

Regular Meeting ~ Agenda
Tuesday, February 16, 2021
5:30 PM

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

Meeting Location
Virtual Meeting - Zoom.us
Meeting ID # 986 7852 1132

Opening Statement Pursuant to the Open Public Meetings Act

Roll Call & Flag Salute

2021 Reorganization

- a. Resolution # 7 - 2021 ~ Appoint positions of commissioners
- b. Resolution # 8 - 2021 ~ Appoint legal firm
- c. Resolution # 9 - 2021 ~ Appoint engineering firm
- d. Resolution # 10 - 2021 ~ Appoint auditing firm
- e. Resolution # 11 - 2021 ~ Appoint risk management consultant
- f. Resolution # 12 - 2021 ~ Set meeting dates & time
- g. Resolution # 13 - 2021 ~ Designate official newspapers

General Public Discussion

Applications / Project Status

- ~ Resolution #14 – 2021
Block 401, Lot 1-6, 20 [Delilah & Westcoat Roads)
Airport Business Center

Engineer Report

- ~ Resolution # 15 – 2021 [Certification of Funds]
Lyons Court repairs

Treasurer's Report

- ~ Resolution # 16 – 2021
Approve Bill List [Operating Account]
- ~ Resolution # 17 – 2021
Approve Bill List [Developer Account]

Administrative Report

- ~ January 2021 minutes
- ~ Resolution # 18 – 2021
January 2021 Adjustments

Other Business (not listed on the Agenda)

Closed Session

- ~ Resolution # 19 – 2021

Adjournment

Formal action may or may not be taken.

February 16, 2021
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.

This meeting was held electronically in accordance with Open Public Meetings Act NJSA 10:4-6 et seq, and in consideration of Executive Order #103, declaring a State of Emergency and Public Health Emergency.

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|-------------------|--|---------|
| 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.

Reorganization

~ Resolution # 7 – 2021

Motion Mr. Schwemm, second Mr. Pfrommer to re-appoint the positions of commissioners. There is no change to the current positions. All voted yes.

~ Resolution # 8 – 2021

Motion Mr. Schwemm, second Mr. Pfrommer to appoint Ridgway Legal to a one (1) year term to serve as the Authority's Solicitor. All voted yes.

~ Resolution # 9 – 2021

Motion Mr. Schwemm, second Mr. Pfrommer to appoint Polistina & Associates to a one (1) year term to serve as the Authority's Engineer. All voted yes except Mrs. Prendergast who abstain due to a conflict of interest.

~ Resolution # 10 – 2021

Motion Mr. Schwemm, second Mr. Pfrommer to appoint Ford Scott & Associates as the Authority's Auditor. All voted yes.

~ Resolution # 11 – 2021

Motion Mr. Schwemm, second Mr. Pfrommer to appoint CJ Adams Company to serve as the Risk Management Consultant. The Consultant's fee is paid by the JIF. All voted yes.

~ Resolution # 12 – 2021

Motion Mr. Schwemm, second Mrs. Prendergast to continue meeting on the 3rd Tuesday of each month at 5:30pm at the Egg Harbor Township Community Center, 5045 English Creek Avenue. If a Work Session is required, it shall be held on the 1st Tuesday of the month. All voted yes.

~ Resolution # 13 – 2021

Motion Mr. Schwemm, second Mrs. Prendergast to designate The Press of Atlantic City and The Mainland Journal as the official newspapers of the Authority. All voted yes.

Chris Schwemm was recognized for his 40 years of continued service as a Commissioner to the Authority. His commitment and dedication to the Authority in his role of Authority Treasurer for the duration of his service is greatly appreciated.

General Public Discussion

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

Applications / Project Status

~ Resolution #14 – 2021 Airport Business Center (Phase I – Hotel)

Block 401, Lots 1-6, 20 [Delilah & Westcoat Roads]

Representatives Present: Leo Schoffer, Jack Plackter, Michael Dibble

Mr. Polistina presented a map showing the location of the existing sewer lines in Delilah Road to which this project will connect. The extension was completed in the late 1990's, however the sewer main has not been used. Capacity is currently available for the proposed 110-room hotel. Mr. Schwemm made a motion to grant approval of the Preliminary Extension Application with conditions requiring a successful air test and a video inspection to be completed. The applicant will be responsible for addressing any issues or repairs that may need addressed. All voted yes.

