

Minutes - July 12, 2021

The regular meeting of the Cinnaminson Sewerage Authority was held on July 12, 2021 in the conference room of the Township building and commenced at 6:35 PM.

On roll call by the Secretary those present were Board Members: Robert O'Connor, Richard Strobel, John Conville and James Wujcik. Mr. Szymkowski was unable to attend due to the storm and flooding.

Also in attendance were: Kimberly Fitzpatrick, Administrator, Wayne D. Simpson, Authority Engineer, Bradford Smith, Authority Solicitor and Kevin Kramer, Superintendent of Operations.

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 2021 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.

Solicitor Brad Smith noted that the Annual Notice of Meetings Resolution, which was previously revised to note electronic meetings, was amended and advertised on June 23, 2021 to confirm the resumption of in-person meetings. (see attached Notice)

**PUBLIC COMMENT**

Mr. O'Connor opened the meeting to the Public for comment and hearing none, moved to Old Business.

Mr. O'Connor confirmed with Solicitor Brad Smith that the Rate Hearing Transcript did not require approval. Mr. Smith stated that the law requires a transcript and noted that the Secretary provided a draft. He stated there were some typos which he indicated on a printed copy and gave to the Secretary to revise.

### **OLD BUSINESS**

Mr. O'Connor indicated there were regular session minutes from June 14, 2021 and a revised draft of executive session minutes from May 10, 2021. Solicitor Brad Smith noted some suggested edits for clarification purposes to the regular session minutes of June 14, 2021.

**Motion: Made by Mr. Strobel and seconded by Mr. Conville to adopt the regular session minutes of June 14, 2021 with the suggested edits from Authority Solicitor. Vote: All ayes**

Mr. O'Connor confirmed with Solicitor Brad Smith that the executive session minutes did not require discussion in an executive session.

**Motion: Made by Mr. Strobel and seconded by Mr. Conville to adopt the executive session minutes of May 10, 2021 as submitted. Vote: Mr. O'Connor, Mr. Strobel and Mr. Conville - ayes; Mr. Wujcik - abstained**

### **NEW BUSINESS**

Mr. O'Connor stated there was a letter dated July 8, 2021 from Chad Moose, District Manager, Sanitary Landfill, Inc. regarding the old landfill and sewer connection at Taylor's Lane. Kim Fitzpatrick stated that at this point they would like to request an extension. She stated that it will take them longer than the November 1<sup>st</sup> deadline to receive approval from the EPA to get the location decommissioned. There was some further discussion and Mr. Simpson confirmed there is no restroom facility there. The Board directed Administrator Kim Fitzpatrick to respond that since there are no domestic sewage facilities at the location, the connection is not necessary.

### **DIRECTOR OF ADMINISTRATION - JOHN CONVILLE**

Mr. Conville stated that were three items for the Board's consideration under Administration, a resolution regarding a refund of revenue, a resolution regarding lease/purchase of a photocopy machine and an employee education agreement. He asked that Administrator Kim Fitzpatrick provide the Board with further details on the items.

Kim indicated Resolution 2021/2022-27, Refund of Revenue to Michael Mullin, Jr. and Carly Mullin and stated that the family moved out of Cinnaminson. She stated they had a second meter which had existing

credits still on the account. She confirmed that some title companies are either unable or reluctant to resolve these matters at the settlement table so she had to prepare the resolution regarding the credit.

**Motion: Made by Mr. Conville and seconded by Mr. Strobel to adopt Resolution 2021/2022-27. Vote: All ayes**

Kim briefly discussed the lease purchase of a photocopier machine for the office. She confirmed she received three quotes. She said she would like to start a new lease and as long as she and Amy are happy with the machine, it can be budgeted for and purchased next year. She confirmed there will be a maintenance plan and said the previous machine needs to be replaced as that lease is up. There was some discussion regarding leasing versus purchasing and Kim explained that she thinks it is the better option based on her previous experience with photocopier machines. Mr. Brad Smith commented that it can be purchased outright after one full year. Kim also confirmed that the lease can be changed if they do not like the machine after 26 months.

