

Minutes - January 13, 2020

The regular meeting of the Cinnaminson Sewerage Authority was held on January 13, 2020 in the conference room located within the Cinnaminson Municipal Building and began at 6:30 PM.

Vice Chairman Robert O'Connor read the following:

**OPEN PUBLIC MEETINGS ACT**

N.J.S.A. 10:4-6 et seq.

Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by;

- (a) prominently posting the Annual Notice of Meetings Resolution and maintaining such notice on a public bulletin board reserved for such or similar announcements.
- (b) by submitting the Annual Notice of Meetings Resolution for publication in the Burlington County Times, the Board's official newspaper, and the Courier Post, the Board's alternate official newspaper in February 2019 within seven days of the Board's reorganization meeting;
- (c) filing the Annual Notice of Meetings Resolution with the Clerk of the Township of Cinnaminson; and
- (d) mailing the Annual Notice of Meetings Resolution to any persons who shall have prepaid to receive such notice.

This statement shall be entered into the minutes.

On roll call those Board Members present were: John Conville, Robert O'Connor and Frank Szymkowski. Chairman Richard Strobel arrived at 7:05 PM. Mr. Thomas Kollar was absent. Also in attendance were Kimberly Fitzpatrick, Administrator, Bradford Smith, Authority Solicitor, Wayne Simpson, Consulting Engineer and Kevin Kramer, Superintendent of Operations. Authority employees Matthew Naisby and Charles Staub were in public attendance. Mr. Thomas Chichester, resident of 702 Wood Lane, entered the meeting at approximately 7:15 PM.

**OLD BUSINESS**

Mr. O'Connor indicated the regular session and executive session minutes of December 9, 2019. He confirmed with Solicitor Brad Smith that the executive session minutes could be addressed in regular session. Mr. Smith said he had no suggested corrections to the executive session minutes but he had a question regarding wording on page 93 and a correction on page 100 to the regular session minutes. Mr. Smith asked about the use of the word "route" in the third sentence in the last paragraph on page 93 and Administrator Kim Fitzpatrick explained that Kevin Kramer and his staff routed the

second meter readings; they determined which order they would go in based on the maps. Mr. O'Connor suggested the wording remain the same. Mr. Smith stated that the word "to" should be removed after the word "into" on page 100 in the second sentence.

**Motion: Made by Mr. Szymkowski and seconded by Mr. Conville to adopt the regular session minutes of December 9, 2019 with the correction noted by the Solicitor and the executive session minutes of December 9, 2019 as submitted. Vote: Mr. O'Connor abstained; all others aye.**

## NEW BUSINESS

### DIRECTOR OF CONSTRUCTION - FRANK SZYMKOWSKI

Mr. Szymkowski asked Mr. Simpson to discuss his Engineer's Status Report.

#### **Engineer's Status Report - Wayne D. Simpson**

**Mr. Simpson:**

##### **M-080-144 Central Pump Station Generator**

Punch list items have been completed. We will probably process the final payment estimate this month.

##### **M-080-147 Manor Road Pumping Station**

We are advertising for bids. We have good interest in the project so far. Hopefully, there will be some good bids on February 4th when they are opened.

On developments, the only item is (**M-081-118**) **GLOBAL - 1105 Route 130**. The application is now complete. We've completed our review; their plans are in conformance with Authority Rules & Regulations. They will be replacing a portion of the sewer line behind the old Acme. There is a blockage so they will replace about 80 feet of that sewer line where the blockage is. We are recommending approval and the State Permit papers need to be signed, the application, by the Chairman.

Mr. Szymkowski asked about the location of the blockage and Mr. Simpson stated the line is behind the old Acme in a wooded easement. He said just off the paved area going towards the easement is where the blockage is located. Mr. Brad Smith confirmed with Mr. Simpson that there will be new connections. Mr. Simpson stated there will be two pad sites for restaurants, an IHOP and an un-named restaurant, and a pre-school. Mr. Simpson said there is no new connection for the storage facility because they are using the old Acme building which is already connected.

