

**Minutes - December 13, 2021**

The regular meeting of the Cinnaminson Sewerage Authority was held on December 13, 2021 in the conference room of the Township Building and commenced at 6:30 PM.

Vice Chairman Richard Strobel read the following:

**OPEN PUBLIC MEETINGS ACT**

N.J.S.A. 10:4-6 et seq., as amended by A-3850

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.

On roll call by the secretary those present were Board Members: Richard Strobel, Frank Szymkowski, James Wujcik and John Conville. Chairman Robert O'Connor arrived during executive session at 8:05 PM.

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. Strobel opened the meeting to the public for comment and hearing none, moved to Old Business.

**OLD BUSINESS**

Mr. Strobel indicated that there were regular and executive session minutes from October 7, 2021, and regular and executive

session minutes from November 8, 2021 for the Board's consideration. Solicitor Brad Smith made some suggested edits for clarification purposes to the regular session minutes of October 7, 2021.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to adopt the regular session minutes of October 7, 2021 with the corrections as noted by the Authority Solicitor, and to adopt the executive session minutes of October 7, 2021 and the regular and executive session minutes of November 8, 2021 as submitted. Vote: All ayes; Mr. Wujcik abstained on both sets of October 7, 2021 minutes only.**

Mr. Strobel presented Resolution 2021/2022-41 which would authorize an amendment to the Rules & Regulations pertaining to connection fees. He said it is based upon a discussion that the Authority Commissioners had previously and asked the Solicitor to comment. Solicitor Brad Smith stated that the resolution basically adds senior living establishments to the connection fee regulations. He said in the past, the Authority used the DEP flow rates for connection fees for the MEND facility (1410 Riverton Road) and the developer of the new senior living facility (Westrum) requested that the Authority use those rates. He confirmed this was consistent with past practice and said the Board made a motion to put it into a regulation during the last meeting. He said a synopsis of the changes was included in the November 8, 2021 minutes in the last paragraph and he read aloud the related portion of those minutes. Mr. Strobel confirmed with Authority Engineer, Wayne Simpson, that he was comfortable with the changes.

**Motion: Made by Mr. Wujcik and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-41. Vote: All ayes**

Mr. Strobel indicated the next agenda item, Taylors Lane Update, and asked Administrator Kim Fitzpatrick to comment. Kim confirmed that she made contact with all customers on the list with the exception of a few. She said of those few, one is already connected and the other three have permits outstanding with the Township and are in the process of getting connected. She stated all customers are moving forward and in the right direction. Kim will send communication to the customer who has connected and those who are in the process of connecting and will include a bill. She will include information on the option for an installment payment plan. Mr. Strobel asked about communication from the Construction office regarding those connected or connecting and Kim confirmed that she does receive communication; however it is a busy office with only one person so sometimes things are missed. Kim confirmed that she does get

emails on the larger projects and Lori Neely in the construction office does send Kim a monthly report.

### 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**

The Wayne Drive Bridge is complete except for some cleanup work and restoration of the area. It is not open yet but should be very close to opening.

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

We finally received the as-builts so we are going to close out this project next month.

##### **M-080-148 Westfield Leas Pumping Station**

Our survey is complete and we have begun the design of the upgrades.

##### **On developments:**

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

We sent another punch list out last week.

##### **M-081-142 1001 Taylors Lane**

This is the large warehouse at the end of Taylors Lane (the former Hoeganaes site). We had a preconstruction meeting in November so they are starting their construction efforts.

Mr. Wujcik asked what will be at the site and Mr. Simpson confirmed it will be a 1,500,000 s.f. warehouse. Mr. Simpson confirmed he did not know who will be using it.

Mr. Strobel asked about the **Village at Cinnaminson Harbour (M-081-079)** as he did not see it on the report and Mr. Simpson confirmed it was on page 1 of his report. Kim Fitzpatrick noted that connection fees are still being received from the project and she believes there are approximately four more buildings left to complete. There was some further discussion regarding the homes there and whether or not a pier was built.

Mr. Simpson confirmed he had nothing further to report and Mr. Strobel asked Mr. Szymkowski about Resolution 2021/2022-45, Releasing the Performance Guarantee of CSH Siena, LLC. Mr. Szymkowski asked Mr. Smith for comment. Mr. Smith confirmed

that CSH Siena, LLC is the current owner of the Siena development. Mr. Smith confirmed the original performance bond was \$178,000.00 and was reduced to \$53,000.00 which was a cash bond put up by CHS Siena, LLC. Mr. Smith said the only thing that was outstanding was the easement for the sewer lines in the development and that has finally been completed and filed with the County. He confirmed that Kim Fitzpatrick has the originals on file in her office and the performance bond can be released. He added that the maintenance bond has already been posted.

