

Regular Meeting - Agenda

Tuesday, December 17, 2019

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 & Flag Salute

General Public Discussion

Applications / Project Status

5:40pm – 2020 Budget Adoption

~ Resolution # 81 – 2019

Engineer Report

~ Resolution # 82 – 2019 [Certification of Funds]

Pump Station Maintenance Contract – Atlantic County Utilities Authority

~ Resolution # 83 – 2019 [Certification of Funds – Change Order]

Contract #109 – 2019 Video Inspection & Main Cleaning

Treasurer's Report

~ Resolution # 85 – 2019

Approve Bill List for Operating Account

~ Resolution # 86 – 2019

Approve Bill List for Developer Account

Administrative Report

~ November 2019 minutes

~ Resolution # 87 – 2019

November 2019 Adjustments

~ Resolution # 88 – 2019

Appoint Public Agency Compliance Officer

~ Resolution # 89 – 2019

2020 Salary

Other Business (not listed on the Agenda)

Closed Session (If Necessary)

~ Resolution # 90 – 2019

Adjournment

Formal action may or may not be taken.

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

December 17, 2019
Meeting Minutes

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

Roll Call:	Michael Duffy, Chairman	present
	Charles Pfrommer, Vice-Chairman	present
	H. Chris Schwemm, Treasurer	present
	Theresa Prendergast, Secretary	present
	Theresa Moschetto, Commissioner	present
	Anthony DiDonato, Alternate Commissioner	present

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

General Public Discussion

There was no public in attendance. Mr. Schwemm made a motion to close the public portion of the meeting, second by Mr. Pfrommer, all voted yes.

5:40 PM ~ Resolution #81 – 2019 [2020 Budget Adoption]

Motion made by Mr. Schwemm, seconded by Mr. Pfrommer to adopt the 2020 Authority Budget, as previously presented and approved. All voted yes.

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

~ Resolution #82 – 2019 [Certification of Funds] Pump Station Maintenance Contract

Mr. Schwemm made a motion, seconded by Mr. Pfrommer, to authorize the Chairman to sign the interlocal agreement with the Atlantic County Utilities Authority for an additional three years. All voted yes.

~ Resolution #83 – 2019 [Certification of Funds – Change Order] Contract #109

Mr. Schwemm made a motion, seconded by Mr. Pfrommer, to approve a change order in the amount of \$1,203.76 for American Pipe. All voted yes.

Treasurer

~ Resolution #85 – 2019 [Operating Account Bill List]

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

~ Resolution #86 – 2019 [Developer Account Bill List]

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

It is expected that we will initiate the bonding for a couple of projects in early 2020. Mr. Polistina is finalizing the plans so the cost estimates can be completed. Mrs. Moschetto made a motion to confirm the Bonding Subcommittee to include Mr. Schwemm, Mr. Polistina, Mr. Ridgway and Mrs. Super. This was seconded by Mr. Pfrommer and all voted yes.

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

Administrative

Mr. Schwemm motioned to approve the November 2019 minutes. This was seconded by Mrs. Prendergast and all voted yes. The Closed Session minutes from November 2019 were approved with a motion from Mr. Schwemm and a second from Mr. Pfrommer. All voted yes except Mr. Duffy who abstained.

~ Resolution #87 – 2019 [Adjustments]

Motion made by Mr. Schwemm, seconded by Mr. Pfrommer to approve the November 2019 account adjustments. All voted yes.

~ Resolution #88 – 2019 [Public Agency Compliance Officer]

Motion made by Mr. Schwemm, seconded by Mrs. Prendergast to appoint Elaine Super as the Public Agency Compliance Officer for 2020. All voted yes.

~ Resolution #89 – 2019 [2020 Salary]

Motion made by Mr. Schwemm, seconded by Mr. Pfrommer to approve a 2% salary increase for 2020. All voted yes.

~ Resolution #90 – 2019 [Closed Session] 6:00 PM

Mr. Schwemm made a motion, seconded by Mrs. Moschetto, to enter into closed session to discuss the Somerset Lakes Recapture issue, the situation with the Atlantic City account located at 1630 Albany Avenue, a lawsuit filed by VDA Investments and the on-going claim arising from damages at 129 Wedgewood Drive. All voted yes. The minutes of the closed session will be made public once all issues discussed are resolved.

6:23 PM – Return to Public Session

No formal action was taken during the closed session. Chairman Duffy left the meeting during the closed session portion. Mr. Pfrommer became the acting Chairman.