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

~ Resolution #15 – 2021 [Certification of Funds]

Lyons Court Pump Station Repairs – Contract #124

Informal proposals were received for the needed repairs. Motion Mr. Schwemm, seconded by Mr. Pfrommer to authorize B & H Construction to complete the repairs at a cost of \$8,000.00. All voted yes.

Caprioni Family Septic has been non-responsive on three different occasions requiring the Authority to utilize an outside contractor to assist with jetting and by-pass pumping. If they are unable to comply with the terms of the contract, the Authority is forced to seek assistance elsewhere.

Mr. Polistina reported that the plans submitted for the proposed Baybreeze Village extension have been reviewed with the comments being provided back to the applicant. It is anticipated that revised plans will be received in time for a follow up review ahead of the March MUA meeting. It is anticipated that representatives from Baybreeze Village will be in attendance at that meeting to discuss the project as well as the funding.

Received February 16th was the formal notification from FEMA approving \$927,271.00 towards the proposed project to eliminate the Miami Pump Station.

Treasurer

~ Resolution #16 – 2021 [Operating Account Bill List]

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

~ Resolution #17 – 2021 [Developer Account Bill List]

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

Budget Update – The budget introduction presented in September 2020 by Mr. Schwemm included a change in the fund balance of -\$521,149.00. It has been recently discovered that that amount should have read -\$751,649.00. In preparation of the 2021 Budget, the State had requested that some of the line items be split to better separate various expenses and in doing so, a formula used was not inclusive of all the line items. The budget submitted to the State included the correct amount, therefore no formal action is required.

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

Administrative

Mr. Schwemm made a motion, seconded by Mrs. Moschetto, to approve the January 2021 meeting minutes. All voted yes.

~ Resolution #18 – 2021 [Adjustments]

Motion made by Mrs. Moschetto, seconded by Mr. Schwemm to approve the January 2021 account adjustment. All voted yes.

~ Resolution #19 – 2021 [Closed Session] 6:14 PM

Motion made by Mr. Pfrommer, seconded by Mrs. Moschetto to enter into closed session to discuss the status of the Wedgewood Drive damage as well as the Lakeside Pump Station force main easement. The minutes of the closed session will be released once the items discussed have been resolved. All voted yes.

Return to Open Session - 6:21 PM

No formal action was taken during the closed session.

Mr. Schwemm made a motion authorizing Mr. Ridgway to make a settlement with Harry Davidson in regards to the Wedgewood Drive issue. This was seconded by Mrs. Moschetto and all voted yes.

The March meeting is expected to be held in person at the Egg Harbor Township Community Center, 5045 English Creek Avenue, Egg Harbor Township, NJ.

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

Theresa Prendergast, Secretary

Prepared by Elaine Super, Authority Clerk

Date Approved: March 16, 2021

Engineer's Report
Egg Harbor Township MUA
February 16, 2021

Engineering Projects

1. **Emergency Maintenance Contract**

Arthur Henry completed a repair to a damaged cleanout tee earlier this month at 10 Tudor Avenue.

The billing information has not yet been received.

2. **ACUA Contract Administration**

The ACUA maintenance reports have been normal over the past month. There are currently five (5) stations operating with a single pump due to various causes. Pump No. 2 from the Dogwood station was removed from service and sent to AC Schultes due to a mechanical failure. The work should be covered by the repair warranty.

We are waiting for the repair quote from AC Schultes for the pump from the Island Inn station that was sent in last month.

Pump No. 2 at the Lyons Court station is still out of service due to the hole in the discharge piping. We received quotes to complete the replacement of both discharge piping risers. A report of bids will be provided at the meeting.

The ACUA previously reported that Pump No. 2 at the Old Zion station was not seating properly so we obtained quotes for a contractor to clean and inspect the wet well and determine the cause of the problem. DiMeglio Septic was the low bidder and completed the cleaning and inspection work earlier this month. They found that the discharge piping and pump connections have deteriorated, affecting how the pumps seat in place. They have recommended that the internal discharge piping and pumps be replaced along with the guide rails and associated connections.

