

Minutes - November 14, 2019

The regular meeting of the Cinnaminson Sewerage Authority was held on November 14, 2019 in the conference room located within the Cinnaminson Municipal Building and began at 6:30 PM.

Present were Board Members: John Conville, Robert O'Connor, Frank Szymkowski and Thomas Kollar. Mr. Strobel arrived at 6:37 PM. Also in attendance were Kimberly Fitzpatrick, Administrator, Bradford Smith, Authority Solicitor, Wayne Simpson, Consulting Engineer and Kevin Kramer, Superintendent of Operations. Authority employees Charles Staub and Matthew Naisby were in public attendance along with Alex Villari of The Barclay Group.

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.

PUBLIC COMMENT

Vice Chairman Robert O'Connor opened the meeting to the public for comment and hearing none, moved to Old Business.

OLD BUSINESS

Mr. O'Connor asked the Board to address the regular and executive session minutes of October 9, 2019. Mr. O'Connor confirmed with Solicitor Brad Smith that there were no suggested corrections to the executive session minutes of October 9, 2019. Mr. Smith also confirmed he had no suggested corrections to the regular session

minutes but stated the Secretary made a correction after the minutes had been posted. Secretary Judy Devone confirmed she made a correction on page 73 under Old Business in the fourth sentence, changing the words "On pg. 65," to "On pg. 67,".

Motion: Made by Mr. Szymkowski and seconded by Mr. Conville to adopt the regular session minutes of October 9, 2019 with the Secretary's correction and the executive session minutes of October 9, 2019 as submitted. Vote: Mr. Kollar 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 Replacement

The project has been completed. The generator is now in service.

Mr. O'Connor confirmed with Mr. Kramer that the Authority is no longer renting a generator.

Mr. Simpson continued:

M-080-146 Flow Study

I am still working on the Flow Study report as the data keeps throwing me some curves.

Mr. Simpson explained that while writing his report, he found something with one chart that was not consistent with the numbers. He said it will be explained in his report but the basic change from what he has said in the past is that the flow coming from Lakeview area, may not be as high as previously thought because there is some backup from the pump station.

Mr. Simpson: When the pump station was designed it had a 5 foot level in the wet well. For greater efficiencies, the operations have changed that to a 10 foot draw down on the wet well; when it goes up to 10 feet it backs up into the sewer line where we had the flow meter. So, there is a back order curve that now has to be taken into account. I will be writing that up and should finish soon. We do have other good data.

Mr. Kollar asked if there were other areas of concern. Mr. Simpson stated that by Fairfax Drive and coming from Lenola Road, the meter shows that as the line goes past Steels Pond it picks up some flow crossing Route 130. He said there are two feeder streams into the

Pennsauken Creek and as it travels that path, there is a significant amount of flow being picked up.

Mr. Simpson continued his report:

M-080-147 Manor Road Pumping Station

We are almost done the design. This month we will definitely finish it and get it ready for bid.

On developments:

M-081-118 GLOBAL - 1105 Route 130

On the redevelopment of the old Acme site, the design engineer for the applicant has inspected the sewer line that we were concerned with that the applicant will be tying into and he found a segment of the sewer line that has to be replaced. The applicant will be making that repair before connecting in.

Mr. O'Connor turned the meeting over to Chairman Richard Strobel who had arrived at the meeting.

Mr. Strobel stated there was a proposed resolution, Resolution 2019/2020-29, noting it was for the Taylors Lane Sanitary Sewer Extension Project and the recapture of costs and expenses. He said it is something that the Solicitor has been working on and has prepared a draft resolution with an attached agreement for the Board's consideration. He asked Solicitor Brad Smith if he wanted to comment. Mr. Brad Smith stated it was developed over several months, after the developer informed the Authority that they wanted to seek recapture costs which they are entitled to. Mr. Smith explained that the developer put in a portion of the sewer main on Taylors Lane and paid for it as part of the development of the Wawa on the corner. Mr. Smith said the developer is entitled to be reimbursed by any future users that connect to that line. Mr. Smith confirmed the developer is entitled to a pro-rata portion of the costs. Mr. Smith stated that it presented some difficult issues for the Authority because some entities along that line had already connected prior to the developer asking for reimbursement. Mr. Strobel stated it was approximately 6-8 months between the completion of the project and when the request came in. Mr. Smith agreed that it was an expansive time and said these types of things should be agreed to upfront. Mr. Strobel noted that the onus was on the developer as it doesn't affect the Authority directly. Mr. Smith said that if the Authority doesn't enter into the agreement, and there is good reason to do so, the developer could bring suit against any of the entities connecting for reimburse of their costs and expenses on a pro-rata basis. He stated that the agreement basically releases all of the actual and potential users of that line from recapture, with the exception of the two lots on Route 130 which are the prime development lots. Mr. Smith stated that a developer wanting to develop those two lots will have to reimburse costs and expenses on a pro-rata basis to Wawa for their fair share of

