

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
February 16, 2016

The meeting was called to order by the board secretary, Elizabeth J. Kwelty, 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.

SWEARING OF NEW BOARD MEMBERS:

Mr. Coleman swore in Leonard J. de Groot and Zigmont F. Targonski as duly appointed Board Members of the Bordentown Sewerage Authority, each for a term of five (5) years.

The following persons were in attendance: Board Members Leonard J. de Groot, M. Ellen Gulbinsky, James E. Lynch, Jr. (via conference telephone call), Joseph R. Malone III, Stephen Monson, and Zigmont Targonski. 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 (arrived 6:05 pm), and Township of Bordentown Liaison Deputy Mayor Stephen Benowitz.

REORGANIZATION:

On motion by Malone, seconded by Gulbinksy, it was moved to nominate the following slate of officers:

| | |
|-----------------------|---------------------|
| James E. Lynch, Jr. | Chair |
| M. Ellen Gulbinsky | Vice Chair |
| Zigmont Targonski | Secretary |
| Leonard J. de Groot | Treasurer |
| Joseph R. Malone, III | Assistant Secretary |
| Stephen Monson | Assistant Secretary |

On motion by Monson, seconded by de Groot, it was moved to nominate the following slate of officers:

| | |
|-----------------------|---------------------|
| M. Ellen Gulbinsky | Chair |
| James E. Lynch, Jr. | Vice Chair |
| Stephen Monson | Secretary |
| Leonard J. de Groot | Treasurer |
| Joseph R. Malone, III | Assistant Secretary |
| Zigmont Targonski | Assistant Secretary |

Mr. Coleman asked if there are any other nominations. Mr. Targonski moved that nominations be closed. Mr. Colman requested the votes be taken individually since there are two slates of candidates proposed, starting with Chair, then Vice-Chair, then Secretary, and so on.

Vote for Chair as follows:

Mr. de Groot: Mrs. Gulbinsky
Mrs. Gulbinsky: Mr. Lynch
Mr. Targonski: Mr. Lynch
Mr. Malone: Mr. Lynch
Mr. Monson: Mrs. Gulbinsky
Mr. Lynch: Mr. Lynch

James E. Lynch, Jr. was selected as Chairman

Vote for Vice-Chair as follows:

Mr. de Groot: Mrs. Gulbinsky
Mrs. Gulbinsky: Mrs. Gulbinsky
Mr. Targonski: Mrs. Gulbinsky
Mr. Malone: Mrs. Gulbinsky
Mr. Monson: Mrs. Gulbinsky
Mr. Lynch: Mrs. Gulbinsky

M. Ellen Gulbinsky was selected as Vice-Chairwoman

Vote for Secretary as follows:

Mr. de Groot: Mr. Monson
Mrs. Gulbinsky: Mr. Monson
Mr. Targonski: Mr. Monson
Mr. Malone: Mr. Monson
Mr. Monson: Mr. Monson
Mr. Lynch: Mr. Monson

Stephen Monson was selected as Secretary

Vote for Treasurer as follows:

Mr. de Groot: Mr. de Groot
Mrs. Gulbinsky: Mr. de Groot
Mr. Targonski: Mr. de Groot
Mr. Malone: Mr. de Groot
Mr. Monson: Mr. de Groot
Mr. Lynch: Mr. de Groot

Leonard J. de Groot was selected as Treasurer

On motion by Malone, seconded by Targonski, both Mr. Malone and Mr. Targonski are voted as Assistant Secretary.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

The members established the meeting dates for the next year. On motion by de Groot, seconded by Gulbinsky, it was moved to adopt Resolution 2016-006, designating meeting dates established at reorganization and appointment of official newspapers.

