

Regular Meeting - Agenda

Wednesday, April 20, 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

General Public Discussion

Applications / Project Status

Ratification of Administrative Action

~ 2016 Bonding Document Schedule

Resolution Memorialization

Engineer Report

~ Priority List

Treasurer's Report

~ Resolution #27 – 2016

Approve Bill List for Operating Account

~ Resolution # 28 – 2016

Approve Bill List for Developer Account

Authority Clerk Report

~ Resolution # 29 – 2016

March 2016 Adjustments

Resolution #30 – 2016

Group Affidavit ~ Local Finance Board – Bond approval

Other Business (not listed on the Agenda)

Closed Session (If Necessary)

Adjournment

Formal action may or may not be taken.

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

April 20, 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	present
	Theresa Moschetto, Alt Commissioner	present

Vincent Polistina, Engineer, John Ridgway, Solicitor and Elaine Super, Authority Clerk were also in attendance.

General Public Discussion

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

Ratification of Signatures – 2016 Bonding

There were several documents, as listed on the attached Document Schedule, that required signatures prior to the bond closing which occurred on April 19th. Mr. Schwemm made a motion to ratify this action taken ahead of this meeting. Mr. Pfrommer seconded the motion and all voted yes.

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

A preliminary priority list for capital improvement and rehabilitation projects was distributed. At this time, there are no plans for expansion of the sewer system, however, that should be reviewed further in conjunction with budget discussions.

The odor control unit at the Brookside pump station is expected to be installed sometime in May.

The new utility pole has been installed at the Ocean Heights pump station. This is needed for the upgrades to be completed. Mr. Polistina was able to get the cost of this installation reduced more than \$10,000.

Bids for the two generators being obtained through FEMA/HGMP are expected to be advertised within the next two months.

Video inspections have been started in the Windsor Basin area.

Treasurer's Report

~ Resolution #27 – 2016

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

~ Resolution #28 – 2016

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

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

Authority Clerk Report

~ Resolution #29 – 2016

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

~ Resolution #30 – 2016

Group Affidavit – Local Finance Board [Bond approval]

A motion was made by Mr. Schwemm, seconded by Mr. Pfrommer to authorize the signing of the group affidavit stating that all Authority Commissioners received and read a copy of the Local Finance Board resolution approving the 2016 Bonds. All voted yes and all signed the affidavit.

A commercial business is being operated out of a home on Oakland Avenue. The Connection Permit was issued to the current property owner for a residential structure, however, there was a business being run out of the home even at the time that permit was issued. A motion was made by Mr. Schwemm, seconded by Mrs. Prendergast, to collect back charges for excess sewer use. All voted yes.

On Reega Avenue, there is a home and business occupying the same property. The Authority was only aware of the home being connected to the sewer. A motion was made by Mrs. Prendergast, seconded by Mr. Duffy, to back bill the owner for excess usage. All voted yes.

The owner of Tulipano Restaurant has failed to comply with requests to provide details of the business as well as the grease trap specifications. Mr. Ridgway was directed to follow up with this issue.

Mr. Schwemm made a motion to approve the March minutes and this was seconded by Mrs. Prendergast. All voted yes.

Every two years, the JIF requires various updates to the Personnel Manual. This year, those revisions are minimal and will be emailed out prior to the May meeting. The JIF has also allowed for a reduction in our premium for each commissioner that completes an on-line training course. Information for accessing that course was provided.

The annual DEP Compliance Inspection was conducted on April 7th. A report received today showed no deficiencies.

A motion to adjourn the meeting was made by Mr. Schwemm seconded by Mrs. Prendergast at 6:10 pm. All voted yes.

Theresa Prendergast, Secretary

Prepared by Elaine Super, Authority Clerk

Date Approved: May 18, 2016

Engineer's Report
Egg Harbor Township MUA
April 20, 2016

Engineering Projects

1. **Emergency Maintenance Contract**

There was no work completed by Kline Construction within the last month. No billing is due at this time.

