

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
April 18, 2016

The meeting was called to order by Chairman, James E. Lynch, Jr., 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 27, 2016,
- b. Mailing written notice to THE TIMES and BURLINGTON COUNTY TIMES on February 27, 2016; 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 27, 2016.

The following persons were in attendance: Board Members James E. Lynch, Jr., M. Ellen Gulbinsky, Stephen Monson, Leonard J. de Groot, Zigmont F. Targonski, and Joseph R. Malone III. 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 Deputy Mayor Stephen Benowitz.

On motion by Malone, seconded by Targonski, it was moved to approve the minutes of the March 21, 2016 regular meeting.

In discussion of the minutes, Mr. de Groot mentioned his desire to discuss the professional appointment process with the board. Mr. Lynch decided the board will speak about professional appointments later in the meeting.

Recorded vote:

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

On motion by Gulbinsky, seconded by de Groot, it was moved to approve the minutes of the March 21, 2016 executive session meeting as amended.

No discussion on the executive session minutes.

Recorded vote:

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

On motion by de Groot, seconded by Targonski, it was moved to adopt Resolution 2016-027, approving the April payment of bills from the Operating Fund in the amount of \$366,655.47, of which \$207,667.31 is a payroll transfer and \$8,986.97 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by de Groot, seconded by Gulbinsky, it was moved to adopt Resolution 2016-028, approving the payment of April bills from the Escrow Fund in the amount of \$1,420.00.

No discussion on this Resolution.

Recorded vote:

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

On motion by Targonski, seconded by de Groot, it was moved to adopt Resolution 2016-029, approving the credits and/or refunds of customer accounts in the amount of \$118.00.

No discussion on this Resolution.

Recorded vote:

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

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. EMERGENCY GENERATOR REPAIR:

On motion by Malone, seconded by Gulbinsky, it was moved to adopt resolution 2016-030, ratifying an emergency contract to Hanby Associates in the amount of \$4,000.00 for labor from lightning damage to substation switchgear.

Mr. Eustace explained this resolution covers work performed last year that was not billed by the vendor. This invoice will be submitted to insurance for reimbursement.

Recorded vote:

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

B. RESOLUTION 2016-031 - 315 BORDEN STREET:

On motion by Gulbinsky, seconded by de Groot, it was moved to adopt Resolution 2016-031, authorizing the cancellation of \$9,452.59 of past due sewer charges incurred for services provided at 315 Borden Street in Bordentown City.

In discussion of this Resolution, Mr. Coleman explained the previous owner of 315 Borden Street was significantly in arrears for property taxes, and City of Bordentown filed an in rem foreclosure to recover the property. Tax sale certificate payments were received by Bordentown Sewerage Authority in the past, but there was not a lien issued for outstanding sewer bills. Anything due for this property that was not included in a lien effectively was wiped away in the foreclosure.

Resolution 2016-031 puts a process in place requiring the existing lateral to be capped and a new connection fee be paid when this property is reconnected to service. Mr. Malone and Mr. Targonski mentioned this is not a livable property, and has been condemned. Mr. Eustace confirmed the water meter was removed in 1995, so most of the balance due is interest.

A discussion about the Authority's process for handling delinquent accounts took place including the billing process, water shut-off process, and submission for tax sale. Since the Authority shuts off the water service and has a high collection rate, liens have not been used as a method to collect on delinquent accounts.

The Bordentown Sewerage Authority provides to the police departments a listing of all properties that have been shut off at the end of the day. Mr. Malone requested that the Township office also receive a listing so the Township Committee has access to the information.

Mr. Eustace and Mr. Lynch will establish a policy to accommodate after hours requests to restore service.

Recorded vote:

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

C. RESOLUTION 2016-032:

On motion by Monson, seconded by Targonski, it was moved to adopt Resolution 2016-032, authorizing award of contract in the amount of \$11,670.00 to Xylem Dewatering Solutions to retrofit new Godwin 4” pumpend, bell housing, coupling and miscellaneous parts onto existing Authority owned John Deere 3015D diesel engine mounted on Authority road going trailer.

