WARREN TOWNSHIP SEWERAGE AUTHORITY

WORK/PUBLIC MEETING August 17, 2011

STATEMENT OF PRESIDING OFFICER:
Adequate notice of this meeting has been provided by posting a copy thereof on the municipal bulletin board, a copy to the Township Clerk, The Courier-News, The Star Ledger and The Echoes-Sentinel all on February 16, 2011 as prescribed by the Open Public Meetings Act.

Roll Call: Mr. Vetter, Mr. Truglio, Mrs. Garafola, Mr. Reeder

Motion to go into executive session made by Mr. Truglio, second by Mrs. Garafola
Roll Call: Mr. Vetter, Mrs. Garafola, Mr. Truglio, Mr. Reeder

EXECUTIVE SESSION: Resolution #11-77
Motion to move into executive session made by Mr. Reeder, second by Mr. Truglio.

The following are considered Attorney-Client Communications:

A. Administrative Communications
B. Stage IV Permit and Stage V Permit-Pending Litigation
C. Force Main Malfunction at 22 Crown Drive
D. Berkeley Aquatic Center

No discussion or action necessary unless there are questions regarding the following:
E. K. Hovnanian
F. Authority Rules and Regulations
G. Old Stirling Road Properties
H. Correspondence from Dan Gallic
I. Amicus Brief in Connection fee case
J. Contract #48
K. Berkeley Heights Agreement and availability of capacity in the Stage I and II sewer service area
L. Oxidation Ditch Liner replacement
M. Appeal of Phosphorous TMDL

The above stated subject matters will be made public in 2011.

Pledge of Allegiance

PUBLIC SESSION: There was no one present that was not on the agenda tonight.

Minutes: June 22, 2011 Motion to approve by Mr. Truglio, second by Mrs. Garafola.
Roll Call: Mr. Vetter, yes, Mr. Truglio, yes.

July 20, 2011 Motion to approve by Mrs. Garafola, second by Mr. Truglio.
Roll Call: Mr. Reeder, yes, Mr. Truglio, yes, Mrs. Garafola, yes.

Plant Report: Peter Kavalus, Applied Water Management
All plants are in compliance. With the high rains there were no incidents. The treatments plants went on sand filter bypass but no aeration bypass. A few PS went to a high level but there were no spills.
Stage IV sand filter rehab is completed and they are on line.
Mrs. Garafola asked about the status of the William Penn Pump Station. Pete reported that the PS is complete and functioning well with the new landscaping installed. The Stiles Road permanent generator will be ordered and the work performed by DeMaio Electrical. The lead time for the generator is 8 weeks. At this time there is a portable generator on site. There were no questions from the board at this time.

Engineer’s Report: Mr. Anthony Gagliostro, Hatch Mott MacDonald
A complete report was included in the monthly meeting materials. There were no questions regarding any project from the board.
The survey of Crown Dr was completed and they are finalizing the asset values for the renewing yearly Insurance policy.
Mr. Goodsell stated that the Crown Dr survey is completed and there is a slight encroachment of the force main on the neighboring property owner’s property. A letter will go out to both property owners with the survey and will indicate it is their responsibility on how they will work this out.
Mrs. Garafola asked, this is not a result of the Authority laying pipe it was the developer, correct. Mr. Goodsell said that this correct and explained the encroachment and the history. This is a private force main and the Authority had no responsibility constructing or maintaining it. Mrs. Garafola asked if they sold the properties this would need to be resolved before the sale of a property. Mr. Goodsell that would be his advice and they would have to go on the advice of their own counsel.

Applications: Mr. Anthony Gagliostro. Site Plans displayed and locations stated.

1. Appl 072111-CIU-0669
   Block 89 Lot 1,03
   LD Yogurt Company
   4 Mt. Bethel Rd (Kings Shopping Center)
   First Review

   Recommending preliminary and final approval for a change in use from a tanning salon to a fast food yogurt shop with no change in EDUS in the Middlebrook sewer service area with 18 seats in a 1900 square foot space.
   There will be no outdoor seating per the site plan. There is no additional sanitary sewer construction that needs to be done as this is a change in use only. Interior work is under the Township plumbing inspector. Mrs. Garafola asked if they were to add tables outside would they have to come back to us. Mr. Gagliostro said yes they would. Mr. Vetter asked about the formula and Mr. Gagliostro said it is a DEP formula that is used which includes office space, typical generic retail space.