Mr. O'Connor asked Mr. Simpson if he was happy with the way the work at Riverton Country Club was performed. Mr. Simpson confirmed that he did not witness it. Mr. O'Connor asked Mr. Kramer the same question

and Mr. Kramer said the repair went well. Mr. O'Connor reported that according to Authority Liability Consultant Alex Villari, they are still working through the insurance claims issue but Mr. Villari should have an update for next month's meeting. Mr. Szymkowski confirmed with Kevin Kramer that the line was repaired and Kevin said the work was performed on December 19. He said the station was bypassed and it took most of the day to complete the job but everything went smoothly.

**DIRECTOR OF ADMINISTRATION - JOHN CONVILLE**

Mr. Conville asked Kimberly Fitzpatrick to provide an update. Kim stated that there is a proposed resolution for the construction of a removable fence in a sewer easement. She noted that she had mentioned the request and subsequent agreement form at the previous meeting. She reported that everything was reviewed and she was told to grant the approval which she planned to do tomorrow after the meeting. Mr. Brad Smith advised that the easement needs to be recorded and Kim confirmed that once the resolution is passed, she will send the easement to the County for recording. She confirmed that she received the proper fees from the property owner. Mr. Brad Smith indicated that the resolution contained language stating that "the agreement be recorded by the property owner" and that "said owner provide a recorded copy to the Authority" and he confirmed amendments to the resolution to remove that language.

**Motion: Made by Mr. Szymkowski and seconded by Mr. Conville to adopt Resolution 2019/2020-32, Authorizing Removable Fence in Sewer Easement Block 3106.04, Lot 2 with the amendments as confirmed by Authority Solicitor. Vote: All ayes**

Kim Fitzpatrick discussed the next agenda item, the Educational Services Commission of NJ Co-Op. She said the Co-Op is sanctioned by the State of NJ and conforms to all the purchasing laws of NJ. She reported that the Co-Op is more restrictive than the Authority needs because it is designed more for schools, but confirmed that Authorities and Municipalities do belong to it. She said that if anything is purchased through the Co-Op, all the documentation is in place and the item has been bid out. She stated that the information can be downloaded. She said it is not a Co-Op for cost savings, though sometimes you will save money. She said the Co-Op is mainly for compliance purposes. She said it was all the time when she worked at the school and she thought it would be beneficial to the Authority because the thresholds are low because she is not a QPA. She confirmed that Solicitor Brad Smith reviewed the documentation. Mr. Smith confirmed that the documentation was acceptable for this Co-Op as there was no restriction which said the Authority would have to use the Co-Op. Mr. Smith stated there was restrictive language in the documentation for the Hunterdon County Educational Services Commission Co-Op which will be put on hold at this point. He confirmed that the

Authority would not be able to go out to bid on something if it had been bid by the Hunterdon County Educational Services Commission Co-Op and it included energy supply.

Mr. O'Connor commented that he is a believer in the power of cooperative purchasing and he is very much in favor of participating in the Educational Services Commission of NJ Co-Op.

**Motion: Made by Mr. Szymkowski and seconded by Mr. Conville to adopt Resolution 2019/2020-33, Authorizing Member Participation in a Cooperative Pricing System and Execution of Cooperative Pricing Agreement (Educational Services Commission of NJ Co-Op). Vote: All ayes**

Mr. O'Connor confirmed that the next agenda item, Resolution 2019/2020-34 regarding the Hunterdon County Educational Services Commission Co-Op would not be discussed and he asked Mr. Conville if he had anything further for Administration. Mr. Conville confirmed there were no other items for Administration.

**DIRECTOR OF OPERATIONS - ROBERT O'CONNOR**

Mr. O'Connor asked Mr. Kramer to review his Superintendent of Operations Report.

**Superintendent of Operations Report - Kevin Kramer  
Mr. Kramer:**

**Operations:** Plant Operations are going well. December brought some wet weather but we did not violate any limits on our permit. We have been using polymer to keep the solids down from the elevated flows.

Todd Leonard, one of our new hires, completed his probationary period and has been promoted to Operator D as of December 23<sup>rd</sup>. He has also obtained his CDL Class B License and will now be able to get out and drive the jet vactor and get more training on that. He has been a valuable asset to the Authority and I believe he will continue to help us out in the future. I am very happy with his progress so far.

