

## CERTIFICATION

I hereby certify the attached to a true and correct copy of the unapproved Minutes of the April 21, 2014 adjourned Regular Meeting of the Camden County Municipal Utilities Authority. It is anticipated that these minutes will be adopted by the CCMUA's Board of Commissioners at the May 19, 2014 Regular Meeting.



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Kim Michelini  
Authority Secretary

**THE CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY**  
**MINUTES OF THE REGULAR MEETING HELD ON APRIL 21, 2014**

The Regular Meeting of The Camden County Municipal Utilities Authority was called to order by Chairman Brennan at 6:00 P.M. The meeting was held at the Administration Building located at 1645 Ferry Avenue, Camden, New Jersey. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

**STAFF PRESENT:**

Andrew Kricun, Executive Director	Robert Cornforth, Director of O&M
Laurence E. Rosoff, Solicitor	Alisa Smith, Secretarial Assistant
Wayne Planamento, Chief Financial Officer	

**CONSULTANTS:**

Jose Calderon, T&M Associates  
 Andrew Bosinger, Synagro  
 Robert Serpente, D&B/Guarino

**OTHERS PRESENT:**

Marge DellaVecchia, Camden County  
 Kelly Francis, Camden County NAACP

Chairman Brennan read the 'Chairperson's Commencement Statement' acknowledging that proper notice of this Regular Meeting setting forth the date, time and place of the meeting has been prominently posted on (1) a public bulletin board located in the lobby of the Administration building (2) mailed to the Courier-Post and Inquirer and (3) filed with the Clerk of Camden County on February 19, 2014 as set forth in its annual schedule of meetings, in compliance with the Open Public Meetings Law.

**ADOPTION OF MINUTES:**

A motion was made by Commissioner Bresch and seconded by Commissioner Swartz to adopt the Minutes of the Regular Meeting held on March 17, 2014. There being no question on the motion, a roll call was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	ABSTAIN
"	Engelbert	-	YES
"	MacFarlane	-	ABSTAIN
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

The motion was carried.

**PUBLIC HEARING:**

Mr. Kricun stated that the first item of business is the revision of the connection fee. Last month, the Board passed a resolution putting forth a proposed change in connection fee rate and notice of a public hearing was advertised accordingly. The current rate is \$4,883 per equivalent dwelling unit (EDU). Based on the calculation prepared by our Chief Financial Officer via State Statute, the new calculation is that the connection fee will increase to \$5,119 per EDU. Chairman Brennan opened the public hearing on the proposed connection fee increase and noted that there was no public present to address the matter. Chairman Brennan closed the public portion of the meeting. There being no further question, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-41 was adopted.

**EXECUTIVE DIRECTOR'S REPORT:**

**D) ITEMS FOR DISCUSSION:**

**A) Administration:**

1) Environmental Management System- April 2014

Commissioner Wu asked for a status update on the sludge dryers. Mr. Kricun explained that all three dryers are running and are averaging about 60 tons/dryer per day. We have been generating more sludge than anticipated because of the colder weather. It is anticipated that sludge production will lessen some with the coming of the warmer weather. The dryers are designed for 70 tons/dryer per day and we haven't pushed for that yet because we need three to run since our total production is greater than two dryers can handle. Commissioner Wu asked when the performance date might be scheduled to which Mr. Kricun responded that he felt it could be held at any time but there didn't seem to be a reason to press for it until Komline Sanderson presses for it. Komline continues to work to improve the operation and make minor adjustments. We want to ensure that the dryers return to their performance levels of last summer where two of three dryers were able to meet all of our sludge production needs. Once that is complete, then the performance test could be scheduled.

Chairman Brennan commented that he spoke with Mr. Cornforth prior to the meeting regarding the odors detected upon arrival at tonight's meeting. He added that the CCMUA owes it to the community to ensure that we are not the source of the odors and that we are doing all that we can to prevent them. Mr. Cornforth stated that he wasn't sure, but suspected that the odor may be related to the fire that we recently had in the biofilter. A week ago Friday, there was an electrical fire in the biofilter. The system was back up and running on a temporary basis this past Tuesday but was shut down for about 1 hour late this afternoon while we continued to pull wires to the building. I believe that the odor was due to the blowers starting back up and releasing a puff of stagnant odorous air to the environment. I have asked the operations staff to check to see if they can determine the source of the odors. Chairman Brennan asked that a note be sent to the Commissioners advising them of the source of the odor if determined. Chairman Brennan suggested that the staff take all the necessary efforts to ensure that there are no odors at the May 12<sup>th</sup> ribbon cutting ceremony. Mr. Kricun stated that it is a sewage pumping station and so there is always a potential for odors, however, the pumping station does have an odor control system in place.

