

Regular Meeting - Agenda
Wednesday, June 19, 2013
5:30 PM
Mayor's Conference Room

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



- 1. Call the meeting to order**
- 2. Opening Statement Pursuant to the Open Public Meetings Act**
- 3. Roll Call:**
 - Nathan Davis, Chairman
 - Michael Duffy, Vice Chairman
 - H. Chris Schwemm, Treasurer
 - Theresa Prendergast, Secretary
 - Charles Pfrommer, Commissioner
 - Theresa Moschetto, Alternate Commissioner
- 4. General Public Discussion**
- 5. Rate Hearing & Budget Approval- 5:45pm**
 - ~ Resolution #52 – 2013
 - 2013 – 2014 Annual Sewer Service Rates
 - ~ Resolution #53 – 2013
 - 2013 – 2014 Annual Budget
- 6. Applications / Project Status**
- 7. Ratification of Administrative Action**
- 8. Resolution Memorialization**
- 9. Engineer Report**
 - ~ Resolution #54 - 2013
 - Certification of Funds – Brookside Lateral Repair
- 10. Old Business**
- 11. New Business**
- 12. Treasurer's Report**
 - ~Resolution #55- 2013
 - Approve Bill List for Operating Account
 - ~ Resolution #56 - 2013
 - Approve Bill List for Developer Account
 - ~ Resolution #57 - 2013
 - Approve transfer from Construction Fund to Operating Account

13. Authority Clerk

~ Resolution #58 – 2013 - Approve May 2013 Adjustments

14. Other Business (not listed on the Agenda)

15. Subcommittee Reports

16. Closed Session (If Necessary)

~ Resolution #59 - 2013

17. Adjournment



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

**Wednesday, June 19, 2013
5:30 PM – Mayor’s Conference Room**

Minutes

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

Roll Call: Nathan Davis, Chairman – Present
Michael Duffy, Vice-Chairman – Present
H. Chris Schwemm, Treasurer – Absent
Theresa Prendergast, Secretary – Present
Charles Pfrommer, Commissioner – Absent
Theresa Moschetto, Alternate Commissioner - Absent

Mr. Schwemm, Mr. Pfrommer and Mrs. Moschetto are excused from this meeting due to prior commitments. Also in attendance: Engineer Vince Polistina, Attorney John Ridgway, Bookkeeper Robin Veloso and Authority Clerk Elaine Super.

Open Meeting to the Public

There was no public in attendance. Motion Mrs. Prendergast second Mr. Duffy to close the public portion of the meeting. All voted yes.

Applications/Project Status/Updates/Discussion

~**Resolution #51A-2013** [Block 5210, Lot 1 – English Creek & Ocean Heights Avenue]
Andy Schaeffer, Sal Perillo, Walt Gauta, Michael Rann, Chris Hanlon, Brian Brangan and Keith Ottes were in attendance.

Mr. Polistina shared the latest information on the updates to the Wastewater Management Plan and based on the proposed amendments, this property will be excluded from that Plan if the project does not have prior regulatory agency approvals. Most of the properties adjacent to this project, south of Ocean Heights Avenue, are also affected by the proposed changes to the Plan. Mr. Polistina explained the proposed options of the routing of the sewer lines for this project. A full review of the application cannot be completed until the Plan is adopted, which is expected within the next two to three months. Additionally, the easement that has been a concern through the commercial portion of the project will be discussed in greater detail at a later date. Motion Mrs. Prendergast second Mr. Duffy to grant a conditional final approval with all conditions being listed in Mr. Polistina’s memorandum dated June 19, 2013 being included. All vote yes.

Rate Hearing and Budget Approval – 5:45pm

~ **Resolution #52 – 2013** [2013 – 2014 Annual Sewer Service Rates]
Mrs. Veloso provided a recap of the budget as shared at the May meeting. Based on the increased cost of items in the budget, an increased rate will be necessary. Motion Mr. Duffy second Mrs. Prendergast to set the rate at \$316.00 for residential customers and the

minimum charge for commercial customers. The excess rate for the commercial customers will remain the same. All vote yes.

~ **Resolution #53 – 2013** [2013 – 2014 Annual Budget Approval]

A motion was made by Mr. Duffy, seconded by Mrs. Prendergast to approve the budget as previously presented and discussed. A roll call vote had all members present voting yes.

Mrs. Veloso left the meeting.

Ratification of Administrative Action

None

Resolution Memorialization

None

Engineer Report – The Engineer’s Report is attached and made a part of these minutes.

~ **Resolution #54 – 2013**

Bids were received again for the repair work to cleanouts within the Bargaintown Area. Motion Mrs. Prendergast seconded Mr. Duffy to award the contract to the lowest bidder, Perna Finnigan Construction, in the amount of \$177,717.20. All vote yes.

