

Minutes - May 10, 2021

The regular meeting of the Cinnaminson Sewerage Authority was held on May 10, 2021 via video conference due to the COVID-19 pandemic and commenced at 6:30 PM.

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.

(Meeting notice attached re: electronic format)

On roll call by the Secretary those present were Board Members: Robert O'Connor, Richard Strobel, John Conville and Frank Szymkowski. Mr. James Wujcik was absent.

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

PUBLIC COMMENT

Mr. O'Connor, noting he did not believe there were any members present from the public, asked if there was any comment and heard none.

OLD BUSINESS

Mr. O'Connor indicated there were minutes from the April 12, 2021 regular session for the Board's consideration. He asked Solicitor Brad Smith if he had any suggested edits or corrections and Mr. Smith confirmed he had none.

Motion: Made by Mr. Strobel and seconded by Mr. Conville to adopt the regular session minutes of May 10, 2021 as submitted. Mr. O'Connor called for a voice vote. Vote: All ayes

NEW BUSINESS

DIRECTOR OF CONSTRUCTION - FRANK SZYMKOWSKI

Mr. Szymkowski asked Mr. Simpson to review his report.

Engineer's Status Report - Wayne D. Simpson

Mr. Simpson:

M-080-140 Wayne Drive Bridge Sewer Replacement

PSE&G should be finally finishing up this week and we are expecting an updated schedule from the contractor as soon as that work is done.

M-080-147 Manor Road Pumping Station

There are some landscaping restorations to be performed. The contractor said that he will be doing that this month.

On the development side:

We have been in touch with the contractor for **Siena (M-081-094)**. I believe the contractor has actually just finished the punch list items and we are just waiting for proof that the required easement has been filed; and that is a blanket easement.

M-081-095-006 Shoppes at Cinnaminson, Pads A, B, and G

We have been in touch with the contractor who is finishing up the punch list.

M-081-118 Wal-Mart Extension

We have been in touch with the developer who owes as-built drawings and has promised to get them to us shortly.

M-081-136 Global - 1105 Route 130

The pump station and force main have been installed. Testing still remains to be done on that system.

M-081-139 Lidl Grocery Store

Construction is still underway.

We have reviewed plans for 1001 Taylors Lane. That is going to be a 1,500,000 square feet warehouse with some offices in it. They need to revise their plans before we can recommend approval.

Mr. Strobel asked if the warehouse had been through Planning Board yet and Mr. Simpson was not positive. Solicitor Brad Smith stated that he believes it is scheduled for later this month.

Mr. Simpson confirmed he had nothing further for his report.

Mr. Szymkowski confirmed there were no other matters for discussion under Construction.

DIRECTOR OF ADMINISTRATION - JOHN CONVILLE

Mr. Conville asked that Administrator Kim Fitzpatrick provide an Administration update.

Kim reported that all but four of the certified return receipt cards have been returned regarding the notice of connection letters for Taylors Lane that were mailed. She stated that Micro Tek reached out to her. She noted they had connected and paid their connection fee. She confirmed she reached out to a resident because she noticed a completed connection according to the Township. She confirmed with the resident that the connection is not yet complete; the resident stated he has another 20 ft. left to go on the lateral. Kim stated that the application and fee were completed/paid, and the resident made arrangements for an installment agreement. She said another resident reached out to her to review questions and request an application. Mr. Strobel asked about any return mail and Kim confirmed that there were several letters returned as undeliverable but said she sent some to more than one address; to the address of the property and to the address of the tax records. She explained that some of those letters that were addressed to the property address on Taylors Lane were returned as undeliverable but, the letters were delivered to the alternate address on the tax records. She confirmed there are only the four properties for which she had no alternate addresses and for which she has no return receipt cards. Mr. Strobel confirmed that letters were sent out both certified return receipt and regular mail with certificate of mailing.

