

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
February 18, 2019

The meeting was called to order by the board secretary, Elizabeth J. Kwelty, at 6:00 p.m. and led a salute to the flag 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 January 29, 2019,
- b. Mailing written notice to THE TIMES and BURLINGTON COUNTY TIMES on January 29, 2019; 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 January 29, 2019.

Mr. Coleman swore-in Joseph R. Malone, III, for a five-year term effective February 1, 2019.

The following persons were in attendance: Board Members, Leonard J. de Groot, M. Ellen Gulbinsky, James E. Lynch, Jr., Joseph R. Malone III, and Zigmont F. Targonski. 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 B. Czekanski. Absent was Aneka Miller.

The meeting was turned over to Mr. Coleman.

NOMINATION OF OFFICERS:

On motion by Lynch, seconded by Malone, M. Ellen Gulbinsky was nominated as Chair;

On motion by Targonski, seconded by Gulbinsky, James E. Lynch, Jr. was nominated as Vice-Chair;

On motion by Malone, seconded by Targonski, Leonard J. de Groot was nominated as Treasurer;

On motion by Gulbinsky, seconded by Targonski, Joseph R. Malone, III was nominated as Secretary;

On motion by Gulbinsky, seconded by Lynch, Zigmont F. Targonski and Aneka Miller were nominated as Assistant Secretary.

VOTE FOR SLATE OF OFFICERS:

On motion by Targonski, seconded by Lynch, it was moved to close nominations.

Mr. de Groot requested confirmation that the board were going to switch between City and Township commissioners for the chair position. The chair position did switch from the City to the Township with the nomination of Mrs. Gulbinsky.

On motion by Targonski, seconded by Lynch, it was moved to cast a unanimous ballot for the slate.

Recorded vote:

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

Mr. Coleman turned the meeting over to Chairwoman Gulbinsky.

The members established the meeting dates for the next year. On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-10, designating meeting dates established at reorganization and appointment of official newspapers.

Monday, March 18, 2019	6:00 p.m.
Monday, April 15, 2019	6:00 p.m.
Monday, May 20, 2019	6:00 p.m.
Monday, June 17, 2019	6:00 p.m.
Monday, July 15, 2019	6:00 p.m.
Monday, August 19, 2019	6:00 p.m.
Monday, September 16, 2019	6:00 p.m.
Monday, October 21, 2019	6:00 p.m.
Monday, November 18, 2019	6:00 p.m.
Monday, December 16, 2019	6:00 p.m.
Tuesday, January 21, 2020	6:00 p.m.
Tuesday, February 18, 2020	6:00 p.m.(Reorganization)
Monday, March 16 2020	6:00 p.m.

No discussion on this Resolution.

Recorded vote:

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

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

No discussion on this Motion.

Recorded vote:

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

On motion by Lynch, 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, Targonski
Nays:	None
Abstained:	None
Absent:	Miller

APPEAL: 348 FARNSWORTH AVENUE

Attorney for the owners of 348 Farnsworth Avenue Kenneth W. Biedzynski, Esq was in attendance to update the board on the status of removing storm water from the sanitary sewer system. Mr. Biedzynski asked Mr. Czekanski if he received the finalized plans from the property owners engineer. Mr. Czekanski then provided an update to the board as of Friday February 15, 2019. The owners engineer inspected the pump station located on the property for the first time on Friday February 15, 2019 in order to verify all storm water penetrations entering the wet well could be sealed. Email correspondence from New Lines Engineering stated when the concrete lid was removed from the top of the wet well, it was full of sewage to the top. It appeared the pump needed repair. Platinum management will have the pump repaired, then another on-site visit can be completed. Once the final plans are approved the final construction can be done in less than thirty days. Mr. Biedzynski stated he cannot verify if the engineering firm had visited the site before February 15, 2019, but he can state there has been efforts made.

Mr. Lynch reminded Mr. Biedzynski the board decided at the January 22, 2019 meeting, that a plan was supposed to be submitted and approved by the February board meeting.

On motion by Mr. Malone, seconded by Lynch, it was moved to re-enact the violation penalties imposed to the owner of 348 Farnsworth Avenue as of January 22, 2019 in the amount of \$100.00 per day.

Recorded vote:

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

Mr. Biedzynski requested the board not reinstate the penalties until February 18, 2019. The board decided the penalties would be reinstated as of January 22, 2019. The matter would be put on the March 18, 2019 agenda for further discussion. Mr. Malone expressed to Mr. Biedzynski the next discussion will not be to ask the board to waive penalties. There will be no more waiving of penalties until the issue is resolved.

On motion by Targonski, seconded by Lynch, it was moved transfer \$1,000.00 from the 348 Farnsworth Avenue escrow money held for penalties to the escrow money held to pay professional bills. The total held in escrow is \$5,000.00 of which \$2,000 is to pay professional bills and \$3,000 is to held for penalties.

Recorded vote:

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

On motion by Lynch, seconded by Malone, it was moved to approve the minutes of the January 22, 2019 meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

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

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2019-11, approving the February payment of bills from the Operating Fund in the amount of \$266,645.64 of which \$137,493.07 is a payroll transfer and \$17,068.67 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-12, approving the payment of February bills from the Escrow Fund in the amount of \$6,900.18.