| | |
|----------------------------|---------------------------|
| Monday, March 21, 2016 | 6:00 p.m. |
| Monday, April 18, 2016 | 6:00 p.m. |
| Tuesday, May 17, 2016 | 6:00 p.m. |
| Monday, June 20, 2016 | 6:00 p.m. |
| Monday, July 18, 2016 | 6:00 p.m. |
| Monday, August 15, 2016 | 6:00 p.m. |
| Monday, September 19, 2016 | 6:00 p.m. |
| Monday, October 17, 2016 | 6:00 p.m. |
| Monday, November 21, 2016 | 6:00 p.m. |
| Monday, December 19, 2016 | 6:00 p.m. |
| Tuesday, January 17, 2017 | 6:00 p.m. |
| Tuesday, February 21, 2017 | 6:00 p.m.(Reorganization) |
| Monday, March 20, 2017 | 6:00 p.m. |

No discussion on this Resolution.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

16-011

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

No discussion on this Motion.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

On motion by de Groot, seconded by Targonski, it was moved to continue with the Authority's Rules and Regulations as previously adopted.

No discussion on this Motion.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

On motion by Gulbinsky, seconded by Targonski, it was moved to approve the minutes of the January 19, 2016 regular meeting.

No discussion on the proposed minutes.

Recorded vote:

| | |
|------------|--------------------------------------|
| Ayes: | Gulbinsky, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | de Groot, Lynch |
| Absent: | None |

On motion by Targonski, seconded by Gulbinsky, it was moved to adopt Resolution 2016-007, approving the February payment of bills from the Operating Fund in the amount of \$169,730.41, of which \$105,515.47 is a payroll transfer.

No discussion on this Resolution.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

On motion by Targonski, seconded by de Groot, it was moved to adopt Resolution 2016-008, approving the payment of February bills from the Escrow Fund in the amount of \$9,188.89.

No discussion on this Resolution.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. APPOINTMENT OF PROFESSIONALS:

On motion by Monson, seconded by Targonski, it was moved to adopt Resolution 2016-009, approving Contract 2016-C4, appointing John J. Maley, Jr. of Holman Frenia Allison, PC as auditor for the Authority for the one year period commencing on March 1, 2016.

There was discussion about changing procedure and interviewing professionals prior to appointment. Mr. Malone requested this discussion be held at the end as it had no relation to Mr. Maley's appointment as auditor.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

On motion by Gulbinsky, seconded by Targonski, it was moved to adopt Resolution 2016-010, approving Contract 2016-C5, appointing the Law Offices of Raymond, Coleman, Heinold, Norman, L.L.P., as counsel for the Authority for a one year period commencing on March 1, 2016.

Mr. Monson asked Mr. Eustace if there was only one proposal received for general counsel. Mr. Eustace explained that one other proposal was received from a firm who appears to specialize in labor law.

Mr. Monson then asked how many other proposals were received for all of the professionals. Mr. Eustace responded that more than one proposal was received for general counsel, consulting engineer, and financial advisor.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

On motion by Targonski, seconded by Monson, it was moved to adopt Resolution 2016-011, approving Contract 2016-C6, appointing Remington Vernick & Arango Engineers as engineering consultant for the Authority for a period of one year commencing on March 1, 2016.

Mr. Monson asked Mr. Eustace to confirm if more than one proposal had been received for consulting engineer. Mr. Eustace responded that there were two other proposals received, one was a small engineering firm out of Pennsylvania, the other was CME Associates whose prices were very close to Remington & Vernick.

Mr. de Groot mentioned the Pennsylvania firm would be prohibitive in cost for travel fees alone. The other two were essentially the same, this being part of the reason he wants to change procedure for approval for next year. Mr. de Groot has no objection to Remington & Vernick, but feels when two applications are that close, the board will be criticized widely for not entertaining an interview.

Mr. Malone asked Mr. de Groot why he thinks that. Mr. de Groot feels it is a matter of good propriety to interview professionals.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

On motion by de Groot, seconded by Targonski, it was moved to adopt Resolution 2016-012, approving Contract 2016-C7, appointing Capehart & Scatchard, P.A. as bond counsel for the Authority for a period of one year commencing on March 1, 2016.

No discussion on this Resolution.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

B. RISK MANAGEMENT AND INSURANCE CONSULTANT:

On motion by Targonski, seconded by de Groot, it was moved to adopt Resolution 2016-013, approving Contract 2016-C8, for Extraordinary, Unspecifiable Services of EJA/Capacity Insurance Agency, LLC as risk management and insurance consultant for the Authority for a period of one year commencing on March 1, 2016.