Kim confirmed that she and Mr. O'Connor were able to come up with a new way to allow Commissioners and authorized staff access to documents through the website. She stated that she created a "dummy" account to allow her to provide a visual tutorial and she proceeded to show the process necessary to set up accounts. Secretary Judy Devone commented that Kim had sent her a test link and she was able to log in, access the files and upload files on her end.

Mr. Conville confirmed there was nothing further for Administration.

Mr. O'Connor confirmed to Kim Fitzpatrick that a discussion regarding her report on accounts would be discussed in closed session.

DIRECTOR OF OPERATIONS - ROBERT O'CONNOR**Superintendent of Operations Report - Kevin Kramer**

Operations: Kevin stated the Plant has been operating well. He confirmed there was a foaming issue but with some operational changes, the condition is much improved from where it was two weeks ago. He reported there were no permit violations during this time period.

Kevin confirmed that he filled out the DEP-065 form on April 20th which allows him to be the official Plant Operator on record with the NJDEP and he was contacted last week for some further information.

Kevin reported that he has been in contact with the engineer for the auto wash which was discussed last meeting. He said the auto wash is currently doing surfactant testing over a six week period to get a baseline. Kevin said he received results that the Authority sent out and those were all within the discharge permit limit. He stated the results were 0.432 mg/l on April 13 and 0.483 mg/l on April 19 which are below the permit limit of 0.50 mg/l. Kevin said he will be in touch with the auto wash to compare this with their results. He stated the auto wash still has to clean its holding tanks but said the engineer wants to see if there is improvement in the sampling from before and after. Mr. O'Connor noted that the results from the lab were significantly different than the in-house results and he asked Kevin if he connected with the lab to see what the difference in the testing procedures was. Kevin confirmed that the lab sent him a standard operating procedure but said he was never able to speak with a lab technician directly; he only had contact with the project manager via email. Kevin stated he was uncertain as to why the in-house test results were higher than the certified lab tests. He said it could be something they are doing differently or that the tests that are being supplied from the vendor are not as accurate as a certified lab. Mr. O'Connor confirmed with Kevin that he would be working with Mr. Simpson to get both car washes industrial permits and continue having them test for surfactants. Kevin reported that a sample was taken from the manhole for the Cinn A Mint car wash and the surfactant result was 0.167 mg/l on April 19.

Safety: Kevin reported there were two training sessions with Certified Health and Safety Services, the first on April 22 for Control of Hazardous Energy/Lockout-Tagout and the second on May 6 for OSHA Respiratory Protection with fit test and Fall Protection and Harness Inspection.

Other: Kevin reported that they are continuing to inspect the collection system for potential discharged pollutants. He confirmed that Matt Naisby, Compliance Officer for Industrial Discharge Permits,

has been sending out letters for companies to complete testing. Kevin reported that the new, HACH sampler was received and said it will be put out into the field. He explained that it will help with determination of where and when a pollutant may be entering the system as it is a sequential sampler with twenty-four separate bottles and can be set to take samples every fifteen minutes.

Lastly, Kevin confirmed that staff member, Todd Leonard, completed his Intro to water/wastewater course which will allow him to sit for his C1 and S1 exams. Kevin stated that as of April 15, qualified individuals can once again take their exams and he stated that he may now, as the licensed Plant Operator on record, sign for the Authority for any staff members who are qualified to take their exams.

Mr. O'Connor presented Resolution 2021/2022-15, Authorizing Online Sale of Surplus Property. He stated that there is a program authorized through the State of New Jersey that will allow the Authority to have surplus property be bid through Municibid. He said the resolution would allow for the auctioning off of the unneeded property through that program.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-15.

Discussion: Mr. Strobel mentioned that the Authority used GovDeals.com in the past and asked if this was a similar program. Kim Fitzpatrick explained that GovDeals.com no longer has the State contract, Municibid does. Kevin asked for direction from the Board regarding starting bids and setting of reserves and there was a brief discussion. Solicitor Brad Smith stated that Kevin should try to determine a fair market value and set a reserve or minimum bid. Mr. Kramer stated he has a fairly good idea of value on the vehicles and said they are being sold "as is". There was some further discussion regarding pricing and Kevin noted he was still waiting on the new truck and will wait until it is received in order to list all the vehicles at the same time.