No discussion on this Resolution.

Recorded vote:

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

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2019-13, approving the credits and/or refunds of customer accounts in the amount of \$55.80.

No discussion on this Resolution.

Recorded vote:

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

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. APPOINTMENT OF PROFESSIONALS:

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-14, approving Contract 2019-C4, appointing Michael Holt of Holman Frenia Allison, PC as auditor for the Authority for a period of one year commencing on March 1, 2019.

No discussion on this Resolution.

Recorded vote:

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

On motion by Targonski, seconded by, Malone it was moved to adopt Resolution 2019-15, approving Contract 2019-C5, appointing the Law Offices of Raymond, Coleman, Heinold, L.L.P., as general counsel for the Authority for a period of one year commencing on March 1, 2019.

No discussion on this Resolution.

Recorded vote:

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

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-16, approving Contract 2019-C6, appointing Remington & Vernick Engineers as consulting engineer for the Authority for a period of one year commencing on March 1, 2019.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by Lynch, it was moved to Table Resolution 2019-17, approving Contract 2019-C7, appointing Capehart & Scatchard, P.A. as bond counsel for the Authority for a period of one year commencing on March 1, 2019.

It was brought to the Authority's attention Mr. Thomas Hastie may no longer be working for the firm Capehart & Scatchard, P.A. and this resolution is to be tabled to investigate further.

Recorded vote:

Ayes:	de Groot, Gulbinsky, Lynch, Malone, Targonski
Nays:	None

Abstained: None
Absent: Miller

B. RISK MANAGEMENT AND INSURANCE CONSULTANT:

On motion by Malone, seconded by Targonski, it was moved to adopt Resolution 2019-18, approving Contract 2019-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, 2019.

EJA/Capacity Insurance Agency, LLC receives 3.5% of the insurance premium which is \$3,585.16 for 2019.

Recorded vote:

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

C. DRIVER SUBSTANCE ABUSE AND ALCOHOL MISUSE TESTING:

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-19, approving Contract 2019-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, 2019.

No discussion on this Resolution.

Recorded vote:

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

D. FINANCIAL ADVISOR:

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2019-20, approving Contract 2019-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, 2019.

No discussion on this Resolution.

Recorded vote:

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

E. AWARD OF CONTRACTS:

On motion by Malone, seconded by Targonski, it was moved to adopt Resolution 2019-21, authorizing the award of contract to J.T. Seeley & Co., Inc. in the amount of \$15,869.00 for a Fairbanks Morse Submersible pump for the Authority's Crystal Lake Pump Station.

Mr. Eustace commented this is a backup pump to be kept at the Crystal Lake station which is a duplex station, to be used while one pump is being serviced or repaired. The extra pump will ensure the station will not lose efficiency.

Recorded vote:

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

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-22, authorizing the award of contract to Hydra-Numatic Sales Co. for five sensaphone monitoring systems. in an amount not to exceed \$9,500.00.

No Discussion on this Resolution.

Recorded vote:

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

F. VOLUNTEERS OF AMERICA (PHASE 1):

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-23, authorizing the Executive Director of the Bordentown Sewerage Authority to sign the endorsement portion of the treatment works approval (TWA) application.

Mr. Czekanski explained that because the Bordentown Waterfront phase 2 system will not be constructed yet, the Volunteers of America (VOA) senior housing building does not have conveyance to the wastewater treatment plant. The solution proposed by VOA was to install a holding tank on the property. There was correspondence back and forth between the Authority and VOA on whether a TWA is required for using the holding tank. The New Jersey Department of Environmental Protection (NJDEP) rules specifically state a holding tank requires a TWA and VOA and their engineer requested this resolution be presented for approval.

Recorded vote:

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

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

OPEN SEWER CONNECTION ACCOUNTS:

- 1.) Monthly development meeting with Township construction and planning officers took place February 15, 2019.
- 2.) Notice of Application for a Freshwater Wetland Individual Permit/Flood Hazard Area verification; Public Service Electric and Gas Company (PSE&G) upgrades to Trenton-Burlington Right of Way; Construction of Monopole Tower Foundations.
- 3.) Escrow refund in the amount of \$3,858.77 for Petro Site 314; Arby's Restaurant and Fueling Stations.

The executive director spent 35 hours and the administrative staff spent 18 hours on developer projects. The Association of Environmental Authorities of New Jersey (AEA) Utility Management Conference will be held March 12 & 13, 2019 at Caesar's Atlantic City. The Juvenile Justice Complex has formally requested the Authority perform period maintenance on their on-site system. There were no questions on the monthly financial report. Mr. de Groot asked for an update on Team Campus Phase II. Mr. Coleman confirmed a letter was sent to their attorney at the board's request summarizing the outcome of the January 22, 2019 board meeting. There has been no response from their office. Mr. Czekanski reported that the Authority received a will serve request for 92 residential units with 19 of those being affordable housing on the lot right next to where they are building now. Mr. Eustace explained we will take a look at the system to make sure the flow from the proposed units can be handled and perform a hydraulic profile if necessary.

