

Minutes - October 7, 2021

The regular meeting of the Cinnaminson Sewerage Authority was held on October 7, 2021 in the conference room of the Township Building and commenced at 6:30 PM.

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

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

Authority staff member Matt Naisby was in public attendance along with Mr. Gregory H. McClure of 1803 & 1805 Taylors Lane.

Chairman Robert O'Connor 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.

Mr. O'Connor noted under 'b.' that a revised notice was posted when in person meetings were resumed.

This statement shall be entered into the minutes.

PUBLIC COMMENT

Mr. O'Connor opened the meeting to the Public for comment. Mr. Gregory H. McClure of Taylors Lane wanted to confirm that the Board was in receipt of his email of September 21, 2021.

Solicitor Brad Smith confirmed that the Administrator was in receipt of the email and said it is on file. Mr. McClure submitted a hard copy to Chairman O'Connor. Mr. McClure asked if there were any questions from the Board regarding anything he submitted in the past and the Commissioners confirmed they had none. Mr. McClure confirmed he was available if needed for any reason and Mr. O'Connor stated the Board has not taken any action at this time on the matter. Mr. O'Connor said Mr. McClure would be advised prior to any future action regarding the matter. Mr. McClure confirmed that he was in receipt and signed for the certified letter from the Authority regarding the required connection. Mr. McClure stated his trust is zoned commercial and he wanted to confirm that to the Board; there are businesses on both properties. Administrator Kim Fitzpatrick stated she would have to check with the tax assessor's office and get back to him. Mr. McClure asked about the installment payment plan option for the connection cost. Mr. O'Connor stated that the Board would be discussing whether or not to extend that option to commercial properties. Mr. McClure thanked the Board and exited the meeting.

There was some further discussion regarding the zoning of the property and the letter that was sent. Mr. O'Connor said Taylors Lane will be discussed briefly in executive session.

Mr. O'Connor moved to New Business.

NEW BUSINESS

Kim Fitzpatrick stated she had a request for a connection installment payment plan for a commercial property. Mr. O'Connor asked Mr. Smith if the matter should be discussed in executive session. Solicitor Brad Smith confirmed that installment plans for commercial properties had been discussed at the last meeting, and Kim Fitzpatrick confirmed that this request was discussed and it was suggested that the owner put the request in writing. Kim confirmed that she received the written request dated October 7, 2021. Mr. Smith said his understanding was that this would be granted provided it was requested in writing. Kim stated she was unsure if a formal motion was required. Mr. Smith stated that a motion was not required as there was discussion last month indicating that the Authority had authorized payment plans for other commercial accounts in the past, such as Bajwa, and would do so if the request was put in writing.

OLD BUSINESS

Mr. O'Connor noted that he had inadvertently skipped Old Business and asked the Board to address the regular session minutes of September 13, 2021. Solicitor Brad Smith noted a suggested edit for clarification purposes on page 85.

Motion: Made by Mr. Conville and seconded by Mr. Strobel to approve the regular session minutes with the edit as noted by Authority Solicitor. Vote: Mr. Conville and Mr. Strobel - ayes, Mr. O'Connor - abstain

Mr. Strobel confirmed that he was looking at the phrasing in the meeting minutes regarding commercial installment plans and read aloud from related paragraphs on pages 83 and 84. He noted that two Board members stated they were not opposed to it and asked that the request be put in writing. His suggestion was that the full Board should make a conclusive determination on the matter and vote.

Motion: Made by Mr. Strobel and seconded by Mr. Conville to authorize a process that would allow for approving commercial property requests for installment payments on connections along Taylors Lane, specifically approving the one request received, and giving authority to the Administrator to approve subsequent requests that are submitted. Vote: All ayes

DIRECTOR OF CONSTRUCTION - FRANK SZYMKOWSKI

Mr. Szymkowski was absent. Mr. O'Connor 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 old bridge has been removed and progress has been made.

Mr. Strobel commented that he heard from several neighbors who are glad to see meaningful progress has been made.

Mr. Simpson continued with his report:

M- 080-147 Manor Road Pumping Station:

Contractor is finished all of the punch list items except for as-built drawings which we are awaiting.

On developments:

M-081-143 Taylors Lane Site Remediation

They have qualified for a pretreatment permit and we will require monthly sampling once they begin discharging.

Mr. O'Connor asked about when the discharging would begin and Mr. Simpson stated that last he heard they were trying for October but it will depend on if they get everything in place.

