

THE LANDIS SEWERAGE AUTHORITY  
REGULAR MEETING  
June 17, 2024

Pledge of Allegiance.

The regular meeting of the Landis Sewerage Authority was called to order by Chairman Reuben at 6:00 p.m. The following members were present at roll call: Barse, Headley, Angelo and Reuben were present. Miranda was absent.

Proper notice was given to all members in accordance with the by-laws.

Chairman Reuben stated that public notice of this meeting, pursuant to the Open Public Meeting Act, has been given in the following manner:

1. Posting written notice in the lobby entrance of the Authority.
2. Delivering notices to the offices of the Daily Journal and The Press.
3. Filing written notices in the offices of the Authority and City Clerk.

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|---------------|------------------------|---------------------|
| Also present: | Anthony K. Tobolski    | Executive Director  |
|               | Tyler E. Seifrit, P.E. | Authority Engineer  |
|               | Robert A. De Santo     | Solicitor           |
|               | Carol A. Ricci         | Executive Assistant |
|               | Michael Gruccio, Esq.  |                     |
|               | Andrew Jubelt          |                     |
|               | Effie Zeyra            |                     |

It was moved by Barse and seconded by Headley that the reading of the minutes of the regular meeting held on June 3, 2024 be dispensed with and the same be approved in the form submitted to all members by mail. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

A 35-year Service Award was presented to Michael Bauman.

The Chairman asked if there were any general public comments or comments on the proposed Resolutions. There were none.

Michael Gruccio and my clients are the developers of Live Well Senior Cottages and would like to address the board in the following context. They are very anxious to proceed and they know that they have to get TWA approval and they would like to have a discussion with the Commissioners perhaps relaxing the current practice that requires the payment of the entire sum of money up front as a condition of LSA signing off or endorsing the TWA application that goes to DEP. They are somewhat behind in their progress schedule and as I’m looking at the schedule of upcoming meetings with regard

to the Commission and also in regard to the Commission and regard to specific meetings calling for allocation, it looks like the best my client can do is to achieve an award date of October 7<sup>th</sup> of this year and an agreement to pay connection fees with a due date of November 21<sup>st</sup>. We would hope to do that more quickly, but we're now saddled with moving forth from this point on in view of discussions especially with the board giving consideration to modifying or relaxing to some extent its allocation policy and procedure and we'd like to be heard on that this evening.

My name is Andrew Jubelt and this is Effie Zeyra. Live Well Senior Cottages is a very progressive housing concept. We have chosen Vineland as our showcase project. What we do that is slightly different from other projects is we develop cottages and they are in a small pocket neighborhood which is representative of the site plan that we developed. It's a built-in community and socialization with eight or ten neighbors in each pocket with a club house, fitness center and a community building. We provide the same care as assisted living through homecare.

We have a 90-day TWA approval process and we would like to have the ability to take the project that provides a tremendous value to the community in terms of seniors and move it forward as quickly as possible.

Michael Gruccio stated that the relief they request is relief with respect to the up-front payment requirement. Mr. Jubelt stated normally that would be a project expense that would come at closing and here you're asking for it to occur in your sequence which is outside of our normal sequence. Michael Gruccio stated that the request to the Commissioners is that your practice be altered to permit the following arrangement. That the application be submitted to the DEP upon endorsement in a very short period of time. If the board wishes, it could be within a certain number of days. With respect to NJDEP action, decision making with regard to the TWA submission there would be a requirement for the applicant to notify the LSA within a limited certain period of time as to whether or not the approval was granted or denied or if its being held on obeyance for whatever reason to notify the LSA that the matter is still pending and not yet adjudicated by the agency. If and when TWA approval is granted and we anticipate that it will be granted, we would then proceed with LSA and the project would be put on for a multi-family award of allocation and the next available round of allocation board meeting and we've been given the date of October 7<sup>th</sup> which would probably be the quickest achievable date to get before the board for allocation. Also, pending approval of the allocation the applicant is required to send its allocation agreement back to LSA and at that point in time deliver the full allocation fee or connection fee and that would be within 45 days of the award date. Mr. Jubelt said it could even be less than 45 days and we're looking to close as quickly as we can and we would like to get started before the winter. Michael Gruccio added that in terms of checks and balances if the perception is should any relaxation or adjustment of the practice be implemented for this project and possibly other projects then the LSA would be at risk with regard to money or money required to pay for connection. Our perception is for several steps for protection meaning LSA. First there has to be approval of the TWA by the DEP and upon denial the transaction between the developer and LSA is effectively concluded. Second, if LSA

grants approval then there is a required period of time for which the developer in this case is required to act on a potential offer of allocation. There is also a requirement that an application be submitted to get on an allocation round. If a, b and c don't materialize, there is no commitment on the part of LSA to extend sewer capacity and most importantly within a certain period of time after allocation is awarded by board resolution there would be a requirement for this or any particular developer to sign a formal allocation agreement and pay the full amount of the allocation. At that point in time the projects is a go, LSA has it's money and both parties are comfortable with that arrangement.

Mr. Jubelt stated that we do not want to put LSA in a situation with any risk and to also minimize our risk.