the cost of that connection. He indicated that the lots could not be developed without a sewer line there and any developer would have to install the line themselves if it hadn't already been done. Mr. Smith stated that it will be based on the developer's usage. He added that the agreement is reasonable and it releases the other entities (he confirmed there are eight) from reimbursement to Wawa. Mr. Strobel confirmed with Mr. Smith that the agreement will be recorded. Mr. Smith confirmed that the total amount of the recapture cost is \$291,400.00; the bills were reviewed and certified. Mr. Smith confirmed that the original developer, Zawa Cinnaminson, LLC, assigned their rights to Metro Development Company of South Jersey. Mr. Smith said there is a copy of the assignment, a drawing indicating the sewer line on Taylors Lane, a list of the costs and expenses, a calculation formula for determination of the pro-rata share from Mr. Simpson (Exhibit D) and a procedure for reimbursement, all attached to the agreement. He said the procedure requires the developer (Metro Development Company of South Jersey) to send the Authority a release showing that the entity that wants to connect has paid them and is released from the agreement. Mr. Smith confirmed that the agreement runs for a period of ten years. Mr. Smith highly recommended that the Board passes the resolution and allows the Chairman to execute the agreement. Mr. Strobel stated that Mr. Smith did a good job representing the Authority's interests and its ratepayers, and stated that the expiration is also a valuable provision to have in the agreement.

Mr. Conville asked a question regarding the calculation formula and Mr. Smith confirmed that it is in the agreement that the Engineer calculates the pro-rata share. Some further discussion regarding the calculation and possible reimbursement costs ensued. Mr. Smith confirmed that he had received a signed agreement from Metro Development Company of South Jersey and stated the Chairman's signature would need to be notarized.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt Resolution 2019/2020-29, "Agreement Concerning the Installation of a Public Sanitary Sewer Line In Taylors Lane Cinnaminson Township" Recapture of Costs and Expenses. Vote: All ayes

DIRECTOR OF ADMINISTRATION - JOHN CONVILLE

Mr. Conville asked Kimberly Fitzpatrick to provide an Administration update. Kim confirmed that she is settling in nicely and learning the new software. She stated that Edmunds has very good software support. She stated that they are trying to catch up on a backlog of final billing on residential property sales. She stated she wasn't aware of it until she got some phone calls regarding a lack of response from the office. She said she is trying to get that caught up.

Mr. O'Connor asked if there were any complaints regarding second meter readings. He stated there were some comments regarding it on social

media. Kim confirmed that there were some complaints regarding not wanting to wait for credit but she said she did her best to explain that water was being used further into the fall season and the later second meter readings would alleviate the need for two readings. Kim stated that she will work with Mr. Kollar to put more notifications on the Authority's website going forward. Mr. O'Connor stated that the Township staff is very supportive of the Sewerage Authority and he feels that they would be willing to post an announcement from time to time on behalf of the Authority on their official Facebook page. He stated that a taxpayer is also a ratepayer so he feels they will help residents get the information and he will follow up on it. Kim asked Mr. O'Connor to let her know about it as she is getting ready to send out letters regarding indoor second meter readings for Cycle 3 and it might be helpful in getting the word out. Kim also mentioned that she set up a new system on a shared google calendar that allows both she and Amy to schedule the second meter readings and it allows Kevin to see it as it is updating regularly. Kevin Kramer stated it was working very efficiently. Mr. Strobel also mentioned that the Township sends out newsletters through Nixel and Mr. O'Connor said he would ask about that as well.

