

THE LANDIS SEWERAGE AUTHORITY  
REGULAR MEETING  
February 6, 2012

Pledge of Allegiance and Oath of Office

Steven Fabietti administered the Oath of Office to Stephen A. Lewis and Thomas J. Merighi, Jr.

The regular meeting of the Landis Sewerage Authority was called to order by Acting Chairman, Solicitor A. Steven Fabietti at 6:00 p.m.

The following members were present at roll call: Lewis, Merighi, Silva, Errickson and Gana.

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

Acting Chairman, A. Steven Fabietti 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 notice to the offices of the Daily Journal and The Press.
3. Filing written notices in the offices of the Authority and City Clerk

Also present:	Dennis W. Palmer	Executive Director/Chief Engineer
	Robert A. Schwarz	Field Engineer
	A. Steven Fabietti	Solicitor
	Maureen J. DePasquale	Executive Secretary
	Carol A. Ricci	Insurance Coordinator

The Solicitor, as acting chairman, asked for a motion to open nominations for the election of a slate of officers for the next ensuing year as follows:

Chairman.....	Francis A. Gana
Vice-Chairman.....	G. Steven Errickson
Secretary.....	Jose Silva, Jr.
Treasurer.....	Thomas J. Merighi, Jr.
Assistant Secretary.....	Stephen A. Lewis
Assistant Treasurer.....	Stephen A. Lewis

It was moved by Errickson and seconded by Silva that the above slate of officers be nominated. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

The Solicitor asked if there are other nominations. There being no further nominations, the Solicitor announced that he would entertain a motion that nominations be closed.

It was moved by Errickson and seconded by Silva that the nominations be closed and the slate of officers be elected. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Silva and seconded by Errickson that the reading of the minutes of the regular meeting held on January 17, 2012, be dispensed with and the same be approved in the form submitted to all members by mail. Roll call: Silva, Errickson and Gana voted "yes". Lewis and Merighi abstained.

On behalf of the Comissioners, Chairman Gana, Dennis Palmer presented a 20 year service award to Tim Foyle.

The Chairman asked if there were any general public comments or comments on the proposed Resolutions.

It was moved Errickson and seconded by Silva that Resolution No. 2012-13, "A Resolution confirming the appointing of the Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-14, "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...\$93,113.92", be adopted. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Silva and seconded by Errickson that Resolution No. 2012-15, "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... \$172,929.80", be adopted. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-16, "A Resolution Designating the Official Newspapers", be adopted. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Silva and seconded by Errickson that Resolution No. 2012-17, "A resolution authorizing the award of a non-fair and open contract for auditing services with Romano, Hearing, Testa & Knorr, CPA for the period February 7, 2012 to February 6, 2013". Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Silva and seconded by Errickson that Resolution No. 2012-18, “A resolution authorizing an agreement for the services of Cumberland Advisors/Cumberland Consulting as Financial Advisor from February 7, 2012 to February 6, 2013”. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-19, “A resolution authorizing the award of a non-fair and open contract for Solicitor and legal services for the period of February 7, 2012 to February 6, 2013”. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Silva and seconded by Errickson that Resolution No. 2012-20, “A resolution honoring Joseph Reuben for his service to the Landis Sewerage Authority”. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-21, “A resolution summarizing allocation activity through the close of Allocation Round 137”. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-22, “A resolution authorizing correction on credits, charge-offs, refunds and cancellation of accounts in the amount of \$2,110.00”. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-23, “A resolution of the Landis Sewerage Authority authorizing payment from the Construction Fund of certain costs of the system in accordance with the provisions of the Authority's General Bond Resolution ... Home Depot, \$793.95 for electrical supplies for pole barn”, be adopted. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-24, “A resolution of the Landis Sewerage Authority authorizing payment from the Construction Fund of certain costs of the system in accordance with the provisions of the Authority's General Bond Resolution...Fastenal Company, \$2,012.65 for the aeration basin project”, be adopted. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

It was moved by Errickson and seconded by Silva that Resolution No. 2012-25, “A resolution of the Landis Sewerage Authority authorizing payment from the Construction Fund of certain costs of the system in accordance with the provisions of the Authority's General Bond Resolution...Thomas J. Post, \$2,450.00, reimbursement for e-bay purchase of 75HP Electric motor, 1800 rpm”, be adopted. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

Executive Director/Chief Engineer Dennis Palmer welcomed new commissioners to the board and reported that he had taken the new Commissioners Lewis and Merighi on a tour of the facility. Dennis shared the thank you note sent by Steven Errickson for the fruit basket sent by LSA upon the passing of his mother. Dennis reported that Rudy's Airport was a piece of litigation we were involved in jointly with the City and it had been around for several years regarding the City's Master Plan. Dennis explained the wastewater master plan and the map we have on the wall. The master plan is underneath our wastewater management plan. It follows the zoning. We joined the City on the litigation of Rudy's Airport and we intervened in that case with special counsel and it went to the Appellate Division and it upheld the trial court except for two matters that remained in trial court to be reheard. They were reheard and the trial court again found in favor of the City. The litigant still has 45 days from that time to file an appeal. Rudy's Airport wanted to put in high density housing in an environmental sensitive area that never should have infrastructure. Land was purchased in an area that really shouldn't have growth. Litigation could impact our planning for the future. History of the Authority showed that we had been under different sewer bans. Dennis stated that there is no economic growth with a sewer moratorium and he had made provisions that we would never be in that position again. He also stated that he was going to Trenton on 2/14/12 to meet with the DEP to take our plant up to a higher capacity. Our plan allows us to go to 10.75 and the purpose of the trip is to look for growth of 1M or more gallons in our existing facility.

