

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
October 19, 2015

The meeting was called to order by the Vice Chairman, Zigmont F. Targonski, 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 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, the Authority's Engineer Richard Czekanski, and Township of Bordentown Liaison Committeeman John Moynihan. Board Member Ronald L. Marino was absent.

On motion by Lynch, seconded by Malone, it was moved to approve the minutes of the September 21, 2015 regular session.

Mr. Monson objected to the minutes as currently proposed. He believed the minutes presented to the Board differed from the initial version prepared by the staff, by expanding Mr. Malone's comments from one sentence to a longer paragraph. This change was made upon recommendation from Mr. Coleman. Mr. Monson does not find that appropriate, and recommended a transcription of that portion of the meeting incorporated into the minutes.

Mr. Lynch, Mr. Malone, and Mr. Targonski had no comments on the submitted minutes. Mr. Coleman felt the original typed version of the minutes did not accurately reflect what was said at the meeting.

Recorded vote:

Ayes:	Targonski, Lynch, Malone
Nays:	Monson
Abstained:	Gulbinsky
Absent:	Marino

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2015-074 approving the October payment of bills from the Operating Fund in the amount of \$179,284.46, of which \$80,411.82 is a payroll transfer and \$7,075.00 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by Gulbinsky, seconded by Lynch, it was moved to adopt Resolution 2015-075, approving the payment of October bills from the Escrow Fund in the amount of \$2,835.69.

No discussion on this Resolution.

Recorded vote:

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

On motion by Gulbinsky, seconded by Malone, it was moved to adopt Resolution 2015-076, approving the credits and/or refunds of customer accounts in the amount of \$3,209.54.

No discussion on this Resolution.

Recorded vote:

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

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2015-077, ratifying emergency contract to Belyea Company in the amount of \$7,750.00 for various parts and labor related to substation switchgear repairs.

Mr. Eustace reported on the continuation of the emergency generator repairs. Hanby Associates continued repairs and during testing, the re-priming motor for the main breaker caught on fire. The breaker was sent to Belyea who is able to repair breakers from GE.

Mr. Monson asked if any costs are covered by insurance. Mr. Eustace confirmed a claim has been initiated. We will not know how much is covered until the electrician files the requested paperwork.

Recorded vote:

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

On motion by Lynch, seconded by Gulbinsky, it was moved to adopt Resolution 2015-078, authorizing the Authority's Executive Director to execute a deferred connection fee agreement between the Authority and Exeter Property Group.

Building 3 in Central Crossings Business Park was purchased by Exeter Property Group from Amboy Bank. The ability to sign a deferred connection fee agreement would allow the project to move forward without having to wait until the next board meeting.

Mr. Targonski asked if there are any previous agreements in that area. Mr. Coleman confirmed there is another agreement in place with Amboy Bank, but this deferred connection fee agreement will have terms and conditions to go along with that agreement. This is just an effort to move along the project.

Mr. Czekanski recommended an agreement to be drafted that is typical for warehouses where if the office space expands additional connection fees are owed. Mr. Eustace and Mr. Coleman confirmed the wording already exists in the deferred connection fee agreements with other warehouse developments and they will all coordinate to be sure the agreement is complete prior to signing.

Recorded vote:

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

On motion by Gulbinsky, seconded by Monson, it was moved to adopt Resolution 2015-079, authorizing Lookfirst Technology to properly recycle the Authority's unusable computer equipment.

Lookfirst Technology is the Authority's contracted IT firm, and will recycle equipment at no extra cost to the Authority. Mr. Targonski asked why we are not taking the equipment to City Hall for donation to Goodwill. Mrs. Kwelty explained Lookfirst will make sure that any data on the drives is properly wiped before recycling.

Recorded vote:

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

On motion by Lynch, seconded by Monson, it was moved to adopt Resolution 2015-080, authorizing the appointment of Billy S. Cole as a Sewer Maintenance Worker.

