

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
June 20, 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 B. Czekanski, the Authority's Auditor John J. Maley, and Township of Bordentown Liaison Deputy Mayor Stephen Benowitz.

On motion by Monson, seconded by Targonski, it was moved to approve the minutes of the May 17, 2016 regular meeting.

No discussion on the minutes.

Recorded vote:

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

On motion by Malone, seconded by Targonski, it was moved to adopt Resolution 2016-038, approving the June payment of bills from the Operating Fund in the amount of \$256,790.90 of which \$133,169.72 is a payroll transfer and \$23,807.50 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 Gulbinsky, seconded by Targonski, it was moved to adopt Resolution 2016-039, approving the payment of June bills from the Escrow Fund in the amount of \$44,194.31.

No discussion on this Resolution.

Recorded vote:

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

On motion by Gulbinsky, seconded by Malone, it was moved to adopt Resolution 2016-040, approving the credits and/or refunds of customer accounts in the amount of \$1,428.29.

Mr. Monson questioned the \$1,354.00 customer credit for 38 Route 130. Mrs. Kwelty replied that the deferral of connection fee contract was voided as reported last meeting, and the charges have now been removed from the account.

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. 2015 ANNUAL AUDIT REPORT:

On motion by de Groot, seconded by Malone, it was moved to adopt Resolution 2016-041, certifying the board of the Bordentown Sewerage Authority has received and reviewed the report of audit.

Mr. Maley provided a brief review of the annual audit, specifically the comparative statement of revenue and expenses, change in net position, total assets, pension liability reporting requirements, balance sheet, unrestricted net position, and findings and recommendations.

Mr. de Groot asked if the balance sheet reflects cash flow month to month. Mr. Maley replied that the balance sheet does not reflect monthly cash flow, it reports

cash at the beginning of the year and the end of the year. Mr. de Groot then asked Mr. Maley if he is retiring. Mr. Maley explained that he is taking steps towards retirement and has joined with a larger firm Holman Frenia Allison. Mr. Monson asked if Holman Frenia Allison Mr. Maley merged with has experience with public Authorities. Mr. Maley confirmed that his firm is primarily a governmental firm.

Recorded vote:

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

B. RELEASE OF PERFORMANCE BOND

On motion by Malone, seconded by Gulbinsky, it was moved to adopt Resolution 2016-042, authorizing the release of a performance bond for D.R. Horton, Inc. in the amount of \$68,400.00.

Mr. Coleman reported that the easements from two property owners in the Crystal Lake development have not been obtained. The Authority does have a blanket easement for that entire property. If there is ever a need to access the property, the Authority has the right to do so.

Recorded vote:

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

C. RISING SUN ROAD PUMP STATION

On motion by Gulbinsky, seconded by Targonski, it was moved to adopt Resolution 2016-043, authorizing the executive director to take all necessary actions in connection with the construction of improvements to the Rising Sun Road pump station.

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.) Gulchekhra Kilic (15 Roosevelt Avenue); Use permit issued, and \$6,772.00 was transferred to revenue account.
- (2.) Bordentown Corner, LLC (Groveville Road & Route 130); Approval of S-3 and S-4 applications. The connection fee for Pep Boys in the amount of \$20,716.00 and the connection fee for Dollar General in the amount of \$45,500.00 were collected and connection permits were issued.
- (3.) East Haven Woods, LLC (Thorntown Lane Project); Use permits issued provided for 9 Anna Rose Court and 3 Anna Rose Court, and \$14,456.00 was transferred to revenue account.
- (4.) 840 Route 206, LLC (840 Route 206-128 Room Hotel and Car Wash); Approval of S-1 and S-2 applications. The existing sewer lateral was capped. Demolition of the old structure started on June 16, 2016.
- (5.) Matrix (201 Old York Road); Environmental Protection Agency (EPA) waiver received.

The executive director spent 15 hours and the administrative staff spent 15.75 hours on developer projects.

Mr. Eustace reported on the Public Employee Occupational Safety & Health Act (PEOSHA) inspection that occurred May 23, 2016. The inspection resulted in a few minor corrections which the Authority has already remedied, and the requirement of a drill with the local rescue team. A meeting with emergency personnel took place June 9th and a walk through of pump stations will occur on June 28th. An extension has been requested of PEOSHA so the drill can be completed.

Mr. Lynch asked why the need for a rescue drill wasn't picked up on before, and Mr. Monson wanted to know which fire company was involved. Mr. Eustace replied to Mr. Lynch that a PEOSHA inspection has not occurred in the last ten years. Mr. Monson was confused why a City fire chief would be involved if the Sewerage Authority plant is in District 2 of the Township. The drill is specifically for the Authority's pump stations that exist throughout the City and the Township.

Mr. Eustace mentioned the Godwin pump refurbishment has been completed and the pump was delivered to the Authority.

There was discussion among the meeting attendees about what happened to the New Heights sign that was at the now Pep Boys location.

Mr. Lynch opened the discussion about the sewer rate structure and provided an update from the finance committee. A discussion lasting approximately 45 minutes took place. At the present time all board members receive a summary of the total cash position monthly. Mr. Monson requested to also receive monthly cash flow projections for a 60 month period. Mr. de Groot specified he would like to review documents in person at the Authority office.

Mr. de Groot attended a recent Bordentown Township committee meeting, spoke during the public portion, and said he was recommending an 18% rate increase for the Sewerage Authority. Mr. de Groot brought up the discussions that occurred after the Township committee meeting. Board member Malone took exception to Mr. de Groot's characterization of his comments to Bordentown Township Committee.

