

BORDENTOWN SEWERAGE AUTHORITY  
MEETING MINUTES  
October 21, 2019

The meeting was called to order by Vice-Chairman, James E. Lynch, Jr., 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 February 26, 2019,
- b. Mailing written notice to THE TIMES and BURLINGTON COUNTY TIMES on February 26, 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 February 26, 2019.

The following persons were in attendance: Board Members James E. Lynch, Jr, Joseph R. Malone III, Leonard J. de Groot, and Zigmont F. Targoski. 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 were board members M. Ellen Gulbinsky and Aneka Miller.

On motion by Malone, seconded by de Groot, it was moved to approve the regular session minutes of the September 16, 2019 meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

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

On motion by Malone, seconded by de Groot, it was moved to approve the executive session minutes of the September 16, 2019 meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

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

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2019-82, approving the October payment of bills from the Operating Fund in the amount of \$207,938.73 of which \$112,403.71 is a payroll transfer and \$15,869.00 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by de Groot, seconded by Malone, it was moved to adopt Resolution 2019-83, approving the payment of October bills from the Escrow Fund in the amount of \$9,974.47.

No discussion on this Resolution.

Recorded vote:

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

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2019-84, approving the credits and/or refunds of customer accounts in the amount of \$481.94.

No discussion on this Resolution.

Recorded vote:

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

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. BUDGET ADOPTION:

On motion by de Groot, seconded by Malone, it was moved to adopt Resolution 2019-85, adopting the Authority's approved 2019 budget (December 1, 2019 – November 30, 2020)

No Discussion on this Resolution

Recorded vote:

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

B. RENEWAL & REPLACEMENT FUND:

On motion by de Groot, seconded by Targonski, it was moved to adopt Resolution 2019-86, authorizing an increase in the required balance of the renewal and replacement fund.

No Discussion on this Resolution

Recorded vote:

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

C. PERFORMANCE GUARANTEE RELEASE:

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2019-87, authorizing the release of performance guarantee for Caliber Collision having an address of 60 Route 130 to KTJ 309, LLC.

No Discussion on this Resolution

Recorded vote:

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

D. DEFERRED CONNECTION FEE AGREEMENT:

On motion by Targonski, seconded by Malone, it was moved to adopt Resolution 2019-88, authorizing a deferred connection fee agreement between the Authority and HSC Bordentown, LLC for the construction of a proposed Tractor Supply Co.

Mr. Lynch allowed public participation for two gentlemen present from HSC Bordentown LLC. Mike Sanders of 439 Millstone River Road Montgomery Township asked if a formal agreement would be prepared. Mr. Coleman and Mr. Czekanski along with Mr. Eustace will prepare a formal agreement for Mr. Sanders' review over the next few weeks.

Recorded vote:

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

E. DESTRUCTION OF DOCUMENTS:

On motion by de Groot, seconded by Targonski, it was moved to adopt Resolution 2019-89, approving the destruction of documents as approved by Division of Archives and Records Management in accordance with the provision of the New Jersey destruction of public records law.

No Discussion on this Resolution

Recorded vote:

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

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

OPEN SEWER CONNECTION ACCOUNTS:

- 1.) 348 Farnsworth Avenue stormwater relocation is still incomplete, the fines have accumulated to \$32,100.00 as of 10/21/2019.

Mr. Eustace requested some direction from the board as to how to move forward with the fines. The fines have been tracked but not yet posted to the sewer account. Mr. Coleman stated a letter should be sent to the customer detailing the fines as of the

October meeting, and making the customer aware these fines are lienable against the property. Mr. Coleman stated Kenneth Biedzynski, Esq, who previously attended board meetings on behalf of the property owner, is no longer representing 348 Farnsworth Avenue. Board members agreed the fines should be charged and a letter be prepared to the property owner.

- 2.) Escrow refund in the amount of \$5,000.00 to Love's Travel Stops for a Proposed Tire Shop that was not constructed.
- 3.) Escrow refund in the amount of \$3,835.71 to KTJ 309, LLC for Collision Caliber, 60 Route 130.
- 4.) Volunteers of America received treatment works approval for the second holding tank modification.
- 5.) S-1 and S-2 approvals for 210 Lafayette Street, single family home to be constructed by New Jersey Home Construction.
- 6.) S-2 and conditional S-3 approvals for Old York Business Park two warehouses to be constructed by Exeter Property Group.
- 7.) Notice of Public Hearing; Township of Bordentown Zoning Board; Public Service Electric and Gas Company (PSE&G) application for preliminary and final site plan approval and variances property known as 2008 Route 206 South, Block 134.03 Lots 1 & 2 occupied by Love's Travel Stop facility.
- 8.) Notice of Public Hearing; Township of Bordentown Planning Board; Capital Health System application for sign variance at their 115 Route 130 location owned by Team Campus Phase II, LLC.
- 9.) Notice of Public Hearing; City of Bordentown Planning Board; Cranberry Park LLC application for preliminary and final site plan approval, variance, waiver, and general development plan approval for a portion of the property formerly consisting of the Ocean Spray industrial processing plant. 104 East Park Street Block 1601, Lot 21 and 354 East Park Street Block 1702, Lot 2.