Mr. O'Connor called for a voice vote. Vote: All ayes

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

DIRECTOR OF PERSONNEL - RICHARD STROBEL

Mr. Strobel said he wanted to comment on the Superintendent's report regarding members of the staff taking courses and wishing to take license exams. He said that from the Commissioners standpoint, they are happy to see that. He also stated that it was the goal all along to incentivize Authority employees to take courses, sit for exams and to professionalize and build a career workforce. He noted that it has been frustrating during the pandemic to not have that go as smoothly.

He stated that the development in recent months of the newly licensed Plant Operator has been an important step. Lastly, he told Kevin to let the employees know that the Commissioners wish them well and want them to succeed and continue in that positive direction.

Mr. Strobel confirmed he had nothing further for discussion under Personnel.

TREASURER - JAMES WUJCIK

Mr. Wujcik was absent from the meeting. Mr. O'Connor stated that at three months or 25% into the budget year, total revenue is at 27% of expected budget and total expenses at 28%. He noted that Capital Expenditures are at 7% of budget and Debt Service at 24%. He stated that the check register is available for review and asked if there were any questions. Hearing none, **Mr. O'Connor made a motion to approve the Treasurer's Report and Trial Balance as submitted and Mr. Szymkowski seconded the motion. Mr. O'Connor called for a voice vote. Vote: All ayes**

Mr. O'Connor submitted a list of Operating Invoices & Payroll Expenses totaling \$279,592.37 and certified that funds are available.

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

Discussion: Mr. Strobel noted that one of the items listed, for Holt, McNally & Associates, has a misspelling. He said the firm's name requires correction on the website too and Kim Fitzpatrick said she will make the correction.

Mr. O'Connor called for a voice vote. Vote: All ayes

Mr. O'Connor submitted one requisition for Renewal and Replacement totaling \$3,872.80 and certified that funds are available.

#22-00092 Hach Company - Portable Sampler	\$	3,872.80
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Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to approve payment of the Renewal and Replacement requisition as submitted. Mr. O'Connor called for a voice vote. Vote: All ayes

Mr. O'Connor submitted three invoices for Builder's Escrow totaling \$2,905.13 and certified that funds are available.

To Alaimo:

#204572 Village at Cinnaminson Harbour	\$	1,390.60
#203705 Lidle Grocery Store	\$	1,234.53
#204574 Lidl Grocery Store	\$	97.50

To Micro Tek Corp:

Release of escrow	\$	182.50
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Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to approve payment of the Builder's Escrow invoices as submitted. Mr. O'Connor called for a voice vote. Vote: All ayes

Mr. O'Connor presented Resolution 2021/2022-16, Quarterly Withdrawal, noting that it was for the second quarter.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-16. Mr. O'Connor called for a voice vote. Vote: All ayes

Mr. O'Connor presented Resolution 2021/2022-17, Budget Transfers. He confirmed it is net neutral in terms of spending and said it reallocates funds from one area to another. He stated it increases State Permit Fees and Retirement by \$7,094.21 and decreases Medical Insurance and Plant Maintenance by the same amount. **He certified funds are available and moved adoption of the resolution. Mr. Szymkowski seconded the motion. Mr. O'Connor asked the Secretary to take a roll call vote. Recorded vote: Mr. O'Connor-aye, Mr. Strobel-aye, Mr. Conville-aye, Mr. Szymkowski-aye**

Mr. O'Connor presented Resolution 2021/2022-18, Refund of revenue to Charles & Patricia Bernhard. He reported that the owners sold their property, 54 Emerson Drive, and were due a second meter credit in the amount of \$114.00.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-17. Mr. O'Connor called for a voice vote. Vote: All ayes

Mr. O'Connor presented Resolution 2021/2022-19, Refund of Revenue to Patrick G. Fry. The resident moved but the Authority was not notified of the sale or instructed not to process the automatic payment in the amount of \$65.00 by the resident.

