

Regular Meeting - Agenda

Wednesday, September 18, 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. **5:45 pm – Ratification of Budget Adoption**
 - ~Resolution #75 – 2013
6. **Applications / Project Status**
7. **Ratification of Administrative Action**
8. **Resolution Memorialization**
9. **Engineer Report**
10. **Old Business**
11. **New Business**
12. **Treasurer's Report**
 - ~Resolution #76 - 2013
 - Transfer of Funds
 - ~Resolution #77 - 2013
 - Approve Bill List for Operating Account
 - ~ Resolution #78 - 2013
 - Approve Bill List for Developer Account
 - ~ Resolution #79 - 2013
 - Approve transfer from Construction Fund to Operating Account

13. Authority Clerk

~ Resolution #80 – 2013 - August 2013 Adjustments

14. Other Business (not listed on the Agenda)

15. Subcommittee Reports

16. Closed Session (If Necessary)

~ Resolution #81 - 2013

17. Adjournment



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

**Wednesday, September 18, 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 – Present
Theresa Prendergast, Secretary – Absent
Charles Pfrommer, Commissioner – Present
Theresa Moschetto, Alternate Commissioner - Present

Also in attendance: Engineer Vince Polistina, Attorney John Ridgway, Authority Clerk Elaine Super.

Open Meeting to the Public

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

Applications/Project Status/Updates/Discussion

Mr. Polistina advised the board that the application for Ralph Clayton, Brian Brangan and Walt Gauta (Ocean Heights & English Creek Avenues project) is being delivered to the DEP tomorrow. It is expected that with the receipt of this application by the DEP, the area should be included into the Wastewater Management Plan.

Mrs. Prendergast arrived.

Ratification of Administrative Action

The sewer pump for the municipal building has failed and during the past several months the Authority has provided assistance with the station. Due to the age of the pumps, equipment and the corroded rails, it was decided that that in the best interest of the Township, the Authority took the necessary steps to immediately move forward with repairing the current system. Motion Mrs. Prendergast second Mr. Schwemm to ratify the action taken and authorize the contract with B&H Contracting in the amount of \$9,460.00. All vote yes. ~**Resolution #74A-2013**

Resolution Memorialization

None

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

The Authority continues to wait on a response from FEMA in regards to the alternate project submitted which would eliminate the Miami station. Mr. Polistina expressed his concern for the temporary arrangement as winter approaches. Mr. Polistina was directed to receive bids ahead of the FEMA response so that the project is ready to move forward once a decision has been made.

All work has been completed for with the Bargaintown Cleanout project.

Ratification of Budget Adoption – 5:45pm

~ **Resolution #75 – 2013** [2013 – 2014 Budget Approval]

The advertisement for the Budget Adoption last month was not advertised in The Press. The notice was provided to, received and processed by The Press with a proof being completed. It was never advertised. Motion Mr. Schwemm second Mr. Pfrommer ratify the action taken at the August meeting to adopt the budget. A roll call vote resulted in all members present at the August meeting voting in favor of the budget (Davis, Schwemm, Pfrommer, Moschetto).

Old Business

None

Treasurer’s Report

~ **Resolution #76-2013** – Motion Mr. Schwemm second Mrs. Moschetto to approve a payment in the amount of \$117,841.57 out of the Infrastructure Account. All voted yes.

~ **Resolution #77-2013** – Motion Mrs. Prendergast second Mr. Pfrommer to approve all vouchers presented for payment out of the Operating Account (\$318,655.94). All voted yes.

~ **Resolution #78-2013** – Motion Mr. Schwemm second Mrs. Prendergast to approve all vouchers presented for payment out of the Developer Account (\$2,060.50). All voted yes.

~ **Resolution #79-2013** – Motion Mr. Schwemm second Mr. Duffy to approve the Construction Fund voucher (\$1,810.50). All voted yes.

Mr. Schwemm provided a brief summary of the prior fiscal year revenues and expenses. Treatment charges make up approximately 40% of the Operating Costs. Repairs to the system, which was \$220,000 over budget make up 20% of the Operating Costs. Actual revenue was within \$13,000 of budgeted revenue and the debt service was just as budgeted. Capital Outlay was off by only \$3,000 of what was originally budgeted.

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

Clerk's Report

~ **Resolution #80-2013** – Motion Mr. Schwemm second Mr. Duffy to approve the August 2013 adjustments. All voted yes.

Motion Mr. Schwemm second Mr. Pfrommer to approve the August 2013 open session minutes. All voted yes except Mr. Duffy and Mrs. Prendergast who abstained. Motion Mr. Schwemm second Mr. Pfrommer to approve the August 2013 closed session minutes. All voted yes except for Mr. Duffy and Mrs. Prendergast who abstained.

Record disposal requests will be submitted to the state tomorrow.

An amendment is needed to the Rules & Regulations concerning the timing of posting penalty to delinquent accounts. A formal review will be discussed further at the November meeting.

