

Regular Meeting - Agenda

Wednesday, February 17, 2016

5:30 PM

Mayor's Conference Room

Egg Harbor Township MUA
3515 Bargaintown Road
Egg Harbor Township, NJ 08234
(609) 926-2671

Opening Statement Pursuant to the Open Public Meetings Act

Roll Call

Re-organization

- a. Resolution #9 - 2016 ~ Appoints Positions of Commissioners
- b. Resolution #10 - 2016 ~ Appointment of law firm
- c. Resolution #11 - 2016 ~ Appointment of engineering firm
- d. Resolution #12 - 2016 ~ Appointment of conflict engineering firm
- e. Resolution #13 - 2016 ~ Appointment of auditing firm
- f. Resolution #14 - 2016 ~ Appointment of Risk Management Consultant
- g. Resolution #15 - 2016 ~ Appointment of Trustees for Authority Bonds
- h. Resolution #16 - 2016 ~ Set Meeting Dates & Time
- i. Resolution #17 - 2016 ~ Designate Official Newspapers

General Public Discussion

Applications / Project Status

~ Resolution #18 – 2016 Preliminary Approval
Block 1508, Lot 35.01 [6028 Black Horse Pike]

Ratification of Administrative Action

Resolution Memorialization

~ Resolution #6 – 2016 [Preliminary Approval]
Atlantic City RV Park

Engineer Report

Attorney Report

Treasurer's Report

~Resolution # 19 – 2016
Approve Bill List for Operating Account

~ Resolution # 20 – 2016
Approve Bill List for Developer Account

Authority Clerk Report

~ Resolution # 21 – 2016
January 2016 Adjustments

Other Business (not listed on the Agenda)

Closed Session (If Necessary)

Adjournment

Egg Harbor Township Municipal Utilities Authority
3515 Bargaintown Road
Egg Harbor Township, NJ 08234

February 17, 2016
Meeting Minutes

Chairman Davis read the Opening Statement pursuant to the Open Public Meetings Act and called the meeting to order at 5:30 PM.

Roll Call:	Nathan Davis, Chairman	present
	Michael Duffy, Vice-Chairman	present
	H. Chris Schwemm, Treasurer	present
	Theresa Prendergast, Secretary	present
	Charles Pfrommer, Commissioner	absent
	Theresa Moschetto, Alt Commissioner	absent

Vincent Polistina, Engineer, John Ridgway, Solicitor and Elaine Super, Authority Clerk were also in attendance. Mr. Pfrommer & Mrs. Moschetto were excused from this meeting.

Re-organization

~ Resolution #9 – 2016 ~ Appoints the following positions of the Authority Commissioners: Nathan Davis, Chairman; Michael Duffy, Vice Chairman & Alternate Secretary; H. Chris Schwemm, Treasurer; Theresa Prendergast, Secretary, Charles Pfrommer, Commissioner & 2nd Alternate Secretary; Theresa Moschetto, Alternate Commissioner. Motion Mr. Schwemm second Mr. Duffy to approve. All voted yes.

~ Resolution #10 – 2016 ~ Appoints a law firm of the Authority to a one (1) year term: Ridgway & Ridgway. Motion Mr. Schwemm second Mr. Duffy to approve. All voted yes.

~ Resolution #11 – 2016 ~ Appoints an engineering firm of the Authority to a one (1) year term: Polistina & Associates. Motion Mr. Schwemm second Mr. Duffy to approve. All voted yes.

~ Resolution #12 – 2016 ~ Appoints a conflict engineering firm of the Authority to a one (1) year term: Remington, Vernick & Walberg. Motion Mr. Duffy second Mr. Schwemm to approve. All voted yes.

~ Resolution #13 – 2016 ~ Appoints an auditing firm of the Authority to a one (1) year term: Ford Scott & Associates, LLC. Motion Mr. Schwemm second Mr. Duffy to approve. All voted yes.

~ Resolution #14 – 2016 ~ Appoints the Risk Management Consultant of the Authority to a one (1) year term: CJ Adams Company. Motion Mr. Duffy second Mr. Schwemm to approve. All voted yes.

~ Resolution #15 – 2016 ~ Certifies that Nathan Davis, Michael Duffy, Theresa Prendergast and Henry Schwemm to be the trustees for the Authority's bonds. Motion Mr. Duffy second Mr. Schwemm to approve. All voted yes.

~ Resolution #16 – 2016 ~ Designates that the Authority meetings will be held in the EHT Municipal Building on the third Wednesday of each month. Work sessions, if needed, will be held on the first Wednesday of each month. The time of the meeting shall be 5:30 PM. Motion Mr. Schwemm second Mr. Prendergast to approve. All voted yes.

~ Resolution #17 – 2016 ~ Designates The Press of Atlantic City and the Mainland Journal as the official newspapers of the Authority. Motion Mr. Duffy second Mr. Schwemm to approve. All voted yes.

General Public Discussion

There was no one present from the public, therefore a motion was made by Mr. Schwemm, seconded by Mr. Duffy to close the public portion of the meeting. All voted yes.