**Motion: Made by Mr. Szymkowski and seconded by Mr. Conville to adopt Resolution 2021/2022-45. Vote: All ayes**

**DIRECTOR OF ADMINISTRATION - JOHN CONVILLE**

Mr. Conville asked Kim Fitzpatrick to provide an administration update.

Kim reported that second meters for Cycle 2 have been read and entered, and the bills have been mailed out. She said it went very well and complimented staff employee, Ed Duba, who she said is doing a good job and is very organized. She said she's pleased with the way the paperwork is coming in, his tracking and his communication throughout the day. She stated that the recording of the meters is still a project that needs work.

Kim said she wanted to ask the Board about the process to adjust fees for things such as appointments and applications. Mr. Brad Smith stated that any adjustments must be put in the Rules & Regulations. Kim said she wants the Board to consider a charge for missed appointments for compliances. She said she will prepare a draft proposal for Mr. Smith's review before the Board's consideration, as well as some changes to the second meter program. Mr. Strobel stated that the Board welcomes her input and ideas and Kim confirmed that she received input and worked with Amy Williams, Ed Duba and Kevin Kramer to come up with proposed changes to the second meter program.

Mr. Strobel briefly discussed the second meter program noting that a fee structure was set up years ago so that the people that have the benefit of it are paying the costs of the inspection so that the general rate payer do not have to absorb it. He said that he has always been interested in making sure that whatever the Authority is charging is sufficient to cover the costs. He said the charge was updated sometime in the past but it needs to be reviewed after the passage of time. He also noted that the process may require changes and the Board welcomes that input.

Mr. Smith stated he recalls there was an adjustment made, which may have been the last one, to account for indoor versus outdoor second meter readings. Kim Fitzpatrick said the fee is \$10 for an outdoor reading versus \$20 fee for an indoor reading.

Mr. Strobel asked Mr. Simpson for his recollection regarding the Authority's second meter program. Mr. Simpson said years ago, there were many methodologies discussed as to how to go about addressing high summer flow rates because of irrigation; putting a cap on the quantity of flow that could be charged in a quarter or doing second meters, and the current program was eventually what was decided on by the Authority. Mr. Simpson confirmed the program was supposed to be self-supporting. Kim asked Mr. Simpson how the Authority would determine whether putting a cap on or adjusting the cap as opposed to having a second meter program would be more beneficial. She asked who would start the process to determine the data or numbers that need to be looked at. She confirmed that there is currently a summer cap which is 52,000 gallons that is run through third quarter. Kim said she was wondering if adjusting the cap or adding a different cap for the fourth quarter would make more sense than having a separate second meter program and she asked how it was determined that 52,000 gallons was an appropriate cap. Mr. Simpson said he did not recall how that number was determined. Mr. Simpson said there might be push back from some people who would pay more if there was no second meter program. Mr. Smith suggested that Kim track the number of hours dedicated to the program and the rates of pay of those doing the work compared to the fees that are coming in to see if expenses are being covered. Kim said it is hard to determine the time spent in the office but the time spent reading the meters is quantifiable. Mr. Strobel said for the office, an estimated percentage of the work day calculation could be used.

Lastly, Kim reported that the Township Tax Sale will be on December 16, 2021 and will be online. Mr. Conville confirmed that he had no other matters for discussion under Administration.

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

Mr. O'Connor was not present. Mr. Strobel asked Mr. Kramer to review his report.

#### **Superintendent of Operations Report - Kevin Kramer**

**Operations:** Kevin stated that the plant has been operating well with no permit violations during this period. He reported that they are preparing all the winter equipment and the treatment plant for the colder weather. He reported that Cycle 3 second

meter readings by Ed Duba will be finished by the end of December. Kevin stated that he contacted a certified lab in North Jersey regarding some preliminary testing for PFAS (polyfluoroalkyl substances) which was recommended at the AEA conference. He said the testing will give a baseline for how much is entering the treatment plant and attempt to track it down, if necessary, before DEP establishes permit limits in the near future. The quote he received was for just under \$1,000.00. He should have an update at the next meeting. Authority mechanics, Jack Haines and Tony Cancila, finished the quarterly maintenance at the plant which covers checking all the pumps, changing oil and filters and making sure equipment is running properly.