An amendment is needed to the Personnel Manual to include provisions for times when it is acceptable for the Authority office staff to work from outside of the office. A formal review will be discussed further at the November meeting.

~ **Resolution #81-2013 - Closed Session** – 6:15 PM - Motion Mrs. Prendergast second Mr. Schwemm to enter into closed discussion to discuss potential litigation. The minutes of the closed session will be released once all issues discussed have been resolved. All voted yes.

6:20PM – Return to Open Session

No action was taken during the closed session

Motion Mr. Schwemm second Mr. Duffy to adjourn the meeting at 6:21 PM. All voted yes.

Theresa Prendergast, Secretary

Prepared by Elaine Super, Authority Clerk

September 18, 2013 Minutes
Approved October 16, 2013

**Engineer's Report
Egg Harbor Township MUA
September 18, 2013**

Engineering Projects

1. Emergency Maintenance Contract

Kline Construction took over as the Authority emergency contractor as of September 1, 2013. They have yet to complete any work for the Authority but we have given them a small list of items for various projects. They are scheduled to remove several of the bollards installed at the Brenta pump station sometime this week.

Weco Construction have not completed any additional items and only have a single invoice outstanding. Their final billing is expected to be received and completed at next month's meeting.

2. ACUA Contract Administration

The maintenance logs from the ACUA have been normal during the past month. We are awaiting the delivery of the replacement pump for the Lyons Court station, and expect it to be sometime this week. A single pump was removed from the Brenta and Delancy pump stations within the last week and sent out for repairs, due to a seal failure and damaged cord respectively.

A new impeller and wear rings were ordered for the Little Mill station at a cost of \$4,793.20.

3. Wet Well Cleaning Contract Administration

Caprioni Family Septic completed various items during the last month. They replaced worn cables on two debris baskets and replaced a support on another. Caprioni provided bypass services during the overflow last month at the Ocean Heights station.

Caprioni also provided preventative jetting services at various locations along with the normal monthly basket and wet well cleaning.

We have recommended a payment in the amount of \$11,677.94 from the Operating Account for the work completed in August.

4. Spills

The Authority experienced a single spill incident over the course of the last month. It occurred along West Jersey Avenue and resulted from a transducer failure at the Mountain Lane Station. The back-up system was not initiated due to a large amount of rags and debris that had accumulated on the surface. Caprioni Family Septic was dispatched to remove all residual wastewater along the roadway edges. The spill was estimated to be under 500 gallons. The Authority Operator will be increasing the amount of cleanings to address the amount of rags and debris entering the station.

5. Miami Pump Station Elimination - Gravity Main Extension

Within the past month our office has received the Treatment Works Approval for the construction of the proposed 450 linear foot gravity main extension. We also received correspondence from CAFRA stating that a CAFRA permit would not be required for the proposed improvements.

We have been in correspondence with FEMA and have forwarded additional information to address questions for the alternate project to eliminate the existing station.

6. West Atlantic City Rehabilitation Phase III

We are hopeful to have the final restoration completed during the Fall.

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

The contractor has begun work on the repair and resetting of the cleanouts within the project limits. We estimate that approximately 90% of the work has been completed as of the current billing.

We have recommended a payment in the amount of \$51,487.23 for the work completed.

8. Storybook Pump Station Discharge Pipe Repairs

The contractor has completed all of the work involved with replacing the discharge piping and guiderail brackets. They did find that the base elbow for one of the pumps was not attached to the well floor and have submitted a price to complete that work.

We have recommended a payment in the amount of \$7,990.00 for the work completed.

10. FAA Pump Station Upgrades

Our office is scheduled to meet with the FAA environmental staff this Thursday to review the results of the soil sampling we had completed and determine what requirements will be necessary for the construction of the replacement wet well.

11. West Avenue Sewer Rehabilitation

The contractor has completed the replacement of the existing eight-inch sanitary main with the eighteen-inch pipe. All work was done overnight to decrease the impact to traffic.

We have recommended a payment in the amount of \$117,841.57 for the work completed.

12. Brookside Odor Control System

With the assistance of the Authority Operator a representative from Siemens installed five odor detection devices, with one at the Brookside station and the remaining four at upstream locations. We are hopeful that the placement of the multiple units will help determine the portion of the system that is the main contributor to the odor reported at the Brookside station. Results are expected to be provided within three weeks.

Developer Projects

Extension Applications

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

Connection Applications

1. **The ARC of Atlantic County - 206 Cedar Avenue**

The applicant is proposing to construct a single-family dwelling on the property. There is an existing lateral to the property but needs to be extended at the developers expense.

2. **The ARC of Atlantic County - 2529 Tremont Avenue**

The applicant is proposing to construct a single-family dwelling on the property and requires the construction of a lateral connection.

3. **The ARC of Atlantic County - 18 Harley Avenue**

The applicant is proposing to construct a single-family dwelling on the property and requires the construction of a lateral connection.