Old Business

None

Treasurer’s Report

~ **Resolution #55-2013** – Motion Mr. Duffy second Mrs. Prendergast to approve all vouchers presented for payment out of the Operating Account (\$277,471.36). All voted yes.

~ **Resolution #56-2013** – Motion Mr. Duffy second Mrs. Prendergast to approve all vouchers presented for payment out of the Developer Account (\$2,246.45). All voted yes.

~ **Resolution #57-2013** – Motion Mrs. Prendergast second Mr. Duffy to approve the Construction Fund voucher (\$2,113.50). All voted yes.

The Treasurer’s report, provided by Mrs. Super, was accepted by the Authority.

Clerk’s Report

~ **Resolution #58-2013** – Motion Mr. Duffy second Mrs. Prendergast to approve the May 2013 adjustments. All voted yes.

A leak in a water pipe at the Alder Avenue School, 25 Alder Avenue was discovered and repaired this past spring. Motion Mrs. Prendergast second Mr. Duffy to authorize a credit for 213,000 gallons of water. All vote yes.

Motion Mrs. Prendergast second Mr. Duffy to approve the May 2013 open session minutes. All voted yes. Motion Mr. Duffy second Mrs. Prendergast to approve the May 2013 closed session minutes. All voted yes.

The property owner of 7026 Fernwood Avenue has requested an extension to connect to the sewer system. Provided that the septic tank is pumped prior to June 30th, an extension till the end of July will be granted.

Motion Mr. Duffy second Mrs. Prendergast to authorize the purchase of a new fax machine and copy machine. All vote yes.

Motion Mr. Duffy second Mrs. Prendergast to adjourn the meeting at 6:15 PM. All voted yes.

Theresa Prendergast, Secretary

Prepared by Elaine Super, Authority Clerk

June 19, 2013 Minutes
Approved July 17, 2013

Engineer's Report
Egg Harbor Township MUA
June 19th, 2013

Engineering Projects

1. Emergency Maintenance Contract

Weco Construction completed work on several items within the past month. They completed a lateral repair at 3 Surrey Avenue, removing a root blockage. They had previously assisted in the attempts to locate the force mains from the Searstown and Joanne pump stations. Weco also provided stone to fill in a low area at the Mountain Lane Regional pump station. The billing for some additional items is still pending.

We have recommended a payment in the amount of \$10,263.18 from the Operating Account for the work completed.

2. ACUA Contract Administration

The maintenance logs from the ACUA have been normal the past month, and the ragging issues seems to have subsided for now. The Authority currently has two (2) stations down to a single pump. The Fernwood Hills and Lyons Court stations both have a pump out for service. We are waiting on updated repair quotes for each of these pumps.

The new pump for the West Jersey station was delivered last month and installed. The cord for the Meadow Run pump was replaced and the pump was returned to service and the new wear rings have been installed in the pumps for CountryAire and Delaware stations.

3. Wet Well Cleaning Contract Administration

During the past month Caprioni Family Septic provided high-pressure jetting at several locations, cleaned the bottom of the well at the Fernwood station and repaired the basket at the Fountain Lakes station. Caprioni also completed the normal preventative jetting services at the typical problem locations

We have recommended a payment in the amount of \$13,784.79 from the Operating Account for the work completed in May.

4. Spills

The Authority did not experience any spills over the course of the last month, but a blockage near the Reega pump station did adversely affect a resident. The resident at 201 Booker Avenue has claimed that a blockage within the mains caused an overflow into his residence and ruined several rugs, furniture and other items. The JIFF insurance agent has been given notice of the claim and is currently investigating the situation. The blockage was caused by a loose brick found in the main outside the Reega station.

5. Miami Pump Station Elimination - Gravity Main Extension

We have submitted the application for the Treatment Works Approval to the ACUA and expect to receive approval within the next few weeks. Once received the application will be forwarded to the NJDEP.

Our office will also be submitting an application to CAFRA to verify whether a permit will be required for the proposed work.

6. West Atlantic City Rehabilitation Phase III

The final restoration is scheduled to begin later this month. No additional billings have been submitted.

7. Bargaintown (Brookside- Joanne) Cleanout Locations - Re-Bid

The Authority will receive bids for this project on June 18th. We will provide a report of the bids during the meeting.

Developer Projects

Extension Applications

There are no developer funded sanitary system expansion projects currently underway.

Connection Applications

1. Michael Eisele - 3129 Fire Road

The application is for the construction of a 10,000 square foot warehouse building in a commercial complex off of Fire Road. All on-site work will be completed by the applicant.

2. Randy Portnoy - 310 Elmwood Avenue

The applicant is proposing to utilize an existing lateral to provide service for the proposed dwelling. A previous home at the site was demolished and the lateral was properly capped at that time. The owner has now applied to reconnect the dwelling to the existing lateral.