B&H Contracting completed the repair of the discharge piping at the Reega pump station last month. They replaced the coupler parts which have deteriorated due to the sewer gases.

B&H Contracting also completed the installation of the bypass adapter at the Fountain Lakes station last month. We are still determining the best method to upgrade the pumping capacity at the station. The single-phase electrical service provides for limited options.

The Whitewater pump has been returned from being repair. The repair work was covered by warranty.

3. **Wet Well Cleaning Contract Administration**

Caprioni Family Septic completed the normally scheduled basket and wet well cleanings within the past month. They provided maintenance line jetting at various locations through the Township selected by the Authority Operator. Caprioni also assisted with pumping down the well at the Fountain Lakes station.

Caprioni cleaned two Linwood wet wells last month and performed maintenance jetting at a few locations. They also assisted with root removal at 313 Melody Lane and 116 Cheltenham Avenue.

We have recommended a payment in the amount of \$12,356.25 from the Operating Account for the work completed in January.

4. **Spills**

There were no spill incidents within the last month.

5. **Delancy / Hingston Generator Replacements**

All of the new generators have been installed at the three pump station locations. They have all been tested and put into service. We are finalizing some minor punchlist items and expect final payment to be issued at next month.

There are no payments due at this time.

6. **Old Zion Pump Station Cleaning & Inspection**

The contractor for the project, DiMeglio Septic, completed the cleaning of the wet well and performed the request inspection of the wet well earlier this month. They found the internal discharge piping, base elbows and guide rail piping to be in poor condition and recommended they be replaced. Our office is in the process of reviewing the submitted information to determine the scope of the proposed improvements needed.

We have recommended a payment in the amount of \$5,248.00 for the work completed.

7. **WillowBrook Pump Station**

Our office is in the process of preparing the design plans to replace the existing base elbows and pumping equipment due to the constant clogging issues we are currently experiencing. We expect to have plans ready for bid within the next month.

8. **Lyons Court**

Our office solicited for quotes to replace the existing discharge piping which has deteriorated and created a hole in one pipe. A report of bids will be provided at the meeting.

9. Farmington East

Our office is finalizing the CAFRA application for the project and we plan to submit the application later this month.

10. Miami Pump Station Elimination

We are awaiting the formal written approval from FEMA and the NJOEM office regarding the increase in the allocated funding amount. Once received we anticipate having the project out for bid within a few weeks.

11. FAA Pump Station Relocation

Our office expects to receive the authorization to proceed with the advertisement and public bidding of the project within the next few weeks.

12. 153 Bevis Mill Road

We received the final repair and road restoration billing from Perna Finnigan for the work completed at 153 Bevis Mill Road in December and January.

We have recommended a payment in the amount of \$65,529.12 for the work completed.

Developer Projects

Extension Applications

None

Connection Applications

1. Randy Portnov

The applicant is proposing to construct a new single-family dwelling at 6517 Mill Road and utilize the existing sanitary lateral.

Change of Use Applications

1. Alison Kurtz - Chipotle Mexican Grill

The applicant has proposed to renovate the former Burger King located off of Tilton Road and re-utilize the 2,900 square foot building as a Chipotle Mexican Grill.

2. Tim Weigand - The Botanist

The applicant is proposing to additional interior plumbing modifications to the existing facility which is operated as a medicinal cannabis facility by Compassionate Care Foundation. The amount of water utilized at the facility is expected to increase, increasing their wastewater discharge.

Vince Polistina
Authority Engineer

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
RESOLUTION # 7 - 2021**

BE IT RESOLVED by the Egg Harbor Township Municipal Utilities Authority that **Michael Duffy** shall preside as Chairman, **Charles Pfrommer** shall preside as Vice Chairman, **Henry C Schwemm** shall preside as Treasurer, **Theresa Prendergast** shall preside as Secretary, **Charles Pfrommer** shall preside as Assistant Secretary, **Theresa Moschetto** shall preside as 2nd Assistant Secretary and **Anthony DiDonato** shall preside as the Alternate Commissioner.