B. GENERAL COUNSEL:

Mr. Coleman spent time on Team Campus Phase II, Volunteers of America, Petro Site Access Agreement, 348 Farnsworth, and a matter which is to be discussed in closed session.

C. ENGINEER:

Mr. Czekanski's full report is attached to these minutes and made a part thereof. Mr. Czekanski provided detail regarding the Rising Sun Meadows project on Route 130 N and Rising Sun Road. The Authority received the Environmental Protection Agency (EPA) waiver request, but has not yet submitted to the EPA as the applicant had not yet submitted even an S-1, nor had shown the pump station as required in the Authority's will serve letter on the approved drawings. There is now another engineer involved who has been hired to design the wastewater flow from the development project. This other engineer submitted an Open Public Records Act (OPRA) request for information such as seven years of Crystal Lake pump station and treatment plant flow data and well as design specs for the pumps and station itself which all dates back to the early 2000's. Mr. Czekanski explained there is not capacity at the Crystal Lake Pump Station without major upgrades. The commercial piece of the Rising Sun Meadows project is a proposed Tractor Supply for which plans have been submitted, and whose flow is going to go gravity and is in no way connected to the residential development.

III. PUBLIC PARTICIPATION:

In attendance was Kenneth Biedzynski, Esq, who spoke earlier in the meeting when 348 Farnsworth Avenue was discussed.

IV. EXECUTIVE SESSION:

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-24 to meet in executive session for the purpose of potential litigation discussion.

Recorded vote:

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

On motion by Targonski, seconded by Malone, it was moved to reconvene in public session.

Recorded vote:

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

There was no action taken as a result of executive session.

V. ADJOURNMENT OF MEETING:

On motion by Lynch, seconded by Malone, it was moved to adjourn the meeting at approximately 7:20 p.m.

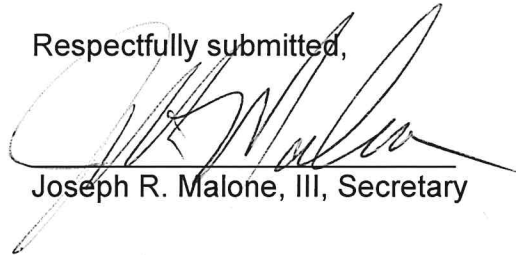
Recorded vote:

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

APPROVED ON:

March 18, 2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. R. Malone, III', is written over a horizontal line.

Joseph R. Malone, III, Secretary



**BORDENTOWN SEWERAGE AUTHORITY
ENGINEER'S STATUS REPORT FOR FEBRUARY 18, 2019 MEETING PREPARED BY
REMINGTON & VERNICK (RVE) ENGINEERS**

PLANT TOPIC:

Administrative Building Roof Replacement: 7 Bids received; First – third low bids were

- \$66,665.00
- \$72,033.75
- \$72,725.00

Based on initial questioning of the low bidder the contractor proposes to utilize substituted products that may negate a requested warranty. We are requesting the contractor provide backup information that will be reviewed with the Board next month.

DEVELOPMENT TOPICS:

- **Matrix Warehouse (Georgetown Road Across from Clifton Mills Development):** As follow-up to the Township chaired preconstruction conference the Applicant has submitted the latest revised construction drawings for our review and distribution. A building with a fire pump is now connected which will result in an increased connection fee.
- **Volunteers of America (Burlington Road near Fieldsboro border):** The Applicant installed a temporary underground pump station which pumps into a holding tank for ultimate wastewater disposal by hauling to a treatment facility. The Authority is continuing to question why a NJDEP Treatment Works application for the holding tank system has not, to date, been submitted.
- **Tractor Sales Center (Corner of Rising Sun Road and Route 130):** Corner lot is proposed for this type of commercial work with a lateral connection on Rising Sun Road.
- **Rising Meadows:** Engineer who is subcontracted as the wastewater engineer filed an extensive OPRA request to the Authority that was addressed earlier this month concerning plant flows and conveyance capacity.

348 FARNSWORTH AVENUE STORMWATER ELIMINATION

- RVE provided the attached February 5th correspondence. On Friday, February 15th the applicant's engineer was at the site performing coordination.

MAINTENANCE BOND SUMMARY

Expiration Dates are Subject to Maintenance Bond Submittal Date and Resolution of all Conditions:

- Bordentown Corner: Never submitted main. bond which was to expire 02/20/2020; per resolution 2018-21
- Bordentown Holiday Inn Express: Expires March 20, 2019: Per Resolution 2017-035
- Quik Check: Expires July 16, 2019: Per Resolution 2017-062
- Route 206 Sanitary Sewer: Expires August 21, 2019; Per 8/2017 Res.
- East Haven Woods: Expires September 17, 2019: Per Res. 2017-078
- JDS B3 Roof: Expires February 2020; Per 2/2018 Res.
- Mile Hollow Pump Station; Expires August 20, 2020
- DCT I-295 Warehouse: Per Resolution 2019-9 for manhole lining main. bond; Expires Jan. 2021

**End of Report - Prepared by Richard B. Czekanski, PE, BCEE, CME
Remington & Vernick Engineers**