

BORDENTOWN SEWERAGE AUTHORITY
MEETING MINUTES
February 21, 2023

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 Bordentown Sewerage 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 4, 2023; and
- b. Mailing written notice to THE TIMES and BURLINGTON COUNTY TIMES on January 4, 2023; 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 4, 2023.

The following persons were in attendance: Board Members, Heather Cheesman, M. Ellen Gulbinsky, Daniel Hornickel, James E. Lynch, Jr., Joseph R. Malone, III, and Aneka Miller. Also, in attendance were: Executive Director Thomas M. Redwood, Administrative Manager Elizabeth J. Kwelty, the Authority's Solicitor Anthony Drollas, and the Authority's Engineer Richard B. Czekanski.

The meeting was turned over to Mr. Drollas.

REORGANIZATION:

Mr. Malone made a nomination for a slate of officers: Mrs. Gulbinsky as Chair, Mr. Lynch as Vice-Chair, Mrs. Miller as Secretary, Mr. Hornickel as Treasurer, Ms. Cheesman as Assistant Secretary, and Mr. Malone as Assistant Secretary.

Mr. Lynch made a motion, seconded by Mrs. Miller to approve the nomination made by Mr. Malone.

Recorded vote:

Ayes:	Cheesman, Gulbinsky, Hornickel, Lynch, Malone, Miller
Nays:	None
Abstained:	None
Absent:	None

Mr. Drollas turned the meeting over to Chairwoman Gulbinsky.

Subcommittee appointments are to remain the same. Mrs. Gulbinsky would like Mrs. Miller and Ms. Cheesman to attend any subcommittee meeting they are able to attend. Finance Committee: Mr. Hornickel, Mr. Malone, Mr. Lynch

Personnel and Professional Contract (RFP) Committees: Mr. Lynch and Mrs. Gulbinsky
Rules and Regulations Committee: for the purpose of revisions to the Rules and
Regulations, Mr. Hornickel, Mrs. Gulbinsky, Mr. Lynch, Mr. Redwood, Mrs. Kweilty,
Mr. Czekanski, and Mr. Drollas.

The members established the meeting dates for the next year. On motion by
Lynch, seconded by Malone, it was moved to adopt Resolution 2023-13, designating
meeting dates established at reorganization and appointment of official newspapers.

Monday, March 20, 2023	6:00 p.m.
Monday, April 17, 2023	6:00 p.m.
Monday, May 15, 2023	6:00 p.m.
Monday, June 19, 2023	6:00 p.m.
Monday, July 17, 2023	6:00 p.m.
Monday, August 21, 2023	6:00 p.m.
Monday, September 18, 2023	6:00 p.m.
Monday, October 16, 2023	6:00 p.m.
Monday, November 20, 2023	6:00 p.m.
Monday, December 18, 2023	6:00 p.m.
Tuesday, January 16, 2024	6:00 p.m.
Tuesday, February 20, 2024	6:00 p.m. (Reorganization)
Monday, March 18, 2024	6:00 p.m.

No discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

On motion by Malone, seconded by Lynch, 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:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

On motion by Lynch, 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:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

On motion by Malone, seconded by Lynch, it was moved to adopt Resolution 2023-14, introducing updates to the Authority's Rules and Regulations.

No discussion on this motion.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

On motion by Hornickel, seconded by Miller, it was moved to approve the regular session minutes of the January 17, 2023, meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman
Nays:	None
Abstained:	Malone
Absent:	None

On motion by Lynch, seconded by Hornickel, it was moved to approve the executive session minutes of the January 17, 2023, meeting as submitted.

There was no discussion on the minutes.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman
Nays:	None
Abstained:	Malone
Absent:	None

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2023-15, approving the February payment of bills from the Operating Fund in the amount of \$762,084.08 of which \$149,124.18 is a payroll transfer and \$505,919.29 is capital expense.

No discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None

Abstained: None
Absent: None

On motion by Miller, seconded by Malone, it was moved to adopt Resolution 2023-16, approving the payment of February bills from the Escrow Fund in the amount of \$17,397.21.

No discussion on this Resolution.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays: None
Abstained: None
Absent: None

On motion by Miller, seconded by Malone, it was moved to adopt Resolution 2023-17, approving credits and refund to customer accounts in the amount of \$28.06.

No discussion on this Resolution.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Cheesman, Malone
Nays: None
Abstained: Hornickel
Absent: None

I. AGENDA ITEMS FOR DISCUSSION AND/OR ACTION:

A. APPOINTMENT OF PROFESSIONALS:

On motion by Lynch, seconded by Hornickel, it was moved to adopt Resolution 2023-18, approving Contract 2023-C4, appointing Michael Holt of Holt McNally & Associates as auditor for the Authority for a period of one year commencing on March 1, 2023.