Change of Use Applications

None

Vince Polistina
Authority Engineer

Egg Harbor Township Municipal Utilities Authority
Checks Written - Operating Account
 As of June 19, 2013

Num	Name	Memo	Amount
Operating Account			
		July Payroll	-29,981.84
TEPS	State of NJ Health Benefits		-11,075.38
8496	Egg Harbor Township - Dental	Dental Benefits - June 2013	-494.46
8497	Crystal Springs	Invoice #3228663 060113	-34.71
8498	Mainland Journal	Acct. # 108712DJ	-11.40
8499	Mossman's Business Machine	Invoice #130792	-14.33
8500	Office Basics, Inc.	Acct. # 09272303	-13.95
8501	Staples Advantage	Customer: PHL 1057418	-99.95
8502	W.B. Mason Co., Inc.	Customer No. C2165338	-327.96
8503	Anoopam Inc.	Refund overpayment 3751-0	-890.39
8504	Hi Ho Motel	Refund overpayment 3753-0	-456.68
8505	Kishyan Hospitality	Refund overpayment 3750-0	-891.25
8506	ACE Hardware	Customer #552303	-167.15
8507	Acqua Bella, Inc.	Invoice #18791	-3,775.00
8508	Billows Electric Supply Co.	Cust.#285927-0199; Inv.#1968470-01	-126.48
8509	CW Sales Corporation	Acct. # EGGHAR; Inv. #106551	-4,521.99
8510	One Call Concepts, Inc.	Invoice #3055255	-413.08
8511	Xylem Dewatering Solutions, Inc.	Invoice # 400306958	-1,089.00
8512	AT & T	Acct. # 020 595 7994/5499	-142.84
8513	Atlantic City Electric	multiple accounts	-22,884.32
8514	New Jersey American Water Co.	multiple accounts	-842.71
8515	South Jersey Gas	Acct: 11341704119 & 11338452912	-98.30
8516	Verizon	Acct. #201 Z42 0142 999 78 Y	-621.05
8517	Verizon Wireless	Acct. # 200702280-00001	-127.37
8518	All-Green Turf Management, Corp.	Account No. 3341	-4,598.16
8519	Atlantic County Utilities Authority	2nd Qtr Maintenance	-86,938.92
8520	Caproni Family Septic	May 2013	-13,784.79
8521	Video Pipe Services, Inc.	Contract No. 66 - Delilah Oaks Video Inspection	-9,421.78
8522	Weco Construction, Inc.	Customer No. 0504	-10,263.18
8523	Polistina & Associates, LLC	May 2013	-57,667.94
8524	Polistina & Associates, LLC	May 2013	-2,113.50
8525	Ridgway & Ridgway	May 2013	-13,581.50
	Total Operating Account		-277,471.36
TOTAL			-277,471.36

10:03 AM
06/19/13
Accrual Basis

EHTMUA
Checks Written - Developer Account
As of June 19, 2013

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
CB Developer Account			
3112	Polistina and Associates	May 2013	-1,987.50
3113	Ridgway & Ridgway	May 2013	-258.75
	Total CB Developer Account		-2,246.25
TOTAL			-2,246.25

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
FINAL SEWERAGE EXTENSION APPLICATION
RESOLUTION # 51A of 2013**

**Applicants: Ralph Clayton/Crossings MHC Corp/
Kristen Property Development
Project: English Creek and Ocean Heights Avenue
Block 5210, Lot 1 and others
EHTMUA Application # 06-67**

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.

Ralph Clayton, Crossings MHC, Corp, and Kristin Property Group are the owners of Block 5210, Lot 1 and various others in Egg Harbor Township, New Jersey, and are the designated Applicants in this matter. The property is approximately 52 acres and is situated at the intersection of English Creek Avenue and Ocean Heights Avenue.

On June 19, 2013 at the regularly scheduled meeting of the Authority, the Applicant's request for Final Approval was heard. The Applicant's representatives, Salvatore Perillo, Esquire, Christopher J. Hanlon, Esquire, Michael Rann, Esquire, Andrew F. Schaeffer, PE, PP, Keith Ottes, Walt Gauta and Brian Brangan 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 and Associates dated June 19, 2013. A copy of the Engineer's Report is attached and incorporated into this Resolution by reference. Likewise, the details and

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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 developers are proposing the relocation of 92 age-restricted mobile home units and the construction of 165,751 square feet of retail space, a 150 seat restaurant, a 4,099 square foot bank, a 136 seat fast food restaurant, a 256 seat restaurant, another 54 seat restaurant, and 10,000 square foot of outdoor storage space. The applicant indicated that the project will be developed in 3 phases.

The total project flow for all three (3) phases is 55,615 gallons per day.

The applicant is proposing to construct a total of approximately 9,561 linear feet of 8” diameter PVC in order to provide service for the proposed project.

Under Phase I, the applicant has indicated that a grinder pump and force main along Mill Road are proposed. The grinder pump/force main are to be abandoned in conjunction with Phase II of the project once the on-site pump station once the on-site pump station is constructed.