The board discussed sewer rent rate increases in the amounts of 18%, 10%, and 12%. Mr. de Groot wanted a statement made that even an 18% increase would not be enough, and if the Authority waits until 2017, and the figures he was provided are accurate, the Authority cannot recover. Mrs. Gulbinsky suggested a 12% rate increase could effectively close the hole in the revenue stream that was created when Ocean Spray left Bordentown. Mr. Lynch maintained his opinion that the cash flow will vary greatly year to year as future connection fees are received.

The Board members agreed to think about either a 10% or 12% rate increase to be decided at the July 18, 2016 meeting and requested reports with two different scenarios from management be provided prior to the meeting.

On motion by Monson, seconded by Malone, authorization was granted to the Authority's Executive Director and Administrative Manager to prepare for a rate hearing on July 18, 2016.

Recorded vote:

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

B. GENERAL COUNSEL:

Mr. Coleman briefly updated the board on the month's activities. Mr. Coleman spent time on the Crystal Lake easement issue, the Rising Sun Road issue previously discussed, and spent some time on the Bordentown Waterfront easement finalization.

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, the Authority's Auditor John J. Maley, and Bordentown Sewerage Authority employee Heather Tuttas.

Mr. Benowitz wanted to clarify his understanding of the rate discussion that took place. The Authority will be deciding on a possibility of a 10% or 12% increase at the July 18th 2016 meeting. Future years' rates have not yet been decided because the board discusses the rates year to year. The finance committee will not be meeting prior to the rate hearing. Mr. Benowitz also mentioned the Rising Sun pump station looks very favorable.

Mr. Lynch mentioned that he is available to answer Bordentown Sewerage Authority policy or decision questions via telephone for clarification purposes.

On motion by Monson, seconded by Gulbinsky, it was moved to approve Resolution 2016-044 and meet in Executive Session.

Recorded vote:

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

On motion by Gulbinsky, seconded by Malone, it was moved to leave executive session.

Recorded vote:

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

On motion by Monson, seconded by de Groot Ms. Tuttas' employment with the Authority will be terminated immediately with the intention to propel status towards disability. Mr. Monson revised his motion to include a severance in the form of paid health benefits for six months after termination, because of the unique circumstances related to Ms. Tuttas, to which Mr. de Groot seconded.

Mr. Malone asked if an employee is eligible for Pension disability if they are terminated, and wants to know whether someone who is terminated is eligible for disability before he makes his decision.

On motion by Mr. Monson, seconded by Malone, the motion to terminate Ms. Tuttas was tabled until the July 18, 2016 meeting, pending consultation with the State of New Jersey Pension department.

Recorded vote:

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

Mr. Monson recommended Ms. Tuttas convey the urgency of this situation to her attorney as soon as possible. Mr. Malone reminded Ms. Tuttas that she is still employed at this time and has every obligation and responsibility to be at work.

On motion by Targonski, seconded by Gulbinsky, it was moved to adjourn the meeting at approximately 8:12 p.m.

Recorded vote:

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

Respectfully submitted,

APPROVED ON:

July 25, 2016


Stephen Monson, Secretary

SENIOR PRINCIPALS

Edward Vernick, PE, CME, President
Craig F. Remington, PLS, PP, Vice President
Michael D. Vena, PE, PP, CME (deceased 2006)
Edward J. Walberg, PE, PP, CME, CFM
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

PRINCIPALS

Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME, CPWM, CEP
Alan Dillenhofer, PE, PP, CME
Leonard A. Faiola, PE, PP, CME
Christopher J. Fazio, PE, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME

SENIOR ASSOCIATES

Charles E. Adamson, PLS, AET
John J. Cantwell, PE, PP, CME
Richard D. Czekanski, PE, CME, BCEE
Annina Hogan, PE, RA, CME, CPWM, LEED-AP
Kenneth C. Ressler, PE, CME
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PLEASE REPLY TO THE NOTED OFFICE

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

DEVELOPMENT TOPICS:

- **Bordentown Waterfront Community Phase I:**
 - ▶ **Phase I Pump Station; Sanitary Sewer and Force Main:** Only minor items remain to be accomplished. The maintenance bond can be requested.
 - ▶ **Phase I Quik Check: Mini Mart and Gas Pumps:** A preconstruction conference was held on Tuesday, April 5th. Easement access to the Authority's pump station is still being developed between the developer and the Authority.
- **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. The pump station design still possesses items for the applicant's engineer to address.
 - ▶ **Route 130 Side of Riverline Tracks: Volunteers of America Site on Burlington Road:** An EPA wetlands waiver has been granted dated 5/16/2016. S1-S3 site drawings still must be submitted to the Authority.
- **Rising Sun Road Pump Station Force Main System:** On June 7th, Richard Eustace and Richard Czekanski met with the developer's design engineer who is generating design drawings for the replacement of the force main from Route 206 to the pump station. The replacement pipe length is approximately 3,500 linear feet. The meeting was scheduled at the request of the developer's engineer in order to obtain our input on their initial drawings.

- **Borden's Corner:** Proposed Route 130 site of separate Pep Boys and Dollar General stores. Drawings are approved for construction.
- **Route 206 Marriott/Car Wash Site:** S1 Review letter has been provided to the applicant.
- **Route 130 and Farnsworth Avenue Valero Station Upgrades:** S1 review is underway.
- **Matrix Warehouse With Frontage on Old York and Georgetown Roads:** An EPA wetlands waiver dated June 13th has been received this week. S1-S3 site drawings still must be submitted to the Authority.

End of Report

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