Mr. Schwemm made a motion to authorize Mr. Ridgway to pursue litigation against the contractors involved at 129 Wedgewood Avenue once one final notification has been made. If there continues to be no response from the contractors, Mr. Ridgway will file the necessary lawsuit. Mrs. Prendergast seconded his motion and all voted yes.

Mr. Schwemm made a motion to authorize Vice-Chairman Pfrommer to sign the agreement outlining the counter proposal from Somerset Lakes regarding the extension of their recapture agreement. Mr. DiDonato seconded the motion and Mr. Ridgway was advised to forward the signed document to Somerset Lakes for their signature. All voted yes.

A motion to adjourn the meeting was made by Mr. Schwemm, seconded by Mrs. Prendergast at 6:30 PM. All voted yes.

Theresa Prendergast, Secretary

Prepared by Elaine Super, Authority Clerk

Date Approved: January 21, 2020

Engineer's Report
Egg Harbor Township MUA
December 17, 2019

Engineering Projects

1. Emergency Maintenance Contract

Arthur Henry completed two repair items this past month. They repaired a damaged lateral at 7080 Black Horse Pike, helping to relieve an active backup. They also replaced a damaged manhole located within the Lakeside development off Mill Road.

Arthur Henry repaired a damaged cleanout at 605 New Road in Linwood, replacing the riser and cleanout tee. The customer was experiencing an active backup requiring the repair.

We have recommended a payment in the amount of \$12,610.40 to Arthur Henry from the Operating Account for the work completed last month.

We have also recommended two payments in the amount of \$9,349.93 to Arthur Henry for the work completed in Linwood last month.

2. ACUA Contract Administration

The ACUA maintenance reports have been normal over the past month. All Authority stations will be operating with both pumps by the end of the week. The replacement Barnes pump for the Seapines station was received and will be put back into operation this week. The repaired pump for the Island Inn station was already returned to service. The repair was completed under warranty coverage.

3. Wet Well Cleaning Contract Administration

Caprioni Family Septic completed the normally scheduled basket and wet well cleanings over the past month. They assisted with completing a video inspection of the lateral at 6833 Washington Avenue due to numerous blockages.

Caprioni completed preventative maintenance jetting in Linwood and cleaned three wet wells in the Linwood system.

We have recommend a payment in the amount of \$12,098.57 from the Operating Account for the work completed in November.

4. **Spills**

There were no spill incidents within the last month.

5. **Miami Pump Station Elimination**

Our office is continuing to prepare the two conceptual plans for the potential in-kind replacement of the Miami pump station facilities. We have completed the first option for the replacement of the dry pit can. We are in the process of designing the second option for the use of a raised platform.

We anticipate having both options fully designed and completed by the end of next month.

6. **Beaver & Whitewater Cleanout and Lateral Repair**

We have been working with the contractor to provide pricing on two trench repairs in the Township along Fernwood Avenue and Hospitality Drive. The sewer main trenches have settled substantially and the contract pricing makes having the work completed through this contract advantageous to the Authority. The final road restoration in front of 129 Wedgewood Avenue will also be completed.

The completion of the work has been delayed by the contractor, but we anticipate the majority of the work will be completed by the end of the week.

7. **Searstown Pump Station Relocation**

We are proposing to relocate the Searstown pump station to an area between the original movie theater entrance and the Wells Fargo Bank near the existing trash enclosure. We have developed conceptual plans and will have 60% engineered plans completed after the New Year.

8. **2020 Video Inspection & Main Cleaning**

The project was awarded to American Pipeline Cleaning last month. We anticipate having a preconstruction meeting after the New Year and should have a project schedule.

9. **Country Aire Pump Station Upgrades**

Our office has authorized the purchase of the replacement control panel. We expect delivery in early February. We will order the replacement pumps after the New Year.

10. **2020 Lateral and Cleanout Repair**

This project involves the repair and installation of Neenah castings to the residential properties within the Delancy, Hingston, Seaview Harbor and Anchorage Poynte basins. Our office is finalizing the bid package for public bid within the week.

11. **Hingston & Delancy Generator Replacements**

The bid documents package is complete and ready for bidding. We are finalizing the gas service applications with SJ Gas and anticipate having the bid package for public bid by the end of the month.

12. **FAA Pump Station**

This week we received electrical and civil comments from the FAA Technical Staff. We will be reviewing and preparing the revisions for resubmission over the next few weeks.

13. **New Utility Body Truck**

The project was awarded to Altec Industries, Inc. last month. The delivery timeframe is approximately 150 days.