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

Dated: February 16, 2021

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 8 - 2021

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

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

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

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

1. That **Ridgway Legal** be and hereby is appointed to provide legal services for the Authority with said terms to commence March 1, 2021 and expire February 28, 2022.
2. That **Ridgway Legal** shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all legal issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

Dated: February 16, 2021

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION #9 - 2021

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

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

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

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

1. That **Polistina & Associates**, be and hereby is appointed to provide engineering services for the Authority with said terms to commence March 1, 2021 and expire February 28, 2022.
2. That **Polistina & Associates** shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all engineering issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

Dated: February 16, 2021

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 10 – 2021

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

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

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

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

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

1. That **Ford Scott & Associates, LLC**, be and hereby is appointed to provide auditing services for the Authority with said terms to commence March 1, 2021 and expire February 28, 2022.
2. That the auditing firm shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all accounting issues and the preparation of the budget and annual audit.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

Dated: February 16, 2021

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 11 - 2021

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

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

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

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

1. That **Timothy W. Tighe, C.J. Adams Company**, be and hereby is appointed as the Risk Management Consultant for the Authority with said terms to commence March 1, 2021 and expire February 28, 2022.
2. That the Risk Management Consultant shall be available as consultant to the Commissioners of the Authority and render such assistance as may be necessary for all insurance issues.
3. That this contract is awarded as a "Professional Service" contract, under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.
4. That a certified copy of this Resolution be forwarded to the Director of the Division of Local Government Services of the State of New Jersey.
5. That a certified copy of this Resolution be published in The Press of Atlantic City and the Mainland Journal, as required by law within ten (10) days of its passage.
6. That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein.

Dated: February 16, 2021

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 12 - 2021

BE IT RESOLVED by the Egg Harbor Township Municipal Utilities Authority that the Regular Meeting of the Authority shall be held on the third Tuesday of each month. All meetings will begin promptly at 5:30 P.M. in the Egg Harbor Township Community Center – Multipurpose Room, 5045 English Creek Avenue, Egg Harbor Township, New Jersey.

BE IT FURTHER RESOLVED, work sessions, if needed, may be on the first Tuesday of each month or as otherwise specified by the Authority, at 5:30 P.M.

Dated: February 16, 2021

Theresa Prendergast, Secretary

EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION # 13 - 2021

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

Dated: February 16, 2021

Theresa Prendergast, Secretary

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 14 of 2021**

**Applicant: Schoffer Enterprises
Project: Airport Business Center
Delilah Road and Westcoat Road
Block 401, Lots 1-6, 20
EHTMUA Application #20-18**

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.

Schoffer Enterprises is the applicant for the project known as the Airport Commerce Center located at the intersection of Delilah Road and Westcoat Road. The overall plans show a mixed-use business center which is to be completed in five (5) phases and will include various commercial uses. The subject property is Block 401, Lots 1 – 6 and 20.

The applicant has only applied for Phase 1 of the project in conjunction with application #20-18 for a proposed 111-room hotel which is to be located at the corner of Delilah Road and Westcoat Road.

At the regularly scheduled meeting of the Authority conducted electronically on February 16, 2021, the applicant’s request for Preliminary Approval was heard. The applicant and applicant’s representatives Leo Schoffer, Jack Plackter, Esquire and Michael Dibble, P.E. were in attendance. At that time, the Authority was presented with plans, specifications and other information concerning the application as set forth below and as otherwise provided in the application materials and the Memorandum of the Authority’s Engineers, Polistina & Associates

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
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dated February 11, 2021. A copy of the Engineer's Report is attached and incorporated into this Resolution by reference. Likewise, the details and specifications of the plans submitted by the Applicant to the Authority at the time of the hearing are incorporated into this Resolution by reference.

FACTS PRESENTED

The applicant is proposing to connect to an existing sanitary sewer main which was previously constructed in the late 1990's along Delilah Road to Westcoat Road. The applicant has provided documentation with the preliminary application that indicates that the sewer line was satisfactorily installed and tested.

The anticipated flow from the project will be conveyed through the existing EHTMUA sewer mains along Delilah Road to the existing EHTMUA Delilah pump station. Based on the New Jersey Department of Environmental Protection (NJDEP) flow criteria of 75 gallons per day (gpd) per room, the proposed flow will be 8,325 gpd. The Delilah station pumps the flow through the Offshore Commercial Park and Atlantic City Expressway right-of-way and discharges the flow to the existing EHTMUA collection system south of the Expressway. The existing collection system conveys the flow to the EHTMUA Woodrow pump station. The Woodrow station pumps the flow to the Washington Avenue interceptor and it is ultimately discharged to the Atlantic County Utilities Authority in the City of Pleasantville.