For Phases II and III, the flow will be collected and directed to an on-site pumping station, which will be located on Ocean Boulevard just south of English Creek Avenue. From the on-site pumping station, the plans show a force main which will be extended along English Creek Avenue, Ocean Heights Avenue and Mill Road to connect into an existing manhole which

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feeds to the English Mill pump station. From the English Mill pump station, the flow is conveyed to the Mountain Lane Regional Pumping Station which will then redirect the flow to the ACUA Broadway Pumping Station on West Jersey Avenue.

The proposed on-site pumping station and eight-inch sanitary sewer mains will have sufficient capacity to service the proposed project. The on-site pumping station and tributary mains will be designed by the Authority to ensure sufficient capacity to provide service to all improved properties within the EHTMUA English Mill and Pennsylvania basins.

The plans show the flow being conveyed from the on-site pumping station via a six-inch force main along English Creek Avenue, east along Ocean Heights Avenue and north along Mill Road to a gravity system which feeds the English Mill pump station. The Authority may modify the force main routing in conjunction with the design work for the pump station/force main since routing the flow to High School Drive may be preferable to the current design. The force main design and routing will be completed in conjunction with the final approval for the project.

From the English Mill pump station, the flow is conveyed via force/gravity mains along High School Drive, Tremont Avenue and West Jersey Avenue to the Mountain Lane Regional pump station. The flow will be conveyed from the Mountain Lane Regional Pumping Station via force/gravity main to the ACUA Broadway Pumping Station.

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The English Mill pump station and associated force main and Mountain Lane Regional Pumping Station and associated force main have been designed to provide sufficient capacity to accommodate the projected volume of waste from the proposed development.

The applicant is proposing to construct approximately 9,561 linear feet of 8-inch diameter sanitary sewer main within the proposed development. As the applicant will be constructing an on-site pump station for the proposed project, the applicant will be able to provide sufficient cover over the proposed sanitary sewer facilities. The maximum depth of the proposed main is currently shown at fourteen (14) feet.

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 twenty-eight (28) improved properties within two-hundred feet of the project. Twenty (20) of the properties are residential and eight (8) are commercial. Only one (1) of the properties is currently connected to the public sanitary sewer system (the existing Wawa located on Block 3301, Lot 1).

The applicant has provided a conceptual plan to service the remaining twenty-seven (27) properties within two-hundred feet. The properties shown to be serviced on the conceptual plan include:

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Block 5101, Lots 179.01, 180, 181, 183, 184; Block 5104, Lots 8, 9; Block 5105, Lots 1, 7; Block 5106, Lot 1; Block 5117, Lots 1, 2, 3; Block 5202, Lots 42, 43, 44, 46, 47, 48, 49, 50; Block 5205, Lot 43, 48 and 55; and Block 5210, Lots 10, 11, 16. However, it was noted that the Waste Water Management Area is in the process of being revised and certain properties surrounding the project may not be eligible to connect to sanitary sewer service. The Authority reserves the right to designate the properties being serviced and the sewer routing for such properties after the Waste Water Management Area has been revised.

The applicant is proposing several easements for the project as follows:

1. A 100 foot by 75 foot easement for the proposed pump station on Ocean Boulevard.
2. A twenty (20) foot wide easement for sewer proposed along Ocean Avenue where the right-of-way has been vacated. The easement will extend for a length of 390 feet and will connect to the existing Ocean Avenue right-of-way.
3. An easement for the sewer proposed through the commercial portion of the project. This easement may be necessary should the flow from the homes along Ocean Heights Avenue be conveyed through the project as is currently shown.

Descriptions of all proposed easements must be provided as a condition of final approval. The Authority Engineer will also be working with the applicant to explore the possibility of limiting the easements.

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The applicant will owe recapture for the Mountain Lane pump station/force main and any other recapture obligations impacting the project.

The Authority Engineer recommended that the application be granted Final Approval subject to the following conditions:

1. A final determination regarding the servicing of improved properties within 200 feet of the project will be made by the Authority after the adoption of the new Wastewater Management Plan map. The applicant has agreed to provide service for all properties designated by the Authority Engineer. Should the applicant disagree with the requirement to provide service to the properties as designated by the Authority Engineer, the applicant may return to the Authority to seek an amended final approval.
2. The Authority's decision regarding the need for the easement through the project will be made after a decision regarding the servicing of properties within 200 feet.
3. Descriptions and final documents for the easement for the pump station and for the vacated portion of Ocean Avenue being provided.
4. The final design of the pump station force main being completed by the Authority.
5. All of the properties that are part of the application must be included in the amended Wastewater Management Plan.

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6. The applicant must complete any changes to the plans which are necessary to incorporate the pump station/force main design to be completed by the Authority.
7. The applicant must meet all other Authority requirements.