Dennis stated that the Earth Day Poster notices went out. Room will be full with middle school children presenting their Earth Day posters for the contest. We pick one from each school. Parents can attend.

Kristi Funderburk from the paper came out with Joe Isabella to take pictures of the solar panels. The City is in for an award for solar panel projects. Dennis stated that power output is unusually high for a small utility and exceeds other facilities in other parts of the country. The story will be that the City has a 1000 watts of power for every customer compared to 30, 40 or 50 watts in other areas.

Dennis spoke about how our agenda is larger than usual because of the nominations for a slate of officers. In the next couple of weeks we will be having meetings with our engineering group for projects as well as personnel and insurance issues that Carol Ricci will address regarding Prescriptions.

Dennis spoke of Maureen retiring after 28 years and Carol Ricci will be moving to her position. Everyone is invited to Maureen's retirement gathering on February 29<sup>th</sup>. Past commissioners will be coming also. Dennis also mentioned the stable employee staff as evidenced by the awards shelf in the lobby and that many of those staff members are licensed and certified.

Field Engineer Bob Schwarz reported that with the mild weather we have had significant progress on many projects such as Cobblestone Meadows located at Dante and Venezia. They are moving forward with infrastructure improvements necessary for their subdivision. First house is about 50% complete.

Bob also reported that the Kings Crossing Condominium complex on Oak Road near Becker Drive has started their 5<sup>th</sup> or 6<sup>th</sup> building and are moving quite rapidly. Chick-Fil-A Restaurant is moving ahead because of good weather. Concrete and brick work are almost complete. Bob stated that they are expecting a March opening.

The new fire house on Chestnut Ave. between East & Eighth has had existing laterals televised to determine their integrity. The contractor plans on placing a 4 inch diameter PVC pipe 4 inch (PVC Schedule 40) pipe inside the existing lateral to utilize for the new station. The end of the lateral where the 6 inch lateral and the 4 inch lateral will meet will be properly sealed to avoid any water or debris from entering in between pipes.

Video Pipe Services of Newfield intends to grout a manhole in the vicinity of Lincoln and Brewster where LSA has a significant leak in the manhole.

Borough trunkline sewer line improvement project will start with a feasibility study on best method to replace a portion of this trunkline in the Delsea Drive and Chestnut Avenue area.

Solicitor A. Steven Fabietti reported that Dennis mentioned solar project and publicity going on and the background on the project is that the Authority leases ground to the City of Vineland. The City sends out a RFP to get proposals from developers for the site so our only involvement is that it is on the Authority's ground and the Authority receives certain rent payments for the use of the property from the City and there's a certain bonus based upon the electricity that is passed through there. Over the past several months we've been monitoring some issues with the developer where some subcontractors haven't been paid and liens were filed against the Authority's property. We think everything is nearly cleared up at this point and the developer is stepping up to do the right thing. Steve reported that he ordered a title report to get a look at the public record to see what existing liens there are against the Authority's property and make sure everything has been cleared off that has to be and he will report at next meeting. No significant problems are expected as no claims have been asserted for payment against the Authority.

Steven Fabietti also reported that the litigation with two developers in Franklin Township and Newfield sued the Authority to compel the Authority to provide sewer service to those adjacent towns for low and moderate income development and housing. Litigation started the end of 2010 or beginning of 2011 and we were able to successfully get out of both cases on a Motion to Dismiss. A significant factor is that the Authority has an approved wastewater management plan with the DEP that took 19 years to get approved which sets

forth all of the existing and future sewer service areas that are planned for the City of Vineland done in conjunction with the city's planning staff and Dennis' staff. Through that litigation it was learned that the Authority is only one of two agencies statewide that have gotten that far to get an approved plan with the DEP. He stated that the Authority is in a much better planning position than our counterparts in other towns.

Steven Fabietti reported that a lot of issues cannot be reported on the record for confidentiality reasons. If a topic relates an employee issue or a contract issue or litigation issue we will go into a closed session, turn off recorders and take manual minutes of what is discussed and will re-open the public session and continue the meeting.

Chairman Gana stated that he had nothing to report.

Issues and Correspondence – Dennis Palmer reported that he had nothing to report.

Engineering/Plant Committee – Dennis reported that Bob noted that we are working on a pipeline project to be done in house at a savings to the Authority and we are also looking at a bid for a fair sized item for the farm and it will be reviewed before it goes to the full Board. Dennis stated that we will be planting more corn on the farm since the price of corn was so good last year. He stated that last year we had 60 to 85 acres and this year we will be up to 110 acres. We still have to keep hay and straw fields. Corn is not harvested for 120 days and corn will bring in more revenue to the Authority.

Budget & Finance Committee – Tom Post is finishing up last year's budget and we should have something at the next meeting to see where we stand coming out of the first of the year.

Human Resource Committee – Dennis stated that they will be meeting on an item to come up at the next meeting.

Public Relations Committee – Dennis reported again the Earth Day Poster Contest is coming up and the story on the solar panels may have a quote on the Authority.

Insurance Committee – Dennis stated that Carol Ricci will be coming to the next meeting with a recommendation on the prescription plan.

Allocation/Administration Committee – Dennis stated that there is nothing to report.

At 6:34 p. m., there being no further business to come before the Board, it was moved by Silva and seconded by Errickson that the meeting be adjourned. Roll call: Lewis, Merighi, Silva, Errickson and Gana voted "yes".

THE LANDIS SEWERAGE AUTHORITY

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JOSE SILVA, JR., SECRETARY