2. Appl 071511-P-0656
   Block 208 Lots 2, 7,9,10,11,12 and 19
   4 Hillcrest Rd
   Berkeley Aquatic Center
   First Review

   Per the memo enclosed, the Recommendation is for preliminary and final approval for this proposed 51,272 square foot aquatic center by means of a pump station and force main connecting into the existing manhole in Emerson Lane with flow into the Berkeley Heights system.

   The detail sheet, force main profile were displayed. This area is to be transferred to BH either by the Schedule B properties or under a separate agreement with BH. The Wastewater Management Plan with this change was done in 2005.
   The proposal is for a competition pool, a PT pool and a teaching pool. The lots are being serviced by septic now so there is no flow associated with the. The calculation is for 6000 gpd or 22 EDUS of additional flow based on the maximum number of
members of 400. The category for a multi member swimming pool that is how it is calculated.

The proposed plan is to pump into a new 4 inch force main on an easement which is private property and into a manhole on Emerson Lane into BH. This will go directly into BH. Per the authority rules and Regulations it was demonstrated that this cannot be sewered via a gravity lateral and will need to be pumped. Mr. Reeder asked if he agrees with this and Mr. Gagliostro said yes. Mr. Gagliostro said there is a holding tank which then goes into a wet well before the sewer system at 96 gallons per minute. Total flow allowed from the pumps. Mrs. Garafola asked it is 22 EDUS and there is usually one EDU per house so this is 22 homes flushing. She asked about the four inch pipe instead of an eight inch. She said if there were 400 kids using this facility there would be problems with this being pumped out and. Mr. Gagliostro asked about her if she was concerned about clogging, and Mrs. Garafola questioned the force main size and gallons. Is 96 in the middle or over the top is it a statistical variant asked Mr. Reeder. 96 is going to the sewer system via the force main?

The applicant has reps here said Mr. Goodsell and HMM has reviewed it and agreed this is acceptable. The flow that will be from this system will go to BH not Warren, so BH will have to make the determination that their sewer system can handle this flow. From the information we have their system can handle this capacity. The agreement has a maximum amount of capacity that can go there. This facility has not been included in the original agreement so an amendment will need to be done for this and future properties. The design, pump and force main size appears to be sufficient but the applicants engineer can answer this.

It would seem why are we spending time on the application is we don’t know if BH will take the flow. A Concept Plan was done as requested by BH sewer dept and the information was supplied to BH which their engineers reviewed (Omni Engineering) and stated it was acceptable. We were advised by BH sewer that they can handle the capacity and asked to move forward however this has not gone through the governing body yet. They will make the determination to amend the agreement or not.

One of our jobs is to make sure if the connection is done properly said Mr. Reeder. Mr. Goodsell said we did not take this step until we heard they have capacity. The body will determine if they can and will take this capacity. We will not entertain an agreement unless this satisfies their requirements. Mrs. Garafola asked about amending the WMP, and Mr. Goodsell said there is no need for a WMP amendment as this was already approved in the WMP plan in 2005.

The amendment will show these properties will be sewered in the agreement, Mrs. Garafola asked about the costs, who would pay for the amendment and Mr. Goodsell said the applicant would be reimbursing attorney fees for that. Mrs. Garafola asked about them taking up additional capacity in BH with the shift we asked for so there would be capacity in Warren. The agreement needs to be made so we can approve this application so we don’t take some of that capacity what we originally asked for. Mr. Vetter asked who came up with 22 EDUS, Mr. Gagliostro stated that HMM did with the DEP formula used. The DEP has design criteria for swimming pools and membership.

Will a 4 inch force main handle this flow asked Mr. Reeder; Mr. Gagliostro said that with the calculations it can handle it. Flow rate determines the capacity. This design will handle it, asked Mr. Reeder, Mr. Gagliostro said yes. Tape Change

Mr. Wolfson and Bruce Hawkins from PS and S present representing the applicant. Mr. Hawkins explained peak flows and the holding tank. He said that residential homes have an 1/1/4 inch force main; this pipe is 4" and move the flow at 30 gallons per minute. He said this shouldn’t be an issue with the calculations and Omni also felt this isn’t an issue. Mr. Vetter asked about normal use rate. 400 are just the amount that can be members to the club they would not all be there at one time during the day.

Mr. Schkolnick from the citizens group present. Is there a written approval letter from Omni?

Mr. Goodsell said there is a letter that is part of the application written April 15, 2011.
He asked to take a look at it now so he can pick up and comment on some of the concerns.

