

**MINUTES
DELANCO SEWERAGE AUTHORITY
OCTOBER 13, 2009**

The meeting was called to order by Chairman Jenkins at 7:00 pm.

ROLL CALL

Members present: Mr. Dillenbeck, Mr. Fynan, Mrs. Hinkle, Mr. Jenkins, Mr. Lewandowski
Also present: Thomas Coleman, Attorney, Fred Weller, Exe Dir

FLAG SALUTE

The flag salute was led by Mr. Jenkins.

SUNSHINE STATEMENT

Please be advised that proper notice of this meeting has been given in compliance with the Open Public Meetings Act, P.L. 1975, Chapter 231 in the following manner. Written notice has been published in the January 17, 2009 edition of the Burlington County Times and the Courier Post and posted on the Official Bulletin Board of the Township of Delanco at least 48 hours prior to the meeting.

APPROVAL OF MINUTES:

Motion by Mr. Lewandowski, seconded by Mrs. Hinkle to approve the September 8, 2009 minutes

Roll Call: Mr. Dillenbeck, abstain; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

TREASURER'S REPORT:

Motion by Mrs. Hinkle, seconded by Mr. Dillenbeck to accept the Treasurer's report for September

Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

PAYMENT OF BILLS:

Motion by Mr. Dillenbeck, seconded by Mr. Fynan to approve the payment of bills totaling \$48,397.70

Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

<u>Check #</u>	<u>Payee</u>	<u>Amt Paid</u>
EFTPS	Electronic Federal Tax Payment System	\$3,127.32
EFTPS	State of New Jersey	466.50
TEPS	P.E.R.S.	624.56
TEPS	NJ State Health Benefits Program	1,188.14
2680	Delanco Sewerage Authority	10,591.68
2681	Environmental Resolutions Inc	2,823.15
2682	General Code Publishers	645.00
2683	Joseph J Hays	1,034.28
2684	New England Pipe Cleaning Co	22,365.00
2685	Nextel Communications	226.20
2686	One Call Systems Inc	14.30
2687	Petty Cash	20.21
2688	PSE&G	1,955.13
2689	Raymond, Coleman, Heinold, LLP	1,085.00
2690	Safety Auto Repair	1,199.65
2691	Vera Taylor	438.20

2692	Township of Delanco	159.75
2693	USA Mobility	6.05
2694	Verizon	169.60
2695	Weller, Fred	257.98
	TOTAL	\$48,397.70

INTRODUCTION OF 2010 BUDGET:

RESOLUTION 2009-30

Motion by Mr. Dillenbeck, seconded by Mr. Lewandowski to adopt Resolution 2009-30 to introduce the 2010 Budget and set the public hearing for November 10, 2009

Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

RESOLUTION 2009-30

INTRODUCTION OF THE 2010 BUDGET

FISCAL YEAR: FROM JANUARY 1, 2010 TO DECEMBER 31, 2010

WHEREAS, the Annual Budget and Capital Budget for the Delanco Sewerage Authority for the fiscal year beginning January 1, 2010 and ending December 31, 2010 has been presented before the governing body of the Delanco Sewerage Authority at its open public meeting of October 13, 2009 at 7:00 p.m.; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$913,000 Total Appropriations including any Accumulated Deficit if any, of \$944,290 and Total Unrestricted Net Assets utilized of \$31,290; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$100,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$100,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program pursuant of N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Delanco Sewerage Authority, at an open public meeting held on October 13, 2009 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Delanco Sewerage Authority for the fiscal year beginning January 1, 2010 and ending December 31, 2010 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease agreements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Delanco Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on November 10, 2009.

OLD BUSINESS

1. Engineer's Report: Mr. Kirchner was absent so Mr. Weller reported.

a) Creek Road realignment project: Mr. Weller reported the project has been delayed and will begin Monday, October 19, 2009.

b) Escrow projects: Mr. Weller reported Rivers Edge's escrow has not been replenished; Creekside and The Crossings had nothing new; Abundant Life received their State Permit so work will begin soon. Mr. Lewandowski asked if Abundant Life will pay per unit. Mr. Coleman replied they will pay per unit but at a discounted price for the low income units.

2. Beverly Sewerage Authority Meeting Report: Mr. Weller reported BSA was notified they will receive funds from the stimulus program in the amount of \$467,000 which will be utilized for plant improvements.

3. Operator's Report: Mr. Weller reported it is the end of Beverly's fiscal year and Delanco's flows are at 65% of the total which decreased by 3% from the previous year. Mr. Weller reported Delanco is still well below its allotment of flow. Mr. Weller reported West Avenue pump station is triggering false alarms due to the computer program. Mr. Weller stated the pumps maintain at 40 hertz for 230 gallons per minute.

