:** A preconstruction conference was held since last meeting.
- **Central Crossing:**

- **Grainger:**

- **Building Number 1:** Building number 1 is under construction. We have inquired as to their schedule for cleaning a sediment trap where their internal floor sweeper will discharge followed by rinse water.

- **For the Route 206 bypass force main** we completed our review of the material shop drawings but the ability to access NJTP property has not been acquired by the applicant.

- **Amboy Bank Building No. 3:** A draft agreement between the Authority and the developer related to the required infrastructure improvements has been provided for the gravity sewer by the Route 206 Armory and, if needed, the Rising Sun Road force main. Language coordination with the developer's solicitor is being performed by Mr. Coleman.

- Building 2W: Applicant's attorney is claiming capacity was provided prior to any Rising Sun Road pump station issues being identified. Authority has taken the position that the applicant is responsible for Rising Sun Road system improvements before any conveyance capacity assurance can be provided. Mr. Coleman is having an ongoing dialogue with the developer's solicitor.

- **1 Spring Street; Bordentown City: We distributed "Approved for Construction" drawings and we are entering the construction phase. No recent activity.**
- **Holiday Inn Express (Route 206 Edgewood Motel Site): The site drawings for solely the hotel (not the restaurant) are approved. The connection fee amount has been conditionally finalized. There are still minor items for the Applicant to address. A progress meeting with the applicant was held since the last meeting.**
- **Holiday Inn Express (Route 206 by Mansfield Border): BSA representatives meet with this "serious" developer to discuss Rising Sun Road conveyance system issues. This is the first conveyance system meeting for this project that has been on/off for 15 years. The developer was leasing his property to the NJTP contractor. Now that this work is complete the developer is looking to improve the property.**
- **Love's Tire Repair Shop At Rising Sun Road Connector Road: A review letter has been provided to the Applicant.**
- **Crystal Lake Development: Providing the applicant a letter regarding uncompleted easement work.**
- **Bordens Crossing: Contacting the applicant regarding uncompleted site and easement work.**

End of Report

Prepared by Richard B. Czekanski, PE, BCEE, CME