

LEBANON BOROUGH SEWERAGE AUTHORITY

MINUTES

OCTOBER 3RD, 2013

The meeting of the LEBANON BOROUGH SEWERAGE AUTHORITY was called to order by Edward Cichone at 7:35 PM at the Boro Hall, 6 High Street, Lebanon NJ.

MEMBERS PRESENT: Chairman: Edward Cichone, Members: John Saharic and Gregory Crawford

Also present: Secretary Anita Weingart, James Hill, P.E. of Frey Engineering LLC, Joseph Novak of Novak and Novak LLC and William Colantano Jr., C.P.A.

The meeting was convened in compliance with the Open Public Meetings Act.

SEPTEMBER MINUTES

Mr. Saharic moved and Mr. Crawford seconded the motion approving the open and closed sessions of the September meeting. Motion carried – All AYES.

ENGINEER'S REPORT

Mr. Hill's report is on file.

Smoke test repairs are almost completed. Mr. Hill asks that we extend smoke test repairs to our next meeting.

Mr. Crawford motioned, Mr. Saharic seconded the motion to extend repairs until our next meeting. All Ayes: Motion Carried.

SPECIAL PROJECTS - Mr. Hill suggests metering for one to two months. For 2014 we should consider jet and video to analyze sections of the system not viewed in the last 3 years.

RLSA – Work is in progress on the trunk line.

PUBLIC ENTITY ADVOCATES (PEA)

Sharon Cooper, CIC, CPIW – Managing Partner with PEA gave a brief presentation on her company and the insurance services they provide. They specialize in Public Entities. Our account is small for JIF but suggests we should see quotes for comparison but the deductible may be higher. If there was a moment that there was no coverage, a claim would be covered under Brown and Brown's Error and Omissions policy. SASCO is in partnership with PEA. SASCO is a small agency in Hackettstown, NJ. If we decide to have insurance through PEA, we would need to sign it over to them by December 1st, 2013. We should have quotes by early December.

Renewals would be effective January 1st, 2014. Mrs. Cooper will provide the Broker of Record change form and get the quotes by the end of November. Selective policy quotes would be the same. By November meeting we should adopt a Resolution to change Risk Management Consultants. Mrs. Cooper will provide a timeline and a Resolution.

Motion to go into Executive Session to discuss Contractual Issues. Mr. Saharic moved and Mr. Crawford seconded. Motion Carried to enter into Executive Session.

EXPENDITURES

Mr. Saharic moved and Mr. Crawford seconded the motion approving the following expenditures as listed for October. Roll call vote -AYES: Mr. Saharic, Mr. Crawford and Mr. Cichone. All AYES -Motion Carried.

<u>GENERAL ACCT</u>		<u>EXPENSES</u>
13-105 PAYROLL ACCT	PAYROLL	\$4,908.92
13-106 DCP	RETIREMENT ACCT	\$101.60
13-107 RLSA	WATER TREATMENT	\$26,094.17
13-108 LEBANON BOROUGH	LEASE	\$1,300.00
13-109 JCP&L	HEAT TAPE	\$7.00
13-110 R&L DATACENTERS	PAYROLL SERVICE	\$96.50
13-111 NJ DIV REVENUE	ANNUAL REPORT	\$50.00
13-112 NJ STATE	CATASTROPHIC ILLNESS RATE, ETC.	\$747.50
13-113 TOBY BARKMAN	INV# 3284	\$5,150.00
13-114 ONE CALL CONCEPTS	INV#3085363	\$7.98
	TOTAL	\$37,282.40

<u>ESCROW ACCT.</u>		
FR06	LBSA REIMBURSEMENT	<u>\$680.00</u>
	TOTAL	\$680.00

NITZER – Resolution updated and ready to be adopted.