No discussion on this Resolution.

Recorded vote:

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

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

OPEN SEWER CONNECTION ACCOUNTS:

- (1.) K. Johnson Urban Renewal, LLC/Team Campus: Connection and Use Permits issued for Building B (POOL) (122 Route 130), S-4 Approval, \$10,962.00 was transferred to revenue.
- (2.) Exeter Property Group: (Central Crossings Business Park Building 3) (301Bordentown-Hedding Road), S-4 Approval, full connection fee in the amount of \$261,000.00 was received.
- (3.) QuickChek Corporation: Connection permit issued for QuickChek convenience store (Route 130 & Country Route 662 Rivergate Blvd), S-4 Approval, full connection fee in the amount of \$140,150.00 was received.
- (4.) Environmental Protection Agency (EPA) waiver submitted for 201 Old York Road Warehouse (Matrix) Block 130, Lot 2.

(5.) Escrow refund in the amount of \$515.00 for Love's Travel Stops & Country Stores. Issuing the refund will reduce the escrow balance to maximum of \$5,000.00.

(6.) East Haven Woods, LLC (Thorntown Lane Project); Use permit issued for 2 Anna Rose Court. Developer used connection credit from 47 Thorntown Lane.

The executive director spent 8.5 hours and the administrative staff spent 9.75 hours on developer issues for the month.

Mr. Monson inquired if the Authority purchases gasoline from Love's. Mr. Eustace confirmed the Authority does not purchase from Love's, but purchases from Bordentown Regional School District.

There were no questions about the monthly financial report, and Mr. Lynch requested a finance committee meeting be scheduled prior to the next board meeting.

B. GENERAL COUNSEL:

Mr. Coleman briefly updated the board on the month's activities. There was communication with the New Jersey Department of Environmental Protection (NJDEP) in reference to the mediation process for the proposed permit. A proposed deed from Bordentown Waterfront and QuickChek was reviewed, and personnel items were discussed. All other items were previously discussed in the Executive Director's report and Resolutions.

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 PARTICPATION:

In attendance was Township Liaison Stephen Benowitz. Mr. Benowitz requested further clarification about the mediation for the permit. Mr. Coleman replied that the Sewerage Authority received a temporary hold on one aspect included with the permit, and a letter was received stating if you would like to contest, you can file a mediation statement or go before an Administrative Law Judge (ALJ). The Sewerage Authority will collectively put together a mediation statement to work through some of the permitting issues.

Mr. Monson asked for clarification about the New Jersey Department of Environmental Protection (NJDEP) requirements with the permit. Mr. Eustace explained there are

surface water quality standards that have to be met regardless if our treatment plant was designed to meet those standards. To meet the standards in the new permit, the Authority would be met with excessive infrastructure costs. The end result would be a minimal reduction in nitrate levels.

In discussion of the warehouse project at the corner of Old York Road (Matrix), it was determined that the Sewerage Authority has not received any drawings at this point, but has submitted the application for Environmental Protection Agency (EPA) waiver. The project owner is in the process of amending the Authority's wastewater management plan in addition to requesting the Environmental Protection Agency (EPA) waiver. Mr. Benowitz was asked to clarify a recent Township meeting's outcome. Mr. Monson attended the meeting and understands the Township has not taken any action because there is nothing to take action on at this point. Mr. Benowitz confirmed that is correct.

Mr. Benowitz wanted to mention he is glad to see Exeter Property Group, Central Crossings Business Park Building 3 on the Authority's agenda. The developer had previously postponed two times with the Township's planning board.

Mr. Malone asked Mr. Eustace if any information has been received from the proposed hotel in Bordentown City on Route 206. Mr. Eustace confirmed the Authority had not yet received any information.

Mr. de Groot would like to bring attention to the board the cash flow revenues to expenditures. The current month's financial report includes the current information.

Ronald Marino arrived at approximately 6:35pm. The board presented a gift to Mr. Marino to thank him for his years of service to the Authority.