No discussion on this Resolution.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays: None
Abstained: None
Absent: None

On motion by Malone, seconded by Hornickel, it was moved to adopt Resolution 2023-19, approving Contract 2023-C5, appointing Malamut & Associates, LLC, as general counsel for the Authority for a period of one year commencing on March 1, 2023.

No discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

On motion by Lynch, seconded by Miller, it was moved to adopt Resolution 2023-20, approving Contract 2023-C6, appointing Remington & Vernick Engineers as consulting engineer for the Authority for a period of one year commencing on March 1, 2023.

No discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2023-21, approving Contract 2023-C7, appointing Malamut & Associates, LLC as bond counsel for the Authority for a period of one year commencing on March 1, 2023.

No discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Cheesman, Malone
Nays:	Hornickel
Abstained:	None
Absent:	None

On motion by Malone, seconded by Lynch, it was moved to adopt Resolution 2023-22, approving Contract 2023-C8, appointing Acacia Financial Group, Inc. as financial advisor for the Authority for a period of one year commencing on March 1, 2023.

No discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Cheesman, Malone
Nays:	Hornickel
Abstained:	None
Absent:	None

On motion by Lynch, seconded by Malone, it was moved to adopt Resolution 2023-23, approving Contract 2023-C9, appointing Malamut & Associates, LLC as labor counsel for the Authority for a period of one year commencing on March 1, 2023.

Mr. Hornickel commented this appointment is a good choice.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Cheesman, Malone
Nays:	None
Abstained:	Hornickel
Absent:	None

On motion by Miller, seconded by Lynch, it was moved to adopt Resolution 2023-24, approving Contract 2023-C10, appointing Maraziti Falcon, LLP as special counsel for the Authority for a period of one year commencing on March 1, 2023.

No discussion on these Resolutions.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

Mr. Malone excused himself to answer a phone call at approximately 6:08pm

B. RISK MANAGEMENT AND INSURANCE CONSULTANT:

On motion by Lynch, seconded by Hornickel, it was moved to adopt Resolution 2023-25, authorizing Contract 2023-C11 for Extraordinary, unspecifiable services with The Barclay Group as risk management consultant for the Authority for one year commencing on March 1, 2023.

No Discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman
Nays:	None
Abstained:	None
Absent:	Malone

C. DRIVER SUBSTANCE ABUSE AND ALCOHOL MISUSE TESTING:

On motion by Lynch, seconded by Miller, it was moved to adopt Resolution 2023-26, authorizing Contract 2023-C12 to Interstate Mobile Care,

Inc. for driver substance abuse and alcohol misuse testing for the Authority for one year commencing on March 1, 2023.

No Discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman
Nays:	None
Abstained:	None
Absent:	Malone

Mr. Malone returned to the meeting approximately 6:10pm.

D. 2021 ANNUAL AUDIT REPORT:

On motion by Lynch, seconded by Miller, it was moved to adopt Resolution 2023-27, certifying the board of the Bordentown Sewerage Authority has received and reviewed the report of audit.

The Authority's Auditor Michael Holt provided a summary of the November 30, 2021 annual audit report. There are no compliance issues and no internal control issues. On the financial statements, cash is up almost \$1,000,000, surplus is up almost \$1,000,000, revenues received were on target as budgeted, and expenditures were down 4.5%. There were no comments and no recommendations. The Authority had a great year.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Cheesman, Malone
Nays:	None
Abstained:	Hornickel
Absent:	None

E. EQUIPMENT DISPOSAL:

On motion by Miller, seconded by Malone, it was moved to adopt Resolution 2023-28, authorizing the removal and disposal of laboratory and information technology equipment.

No Discussion on this Resolution.

Recorded vote:

Ayes:	Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays:	None
Abstained:	None
Absent:	None

F. SALARY RESOLUTIONS:

- 1.) On motion by Hornickel, seconded by Miller, it was moved to adopt Resolution 2023-29, authorizing the appointment of Edward Nelson as a sewer maintenance worker.

There is no relation between Mr. Edward Nelson and Mr. Kevin Nelson.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays: None
Abstained: None
Absent: None

- 2.) On motion by Hornickel, seconded by Miller, it was moved to adopt Resolution 2023-30, authorizing a longevity pay increase to Kevin Nelson effective February 24, 2023.

There is no relation between Mr. Kevin Nelson and Mr. Edward Nelson.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays: None
Abstained: None
Absent: None

G. CLIFTON MILL PUMP STATION:

On motion by Lynch, seconded by Miller, it was moved to adopt Resolution 2023-31, approving the award of contract to Municipal Maintenance Company for the repair and replacement of electrical conduit to the Clifton Mill pump station in the amount of \$11,530.00.