LEBANON BOROUGH SEWERAGE AUTHORITY
RESOLUTION NO. 13-18

WHEREAS, the Lebanon Borough Council, adopted Ordinance #80-8 on August 20, 1980, creating the Lebanon Borough Sewerage Authority (hereinafter LBSA) as a separate and distinct body corporate empowering the Authority with those Powers as enunciated to Sewerage Authorities in N.J.S.A. 40:14A-5 et seq.; and

WHEREAS, among those Powers granted by N.J.S.A. 40:14A-8, the LBSA was authorized to charge and collect rents, rates, feed or other charges for direct or indirect connection with, or the use or services of, the sewage system, owned, operated and/or maintained by the Sewerage

Authority; recognize various classes of users, and insure that connection charges for such classes be uniform within each class; and

WHEREAS, simultaneously with the creation of the LBSA, the Readington Lebanon Sewerage Authority (hereinafter RLSA) was created as a separate legal entity to construct, own and operate a sewage treatment facility providing sewerage services to the LBSA and the Township of Readington; and

WHEREAS, the original subscribers to the Sewerage Authority have underwritten the LBSA'S contribution to the construction of sewer infrastructure and the RLSA treatment plant; and thereafter, subsequent developers of open space areas within the Borough of Lebanon who secured sewer capacity for approved projects, contributed to such initial and subsequent plant/capacity expansion costs, servicing of the LBSA debt, and the payment of capacity reservation and sewer service fees: and

WHEREAS, a separate and distinct class of users originally comprised of the five residential properties located on Nitzer Avenue have had reserved individual lot sewer capacity for eventual connection of their residences to the sewer system without their sharing in or paying any cost or expense for the construction of the sewer infrastructure, plant construction and expansion, and for reservation of sewer capacity; and

WHEREAS, limited additional capacity available to the LBSA has been reserved for the future development of low, moderate and market residential properties and/or commercial properties within the Borough, which will require from the developers the payment of application expenses and costs as well as reservation fees, sewer connection fees and sewer service charges.

NOW THEREFORE BE IT RESOLVED, by the Lebanon Borough Sewerage Authority that the following classes of users, having been previously established, are hereby recognized and memorialized as follows:

Class A --- Original users subscribing and connecting to the LBSA/RLSA sewer system at the time of the inception of the Authorities, which initial users have underwritten the construction, expansion, and maintenance of the infrastructure of the sewer system and treatment of effluent, and underwritten the servicing of all LBSA/RLSA debt.

Class B --- Developers of commercial and/or residential properties in the Borough of Lebanon approved subsequent to the initial subscription to the sewer system, and including those new subscribers who incurred new and additional costs and expenses for the expansion of the RLSA sewer treatment plant. Such subscribers have and will continue to pay initial fees and expenses, sewer capacity reservation fees, sewer service charges on an ongoing basis, and connection fees at the time of the connection to the LBSA sewer system.

Class C --- Five original residential lot owners located on Nitzer Avenue at/or about the time of the establishment of the LBSA. The developer of these lots installed individual, on-lot septic systems, and as such, did not connect, nor underwrite any of the cost and expenses of the LBSA/RLSA since the time of the Authority's inception. Nonetheless, sewer capacity for these properties has been reserved by the LBSA, without any charge, cost or expense to the individual lot owners, pending each individual lot owner's eventual extension of the LBSA sewer system to service their respective properties, and based upon their underwriting their proportionate share of

such extension, and the cost of connection of their individual lots as each individual owner determines to be in their best interest, taking into consideration the general public health and welfare. One lot owner abandoned its failing septic system and underwrote the cost of extension and connection to the LBSA system. Subsequently, two of the four remaining unconnected lot owners have paid their proportionate share of the recent Nitzer Avenue sewer extension costs.

Class D --- Developers of low, moderate and market residential properties and/or commercial properties in the future, which will require the payment of application fees and expenses, sewer capacity reservation fees, sewer service charges and connection fees.

LEBANON BOROUGH
SEWERAGE AUTHORITY

Edward R. Cichone, Chairman

ATTEST:

Anita Weingart, Secretary/Treasurer
Lebanon Borough Sewerage Authority

Mr. Saharic motioned, Mr. Crawford seconded the motion. Roll Call: Mr. Crawford, Mr. Saharic and Mr. Cichone. All Ayes: Motion Carried to adopt Resolution 13-18.

MISCELLANEOUS – The tax sale list was discussed. LBSA website was discussed. The statute provides what needs to be listed. Mr. Hill will ask Tony Maglio to run signal and test the heat tape now that construction is completed on Cokesbury Rd. Rollin Fast has preliminary plans to move to Rt.22.

PUBLIC COMMENTS – There were no public comments.

ADJOURN

Mr. Saharic moved, Mr. Crawford seconded. All Ayes: Motion carried to adjourn.

Respectfully submitted by,

Anita Weingart,
Secretary/Treasurer

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

Anita Weingart, Secretary/Treasurer