Kim Fitzpatrick confirmed she had one other item. She stated that she is looking into e-billing. She confirmed that Edmunds has availability for the Authority to email ratepayers bills to them. She said it was Amy William's idea and she asked Amy to look further into it. Kim confirmed that there is no cost to the Authority for it. She said they were thinking of trying it for larger industrial users where a large number of bills are being sent to one location to see how it works out. She said she thinks it will be a good option. She noted that she has heard some complaints about the smaller size of the sewer bill and that they are easily lost so she thinks the e-billing may be a good option. There was some further discussion regarding returned emails and the initial sign up form.

DIRECTOR OF OPERATIONS - ROBERT O'CONNOR

Mr. O'Connor asked Mr. Kramer to review his report.

Superintendent of Operations Report - Kevin Kramer

Mr. Kramer:

Operations: Things are going well at the Plant and there were no permit violations during the period. We had our annual inspection by Mr. Dave Stewart of the DEP. It went very well and Mr. Stewart said it is the best the Plant has looked in years. We also had good news relating to issues we had back in March. If you recall we had problems with removal of BOD and we thought an industrial user was dumping something into the system which was killing off the microorganisms. We received an affirmative defense from Mr. Stewart and he confirmed there will be no action on the part of DEP since

proper reporting had been made. Mr. Stewart confirmed that a letter will be sent to that effect.

We also had a visit from Mrs. Perno and her Life Skills class. There were probably about five or six teachers and approximately twenty students.

Mr. Strobel showed a few pictures that Mr. Kramer had shared with him.

Mr. Kramer stated it was a very good experience and he hopes other classes will visit in the future. Mr. Strobel stated it was an important thing to do as a utility and important part of the community. He said he was glad that Mr. Kramer recognized that and saw the value in doing it.

Mr. Kramer continued his report:

I was contacted by the Township Administrator regarding some flooding issues in the town. They are trying to find some ways to resolve the issues so he contacted me to see if we would be able to help out with some of the storm sewers in problem areas where there has been flooding.

Mr. Strobel confirmed with Mr. Kramer that the Township is interested in the Authority using the vac truck to clear out any debris in the storm boxes and then jet the discharge line to whichever body of water it discharges into. Mr. Kramer stated they have been doing that on some specific streets such as Randolph, Pompess and Kern and Zeisner Streets.

Mr. O'Connor asked if there was an issue with Riggs & Distler. Mr. Kramer confirmed that there was a vent call due to a toilet backup there. He explained that they are tied directly into the side of the manhole which is not the proper way to tie in and caused easier backup of their toilets. He stated that they broke the blockage and jetted the line and then had Certa Pro go out. There was some discussion regarding the connection and the installation of a check valve.

Mr. Kramer continued his report:

Getting back to working with the Township on the storm sewers, there was an initial meeting regarding the areas where help was needed and we have been going out and helping. We utilize a lot of the Township's equipment for various jobs at the Plant so it is a shared service where we can be helpful to the Township.

Safety: We did not have any safety training during this time period.

Projects: Jack Haines and John Kenkellen installed two new pumps at our Cinnaminson Crossing Pump Station. Having Jack Haines able to fabricate pieces to make sure the pumps fit properly saved the Authority about \$8,000.00 which was what the quote was from Municipal

Maintenance to do the work. We have a lot of employees that are assets to the Authority. We can now stock spare parts with the new pumps as the old ones were obsolete and we could not get any spare parts.

As Wayne mentioned, the new generator at Central Pump Station is operational. We had a few members of our staff have training from a representative on November 6. We are no longer renting a generator from Atlantic Switch and Generator.

As Kim mentioned earlier, we are starting to read second meters for Cycles 2 and 3. Ed Duba is handling the second meter readings and we are working with Kim and Amy to make the process as efficient as possible.

Mr. Kramer confirmed he had nothing further to report. Mr. O'Connor stated there was a last resolution, Resolution 2019/2020-26, for the rental of a generator for Central Pumping Station.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt Resolution 2019/2020-26. Vote: All ayes

Hearing no further matters for Operations, Mr. Strobel moved to Personnel.