AUTHORITY ACTION

Based upon the above facts developed at the time of the hearing and as otherwise set forth in the application materials, Commissioner Prendergast made a motion to grant Final Approval of the Application subject to the conditions in the Engineer's Report. Commissioner Duffy seconded the motion to grant approval subject to those conditions. The Commissioners voted unanimously in favor of granting Final Approval as follows:

Chairman Davis:	Affirmative
Vice Chairman Duffy:	Affirmative
Commissioner Schwemm:	Absent
Commissioner Prendergast:	Affirmative
Commissioner Pfrommer:	Absent
Commissioner Moschetto:	Absent

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CONDITIONS AND LIMITATIONS OF AUTHORITY ACTION

The Authority's action set forth above is conditional. 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:

1. A material change of any plan(s) submitted by the applicant.
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 "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. 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.
4. Any moratorium or other State, County or local action preventing the approval.
5. 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

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other access right necessary for the routing or placement of sewer improvements as set forth in the application materials.

6. 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.

7. 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.

8. 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.

9. 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 entity including the appropriate sewer connection fee(s).

10. 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

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involved, all applicable fees must be paid prior to the applicant taking further action. Further, it the Applicant's responsibility to apply for recapture rights for subsequent developer's use of the improvements installed by the Applicant. If the Applicant fails to apply for recapture rights within sixty (60) days of the meeting granting final approval, the right to seek recapture rights shall be automatically and permanently waived by the applicant. The Authority shall have no obligation to notify the applicant of its right to secure recapture rights or of the applicant's waiver of those rights.

11. Authority approval shall only be valid for two (2) years of the Authority meeting granting such approval. The Authority shall have no obligation to extend any approval. The applicant may request the Authority to extend this final sewage approval prior to the expiration of two (2) years in accordance with the Authority's Rules and Regulations. However, if the Authority does not grant an extension of an approval within two (2) years after the date of Authority action, this resolution and final 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.

12. 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

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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.

13. 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.

14. 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

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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 19th day of June, 2013 at the Municipal Building, Egg Harbor Township, New Jersey at 5:30 p.m.

THERESA PENDERGAST
SECRETARY

MEMORANDUM

June 19, 2013

TO: EHTMUA
Egg Harbor Township

FROM: Polistina & Associates
Vincent J. Polistina
Authority Engineer

RE: EHTMUA No. 06-67
Ralph Clayton / Crossings, MHC (Brangan) / Walter Gauta
PA No. 8119.1

LOCATION: English Creek Avenue and Ocean Heights Avenue
5210 / 1 and Various

STATUS: Sewer Extension – Final Review

USE: Mobile Homes / Retail / Pharmacy / Bank / Restaurants

JURISDICTIONAL AREA: CAFRA

The materials submitted and subject to review are as follows:

NO.	TITLE	PREPARED BY	DATE	REVISION
---	Final Application for Extension of Existing Sewer System	Applicant / Schaeffer, Nassar & Scheidegg	06/14/12	---
	Plans	Schaeffer, Nassar & Scheidegg	04/25/12	---

DESCRIPTION: The proposed project comprises approximately 52 acres and is situated at the intersection of English Creek Avenue and Ocean Heights Avenue. The parcels of land are owned by several different entities including Clayton Development Group (Ralph Clayton), Brangan Group, LLC (Brian Brangan) and Kristin Property Group (Walter Gauta). The ownership of each of the properties associated with the application was provided and all of the applicants have signed the application form.

The developers are proposing the relocation of 92 age-restricted mobile home units and the construction of 165,751 square feet of retail space, a 150 seat restaurant, a 4,099 square foot bank, a 136 seat fast food restaurant, a 256 seat restaurant, a 54 seat restaurant, another 54 seat restaurant, and 10,000 square feet of

outdoor storage space. The applicant is indicating that the project will be broken into 3 phases with the flow breakdown as follows:

Phase I

150 seat restaurant @ 35 gpd / seat =	5,250 gpd
3,600 sf retail @ .1 gpd / sf =	360 gpd

Phase II

30 Mobile Homes (3-bedroom) @ 225 gpd =	6,750 gpd
62 Mobile Homes (2-bedroom) @ 175 gpd =	10,850 gpd

Phase III

162,151 sf retail @ .1 gpd / sf =	16,215 gpd
4,099 sf bank @ .1 gpd / sf =	410 gpd
256 seat restaurant @ 35 gpd / seat =	8,960 gpd
136 seat fast food restaurant @ 15 gpd / seat =	2,040 gpd
54 seat restaurant @ 35 gpd / seat =	1,890 gpd
54 seat restaurant @ 35 gpd / seat =	1,890 gpd
10,000 sf outdoor storage @.1 gpd / sf =	1,000 gpd

The total project flow for all three (3) phases is 55,615 gallons per day.

The applicant has also provided a conceptual plan to service twenty (20) existing homes and seven (7) commercial properties in conjunction with the application. We will calculate a total flow for the project and improved properties within two-hundred feet once a decision has been made regarding the servicing of the properties.