Applications / Project Status

~ Resolution #18 – 2016 [Preliminary Approval]

Block 1508, Lot 35.01 (6028 Black Horse Pike)

Representatives Present: Doug Scarborough, Keith Davis, Ed Spietel

The project consists of two commercial buildings on the Black Horse Pike. The flow will go to the IBM pump station where there is sufficient capacity. There are three homes within 200' of the project that are without sewer, but due to the location, it is not feasible for these homes to be connected through a gravity sewer line. The off site sewer line will be constructed within an existing easement along the Black Horse Pike. Motion Mr. Schwemm, second Mrs. Prendergast to grant preliminary approval. All vote yes.

Engineer Report – The written engineer's report is attached and is a part of these minutes.

Chairman Davis signed the application for Treatment Works Approval for the Trailer Park Pump Station. The design to be approved is for a new station only, no additional flow.

Mr. Polistina will be assisting the Township with the design and installation of the proposed bathrooms for Canale Park.

Attorney Report

Mr. Ridgway received the extension agreement with the FAA and is ready for the Chairman's signature. The new agreement, currently being revised, needs to be reviewed by the risk management consultant prior to it being finalized.

Treasurer's Report

~ Resolution #19 - 2016

Motion Mr. Schwemm, seconded by Mrs. Prendergast to approve the bill list for the Operating Account. All voted yes.

~ Resolution #20 - 2016

Motion Mr. Schwemm, seconded by Mrs. Prendergast to approve the bill list for the Developer Account. All voted yes.

The refinancing of the 2007 bonds is still moving forward with the necessary paperwork and reports being completed.

The Treasurer's report, provided by Mr. Schwemm, was accepted by the Authority.

Authority Clerk Report

~ Resolution #21 - 2016

Motion Mr. Schwemm, seconded by Mrs. Prendergast to approve the January 2016 account adjustments. All voted yes.

Mr. Schwemm motioned to approve the January 2016 meeting minutes. Mrs. Prendergast seconded the motion and all voted yes.

The existing policy concerning the disconnection of customer accounts needs to be amended to allow only for a permanent disconnection. A motion was made by Mr. Schwemm, seconded by Mrs. Prendergast to amend the Rules and Regulations, effective immediately, to allow for a suspension of the sewer

service bill only by severing the sanitary sewer service through cutting and capping of the waste line behind the cleanout. This work will be accomplished at the expense of the property owner. All voted yes.

A motion was made by Mr. Schwemm, seconded by Mrs. Prendergast to amend the reference in the Rules and Regulations from annual billing to quarterly billing. All voted yes.

A motion to adjourn the meeting was made by Mr. Schwemm seconded by Mrs. Prendergast at 6:20 pm. All voted yes.

Theresa Prendergast, Secretary

Prepared by Elaine Super, Authority Clerk

February 17, 2016 Minutes
Approved March 16, 2016
February 17, 2016 Minutes
Approved March 16, 2016

Engineer's Report
Egg Harbor Township MUA
February 17, 2016

Engineering Projects

1. Emergency Maintenance Contract

Kline Construction provided assistance with the installation of two new air relief valves this past month.

We have recommended a payment in the amount of \$1,868.44 from the Operating Account for the work completed.

2. ACUA Contract Administration

The maintenance logs from the ACUA have been normal over the past month. Last month we noted that the Old Zion station was experiencing longer than normal run times. The ACUA investigated the station operation and found the check valves were not operating correctly. Due to the amount of wear we have directed the ACUA to replace the valves at a total cost of \$3,410.98. They are scheduled to complete the work within the next few weeks. We also noted that there was an issue with the number of pump starts at the Harley station. The ACUA found bad relays within the control cabinet, and have since replaced them.

All of the stations are currently operating with two pumps. The replacement Barnes pump for the West Jersey station was installed last month.

The ACUA has noted that the impellers and volutes on the pumps at the Dorset station are extremely worn and need to be replaced. The cost to replace those components on only one pump is approximately \$8,000. We selected and ordered a replacement pump from KSB at a cost of \$6,610.

3. Wet Well Cleaning Contract Administration

Caprioni Family Septic completed the normally scheduled basket and wet well cleanings over the past month. They also provided two vac-trucks to assist with bypassing the flow at the Beaver station to complete an inspection of the base elbows.

Caprioni completed the monthly preventative maintenance jetting in the areas identified by the Authority Operator.

We have recommended a payment in the amount of \$10,568.00 from the Operating Account for the work completed in January.

4. **Spills**

There were no spill incidents within the last month.

5. **Washington Avenue Interceptor Rehabilitation**

All of the work for the project has been completed. We anticipate receiving the final payment request this week. Our office is scheduled to meet with the NJDEP representative on Thursday morning to review the project and completed an inspection of the improvements.

6. **Brookside Odor Control**

The contractor has finalized the contract documents with the Authority and our office is waiting to review project submittals. Installation is expected to begin in the next few weeks.