The executive director spent 30 hours and the administrative staff spent 15 hours on developer projects. Customer Michael Fanikos, owner of 409 Farnsworth Avenue thanked the Authority for professionally handling a sewer blockage call. Mr. Patrick Tohill was awarded one comp day for exceptional service. There were no questions about the monthly financial report.

#### PERSONNEL ACTION:

All staff members received a RICE notice pursuant to requirements of N.J.S.A. 4:10-12. Mr. Eustace reviewed the memo distributed to all board members regarding the Authority's three-year program results from 2017-2019 and proposal for the next three years as discussed with the personnel committee.

On motion by Lynch, seconded by Malone, it was moved to approve employee compensation for the next three years as follows:



January 1, 2020, January 1, 2021, and January 1, 2022 each employee will receive 3% or \$1,500.00 whichever is greater.

The continuation of an annual merit increase protocol as follows. July 1 2020, the total funds to be allocated is 1.25% of total salaries effective January 2020, July 1, 2021 the total funds to be allocated is 1.5% of total salaries effective January 2021, and July 1, 2022 the total funds to be allocated is 1.75% of total salaries effective January 2022. The money is to be distributed amongst all employees as determined by evaluations conducted by the Authority's Executive Director, department heads, and personnel committee.

Recorded vote:

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

B. GENERAL COUNSEL:

Mr. Coleman spent time throughout the month working with Mr. Eustace and Mrs. Kwelty various items. Mr. Coleman would like to go into closed session to speak about the Tower Gate development in Mansfield Township.

C. ENGINEER:

Mr. Czekanski's full report is attached to these minutes and made a part thereof. Remington & Vernick witnessed different test for the Matrix warehouse on Georgetown Road, all results were fine. The voltage upgrade to the Crystal Lake pump station information was received from the electric company. 22 Bank Street installed their sewer lateral.

III. PUBLIC PARTICIPATION:

Two people were present from HSC Bordentown LLC. Mr. Sanders spoke when Resolution 2019-88 was being discussed for approval.

IV. EXECUTIVE SESSION:

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2019-90 to meet in executive session for the purpose of discussing possible litigation matters without any formal action to take place.

Recorded vote:

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

Absent: Gulbinsky, Miller

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

Recorded vote:

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

There was no formal action taken as a result of the Executive Session.

VI. ADJOURNMENT OF MEETING:

On motion by Lynch, seconded by Malone, it was moved to adjourn the meeting at approximately 6:35 p.m.

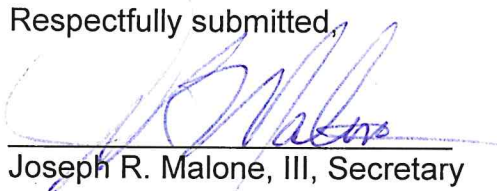
Recorded vote:

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

Respectfully submitted,

APPROVED ON:

November 18, 2019

  
Joseph R. Malone, III, Secretary

**BORDENTOWN SEWERAGE AUTHORITY  
ENGINEER'S STATUS REPORT FOR OCTOBER 21, 2019 MEETING PREPARED BY  
REMINGTON & VERNICK (RVE) ENGINEERS**

**AUTHORITY CONVEYANCE SYSTEM TOPICS**

- **Rising Sun Meadows:** On Wednesday, June 12th Authority representatives conducted a meeting with the Applicant with the main focus being as a condition of being allowed to flow to the Crystal Lake pump station that the developer design and install conveyance infrastructure improvements as provided on a list prepared by our office. The Applicant's engineer is developing concepts for some of the improvements work and has surveyed the Crystal Lake pump station site. The main delay in reaching an agreement with the developer is a response from PSE&G on a possible pump station voltage upgrade which is unresolved since PSE&G is not providing any direction in writing. Once resolved the Applicant's engineer can finalize projected costs and the Applicant can come to an agreement with the Authority on the list of required improvements.
- **Matrix Warehouse (Georgetown Road Across from Clifton Mills Development):** Sanitary sewer construction is completed and successful system testing was just concluded.
- **Volunteers of America (Burlington Road near Fieldsboro border):** The Authority has received NJDEP Treatment Works Application (TWA) permit application documents and we are coordinating this review/endorsement process.
- **Nissim Development:** Drawings/specs have been submitted and are under review for the on-site sanitary sewer/pump station/force main system along with upgrades to the Sylvan Glen pump station.
- **Tractor Sales Center (Corner of Rising Sun Road and Route 130):** Corner lot utilized for this proposed commercial development with a lateral connection on Rising Sun Road. Developer provided a S4 application that would be effective in 2020.



**BORDENTOWN SEWERAGE AUTHORITY  
ENGINEER'S STATUS REPORT FOR OCTOBER 14, 2019 MEETING PREPARED BY  
REMINGTON & VERNICK (RVE) ENGINEERS  
(CONTINUED)**

**DEVELOPMENT TOPICS**

- **Mansfield Tower Gate:** Mr. Coleman provided the applicant a response to the initial connection agreement drafted by the applicant.
- **Bordentown City Lafayette Street and 20 Bank Street Lateral Connections:** Coordinating application process with developer's representatives.

**2019 ANNUAL TRUSTEE REPORT**

Our office prepared and submitted the 2019 report to TD Bank.

**MAINTENANCE BOND SUMMARY**

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

- **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
- **Rising Sun Road PS and FM Improvements:** 5/29/2020
- **Administration Building Roof:** 6/21/2021

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