Warren Township Sewerage Authority  
Minutes   December 14, 2011 Work/Public meeting

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, Echoes Sentinel, Courier News, and Star Ledger all on February 16, 2011, as prescribed by the Open Public Meetings Act.

ROLL CALL: 

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<th>PRESENT</th>
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<tr>
<td>Mr. Douglas Reeder</td>
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<td>Mr. John Truglio</td>
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<td>Mrs. Carolann Garafola</td>
<td>(x ) 8:30</td>
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<td>Mr. George Vetter Alternate #1</td>
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<td>Mr. Alan Kaufman Alternate#2</td>
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Professional services:

Robert Goodsell- Post Polak Goodsell MacNeil and Strauchler, P.A.
Anthony Gagliostro PE- Hatch Mott MacDonald

Annual Rate Hearing: Mr. Charles Ferraioli
Fitzsimmons Court Reporting present for rate hearing. Ms. Butrico, swore Mr. Ferraioli in. Transcribed record of the hearing is available in the Authority office for review.

Resolution #11-132  Motion to adopt by Mr. Truglio second by Mr. Vetter.
Roll Call: Mr. Vetter, yes, Mr. Truglio, yes Mr. Reeder, yes.

Resolution #11-133  Motion to adopt by Mr. Truglio, second by Mr. Vetter.
Roll Call: Mr. Vetter, yes, Mr. Truglio, yes, Mr. Reeder, yes.

Resolution #11-132 Resolution modifying annual sewer service fees charged to residential and non residential customers to be effective January 1, 2012.

Resolution #11-133 Resolution modifying sewer connection fee effective January 1, 2012.
PLEDGE OF ALLEGIENCE

PUBLIC: Anyone present not on the agenda
Mr. Dan Gallic, 44 Hillcrest Rd Warren NJ, Thanking the board for speaking to him this evening.

Mr. Gallic gave a brief history of the Pheasant Bridge property from the early 1980's to present. He is here to discuss the money that was put into the I and I study for this area of town that Pheasant Bridge is in. He indicated that he would like the Authority to reimburse him the funds that were deposited.
He advised that he has spoken to Mr. Goodsell, the Authority's legal counsel regarding this issue in the past and Mr. Goodsell and he differ on whether he is entitled to any reimbursement. Mr. Gallic said that in his view if you put money into something and the service is not delivered, you should be able to get your money back. Mr. Gallic then explained to the board that he had an application submitted to the Authority which required, in his view, an exorbitant amount of money to be posted for escrow fees or inspection services. He felt the amount that he is being asked for is too high.

Mr. Reeder suggested that Mr. Gallic sit down with Mr. Goodsell and try to reach some agreement on the issue he is discussing tonight. Mr. Goodsell indicated that he was agreeable to doing so.

Bruce Hawkins 13 Stardust Dr. Representing BAC's engineer from PSS. Mr. Hawkins explained that BAC has a pending application with the Authority. BAC needs more flow than was allocated for the properties under the agreement Warren has with Berkeley Heights. An amendment was submitted to BH to change the agreement. BAC attended a Berkeley heights Township Counsel meeting held to consider that amendment, and not decision had yet been made. Mr. Hawkins expressed the view that the issue is whether Warren should have the right to construct this in Warren and that this was not something that BH should be able to hold up.

BAC would like to review the capacity analysis provided by BH to Warren to see if there is adequate capacity within the agreement. Mr. Hawkins observed that Warren calculates 280 gpd whereas the BH Agreement uses 360 gpd per unit. He observed that this suggests a 10,000 gallon discrepancy or surplus for 131 lots. Mr. Goodsell responded to that point by observing that the maximum daily flow under the BH Agreement is 360 gpd, as there needs to be a cushion over the average of 280 gpd. That flexibility is needed because if the Authority exceeds the 360 gpd, then it starts paying more money. Mr. Hawkins said he understood.
Mr. Reeder asked about the BH meeting to which Mr. Hawkins referred, and whether a
resolution or answer is coming out of that meeting. Mr. Goodsell said that his understanding is that the BH committee or governing body will determine if they will move forward with the proposed amendment. Mr. Goodsell said he is anticipating where Mr. Hawkins is going with this is that BAC want to explore whether, if no amendment is made at this time, there will be enough capacity under the existing agreement. This is exactly what we are doing said Mr. Hawkins, there were 3 EDUS for this property and some of the properties in the service area are not using the capacity and they are not planning on utilizing the capacity. If they acquired the edus from the potential users and if they can increase the agreement with Warren Township then the presentation was just that .Mr. Hawkins characterized the situation as BH having 1.4 million gallons of excess capacity and only about 5 acres of developable land within BH. He said that BAC is only asking for 4000 gallons and Mr. Hawkins said that Warren Township Sewerage Authority and the engineers said the additional flow from the BAC project is not a problem. Mr. Hawkins acknowledged that there are objectors of the project itself who say that Warren should not be allowed to zone to allow this development.