Mr. Eustace presented some of Mr. Cole's qualifications and thanked Mr. Lynch and Mr. Marino for their help increasing the starting salary to accommodate Mr. Cole's current license.

Recorded vote:

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

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

Open Sewer Connection Accounts

(1.) K Johnson Urban Renewal, LLC/Team Campus Building B: Payment of \$16,537.50 paid as defined by deferred connection agreement and payment schedule. (Payment #8)

(2.) Central Crossings Business Park Building III is now owned by Exeter Property Group. Sewer applications have been received. Plans have been submitted to Remington & Vernick.

(3.) Rivergate Building 1 was issued a use permit on October 2, 2015. The connection fee of \$345,372.00 was realized.

- Executive Director time spent on developer issues for October, 8.50 hours
- Administrative staff time spent on developer issues for October, 11.75 hours

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2015-081 waiving the Authority's Rules and Regulations requiring the lining of manholes after connection for Harris Automotive, as long as the property is for domestic use only;

Board discussion on this Resolution included: What type of usage does Harris have? If use of the property changes, will the manhole lining waiver be a problem? If the Authority grants a waiver of the rules will it set precedent? If another project of any size comes along to read that Harris was granted a waiver because they only had restrooms, what is the difference with the Harris property that they should be granted a waiver?

Harris Automotive Group is a business on the corner of Municipal Drive and Route 206 South. They have restroom facilities in place ready to hook up to the sanitary sewer main which they will do with a small force main from their building to a manhole in the street. Currently this property is on a septic system that is failing. This property's use is only for domestic use, there are not any industrial materials to go down the drain. The physical location of Harris and proximity to the manhole, allow for this type of connection and in Mr. Czekanski's and Mr. Eustace's professional opinions, qualify for a waiver of manhole lining and bonding the connection. Each and every connection is reviewed on a case by case basis. The Authority will hold in escrow the approximate cost of the connection instead of requiring a bond, and will refund the customer's escrow once the connection is complete and inspected.

Recorded vote:

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

On motion by Monson, seconded by Gulbinsky, it was moved to combine all Harris Automotive Rules and Regulations waivers into Resolution 2015-081, including the requirement to line the manholes. It was also moved to waive the Authority's Rules and Regulations requiring a performance bond for all internal improvements including pump stations, and instead require the escrow balance to be held in the amount of \$5,000.00 until the project is complete.

Recorded vote:

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

-Monthly Financial Report

Mr. Monson questioned the financial report and wanted to know if the sewer rents received column percentage total was because of where we were in the year, and does that amount fall in line with previous years. Mrs. Kwelty answered yes to both questions.

B. GENERAL COUNSEL:

Mr. Coleman reported on the month's activities.

-Kantor Property – Building 2W; Mr. Coleman is working on an Indemnification and Hold Harmless Agreement for the Authority to allow the new owners of the property full use of previously provided permits and fees.

Within this point there was a discussion about how the Authority is handling projects that have a change of ownership going forward. When the Authority is notified of a new owner, the new owner is asked to fill out a new S-1, S-2, S-3, and provide escrow monies. If the review process already took place with the prior owner, the S-3 was approved, and the new owner is not changing the development project, then they can continue on with the project.

On a separate issue, Mr. Monson asked Mr. Coleman if there is a Statute or administrative rule of the Authority requiring his review of the minutes. Mr. Coleman is not required by law to review the minutes but does so because he is asked to.

C. ENGINEER:

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

III. PUBLIC PARTICATION:

Committeeman Moynihan, Bordentown Township Liaison wanted to welcome the Board to the Townships' Veterans Day ceremony Saturday, November 7th at 1pm.

Leonard De Groot of 8 Arlington Road asked questions about the Authority's introduced budget, the legal requirement of surplus, the use of the surplus, DCA standards, and the appropriateness of Authority's payment of bills resolutions.

Mr. Eustace confirmed a surplus is not a requirement of the Authority.