As mentioned earlier, on December 19<sup>th</sup>, we had the permanent force main repair at the Riverton Country Club. Booth Mechanical came out with their subcontractor and fused the line. We had to call in additional trucks to Fairfax Pumping Station to bypass the line. It was difficult to estimate the amount that we would need but we spoke to the company, McGovern, and had some tankers on standby in case they were needed. All in all, the job went according to plan and Kim Fitzpatrick has all the purchase orders totaled and has been in contact with Riverton Country Club. I have also been in contact with Mr. Drew White at the Country Club regarding costs and the completion of the job.

Mr. O'Connor reported that he spoke with Mr. Alex Villari, of the Barclay Group, this afternoon who confirmed they will be running it through insurance. Mr. O'Connor stated that Barclay is the insurance broker for both parties and Alex is working on it and will have an update next month.

**Mr. Kramer continued with his report:**

**Safety:** Kim Fitzpatrick and I attended a JIF safety meeting on Friday at Evesham MUA. The meeting reviewed some of the new Department of Transportation requirements for drug and alcohol testing. It also reviewed information regarding registering the Authority and its employees with commercial driver licenses in the Clearing House database which would allow the Authority to do checks on the employee's licenses each year.

Mr. Brad Smith asked about using a third party administrator and Kim Fitzpatrick stated that she and Kevin had discussed the matter. She said with as few employees as the Authority has, she doesn't believe it will be cost efficient to hire a third party administrator. She confirmed that the only thing that was missing for the manual was the SAP, the professional for the substance abuse, but she stated that is only if someone fails a test. She confirmed that she contacted a company and there is no fee. She reported that in the event of an employee test failure, she would advise the company that the Authority will be using them and the company would give an email which the Authority would provide to the employee who failed. She said the cost would be paid by the employee. Kim also reported that she met some good resources at the meeting who offered their help. She plans to reach out to them and they will provide some templates which she will have Mr. Smith review. She confirmed that things are moving forward and at this point, she doesn't believe a third party administrator will be necessary.

Mr. Brad Smith stated that the updated CDL regulations are ready and he asked Kim Fitzpatrick to post them to the document site for the Commissioners' review and proposed adoption at the February meeting.

**Mr. Kramer continued his report:**

**Projects:** I had the chance to review Wayne Simpson's report for the Flow Meter Study. We are going to start to do some of the suggestions when we are able to, such as to camera certain lines and do inspections of manhole interiors along easements. I will work with Wayne Simpson and we will see what we can find.

Mr. Simpson asked Mr. Kramer if Duke's (Root Control Technology Company) had been in touch with him. Mr. Simpson stated that Matt from Duke's came to see him to tell him about their services to help pinpoint infiltration and inflow. Mr. Simpson said it is a little more cost effective than the way the Authority did it last year. Mr.

Simpson said he will reach out to Duke's for the Board's consideration, just to see about the cost to go to the most troublesome area and for them to do some analysis for the Authority. Mr. O'Connor asked if Mr. Simpson had used their services for other authorities. Mr. Simpson stated that it is something new and he thinks the technology sounds good but he is unsure about the cost. Mr. O'Connor confirmed with Mr. Simpson that Duke's has used this new technology for other authorities. Mr. Simpson stated it has been used mostly for larger cities but he will get references and more information. He said if the cost is right and it would save the Authority from having to spend the manpower, it would be a good thing.

Mr. Kramer confirmed he had nothing further to report and Mr. O'Connor said he had no other matters for Operations.

#### **PUBLIC COMMENT**

Mr. O'Connor opened the meeting to the public for comment and noted that Mr. Thomas Chichester (resident) had entered the meeting. Mr. Chichester did not have a comment but was provided an agenda at his request.

#### **DIRECTOR OF PERSONNEL - RICHARD STROBEL**

Mr. O'Connor indicated Resolution 2019/2020-31 and stated that the resolution memorialized action taken at the last meeting by Commissioners regarding non-bargaining employees' service awards and salary adjustments for the new fiscal year.