Change of Use Applications

None

Vince Polistina
Authority Engineer

**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	September 18, 2013
Resolution #	74A -2013
Vendor	B & H Contracting, Inc
Amount	\$ 9,460.00
Reason	Municipal Building Pump Station Repairs
Budget Line Item	Repair & Maintenance

Henry C. Schwemm, Treasurer

Theresa Prendergast, Secretary

Resolution #75 – 2013

Ratification of 2014 ADOPTED BUDGET

Egg Harbor Township Municipal Utilities Authority

AUTHORITY BUDGET

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

WHEREAS, the Annual Budget and Capital Budget/Program for the Egg Harbor Township Municipal Utilities Authority for the fiscal year beginning September 1, 2013 and ending, August 31, 2014 has been presented for adoption before the governing body of the Egg Harbor Township Municipal Utilities Authority at its open public meeting of August 21, 2013; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption 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 presented for adoption reflects Total Capital Appropriations of \$ 525,000 and Total Unrestricted Net Assets planned to be utilized of \$ 525,000 ; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Egg Harbor Township Municipal Utilities Authority, at an open public meeting held on August 21, 2013 that the Annual Budget and 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 adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

(Secretary's Signature)

(Date)

Governing Body
Member:

Recorded Vote

Aye

Nay

Abstain

Absent

Nathan Davis

Michael Duffy

H. Chris Schwemm

Theresa Prendergast

Charles Pfrommer

Theresa Moschetto (Alternate)

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 78A – 2013

Resolution authorizing payment of all bills out of the Infrastructure 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: September 18, 2013

Theresa Prendergast
Secretary

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 77 – 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: September 18, 2013

Theresa Prendergast
Secretary

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 78 – 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: September 18, 2013

Theresa Prendergast
Secretary

Construction Fund Requisition

Resolution # 79 - 2013

Egg Harbor Township Municipal Utilities Authority
 3515 Bargaintown Road
 Egg Harbor Township, NJ 08234-8321

Vendor	Description/ Project	Amount
Polistina & Associates, LLC	West Atlantic City Phase III	\$ 1,810.50
Requisition Total		\$ 1,810.50

Authority Certification	Consulting Engineer's Certification
<p>We certify that the cost(s) listed above have been incurred by the Authority and are proper charges against the Construction Fund. In addition, each cost requisitioned is unpaid and has not been the basis of any previous withdrawal.</p> <hr/> <p>Chairman/ Vice-Chairman</p> <hr/> <p>Treasurer/Secretary</p> <p>Date 09/18/13</p>	<p>I approve the requisition of funds and certify that the cost(s) listed above are for work performed or materials installed in or about the construction of the Project and were incurred in accordance with the plans and specifications for the Project, or duly approved change orders.</p> <hr/> <p>Engineer</p> <hr/> <p>Date 09/18/13</p>
Order Information	Transfer Record (EHTMUA Use Only)
<p>Requisition Number 13-009</p> <hr/> <p>Date Requested 09/19/13</p> <hr/> <p>Construction Fund Account 81-1778-50-5</p>	<p>Date Received _____</p> <hr/> <p>Posted by _____</p> <hr/> <p>To Operating Account Cape Bank 571 000 579</p>

Egg Harbor Township Municipal Utilities Authority

Resolution # 80 - 2013

August Adjustments

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

Acct #	Property Location	Amount	P or I	Explanation
3519-0	6426 Mill Road	\$ 79.00	P	Demolition
12260-0	129 Braircliff Drive	\$ 1.17	I	Prefect History
8090-0	115 Pembroke Road	\$ 79.00	P	Disconnected
12826-0	106 Bluebell Drive	\$ 1.13	I	Good History
3630-0	207 Florence Avenue	\$ 3.39	I	Good History
1780-10	6690 Black Horse Pike	\$ 1.13	I	Good History
937-1	6100 Black Horse Pike	\$ 1.13	I	Good History
6649-0	125 Margate Blvd	\$ 53.75	I	Corrected Meter Reading
6649-0	125 Margate Blvd	\$ 1,207.56	P	Corrected Meter Reading
9620-2	6103 West Jersey Avenue	\$ 1.13	I	Good History
1661-0	6605 Black Horse Pike	\$ 644.00	P	NJAW Meter Adjustment
1661-0	6605 Black Horse Pike	\$ 9.66	I	NJAW Meter Adjustment
9620-3	6103 West Jersey Avenue	\$ 1.13	I	Duplicate Billing
9620-3	6103 West Jersey Avenue	\$ 162.50	P	Duplicate Billing

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 September 18, 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
Closed Session**

RESOLUTION # 81 – 2013

Resolution to convene into Closed Executive Session to discuss matters which may involve litigation and/or personnel

WHEREAS, the Open Public Meetings Act, PL 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Authority wishes to discuss matters involving Personnel and/or Litigation as follows:

Potential Litigation related to sewer line relocation responsibility

WHEREAS, minutes will be kept and once the matter(s) involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED by the Egg Harbor Township Municipal Utilities Authority that the public be excluded from this Closed Executive Session of the Authority meeting.

Dated: September 18, 2013

Theresa Prendergast, Secretary