**Motion: Made by Mr. Conville and seconded by Mr. Wujcik to adopt Resolution 2021/2022-28, Authorizing Lease Purchase of Photocopier Machine. Vote: All ayes**

Kim confirmed that the Employee Education Agreement is for her to take Principles of Public Purchasing III. She stated that after this course, she will take one last course which is a test prep course for her Qualified Purchasing Agent designation/certification. Mr. Strobel stated this is a significant credential that will have benefits to the Authority in a number of ways and said the Board is grateful that she is taking the initiative. Kim thanked the Board for their support.

**Motion: Made by Mr. Conville and seconded by Mr. Wujcik to approve the Employee Education Agreement for Kimberly Fitzpatrick to take Principles of Public Purchasing III and to authorize and direct the Chairman to execute the Employee Education Agreement. Vote: All ayes**

Kim reported that the only customer that she has not heard back from regarding connection on Taylors Lane is the NJ American Water substation. She confirmed that the return receipt card did not come back signed or as unclaimed, and she said it was sent to a post office box in Cherry Hill which is the address she got from the Tax Office. She reported that she received return receipt cards for all others, except for two that she spoke with directly over the phone. Mr. Brad Smith confirmed with Kim that she was reporting on the original notice that was sent out and he asked her about the next notice to be sent. Kim stated that the second reminder notice was sent out last week. She confirmed that the notice stated that connection rates would increase on December 1, 2021. Kim reported that Microtek company is fully connected and paid. She said that resident Robin Hartman has

started his installment agreement and will be connected by November 1, 2021.

Lastly, Kim Fitzpatrick mentioned that she had posted the ordinance from the Township regarding cannabis establishments and asked for any useful information anyone has regarding any impacts this might imply for the Authority. Mr. Simpson noted that what the Authority would need to look out for, as with any industry of any type that wants to locate in Cinnaminson, is that they make application to discharge their waste into the Authority and then a full waste characterization would be required from that industry. He stated that in this case, the Authority would need to look out for solvents if manufacturing or pesticides if growing. Kim confirmed with Mr. Simpson that these are generally things covered by Authority Rules & Regulations. Mr. Strobel confirmed with Mr. Simpson that the industrial discharge regulations would apply. Mr. Simpson added that there is a broad spectrum of constituents to test for and he said some of the line items require a test that tests for multiple volatile organics but the lab will run an analyzer for approximately twenty different constituents on that one line item. He said it does cover a broad range of possible pollutants.

Mr. Conville confirmed there was nothing further for Administration.

**DIRECTOR OF CONSTRUCTION - FRANK SZYMKOWSKI**

Mr. O'Connor confirmed that Mr. Szymkowski would not be able to make it to the meeting and he asked Mr. Simpson to review his report.

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

**Mr. Simpson:**

**M-080-140 Wayne Drive Bridge Sewer Replacement**

This will be set to start the week of July 26<sup>th</sup>.

Mr. Strobel asked when residents will be able to use the bridge again. Mr. Simpson confirmed that it should take about three months for the project to be completed so should be ready in October or November.

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

**On the development side:**

**M-081-001, -002, -003 and -004 Four Homes on Church Road**

These properties are being connected.

**M-081-143 Taylors Lane Site Remediation**

We have received an application from Impact Environmental. They are remediating the old Hoeganaes wastewater impoundment. It was a detention basin where sediment was allowed to settle out before the water went out through pipes directly to the Delaware River. They had a NJPDES (New Jersey Pollutant Discharge Elimination System) permit to do that at the time and that permit has since been terminated. They

need to clean out the sediment that has been left behind. What they will be doing is draining any water from that impoundment and the ground water and filtering it to remove iron, manganese and color before it is discharged into the Authority's system. We are reviewing the application. They originally applied to discharge up to 100,000 gallons/day for a three-month period. That would be very weak wastewater and compounded on a rainy night where the Authority is already getting a lot of dilution, we decided to go back to them and stipulate that they are only allowed 50,000 gallons/day and that the Superintendent has the option to tell them not to discharge if there is a heavy storm or weather event. Once they come back and revise the application, we will take a look at it. They did a full analysis with all of the wastewater discharge regulations constituents tested and all they came up with was the iron, manganese and color. This will not hurt the Plant from a pollutant perspective but we are concerned about dilution.