The applicant is proposing to construct a total of approximately 9,561 linear feet of 8" diameter PVC in order to provide service for the proposed project.

Under Phase I, the applicant has indicated that a grinder pump and force main along Mill Road are proposed. The grinder pump / force main are to be abandoned in conjunction with Phase II of the project once the on-site pump station is constructed.

For Phases II and III, the flow will be collected and directed to an on-site pumping station, which will be located on Ocean Boulevard just south of English Creek Avenue. We will be designing the pump station and force main on behalf of the developer(s) through the MUA developer's account. From the on-site pump station, the force main will be extended along English Creek Avenue to High School Drive and the flow will be

discharged to an existing manhole in High School Drive. The gravity system existing in High School Drive will convey the flow to the English Mill pump station. From the English Mill pump station, the flow is conveyed to the Mountain Lane Regional Pumping Station which will then redirect the flow to the ACUA Broadway Pumping Station on West Jersey Avenue.

The proposed on-site pumping station and eight-inch sanitary sewer mains will have sufficient capacity to service the proposed project. The on-site pumping station and tributary mains will be designed by the Authority to ensure sufficient capacity to provide service to all improved properties within the EHTMUA English Mill and Pennsylvania basins.

The plans show the flow being conveyed from the on-site pumping station via a six-inch force main north along English Creek Avenue to High School Drive. The force main design and routing are being completed by the Authority in conjunction with final approval.

At this time, it is unclear how much of the property surrounding the proposed project will remain in the Wastewater Management Plan area after the changes being contemplated by the NJDEP are completed. It is our understanding based on our discussions with the NJDEP that properties south of Ocean Heights Avenue may be removed from the WMP upon adoption of the new map. Once we have a complete understanding of the areas that could contribute sewer flow to the proposed pump station and force main, we will calculate a total overall project flow including improved properties within 200 feet and a build-out analysis for the properties to be included in the WMP.

From the English Mill pump station, the flow is conveyed via force / gravity mains along High School Drive, Tremont Avenue and West Jersey Avenue to the Mountain Lane Regional pump station. The flow will be conveyed from the Mountain Lane Regional Pumping Station via force / gravity main to the ACUA Broadway Pumping Station.

The English Mill pump station and associated force main and Mountain Lane Regional Pumping Station and associated force main have been designed to provide sufficient capacity to accommodate the projected volume of waste from the proposed development.

The applicant is proposing to construct approximately 9,561 linear feet of 8-inch diameter sanitary sewer main within the proposed development. As the applicant will be constructing an on-site pump station for the proposed project, the applicant will be able to provide sufficient cover over the proposed sanitary

sewer facilities. The maximum depth of the proposed main is currently shown at fourteen (14) feet.

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 twenty-eight (28) improved properties with two-hundred feet of the project. Twenty (20) of the properties are residential and eight (8) are commercial. Only one (1) of the properties is currently connected to the public sanitary sewer system – the existing Wawa located on Block 3301, Lot 1.

The applicant has provided a conceptual plan to service the remaining twenty-seven (27) properties within two-hundred feet. The properties shown to be serviced on the conceptual plan include:

Block 5101, Lots 179.01, 180, 181, 183, 184; Block 5104, Lots 8, 9; Block 5105, Lots 1, 7; Block 5106, Lot 1; Block 5117, Lots 1, 2, 3; Block 5202, Lots 42, 43, 44, 46, 47, 48, 49, 50; Block 5205, Lot 43, 48 and 55; and Block 5210, Lots 10, 11, 16.

The Authority is unable to reach a definitive conclusion regarding the servicing of improved properties within 200 feet at this time due to the uncertainties on the final Wastewater Management Plan to be adopted by the NJDEP. Once we have clarity on the new mapping, we will work with the developer(s) on a decision regarding the servicing of properties within 200 feet that remain in the Wastewater Management Plan area.

There are several easements proposed as follows:

- 1) A 100 foot by 75 foot easement for the proposed pump station on Ocean Boulevard.
- 2) A twenty (20) foot wide easement for sewer proposed along Ocean Avenue where the right-of-way has been vacated. The easement will extend for a length of 390 feet and will connect to the existing Ocean Avenue right-of-way.
- 3) An easement for the sewer proposed through the commercial portion of the project. This easement may be necessary should the flow from the homes along Ocean Heights Avenue be conveyed through the project as is currently shown.

The applicant has provided an overall project easement for review. The applicant must provide separate descriptions of the first two (2) easements as a condition of final approval. The

Authority will execute and file the easements prior to any construction associated with the application.

A decision regarding the servicing and routing for the sewer to provide service to the improved properties within 200 feet will be made after the adoption of the new WMP map. The third easement may not be necessary depending on what improved properties will be serviced.

The applicant may owe recapture for the Mountain Lane pump station / force main. We are not aware of any other recapture agreements that the developer would be subject to at this point in time.

