

LEBANON BOROUGH SEWERAGE AUTHORITY
MINUTES
JANUARY 7, 2010

The meeting of the LEBANON BOROUGH SEWERAGE AUTHORITY was called to order by Chairman Edward Cichone at 5:30 PM in the 3RD Floor Conference Room in the Round Valley Executive Center, 3 Werner Way, Lebanon NJ..

MEMBERS PRESENT: Edward Cichone, Richard Burton, William Lachenmayr and Leona Burton. John Saharic arrived at 5:55PM

Also present: Attorney Joseph Novak, Engineer Jim Hill, Auditor William Colantano (Mr. Colantano had to leave at 6:20) and Secretary Susan Woods

The meeting was convened in compliance with the Open Public Meetings Act – newspapers were notified of the change of time and a notice was posted at Boro Hall.

APPROVE MINUTES

Mr. Burton moved and Mrs. Burton seconded the motion approving the minutes of the December 2009 meeting. Motion carried.

COACH HOUSE LLC ~ BLK 6 LOTS 14 & 14.01

Alex Patullo present.

Mr. Patullo has submitted a complete application for 2 additional sewer units and the modification of the residential units on both lots.

Mr. Novak noted that the Boro is under an obligation to provide Affordable Housing. Mr. Patullo will discuss the possibility with the Planning Board.

Mr. Burton moved and Mr. Lachenmayr seconded the motion granting the 2 additional residential sewer units based on the plan submitted showing 1 additional residential unit but fewer bedrooms in other units. Motion carried.

ROUND VALLEY INDUSTRIAL BLDG ~ BLK 5 LOT 39.01

Mr. & Mrs. Arthur Bogut present and Mr. Robert Schwartz, Realtor

Mr. Bogut has 23 sewer units (4,600 gpd) The building has a square footage of 35,000 used for office, warehousing and manufacturing. There are 6 rental spaces each with 1 or 2 bathrooms. Mr. Bogut stated that the parking lot was never full, average number of people at one time is 30. The building is fully occupied, there is only 1 shift. Mr. Bogut wanted to return some sewer capacity to the LBSA as he considered he had more than the site required.

Mr. Hill noted that if there were a high density unit it would limit other tenants. Under the current regulations 1 gallon per sq foot is required; therefore no more than 5 sewer units should be returned.

Mr. Bogut was not satisfied, he had hoped to give back more than 5 units. He also wanted the units to go to JDN; but the members could not promise that, once it is returned to the Authority it is the Authority's decision as to how it is allocated.

Mr. Hill was not comfortable with agreeing to his giving up more than 5.

Mr. Novak stated that there was no way to inform a potential owner that there is a limit on the capacity; a new owner may not be as vigilant as Mr. Bogut in the type of tenants using the building and might regret the lesser capacity if it is returned. Any return must be on the conservative side.

If Mr. Bogut wishes to give up 5 sewer units the request must be in writing; he has the right to hire a professional if he so wishes. Upon receipt of Mr. Bogut's letter an Agreement will be drawn up.

JDN PROPERTIES ~ BLK 2 LOTS 9, 10 & 11

Present on behalf of JDN: Mark Breitman, Esq., Steven Parker, P.E., and Robert Schwartz, Realtor

Mr. Breitman stated that the deed of consolidation of the lots would be filed shortly.

PHASE I – the main building - Metropolitan Seafood, a Pizzeria and a Dry Cleaners. An Agreement will be drawn up upon receipt of the filed Deed of Consolidation.

PHASE II – applicant plans on residential uses, some of which will be COAH. They do not know at this time how many residential units are planned.

If the 5 sewer units at RV Industrial Park become available JDN wants to purchase them.

Mr. Novak advised that a plan must be submitted to the LBSA before capacity is allocated.. Applicant plans to go before the Planning Board/Board of Adjustment this month.

Mr. Breitman stated that he needed capacity before he goes to the Planning Board. He was advised that the LBSA cannot allocate capacity without seeing a plan. Members would not commit to applying the Bogut units, if they are returned, to JDN

Mr. Hill suggested JDN's Engineer, Steve Parker, draw up a Site Capacity Analysis.

ENGINEER'S REPORT

- The Heat Tape Meter on Cokesbury Road is working.

- 5 Jennifer Court – Mr. Hill was called out to 5 Jennifer Ct. on Sunday Dec. 27, 2009 for a sewer backup. The owner Ms. Dickert had a problem back in September but had not notified the LBSA. She now has a tenant in the unit. Anytime Plumber was called on an emergency basis (he was the plumber used by Dickert in September).

Mr. Hill will talk with the HOA regarding the tree roots near the riser causing the blockage. Will need to review the original Easement Agreement to verify whose responsibility the issue belongs to. The pipe is good for now; tenants have been advised to flush often. A quote will be obtained from Oswald.