Mr. Monson asked if any other proposals were received. Mr. Malone asked for the percentage the Agent earns for services. Mr. Eustace explained no other proposals were received, and the agent earns 3.5%, half of the industry norm.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

C. DRIVER SUBSTANCE ABUSE AND ALCOHOL MISUSE TESTING:

On motion by Gulbinsky, seconded by Malone, it was moved to adopt Resolution 2016-014, approving Contract 2016-C9 for Extraordinary, Unspecifiable Services of Interstate Mobile Care, Inc. for driver substance abuse and alcohol misuse testing for the Authority for a period of one year commencing on March 1, 2016.

No discussion on this Resolution.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

D. FINANCIAL ADVISOR:

On motion by Malone, seconded by de Groot, it was moved to adopt Resolution 2016-015, approving Contract 2016-C10 for Extraordinary, Unspecifiable Services of Acacia Financial Group, Inc. as financial advisor for the Authority for a period of one year commencing on March 1, 2016.

Mr. Monson questioned Mr. Eustace if there were any other proposals received for financial advisor. Mr. Eustace confirmed there was one other proposal received, however, the Authority does not spend a lot of money on an annual basis, and it would cost the Authority more money to switch to a new firm.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

Mr. Targonski expressed his desire to maintain continuity of services as there is a lot of value in having a professional that already knows the history of the Authority.

For the next meeting, Mr. Monson and Mr. de Groot would like a proposed motion or resolution concerning the procedure for professional proposals when more than one proposal is received.

Mr. Lynch agreed to speak about it more at the next meeting.

E. POLYMER:

On motion by Monson, seconded by Targonski, it was moved to adopt Resolution 2016-016 authorizing the award of a contract to Coyne Chemical Company in the amount of \$5,298.13 for 1,984.32 pounds of BASF Zetag 7563 Polymer (36 – 55.12 pound bags).

No discussion on this Resolution.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

F. QUANTI-TRAY SEALER PLUS:

On motion by Monson, seconded by Targonski, it was moved to adopt Resolution 2016-017 authorizing the award of proprietary contract to Idexx Laboratories in the amount of \$5,014.39 for a Quanti-Tray Sealer Plus with 6 watt fluorescent lamp, 4-year additional sealer care, and freight to allow the Authority to perform in house e. coli testing required by its new NJDEP permit requirement; effective permit date April 1, 2016.

Mr. Eustace explained that with the new permit, this equipment is necessary to be compliant with testing practices. Since there is a lab audit on February 18, 2016 which includes all lab equipment, permission was requested and granted from two board members to purchase in advance of this meeting.

Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

III. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

OPEN SEWER CONNECTION ACCOUNTS:

(1.) K. Johnson Urban Renewal, LLC/Team Campus: Use Permit issued for Building B(GYM), \$315,000.00 was transferred to revenue. Use Permit issued for Building A \$126,701.40.

(2.) East Haven Woods (Thorntown Lane) – S-4 approval and connection permit issued for 3 Anna Rose Court.

(3.) QuickChek (Bordentown Waterfront) S-1 & S-2 approval.

(4.) Bordentown Corner, LLC; Pep Boys/Dollar General (Route 130 & Groveville Road) S-1 & S-2 approval.

Mr. Eustace reported briefly on the month's activities including a meeting about the Bordentown Waterfront pump station, Route 206 force main extension, monthly financial reports, and time spent on developer issues; executive director 13 hours and administrative staff 11.75 hours.

Mrs. Kwelty reported briefly on customer feedback from the January 2016 rate increase

B. GENERAL COUNSEL:

Mr. Coleman worked with both Mr. Eustace and Mr. Czekanski on Central Crossings Business Park with open items for Grainger's building, and GS Realty /Amboy Bank concerning reimbursement agreements and how that affects the two new users. There were also meetings with counsel for Building 3, over which connection fee rates to pay. The developer does need to pay 2016 connection fee rates. Finally, the stay request was received from the NJDEP.