2. **ACUA Contract Administration**

The maintenance logs from the ACUA have been normal over the past month. The ACUA did report on the removal of accumulated debris from the pumps at the Delaware, Lakeside and Dorset pump stations.

There are currently only two stations operating with a single pump. They are the Ocean Heights and Brenta stations.

The Ocean Heights station continues to operate with a single pump pending the completion of the station upgrades. The work was delayed due to the relocation of a utility pole, but the pole has now been installed and the contractor anticipates beginning later this month.

One pump from the Brenta station was removed for service last month. We authorized Willier to make the required repairs at a cost of \$3,839.00.

The ACUA completed the work to replace the malfunctioning check valves at the Old Zion station last month.

3. **Wet Well Cleaning Contract Administration**

Caprioni Family Septic completed the normally scheduled basket and wet well cleaning over the past month. They also replaced the winch cable, hook and clamp at the Dorset station.

Caprioni completed preventative maintenance jetting in several areas selected by the Authority Operator.

We have recommended a payment in the amount of \$11,062.67 from the Operating Account for the work completed in March.

4. **Spills**

There were no spill incidents within the last month.

5. **Washington Avenue Interceptor Rehabilitation**

We are in the process of submitting a change order to the NJDEP for approval that will finalize the project. Due to the condition of the mains, additional cleaning was required along with additional traffic control to close a portion of Washington Avenue to permit the installation of the liner. The proposed change order in the amount of \$60,000.00.

We expect to recommend the issuance of the final payment at next month's meeting once the change order is approved.

6. **Brookside Odor Control**

Our office reviewed and approved the equipment submittals last month. We anticipate the installation of the permanent unit will begin sometime in May. The temporary unit will remain in operation until the new unit is installed.

7. **Ocean Heights Pump Station Upgrades**

Atlantic City Electric installed the new utility pole near the station last month. The new pole will permit the extension of three-phase power to the station to accommodate the proposed upgrades. After further discussion, they have reduced the fee to complete the work from \$14,702.53 to \$4,561.74.

The required electrical permits have been obtained and we anticipate the contractor will begin the upgrade work within the next few weeks.

8. **FEMA HMGP Generator Program**

In order to reduce any mark up costs, we have separated the portable generator from the permanent installation. We will be putting out to public bid the acquisition of the new portable generator by the end of the month.

We anticipate having the bid documents ready for the permanent generator at the Whitewater station ready for next month.

9. **IBM Basin Video Inspection**

All of the work within the project area has been completed. We are waiting on the submission of the bill to issue the final payment.

10. **Trailer Park Pump Station Replacement**

We are waiting on the NJDEP to issue the Treatment Works Approval.

11. Windsor Basin Video Inspection

The project was awarded to Video Pipe Service, Inc. at the last Authority meeting. A preconstruction meeting was held on Wednesday, March 30th. They have already begun work and are approximately 50% complete.

Developer Projects

Extension Applications

1. Egg Harbor Family Associates, LLC

The developer for the project, Michaels Development Co., began the installation of the on-site force main last month. Work is progressing slowly.

Connection Applications

None

Change of Use Applications

None

Vince Polistina
Authority Engineer

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 27 – 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: April 20, 2016

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 28 – 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: April 20, 2016

Theresa Prendergast, Secretary

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 29 – 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: April 20, 2016

Theresa Prendergast
Secretary

RESOLUTION NO. 30 - 2016

**RESOLUTION AUTHORIZING GROUP
AFFIDAVIT TO LOCAL FINANCE BOARD**

WHEREAS, The Egg Harbor Township Municipal Utilities Authority (the “**Authority**”) has resubmitted a request for review and approval by the Local Finance Board of the Authority’s proposed issuance of its Sewer Revenue Refunding Bonds, Series 2016 (the “**Refunding Bonds**”), to advance refund the callable maturities of the Authority’s outstanding Sewer Revenue Bonds, Series 2007, in the aggregate principal amount of \$3,400,000 for the purpose of achieving level annual debt service savings and pursuant to the Local Authorities Fiscal Control Law, P.L. 1983, ch. 313, approved August 26, 1982, as amended (N.J.S.A. 40A:5A-1 et seq.) (the “**Act**”), which refunding transaction was originally approved by the Local Finance Board on March 15, 2015; and