Mr. Simpson continued his report:

M-081-145 Senior Living Facility

We have recalculated connection fees based on the occupancy types that will be within that building. We have been asking for this since July and they finally provided that. We are confident with the calculation of the connection fees now.

Mr. O'Connor said that he and Mr. Smith spoke regarding the connection fee calculation for this facility and it might be necessary to revise Authority Rules and Regulations to come into conformity with the way the calculation is being made. Mr. Smith stated that a similar calculation was made before for the MEND Project so the Authority is treating this project consistent with that previous project. He said there is a past practice here but it can be put into a formal regulation if the Board wants to do that. Mr. Strobel stated it would make sense for uniformity and consistency to ratify it. Mr. Simpson said it also makes sense with the way the NJDEP looks at residential dwellings because they carved out some additional categories back in 1998 for senior facilities; assisted living, nursing care or independent living, and they do not fall under the usual dwelling unit types of categories. He said if the Authority can provide for that in its regulations, it helps in that the projects' developers are usually looking at the way the DEP assigns flows to their projects. For the Authority to do it differently, he said adds to the type of confusion that there has been over the past month or two. Mr. Smith confirmed with Mr. Simpson that it should just apply to senior living facilities.

Mr. Simpson: I would say just those senior living facilities as the DEP separated out because otherwise, everyone is just a dwelling unit and Authority regulations already cover how to assess connection fees for dwelling units and it can stay with that. Unless, it is the Board's desire to just do away with those old categories of dwelling units; there are four different classes of dwelling units in the connection fee schedule. The Authority can go with DEP flow rates for those but it becomes more complicated then. I think if the Authority stays with current regulations but has a carve out for the senior facilities, it will clear up confusion.

Mr. Smith: Actually, the DEP has a carve out for local connection fee regulations, saying these flow rates are not required to apply to a local connection fee.

Mr. O'Connor confirmed with Mr. Simpson that the Authority's Rules and Regulations are not wrong but the Authority can just adjust to have them be consistent with the DEP for senior living facilities. Mr. Strobel asked if there is a definition for senior living facility. Mr. Simpson said he will take a look at it. He noted there was a Memorandum of Understanding (MOU) issued by the DEP in 1998 and they incorporated some of that memo into the current regulations but not all of it. He said there may be a definition for senior facilities in that MOU and he will look at it. Kim mentioned that the State, not the DEP, takes a look at these types of facilities and has its own set of regulations that must be approved so it might be another avenue to see how that type of facility is defined. Mr. Strobel stated there are age-restricted housing, independent living, assisted living, rehabilitative long-term care and others such as skilled nursing long-term care. Mr. O'Connor confirmed this facility covers three types: independent living, assisted living and memory care (skilled nursing) and the Authority received the breakdown by bed in the building. Mr. Strobel confirmed with Mr. Simpson that Westrum is the developer of the facility. Mr. Simpson said there are similar facilities by this developer in the King of Prussia area. Mr. Smith asked Mr. Simpson for a list of the categories to be included in the Authority Regulations.

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

Mr. O'Connor presented Resolution 2021/2022-35. He noted that Woolston, Inc. had the Authority's contract for dewatered sludge and was bought by Seaside Waste Services, Inc. He said the resolution allows Seaside Waste Services, Inc. to assume the contract going forward.

Motion: Made by Mr. Conville and seconded by Mr. Strobel to adopt Resolution 2021/2022-35, Recognizing Seaside Waste Services, Inc. as Successor in Interest to Woolston, Inc. Vote: All ayes

Mr. O'Connor asked Mr. Simpson to review his letter dated September 28, 2021 regarding Westfield Leas Pumping Station. Mr. Simpson stated the station has been in operation for about 30 years and is serious need of rehabilitation. He confirmed

that Alaimo was asked to look at it as if it could be upgraded the same way that Highland Avenue Pumping Station was upgraded in 2009. He said there is a list of the types of improvements that need to be made in the proposal and they have updated some pricing. He stated that he wanted to warn the Board that currently with contractors pricing, it is a rough bidding situation. He stated that there have been situations where six or seven bidders submitted bids but the cost was still 30% higher than the estimate. He said he has been conservative with the number given for construction because he doesn't know when this situation will stop. He said the contractors are complaining that they can't get their suppliers to hold pricing for any more than 30 days so they have a hard time submitting bids. Mr. Strobel and Mr. O'Connor asked about waiting a bit and Mr. Simpson confirmed that design will take several months and then the Authority does not have to go to bid until it feels is the right time. Mr. Kramer said it is hard to say how long it can wait. Mr. Simpson said he has photos and there is some serious corrosion on the structural members of the pumping station; he said it could last another year or two or not. Kim confirmed with the Board that this is a Capital project and should be put in the budget.