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

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
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The conveyance system along Delilah Road, downstream pump stations, force main, and Washington Avenue interceptor all have capacity to handle the proposed sanitary sewer flow which will be generated from the hotel.

The sanitary sewer in Delilah Road and all downstream facilities were previously constructed. As all off-site sewer has been constructed and the connection to the sewer will be completed by the applicant, the project is feasible as designed.

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 four (4) improved properties located within the 200-foot radius of the project site, detailed as follows:

Block 101, Lot 9: FAA Technical Center property which is connected to public sewer.

Block 401, Lot 7: Multiple condominium units which are connected to public sewer.

Block 414, Lot 9: Existing home which fronts on Delilah Road in the vicinity of the project.

Block 415, Lot 3: Existing business which fronts on Delilah Road in the vicinity of the project.

Block 414, Lot 9 and Block 415, Lot 3 are not currently connected to the public sanitary sewer system.

Decisions regarding connection of these properties will be made in conjunction with final application.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
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Based on the plans provided, the acquisition of a utility easement is not required by the Authority for the construction of the proposed sanitary sewer facilities. All of the proposed facilities to be located on-site will be privately owned.

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

The Authority Engineer is not aware of any recapture agreements to which the proposed development would be subject.

The Commissioners discussed measures to ensure the existing line is acceptable. The Authority Engineer recommended an air test and video inspection.

The Authority Engineer recommended that the application be granted Preliminary Approval conditioned on a successful air test and video inspection be completed of the existing sanitary sewer line.

AUTHORITY ACTION

Based upon the above facts developed at the time of the hearing and as otherwise set forth in the application materials, Commissioner Schwemm made a motion to grant Preliminary Approval of the application and Commissioner Prendergast seconded the motion conditioned on a successful air test and video inspection be completed (the "Approval Conditions"). The Commissioners voted unanimously in favor of granting Preliminary Approval subject to the Approval Conditions as follows:

Chairman Duffy:

Affirmative

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 14 of 2021**

**Applicant: Schoffer Enterprises
Project: Airport Business Center
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|---------------------------|------------------------------|
| Vice-Chairman Pfrommer: | Affirmative |
| Commissioner Schwemm: | Affirmative |
| Commissioner Prendergast: | Affirmative |
| Commissioner Moschetto: | Affirmative |
| Commissioner DiDonato: | No vote- Acting as Alternate |

CONDITIONS AND LIMITATIONS OF AUTHORITY ACTION

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

1. A preliminary sewerage application is limited only to determining the feasibility aspects of the proposed sewerage project.
2. Preliminary approval is not an allocation of sewerage capacity nor authorization to commence construction. The Applicant will not receive a final sewerage allocation until final approval by the Authority is granted, and the State of New Jersey, Department of Environmental Protection (NJDEP) reviews the Treatment Works Application and thereafter executes and issues a permit. Finally, the Applicant shall not begin any sewerage construction until the Authority issues a final permit which only occurs after the NJDEP permit is issued to the Authority.
3. If the sewer extension or other relief requested in the application is in any way contingent upon construction of other sewerage facilities by the Applicant herein or Applicants or developers, and these other facilities fail to come into fruition, the Authority reserves the right to deny final approval.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 14 of 2021**

**Applicant: Schoffer Enterprises
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Block 401, Lots 1-6, 20
EHTMUA Application #20-18**

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

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

6. 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.