A discussion then occurred regarding the status of BAC’s application before the land use boards. According to Mr. Hawkins until the sewer issues are resolved that application will not proceed any further. An amendment to the agreement is the issue said Mr. Goodsell, one that would increase the amount of flow we contracted for in BH. The total amount of flow is based on potential properties that could be serviced. Mr. Goodsell indicated that the concern was that if a significant portion of the flow is used for this project, then the capacity might not be available to the other properties. Mr. Goodsell indicated that he is certainly willing to entertain an analysis of whether there might be enough capacity under the agreement, but we might not have an answer by the next meeting. Mr. Reeder asked for a recommendation. Mr. Goodsell said we should wait and see what happens at BH’s December 20 meeting. Whether there might be sufficient capacity within the existing BH agreement can be explored with the Authority engineers, although BAC would need to pay for the engineers’ time. Mr. Goodsell said he is not optimistic or pessimistic on where that goes. Mr. Hawkins thanked the board for their time.

At this time Mr. Truglio read Resolution 11- 139 which expresses the service of Mr. Alvin Florey.
Motion to approve this resolution by Mr. Reeder, second by Mr. Vetter. Roll Call: Mr. Vetter, yes, Mr. Truglio, yes, Mr. Reeder,yes.
Mr. Goodsell stated he was always an interesting member of the board, well spoken and able to analyze things we were doing. He will be missed.

MINUTES: October 19, 2011 Motion to approve Mr. Truglio, second by Mr. Vetter. Roll call: Mr. Vetter, yes, Mr. Truglio, yes, Mr. Reeder, yes
Exec Session Minutes October 19, 2011 motion to approve by Mr. Truglio second by Mr. Reeder. Roll call: Mr. Vetter, yes, Mr. Truglio, yes, Mr. Reeder, yes.
November 16, 2011 Office meeting. Motion to approve by Mr. Truglio,second by Mr. Reeder. Roll call; Mr. Vetter,yes, Mr. Truglio, yes, Mr. Reeder, yes.
PLANT UPDATE: Mr. Peter Kavalus, Applied Water Management
A full report was provided in the members packets for review.
There was a problem with the influent #1 pump at Stage I/II. Previously it was rebuilt. Mr. Reeder stated that he supports the purchase of a new pump, a pump that is more effective by using oil filled pumps and more energy efficient. Pete will order two pumps and will process the cost through a CSC.

The Stiles Road generator has been delivered and start up is scheduled for next week. NJDEP made their annual plant inspections and all went well. The boiler at Stage V needs to be replaced, the present ones bottom is rusted out/corroded and a leak was found. Pete will acquire quotes and will proceed with the purchase of a new one with approval. The present boiler is 15 years old.

ENGINEERS’ REPORT: Mr. Anthony Gagliostro, Hatch Mott MacDonald
A detailed report is included in the member’s packet.
Issues of the Stage IV and Stage V permit renewal were resolved with the NJDEP: Copper/Zinc limits were removed at Stage V. The Copper limit at Stage IV is pending due to the evaluation of the WER and background translator study. The DEP approved the work plan WER study and we will be scheduling effluent sampling soon. With no further questions of the report that was included in the packet Mr. Gagliostro concluded the engineers report.

APPLICATIONS: Mr. Anthony Gagliostro Site Plans displayed.

