

THE LANDIS SEWERAGE AUTHORITY
REGULAR MEETING
September 19, 2022

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, Villar, Angelo and Reuben were present. Miranda was absent.

The 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. Hand 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: Dennis W. Palmer | Executive Director |
| Anthony Tobolski | Field Engineer |
| Stephen D. Barse | Solicitor |
| Carol A. Ricci | Executive Assistant |

It was moved by Barse and seconded by Villar that the reading of the minutes of the regular meeting held on September 6, 2022 be dispensed with and the same be approved in the form submitted to all members by mail. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

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

Resolutions:

It was moved by Barse and seconded by Villar that Resolution No. 2022 – 84 “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.... \$104,390.46”, be adopted. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Villar that Resolution No. 2022 -85, “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.... \$262,751.57”, be adopted. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Villar that Resolution No. 2022 - 86, “A Resolution of the Landis Sewerage Authority listing payments from the 2016 Bond Issue Construction Fund adopted July 5, 2016...” be adopted. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Villar that Resolution No. 2022 – 87, “A Resolution of the Landis Sewerage Authority authorizing the Executive Director to award a contract to Arthur R. Henry, Inc. in the amount of \$139,477.00 for the trench restoration on East Walnut Road...” be adopted. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Villar that Resolution No. 2022 – 88, “A Resolution of the Landis Sewerage Authority authorizing the Executive Director to enter into a contract with Century Savings Bank to provide the Authority with banking services...” be adopted. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

It was moved by Barse and seconded by Villar that Resolution No. 2022 – 89, “A Resolution of the Landis Sewerage Authority authorizing correction on credits, charge-offs, refunds and cancellation of accounts in the amount of \$1059.48...” be adopted. Roll call: Barse, Villar, Angelo and Reuben voted “yes”.

Reports:

Executive Director

Dennis Palmer reported that we took action on the banking RFP and it was pretty clear cut. No fees and four times the interest and also the ease of the bank being close. You have the commission report from HomeServe and you also have the report card for almost 1,000 accounts that saved out customers \$290,000 where they came out and did the repairs instead of calling a plumber. You also have the receiving station report and I’ll let Steve talk more about the November 2nd hearing. Associated with that, DEP sent us permit modifications and previously we filed objections to it and now they sent out a second one to sample four times a year instead of one time a year. We’re going to meet tomorrow to discuss our opposition strategy. The main thing is that we’re a named party in the litigation on objecting to the permit modification. My strongest argument is that we’re a named party in litigation opposing the underlying regulations. The permit modification should be stayed until the litigation is completed.

Steven Barse stated that there were a series of email exchanges that said that the granting of the stay at that time is highly unlikely. Dennis stated that you have to keep throwing stuff at it and at some point, you have to ask for an administrative hearing we’ll do that to protect our rights as we go down the road. Every time you write comments on a permit

modification or any permit amendment, they have to do a response document. They will have to get someone to help them respond to the comment about we're in litigation and we're the first party named in the litigation and therefore we should be stayed. It takes time. Stephen stated that for any requests you may make, you have a limited period of time like 15 days to file a request for an administrative hearing. Sometimes you don't get a hearing for a couple of years.

Field Engineer

At the intersection of Mill Road and Landis Avenue there is a broken 8-inch sewer main that I spoke about at the last meeting. We've received a quote that was low enough that we won't have to go out to bid from Perna Finnegan. The job should be completed within the next few weeks.

Solicitor:

Stephen Barse stated that to follow up we received a notice on September 15th that the Appellate Division has scheduled oral arguments for November 2nd in Trenton. It's an in person oral argument. There are six people in our emails and four or five of them are lawyers so I would think it will be a fairly lengthy argument because everyone is going to want to be heard because they are representing different interests. I will be attending so that I can report back at the following meeting and after that it could be six months to a year before you get a decision. It depends on how many issues there are and how complicated it is and sometimes it gets caught up in other things happening where somebody wants to join the case that pending. I don't see that here and I think that would have happened by now. It's a fairly complicated issue where you have tiers of public entities involved. Dennis stated that Sussex County is the other MUA and there's three or four trade groups. Stephen stated that everyone wants to be heard and sometimes the court won't let them do that and we'll get a sense eventually of what they're going to do.