7. **Ocean Heights Pump Station Upgrades**

The contractor has obtained all of the necessary permits for the installation of the new control panel. Atlantic City Electric is scheduled to complete the installation of the new utility pole within the next two to three weeks. The new utility pole will allow for the provision of three-phase power to the station.

8. **FEMA HMGP Generator Program**

Our office is working on finalizing the site plans and bid specifications for the provision of a permanent generator at the Whitewater station and a new portable generator.

9. **IBM Basin Video Inspection**

The project was awarded to Video Pipe Service, Inc. at the last Authority meeting. A preconstruction meeting was held on Tuesday, January 26th. Work is expected to begin at the beginning of March and take approximately four weeks.

10. **Trailer Park Pump Station Replacement**

Our office is continuing to finalize the design plans and bid specifications for the construction of a new wet well and vault. We will be submitting to the ACUA for Treatment Works Approval later this week.

11. **Air Relief Valve Repair**

Our office oversaw the installation of the new air reliefs on the force main from the Reega station last week. The new air reliefs are being evaluated on a trial basis to determine if they perform better than the standard units we have been using in the past. The trial is to last 180 days.

12. GIS System

We are continuing with acquiring all of the manholes / cleanouts within the limits of the Reega - Reserves project area.

Developer Projects

Extension Applications

1. Egg Harbor Family Associates, LLC

The developer for the project, Michaels Development Co., is beginning site work on the project which consists of the construction of one-hundred thirty six (136) proposed apartments. The developer has indicated they will begin installation of the off-site force main within the next few weeks, to be followed by the on-site sanitary infrastructure.

Vince Polistina
Authority Engineer

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
RESOLUTION # 9 - 2016**

Purpose: To appoint the positions of the Commissioners.

BE IT RESOLVED by the Egg Harbor Township Municipal Utilities Authority that **NATHAN DAVIS** shall preside as Chairman, **MICHAEL DUFFY** shall preside as Vice Chairman, **HENRY C. SCHWEMM** shall preside as Treasurer, **THERESA PRENDERGAST** shall preside as Secretary, **MICHAEL DUFFY** shall preside as Assistant Secretary, **CHARLES PFROMMER** shall preside as 2nd Assistant Secretary and **THERESA MOSCHETTO** shall preside as the Alternate Commissioner.

BE IT FURTHER RESOLVED that all warrants and checks to withdraw funds of the Authority shall hereinafter be signed by any three members of the Authority.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 10 - 2016

Purpose: To appoint a law firm to provide legal services.

WHEREAS, the Egg Harbor Township Municipal Utilities Authority has a need to acquire professional legal services, and

WHEREAS, NJSA 19:44A-20.5 provides for an Open and Fair Process through Requests for Proposals, and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the Resolution authorizing the award of a contract for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Egg Harbor Township Municipal Utilities Authority, County of Atlantic and the State of New Jersey as follows:

1. That **Ridgway & Ridgway**, be and hereby is appointed to provide legal services for the Authority, for the year 2016 with said terms to commence March 1, 2016 and expire February 28, 2017.
2. That **Ridgway & Ridgway** shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all legal issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

Attest: _____
Elaine Super, Authority Clerk

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION #11 - 2016

Purpose: To appoint an engineering firm to provide engineering services.

WHEREAS, the Egg Harbor Township Municipal Utilities Authority has a need to acquire professional engineering services, and

WHEREAS, NJSA 19:44A-20.5 provides for an Open and Fair Process through Requests for Proposals, and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the Resolution authorizing the award of a contract for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Egg Harbor Township Municipal Utilities Authority, County of Atlantic and the State of New Jersey as follows:

1. That **Polistina & Associates**, be and hereby is appointed to provide engineering services for the Authority, for the year 2016 with said terms to commence March 1, 2016 and expire February 28, 2017.
2. That **Polistina & Associates** shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all engineering issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

Attest: _____
Elaine Super, Authority Clerk

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 12 - 2016

Purpose: To appoint an engineering firm in the event of a conflict.

WHEREAS, the Egg Harbor Township Municipal Utilities Authority has a need to acquire professional engineering services in the event that an alternate engineering firm is required, and

WHEREAS, NJSA 19:44A-20.5 provides for an Open and Fair Process through Requests for Proposals, and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the Resolution authorizing the award of a contract for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Egg Harbor Township Municipal Utilities Authority, County of Atlantic and the State of New Jersey as follows:

1. That **Remington, Vernick & Walberg**, be and hereby is appointed to provide engineering services, in the event of a conflict, for the Authority, for the year 2016 with said terms to commence March 1, 2016 and expire February 28, 2017.
2. That the Conflict Engineering firm shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all engineering issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

Attest: _____
Elaine Super, Authority Clerk

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 13 – 2016

Purpose: To appoint an auditing firm.