In addition to the above, the Authority reserves the right to administratively amend, suspend or revoke the above action through the Authority Clerk in the event of any of the following:

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 14 of 2021**

**Applicant: Schoffer Enterprises
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Delilah Road and Westcoat Road
Block 401, Lots 1-6, 20
EHTMUA Application #20-18**

- A. A material change of any plan(s) submitted by the Applicant.
- B. Local, County, State or Federal law, plan, regulation, agreement, assessment, obligation or other matter which directly or indirectly affects this project, the sewer plan, capacity, feasibility, the number of building units, or the Authority's action concerning the project.
- C. Any moratorium or other State, County or local action preventing the approval.
- D. Any action outside of the control of the Authority which affects the capacity and feasibility of the Applicant's proposed developments. This includes the denial of an easement or other access right necessary for the routing or placement of sewer improvements as set forth in the application materials.
- E. The approval is specifically subject to and conditioned upon the permitting and approval of the plans and the development by the Atlantic County Utilities Authority and the New Jersey Department of Environmental Protection.
- F. Authority preliminary 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.
- G. Any and all "downstream" or other required sewage facilities within or outside the control of the Applicant, must be permitted and constructed prior to the Applicant taking any action in connection with the development.
- H. Notwithstanding the approval, the Applicant must still comply with all rules and regulations of the Authority and Egg Harbor Township, and shall be required to pay all

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 14 of 2021**

**Applicant: Schoffer Enterprises
Project: Airport Business Center
Delilah Road and Westcoat Road
Block 401, Lots 1-6, 20
EHTMUA Application #20-18**

applicable fees, assessments or service charges to the appropriate governmental agency including the appropriate sewer connection fee(s).

- I. It is the Applicant's responsibility to determine whether this project is subject to a prior developer's repayment agreement rights. In the event such repayment agreements are involved, all applicable fees must be paid prior to the Applicant taking further action.
- J. An Applicant that disagrees with the Authority's actions as set forth in this Resolution or in connection with an application shall have the right to seek reconsideration of the Authority's action. Reconsideration must be sought by submitting written notice of the request for reconsideration to the Authority Clerk within thirty (30) days of the Authority action together with a detailed report stating what actions are challenged and setting forth the Applicant's basis for disagreeing with the Authority's actions. All facts, plans, information, statements and reports of professionals supporting the request must be submitted to the Authority at the time the request is made. The Authority will act upon such reconsideration requests within sixty (60) days of receipt of the Applicant's request for reconsideration and report. The Applicant's failure to request reconsideration within the thirty (30) days set forth above shall constitute an acceptance of the Authority's action.

**EGG HARBOR TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
PRELIMINARY SEWERAGE EXTENSION APPLICATION
RESOLUTION # 14 of 2021**

**Applicant: Schoffer Enterprises
Project: Airport Business Center
Delilah Road and Westcoat Road
Block 401, Lots 1-6, 20
EHTMUA Application #20-18**

I, Charles Pfrommer, Assistant 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 on the 16th day of March, 2021.

Charles Pfrommer, Assistant 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 | February 16, 2021 |
| Resolution # | 15 – 2021 |
| Contract # | #124 -- Lyons Court |
| Vendor | B & H Contracting, Inc |
| Amount | \$ 8,000.00 |
| Reason | Removal and replacement of discharge pipe |
| Time Period | 2021 |
| Budget Line Item | Repair & Maintenance |