**Motion: Made by Mr. Szymkowski and seconded by Mr. Conville to adopt Resolution 2019/2020-31, Salary Adjustments and Awards for Service for Non-Bargaining Employees. Vote: All ayes**

Mr. O'Connor stated that the opening of contract proposals would be held for the arrival of the Chairman and he moved to Budget & Finance.

#### **DIRECTOR OF BUDGET & FINANCE - THOMAS KOLLAR**

Mr. Kollar was absent. Mr. O'Connor indicated the Treasurer's report and Trial Balance. He stated that he reviewed the expense report and check register but did not see the revenue report. Kim Fitzpatrick stated she was having issues with posting documents but confirmed there were no issues to report with revenue. Mr. O'Connor stated that under expenses, Salaries is at 95%. He said under the other categories, Employee Benefits & Retirement is at 94%, Professional Expenses is at 98% and Operations & Maintenance is at 92%. He reported Total Expenses at 94% and said that is a little above where it should be but he hoped it would balance out to where it should be next month. Kim Fitzpatrick said that there would be an increase next month to expenses because she has to charge the expenses for the

Riverton Country Club repair to budget lines. She stated it will come back as a refund. She confirmed that she spoke with the Authority's auditor about it and he confirmed that is how it should be handled.

**Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to approve the Treasurer's Report and Trial Balance. Vote: All ayes**

Mr. O'Connor submitted a list of Operating Invoices & Payroll Expenses totaling \$184,969.63 and certified that funds are available.

**Discussion: Mr. Conville asked about voided checks. Kim Fitzpatrick explained that that she had entered an incorrect total on one and transposed a number on another. Mr. O'Connor asked about the amount change to the Township check and Kim explained that she was originally told that the Authority had not paid rent for last year so she put it in the system. She said she decided to check with Cindy Doerr and Cindy confirmed that the rent had been paid. Kim said she was able to find the proof of payment and the Township was satisfied so she voided the higher amount. Kim added that the Township is drafting the Authority's new lease for this year and she will post the document for Commissioners' review once it is available.**

**Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to approve payment of Operating Invoices and Payroll Expenses as submitted. Vote: All ayes**

Mr. Kollar submitted one invoice for Builders Escrow totaling \$307.50 and certified that funds are available.

|                                    |    |        |
|------------------------------------|----|--------|
| #113528 Cinnaminson Baptist Church | \$ | 307.50 |
|------------------------------------|----|--------|

**Discussion: Kim Fitzpatrick and Wayne Simpson confirmed that the name is no longer under Cinnaminson Baptist Church but they could not recall the builder's name. Kim stated that the file does reflect the correct name.**

**Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to approve payment of the Builders Escrow invoice as submitted. Vote: All ayes**

Mr. O'Connor submitted three deletions from the month of December totaling \$587.40 and recommended that the customers' accounts be credited.

**Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to approve the deletions and credit the customers' accounts accordingly. Vote: All ayes**

Mr. O'Connor asked about the process necessary to go about getting a credit for a water leak and Kim confirmed that the customer must first get a credit from the water company. She said once they are issued

that credit, they should bring in the information or fax or email it and Amy Williams will enter the correct credit based on the gallonage indicated by the water company. Mr. O'Connor said he had a resident who asked him about the process and thanked Kim.

Mr. O'Connor turned the meeting over to Chairman Richard Strobel, who had arrived at the meeting, to complete the opening of contract proposals.

Mr. Strobel mentioned that he received an invoice sent certified mail from NJUA JIF and confirmed with Kim Fitzpatrick that she had received a copy as well.

**Mr. Strobel:** Under the Fair & Open Process, we advertise for interested contractors to contact us. There are bid forms to complete and information that is requested to be submitted. We have been doing this since the mid-2000s and this allows the Authority to get quality contractors at reasonable and competitive prices. We score the proposals, done by panels of three, and I appreciate in the past how all Commissioners and our Administrator have served on these panels. I will keep the same concept as we've done in the past and we will divide the proposals accordingly as we have requested three copies.