Mr. Lynch excused the Authority's engineer and solicitor for the board's discussion on professional appointment policies. Mr. de Groot would like to have a policy put in place that the board will interview each qualified professional who submits a proposal. Mr. Lynch asked each board member for their thoughts and opinions on the matter. In summary, Messrs. Lynch, Malone, Targonski, and Mrs. Gulbinsky feel that if the current professional is performing well, there is no need to interview. Messrs. Monson and de Groot would like a policy requiring the board interview all professionals when two or more proposals are received. The discussion lasted approximately thirty minutes.

On motion by Monson, seconded by Targonski, it was moved to table the discussion about professional appointment policy.

Recorded vote:

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

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

Recorded vote:

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

Respectfully submitted,



Stephen Monson, Secretary

APPROVED ON:

May 17, 2016

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

PLANT TOPICS

NJPDES Permit Response: The final discharge permit for the 4/1/2016 - 3/31/2021 time period contains a significant requirement for nitrate reduction which the plant is not capable of accomplishing without substantial process additions. Based on procedural requests provided by the Authority the NJDEP has provided:

- ▶ A stay (i.e., suspension) on implementing the nitrate requirements.
- ▶ Approval to the request for an adjudicatory hearing. There is no timeframe associated with when a hearing may occur.

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. A new plan will not exist until Burlington County submits and receives NJDEP approval of their County-wide plan.

DEVELOPMENT TOPICS:

- **Bordentown Waterfront Community Phase I:**
 - ▶ **Phase I Pump Station; Sanitary Sewer and Force Main: We provided comments to the applicant's engineer on the pump station lot description.**
 - ▶ **Phase I Quik Check: Mini Mart and Gas Pumps: A preconstruction conference was held on Tuesday, April 5th.**

- Bordentown Waterfront Phase II:
 - ▶ River Side of Riverline Tracks: 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. **The Applicant's engineer has submitted updated pump station drawings.**
 - ▶ **Route 130 Side of Riverline Tracks: Volunteers of America Site on Burlington Road: An EPA wetlands waiver has been submitted on behalf of the Applicant by the Authority.**
- Central Crossings: Flow from this Hedding Road development is subject to restrictions present in the Rising Sun Road pump station and force main system:
 - ▶ Grainger:
 - Building Number 1: Based on the progress of the Route 206 bypass force main a temporary certificate of occupancy was endorsed by the Authority for Building 1.
 - Route 206 Bypass Force Main: The new bypass force main went operational on Friday, March 4th.
 - ▶ 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. **In correspondence dated March 22nd the EPA provided a "EPA waiver" for this project.**
 - ▶ **Central Crossing Building No. 3: The Applicant has paid their connection fee and has been put on notice that the downstream Rising Sun Road force main and further downstream sanitary sewer must be replaced prior to receiving any type of certificate of occupancy endorsement.**

- ▶ Rising Sun Road Force Main Replacement: On Monday, March 7th a meeting was held with 3 developers who are jointly proposing to fund the replacement of both the entire force main and pumping equipment which will bring that pump station/force main system to its ultimate capacity. The Authority has an agreement with one of the three developers for this work and he is adding partners who wished to discuss the project prior to finalizing their internal agreement. Once completed this will enable both a hotel and a warehouse to be constructed along Rising Sun Road. Other development will follow.
- Holiday Inn Express (Route 206 Edgewood Motel Site): Applicant requested a performance bond release which we did not recommend.
- Borden's Corner: New Application Along Route 130 North Past Team Campus: Proposed site of separate Pep Boys and Dollar General stores. Applicant is preparing a re-submittal.

DEVELOPMENT WORK WITH NO RECENT ACTIVITY

- 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 the location of each lateral connection will be added to the as-builts.
- 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.
- Love's Tire Repair Shop At Rising Sun Road Connector Road: A 2015 review letter has been provided to the Applicant.
- 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.

End of Report
Prepared by Richard B. Czekanski, PE, BCEE, CME