14. **6833 Washington Avenue**

The Authority had been receiving numerous backup complaints from the residents at this location. We completed an investigation of the lateral tee and connection to the main with a lateral camera provided by Caprioni, which showed a blockage or obstruction at the main. We then obtained the services of Video Pipe to verify the condition of the service connection from within the main. It was found that the cured-in-place liner installed in 2015 along this section had shifted and obscured the service for 6833 Washington Avenue. Two additional lateral connections we also found to be partially obscured. Our office made arrangements with SWERP to complete the reinstatement of all 3 service connections last week.

Developer Projects

Extension Applications

1. **Harbor Landing (Olde Masters)**

All the sanitary infrastructure has now been completed and is fully functional.

Connection Applications

1. **Village Supermarket, Inc.**

The applicant has proposed to connect an existing commercial building located at 6805 Delilah Road. The site contains an existing 33,375 square foot building that will be utilized as a supermarket distribution facility. The building will connect to the existing sanitary main in Delilah Road via the construction of a doghouse manhole.

Change of Use Applications

1. Jersey Realty Construction - Michael Hinchman

The submitted application is for the change of use of an existing building utilized for general offices and warehouse space. The building has approximately 90,360 square feet in usable space that will be used by Stanley Steamer.

2. Luxe Day Spa - Michael Nadel

The applicant has proposed to change the use of two (2) units within the commercial plaza from physical therapy offices to a day spa. The total size of the units is 2,069 square feet.

3. AtlanticCare Health Services

The applicant has proposed to change the use of the first floor of the originally proposed and approved 24,000 square foot medical office building which will now be used as a ambulatory surgery center.

Vince Polistina
Authority Engineer

2020 ADOPTED BUDGET RESOLUTION

Egg Harbor Township Municipal Utilities Authority

FISCAL YEAR: FROM: January 1, 2020 **TO:** December 31, 2020

WHEREAS, the Annual Budget and Capital Budget/Program for the Egg Harbor Township Municipal Utilities Authority for the fiscal year beginning January 1, 2020 and ending, December 31, 2020 has been presented for adoption before the governing body of the Egg Harbor Township Municipal Utilities Authority at its open public meeting of December 17, 2019; 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 \$ 6,987,000, Total Appropriations, including any Accumulated Deficit, if any, of \$ 6,078,687 and Total Unrestricted Net Position utilized of \$ 260,000; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$ 3,455,000 and Total Unrestricted Net Position planned to be utilized of \$ 830,000; 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 December 17, 2019 that the Annual Budget and Capital Budget/Program of the Egg Harbor Township Municipal Utilities Authority for the fiscal year beginning, January 1, 2020 and, ending, December 31, 2020 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	Recorded Vote			
Member:	Aye	Nay	Abstain	Absent

Michael Duffy
Charles Pfrommer
H. Chris Schwemm
Theresa Prendergast
Theresa Moschetto
Anthony DiDonato (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	December 17, 2019
Resolution #	82 – 2019
Vendor	Atlantic County Utilities Authority
Amount	\$ 321,718.00 [Egg Harbor Township] \$ 63,082.00 [Linwood]
Reason	Pumping Station Maintenance
Time Period	January 1, 2020 – December 31, 2021
Budget Line Item	Pumping Station Operation & Maintenance

Henry C. Schwemm, Treasurer

Theresa Prendergast, Secretary

**Egg Harbor Township
Municipal Utilities Authority**

**CERTIFICATION OF AVAILABILITY
OF FUNDS
FOR
CHANGE ORDER**

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

Date	December 17, 2019
Resolution #	83 - 2019
Vendor	American Pipeline Cleaning, LLC
Contract	#109 – 2019 Video Inspection & Main Cleaning
Amount	Change Order #1 [\$1,203.76]
Reason	Adjusted to reflect as-built quantities
Time Period	2019
Budget Line Item	Capital: System Rehabilitation

Henry C. Schwemm, Treasurer

Theresa Prendergast, Secretary

Egg Harbor Township Municipal Utilities Authority

Resolution #84 – 2019

VOIDED

December 17, 2019

Resolution not required.

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 85 – 2019

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: December 17, 2019

Theresa Prendergast, Secretary

Egg Harbor Township Municipal Utilities Authority
Checks Written - Operating Account
As of December 17, 2019