Mr. Wujcik asked if there was any concern about any stirring up of what is on the bottom once discharge begins and Mr. Simpson confirmed that the ground water and the storm water that is in the basin have both been tested and they will be using well points to dewater the basin. Mr. Simpson said everything is going to be filtered through the soils so they are not going to be stirring up the sediment before the removal. Mr. Wujcik said he was just considering whether the Authority might want to consider some level of periodic testing. Mr. Simpson stated that the Authority always has the right to test and he said the Authority may also spot check for color. Mr. Simpson said periodic testing can also be added. Mr. Simpson added that they were requesting a three-month window but told him they are hopeful that it will not take that long. Mr. Strobel asked about the property owner and Kim Fitzpatrick confirmed that it is 1001 Taylors Lane, LLC. Mr. O'Connor asked if going from 100,000 gallons/day to only 50,000 gallons/day would extend the time period and Mr. Simpson responded that Impact Environmental said they did not think so.

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

**M-081-144 Cinnaminson Empire, LLC**

We have this application in for a Popeye's restaurant, a Tim Horton's Donut Shop and a medical office building at the former Tri-Boro site. This will contribute connection fees towards the Taylors Lane improvements and the Authority will be collecting quarterly charges from the properties once they are built.

Mr. Strobel asked if they were three separate buildings which Mr. Simpson confirmed. He also asked if they were solely in Cinnaminson which Mr. Simpson confirmed. Mr. Brad Smith stated that before the Authority allows them to connect; they must provide proof that they have satisfied the Recapture obligation with the Wawa. Mr. Simpson stated he would cover that information in his review letter and would speak to the engineer there about where to send the letter.

**M-081-131 2801 Riverton Road (Knowlton Residence)**

Mr. Wujcik asked if this project was entirely in Cinnaminson. Mr. Strobel stated that about 60% is in Cinnaminson; the portion in the rear of the property is in Moorestown.

Mr. Simpson confirmed he had nothing further for his report. He stated he wanted to let the Board know that Mr. Bill Smith had some medical issues and is recovering but he is not billing the Authority while he is not able to serve. Mr. Simpson said there was no June bill and will not be until he recovers fully. The Board asked Mr. Simpson to wish him a speedy recovery on their behalf. Superintendent Kevin Kramer confirmed that he spoke with Mr. Bill Smith today. Mr. Kramer said that he is very devoted to the Plant, anxious to get back to work, and is still available to contact if needed.

Mr. O'Connor noted that a request to Mr. Simpson was received from the old Acme site and he asked if Mr. Simpson had a chance to review it. Mr. Simpson stated that he reviewed it with Mr. Brad Smith. Mr. O'Connor confirmed to Commissioners that the letter was from the engineer handling the development there and requested a credit. Mr. Brad Smith explained that a connection fee was already paid years ago and now they are further developing the property. Mr. Strobel noted that the connection fee was based on the use and square footage at the time. Mr. Brad Smith stated that the use has changed from the Acme to a storage facility and when the connection fees are calculated for the new use and the pad sites, they would be entitled to a credit.

**Mr. Simpson:** The self-storage facility is proposed to occupy the old Acme, Brother's Pizza, the Jewelry Store, the women's clothing store and a pharmacy. That estimated usage based upon DEP usage rates would be 10,085 gallons/day. They are proposing the self-storage facility, an IHOP restaurant, another fast food restaurant and a daycare. That estimated flow would be 11,740 gallons/day so there is an additional flow of 1,841 gallons/day. Not knowing the full history here, our original assessment was that they should pay a connection fee based on the 11,740 gallons/day which would have amounted to over \$215,000.00. Now, knowing that they have paid their quarterly bills continuously over the years and knowing that they originally paid a connection fee, they are due a credit for the areas that are no longer going to be sending flow to the Authority, just like the Authority has done for Siena, Lidl, etc. In that case, they would then be charged a connection fee for 1,841 gallons/day which amounts to at today's rate, \$33,745.53 (before any rate increase that will happen in December). It is a big difference but since they have kept the property current, it is what they are due.