Henry C. Schwemm, Treasurer

Theresa Prendergast, Secretary

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 16 – 2021

Resolution authorizing payment of all bills out of the Operating Account

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

Dated: February 16, 2021

Theresa Prendergast, Secretary

Egg Harbor Township Municipal Utilities Authority

Checks Written - Operating Account

As of February 16, 2021

| Operating Account | Num | Name | Memo | Amount |
|-------------------------|-------|---------------------------------------|--|----------------------|
| | | | March Payroll | -41,355.39 |
| | TEPS | State of NJ Health Benefits | Health & Rx - January 2021 | -14,896.33 |
| | 11263 | Egg Harbor Township - Dental | Dental Benefits - February 2021 | -601.12 |
| | 11264 | Allen J Gilson | Refund Account # 9718-0 | -170.00 |
| | 11265 | Shellpoint Mortgage | Refund Account # 1038-0 | -170.00 |
| | 11266 | American Water Capital Corp | Customer No. 305657 | -299.96 |
| | 11268 | Daily Journal, The | Acct. # 248466 | -112.74 |
| | 11269 | Egg Harbor Township - Office Rent | Office Rent - Feb-April 2021 | -12,500.00 |
| | 11270 | Mossman's Business Machines | Invoice # 10098 | -21.13 |
| | 11271 | Office Basics, Inc. | Acct. # 09272303 | -10.24 |
| | 11272 | Press of Atlantic City, The | Acct. # 8000571 | -97.44 |
| | 11273 | Staples Business Advantage | Customer: PHL 1057418 | -390.35 |
| | 11274 | TD Wealth Operations | Invoice # 81-1780-80-8 | -3,500.00 |
| | 11275 | US Postal Service- stamps & envelopes | Account # E87177845 | -11,487.10 |
| | 11276 | W.B. Mason Co., Inc. | Customer No. C2165338 | -14.69 |
| | 11277 | Water Pros, LLC | Invoice # 1624 | -540.00 |
| | 11278 | ACE Hardware | Customer #552303 | -116.33 |
| | 11279 | Arthur R. Henry, Inc. | 153 Bevis Mill Rd - Repair cleanout and lateral - Fin. | -10,000.00 |
| | 11280 | Atlantic County Utilities Authority | Account No. 143/144 | -684,984.00 |
| | 11281 | Caterina Supply, Inc. | Invoice # 186832 | -2,305.40 |
| | 11282 | City of Somers Point | Line Rental: 2020 | -12,900.00 |
| | 11283 | DiMeglio Septic, Inc. | Old Zion PS Wet Well Clean & Inspect | -5,248.00 |
| | 11284 | Egg Harbor Township - Fuel Usage | Fuel Usage 01/01/20 - 12/31/20 | -6,408.18 |
| | 11285 | GenServe, Inc. | Invoice # 0224683-IN | -520.00 |
| | 11286 | One Call Concepts, Inc. | Account # 12-EGC | -721.40 |
| | 11287 | Quality Controls, Inc. | Invoice # 53558 | -1,687.60 |
| | 11288 | Xylem Dewatering Solutions, Inc. | Invoice # 401065796 | -365.44 |
| | 11289 | AT & T | Acct. # 020 595 7994/5499 | -52.51 |
| | 11290 | Atlantic City Electric | multiple accounts | -20,864.37 |
| | 11291 | New Jersey American Water Co. | multiple accounts | -732.97 |
| | 11292 | South Jersey Gas | multiple accounts | -540.95 |
| | 11293 | Verizon | Acct. #550-790-961-0001-97 | -75.05 |
| | 11294 | Verizon Wireless | Acct. # 200702280-00001 | -242.20 |
| | 11295 | Atlantic County Utilities Authority | Account No. 143/144 | -86,011.55 |
| | 11296 | Caprioni Family Septic | Account # 1448 | -12,356.25 |
| | 11297 | Perna Finnigan, Inc. | 153 & 154 Bevis Mill Road | -65,529.12 |
| | 11298 | Atlantic County Utilities Authority | Account No. 143/144 | -15,905.16 |
| | 11299 | Polistina & Associates, LLC | January 2021 | -44,238.50 |
| | 11300 | Ridgway Legal | January 2021 | -13,558.50 |
| | 11305 | B & H Contracting, Inc. | Fountain Lakes PS/Reega PS | -12,665.00 |
| Total Operating Account | | | | -1,084,194.97 |
| TOTAL | | | | -1,084,194.97 |

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 17 – 2021

Resolution authorizing payment of all bills out of the Developer Account

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

Dated: February 16, 2021

Theresa Prendergast, Secretary

7:42 AM

02/16/21

Accrual Basis

EHTMUA

Checks Written - Developer Account

As of February 16, 2021

| <u>Num</u> | <u>Name</u> | <u>Memo</u> | <u>Amount</u> |
|--------------------------|--------------------------|--------------|------------------|
| Developer Account | | | |
| 3402 | Polistina and Associates | January 2021 | -2,143.00 |
| | Total Developer Account | | -2,143.00 |
| TOTAL | | | -2,143.00 |

**EGG HARBOR TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY**

RESOLUTION # 18 – 2021

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.