12/17/19

Accrual Basis

Num	Name	Memo	Amount
Operating Account			
		January Payroll	-41,597.88
TEPS	State of NJ Health Benefits	Health & Rx - December 2019	-13,627.90
		Reimbursement: Checks 1586-1590; one E check	-970.83
10837	Egg Harbor Township - Dental	Dental - December 2019	-601.12
10838	BCR, Inc.	Invoice # 25402	-180.00
10839	Elaine Super.	Petty Cash Receipts	-114.93
10840	MGL Forms-Systems, LLC	Acct. # E069	-1,670.00
10841	Mossman's Business Machines	Invoice # 8463	-15.45
10842	NJUA Joint Insurance Fund	Invoice # NJUA230-2020	-11,898.00
10843	Signal Graphics	Invoice # 41584 & 41656	-1,269.00
10844	One Call Concepts, Inc.	Account # 12-EGC	-578.56
10845	SWERP, Inc.	Invoice # 121319-2	-2,250.00
10846	AT & T	Acct. # 020 595 7994/5499	-51.05
10847	Atlantic City Electric	multiple accounts	-15,347.11
10848	New Jersey American Water Co.	multiple accounts	-893.72
10849	South Jersey Gas	multiple accounts	-130.30
10850	Verizon	Acct. #550-790-961-0001-97	-76.77
10851	Verizon Wireless	Acct. # 200702280-00001	-242.84
10852	American Pipe Cleaning, LLC	Contract 109 Pay Estimate No. 2 - Final	-7,293.11
10853	Arthur R. Henry, Inc.	Invoice # 527013 & 527014	-12,610.40
10854	Caproni Family Septic	Account # 1448	-12,098.57
10855	Arthur R. Henry, Inc.	Invoice # 527012	-9,349.93
10856	Polistina & Associates, LLC	November 2019	-18,055.25
10857	Ridgway Legal	November 2019	-8,741.25
	Total Operating Account		-159,663.97
TOTAL			-159,663.97

EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 86 – 2019

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: December 17, 2019

Theresa Prendergast, Secretary

11:49 AM

12/17/19

Accrual Basis

EHTMUA
Checks Written - Developer Account
As of December 17, 2019

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Developer Account			
3375	Polistina and Associates	November 2019	-1,292.50
	Total Developer Account		-1,292.50
TOTAL			-1,292.50

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 87 – 2019

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.

- November 2019 Adjustments

Dated: December 17, 2019

Theresa Prendergast, Secretary

Egg Harbor Township Municipal Utilities Authority

Monthly Adjustment Report

November 2019

	<u>Date</u>	<u>Account</u>	<u>Reason</u>	<u>Amount</u>
Delinquent Charges				
	11/06/2019	5829-0	Posting Error	-7.59
	11/08/2019	4146-0	Delayed Deed	-12.77
	11/08/2019	10159-0	Owner Deceased	-12.45
	11/12/2019	12902-0	Deed/New Owner	-12.45
	11/20/2019	10026-0	Delayed Deed	-12.45
	11/25/2019	7887-0	Delayed Deed	-42.77

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 88 – 2019

Reason: Designate Public Agency Compliance Officer

WHEREAS, the New Jersey Department of the Treasury, Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (formerly known as the Office of Affirmative Action) is charged with enforcing NJSA 10:5-31 et seq which provides that no public contract can be awarded nor any monies paid until the prospective contractor has agreed to contract performance which complies with the approved Affirmative Action Plan; and

WHEREAS, NJAC 17:27-3.5, requires that each public agency annually designate an officer or employee to serve as its public agency compliance officer;

NOW THEREFORE be it resolved the Egg Harbor Township Municipal Utilities Authority, County of Atlantic, State of New Jersey that Elaine Super, Authority Clerk, is hereby designated as its Public Agency Compliance Officer for the Calendar Year 2020.

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 December 17, 2019 at the Municipal Building, 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 P.M.

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 89 - 2019

Purpose: Establishing the salary ranges of the Egg Harbor Township Municipal Utilities Authority commencing January 1, 2020

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; and

WHEREAS, the Authority was created by an ordinance duly adopted by the Township Committee of the Township of Egg Harbor (Township) on September 9, 1964; and

NOW THEREFORE, be it resolved the Salary Administration Policy of the Authority authorizes an annual increase on January 1st of each year increasing the salaries and the salary ranges of the Authority employees by the same percentage that the township increases the non-contractual employees on January 1st. The township's non-contractual employees will receive an increase for 2020 in the amount of 2% and therefore the Authority employees will receive the same increase. The following rates and ranges shall be in effect until changed by a subsequent resolution of the Authority. Commencing January 1, 2020 the salaries and salary ranges for all Authority Employees, both full time and part time, shall be increased by 2%.

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 the 17th day of December, 2019 at the Municipal Building, 3515 Bargaintown Road, Egg Harbor Township, New Jersey at 5:30 PM.

Theresa Prendergast, Secretary

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
Closed Session**

RESOLUTION # 90 – 2019

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:

VDA Investments

Somdev

Wedgewood Drive

Somerset Development

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: December 17, 2019

Theresa Prendergast
Secretary