WHEREAS, the Egg Harbor Township Municipal Utilities Authority has a need to acquire professional auditing services, and

WHEREAS, N.J.S.A. 40A:5-4 provides that the Board of Commissioners of the Egg Harbor Township Municipal Utilities Authority shall cause an annual audit of its books, accounts and financial transactions to be made after the close of the fiscal year and for that purpose shall employ a Registered Municipal Accountant of the State of New Jersey; and

WHEREAS, NJSA 19:44A-20.5 provides for an Open and Fair Process through Requests for Proposals; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the Resolution authorizing the award of a contract for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Egg Harbor Township Municipal Utilities Authority, County of Atlantic and the State of New Jersey as follows:

1. That **Ford Scott & Associates, LLC**, be and hereby is appointed to provide auditing services for the Authority, for the year 2016 with said terms to commence March 1, 2016 and expire February 28, 2017.
2. That the auditing firm shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all accounting issues and the preparation of the budget and annual audit.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

Attest: _____
Elaine Super, Authority Clerk

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 14 - 2016

Purpose: To appoint a Risk Management Consultant

WHEREAS, the Egg Harbor Township Municipal Utilities Authority has a need to acquire a Risk Management Consultant, and

WHEREAS, NJSA 19:44A-20.5 provides for an Open and Fair Process through Requests for Proposals, and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq) requires that the Resolution authorizing the award of a contract for "Professional Services", must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Egg Harbor Township Municipal Utilities Authority, County of Atlantic and the State of New Jersey as follows:

1. That **Timothy W. Tighe, C.J. Adams Company**, be and hereby is appointed as the Risk Management Consultant for the Authority, for the year 2016 with said terms to commence March 1, 2016 and expire February 28, 2017.
2. That the Risk Management Consultant shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all insurance issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

Attest: _____
Elaine Super, Authority Clerk

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 15 - 2016

Purpose: To certify the trustees for Authority Bonds.

WHEREAS, it is necessary to have an Incumbency Certificate as required by the trustee of the Authority Bonds.

NOW, THEREFORE BE IT RESOLVED that the Egg Harbor Township Municipal Utilities Authority certifies its trustees that **NATHAN DAVIS** is Chairman, **MICHAEL DUFFY** is Vice-Chairman, **THERESA PRENDERGAST** is Secretary and **HENRY C. SCHWEMM, JR.** is Treasurer of the Egg Harbor Township Municipal Utilities Authority, as requested by US Bank, as trustee for various bond issues of the Egg Harbor Township Municipal Utilities Authority.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 16 - 2016

Purpose: To designate the location, day and time of the Authority meetings.

BE IT RESOLVED by the Egg Harbor Township Municipal Utilities Authority that the Regular Meeting of the Authority shall be held on the third Wednesday of each month. All meetings will begin promptly at 5:30 P.M. in the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey.

BE IT FURTHER RESOLVED, work sessions, if needed, may be on the first Wednesday of each month or as otherwise specified by the Authority, at 5:30 P.M. in the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 17 - 2016

Purpose: To designate the official newspapers.

BE IT RESOLVED by the Egg Harbor Township Municipal Utilities Authority that the **MAINLAND JOURNAL** and **THE PRESS OF ATLANTIC CITY** are hereby designated as the official newspapers for Authority publications.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016 at the Municipal Building, located at 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 p.m.

Theresa Prendergast, Secretary

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 18 of 2016**

**Applicant: Tower Avenue, LLC
Project: 6028 Black Horse Pike
Block 1508, Lot 35.01
EHTMUA Application #15-29**

The Egg Harbor Township Municipal Utilities Authority (referred to as “Authority” or “EHTMUA”) is a duly formed and authorized public body created under the Municipal and County Utilities Authorities Law, as set forth in Chapter 183 of the Laws of New Jersey of 1957, as amended, for the purposes of overseeing the provision and development of sewerage facilities and services within Egg Harbor Township, New Jersey, as more particularly set forth in the Act.

Denise Brown and Rocco Fichetola, co-executors of the Estate of Yolanda Fichetola, are the representatives for the owner of Block 1508, Lot 35.01, in Egg Harbor Township, New Jersey. The property is approximately 5.45 acres and is situated with frontage along the Black Horse Pike at the intersection of Highgate Avenue adjacent to the existing La-Z-Boy furniture store. Tower Avenue, LLC with contact Douglas Scarborough is identified as the applicant for the project.

At the regularly scheduled meeting of the Authority on February 17, 2016, the Applicant’s request for Preliminary Approval was heard. The Applicant’s representatives, Keith Davis, Esquire, Douglas Scarborough and Ed Speitel, P.E. were in attendance. At that time, the Authority was presented with plans, specifications and other information concerning the application as set forth below and as otherwise provided in the application materials and the Memorandum of the Authority’s Engineers, Polistina & Associates dated January 25, 2016. A copy of the Engineer’s Report is attached and incorporated into this Resolution by reference.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 18 of 2016**

**Applicant: Tower Avenue, LLC
Project: 6028 Black Horse Pike
Block 1508, Lot 35.011
EHTMUA Application #15-29**

Likewise, the details and specifications of the plans submitted by the Applicant to the Authority at the time of the hearing are incorporated into this Resolution by reference.