Michael Guccio stated that one last level of protection, we're prepared to stipulate that no permits will be given or granted by the Landis Sewerage Authority until all of LSA's conditions that I just outlined are met and should the City in the unlikely event issue building permits for the project short of having full LSA approval, then under those circumstances that would trigger the requirement for immediate payment to LSA. All permits need to be in place as another level of protection.

Anthony asked the board if they would like to meet prior to the next board meeting and get back to the applicants and Perry stated that a committee meeting would be appropriate. Joe Ruth asked if the applicants were in a position to put their proposal in writing and Michael Guccio stated that we could have it by Wednesday and sent to Anthony, Tyler and Carol. Joe Ruth also asked for confirmation of the financial situation of Live Well Senior Cottages.

Michael Guccio stated that when he after has submitted the proposal in writing for the committee, it is his understanding that it will come back to the entire board of commissioners for formal decision. What is the timeline? Perry stated that our next meeting is July 1<sup>st</sup>. Mr. Jubelt stated that was good. Joe Reuben stated that the allocation committee will meet one day next week. Joe also stated that it looks like a nice project.

#### Resolutions:

It was moved by Barse and seconded by Headley that Resolution No.2024 – 45 “Be it resolved by the Landis Sewerage Authority, that the following bills of items or demands are hereby approved and authorized for payment out of the Revenue Fund Revolving Payroll Account.... \$102,330.83”, be adopted. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Headley that Resolution No. 2024 - 46, “Be it resolved by the Landis Sewerage Authority, that the following bills of items or demands are hereby approved and authorized for payment out of the Revenue Fund Bills.... \$279,765.88”, be adopted. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Headley that Resolution No. 2024 – 47, “A Resolution of the Landis Sewerage listing payments from the 2016 Bond Issue Construction Fund adopted July 5, 2016...” be adopted. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Headley that Resolution No. 2024 – 48, “A Resolution of the Landis Sewerage Authority authorizing the award of an alternate method contract with Willis Towers Watson of NJ and Colson & Gosweiler Insurance & Financial Services to supply Property, General Liability, Commercial Auto, Inland Marine, Crime, Boiler & Machinery, Excess Liability, Public Officials Liability and Cyber Liability Insurance...” be adopted: Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Headley that Resolution No. 2024 – 49, “A Resolution of the Landis Sewerage Authority consenting to the proposed Lower Delaware Water Quality Management (WQM) Plan Amendment...” be adopted. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Headley that Resolution No. 2024 – 50, “A Resolution of the Landis Sewerage Authority authorizing the disposition of personal property pursuant to N.J.S.A. 40A:11-36...” be adopted. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

#### Reports:

##### Executive Director

Anthony Tobolski reported that last week we had a meeting with the contractor who will be doing the interceptor line project to go over the job. We are going to have to add more pipework to the job due to the deteriorating condition of the pipe upstream.

We have also been working on updating our allocation manual to make the policies work for both the customers and LSA. We will need to have a public hearing and we plan on advertising the hearing in the paper this week. I would like to hold the hearing at our July 15<sup>th</sup> meeting.

##### Authority Engineer:

Tyler Seifrit reported the next steps after site plan review will be to determine how the pole barn shall be constructed either through shared service or out to bid. Tyler noted that there was a slight increase in the estimate for the pole barn exterior compared to the previous estimate. The Board also discussed the pros and cons of both options.

Anthony and I met with Dan Reed for a potential change to one of the farm’s existing application areas. If the drainage issue is resolved, old vegetation/trees cleared and used for farming, we can apply to an additional 150,000 gallons of sludge which would help

greatly at the end of winter when the storage tank has been full. I will assist Dan with the mapping and notices needed to update our DEP officer.

Solicitor: No Report

Chairman:

Joe Reuben commented that the newsletter is great reading and he really enjoys it.

Issues and Correspondence: None

Committee Reports:

Engineering/Plant:

Anthony stated that we are exploring upgrades in the plant such as a one meg generator that would power the whole plant in an emergency event. Although diesel is less expensive, it's probably better to go with natural gas due to road closings and diesel deliveries would not be available. We also have several pumps that need to be replaced along with electrical upgrades.

Budget/Finance:

Perry Barse reported that income is \$46,138 or .9% over budget and expenses are \$117,477 or 2.3% over budget. Accounts receivables increased \$1,110,280.

Human Resources:

Anthony reported that our new road crew employee started last Monday and our new accounts receivable employee will be starting July 1<sup>st</sup>.

Public Relations: No Report

Insurance Committee:

Carol Ricci reported that her memo regarding the commercial liability renewal was self-explanatory. Even with a 4% increase in property values, our premium ended with just a 2% increase overall with Cyber Liability taking an almost 10% drop as this market has softened. These premiums include all surplus and PLIGA taxes. PFAS/PFOS are still on the watch list.

Allocations/Administration: No Report

Old Business: None

New Business: None

Adjournment:

At 6:45 p.m. there being no further business to come before the Board, it was moved by Barse and seconded by Headley that the meeting be adjourned. Roll call: Barse, Headley, Angelo and Reuben voted “yes”.

THE LANDIS SEWERAGE AUTHORITY

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RYAN R. HEADLEY, Secretary