No Discussion on this Resolution.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone
Nays: None
Abstained: None
Absent: None

II. PROFESSIONAL REPORTS:

A. EXECUTIVE DIRECTOR:

OPEN SEWER CONNECTION ACCOUNTS:

- 1.) Township development meeting did not take place. Will be scheduled to take place late February or early March.
- 2.) Pointe Breeze Apartments S-3 and S-4 approval, \$5,976.00 connection fee received, and connection approval issued for the construction of a clubhouse.
- 3.) Team Campus Phase II received connection approval for the construction of four buildings on Route 130 North.
- 4.) Habitat for Humanity received connection approvals for the construction of 10 units on Thorntown Lane.
- 5.) Meeting with Lennar Homes took place February 10, 2023. For further discussion in closed session.
- 6.) Notice an Application for Letter of Interpretation, Line Verification will be submitted to New Jersey Department of Environmental Protection for Bordentown Crossroads, located at 103 & 106 Dunns Mill Road. (Scottish Rite Location)

The executive director spent 30 hours and the administrative staff spent 20 hours on developer projects. Mr. Redwood reported there was a NJ Department of Environmental Protection inspection of the treatment plant and collection system on January 26, 2023. The inspector found the Authority in compliance. The Association of Environmental Authorities Utility Management conference will take place March 14 & 15 2023 at Caesars, Atlantic City, NJ. There were not any questions on the financial report.

B. GENERAL COUNSEL:

Mr. Drollas spent time on development items for Habitat for Humanity, Lennar development to be discussed in closed session, request from a property owner to vacate a sewer easement, and Johnson Development Assoc. form of developer's agreement.

C. ENGINEER:

Mr. Czekanski's full report is attached to these minutes and made a part thereof. Time was spent on Johnson Development Assoc, Pointe Breeze apartments, Thorntown Lane laterals, Team Campus 1, and Team Campus Phase II.

III. PUBLIC PARTICIPATION:

No one from the public was present. Michael Holt, the Authority's appointed auditor was present for discussion of the 2021 annual audit report. Diane Alexander, the Authority's appointed special counsel was present via telephone for litigation discussion in executive session.

IV. EXECUTIVE SESSION:

On motion by Lynch, seconded by Miller, it was moved to adopt Resolution 2023-32 and enter executive session to discuss items related to current litigation and personnel.

No discussion on this Resolution.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone

Nays: None

Abstained: None

Absent: None

On motion by Malone, seconded by Miller, it was moved to close executive session and re-open public session.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone

Nays: None

Abstained: None

Absent: None

Executive Session discussion did not result in any formal action of the board.

V. ADJOURNMENT OF MEETING:

On motion by Lynch, seconded by Miller, it was moved to adjourn the meeting at approximately 7:15 p.m.

Recorded vote:

Ayes: Gulbinsky, Lynch, Miller, Hornickel, Cheesman, Malone

Nays: None

Abstained: None

Absent: None

Respectfully submitted,

APPROVED ON:

March 20, 2023

A handwritten signature in dark ink, appearing to read 'Aneka Miller', written over a horizontal line.

Aneka Miller, Secretary



**BORDENTOWN SEWERAGE AUTHORITY
ENGINEER'S STATUS REPORT FOR FEBRUARY 21, 2023, MEETING
PREPARED BY REMINGTON & VERNICK (RVE) ENGINEERS**

Singular Open and/or Closed Meeting Topic for Board Consideration – Lennar Homes Request that the BSA Own, Operate and Maintain the Proposed Ward Avenue Development Pump Station and Force Main

Background:

First Meeting With Developer 10/7/2022; Entirely Gravity Flow to Route 130

Lennar Homes introduced proposed 59 home subdivision to BSA representatives. The proposed method to facilitate sewer service was to contract with the adjacent Southgate Apartments to have the development wastewater flow be conveyed through the private Southgate Apartment system until the flow reached the Route 130 area where the flow would enter the BSA system. This proposal was entirely by gravity flow with no required pump station.

Second Meeting With Developer 2/10/2023; Introduction of Pump Station/Force Main System

Lennar Homes reported their conversations with Southgate Apartments for utilization of their sewer mains went nowhere. Based on this Lennar Homes was unable to verify if the invert elevations of the Southgate Apartments private sewer main system were at a sufficiently low elevation to convey the proposed development flow.

As shown in the accompanying documents, at this time, a pump station is proposed at the rear of the subdivision to be owned, operated and maintained by the BSA. As shown on the drawing with the subdivision surrounded by Southgate Apartments, Bordentown High School and Ward Avenue with sewer homes along Ward Avenue the pump station does not provide BSA with a regional service area that extends beyond limits of the subdivision.