WHEREAS, in accordance with the Act, the Local Finance Board held a public hearing on March 9, 2016, to review the proposed financing; and

WHEREAS, the Local Finance Board has adopted resolutions incorporating its findings and recommendations with respect to the proposed Refunding Bonds, a copy of which has been presented at this meeting; and

WHEREAS, pursuant to the Act, each member of the Authority must personally review the findings and recommendations of the Local Finance Board within forty-five (45) days of receipt and a majority of the full membership of the Authority must execute a group Affidavit to that effect.

NOW, THEREFORE, BE IT RESOLVED BY THE EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, AND THE MEMBERS OR COMMISSIONERS HEREOF, AS FOLLOWS:

Section 1. The Authority hereby confirms that it has received a copy of the Local Finance Board resolution referred to above and has made the same available to each member of the Authority. The Secretary of the Authority shall obtain the signature of each member of this Authority on the Group Affidavit attached hereto and incorporated herein by reference.

Section 2. The Secretary of the Authority shall mail the duly signed Group Affidavit to the Executive Secretary of the Local Finance Board, together with a certified copy of this Resolution.

Section 3. This Resolution shall take effect immediately.

AFFIDAVIT

STATE OF NEW JERSEY :

COUNTY OF ATLANTIC :

Nathan Davis, Jr., Michael Duffy, Charles Pfrommer, Theresa Moschetto, Chris Schwemm and Terry Prendergast, individually depose and each says as to himself or herself:

1. I am a member (or alternate member) of the Egg Harbor Township Municipal Utilities Authority, in the County of Atlantic, and the State of New Jersey; and
2. Within forty-five (45) days of the receipt of such findings and recommendations, I have personally reviewed such findings and recommendations of the Local Finance Board rendered in connection with the issuance of Sewer Revenue Refunding Bonds up to a maximum principal amount of \$3,850,000 for the purposes of: (a) advance refunding and prepaying all of the callable portion of the Sewer Revenue Bonds of the Authority dated December 28, 2007; and (b) paying the costs of issuance of such refunding obligations.

Nathan Davis Jr.

Michael Duffy

Charles Pfrommer

Theresa Moschetto

Henry C. Schwemm

Terry Prendergast

Sworn to and subscribed
before me this 20th day
of April, 2016

SECRETARY'S CERTIFICATE

I, Theresa Prendergast, Secretary, of the Egg Harbor Township Municipal Utilities Authority, a public body politic and corporate of the State of New Jersey, HEREBY CERTIFY that the foregoing Resolution entitled "Resolution Authorizing Group Affidavit To Local Finance Board" is a true and correct copy of an original Resolution duly adopted by a majority vote of the members of the Egg Harbor Township Municipal Utilities Authority at a meeting of said Authority duly and regularly called and held on April 20, 2016; and at which a quorum was present and acted throughout; that said copy has been compared by me with the original Resolution recorded in the Resolution Book of the Authority; that it is a correct transcript thereof and of the whole of said Resolution; and that this Resolution has not been altered, amended or rescinded and remains in full force and effect as of this 20th day of April, 2016.