1. Appl 082511-P-0670
   Castlegate Estates at Watchung Inc.
   29 Dubois Rd
   Block 79 Lot 6.01
   Second Review

Description: Recommending preliminary approval for this proposed development of 50 residential units. There are existing knitting mill buildings on the site presently and is served by a septic system.
Subject parcel is located in the Stage I/II sewer service area and will need to be transferred into the Stage IV sewer service area by an amendment to the Wastewater management plan for sewering into an 8 inch gravity sewer and then into a pump station. This will flow into the sewer line in Mount Bethel Rd and will flow into the Mount Bethel pump station then to Stage IV. It has been demonstrated that this parcel cannot be sewered by gravity.
This is not an age restricted development. This will provide for an additional 50 EDUS. Lee Titus present and said this is rezoned as a Mount Laurel zone. A resolution was
done by the Township Committee approving this.
Mr. Goodsell commented on the 2 inch force main and asked for affirmation that it is sufficient for the proposed 50 Units. The entire system is conditioned by the approvals that it is private ownership and conditioned that the WMP is amending. All professional fees associated with this are the applicant's responsibilities. The utility easement will need to be addressed as Mr. Goodsell has some comments on the language in the easement agreement. Mr. Goodsell explained to the board the process of a transfer of flow from one sewer area to another including the fact that this must be approved by the Authority and then by the DEP.

Resolutions

Resolutions No. 11-128 through 11-140 were submitted to the Sewerage Authority for review and may be adopted by one motion. These resolutions are listed on the agenda for review and a complete copy made available in the Warren Township Sewerage Authority office.

Motion to approve Resolutions #11-128 minus Resolution 11-132 and 11-133 and #11-139 which were approved previously tonight.
Motion to approve by Mr. Truglio second by Mr. Vetter. Mr. Vetter, yes, Mr. Truglio, yes, Mr. Reeder, yes.

Resolution 11-140 voted on separately.
Motion to approve by Mr. Truglio, second by Mr. Reeder.
For clarification this resolution is for the approval of Castlegate Estates
Roll Call: Mr. Vetter, no, Mr. Truglio, yes, Mr. Reeder, yes.

List of Resolutions

Resolution #11-128 Resolution authorizing payment of operation expense from Account #056253 for a total of $241,582.03

Resolution#11-129 Resolution authorizing payment of escrow bills from Account #999-091433 Accutrack for a total Of $4334.54
Resolution #11-130  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 #11-131  Resolution adopting the 2012 budget

Resolution #11-132  Resolution modifying annual sewer service fees charged to residential and non-residential customers to be effective January 1, 2012.

Resolution #11-133  Resolution modifying sewer connection fee effective January 1, 2012.

Resolution #11-134  Resolution authorizing the replenishment of the petty cash fund in the amount of $313.59.

Resolution #11-135  Resolution approving CSC #250- Generator repair Stage IV

Resolution #11-136  Resolution approving CSC #251- Stage IV blower room transformer

Resolution #11-137  Resolution approving CSC #252- Rental generator at Stiles Rd pump station

Resolution #11-138  Resolution authorizing payment to Cindy and Christopher Galiani owners of the property at 3 Briarwood Drive East for reimbursement of out of pocket costs incurred as a result of a sewer back up.

Resolution #11-139  Resolution for the appreciation of the service of Al Florey

Resolution #11-140  Resolution granting preliminary approval of the application of Castlegate Estates at Watchung, Inc. for connection by means of 1248 LF of 8 inch gravity sewers with an on-site pump station with two 50 GPM grinder pumps all of which are to be privately used and maintained and 50 EDUS of capacity to serve a proposed 50 Unit residential townhouse development
located at the subdivision of Block 79 Lot 6.01 at 29 Dubois Road in the Stage IV sewer service area.

EXECUTIVE SESSION: Resolution #11-127

The following are considered attorney-client communications:

A. Administrative Communications- Attorney Client Communications
B. Sewer back up at 3 Briarwood Drive East- Attorney-Client Communications
C. Resignation of Al Florey- Attorney-Client Communications
D. Correspondence from Dan Gallic Attorney-Client Communications

No discussion or action necessary unless there are questions regarding the following:

E. Authority Rules and Regulations- Attorney- Client Communications
F. Hillcrest Road Properties -Attorney-Client Communications
G. Capacity allocation for Greenbrook Connections- Contract negotiation and attorney client communications
H. Berkeley Aquatic Center – Attorney- Client communications, Contract negotiations and potential litigation
I. Second Meters- Attorney- Client communications
J. Stage IV Permit and Stage V Permit-Attorney- client communications
K. Old Stirling Road properties- Attorney- Client communications
L. K. Hovnanian - Attorney-Client Communications, Potential Litigation

Meeting adjourned at 9:05, Motion made by Mr. Reeder, second Mr. Truglio. Unanimously approved.

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 December 14, 2011.

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Deborah Catapano, Authority Secretary