Motion: Made by Mr. Conville and seconded by Mr. Strobel to authorize the design process for the Westfield Leas Pumping Station with authorization for the bidding process to wait until the Board gives further direction. Vote: All ayes

DIRECTOR OF ADMINISTRATION - JOHN CONVILLE

Mr. Conville noted that there was a letter dated September 28, 2021 from Gabel Associates in reference to the electric generation service for certain electric accounts and he asked Kim Fitzpatrick to provide an update.

Kim stated that currently electric is extremely expensive so the bids came in more expensive than current utility rates by \$57,599.00 for 18 months. Mr. Smith reported that switching from the current contract to PSE&G, the estimate on an 18-month term is 13% higher or \$16,979.00 which is less than any of the bids. Mr. Strobel asked about a better time to revisit electric generation service in the future and Mr. Smith confirmed that Gabel Associates suggested possibly going to bid in March. They will contact the Authority in January. Mr. O'Connor gave a brief explanation of how the energy suppliers buy on the open market which is currently expensive and the utilities are regulated on when they can buy. He said these are estimates and the Authority should keep an eye on charges on the bills. Mr.

Smith suggested a motion to reject all bids for electric generation services based on the memorandum of Gabel Associates dated September 28, 2021 and that the lowest bid substantially exceeds the PSE&G tariff.

Motion: Made by Mr. Conville and seconded by Mr. Strobel to reject all bids for electric generation services based on the memorandum of Gabel Associates dated September 28, 2021 and that the lowest bid substantially exceeds the PSE&G tariff. Vote: All ayes

Kim Fitzpatrick thanked Wayne Simpson for putting her in touch with Mt. Holly Sewer Authority and said she spoke with Maureen there at length regarding second meters and their system. She said their system is similar with a database which is more simplistic than the one used here and two excel spreadsheets. Kim said they do have more staffing dedicated only to updating the database and spreadsheets in conjunction with their Edmunds software. She said unfortunately Maureen did not have a lot to offer in that regard, although, Kim does like some of Mt. Holly's rules and how they address second meters so she will look at those when she makes any proposed changes for second meters for the Board's consideration for next year. Kim said Maureen has been there for 25 years and is a good resource. Kim said she did ask AEA to put out a poll so she is waiting on that.

Mr. Conville confirmed he had no other items for discussion under Administration.

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 that the plant has been operating well with no permit violations during this period. During the warmer weather months, he said they have been fine tuning operations and found that running at a lower dissolved oxygen set point has been giving more control over the solids and has saved energy costs.

Kevin said there is a shortage of raw supplies needed to make polymer and the supplier has warned him that the lead time on deliveries will be pushed from 1-3 weeks to 8-12 weeks. He stated he will have to stock more as polymer is used daily for operations and is vital. He confirmed he ordered 12 barrels; he usually orders 6-8 at a time. He confirmed that Custom

Environmental Technology has the current contract and Mr. Simpson stated it is good that the Authority locked in the price.

Safety: Kevin confirmed he had to order some secondary containment skids for the 55-gallon drums of polymer. He said they recently had Spill Prevention Control & Countermeasures (SPCC) Training and the instructor did a walk through of the Plant and recommended the skids be purchased for SPCC compliance.

Other: Kevin confirmed that the Authority is signed up for the Cinnaminson Fall Festival. He said they will bring the Vactor truck and have a table staffed by some CSA employees. He said he would be there for about 2 hours in the beginning, Matt Naisby and John Kenkellen would be there from 5-9 PM and Jack Haines and Paul Horner will do set up around 2 PM and stay until 6 PM. Kim Fitzpatrick confirmed she would be there as well and Mr. O'Connor said he would be stopping by.

Mr. Kramer reported that he and Jack Haines took a 32-hour back flow preventer certification course at Mt. Holly MUA through Kruger's Training Academy. He confirmed that there are four back flow preventers between the Plant and Pumping Stations which should be tested quarterly and registered with the DEP. He said he will work to have that done and start inspecting them quarterly. Mr. Kramer stated there will be a cost savings of \$1,200.00/year doing the work in-house rather than hiring it out.

