

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
February 18, 2020

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 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.

Mr. Coleman swore-in both M. Ellen Gulbinsky and James E. Lynch, Jr., for five-year terms effective February 1, 2020.

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

The meeting was turned over to Mr. Coleman.

NOMINATION OF OFFICERS:

Mr. Coleman requested for nominations for Chairman. On motion by Gulbinsky, seconded by Targonski, James E. Lynch, Jr. was nominated for Chairman. Mr. Coleman requested other nominations for Chairman, hearing none, requested nominations be closed. On motion by Gulbinsky, seconded by Targonski, it was moved nominations for Chairman be closed.

Recorded vote:

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

Mr. Coleman turned the meeting over to Chairman Lynch.

On motion by Targonski, seconded by Miller, the following slate of officers were nominated.

M. Ellen Gulbinsky, Vice-Chair
Leonard de Groot, Treasurer
Joseph R. Malone, III, Secretary
Aneka Miller, Assistant Secretary
Zigmont Targonski, Assistant Secretary

Recorded vote:

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

Mr. Lynch thanked the board for the position of Chairman, and thanked Mrs. Gulbinsky for a great job over the past year.

MANSFIELD DECISION:

Seeing a crowd present for public participation regarding the Mansfield Township development, Mr. Lynch changed the agenda order.

After further consideration following the Tower Gate presentation last month, and the various public comments, Mr. Lynch offered a motion that the Authority take no further action to entertain or consider Tower Gate or any other developer that may want a contract for service in Mansfield Township with the Bordentown Sewerage Authority. Mr. Malone seconded the motion. All members of the board acknowledged support of the motion.

Discussion: The public meeting January 21, 2020 was ended with the statement that Mr. Lynch and the City officials would discuss the situation with Mayor Benowitz and the Township officials. The councilmen's concerns included; 1.) the City of Bordentown and Township of Bordentown are responsible to guarantee payment of the Sewerage Authority's debt should the Authority not be able cover debt service; 2.) the Mansfield Township property being outside of the Authority's sewer service area; and 3.) that Mansfield Township has not taken action to construct infrastructure over the past thirty years. Mr. Lynch expressed disappointment that the elected officials of Mansfield Township did not reach out to the Bordentown Sewerage Authority or any elected officials directly. These are the reasons the Bordentown Sewerage Authority will not entertain the connection.

Recorded vote:

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

PUBLIC PARTICIPATION:

Members of the organization Friends of Crystal Lake were present. Bob Tallon, 2454 Axe Factory Road, Bordentown NJ. Mr. Tallon attended the Fairness Hearing that took place on February 5, 2020. At a prior Authority meeting, Mr. Tallon remembered Mr. Lynch stating that if the Authority accepts outside flow there may be a possibility the Authority would then be considered a regional provider. During the Fairness Hearing, the attorney for Tower Gate subtly said, once this project is hooked up there would be further connections. Mr. Tallon, then explained other inconsistencies he noticed that were stated during the Fairness hearing.

John O'Callaghan, 53 Oak Lane, New Egypt NJ. Mr. O'Callaghan stated that his personal belief is that the Bordentown Sewerage Authority is not dealing directly with Mansfield Township regarding this development, but directly with Tower Gate, specifically their high-class attorney who deals with COAH issues all time. Mr. O'Callaghan's opinion is that the attorney is inconsistent in the way he approaches things.

Catherine Tallon O'Callaghan, 53 Oak Lane, New Egypt NJ. Ms. Tallon O'Callaghan updated the Sewerage Authority board with her research findings of property ownership by Tower Gate within Mansfield Township. Tower Gate owns other undeveloped land within Mansfield Township, and feels that Tower Gate and other large developers are waiting until sewage becomes available to construct high density housing.

Also present was Mark Gulbinsky, 19 Henry Marshall Drive, Bordentown NJ, who was present for Mrs. Gulbinsky's reappointment and had no comments for the board.

