

BORDENTOWN SEWERAGE AUTHORITY  
MEETING MINUTES  
December 16, 2019

The meeting was called to order by Chairwoman, M. Ellen Gulbinsky, 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, M. Ellen Gulbinsky, James E. Lynch, Jr, Joseph R. Malone III, Leonard J. de Groot, Zigmont F. Targoski, and Aneka Miller. Also, in attendance were: Executive Director Richard D. Eustace, Administrative Manager Elizabeth J. Kweilty, the Authority's Solicitor Thomas J. Coleman, III, and the Authority's Engineer Richard B. Czekanski who arrived at 6:12 pm.

On motion by Lynch, seconded by Miller, it was moved to approve the regular session minutes of the November 18, 2019 meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

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

On motion by de Groot, seconded by Miller, it was moved to adopt Resolution 2019-103, approving the December payment of bills from the Operating Fund in the amount of \$161,257.26 of which \$109,673.92 is a payroll transfer and \$2,304.83 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by Miller, it was moved to adopt Resolution 2019-104, approving the payment of December bills from the Escrow Fund in the amount of \$9,614.37.

No discussion on this Resolution.

Recorded vote:

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

On motion by Lynch, seconded by Targonski, it was moved to adopt Resolution 2019-105, approving the credits and/or refunds of customer accounts in the amount of \$50.87.

No discussion on this Resolution.

Recorded vote:

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

### III. PUBLIC PARTICIPATION:

Present again were neighboring citizens who represent a group called 'Friends of Crystal Lake' with concerns regarding Tower Gate Associates development adjacent to Crystal Lake Park.

Chairwoman Gulbinsky opened the floor for public participation to allow any new information or questions to be relayed to the board.

Mr. Bob Tallon, 2454 Axe Factory Road, Bordentown NJ spoke on behalf of the group.

Mrs. Gulbinsky confirmed Tower Gate Associates have been invited to the public board meeting to be held on January 21, 2020 and the location of the meeting has been

changed to the Carslake Community Center. The officials of Mansfield Township, Bordentown Township, and Bordentown City have all been invited. Mrs. Gulbinsky invited all those present from the public to attend, and is hopeful that all questions regarding the Tower Gate project will be answered during the January meeting.

Mr. Tallon explained their main concern is preservation of that area where the Tower Gate development is proposed. Mr. Tallon explained that in 2012, Mansfield Township along with Burlington County adopted a Growth and Preservation Plan. In that plan, there are many instances describing the area as being critically environmentally sensitive.

Mr. Lynch provided a brief history between Bordentown and Mansfield Township going back to 1986 when the Bordentown Sewerage Authority was formed. In the 30 years since, Mansfield has not done anything for their residents concerning sewer service. Mr. Malone stated that there may be a legal mess created by the actions of Mansfield Township that all of us are pulled into. The ultimate decision regarding the development's wastewater treatment will likely be a legal issue.

Mrs. Gulbinsky suggested Mr. Tallon and his colleagues contact New Jersey Department of Environmental Protection (NJDEP) and Burlington County's Environmental Department to see if someone from those offices would be available to attend the Authority's January public meeting. A court reporter will be hired to attend the meeting and document all questions and responses.

Mr. Tallon asked if it was possible for a judge to overrule a NJDEP requirement. Mr. Malone and Mr. Coleman responded that affordable housing is thought of as a regional obligation, not a township obligation, and the answer is most likely a yes.

The full conversation lasted approximately 15 minutes. In closing, the public comments section of the meeting related to the Tower Gate questions, Chairwoman Gulbinsky again invited everyone to the next meeting January 21, 2020 at Carslake Community Center.

## RETURN TO NORMAL AGENDA ORDER:

### I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

#### A. PUBLIC AGENCY COMPLIANCE OFFICER:

On motion by Lynch, seconded by de Groot, it was moved to adopt Resolution 2019-106, authorizing the designation of Richard D. Eustace as the public agency compliance officer (P.A.C.O.) for the Authority.

No discussion on this Resolution.

Recorded vote:

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

B. ANNUAL INFORMATION TECHNOLOGY CONTRACTS:

On motion by Malone, seconded by Miller, it was moved to adopt Resolution 2019-107, authorizing the 2020 agreement (Contract 2020-C1) for Extraordinary, Unspecifiable Services between the Bordentown Sewerage Authority and Lookfirst Technology, LLC for operating system and computer hardware maintenance support in the amount of \$13,896.00.

The continued budgeted expenses for the Authority's information technology is a program put into place to keep the systems secure and prevent workstation failure.

Recorded vote:

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

On motion by Malone, seconded by Miller, it was moved to adopt Resolution 2019-108, authorizing the 2020 agreement (Contract 2020-C2) for Extraordinary, Unspecifiable Services between the Bordentown Sewerage Authority and Harris Computer Systems for professional application software support in the amount of \$19,909.63.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by Miller, it was moved to adopt Resolution 2019-109, authorizing the 2020 agreement (Contract 2020-C3) for Extraordinary, Unspecifiable Services between the Bordentown Sewerage Authority and Kyocera Document Solutions New York Metro, Inc. for imaging system software onsite maintenance support in the amount of \$6,750.00.



No discussion on this Resolution.

Recorded vote:

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

C. SALARY RESOLUTION:

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2019-110, approving the Authority's salaries as of January 1, 2020.

No discussion on this Resolution.

Recorded vote:

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

D. ANTI-HARASSMENT POLICY:

On motion by Malone, seconded by Miller, it was moved to adopt Resolution 2019-111, approving the re-adoption of the Authority's Anti-Harassment Policy.