Mr. O'Connor asked about their intention in terms of connecting and whether things will open at the same time or staggered. Mr. Simpson stated they originally asked to connect the daycare center in July because they are anxious to open it. He confirmed the other two pad

sites are not ready. Mr. Simpson confirmed that they are requesting not to pay any connection fees right now and that they get a Certificate of Occupancy (CO) for the daycare, and then the other credits would ride until the other two buildings are ready to connect. Mr. Simpson confirmed that the credit for the daycare would be about 14,000.00. Mr. Simpson stated he can send a revised letter that shows revised connection fees based on the project as a whole. He said he has another client who similarly had this type of a credit on the property and they allowed that developer to come in without paying connections fees until such time as the credits were used up so it can be handled that way administratively if the Authority wants to do it that way. Mr. O'Connor stated he believes that is the way it was handled with Siena. There was some further discussion. Mr. Brad Smith confirmed with Mr. Simpson that the daycare and self-storage would be able to connect without any payment of additional money. Kim Fitzpatrick stated that when the CO gets issued, the account will be set up with the Authority. Mr. O'Connor confirmed with Mr. Simpson that the credit on the property will be for 10,085 gallons/day. He stated that once the 10,085 gallons/day is exceeded, they will then owe connections fees on anything beyond that number.

**Motion: Made by Mr. Strobel and seconded by Mr. Conville to approve the credit to the old Acme site based on the Authority Engineer's calculations and recommendation. Vote: All ayes**

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

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

**Superintendent of Operations Report - Kevin Kramer**

**Operations:** Kevin stated the Plant has been operating well with no permit violations during the time period.

Kevin said they are still working with Keystone Engineering to try to improve the dissolved oxygen control in the aeration tank. He said it is improving but just needs a little more tweaking and monitoring.

Kevin confirmed that Public Works provided a list of roads that will be paved but scaled it back a bit since PSE&G is doing their gas line replacements. He said they are using the camera truck on the lines to make sure there is no damage before the roads are paved.

**Safety:** Kevin reported there was a confined space hands-on drill with the Cinnaminson Fire Department on June 9, 2021.

**Other:** Kevin reported that he is looking into the structural integrity of Westfield Leas Pumping Station as he noticed the metal platform and down pipes are starting to delaminate. Kevin confirmed he had one of Alaimo's structural engineers come out who will report back on his findings. Mr. Simpson confirmed he will have a full report on it for

next month but said it is between 30-40 years old and is showing its age. He said there is severe corrosion on some of the structural members and it is probably better to replace it with a submersible station like was done at Highland Pump Station. He confirmed he is generating an estimate on the cost for replacement. Kim Fitzpatrick asked about the life span of the submersible station and Mr. Simpson said it should have, in general, a longer life span than the previous one because it doesn't have as much steel component. He said the Authority will have to replace pumps on occasion but not the whole station. Kim confirmed she was asking for asset inventory. Mr. Strobel confirmed with Mr. Kramer that the station has not caused any operational issues to this point.

Mr. Kramer confirmed he had no other matters for discussion.

Mr. O'Connor confirmed he had nothing further for discussion under Operations and moved to Personnel.

**DIRECTOR OF PERSONNEL - RICHARD STROBEL**

Mr. Strobel said it was a pleasure to be back in person for the meeting and he commended Kim Fitzpatrick and Kevin Kramer for allowing the Authority to operate as well as could possibly be expected during the pandemic.

Mr. Strobel confirmed he had nothing to report regarding personnel but had a Joint Insurance Fund (JIF) matter to discuss. He said he spoke to Kim Fitzpatrick about it last week. He noted the amount of exposure, liability/risk there is on the technology front, especially with ransomware attacks, and stated the Authority has cyber risk management coverage through JIF. He stated there is a deductible on the policy and there are reimbursement amounts depending on tiers which are determined by compliance with check list requirements. Mr. Strobel stated the Authority has a firm it contracts with, LookFirst Technology that is advising and working on the requirements. Kim confirmed that she will be speaking with LookFirst Technology tomorrow, noting that there are some requirements needed that will take time to get in place. She confirmed that for this period for the insurance, the Authority will only make Tier 1. She also stated that there are a couple pieces of equipment that are needed and was told by LookFirst that JIF has added a number of new requirements. Kim reported that LookFirst also had many staffing issues related to COVID-19 but said that she believes they are all resolved and is hopeful things will get back on course.