Mr. Malone explained that the Authority's connection fee income varies greatly year to year and only when a project is completed and able to use the sewer line, does the connection fee become revenue.

Mr. De Groot requested that the board use the Grainger connection towards operating expenses and not have a rate increase. Mr. Monson went on to explain that all expenses of the Authority have been reviewed including future debt service payments, and the Authority is putting into place a surplus that can handle any catastrophic emergencies in the future. Mr. Monson also noted that it is a goal of the Authority to reach a point where rent revenues will cover operating expenses. Mr. Malone went on to explain that this board has had many heated discussions about surplus and how to apply it and what the Authority needs to plan for in the future.

The Authority will verify with the auditor that Payment of Bills Resolutions as they are written are appropriate.

On motion by Lynch, seconded by Malone, it was moved to adjourn at approximately 7:25 PM.

Recorded vote:

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

Respectfully submitted,

APPROVED ON:

November 16, 2015



Stephen Monson, Secretary

15-111

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

PLANT TOPICS

NJPDES Permit Response: Last month the Authority provided comments on the NJDEP draft permit objecting to new nitrate limits. The draft permit contains a significant requirement for nitrate reduction which the plant is not capable of accomplishing without significant process additions.

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. The contractor is working on miscellaneous minor construction items.

Phase II: In design. The site layout for the entirety of Phase II has not been submitted to date. A NJ Transit railroad crossing permit application has been submitted on behalf of the Applicant by our office but no response has been received to date. No other action.

- **East Haven (aka Thorntown Lane) Development:** On-site wastewater conveyance system construction is substantially completed. At later date video camera work will be conducted and information location on each lateral connection will be added to the as-builts.

- Central Crossing: Flow from this development is subject to restrictions present in the Rising Sun Road pump station and force main system:
 - Grainger:
 - Building Number 1: Building number 1 is under construction.
 - Route 206 Bypass Force Main: **A NJTP preconstruction meeting was held on Thursday, September 24 at the NJTP offices. A NJDOT precon will be held Thursday, October 22 at the BSA offices. Prior to mid November construction is expected to commence and extend over a four week period.**
 - Building No. 2W: A meeting with the Applicant occurred on Thursday June 18th where the Applicant took the position that this building is not subject to the original developer's agreement as that was signed by a different corporation who owns the corporate park. The Authority solicitor provided a response expressing the Authority's positions.
 - Central Crossing Amboy Bank Building No. 3: The agreement for installation of the Route 206 sewer main upgrades adjacent to the Armory and, if needed, the entire Rising Sun Road pump station force main is completed and signed. **The applicant's engineer is developing the preliminary design of the sanitary sewer system based on pipe bursting technology. An application for Building No.3 has been received.**
- Holiday Inn Express (Route 206 Edgewood Motel Site): We have provided suggested shop drawing materials for the Applicant's contractor to utilize and have approved others. **One more item requires clarification by the Applicant's contractor. The Applicant is behind with maintaining the escrow account up to date.**
- Holiday Inn Express (Route 206 by Mansfield Border): BSA representatives met with this interested developer on March 10th 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. No recent action.
- Love's Tire Repair Shop At Rising Sun Road Connector Road: A review letter has been provided to the Applicant. No recent action.
- Bordens Crossing: A progress meeting was held with Amboy Bank the current Phase 4 owner on April 9th to review outstanding work. Amboy bank is in dispute with Kor regarding ownership of Phases 1-3.

- Harris Automotive: Located at the corner of Municipal Drive and Route 206: New application for renovations to an existing building and extension of a force main piping system in Municipal Drive. The proposed package pump station would be inside the building and the system would be privately owned. We are providing a response to the Applicant's second review submission.
- Dunkin Donuts: The Applicant has requested a performance bond release.
- Bordentown Factory: Construction work is ongoing. Authority personnel are monitoring various aspects of the proposed work such as the lateral installation.

End of Report

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