Lastly, Kevin reported that the auction on Municibid for surplus vehicles ended. He confirmed that every item sold and exceeded the reserve price set. He stated all items auctioned came to a total of \$26,458.00. He and Kim Fitzpatrick are working with the winning bidders to set up pick up dates. He stated that Kim sent out agreements and bills of sale to be signed. Two vehicles have already been picked up; the old vactor and the 2008 utility truck. Kevin said the process with Municibid was simple and the customer service there was very helpful.

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 reported there will be an in-person, not virtual, fall conference training event for AEA at Caesar's in Atlantic

City on November 16 & 17, 2021. He recommended that Board Members let Kim Fitzpatrick know if they are interested in attending and said he will let Kim know for sure if he can attend. He said he believes that Kim and Kevin would benefit from the conference and the other Commissioners were in agreement. Kim stated that she would like to attend.

Mr. Strobel confirmed that he had a personnel item for discussion in executive session.

TREASURER - JAMES WUJCIK

Mr. Wujcik was absent. Mr. O'Connor indicated the Authority is at 70% of estimated revenues and is at 211% of budget for Connection Fees. Mr. O'Connor stated that User Charges are right on target at 66%. Kim Fitzpatrick added that more connection fees were received today from the Village at Cinnaminson Harbour. Mr. O'Connor stated that total expenses are also on target at 66%.

Motion: Made by Mr. O'Connor and seconded by Mr. Conville to approve the Treasurer's Report and Trial Balance as submitted.

Vote: All ayes

Mr. O'Connor submitted a list of Operating Invoices and Payroll Expenses totaling \$202,078.40 and certified that funds are available.

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

Mr. O'Connor submitted one requisition for Renewal and Replacement totaling \$9,575.00 and certified the funds are available.

#22-00428 Booth Mechanical	\$ 9,575.00
----------------------------	-------------

Motion: Made by Mr. O'Connor and seconded by Mr. Conville to approve payment of the Renewal and Replacement requisition as submitted. Vote: all ayes

Mr. O'Connor submitted five invoices for Builder's Escrow totaling \$9,026.46.

To Alaimo:

#206863 Senior Living Facility	\$ 97.50
#206864 Jiffy Lube	\$ 952.50
#206862 Popeye's/Tim Hortons	\$ 865.00
#205048 Lidl	\$ 3,460.42
#205449 Lidl	\$ 3,651.04

Motion: Made by Mr. O'Connor and seconded by Mr. Conville to approve payment of the Builder's Escrow invoices as submitted.

Vote: All ayes

Kim Fitzpatrick commented that she was concerned about revenue in September because they did not seem to be receiving as many checks via mail and there weren't as many people coming in to make payments. She said when she saw that the revenue was higher than the last two Septembers, she was surprised but she found that the online bill payment and ACH Direct Debit programs are working. She noted that she will have a display at the table at the Fall Festival regarding signing up for the e-billing program as well as the ACH Direct Debit Program.

Mr. O'Connor confirmed there was nothing more for discussion under Budget & Finance.

Mr. O'Connor asked if there were any other matters for discussion. Mr. Smith confirmed that the Authority is finally in receipt of the easement for the sewer mains from CSH Siena for the Siena Development. Mr. Smith recommended a motion be made to accept the sewer deed of easement of CSH Siena, LLC for Block 22, Lot 55.01 and to authorize the Chairman to sign on behalf of the Authority.

Motion: Made by Mr. Conville and seconded by Mr. Strobel to accept the sewer deed of easement of CSH Siena, LLC for Block 22, Lot 55.01 and to authorize the Chairman to sign on behalf of the Authority. Vote: All ayes

Motion: Made by Mr. Strobel and seconded by Mr. Conville to adopt a resolution to enter an executive session to discuss items of potential litigation and 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. Vote: All ayes Time: 7:26 PM

The Board reconvened in regular session on a motion made by Mr. Conville, seconded by Mr. Strobel at 7:59 PM.

Motion: Made by Mr. Strobel and seconded by Mr. Conville to authorize the promotion of Matthew Naisby from his current title of Operator A to the position of Collection Operator B effective October 11, 2021. Vote: All ayes

The meeting was adjourned at 8:01 PM.

Next scheduled meeting - November 8, 2021 at 6:30 PM