- January 2021 Adjustments

Dated: February 16, 2021

Theresa Prendergast, Secretary

Egg Harbor Township Municipal Utilities Authority

Monthly Adjustment Report

January 2021

| Date | Account | Reason | Amount |
|---------------------------|---------|---------------------------------|--------|
| Delinquent Charges | | | |
| 01/09/2021 | 5428-0 | Paid Tax Collector | -0.71 |
| 01/13/2021 | 1915-0 | Good History | -2.55 |
| 01/13/2021 | 2255-0 | Good History | -2.55 |
| 01/13/2021 | 2030-0 | Good History | -2.55 |
| 01/13/2021 | 2424-0 | Good History | -2.55 |
| 01/13/2021 | 5428-1 | Posting Error | -0.83 |
| 01/13/2021 | 5428-2 | Post Office Error/ Lost in Mail | -0.83 |
| 01/13/2021 | 12971-0 | Deed/New Owner | -2.55 |
| 01/13/2021 | 1702-0 | Delayed Deed | -2.55 |
| 01/14/2021 | 2502-0 | Good History | -2.55 |
| 01/14/2021 | 9470-0 | Good History | -2.55 |
| 01/14/2021 | 7343-0 | Death in Family | -2.55 |
| 01/15/2021 | 10912-0 | Deed/New Owner | -2.55 |
| 01/15/2021 | 4971-0 | Good History | -2.55 |
| 01/19/2021 | 13379-0 | Good History | -2.55 |
| 01/19/2021 | 8513-0 | Good History | -2.55 |
| 01/19/2021 | 4197-0 | Good History | -2.55 |
| 01/19/2021 | 8598-0 | Good History | -2.55 |
| 01/20/2021 | 9013-0 | Death in Family | -2.55 |
| 01/20/2021 | 970-0 | Bill Not Received | -2.55 |
| 01/21/2021 | 10228-0 | Wrong Address | -2.55 |
| 01/21/2021 | 10904-0 | Good History | -2.55 |
| 01/22/2021 | 2420-0 | Bill Not Received | -2.55 |
| 01/22/2021 | 10580-0 | Delayed Deed | -2.55 |
| 01/22/2021 | 8994-0 | Good History | -2.55 |
| 01/25/2021 | 6312-0 | Delayed Deed | -2.55 |
| 01/25/2021 | 5580-0 | Good History | -2.55 |
| 01/26/2021 | 2532-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 657-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 12358-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 9958-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 11744-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 2057-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 6472-0 | Delayed Deed | -2.55 |
| 01/26/2021 | 11217-0 | Delayed Deed | -2.55 |
| 01/27/2021 | 11125-0 | Delayed Deed | -2.55 |
| 01/27/2021 | 12297-0 | Good History | -2.55 |
| 01/28/2021 | 12353-0 | Delayed Deed | -2.55 |
| 01/28/2021 | 9635-0 | Post Office Error/ Lost in Mail | -2.55 |
| 01/29/2021 | 6886-0 | Fire Damage | -2.55 |
| Return Check Fee | | | |
| 01/22/2021 | 5122-0 | Bank Account Compromised | -20.00 |
| 01/28/2021 | 2975-0 | Bank Error | -20.00 |

Egg Harbor Township Municipal Utilities Authority

Monthly Adjustment Report

January 2021

| | <u>Date</u> | <u>Accout</u> | <u>Reason</u> | <u>Amount</u> |
|---------------------------|-------------|---------------|------------------------|---------------|
| User Charges | | | | |
| Commercial Excess | | | | |
| | 01/01/2021 | 7429-0 | Non Profit - Twp Owned | -46.00 |
| | 01/01/2021 | 9207-0 | Non Profit - Twp Owned | -51.75 |
| | 01/01/2021 | 10820-0 | Non Profit - Twp Owned | -626.75 |
| | 01/01/2021 | 12793-0 | Non Profit - Twp Owned | -57.50 |
| Commercial Minimum | | | | |
| | 01/01/2021 | 6624-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 7134-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 7429-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 9179-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 9207-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10390-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10391-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10748-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10817-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10818-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10819-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 10820-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 11425-0 | Non Profit - Twp Owned | -85.00 |
| | 01/01/2021 | 12793-0 | Non Profit - Twp Owned | -85.00 |
| Residential | | | | |
| | 01/01/2021 | 11669-0 | Fire Damage | -170.00 |
| | 01/27/2021 | 6597-0 | Cut and Capped | -151.22 |
| | 01/29/2021 | 6886-0 | Fire Damage | -143.70 |

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

RESOLUTION # 19 – 2021

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:

Wedgewood Litigation

Nature Preservation Council – Threat of Litigation

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: February 16, 2021

Theresa Prendergast
Secretary