2) National Water Week- Recognition of CCMUA as a "Utility of the Future"

Mr. Kricun explained to the Board that April 7-13 was National Water Week. The handout distributed to the Board was given out to the White House, U.S. Congressmen and Senators by the National Association of Clean Water Agencies (NACWA) to show support of the Clean Water Act and their request for investment in clean water infrastructure. The pamphlet shows that they used agencies across the U.S. that represented the Utilities of the Future and the CCMUA is one of the 12 agencies selected as an exemplary utility. Other

agencies include Oakland, Milwaukee, Detroit, New York City, Philadelphia, and Washington D.C. The pamphlet is meant to show that agencies are doing positive things with proper funding. It is a great honor for the CCMUA and for the Board and staff that the CCMUA is considered nationally as one of the best clean water agencies in the country. Chairman Brennan added that he applauded the efforts of the former Chairwoman and all the Commissioners that have served on the Board. He further suggested that Freeholders Nash and Cappelli be notified of this accomplishment.

**B) Engineering:**

1) Atlantic Basin Interceptor- Status Update

Mr. Kricun reported that the Atlantic Basin Interceptor Expansion project was completed and the Winslow Sewage Treatment Plant was disconnected from the system effective April 14, 2014. This means that the 2 million gallons of sewage once discharged into the Great Egg Harbor will cease, improving the water quality of the Great Egg Harbor River and the Pinelands National Reserve. A ribbon Cutting ceremony is scheduled for May 12, 2014 at 11:00am at the new Cross Keys Pumping Station located at the Camden County Technical School in Sicklerville. An invitation will be sent to all Commissioners. The State and the Pinelands Commission are pleased with the results and the Deputy Commissioner of the NJDEP may be attending.

**C) Legal:**

**D) Operations & Maintenance:**

**E) Finance:**

1) Voucher Payment Resolutions - Report on Emergency Payments

**II) INFORMATIONAL ITEMS:**

**A) Administration:**

**B) Finance:**

1) Collections Report for March 2014

2) Budget Review Report for March 2014

Commissioner MacFarlane noted that the budget looks good and that we are getting closer and closer to being on budget with regard to sludge and waste.

3) Cash Management Report for February 2014

**C) Operations & Maintenance:**

1) Del. No. 1 WPCF & Winslow STP- Operations Report (February 2014)

**PUBLIC PARTICIPATION ON PROPOSED RESOLUTIONS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

A motion was made by Commissioner MacFarlane and seconded by Commissioner Bresch to adopt Resolution #R-14:4-42, authorizing Award of the Annual Financial Advisor Contract to NW Financial. Commissioner Dixon asked for clarification as to selection process. Mr. Kricun explained that the vendor provides services when bonds and notes are issued. Recently, however, the CCMUA has been financing projects through the NJ Infrastructure Trust. NW Financial submitted a proposal that states that they will charge an hourly rate with a maximum charge of \$6,500 per transaction versus Acacia who stated that they would charge a minimum fee of \$12,000. This means that NW Financial will charge no more than \$6,500 per transaction and Acacia will charge no less than \$12,000 per transaction. NW Financial is our current financial advisor and Acacia was our advisor prior to that; both vendors are equally qualified. Commissioner Engelbert asked if NW Financial has done much hourly work to which Mr. Kricun replied they have not. There being no further question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES

"	Engelbert	-	ABSTAIN
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-42 was adopted.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Engelbert to adopt Resolution #R-14:4-43, authorizing award of the Annual General Engineering Services Contract for the Delaware No. 1 WPCF to D&B/Guarino Engineers. There being no question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-43 was adopted.