Jurisdictions regarding the force main, explained Mr. Gagliostro across the easements
under jurisdiction of Warren twp. Plumbing code. The easements would be under the
Authority and in Emerson Lane and BH, the construction within the right of way and
manhole would be under BH. Mr. Schkolnick pointed to paragraph 5 and said it was
somewhat of a stretch that they approved this. (He read paragraph). Mr. Goodsell said
Omni approved the capacity and they will be approving the actual design of it too. He
would like to pick up on the concerns about the cart being before the horse.

Resolution #10-118 page 2 of the Authority states items that must be addressed
before the applicant gets approval is not limited to…… We are here for a formal
approval tonight, also tonight’s #11-93 look at paragraph 7 on page 4. Also he would
like to add that Mr. Goodsell has giving him the utmost courtesy.

In #11-93 the applicant shall be responsibility for the prorated share, but the
agreement has not been drafted yet. He said this is a little early and there are some
to #11-84, so BH has to approve everything. He said formal action tonight is
premature. They are ill equipped to comment on the issues since they just found out
this was going to be on the agenda tonight.

Mr. Goodsell said this resolution has some requirements before its being executed by
the Authority. He said he felt we should get the application in place and then go to
BH and get the agreement with them. In his view one of these has to occur first and
he is satisfied with this and Mr. Reeder asked if he is comfortable ruling on this
tonight. Mr. Goodsell said yes. Mr. Reeder then asked Mr. Wolfson if he was ok with
this also, he said he has to get the technical approval here also, in all the discussions
with BH sewer department and this mechanism has been asked for this as well from
them.

Mrs. Garafola asked why the earlier resolution stated a 3 inch force main and the
resolution for tonight states it is a 4 inch. Mr. Goodsell said the 3 inch one was for
the concept approval and the new resolution had some changes made in the project.

Mr. Reeder stated he wanted to vote separately on the these resolutions that relate to
Berkeley Aquatic. Pull both resolution # 11-84 and 11-93 stated Mr. Goodsell as they
are related.

Resolution #11-78
Resolution authorizing payment of
operation expense from Account #056253
for a total of $239,221.09.

Resolution# 11-79
Resolution authorizing payment of escrow
bills from Account #999-091433 Accutrack
for a total of $4832.55.
Resolution #11-80  Resolution authorizing payment of certain invoices from the construction fund by Bank of New York, Trustee and paying agent of the series 2006 bonds.

Resolution #11-81  Resolution authorizing return of remainder of escrow deposits in the amount of $204.61.

Resolution #11-82  Resolution authorizing adjustments to certain 2011 sewer service accounts in the amount of $-19,727.44.

Resolution #11-83  Resolution authorizing the execution of the stipulation of settlement with the New Jersey Department of Environmental Protection regarding the permit limits for zinc, copper, and whole effluent toxicity, and stream flow values in the Dead River, in the NJPDES permits for the Authority's Stage IV and Stage V sewage treatment plants.

Resolution #11-84  Resolution authorizing the Authority Chair to execute the third amendment to the May 31, 2000 agreement between the Warren Township Sewerage Authority and the Township of Berkeley Heights.

There was no action taken on this resolution

Resolution #11-85  Resolution authorizing the Chair to execute change order #8 for contract No. 48 with CFM Construction for services related to the construction of upgrades to the Manor Drive, William Penn, and Dogwood pump stations.

Resolution #11-86  Resolution approving payment of CSC #203

Resolution #11-87  Resolution approving payment of CSC #204.

Resolution #11-88  Resolution approving payment of CSC #231.

Resolution #11-89  Resolution approving payment of CSC #233.

Resolution #11-90  Resolution approving payment of CSC #234.

Resolution #11-91  Resolution approving payment of CSC #200.

Resolution #11-92  Resolution granting preliminary and final approval of the application of LD Yogurt
Company for a change in use of the tenant space previously used as a tanning salon to use such space for the LD Yogurt Company's frozen yogurt fast food shop with 18 seats and no additional EDU's of capacity, for a total of one (1) EDU of capacity for the tenant space, in the Kings Shopping Center located at 4 Mount Bethel Road, unit no. 16, Block 89, Lot 1.03 in the Middlebrook Sewer Service area.

Resolution #11-93

Resolution granting preliminary and final approval of the application of BAC Center of Excellence, LLC for connection of a proposed aquatic center located within Warren Township for treatment plant by means of pump station and force main connecting to the existing manhole in Emerson Lane with twenty-two (22) EDU's of capacity located on Block 208, Lots 2, 7, 9, 10, 11 & 19, 4 Hillcrest Road.

There was no action taken on this resolution.

The meeting was adjourned at 9PM with no further business pending.

I, Deborah Catapano, Authority Board Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Authority at its work/public meeting of August 17, 2011.

Deborah Catapano, Authority Secretary