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 Township Liaison Stephen Benowitz and Carol de Groot of 8 Arlington Road.

Mr. Benowitz extended his congratulations to the new appointees. Mr. Benowitz spoke about a recent Township meeting with the developer of the Bordentown Waterfront Community. Mrs. de Groot who was also present at the recent Township meeting with the Bordentown Waterfront Community developer, shared her thoughts.

On motion by Targonski, seconded by Monson, it was moved to adjourn the meeting at approximately 7:10 p.m.


Recorded vote:

| | |
|------------|---|
| Ayes: | de Groot, Gulbinsky, Lynch, Malone, Monson, Targonski |
| Nays: | None |
| Abstained: | None |
| Absent: | None |

Respectfully submitted,

APPROVED ON:

March 21, 2016



Stephen Monson, Secretary

**BORDENTOWN SEWERAGE AUTHORITY
ENGINEER'S STATUS REPORT
FOR FEBRUARY 2016 MEETING
PREPARED BY REMINGTON VERNICK & ARANGO (RV&A)
ENGINEERS**

PLANT TOPICS

NJPDES Permit Response: In September, 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 substantial process additions. The final issued November permit acknowledged the comments were received but left the nitrate requirements intact. In another effort to have the requirements removed a response for a "stay" was transmitted by certified mail in early December. **We were informed the NJDEP has prepared a draft response that is under NJDEP management review.**

Bordentown Wastewater Management Plan: The current plan will expire at mid-year. Even though the overall plan will expire revisions and amendments will still be processed. This is a clarification by NJDEP personnel to information provided in our last month's report.

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.

- ▶ **Quik Check: The Authority has received an application for a Quik Check mini-mart/gas station that will be in close proximity to the pump station. During a Thursday, February 11th meeting with the Applicant several design/easement issues were discussed.**

Bordentown Waterfront Phase II: In design. The site layout for the entirety of Phase II has not been submitted to date. In early 2015 a NJ Transit railroad crossing permit application had been submitted on behalf of the Applicant by our office but is still under the NJ Transit review process. **In a Thursday February 11th meeting with the Applicant and his contractors phase II piping and pump station issues were discussed. The Applicant proposes to be under construction in July. About 20% less than the original wastewater flow scope is now proposed. Phase II will predominantly consist of townhouse development.**

- East Haven (aka Thorntown Lane) Development: On-site wastewater conveyance system construction is substantially completed. At a later date video camera work will be conducted and information location on each lateral connection will be added to the as-builts.
- Central Crossings: 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. A meeting was held on January 6th to review outstanding Authority items. **The Applicant wishes to obtain Authority endorsement for a temporary occupancy permit. The granting of this endorsement is tied to the Route 206 force main work.**
- Route 206 Bypass Force Main: **Initial work is progressing on the force main installation. Soil testing found no samples exceeded NJDEP limitations. However, information obtained from Valero's engineer showed a nearby monitoring well possessed groundwater characteristics that exceeded NJDEP limits. Therefore, the work is progressing with NJTP and NJDOT concurrence that all excess groundwater not reused in the directional drill process will be retained and sampled. The sampling results will determine where the excess water can be discharged.**

- Central Crossing Building No. 2W: A meeting with the Applicant occurred on Thursday June 18, 2015 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. For upgrading the sanitary sewer piping from 8 inch to 15 inch diameter the Applicant's engineer submitted the NJDEP Treatment Works Permit application (TWA) and design drawings using open cut excavation techniques. Based on our review we provided permission to submit the NJDEP TWA.
- Holiday Inn Express (Route 206 Edgewood Motel Site): Sanitary sewer main installation work occurred in November through January.
- Holiday Inn Express (Route 206 by Mansfield Border): BSA representatives met with this interested developer on March 10, 2015 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 9, 2015 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 a privately owned package pump station inside the building and a force main system in Municipal Drive. A preconstruction meeting was held in December where the connection fee was paid. A similar meeting was recently held with the City's water department personnel.
- **Borden's Corner: New Application Along Route 130 North Past Team Campus: Proposed site of separate Pep Boys and Dollar General stores. Review letter provided.**

End of Report

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

16-021