FACTS PRESENTED

The Applicant is proposing the construction of an on-site sanitary sewer gravity conveyance system and extension along the Black Horse Pike to tie-in to an existing EHTMUA manhole. The proposed infrastructure will provide sanitary sewer service to the proposed 17,825 square foot retail building proposed as Phase I and 6,220 square foot retail building proposed as Phase 2. The sanitary sewer extension will discharge a total of 2,520 gallons per day (gpd) of waste into the existing and proposed infrastructure.

The anticipated flow from the project site will be collected via the on-site gravity conveyance system and discharged to an existing manhole. The wastewater flow will then be conveyed via existing gravity mains to the EHTMUA IBM pump station. The IBM pump station pumps the flow to the ACUA West Jersey pump station located on West Jersey Avenue by the intersection of English Creek Avenue.

The Applicant has requested a waiver of the Authority's requirement that it depict how sanitary sewer service could be extended to properties within 200 feet of the project site. The Authority Engineer confirmed that it was not feasible to connect any properties within 200 feet of the project site via gravity connection.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 18 of 2016**

**Applicant: Tower Avenue, LLC
Project: 6028 Black Horse Pike
Block 1508, Lot 35.011
EHTMUA Application #15-29**

In connection with the project, the Applicant will use an existing easement in favor of the Authority for that portion of the sanitary sewer service that extends off the project site and which will become the Authority's upon completion of the project.

The Authority Engineer recommended that the application be granted Preliminary Approval pending the discussion regarding the connection of existing homes within 200-feet of the project site.

AUTHORITY ACTION

Based upon the above facts developed at the time of the hearing and as otherwise set forth in the application materials, Commissioner Schwemm made a motion to grant Preliminary Approval of the application and Commissioner Prendergast seconded the motion to grant preliminary approval. The Commissioners voted unanimously in favor of granting Preliminary Approval as follows:

Chairman Davis:	Affirmative
Vice Chairman Duffy:	Affirmative
Commissioner Schwemm:	Affirmative
Commissioner Prendergast:	Affirmative
Commissioner Pfrommer:	Absent- No Vote
Commissioner Moschetto:	Absent- No Vote

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 18 of 2016**

**Applicant: Tower Avenue, LLC
Project: 6028 Black Horse Pike
Block 1508, Lot 35.011
EHTMUA Application #15-29**

CONDITIONS AND LIMITATIONS OF AUTHORITY ACTION

The Authority's action set forth above is conditional as set forth below:

1. A preliminary sewerage application is limited only to determining the feasibility aspects of the proposed sewerage project.
2. In the event the Permit Extension Act of 2008 as amended (the "Act") applies to this development/project, the suspension, tolling and/or extension of an Authority "Approval" as that term is defined in the Act, is specifically contingent upon the availability of sufficient sewer capacity on the part of the Authority and those entities accepting and treating sewerage flow from the Authority to accommodate the flow generated from the subject development/project pursuant to N.J.S. 40:55D-136.4(e).
3. Preliminary approval is not an allocation of sewerage capacity nor authorization to commence construction. The applicant will not receive a final sewerage allocation until final approval by the Authority is granted, and the State of New Jersey, Department of Environmental Protection (NJDEP) reviews the Treatment Works Application and thereafter executes and issues a permit. Finally the applicant shall not begin any sewerage construction until the Authority issues a final permit which only occurs after the NJDEP permit is issued to the Authority.
4. If the sewer extension or other relief requested in the application is in any way contingent upon construction of other sewerage facilities by the applicant herein or applicants or developers, and these other facilities fail to come into fruition, the Authority reserves the right to deny final approval.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 18 of 2016**

**Applicant: Tower Avenue, LLC
Project: 6028 Black Horse Pike
Block 1508, Lot 35.011
EHTMUA Application #15-29**

5. Authority approval shall only be valid for one (1) year from the Authority meeting granting such approval. The Authority shall have no obligation to extend any approval. The applicant may request the Authority to extend an approval prior to the expiration of one (1) year in accordance with the Authority's Rules and Regulations. However, if the Authority does not grant an extension of an approval within one (1) year after the date of Authority action, this resolution and approval shall automatically expire and be deemed revoked without further notice from the Authority. All extensions of the New Jersey DEP Construct and Operate Treatment Works Approval must be filed by and through the Authority's office at the applicant's request.

6. In the event the subject application has been tabled by action of the Authority, such application must be reheard within six (6) months of the date of the Authority action tabling the application in order to maintain any prior preliminary or final application approval in active status. If the tabled application is not reheard and acted upon by the Authority within six (6) months from the time of Authority action tabling it, all prior preliminary and/or final approvals shall be deemed null and void and the application must be resubmitted to the Authority including all application and review fees for any further action.