Mr. Coleman confirmed that there have not been any changes to the policy since last revised in 2018. The Authority uses policy language provided by New Jersey Municipal Excess Liability which is updated with legal changes every two years.

Recorded vote:

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

E. VEHICLE PURCHASE:

On motion by de Groot, seconded by Targonski, it was moved to adopt Resolution 2019-112, approving the purchase of a 2020 Ford F-250 SRW XL four-wheel drive pickup truck under state contract #A88727 in the amount of \$25,424.00.

No Discussion on this Resolution.

Recorded vote:

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

F. 237 ROUTE 130 CONVENIENCE LLC (WAWA):

1. On motion by de Groot, seconded by Lynch, it was moved to adopt Resolution 2019-113, authorizing the release of \$78,128.00 of Connection Fees Escrow to 237 Route 130 Convenience LLC. The release is attributed to the property being previously developed and receiving sewer service.

No Discussion on this Resolution

Recorded vote:

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

2. On motion by Malone, seconded by Lynch, it was moved to adopt Resolution 2019-114, approving the release of performance guarantee to 237 Route 130 Convenience, LLC without the requirement for a maintenance bond.

No Discussion on this Resolution

Recorded vote:

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

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

OPEN SEWER CONNECTION ACCOUNTS:

- 1.) Monthly Development Meeting with Township Construction and Planning Officers took place December 13, 2019.
- 2.) 348 Farnsworth Avenue stormwater relocation is still incomplete. The fines have accumulated to \$36,000.00 as of 11/30/2019. Monthly sewer account notices are mailed to the owner.

- 3.) Sewer use permit issued to Matrix Development Group for 201 Old York Road, \$910,859.00 was realized as revenue.
- 4.) Sewer use permit issued to 237 Route 130 Convenience LLC for Wawa Food Market and Fueling Station, of the received connection fee in the amount of \$154,496.00, \$76,368 to be realized as revenue and \$78,128 to be returned per resolution 2019-113.
- 5.) Conditional approval of S-1 and approval of S-2 for Nissim On-Site System
- 6.) Notice of Public Hearing; Township of Bordentown Zoning Board; Outfront Media, LLC application for billboard approval.
- 7.) Notice of Public Hearing; Township of Bordentown Planning Board; 191 Bordentown, LLC proposal to purchase Sportmen's Center property and move the Stony Brook Sew and Vac business to 69 Route 130.
- 8.) Notice of Public Hearing; Township of Bordentown Planning Board; Jimmy's Fireside Grill application for preliminary and final site plan approval for additions to the restaurant.
- 9.) State of New Jersey Department of Environmental Protection; NJDOT Bordentown Training Facility submitted application for a Flood Hazard Area Individual Permit and Freshwater Wetlands General Permit for proposed improvements to the Bordentown Training Facility.

The executive director spent 40 hours and the administrative staff spent 20 hours on developer projects. There were no questions about the monthly financial report.

B. GENERAL COUNSEL:

Mr. Coleman spent time throughout the month resolutions and other items already covered. Developers Agreements with Rising Sun Meadows and Nissim which took up most of his time.

C. ENGINEER:

Mr. Czekanski's full report is attached to these minutes and made a part thereof. Mr. Czekanski reported on a pre-construction meeting for Tractor Supply Company. Construction will be complete in four months. Interaction with Rising Sun Meadows development and Nissim development regarding their improvements.

VI. ADDITIONAL ITEMS FOR DISCUSSION:

Mrs. Gulbinsky expressed her opinion that it would be a good idea to have a court reporter present at the next meeting.

On motion by Malone, seconded by Miller, it was moved to approve the hiring of a court reporter for the January 21, 2020 board meeting.

Recorded vote:

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

V. ADJOURNMENT OF MEETING:

On motion by Lynch, seconded by Miller, it was moved to adjourn the meeting at approximately 6:40 p.m.

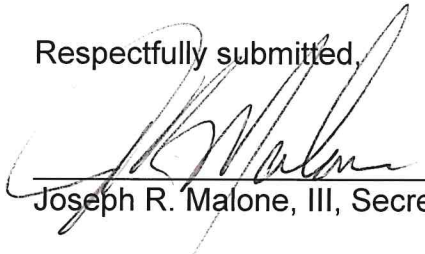
Recorded vote:

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

Respectfully submitted,

APPROVED ON:

January 21, 2020

  
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Joseph R. Malone, III, Secretary





REMINGTON  
& VERNICK  
ENGINEERS

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**BORDENTOWN SEWERAGE AUTHORITY  
ENGINEER'S STATUS REPORT FOR DECEMBER 16, 2019 MEETING  
PREPARED BY REMINGTON & VERNICK (RVE) ENGINEERS**

**AUTHORITY CONVEYANCE SYSTEM TOPICS**

- **Rising Sun Meadows: Near the Route 130 North/Rising Sun Road Intersection:** A review letter that discusses the proposed development; the upgrades to the Crystal Lake pump station; and upgrades to the Rising Sun Road sanitary sewer system was provided.
- **Nissim Development: Just North of the Route 206 Shopping Center Near Hamilton:** Two review letters, one for the Sylvan Glen pump station upgrades and the second for the on-site wastewater facilities, have been provided.
- **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. A preconstruction conference was held on Friday, December 13, 2019. The store is projected to be open in 4 months.

**AUTHORITY CAPITAL WORK**

- **Multiple Building Roof Replacement Project:** Design is underway.

**MAINTENANCE BOND SUMMARY**

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

- **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**