RECOMMENDATIONS:

Polistina & Associates recommends that this application be granted final approval subject to the following conditions:

- 1) A final determination regarding the servicing of improved properties within 200 feet of the project will be made after the adoption of the new Wastewater Management Plan map. The applicant has agreed to provide service for all properties requested by the Authority. Should the applicant not want to provide service to the properties requested by the Authority, the applicant will return to the Authority for amended final approval.
- 2) A decision regarding the need for the easement through the project will be made after a decision regarding the servicing of properties within 200 feet.
- 3) Descriptions of the easement for the pump station and for the vacated portion of Ocean Avenue being provided.
- 4) The final design of the pump station force main being completed by the Authority.
- 5) The inclusion of all of the properties that are part of the application in the amended Wastewater Management Plan.
- 6) The applicant must complete any changes to the plans which are necessary to incorporate the pump station / force main design to be completed by the Authority.
- 7) The applicant meeting all other Authority requirements.

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

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 52 - 2013

Reason: Rate Review

WHEREAS, the Egg Harbor Township Municipal Utilities Authority (Authority) is a corporate body duly created and existing under the County and Municipal Utilities Authority Law, Chapter 183 of the Laws of New Jersey of 1957 as amended for purposes of providing and developing sewerage facilities as more particularly set forth in the Act; and

WHEREAS, the Authority has reviewed its sewerage service rates for the time period beginning September 1, 2013. This rate shall be in effect until such time as the Authority deems necessary to amend.

NOW THEREFORE, be it resolved the Authority has determined as follows:

1. The recitals set forth above are incorporated herein as though set forth full in this Resolution.
2. The Authority, in conjunction with its Authority Engineer, has reviewed necessary data, cost estimates, budget information, relevant bond covenants and other information with regard to the annual service rates.

Residential: \$316.00 Annual Sanitary Sewer Service Charge

Commercial: \$316.00 Annual Sanitary Sewer Service Charge for the 1st 80,000 gallons of water consumed. The rate for Commercial properties remains the same at \$5.75 / 1,000 gallons of water consumed in excess of the 80,000 gallon annual allowance.

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 on June 19, 2013 at the Municipal Building, 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 P.M.

Theresa Prendergast, Secretary

2014 Authority Budget Resolution
Egg Harbor Township Municipal Utilities Authority

FISCAL YEAR: FROM: September 1, 2013 **TO:** August 31, 2014

WHEREAS, the Annual Budget and Capital Budget for the Egg Harbor Township Municipal Utilities Authority for the fiscal year beginning, September 1, 2013 and ending, August 31, 2014 has been presented before the governing body of the Egg Harbor Township Municipal Utilities Authority at its open public meeting of June 19, 2013; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 5,945,000 , Total Appropriations, including any Accumulated Deficit if any, of \$ 5,458,354 and Total Unrestricted Net Assets utilized of \$ 237,000 ; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 525,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$ 525,000 ; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Egg Harbor Township Municipal Utilities Authority, at an open public meeting held on June 19, 2013 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Egg Harbor Township Municipal Utilities Authority for the fiscal year beginning, September 1, 2013 and ending, August 31, 2014 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Egg Harbor Township Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on August 21, 2013.

(Secretary's Signature)

(Date)

Governing Body	Recorded Vote			
Member:	Aye	Nay	Abstain	Absent

- Nathan Davis**
- Michael Duffy**
- H. Chris Schwemm**
- Theresa Prendergast**
- Charles Pfrommer**
- Theresa Moschetto (Alternate)**

**Egg Harbor Township
Municipal Utilities Authority**

**CERTIFICATION OF AVAILABILITY
OF FUNDS
FOR
AWARD OF CONTRACT**

In accordance with regulations of the Local Finance Board, I hereby certify that funds are available for the following:

Date	June 19, 2013
Resolution #	54 -2013
Vendor	Perna Finnigan, Inc
Amount	\$ 177,717.20
Reason	Contract #68 – Bargaintown Lateral Repair
Budget Line Item	Repair & Maintenance

Henry C. Schwemm, Treasurer

Theresa Prendergast, Secretary

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 55 – 2013

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: June 19, 2013

Theresa Prendergast
Secretary

Egg Harbor Township Municipal Utilities Authority
Checks Written - Operating Account
 As of June 19, 2013

