

LEBANON BOROUGH SEWERAGE AUTHORITY

MINUTES

MARCH 6TH, 2014

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: Richard Burton, Leona Burton, and Gregory Crawford

Also present: Secretary Anita Weingart, James Hill of Frey Engineering, Joseph Novak of Novak & Novak LLC and William Colantano Jr., CPA

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

APPROVE FEBRUARY MINUTES

Mrs. Burton moved and Mr. Crawford seconded the motion approving the open session of the February meeting. Motion carried – All AYES.

HUNTERDON HILLS PLAZA

Owners Patrick Baldoni and Patrick Baldoni Jr. expressed concerns about escrow fees after November 2013 that are due. Escrow monies are required to pay LBSA professionals. Mr. Cichone and Mr. Hill explained that the initial meeting with the Baldoni's and China III discussed the usage which subsequently involves the design of the system. Sizing of piping and grease traps are part of the design. The gallonage amount increased from the initial proposal.

Mr. Hill agreed that the code office was setting the standard for grease trap. He received those and agreed to them. Mr. Hill still needs plans providing where the grease traps will be installed. He will also need to inspect those on an on-going basis. Mr. Hill further explained that LBSA has the right to continue inspections under our own ordinance once they are installed. Mr. Hill explained that the all the information needed for state standard is backed up by water data from the owners and the tenant was not supplied initially.

Mr. Novak requested the disputed billing line items in writing. Mr. Novak explained that Mr. Hill bills by the hour in detail by line item. Mr. Baldoni Sr. claimed that these inspections are not in our purview. Mr. Novak clarified that LBSA follows state standards and local government rules. Mr. Hill explained how he used his time to review the information provided as it came in. Mr. Hill reviewed the grease trap to ensure they would be acceptable. Mr. Baldoni Sr. claims he shouldn't bill for that. LBSA has had issues in the past with the entire complex with Chinese Restaurant cooking and the grease that is produced. Mr. Baldoni claimed LBSA should not have charges after November 12, 2013. Mr. Hill explained his inspections and are part of a standard review that has been in place for 30 years. Mr. Baldoni Jr. claimed the bulk of bill time was on a septic tank design. Mr. Hill disputed that he spent 15 minutes on that portion. Mr. Baldoni Jr.

complained about the 5 hours submitted. Mr. Hill explained how the total usage amounts changed causing more review time. Mr. Cichone explained if there is a bypass situation with plumbing going into the grease trap it could cause a problem down the line. Blockages cause a problem for everyone on the line.

Mr. Baldoni Sr. spoke to Mr. Drake Rizzo regarding his complaints about Mr. Hill's inspection. Mr. Rizzo suggested he speak to Regulatory Affairs in Trenton. Mr. Baldoni Sr. claimed a letter from Regulatory Affairs is coming to LBSA. LBSA has not received this letter. Mr. Baldoni Sr. claimed the Authority and its' Engineer have no jurisdiction inside the building.

Mr. Novak explained that when plans involve using the sewer system, LBSA controls that system. Mr. Novak again requested in writing the line items in question. DCA and DEP control what goes on outside of the building. DCA through the construction official hired by towns have the option to appoint a DCA. We do not have a separate construction official. DCA and DEP does have jurisdiction in this matter.

Mr. Baldoni Sr. calculated that they owe LBSA approximately \$14.00. Mr. Cichone and the LBSA secretary had asked Mr. Baldoni for his disputes in writing prior to the meeting. Mr. Baldoni did not provide anything in writing about line item billing prior to this meeting.

LBSA must maintain the integrity of RLSA and our entire system. Mr. Baldoni Jr. asked if they have satisfied Mr. Hill's requests. Mr. Hill stated that the December 2013 letter explained what was still needed. Mr. Baldoni Jr. inquired as to how much time is still needed by Mr. Hill. Mr. Baldoni Jr. believes Mr. Hill's work is completed and he is no longer needed because the plumbing inspector takes over from here. Mr. Hill explained that LBSA needs to have plans on file approved by planning board. We also need permits issued on the project. It is important that the grease trap is clearly marked on building plans. Mr. Hill said LBSA does have the right to inspect grease traps after installation. Mr. Novak explained that periodic inspections are billed to the Authority not to escrow account. LBSA needs a record set of drawings with the final layout. Without that, it is difficult to troubleshoot should there be a problem in the line.