7. A denied Application must be reheard within six (6) months of the action in order to remain active. Otherwise, a new Application and all applicable fees must be submitted for further Authority action.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
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In addition to the above, the Authority reserves the right to administratively amend, suspend or revoke the above action through the Authority Clerk in the event of any of the following:

- A. A material change of any plan(s) submitted by the applicant.
- B. Local, County, State or Federal law, plan, regulation, agreement, assessment, obligation or other matter which directly or indirectly affects this project, the sewer plan, capacity, feasibility, the number of building units, or the Authority's action concerning the project.
- C. Any moratorium or other State, County or local action preventing the approval.
- D. Any action outside of the control of the Authority which affects the capacity and feasibility of the applicant's proposed developments. This includes the denial of an easement or other access right necessary for the routing or placement of sewer improvements as set forth in the application materials.
- E. The approval is specifically subject to and conditioned upon the permitting and approval of the plans and the development by the Atlantic County Utilities Authority and the New Jersey Department of Environmental Protection.
- F. Authority preliminary or final approval is not an allocation of sewer capacity nor is it authorization to commence construction of any sewer related improvement. Sewer related construction may not commence until the Authority issues a final permit after receipt of proper County and State permits.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 18 of 2016**

**Applicant: Tower Avenue, LLC
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Block 1508, Lot 35.011
EHTMUA Application #15-29**

- G. Any and all "downstream" or other required sewage facilities within or outside the control of the applicant, must be permitted and constructed prior to the applicant taking any action in connection with the development.
- H. Notwithstanding the approval, the applicant must still comply with all rules and regulations of the Authority and Egg Harbor Township, and shall be required to pay all applicable fees, assessments or service charges to the appropriate governmental agency including the appropriate sewer connection fee(s).
- I. It is the applicant's responsibility to determine whether this project is subject to a prior developer's repayment agreement rights. In the event such repayment agreements are involved, all applicable fees must be paid prior to the applicant taking further action.
- J. An Applicant that disagrees with the Authority's actions as set forth in this Resolution or in connection with an application shall have the right to seek reconsideration of the Authority's action. Reconsideration must be sought by submitting written notice of the request for reconsideration to the Authority Clerk within thirty (30) days of the Authority action together with a detailed report stating what actions are challenged and setting forth the applicant's basis for disagreeing with the Authority's actions. All facts, plans, information, statements and reports of professionals supporting the request must be submitted to the Authority at the time the request is made. The Authority will act upon such reconsideration requests within sixty (60) days of receipt of the Applicant's request for reconsideration and report. The applicant's failure to request reconsideration within

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
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**Applicant: Tower Avenue, LLC
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Block 1508, Lot 35.011
EHTMUA Application #15-29**

the thirty (30) days set forth above shall constitute an acceptance of the Authority's
action.

I, Theresa Prendergast, Secretary for the Egg Harbor Township Municipal Utilities Authority do hereby certify that the foregoing Resolution was duly approved at the regular meeting of the Egg Harbor Township Municipal Utilities Authority held the 17th day of February, 2016, at the Municipal Building, Egg Harbor Township, New Jersey at 5:30 p.m.

THERESA PRENDERGAST
SECRETARY

Vincent J. Polistina, PE, PP, CME
Craig R. Hurless, PE, PP, CME



Civil / Municipal Engineering
Site Plan and Subdivision Design
Surveying
Land Use Planning
Water and Wastewater Design
Environmental Consulting
Inspection / Construction Management

MEMORANDUM

January 25, 2016

TO: EHTMUA
Egg Harbor Township

FROM: Polistina & Associates
Vincent J. Polistina (VJP)
Authority Engineer

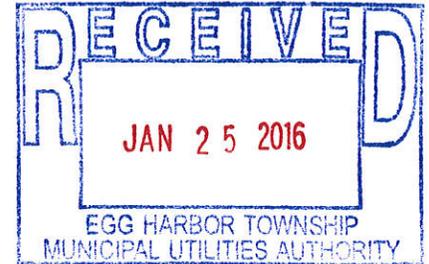
RE: EHTMUA No. 15-29
Highgate Commercial Site
Tower Avenue, LLC
Douglas Scarborough
PA No. 8122.6

LOCATION: 6028 Black Horse Pike
Block 1508, Lot 35.01

STATUS: Sewer Extension – Preliminary Review

USE: Commercial - Retail

JURISDICTIONAL AREA: Pinelands Regional Growth Area



The materials submitted and subject to review are as follows:

NO.	TITLE	PREPARED BY	DATE	REVISION
15-29	Preliminary Application for Extension of Existing Sewer System	Applicant	12/08/15	
	Operations Plan Aldi Inc.	APD Engineering & Architecture	11/07/14	
	Site Plans	Speitel & Speitel	10/07/15	
	Adjacent Property List Within 200 Feet	Tax Assessor	07/31/15	

DESCRIPTION: Denise Brown and Rocco Fichetola are the representatives for the owner of approximately 5.45 acres of land otherwise known as Block 1508, Lot 35.01. The proposed project site is situated with frontage along the Black Horse Pike at the intersection of Highgate Avenue adjacent to the existing La-Z-Boy furniture store. Tower Avenue, LLC with contact person Douglas Scarborough is identified as the applicant for the project. The project site is currently vacant.