RETURN TO NORMAL AGENDA ORDER:

The members established the meeting dates for the next year. On motion by de Groot, seconded by Gulbinsky, it was moved to adopt Resolution 2020-5, designating meeting dates established at reorganization and appointment of official newspapers.

Monday, March 16, 2020	6:00 p.m.
Monday, April 20, 2020	6:00 p.m.
Monday, May 18, 2020	6:00 p.m.
Monday, June 15, 2020	6:00 p.m.
Monday, July 27, 2020	6:00 p.m.
Monday, August 17, 2020	6:00 p.m.
Monday, September 21, 2020	6:00 p.m.
Monday, October 19, 2020	6:00 p.m.

Monday, November 16, 2020	6:00 p.m.
Monday, December 21, 2020	6:00 p.m.
Tuesday, January 19, 2021	6:00 p.m.
Tuesday, February 16, 2021	6:00 p.m. (Reorganization)
Monday, March 15, 2021	6:00 p.m.

No discussion on this Resolution.

Recorded vote:

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

On motion by de Groot, seconded by Miller, 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:	Lynch, Gulbinsky, Malone, de Groot, Miller, Targonski
Nays:	None
Abstained:	None
Absent:	None

On motion by Gulbinsky, seconded by Miller, it was moved to continue with the Authority's Rules and Regulations as previously adopted.

No discussion on this motion.

Recorded vote:

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

On motion by Miller, seconded by Gulbinsky, it was moved to approve the regular session minutes of the January 21, 2020 meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

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

On motion by de Groot, seconded by Gulbinsky, it was moved to adopt Resolution 2020-6, approving the February payment of bills from the Operating Fund in the amount of \$219,059.13 of which \$107,202.60 is a payroll transfer and \$26,776.19 is a capital expense.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by Targonski, it was moved to adopt Resolution 2020-7, approving the payment of February bills from the Escrow Fund in the amount of \$23,539.38.

No discussion on this Resolution.

Recorded vote:

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

On motion by de Groot, seconded by Gulbinsky, it was moved to adopt Resolution 2020-8, approving the credits and/or refunds of customer accounts in the amount of \$245.78.

No discussion on this Resolution.

Recorded vote:

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

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. APPOINTMENT OF PROFESSIONALS:

On motion by Malone, seconded by Miller, it was moved to adopt Resolution 2020-9, approving Contract 2020-C4, appointing Michael Holt of Holman Frenia Allison, PC as auditor for the Authority for a period of one year commencing on March 1, 2020.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by de Groot, it was moved to adopt Resolution 2020-10, approving Contract 2020-C5, appointing the Law Offices of Raymond, Coleman, Heinold, LLP, as general counsel for the Authority for a period of one year commencing on March 1, 2020.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by de Groot, it was moved to adopt Resolution 2020-11, approving Contract 2020-C6, appointing Remington & Vernick Engineers as consulting engineer for the Authority for a period of one year commencing on March 1, 2020.

No discussion on this Resolution.

Recorded vote:

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

On motion by Malone, seconded by de Groot, it was moved adopt Resolution 2020-12, approving Contract 2020-C7, appointing Malamut & Associates, LLC as bond counsel for the Authority for a period of one year commencing on March 1, 2020.

No discussion on this Resolution.

Recorded vote:

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

B. RISK MANAGEMENT AND INSURANCE CONSULTANT:

On motion by Malone, seconded by de Groot, it was moved to adopt Resolution 2020-13, approving Contract 2020-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, 2020.

No discussion on this Resolution.

Recorded vote:

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

C. DRIVER SUBSTANCE ABUSE AND ALCOHOL MISUSE TESTING:

On motion by Malone, seconded by de Groot, it was moved to adopt Resolution 2020-14, approving Contract 2020-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, 2020.

No discussion on this Resolution.

Recorded vote:

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

D. FINANCIAL ADVISOR:

On motion by Malone, seconded by de Groot, it was moved to adopt Resolution 2020-15, approving Contract 2020-C11 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, 2020.

No discussion on this Resolution.