DIRECTOR OF PERSONNEL - RICHARD STROBEL

Mr. Strobel stated that he had two items listed on the agenda which came from the State. The first is about the New Jersey Indoor Air Quality Standard. He stated that as a public employer the Authority is subject to it and has been notified by the NJUA JIF regarding its existence and the requirement for a designated person to be appointed by the Authority and to receive training. He stated that a resolution is passed at the beginning of the fiscal year in February that makes or renews all existing designations that the law requires so this must be added to the resolution. He stated the designation must be made now and can be done by motion. He recommended that the Administrator, Kim Fitzpatrick, be designated and he stated there is training on March 6 in Westhampton.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to designate Administrator Kimberly Fitzpatrick as the Authority's designated person under the New Jersey Indoor Air Quality Standard and to add it to Staff Designations in the annual resolution in February.
Vote: All ayes

Mr. Brad Smith suggested that Mr. Kramer should also attend the training and the Board was in agreement.

Mr. Strobel: I enclosed the press release from the Civil Service Commission regarding the second item from the State. We have to designate someone, which we can do my motion, and add this to our designation resolution at the beginning of the next operating year.

He stated that the legislature adopted a law that requires all governmental units to adopt a mandated statewide domestic violence policy and to designate someone as Human Resources Officer (HRO). He read aloud the email that he will forward to Kim Fitzpatrick regarding dissemination of the information to staff and information on e-learning for the HRO to complete.

**Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt the Domestic Violence Policy for Public Employers and to designate Administrator Kimberly Fitzpatrick as Human Resources Officer (HRO).
Vote: All ayes**

Mr. Strobel stated that the annual AEA meeting is approaching soon and notice of the annual JIF meeting to their budget for the upcoming year has been posted to the document site. He confirmed that notification of receipt of a rebate incentive from JIF in the amount of \$7,943.00 was received and will be applied as a credit.

DIRECTOR OF BUDGET & FINANCE - THOMAS KOLLAR

Mr. Kollar indicated the Treasurer's report and Trial Balance. He said at 75% through the fiscal year User Charges are at 73% versus 73% last year. He noted that Delinquent Interest was on budget and the other categories look good. He stated that Connection Fees show as running far behind, however, the budget was based on expected connection fees from Siena which ended up being applied to last year's budget. Kim Fitzpatrick explained that there are a few months between when the budget is being developed and when it is adopted and the connection fees ended up coming in prior to the new budget so it was a timing issue. Mr. Kollar confirmed that last year's Connection Fees came in at 800% of budget so the money was received and applied to last year's budget. Mr. Kollar stated that the total revenue is showing 63% but it is not as low due to the connection fees. Mr. Kollar explained that the expense report is not the same report that was previously used because it includes debt service so he can't compare it to the other. He stated in looking at the check register, however, he believes total expenses are still in line.

Motion: Made by Mr. Kollar and seconded by Mr. Szymkowski to approve the Treasurer's Report and Trial Balance as submitted with notation that the expense report should be corrected to match the previous reports. Vote: All ayes

Mr. Kollar submitted a list of Operating Invoices & Payroll Expenses totaling \$170,021.13 and certified that funds are available.

Motion: Made by Mr. Kollar and seconded by Mr. O'Connor to approve payment of Operating Invoices and Payroll Expenses as submitted.

Discussion: Mr. Strobel asked about the voided check to Edmunds. Kim Fitzpatrick explained that it was an overbilling for the hosting (each year is a different cost.) She stated that Edmunds was billing for year three instead of year two and Cindy Doerr caught the error. She said a corrected invoice was issued.

Vote: All ayes

Mr. Kollar submitted four requisitions for Renewal & Replacement totaling \$236,810.75 and certified that funds are available.

#19-790 Municipal Maintenance	\$ 211,778.00
#19-791 Alaimo Associates	\$ 5,108.75
#19-792 Booth Mechanical	\$ 17,394.00
#19-793 Site Specific Design, Inc.	\$ 2,530.00

Motion: Made by Mr. Kollar and seconded by Mr. Szymkowski to approve payment of the Renewal & Replacement requisitions as submitted.