Motion: Made by Mr. O'Connor and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-20. Mr. O'Connor called for a voice vote. Vote: All ayes

Mr. O'Connor confirmed there were no other matters under Budget & Finance and he opened the meeting again to the public for comment. Hearing none, he stated there would be a brief executive session meeting after discussion of any further matters.

Mr. Brad Smith stated that the Authority received a letter from Auditor Michael Holt on connection fees and asked if Commissioners wanted to discuss it.

Mr. O'Connor: Each year the Authority is required to evaluate the connection fee; the cost that it is charging both residents and

businesses to connect into the sanitary sewer system to make sure that they are paying their fair share for the Plant that they did not help pay to build but that they will now enjoy the benefit of using.

Mr. O'Connor said he believes the Authority will have to make an adjustment to the connections fees moving forward and in order to do so, a Rate Hearing will be necessary. Mr. O'Connor reported that he tried to contact Mr. Holt, to no avail, to check his availability for the scheduled June meeting to serve as an expert witness at a Rate Hearing then. Mr. O'Connor confirmed Mr. Simpson's availability to give testimony at the June meeting. Mr. O'Connor confirmed with Mr. Brad Smith that the hearing must be advertised at least 20-days in advance, and said he would contact Mr. Holt to confirm the date tomorrow. He asked Mr. Smith to prepare what is necessary for the Administrator to advertise for the connection fee Rate Hearing once he has confirmation from Mr. Holt on the date.

Mr. Brad Smith reported that Municipal Excess Liability Group (MEL) put out revisions to the Personnel, Policies and Procedures Manual. He stated they actually rewrote the entire manual. He said he included their June 2020 mandatory provisions into the Authority's existing Personnel, Policies and Procedures Manual which was updated to the 2018 edition from MEL. He confirmed that he gave it to the Administrator to review. He said he was hopeful the changes could be approved at the next meeting. Mr. Smith stated he believes a discount is given on some of the fees if the recommended changes are adopted. Mr. Smith confirmed that the mandatory provisions follow statutes so he included those provisions and kept all of the provisions that are unique to the Authority. He said he believes it is in a format to approve but wants Kim to review it. Mr. Strobel commented that it is a good idea to keep current and take advantage of the work that the MEL does as they have legal help in preparing the revisions.

Mr. Strobel asked about the letter regarding connection fees from Mr. Holt. He confirmed with Kim that it was not posted to the document site but she sent it to Mr. Smith. Mr. Smith stated it is a recommendation to increase the connection fee from \$5,700.00 to \$5,900.00. Mr. Smith confirmed that the last increase was in 2018 and the connection fee went from \$5,500.00 to \$5,700.00. There was some further discussion regarding the effective date which will be included in the resolution.

Motion: Made by Mr. O'Connor to adopt a resolution to enter into an executive session to discuss an item of potential litigation, results to be disclosed when no longer prejudicial to the interests of the Authority. The motion includes that the Board will reconvene here by 8 PM if there is any required action to take on items discussed in executive session; otherwise, the meeting will be adjourned directly from executive session. Mr. Szymkowski seconded the motion. Mr. O'Connor called for a vote. Vote: All ayes Time: 7:30

Next scheduled meeting - Monday, June 14, 2021 at 6:30 PM

NOTICE OF ANNUAL SCHEDULED 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., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020 respectively, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the CINNAMINSON SEWERAGE AUTHORITY does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of the authority, all Cinnaminson Sewerage Authority meetings will be held electronically until further notice. Members of the public who wish to participate in the meetings electronically should follow the instructions at:

<https://www.cinnaminsonsewerage.org/documents/>. Individuals will be able to fully participate in the meeting, including providing public comment. Formal action may be taken at such meetings on any and all business involving the Cinnaminson Sewerage Authority.

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

Monday, March 8, 2021 6:30 PM
Monday, April 12, 2021 6:30 PM
Monday, May 10, 2021 6:30 PM
Monday, June 14, 2021 6:30 PM
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