Recorded vote:

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

E. EXTENSION OF CONTRACT TO BAUER GEN SYSTEMS LLC:

On motion by Miller, seconded by Gulbinsky, it was moved to adopt Resolution 2020-16, authorizing the extension of Emergency Generator Preventative Maintenance contract 2019-C11, for 12 months until May 31, 2021 with no increase in pricing as per contract.

No Discussion on this Resolution.

Recorded vote:

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

F. MULTIPLE BUILDING ROOF REPLACEMENT:

1. On motion by de Groot, seconded by Lynch, it was moved to adopt Resolution 2020-17, authorizing the award of contract 2020-C11 to Patriot Roofing for the replacement of multiple building's roofs in the amount of \$263,599.00.

Replacement of multiple building roofs; specifically Building EB-1 (sludge thickener building), Building B-4 (chlorine and sulfur dioxide building), Building PS-2 (primary sludge and scum pumping station), and Building B-2 (screen and grit facility)

Recorded vote:

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

2. On motion by Gulbinsky, seconded by Targonski, it was moved to adopt Resolution 2020-18, authorizing a transfer of funds from the renewal & replacement account to fund the multiple building roof replacement.

No Discussion on this Resolution

Recorded vote:

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

3. On motion by de Groot, seconded by Malone, it was moved to adopt Resolution 2020-19, authorizing the award of contract to Remington & Vernick Engineers for construction management services related to multiple building roof replacement contract 2020-C11, for a maximum value of \$14,600.00.

No Discussion on this Resolution

Recorded vote:

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

G. LABORATORY EQUIPMENT REPLACEMENT PURCHASES:

1. On motion by de Groot, seconded by Miller, it was moved to adopt Resolution 2020-20, authorizing the award of contract to VWR International Inc, in the amount of \$6,603.12 for a replacement tabletop sterilizer, Tuttnauer tabletop autoclave model 2540M.

No Discussion on this Resolution.

Recorded vote:

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

2. On motion by Miller, seconded by Gulbinsky, it was moved to adopt Resolution 2020-21, authorizing the award of contract to Thomas Scientific in the amount of \$9,608.39 for a replacement glassware washer, Labconco

Flaskscrubber glassware washer model 4420320, and if needed, installation of washer in the amount of \$657.00.

No Discussion on this Resolution .

Recorded vote:

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

H. SURRENDER OF ESCROW FUNDS:

On motion by Targonski, seconded by Gulbinsky, it was moved to adopt Resolution 2020-22, authorizing the delivery of \$4,000.00 developer escrow posted by BLB Trading, LLC to the State of New Jersey.

No Discussion on this Resolution.

Recorded vote:

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

I. INTERMUNICIPAL SLUDGE MANAGEMENT:

On motion by de Groot, seconded by Miller, it was moved to adopt Resolution 2020-23, authorizing the Authority's Executive Director to execute and intermunicipal sludge management agreement with the County of Burlington.

No Discussion on this Resolution.

Recorded vote:

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

J. COPIER LEASE:

On motion by Gulbinsky, seconded by Miller, it was moved to adopt Resolution 2020-24, approving the lease of Canon copier model C5550i under NJ State Contract number A40462-G2075 in an amount not to exceed \$3,000.00 per year for 48 months.

No Discussion on this Resolution.

Recorded vote:

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

K. RELEASE OF PERFORMANCE GUARANTEE:

On motion by Gulbinsky, seconded by Targonski, it was moved to adopt Resolution 2020-25, authorizing the release of a performance guarantee without requirement for a maintenance guarantee for the connection of 22 Bank Street, a single-family home.

No Discussion on this Resolution.

Recorded vote:

Ayes:	Lynch, Gulbinsky, 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 February 13, 2020.
- 2.) 348 Farnsworth Avenue stormwater relocation is still incomplete. The fines have accumulated to \$42,200.00 as of 01/31/2020. Monthly sewer account notices are mailed to owner. The engineer was sent the signed approved drawings and list of what needs to be done for sewer. It appears as if work may start in the near future.
- 3.) Sewer use permit issued to Katherine Carr for 22 Bank Street \$9,766.00 was realized as revenue.
- 4.) Refund Escrow in the amount of \$500.00 to Katherine Carr for 22 Bank Street.
- 5.) Sewer use permit issued to Team Campus Phase II, LLC, \$556,498.00 was realized as revenue.