Num	Name	Memo	Amount
Operating Account			
		July Payroll	-29,981.84
TEPS	State of NJ Health Benefits		-11,075.38
8496	Egg Harbor Township - Dental	Dental Benefits - June 2013	-494.46
8497	Crystal Springs	Invoice #3228663 060113	-34.71
8498	Mainland Journal	Acct. # 108712DJ	-11.40
8499	Mossman's Business Machine	Invoice #130792	-14.33
8500	Office Basics, Inc.	Acct. # 09272303	-13.95
8501	Staples Advantage	Customer: PHL 1057418	-99.95
8502	W.B. Mason Co., Inc.	Customer No. C2165338	-327.96
8503	Anoopam Inc.	Refund overpayment 3751-0	-890.39
8504	Hi Ho Motel	Refund overpayment 3753-0	-456.68
8505	Kishyan Hospitality	Refund overpayment 3750-0	-891.25
8506	ACE Hardware	Customer #552303	-167.15
8507	Acqua Bella, Inc.	Invoice #18791	-3,775.00
8508	Billows Electric Supply Co.	Cust.#285927-0199; Inv.#1968470-01	-126.48
8509	CW Sales Corporation	Acct. # EGGHAR; Inv. #106551	-4,521.99
8510	One Call Concepts, Inc.	Invoice #3055255	-413.08
8511	Xylem Dewatering Solutions, Inc.	Invoice # 400306958	-1,089.00
8512	AT & T	Acct. # 020 595 7994/5499	-142.84
8513	Atlantic City Electric	multiple accounts	-22,884.32
8514	New Jersey American Water Co.	multiple accounts	-842.71
8515	South Jersey Gas	Acct: 11341704119 & 11338452912	-98.30
8516	Verizon	Acct. #201 Z42 0142 999 78 Y	-621.05
8517	Verizon Wireless	Acct. # 200702280-00001	-127.37
8518	All-Green Turf Management, Corp.	Account No. 3341	-4,598.16
8519	Atlantic County Utilities Authority	2nd Qtr Maintenance	-86,938.92
8520	Caproni Family Septic	May 2013	-13,784.79
8521	Video Pipe Services, Inc.	Contract No. 66 - Delilah Oaks Video Inspection	-9,421.78
8522	Weco Construction, Inc.	Customer No. 0504	-10,263.18
8523	Polistina & Associates, LLC	May 2013	-57,667.94
8524	Polistina & Associates, LLC	May 2013	-2,113.50
8525	Ridgway & Ridgway	May 2013	-13,581.50
	Total Operating Account		-277,471.36
TOTAL			-277,471.36

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 56 – 2013

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: June 19, 2013

Theresa Prendergast
Secretary

10:03 AM
06/19/13
Accrual Basis

EHTMUA
Checks Written - Developer Account
As of June 19, 2013

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
CB Developer Account			
3112	Polistina and Associates	May 2013	-1,987.50
3113	Ridgway & Ridgway	May 2013	-258.75
	Total CB Developer Account		-2,246.25
TOTAL			-2,246.25

Egg Harbor Township Municipal Utilities Authority

Resolution #58 - 2013

May 2013 Adjustments

WHEREAS, there are certain accounts requiring adjustments for sewer service charges and/or interest charges.

Acct #	Property Location	Amount	P or I	Explanation
1928-0	463 London Court	\$ 2.28	I	Paid prior to penalty
2651-0	6843 Old Egg Harbor Road	\$ 2.28	I	Paid prior to penalty
6741-0	17 Copper Ridge Circle	\$ 2.20	I	Paid prior to penalty
2946-0	112 Carver Avenue	\$ 1.13	I	Paid prior to penalty
1744-0	109 Lucille Drive	\$ 1.13	I	Paid prior to penalty
11159-0	2509 Ivins Avenue	\$ 1.15	I	Paid prior to penalty
8189-0	10 Providence Road	\$ 3.39	I	Military
12061-0	123 Snowdrop Road	\$ 2.26	I	Paid prior to penalty
13064-0	26B Oxford Village	\$ 1.13	I	Good History
12065-0	122 Snowdrop Road	\$ 1.17	I	Good History
500-0	2600 Tilton Road	\$ 1.13	I	Good History
3401-0	66 La Costa	\$ 3.39	I	Military
1779-0	6688 Black Horse Pike	\$ 11.48	I	Good History

WHEREAS, there are certain account requiring a refund for sewer service charges and/or interest charges.

Acct #	Property Location	Amount	P or I	Explanation
None				

NOW THEREFORE, be it resolved by the Egg Harbor Township Municipal Utilities Authority that said accounts are hereby adjusted and/or refunded in the specified amounts.

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 MUA held on June 19, 2013 at the Municipal Building, 3515 Bargaintown Road, Egg Harbor Township, NJ at 5:30 PM.

Theresa Prendergast, Secretary

**Egg Harbor Township
Municipal Utilities Authority**

**CERTIFICATION OF AVAILABILITY
OF FUNDS
FOR
AWARD OF CONTRACT**

In accordance with regulations of the Local Finance Board, I hereby certify that funds are available for the following:

Date	June 19, 2013
Resolution #	59 -2013
Vendor	KRS Services, Inc
Amount	\$ 7,990.00
Reason	Contract #71 – Storybook Pump Station Discharge Pipe Repairs
Budget Line Item	Repair & Maintenance

Henry C. Schwemm, Treasurer

Theresa Prendergast, Secretary