The applicant is proposing to construct an on-site sanitary sewer gravity conveyance system and extension along the Black Horse Pike to tie-in to an existing EHTMUA manhole. The proposed infrastructure will provide sanitary sewer service to the proposed 17,825 square foot retail building proposed as Phase 1 and 6,220 square foot retail building proposed as Phase 2. The sanitary sewer extension will discharge a total of 2,520 gallons per day (gpd) of waste into the existing and proposed infrastructure.

The anticipated flow from the project site will be collected via the on-site gravity conveyance system and discharged to the existing manhole. The wastewater flow will then be conveyed via existing gravity mains to the EHTMUA IBM pump station. The IBM pump station pumps the flow to the ACUA West Jersey pump station located on West Jersey Avenue by the intersection of English Creek Avenue.

PRELIMINARY REVIEW CRITERIA:

1) Capacity:

The proposed on-site and off-site gravity conveyance system has been designed by the applicant's engineer to accommodate the proposed wastewater flow to be generated from the project site.

The existing downstream gravity system and IBM pump station also have sufficient capacity to handle the projected flow from the proposed project.

2) Feasibility:

The applicant is proposing to construct an on-site gravity conveyance system encompassing 460 linear feet of eight-inch (8") diameter sanitary sewer gravity main, two (2) on-site manholes and laterals for each of the proposed buildings. A proposed manhole will be installed adjacent to the right-of-way of the Black Horse Pike and 290 linear feet of eight-inch (8") sewer will be installed parallel to the Black Horse Pike to tie-in to the existing infrastructure.

The applicant has provided topography of the project site and approximate invert elevations of the proposed facilities. Based on the information provided by the applicant, there will be adequate cover over the proposed gravity mains.

The depth of the excavations for the proposed gravity main shall range from approximately three (3') deep to eight feet (8') deep at the tie-in location.

As there is sufficient cover and the maximum depth of excavation is approximately eight (8) feet, the project is feasible as designed.

3) Homes within 200':

The applicant has provided a copy of the tax assessor's adjacent property list of properties within the 200-foot radius of the project

site. There are a total of nine (9) improved properties located within the 200-foot radius of the project site.

Six (6) of the existing improved properties have sanitary sewer service or access to service. These properties are identified as follows: Block 1501, Lot 11; Block 1508, Lot 34.01; Block 1602, Lots 42, 44 & 45 and Block 1611, Lot 20.

The remaining three (3) properties currently do not have access to sanitary sewer service. All of these properties are classified as residential and are identified as follows: Block 1508, Lots 1, 4 and 5. The three (3) properties are located behind the site with frontage along Delilah Road.

The applicant has not provided a conceptual plan illustrating the provision of sanitary sewer service to the three (3) improved properties located within the 200-foot radius currently without sewer service.

The applicant has indicated that the topography of the site and location of the homes to the proposed project make it impossible to provide service via a gravity extension. The applicant has requested a waiver from providing the conceptual plan.

4) Easements:

The acquisition of a utility easement is not required by the EHTMUA for the construction of the proposed sanitary sewer facilities. An easement was previously established for the force main from the La-Z-Boy site. All sewer will be installed within this easement.

5) Administrative Issues:

The Preliminary Application for the extension of the existing sanitary sewer system was found to be administratively complete.

6) Recapture:

We are not aware of any recapture agreements that the project would be subject to.

RECOMMENDATIONS:

Polistina & Associates recommends that this application be granted preliminary approval pending the discussion regarding the connection of existing homes within 200-feet of the project site.

Should there be any questions regarding the contents of this report, please feel free to contact this office.

Cc: John Ridgway, via fax (609) 927-1867 (Authority Solicitor)

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 19 – 2016

Resolution authorizing payment of all bills out of the Operating Account

BE IT RESOLVED, by the Municipal Utilities Authority that all bills as enumerated on the attached list of bills are hereby authorized to be paid.

Dated: February 17, 2016

Theresa Prendergast, Secretary

Egg Harbor Township Municipal Utilities Authority
Checks Written - Operating Account
As of February 17, 2016