Chairman:

Joe Reuben offered his condolences as well as the Board's to Alan Angelo on the passing of his father, Fred Angelo.

Issues and Correspondence: None

Committee Reports:

Engineering/Plant:

Dennis stated that we received a proposal from Mott MacDonald Engineering on the pipeline replacement. They presented it as we want to fix the deep end and maybe we'll get lucky and go out to bid and put the whole line as an alternate bid. It will still be big

like three-quarters of a million. Anthony and I went through the video again. The first 50 feet, a couple lengths of pipe at the very beginning, half of the concrete is gone and you can see the reinforcement wire. If you go down further its just parts missing and towards the very end the gases also ate to the rebar. Our thoughts are to go forward with a reduced scope of engineering on their part to do the deep end. So instead of \$120,000 it would be around \$60,000 to the engineering and that \$60,000 included some inspection service but I think we're going to do that ourselves. Put our document to do the deep end and when we go to the deep end, we'll intercept the pipe upstream of where the bad part is and bring it around so the lower section where it's bad will be eliminated since we'll go around. We'll get a quote in from people who do lining and we'll clean the upper section and line that section. Looking at the pipe we probably have years and not decades further down. We'll take a section each year for part of the capital budget or put it on a monitoring program and we'll go in once a year with a camera and do the worst part. If we see any other parts with exposure to the reinforcement wire, that section needs to be done and be a little more pragmatic in our approach instead of doing everything and drop \$1.3 million.

Budget/Finance:

Perry Barse reported that income is \$369.128 or 6.1% over budget and expenses are \$123,016 or 1.6% over budget. Accounts receivables decreased \$540,376.

David said the two-year treasury broke over 3% so we bought another one this week and the last thing is the lien sale took place last week. In comparison to 2021 there were a 1,085 and this year it was 1,295. It ratchets down. The lien letters were 889 this year and 744 last year; accounts advertised was 605 this year and 465 last year. Accounts sold that went to lien was 355 this year compared to 230 last year. We think that last year all of the checks were coming out and it helped people pay their bills. The total we collected was \$140,000 and change. None went to the city; all of our sold. It was a good lien sale.

Human Resources:

We have a new person at the farm hopefully starting on September 26th and a new person in the plant as well. As one of the shift managers left, we moved someone up to temporary or acting shift manager and the new person will move into that position in the plant.

Public Relations:

We had a group here last week from Audubon to try to get people interested in planting trees with matching grants. If you have a large farm, they're trying to bring back white cedars and other trees. We did a tour out to our pines and one of the ladies was a big bob white person and explained a mixture of grasslands and trees is a good environment. Rowan University is back doing tours and we have an environmental science class coming back in October.

Insurance Committee:

Carol Ricci thanked the Board for passing both of her resolutions at the last meeting for prescriptions and major medical. Carol stated that she just received an early quote for Mutual of Omaha which is not due until January 1st for Life, AD&D and LTD. They are leaving their rates the same for a two-year contract. It will be up for action at the next meeting.

Dennis asked about the healthcare increase. Carol stated that prescriptions were flat and Horizon was 5%. Dennis stated that there were newspaper articles about the State health plan and they are looking at 18% and higher increases. Carol stated that our census has changed also so they are looking at us differently. A lot of companies wouldn't even bid us before because of our census.

Allocations/Administration: No report

Old Business:

Stephen stated that he pulled up the notice on the oral arguments and there are five attorneys general copied for the state of New Jersey from their side and three more lawyers on top of that so it will be interesting. There are other amicus type filings.

New Business: None

Adjournment:

At 6.17 p.m. there being no further business to come before the Board, it was moved by Villar and seconded by Barse that the meeting be adjourned. Roll call: Barse, Villar, Angelo and Reuben voted "yes".

THE LANDIS SEWERAGE AUTHORITY

CARLOS VILLAR, Secretary