Theresa Prendergast, Secretary
Egg Harbor Township Municipal Utilities Authority



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

LOCAL FINANCE BOARD
RESOLUTION

WHEREAS, a proposed project financing has been submitted to the Local Finance Board for review pursuant to N.J.S.A. 40A:5A-6 by the Egg Harbor Township Municipal Utilities Authority; and

WHEREAS, the Local Finance Board has held a hearing pursuant to N.J.S.A. 40A:5A-7 on March 11, 2015, to review a proposed project financing in an amount not to exceed \$3,850,000 for the issuance of Sewer Revenue Refunding Bonds, Series 2015; and

WHEREAS, the Local Finance Board rendered positive findings with regard to said project financing; and

WHEREAS, The Egg Harbor Township Municipal Utilities Authority, by letter of February 11, 2016, requested the Local Finance Board to review the previously approved application and extend the approval for an additional year to enable the Authority to move forward with the transaction; and

WHEREAS, the Local Finance Board has, on March 9, 2016, given consideration to those matters, to the extent applicable, as provided for by Law, and has examined estimates, computations or calculations made in connection with such submissions and has required the production of such papers, documents, witnesses or information and taken such action which it has deemed necessary for its review of such submission;

NOW, THEREFORE, BE IT RESOLVED that the Local Finance Board does hereby make the following findings:

- a) that the project cost has been determined by reasonable and accepted methods;
- b) that the method proposed for the funding of the project cost, proposed or maximum terms and provision of the financing and of a proposed service contract are not unreasonable nor impracticable, and would not impose an undue and unnecessary financial burden on the local inhabitants within the Authority's jurisdiction or would not materially impair the ability to pay promptly the principal of and the interest on the outstanding indebtedness thereof or to provide essential public services to the inhabitants thereof;



Local Finance Board
Egg Harbor Township Municipal Utilities Authority
March 9, 2016

c) that the proposed or maximum terms and conditions of the sale are, in light of current market conditions for obligations of similar quality, reasonable;

BE IT FURTHER RESOLVED that the Local Finance Board does not deem it necessary to make any of the recommendations with regard to this project financing which the Board is authorized to make pursuant to N.J.S.A. 40A:5A-8 provided that all refunding bonds issued achieve at a minimum a 3% present value savings and that the refunding must take place within twelve months from the date of this resolution; and

BE IT FURTHER RESOLVED that the Egg Harbor Township Municipal Utilities Authority shall, within 30 days of the closing date of the financing that is the subject of this resolution, file with the Executive Secretary of the Local Finance Board a statement setting forth a complete accounting of the actual issuance costs incurred by the Egg Harbor Township Municipal Utilities Authority in undertaking the financing which statement shall include the following: the name of the Egg Harbor Township Municipal Utilities Authority; the closing date of the financing; the total amount of the financing; the name of the professionals or others who provided services to the Egg Harbor Township Municipal Utilities Authority in undertaking the financing; the estimated dollar amount for each type of issuance cost as set forth in the application submitted by the Egg Harbor Township Municipal Utilities Authority to the Local Finance Board with regard to the financing; and the actual dollar amount for each type of issuance cost incurred by the Egg Harbor Township Municipal Utilities Authority in undertaking the financing; and

BE IT FURTHER RESOLVED that the details of the issuance of any permanent bonds associated with this application as included in the term sheet (closing statement) shall be promptly provided to the Executive Secretary by forwarding a copy of said term sheet (closing statement); and

BE IT FURTHER RESOLVED that the Executive Secretary of the Local Finance Board is hereby authorized and directed to certify or endorse such documents or instruments as may be necessary, convenient or desirable in order to carry out the purpose and provisions of the Law and this Resolution; and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:5A-7, the governing body of the Authority shall provide to the Executive Secretary within 45 days of receipt of this resolution, the required Authority resolution and affidavit; and

Local Finance Board
Egg Harbor Township Municipal Utilities Authority
March 9, 2016

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

APPROVED BY:
THE LOCAL FINANCE BOARD

DATE: March 9, 2016

A handwritten signature in cursive script that reads "Patricia Parkin McNamara". The signature is written in black ink and is positioned above the printed name and title.

PATRICIA PARKIN MCNAMARA
EXECUTIVE SECRETARY
LOCAL FINANCE BOARD

19815/A-2828