The executive director spent 35 hours and the administrative staff spent 15 hours on developer projects. Ann DeMille of 11 S. Colonial Drive wrote

letter praising staff members during water shut-offs in January 2020. Q. Nixon and J. Sullivan have earned one comp day each. The annual audit process began on January 13, 2020 and there were no questions about the monthly financial report.

B. GENERAL COUNSEL:

Mr. Coleman thanked the board for his re-appointment as general counsel. Time throughout the month was spent on Rising Sun Meadows and Nissim developer's agreements. Time was also spent on updates to the Authority's employee handbook.

C. ENGINEER:

Mr. Czekanski's full report is attached to these minutes and made a part thereof. Mr. Czekanski thanked the board for his reappointment, and reported there are various projects in review including Rising Sun Meadows, Nissim Property, Cranberry Park, Volunteers of America.

III. APPOINTMENT OF SUBCOMMITTEES:

Mr. Lynch reappointed the same subcommittees for the current year as follows.

Finance: Mr. de Groot, Mr. Malone, & Mr. Lynch

Personnel: Mrs. Gulbinsky, Mr. Lynch

Professional Contract (RFP): Mrs. Gulbinsky, Mr. Lynch

2020 continuance of the Rules and Regulations Committee for the purpose of revisions to the Rules and Regulations: Mr. de Groot, Mrs. Gulbinsky, and Mr. Lynch, Mr. Eustace, Mrs. Kwelty, Mr. Czekanski, and Mr. Coleman.

Mr. Lynch invited Mrs. Miller to attend any of the sub-committee meetings as her schedule allows.

IV. ADJOURNMENT OF MEETING:

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

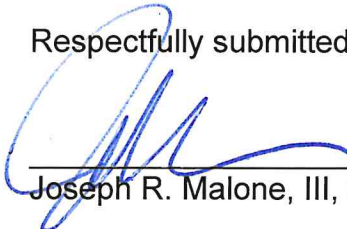
Recorded vote:

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

Respectfully submitted,

APPROVED ON:

March 16, 2020



Joseph R. Malone, III, Secretary



**REMINGTON
& VERNICK
ENGINEERS**

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**BORDENTOWN SEWERAGE AUTHORITY
ENGINEER'S STATUS REPORT FOR FEBRUARY 18, 2020 MEETING PREPARED BY
REMINGTON & VERNICK (RVE) ENGINEERS**

AUTHORITY CONVEYANCE SYSTEM TOPICS

- **Rising Sun Meadows:** A re-submittal is under review.
- **Volunteers of America (Burlington Road near Fieldsboro border):** Volunteers of America has received a NJDEP Treatment Works Permit for construction of a pump station on the site. A revised force main alignment has just been submitted.
- **Nissim Development:** The past month has concentrated on coordinating Sylvan Glen Pump Station electrical upgrades with the generator manufacturer and the applicant's engineer. The applicant has agreed to the requested upgrades.
- **Cranberry Park (Redevelopment of Ocean Spray Property):** Submittal is under review.
- **Interchange 7 Warehouse:** On Rising Sun Road in Front of the Prince Warehouse: A preconstruction conference was held and there are minor wastewater issues to be resolved.

TREATMENT PLANT TOPICS

- **Multiple Building Roof Replacement Project:** Bids for the roof replacement work were accepted on February 5th and is on the agenda for award to Patriot Roofing.

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
- **DCI I-295 Warehouse:** Per Resolution 2019-9 for manhole lining main. bond; Expires Jan. 2021
- **Administration Building Roof:** 6/21/2021
- **Rising Sun Road PS and FM Improvements:** 9/16/2021

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

20-71