The first letter LBSA issued was showing sufficient capacity for Hunterdon Hills Plaza and China III to go before the Planning Board. LBSA still needs plans, permits and an amended agreement so we can grant final approval. There are still 4 items open on this project before reaching the point of approving and amending the service agreement. These items on the December 2013 letter were sent to Mr. Baldoni Sr. and on file with LBSA.

Mr. Baldoni will submit a letter with an itemized list of billing complaints. The next time the Authority meets, a discussion may take place. Mr. Baldoni Sr. will also provide Mr. Hill a copy of the plans required and the items from the December letter.

APPROVE CLOSED SESSION MINUTES – 2/7, 7/11 AND 11/7 OF 2013

Mr. Novak supports approving closed session minutes of 2/7, 7/11 and 11/7 of 2013.

ENGINEER'S REPORT

Mr. Hill's report is on file.

PIZZO AND KAPLAN MAINTENANCE BONDS

Pizzo and Kaplan Maintenance Bonds are coming due this year 2014. The standard procedure to remove the Maintenance Bond is they submit a letter to LBSA using the Engineer's estimate for the construction costs marking down that we are done by 100%. They also need to ask for a final inspection. LBSA secretary will send a letter reminding them.

Town of Clinton has provided escrow for the water project. Although the Borough and LBSA understand that they have their own engineers, construction will enter our right of way and our sewer system. Our ordinance requires that we have an escrow account for these types of projects. The application fee was \$2,500 and the escrow fee was \$7,500. Agreed upon estimates between Ferriero and Frey engineering for appropriate inspections have been established as needed..

Lebanon borough water flow report from town of Clinton balanced against our flows in the system is close. Report is on file.

The Maglio contract amount was re-calculated. Mr. Maglio felt he didn't increase it drastically. \$1,923.20 will include 2 inspections a year, electricity and phone and the repair rates over 3 years. This is an increase of 8% over the 3 years. Mr. Hill felt that is fair. We can discuss further in May before the contract is due in June. LBSA secretary will ask Mr. Maglio to follow up with the contract details in writing.

HIGHLANDS

There is nothing new to report at this time.

RLSA

There is nothing new to report at this time.

EXPENDITURES

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

<u>GENERAL ACCT</u>		<u>EXPENSES</u>
14-021 PAYROLL ACCT	PAYROLL	\$5188.53
14-022 RLSA	WATER TREATMENT	\$25,314.17
14-023 LEBANON BOROUGH	LEASE	\$1,300.00
14-024 JCP&L	HEAT TAPE	\$15.48
14-025 R&L DATACENTERS	PAYROLL SERVICES	\$304.00
14-026 ONE CALL CONCEPTS	INV# 4015363	\$9.12

14-027 QUILL CORPORATION	INV# 9451637	\$270.47
14-028 ANITA WEINGART	MOBILE PHONE DEC-MAR	\$400.00
14-029 FREY ENGINEERING	INV# 3589, 3590, 3591, 3592	\$7,152.24
14-030 LEBANON BOROUGH	DEBT SERVICE	<u>\$117,011.22</u>
	TOTAL	\$156,965.23

ESCROW ACCT.

FREY ENGINEERING	GLADTONE EQUITIES	INV# 3593	<u>\$742.50</u>
	TOTAL		\$742.50

MISCELLANEOUS

ONE CALL MARK-OUTS - One call mark-outs were started in Lebanon Borough because it protects our sewer system. RLSA had done the mark-outs for Lebanon in the past. LBSA applied to One-Call so now they do them for us. The purpose for a mark-out is to flag the sewer laterals so there is no damage to the system if digging is going to take place. If after 10 days of mark-out the work doesn't start, another mark-out is issued. LBSA gets billed for these mark-outs. Based on regulations we cannot transfer the cost to a contractor or another utility. Frey Engineering doesn't bill separately instead, they include those inspections into manhole inspections.

How will mark-outs be handled for the new water lines being installed in the Borough? We are concerned about protecting our infrastructure. The Town of Clinton Water, Suburban Engineering and Frey Engineering have worked out an acceptable plan for moving forward.

NITZER AVE. - No response from Nitzer Avenue residents regarding sewer connection. Also no response from Mr. and Mrs. Garner regarding the letter we mailed them with the connection and assessment fees.

PUBLIC COMMENTS – There were no public comments made.

ADJOURN

Mr. Burton moved and Mr. Crawford seconded the motion to adjourn. All Ayes: Motion carried.

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