Kim Fitzpatrick confirmed that she spoke to Commissioner Tom Kollar who will prepare the scoring form again this year as a Google document and a link will be sent to Commissioners.

Mr. Strobel began the opening of proposals and read them into the record as follows:

1. For Consulting Engineer: Alaimo Group, submitted by President Richard A. Alaimo, PE
2. For Solicitor: Law offices of Smith & Smith, submitted by Bradford S. Smith
3. For Auditor: Holman Frenia Allison, P.C., submitted by Michael Holt, Partner
4. For Bond Counsel: Winne Banta Basralian & Kahn, P.C., Counselors at Law, submitted by Jason P. Capizzi
5. For Bond Counsel: Raymond Coleman Heinold LLP, Attorneys at Law, submitted by Thomas J. Coleman III

Mr. Strobel stated that each panelist must review the proposals and use the online form for scoring with a deadline of Monday, February 3<sup>rd</sup>. He said that will give him time to tally the scoring, prepare documents based upon the scoring, make recommendations and prepare a resolution for the Board's consideration at the February meeting.



Kim Fitzpatrick asked about the schedule of meetings for the new fiscal year. Mr. Strobel stated that it is a vote of the Board to approve an Annual Notice of Meetings Resolution and the Board can make any adjustments it would like. He noted that the time has changed over the years but the day has remained the second Monday of the month for quite some time. He said the October meeting is usually switched from Monday to the ensuing Thursday due to Columbus Day. There was a brief discussion and Mr. Strobel asked for consideration to move the May meeting as he will be out of town. Mr. O'Connor suggested Thursday, May 7 and Commissioners were in agreement. There will be a draft resolution at the February meeting.

Mr. O'Connor stated that he saw Mr. Strobel's Facebook posts regarding the Authority's employment opportunity. Mr. Strobel confirmed with Kim Fitzpatrick that five responses have been received. Mr. O'Connor confirmed with Mr. Strobel that the application deadline is January 20, 2020. Mr. Strobel confirmed he posted in Cinnaminson Patch Job Postings, Cinnaminson Strong, Positive Cinnaminson Community First, Cinnaminson Straight Talk, Cinnaminson Friends & Neighbors I and II, Rivertowns People, You Know You're From Cinnaminson When and Cinnaminson GOP. Mr. Strobel stated that he and Mr. Kramer would review the applications after the deadline.

Kim Fitzpatrick stated that Mr. Frank Szymkowski was reappointed by the Township Committee as Authority Commissioner to a 5-yr. term. Mr. Chichester, in public attendance, who had come directly from the Township Committee meeting, confirmed that it was on their agenda. Mr. Strobel stated that Mr. Szymkowski would be sworn in at the February meeting prior to regular business.

Mr. Strobel asked if there were any other matters for discussion and Mr. Brad Smith confirmed he had a potential litigation item for executive session.

Mr. Strobel thanked Mr. Chichester for coming to the meeting. Mr. Chichester stated that he was at the Township Committee meeting and said there is a problem with scheduling because he wanted to be there but wanted to be at this meeting also. He said he keeps running into similar problems and said there has been court when a meeting was supposed to take place. Mr. Strobel told Mr. Chichester that it is very rare that the Authority conflicts with Township Committee. He confirmed that their meeting schedule is third Mondays and the Authority's scheduled meetings are usually on the second Monday of the month. Mr. Strobel said this month Township Committee opted to move up their meeting due to the Martin Luther King Holiday so it is an exception. Mr. Strobel said he believes the Planning Board meets on Tuesday nights and the Zoning Board meets on Wednesday nights and advised Mr. Chichester that he should be without conflicts going forward.

Mr. Strobel entertained a motion that the Board enter into a closed session to discuss matters of potential litigation, results to be disclosed when no longer prejudicial to the interests of the Authority. Mr. O'Connor moved the motion and Mr. Szymkowski seconded the motion. Vote: All ayes  
Time: 7:30 PM

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to return to open session at 7:46 PM. Vote: All ayes

The meeting was adjourned.

Next scheduled meeting - Monday, February 10, 2020 at 6:30 PM