- Boro road projects to be reviewed at the February meeting.

USER RATES & CONNECTION FEE

Hearing tabled. Will republish notice, there was insufficient time to notice newspapers.
Hearing rescheduled for February 4, 2010.
No public present for the hearing.

RESOLUTION 10-01 ~ADOPT 2010 BUDGET

The Budget has been approved by the State.

Mr. Burton moved and Mr. Lachenmayr seconded the motion approving Resolution 10-01 as follows:

RESOLUTION NO. 10-01
ADOPTION OF 2010 BUDGET
Fiscal year: from January 1 to December 31, 2010

WHEREAS, the Annual Budget and Capital Budget/Program for the Sewerage Authority for the fiscal year beginning Jan. 1, 2010 and ending Dec. 31, 2010 has been presented for adoption before the governing body of the Sewerage Authority at its open public meeting of January 7, 2010; 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 \$ 580,508.00. Total Appropriations, including any Accumulated Deficit, if any, of \$ 668,577.00 and Total Unreserved Retained Earnings utilized of \$ 88,069.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital appropriations of \$ N/A and Total Unreserved Retained Earnings planned to be utilized \$ N/A; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Sewerage Authority, at an open public meeting held on January 7, 2010 that the Annual Budget and Capital Budget/Program of the Sewerage Authority for the Fiscal year beginning Jan. 1st, 2010 and ending Dec. 31st, 2010 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

Governing Body Members	AYE	<u>RECORDED VOTE</u>		
		NAY	ABSTAIN	ABSENT
E. Cichone	X			
R. Burton	X			
L. Burton	X			
W. Lachenmayr	X			
J. Saharic	X			

PUBLIC COMMENTS – NONE

KAPLAN/THE HEIGHTS AT LEBANON

The outstanding balance in the escrow account has not been paid after numerous requests. Mr. Hill spoke with the Construction Manager who has indicated that Kaplan plans on starting the next building in the Spring.

Mr. Novak advised that Mr. Hill should do nothing for Kaplan until the escrow has been paid.

BORO HALL

The LBSA will give notice to Construction Specialities that we will be leaving the building and moving back into Boro Hall by April 1st, 2010.

HIGH STREET RD OPENING

A meeting with Borough Officials and the Boro Hall contractors is scheduled for January 15, 2010 at 9:00 AM

EXPENDITURES

Mr. Burton moved and Mr. Saharic seconded the motion approving the following expenditures as shown. Motion carried on roll call vote – AYES: Mr. Cichone, Mr. Burton, Mr. Lachenmayr, Mr. Saharic and Mrs. Burton

GENERAL ACCT		EXPENSES	
10-001 LBSA	PAYROLL	\$4,067.07	
10-002 NJSHBP	HEALTH INS	\$1,463.01	
10-003 PETTY CASH ACCT	REIMBURSE ACCT	\$210.00	
10-004 RLSA	SEWER PLANT	\$23,081.50	
10-005 L BURTON	CONSULTANT	\$396.50	
10-006 CENTRAL MOVING	STORAGE OF FURNITURE	\$40.00	
10-007 VOID			
10-008 MSI	BILLING SYSTEM	\$1,410.00	
10-009 BROWN & BROWN	NSURANCE/WORKERS COMP	\$8,425.00	
10-010 RECOGNITION GRA.	PLAQUE	\$75.00	
10-011 MGL PRINTING	SEWER BILLS	\$470.00	
10-012 CONSTRUCTION.SPEC.	LEASE	\$770.00	
10-013 GANNETT NJ NEWSPAPERS	LEGAL ADS	\$186.64	
10-014 QUILL CORP.	OFFICE SUPPLIES	\$220.89	
10-015 TL YAGER & ASSOCS	ENGINEERING	\$8,177.00	
10-016 ANYTIME PLUMBING	EMERG. REPAIR	\$1,021.85	
10-017 CENTURY LINK	TELEPHONE	\$40.31	
	<u>TOTAL</u>	<u>\$50,056.17</u>	
ESCROW ACCT			
E10-01	T L YAGER & ASSOCS	JDN	\$1,526.00
E10-02	T L YAGER & ASSOCS	PIZZO	<u>\$2,257.50</u>
		<u>TOTAL</u>	<u>\$3,784.50</u>

ADJOURN

Mr. Lachenmayr moved and Mr. Saharic seconded the motion to adjourn the meeting. Motion carried.

Respectfully submitted by,

Susan J. Woods,
Secretary/Treasurer

CERTIFICATION: I hereby certify these to be true and correct copies of minutes as approved by the Commissioners at the meeting of _____.

_____,
Susan J. Woods, Secretary