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Operating Account			
	EHTMUA Petty Cash Account	increase balance in advance of storm	-1,500.00
	EHTMUA Payroll Account	March Payroll	-30,483.44
TEPS	State of NJ Health Benefits	Health & Rx - February 2016	-12,424.56
9436	Wells Fargo Home Mortgage	Refund duplicate payment; 24 Windsor Dr EHT	-126.75
9437	Egg Harbor Township - Dental	Dental Benefits - February 2016	-509.55
9438	American Water Capital Corp	Customer No. 305657	-585.47
9439	Daily Journal, The	Acct. # 108712	-180.99
9440	Egg Harbor Township - Office Rent	Office Rent: Feb, March April 2016	-12,500.00
9441	Elaine Super.	Change Fund	-200.00
9442	Maple Direct Inc.	Invoice # 0054694-IN	-150.00
9443	Mossman's Business Machines	Invoice # 139522 & 139746	-34.70
9444	Office Basics, Inc.	Acct. # 09272303	-29.78
9445	Press of Atlantic City, The	Acct. # 103389	-252.45
9446	Staples Advantage	Customer: PHL 1057418	-570.50
9447	TD Wealth Operations	Invoice # 5040619	-3,500.00
9448	W.B. Mason Co., Inc.	Customer No. C2165338	-81.55
9449	ACE Hardware	Customer #552303	-90.54
9450	Chapman Ford Sales, Inc.	Invoice # FOCS457884	-338.69
9451	CW Sales Corporation	Acct. # EGGHAR	-4,641.80
9452	Egg Harbor Township Police Department	Invoice # 674 & # 679	-4,650.00
9453	Grainger	Invoice # 877163162	-845.23
9454	Johnson & Towers, Inc.	Customer # 15971	-924.34
9455	McMaster-Carr Supply Co.	Invoice # 47804950	-321.94
9456	NAPA Auto Parts	Customer # 4162	-191.56
9457	One Call Concepts, Inc.	Account # 12-EGC	-268.06
9458	AT & T	Acct. # 020 595 7994/5499	-72.63
9459	Atlantic City Electric	multiple accounts	-21,098.37
9460	New Jersey American Water Co.	multiple accounts	-672.01
9461	South Jersey Gas	Acct: 11341704119 & 11338452912	-56.51
9462	Verizon	Acct. #201 Z42 0142 999 78 Y	-179.24
9463	Verizon Wireless	Acct. # 200702280-00001	-131.98
9464	Atlantic County Utilities Authority	Account No. 143/144	-808,966.00
9465	Caprioni Family Septic	Account # 1448	-10,568.00
9466	Kline Construction Co. Inc.	Account No. 1417	-1,868.44
9467	Polistina & Associates, LLC	January 2016	-55,601.00
9468	Ridgway & Ridgway	January 2016	-12,448.75
Total Operating Account			-987,064.83
TOTAL			<u>-987,064.83</u>

EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 20 – 2016

Resolution authorizing payment of all bills out of the Developer Account

BE IT RESOLVED, by the Municipal Utilities Authority that all bills as enumerated on the attached list of bills are hereby authorized to be paid.

Dated: February 17, 2016

Theresa Prendergast, Secretary

11:23 AM

02/17/16

Accrual Basis

Egg Harbor Township Municipal Utilities Authority
Checks Written - Developer Account
As of February 17, 2016

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
CB Developer Account			
3207	Polistina and Associates	January 2016	-10,535.75
3208	Ridgway & Ridgway	January 2016	-546.25
Total CB Developer Account			-11,082.00
TOTAL			-11,082.00

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 21 – 2016

Resolution authorizing adjustments to Customer Accounts

BE IT RESOLVED, by the Municipal Utilities Authority that all adjustments as listed on the attached Report(s) of Adjustments are hereby approved.

Dated: February 17, 2016

Theresa Prendergast
Secretary

Egg Harbor Township Municipal Utilities Authority

Monthly Adjustment Report

January 2016

	<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Reason</u>	<u>Amount</u>
Delinquent Charges					
	01/04/2016	24607	13312-0	New Account	-0.79
	01/04/2016	24617	1762-0	Good History	-2.50
	01/06/2016	24631	8472-0	Deed/New Owner	-1.25
	01/08/2016	24644	6574-0	House lifted	-2.50
	01/11/2016	24656	9403-0	Good History	-2.50
	01/11/2016	24656	8677-0	Good History	-2.50
	01/11/2016	24656	3198-0	Good History	-2.50
	01/11/2016	24656	5417-0	Good History	-2.50
	01/11/2016	24656	10462-0	Good History	-2.50
	01/11/2016	24656	4708-0	Posting Error	-2.50
	01/11/2016	24656	10824-0	Good History	-2.50
	01/11/2016	24656	3240-0	Good History	-2.50
	01/11/2016	24651	6789-0	Hospital Stay	-2.50
	01/12/2016	24663	1570-0	Good History	-2.50
	01/12/2016	24663	7823-0	Good History	-2.50
	01/14/2016	24673	11191-0	Deed Rcvd Late	-0.02
	01/14/2016	24673	6867-0	Good History	-2.50
	01/20/2016	24704	6268-0	Paid Prior to Penalty	-2.50
	01/21/2016	24713	7973-0	Deed Rcvd Late	-2.50
	01/22/2016	24720	8860-0	Deed Rcvd Late	-2.50
	01/22/2016	24720	952-0	Deed Rcvd Late	-2.50
	01/22/2016	24717	6340-0	Good History	-2.50
	01/25/2016	24728	6770-0	Bill Not Rec'd/ Wrong Address	-2.50
User Charges					
Residential					
	01/07/2016	3231	8626-0	Fire Damage	-68.41
	01/07/2016	3233	3608-0	Demolished	-16.93
	01/07/2016	3233	5446-0	Demolished	-17.83
	01/07/2016	3233	3597-0	Demolished	-65.96
	01/08/2016	3235	6574-0	House lifted	-166.00