There was some further discussion regarding two compromised emails that Kim had been sent within one week but was aware not to open. Mr. Brad Smith confirmed with Kim Fitzpatrick that all Authority information was backed up offsite. Mr. Simpson suggested that Keystone Engineering should be contacted regarding the SCADA system

for a report on their measures of protection and there was some further discussion regarding two-step verification.

**TREASURER - JAMES WUJCIK**

Mr. Wujcik stated that year to date total revenue is at 40% of expected budget versus 35% last year. He noted that Connection Fees are at 133% of budget. He reported that Capital Expenditures are at 11% and Debt Services at 24% of budget. However, he noted that the next bond payments are due in August.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to approve the Treasurer's Report and Trial Balance as submitted and Mr. Szymkowski seconded the motion. Vote: All ayes**

Mr. Wujcik submitted a list of Operating Invoices & Payroll Expenses totaling \$165,993.43 and certified that funds are available.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to approve payment of Operating Invoices and Payroll Expenses as submitted. Vote: All ayes**

Mr. Wujcik submitted three requisitions for Renewal and Replacement totaling \$97,292.06 and certified that funds are available.

#22-00119 Keystone Engineering	\$ 22,500.00
#22-00251 Municipal Maintenance	\$ 59,721.20
#22-00063 Kaman Industrial Technologies	\$ 15,070.86

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to approve payment of the Renewal and Replacement requisitions as submitted. Vote: All ayes**

Mr. Wujcik submitted seven invoices for Builder's Escrow totaling \$2,951.50.

To Alaimo:

#205446 Walmart Expansion	\$ 97.50
#205450 1001 Taylors Lane	\$ 1,055.00
#205448 MEND - 1410 Riverton Rd.	\$ 203.10
#205447 WaWa - Church Road	\$ 95.00
#205444 Siena - CSH	\$ 920.90
#205443 Village at Cinnaminson Harbour	\$ 97.50
#205445 Shoppes at Cinnaminson A, B, & G	\$ 145.00

Release of Escrow:

Whitesell Construction	\$ 337.50
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**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to approve payment of the Builder's Escrow invoices and release of escrow as submitted. Vote: All ayes**

Mr. Wujcik presented Resolution 2021/2022-29, Budget Transfers in the amount of \$885.00 to be moved from the Plant Maintenance to the State Permit Fee account and certified that funds are available.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to adopt Resolution 2021/2022-29. Vote: All ayes**

Lastly, Mr. Wujcik wanted to report on the interest rates on the bonds. He confirmed that many of the bonds are variable rate bonds so the Authority is actually getting a credit back for interest reductions that are included. He said that while in the audit report it might show that the Authority is paying 4.5-5%, there are reimbursements which come back. Kim stated that basically they do their own refinancing and just pass the savings on to the Authority.

Mr. O'Connor asked if there were any other matters for discussion and heard none. The meeting was adjourned at 7:56 PM.

**Next scheduled meeting - Monday, August 9, 2021 at 6:30 PM**

REVISED ANNUAL NOTICE OF PUBLIC MEETINGS  
CINNAMINSON SEWERAGE AUTHORITY

The Cinnaminson Sewerage Authority, in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., does hereby notify the public that the Cinnaminson Sewerage Authority monthly meetings will be held at the Cinnaminson Municipal Building at 1621 Riverton Rd, Cinnaminson, NJ 08077. They shall convene for the purpose of transacting the business of the Authority and deliberating upon matters over which it has jurisdiction pursuant to the statutes and regulations of the State of New Jersey. Formal action may be taken at such meetings on any and all business involving the Cinnaminson Sewerage Authority. Individuals will be able to fully participate in the meeting, including providing public comment. Closed sessions pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. may occur at any meeting

Meetings will no longer be held electronically.

All such meetings to be held at 6:30 PM (Prevailing Time) on the following dates:

Monday, July 12, 2021 6:30 PM  
Monday, August 9, 2021 6:30 PM  
Monday, September 13, 2021 6:30 PM  
Thursday, October 14, 2021 6:30 PM  
Monday, November 8, 2021 6:30 PM  
Monday, December 13, 2021 6:30 PM  
Monday, January 10, 2022 6:30 PM  
Monday, February 14, 2022 6:30 PM

Kimberly Fitzpatrick, Administrator