4. Red Flag Identity Theft

RESOLUTION 2009-31

Motion by Mr. Lewandowski, seconded by Mr. Fynan to adopt Resolution 2009- 31 adopting an Identity Theft Policy in accordance with the FTC's Red Flag Rule

Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

RESOLUTION 2009-31

A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY IN ACCORDANCE WITH THE FTC'S "RED FLAG RULE"

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules become effective November 1, 2009, and require municipal utilities to implement an identity theft program and policy, and

WHEREAS, the Delanco Sewerage Authority in the County of Burlington has determined that the following policy is in the best interest of the Authority and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Delanco Sewerage Authority that the Identity Theft Policy annexed here to is hereby approved

5. Agreement between Powerhouse Equipment and the Authority

RESOLUTION 2009-32

Motion by Mr. Dillenbeck, seconded by Mr. Lewandowski to adopt Resolution 2009-32 to authorize the settlement agreement between Powerhouse Equipment and the Authority and to authorize the Chairman to sign such agreement

Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

RESOLUTION 2009 - 32

A RESOLUTION OF THE DELANCO SEWERAGE AUTHORITY, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY TO AUTHORIZE THE SETTLEMENT AGREEMENT BETWEEN POWERHOUSE EQUIPMENT AND THE DELANCO SEWERAGE AUTHORITY AND TO AUTHORIZE THE CHAIRMAN TO SIGN SUCH AGREEMENT

WHEREAS, the Delanco Sewerage Authority has determined a need to create a settlement agreement with Powerhouse Equipment; and

WHEREAS, such agreement is on file; and

WHEREAS, such agreement requires the Chairman's signature

NOW, THEREFORE, BE IT RESOLVED, by the Delanco Sewerage Authority authorizing the settlement agreement between Powerhouse Equipment and the Authority and authorizing the Chairman's signature on such agreement

NEW BUSINESS:

1. Firehouse rate reduction: Mr. Dillenbeck requested the Authority forego the sewer rate for the Delanco fire house. Mr. Dillenbeck stated the firehouse is not rented out to the general public and has only two (2) bathrooms so most of the utilized water is to wash the equipment which creates a higher sewer bill. Mrs. Hinkle asked about funerals held at the firehouse and Mr. Dillenbeck replied they are only for members. Mr. Weller stated Beverly Sewerage Authority charges their fire department \$25 per quarter for up to 10,000 gallons and then regular rate for gallons over 10,000. Mrs. Hinkle stated the Township pays the firehouse \$20,000 per month. Mr. Dillenbeck stated the firehouse has \$60,000 to pay for 109 fire hydrants. It was suggested a reduction in the rate instead of eliminating it.

Motion by Mr. Dillenbeck to drop the rate to zero; motion was not seconded therefore is void.

Motion by Mr. Lewandowski, seconded by Mr. Dillenbeck to schedule and set a Public Hearing for November 10, 2009 for the rate reduction of the Delanco firehouse

Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

MEETING OPENED TO THE PUBLIC

Mr. Jenkins opened the meeting to the public.

Mr. Jack Hoefle, 44 Pennington Court, asked how often can the rates change and the cost to publish the public hearings are. Mr. Coleman stated the rates can be changed as often as the Authority deems necessary and Mrs. Daley stated the cost is about \$30 per paper for an estimated total of \$60. Mr. Hoefle stated a flyer was distributed stating construction for the Creek Road realignment project will begin on the 16th and had other contact information. Mr. Hoefle stated the Newtons Landing pump station needs cosmetic repairs and that there is a hole by the sidewalk that should be filled in. The Authority discussed the possibility of tearing down the building versus repairing but agreed to repair the few items at this time. Mr. Hoefle provided pictures that are on file in the office.

MEETING CLOSED TO THE PUBLIC

Since there were no further comments, Mr. Jenkins closed the meeting to the public.

RESOLUTION 2009-33 EXECUTIVE SESSION

Motion by Mrs. Hinkle, seconded by Mr. Lewandowski to approve Resolution 2009 - 33 to go into Executive session pursuant to N.J.S.A. 10:4-12 to discuss contractual matters and personnel
Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

Motion by Mrs. Hinkle, seconded by Mr. Lewandowski to return to public session
Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes

Motion by Mrs. Dillenbeck, seconded by Mr. Lewandowski to adjourn the meeting
Roll Call: Mr. Dillenbeck, yes; Mr. Fynan, yes; Mrs. Hinkle, yes; Mr. Lewandowski, yes; Mr. Jenkins, yes