**Safety:** Kevin confirmed that the Cinnaminson Fire Department did the annual fire inspection of the plant and collection pump stations. He said at the time, the smoke detectors had not been tested but the alarm company came out just after the inspection and the smoke detectors were in order. Kevin sent the report to the fire department and there are no outstanding issues. He confirmed the alarm company will come out prior to the fire department inspection in the future.

**Other:** A storage container from Seabox was purchased to be used for storage of records and files. Kevin stated that a rental unit from U-Haul was storing the files offsite at the cost of approximately \$2,000.00/yr. He reported that the container cost was \$3,300.00 which will save the Authority money going forward and will make the files more easily accessible. Kevin confirmed that the purchase was suggested by Chuck Staub and Jack Haines.

Kevin reported that on December 9, 2021, the Authority was called regarding water running down Hilltop Road. He said it was due to a water main break and he contacted NJ American Water Company (NJAWC). He said another call was received the next day from a NJAWC employee who had opened (unauthorized) an Authority manhole and noticed a backup. Kevin said the Authority attempted to use the vacuor truck to relieve the backup and saw that the patch made in the water main by NJAWC had a sinkhole in line with the Authority's main. He said there was also a heavy flow of muddy water at the downstream manhole which indicated that the water main was still broken and getting into the Authority's main. Kevin confirmed that he spoke with NJAWC regarding the issue. NJAWC contacted Pioneer Pipe to repair the Authority's line and their water main. The work was completed the same afternoon.

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

Mr. Strobel indicated Resolution 2021/2022-47, Award of Bid, Maintenance/Repair of Electrical Apparatus and said if adopted; the resolution would award to Municipal Maintenance a contract not to exceed \$89,000.00 for annual maintenance and repair of electrical apparatus. Mr. Brad Smith confirmed that Municipal Maintenance holds the current contract for \$84,500.00 last year. Mr. Kramer stated that Municipal Maintenance goes a good job and is local which is a plus since they are familiar with the plant and the pumping stations. Mr. Simpson confirmed that there were no other bidders. He said the Board may recall that last month, there was no bid on the contract because Municipal Maintenance neglected to pick up and there was one other contractor who took out the specifications but chose not to bid. He said for this round, only Municipal Maintenance took out a set of specifications. Kim Fitzpatrick confirmed that while the contract amount is a "not to exceed", the Authority does not usually spend a lot of money. Mr. Simpson confirmed that the bid asks for unit prices on labor costs and specifies when they will be called out, how they have to respond and how they get paid based on different scenarios.

**Motion: Made by Mr. Wujcik and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-47, Award of Bid, Maintenance/Repair of Electrical Apparatus. Vote: All ayes**

Mr. Strobel confirmed there was nothing further for discussion under Operations and moved to Personnel.

**DIRECTOR OF PERSONNEL - RICHARD STROBEL**

Mr. Strobel confirmed there were two items under Personnel that would be discussed during executive session.

Mr. Strobel presented Resolution 2021/2022-46 that would authorize the Fair and Open Process for contracts which would date from February 15, 2022 - February 14, 2023. He said that way the Board can award the bids on the second Monday of February. He said he appreciates the Commissioners participation and noted that panels of three will review and rate the submitted proposals for the services. He stated there are six services this cycle. There are four professional service contracts which must be done on an annual basis according to local public contracts law: Solicitor, Consulting Engineer, Auditor and Bond Counsel. He said the two additional services, done every three years, are for Liability Insurance Broker and Health Benefits Insurance Broker. He stated the resolution incorporates the evaluation criteria. He confirmed

that he prepared the Public Notice as well and the Administrator will post it to the website if the resolution is adopted.

**Motion: Made by Mr. Conville and seconded by Mr. Szymkowski to adopt Resolution 2021/2022-46. Vote: All ayes**

Mr. Strobel stated that it was referenced by Mr. Kramer but he wanted to bring to attention the fact that three from the Authority and the Consulting Engineer attended the AEA Annual Conference. He reported that he has attended for many years and he found the variety of programs interesting and worthwhile. He said he was happy that Kim Fitzpatrick and Kevin Kramer could attend.