Discussion: Mr. Strobel asked about the payment to Booth Mechanical for an issue on Willow Drive. Mr. Kramer stated it was a complicated fix because there was a storm sewer sitting over top of the sewer main. He said box trenching was necessary and repairs and redirection of the manhole were needed. He said there was about a ten foot break in the line.

Vote: All ayes

Mr. Kollar submitted three invoices for Builders Escrow totaling \$1,481.94 and certified that funds are available.

#112563 Global 1105 Route 130	\$ 492.40
#112561 Mercer Car Wash	\$ 95.00
#112560 Village at Cinna. Harbour	\$ 894.54

Motion: Made by Mr. Kollar and seconded by Mr. Szymkowski to approve payment of the Builders Escrow invoices as submitted. Vote: All ayes

Mr. Kollar indicated Resolution 2019/2020-28, Quarterly Withdrawal, noting that it was in the amount of \$541,675.00 to cover operating costs for the quarter.

Motion: Made by Mr. Kollar and seconded by Mr. O'Connor to adopt Resolution 2019/2020-28, Quarterly Withdrawal. Vote: All ayes

Mr. Kollar confirmed that the budget meeting took place on October 15, 2019 and included Cindy Doerr. He stated that some categories were increased for the new fiscal year such as Medical, Professionals, Solids Disposals and Utilities. He noted that Maintenance was reduced by \$40,000.00 and the overall budget was just over \$4 million and the new fiscal year budget was decreased to \$3.7 million. He also noted that User Charges are trending downward so anticipated revenue was reduced there. He stated that installment plan connection fees were added for Taylors Lane and he is hoping that there will be more added. He stated that the difference between anticipated revenue and proposed expenditures is -\$368,000.00 which is anticipated to be covered by surplus. He said that there may be the need for a rate increase in the near future if User Charges keep trending downward. He stated that it has been many years since there was a rate increase. Mr. O'Connor confirmed with Mr. Kollar that there were funds from surplus to cover the new fiscal year budget. Kim Fitzpatrick added that after speaking with Auditor Mike Holt, they decided to decrease the anticipated interest on investment.

Motion: Made by Mr. Kollar and seconded by Mr. Szymkowski to adopt Resolution 2019/2020-27, Approval of Preliminary Budget for Fiscal Year February 1, 2020 - January 31, 2021.

Secretary Judy Devone took a roll call vote:

Mr. Conville - aye

Mr. O'Connor - aye

Mr. Strobel - aye

Mr. Szymkowski - aye

Mr. Kollar - aye

Mr. Strobel asked if there were any further matters for discussion.

Mr. Kollar briefly discussed the need for staff email addresses and the possibility of using Microsoft hosting which is web based at a cost of \$12.50 per user per month or approximately \$2,000.00/yr. He stated that he will do a little more research and report back but it is the direction that the Authority needs to move in. He briefly spoke about how the office made the commitment to move to Edmunds to the cloud and said Kim spoke about having it accessible to the Plant so that Kevin can do purchase orders. Kim explained that all of the purchase orders should be numerical and sequenced and currently Kevin's purchase orders are not in the same sequence as the ones that she is generating through Edmunds in order to pay the bills. She confirmed that Edmunds has the capability of allowing Kevin and a designee with restrictions on their access to the software to go in and create a purchase order and print it out or she can print it. She said it will reduce redundancy.

Mr. Brad Smith stated that Mr. Strobel had forwarded him an email regarding how final bills were calculated. There was a brief discussion regarding bill payment. Mr. Kollar mentioned the FAQ

section on the website and said he will make sure that it is consistent with the rules and regulations. He noted that he made some changes to add online bill payment information.

Mr. Smith stated he had a potential litigation/contract item for executive session. Kim Fitzpatrick stated that she and Mr. Kramer had an item for personnel.

**Mr. Strobel entertained a motion that the Board enter into a closed session to discuss matters of personnel, contract negotiation and potential litigation, results to be disclosed when no longer prejudicial to the interests of the Authority. Mr. Kollar moved the motion and Mr. O'Connor seconded the motion. Vote: All ayes
Time: 8:25 PM**

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to return to open session at 8:59 PM. Vote: All ayes

The meeting was adjourned.

Next scheduled meeting - Monday, December 9, 2019 at 6:30 PM