Lennar Homes acknowledges if the BSA accepts the proposed pump station the pump station will be designed to BSA standards. The current BSA model pump station is the Bordentown Waterfront Pump Station located to the back left of the Route 130 Quik Chek store lot by the Mansfield border.

General Information

The Hogback pump station is currently the smallest BSA owned pump station serving 154 homes. The Ward Avenue development with 59 homes will pump at the same rate (100 gpm) as the Hogback pump station since the desired type of pumps (self-priming) cannot pump a lesser amount.

Without consultation with the Board, RVE & BSA staff did not wish to make statements to the Developer accepting the proposed pump station. Note the following:

- Enclosed page from the BSA Rules and Regs is interpreted to say the sewer main must be accepted by the BSA since the streets will be dedicated to Bordentown Township.

- **There are approximately 40 private pump stations within the BSA service area with larger ones being at the Route 130 Bordentown Commons shopping center (aka ACME shopping center) and Route 130 Bradford Point apartments.**

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

Stout & Caldwell

ENGINEERS & SURVEYORS

February 15, 2023

The Bordentown Sewerage Authority
954 Farnsworth Ave., PO Box 396
Bordentown, NJ 08505
Attention: Thomas Redwood, Executive Director

Re: Lennar at Bordentown
Ward Avenue, Bordentown Township
Block 58, Lots 8 & 8.01
SC Job # 2204-088

Dear Mr. Redwood,

As a follow up to our meeting February 10, 2023 and in preparation for the Bordentown Sewerage Authorities' (BSA) February 21, 2023 BSA Board Meeting, please accept this letter and enclosure(s) as a formal request to the BSA Board to accept the public dedication of a proposed pump station and force main to be located on Block 58, Lot(s) 8 & 8.01, currently addressed as 292 Ward Avenue in Bordentown (the property).

The station will serve the US Home, LLC DBA Lennar (Lennar) proposed 59 lot single family detached residential dwelling subdivision (the project). The property is located between the Rydell & Southgate apartments and the Bordentown High School and slopes from Ward Avenue towards an unnamed tributary of the Crosswicks Creek. The slope results in a topography change such that a pump station (located in the northwest corner of the site) and force main will be required to convey the gravity collected sanitary sewer flows from all proposed lots up to the existing gravity public improvements located along Ward Avenue.

The projected flow generated from the project is approximately 18,000 GPD. The pump station and force main would be designed to meet all BSA standards and or requirements with the assistance of yourself and BSA professionals through the design, approval, and construction processes. The pump station would be located within an easement, dedicated to the BSA, on an open space lot to the rear of the project. Enclosed is a preliminary project plan showing the location of the easement and pump station.

Thank you for your attention. We look forward to hearing from you to confirm that the BSA is agreeable to us proceeding with the design and approval process of a pump station and force main to be dedicated to the BSA. If you have any questions, please feel free to contact our office. If helpful, we are available to attend the February 21st BSA Board meeting.

Sincerely,



Matthew J. Walsh, P.E.
Professional Engineer

23-22

[illegible]

306. ACCEPTANCE OR APPROVAL OF COMPLETED CONSTRUCTION

- A. After construction has been completed, the applicant should request in writing that the Authority accept or approve the treatment works.
- B. The applicant must, at the time of a request to accept facilities, submit to the Authority any and all completed documents which are necessary to:
 - 1. dedicate all treatment works including mains, force mains, pumping station and any and all related appurtenances, except laterals, to the Authority, which are located in the public right-of-way or in easement areas approved by the Authority;
 - 2. deed (with warranties) at no cost to the Authority, all necessary titles or easements to lands necessary for the maintenance or operation of the treatment works, including easements for extension of mains to adjacent properties;
 - 3. post a two (2) year maintenance bond in the amount of ten percent (10%) of the original performance guarantee to cover cost of repairs for any latent defects discovered during the two (2) year period; and
 - 4. furnish to the Authority "as-built" drawings of the treatment works, certified by a New Jersey professional engineer or land surveyor for the applicant.

Upon the completion of all of these requirements, the Authority will determine whether the treatment works are constructed in accordance with the approved plans and Rules, Regulations and Specifications and will determine whether all supporting documents are in order. If all construction and submissions are approved, the Authority will proceed to accept the treatment works and will accept and have recorded, wherever necessary, the dedications, deeds, easements, bonds and as-built drawings. All costs for recording of documents will be paid by applicant. The cost of all construction, maintenance and operations prior to acceptance by the Authority is to be paid by the applicant.

- C. The Authority will not accept treatment works which are not located in the public right-of-way or in easement areas approved by the Authority, even if the facilities were bonded improvements. In this event, the Authority will approve final construction, but will not accept the facilities, and the facilities will remain the private property of, and will be maintained by, the owner.

BSA RULES
AND REGS