**TREASURER - JAMES WUJCIK**

Mr. Wujcik said the general ledger, abbreviated expenditure, check registry, revenue collection and capital expenditure reports included in the package were all in good order. He said revenue collection year-to-date is at 88% of budget versus 76% last year. He said Capital Expenses is at 87% of budget and the operating budget is in line.

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

Mr. Wujcik submitted a list of Operating Invoices and Payroll Expenses totaling \$160,237.79 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 \$17,651.80 and certified the funds are available.

#22-00508 Booth Mechanical	\$ 4,600.00
#22-00509 Booth Mechanical	\$ 4,100.00
#22-00510 Alaimo Associates	\$ 8,951.80

**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 ten invoices for Builder's Escrow totaling \$8,199.20.

To Alaimo:



#207477 Shoppes at Cinnaminson	\$	586.46
#207478 Walmart Expansion	\$	275.00
#207479 WaWa Taylors Lane	\$	97.50
#207481 2801 Riverton Road	\$	622.54
#207482 Globals	\$	622.84
#207483 Lidl Grocery Store	\$	217.50
#207485 Senior Living Facility	\$	437.50
#206264 Senior Living Facility	\$	1,870.00
#207254 Senior Living Facility	\$	1,584.75

To Smith & Smith:

#Siena Blanket easement for CSH Siena LLC	\$	1,885.11
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**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to approve payment of the Builder's Escrow invoices as submitted.**

**Vote: All ayes**

Mr. Wujcik presented Resolution 2021/2022-40, Quarterly Withdrawal in the amount of \$605,794.25.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to adopt Resolution 2021/2022-40. Vote: All ayes**

Mr. Wujcik presented Resolution 2021/2022-42, Budget Transfers and recommended approval of the resolution as detailed.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to adopt Resolution 2021/2022-42. Vote: All ayes**

Mr. Wujcik presented Resolution 2021/2022-43, Budget Approval - Revised and Resolution 2021/2022-44, Adopted Budget Resolution - Fiscal Year February 1, 2022 - January 31, 2023. He said the first resolution reflects some minor revisions to the budget as detailed. Kim Fitzpatrick stated that for expenditures, she had included the amount being brought in from the fund balance which she should not have so that is the revision. Mr. Wujcik stated that Resolution 2021/2022-44 is to adopt the budget as revised. Mr. Strobel clarified that Resolution 2021/2022-43 is a revised resolution that is a proposal and the Resolution 2021/2022-44 is to adopt the revised budget.

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to adopt Resolution 2021/2022-43. Roll call vote taken by Secretary: Mr. Conville - aye; Mr. Strobel - aye; Mr. Wujcik - aye; Mr. Szymkowski - aye**

**Motion: Made by Mr. Wujcik and seconded by Mr. Conville to adopt Resolution 2021/2022-44.**

Roll call vote taken by Secretary: Mr. Conville - aye; Mr. Strobel - aye; Mr. Wujcik - aye; Mr. Szymkowski - aye

Mr. Wujcik confirmed there was nothing more for discussion under Budget & Finance.

Mr. Strobel asked if there were any other matters for discussion and heard none.

Mr. Strobel entertained a motion to enter an executive session to discuss items of personnel, results to be disclosed when no longer prejudicial to the interests of the Authority. The Board will reconvene at the close of the executive session. Mr. Conville moved the motion and Mr. Wujcik seconded the motion. Vote: All ayes Time: 7:36 PM

The Board reconvened after the executive session on a motion made by Mr. Wujcik and seconded by Mr. Szymkowski at 8:10 PM. Chairman Robert O'Connor arrived at 8:05 PM during executive session.

Motion: Made by Mr. Strobel and seconded by Mr. Szymkowski to authorize the promotion of Todd Leonard from the position of Operator D to the position of Operator C; compensation adjustment to be effective at the beginning of the next pay period. Vote: All ayes

Motion: Made by Mr. Strobel and seconded by Mr. Conville to authorize compensation adjustments for the three full-time non-bargaining staff members: Kimberly Fitzpatrick, Amy Williams and Kevin Kramer effective January 1, 2022 by the rate of 3% and to authorize an increase to the part-time Secretary's stipend by \$150/yr. The motion includes a renewal of the same service awards for the three full-time, non-bargaining employees at the same levels as the previous year. The Authority Solicitor will memorialize this action through the preparation of a resolution to adopt based on this motion. Vote: All ayes

The meeting was adjourned at 8:20 PM.