A motion was made by Commissioner Engelbert and seconded by Commissioner Swartz to adopt Resolution #R-14:4-44, authorizing award of the Annual General Engineering Services Contract for the Regional Interceptor System to JMT/Kupper, LLC. There being no question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-44 was adopted.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Engelbert to adopt Resolution #R-14:4-45, authorizing Change Order No. 1 to T & M Associates for Design Engineering Services during construction at Cooper River lake Park. Chairman Brennan asked if we had a sense of how many change orders we were going to receive on this project to which Mr. Kricun replied that this is not really a change order. County Counsel rendered an opinion that the CCMUA could issue this change order as closely related services. It is really a new contract and rather than issue an RFP to save time the County determined that the services should be considered closely related and that a change order could be issued. There being no further question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-45 was adopted.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Bresch to adopt Resolution #R-14:4-46, authorizing a Change Order to the CCMUA's Licensed Site Remediation Professional Services Agreement with Environmental Resolutions, Inc. for Phoenix Park. Mr. Kricun explained that when using the services of a licensed site remediation professional (LSRP), an assumption is made based on historical data about the parcel of land in question. When the actual services are rendered, it may be that additional sampling is required. In this case, the NJDEP determined that additional sampling was required than initially anticipated which resulted in the change order. Mr. Kricun stated that he felt that the change order was reasonable and further noted that there will be additional sampling as required by the NJDEP which will result in another change order. There being no further question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-46 was adopted.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Engelbert to adopt Resolution #R-14:4-47, authorizing Change Order No. 1 to PS&S for Design Engineering Services for the Camden City Combined Sewer Overflow Project. Commissioner Swartz commented that it seems that we have seen many more change orders on our projects. While unforeseen circumstances do occur on both the CCMUA and the Engineer's part, it seems that the CCMUA is always financially responsible for the change order and the Engineer is not. It would seem that there should be a meeting of the minds so to speak between the CCMUA and the Engineer or Contractor so that it is a 50/50 split. Mr. Kricun replied that he did negotiate this change order down from \$30,000 to \$15,000 because he couldn't support the amount requested. Going forward, it is possible to require a 10-15% contingency in the base contract in order to prevent change orders which means that they would not be presented to the Board until after the contingency has been utilized. However, in doing so, the CCMUA runs the risk of spending more than originally planned because if it is built into the contract it will be harder to refute. Chairman Brennan noted that Commissioners Bresch and MacFarlane have commented during the Project Committee meetings that assumptions are made at our risk. Mr. Kricun replied that part of the problem is that we typically take the lowest price on RFPs which we are not required to do. Commissioner Bresch stated that just because a contingency is built into a contract, the vendor must still seek authorization from the CCMUA to go ahead with the work. There being no further question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-47 was adopted.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Engelbert to adopt Resolution #R-14:4-48, authorizing a Change Order to the CCMUA's Bill Printing and Mailing Contract with Cash Cycle Solutions, Inc. Chairman Brennan asked for clarification on the reason for this change order. Mr. Kricun explained that the CCMUA did not issue the bid specifications with enough lead time should there be a problem with the bidding process. A resolution awarding a contract was planned to have occurred in February; however, the bids received were tied, preventing this from occurring. A best and final was requested and as a result the contract was not awarded to the new vendor after the bills were due. In order to prevent this from occurring again in the future, the bid specification will be issued much earlier to allow ample time should there be similar problems with the bidding process. There being no further question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-48 was adopted.

A motion was made by Commissioner Bresch and seconded by Commissioner Swartz to adopt Resolution #R-14:4-49, amending the salary range for Supervising Mechanic. Commissioner Dixon asked if this matter was presented to the Personnel Committee for consideration. Mr. Kricun replied that it had not been. Chairman Brennan suggested that it be tabled to allow the Personnel Committee to review the matter. There being no further question, a motion was made by Commissioner Engelbert and seconded by Commissioner Wu to table Resolution #14:4-49. All Commissioners responded "Aye" in favor.

Resolution #R-14:4-49 was tabled.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Swartz to adopt Resolution #R-14:4-50, authorizing the execution of an agreement between the CCMUA and Air Liquide Industrial US LP, of East Norriton, PA for the supply and delivery of bulk liquid oxygen in accordance with Specification #14-02. There being no question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-50 was adopted.

A motion was made by Commissioner MacFarlane and seconded by Commissioner Swartz to adopt Resolution #R-14:4-51, authorizing entering into an agreement for provision of landscaping services pursuant to Shared Services Competitive RFP procured with the County of Camden. Mr. Kricun pointed out that the second page of the resolution has the date of April 10, 2013 through October 13, 2014 incorrectly noted. The year should be 2014 and the resolution will be corrected to reflect this. There being no further comment or question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	YES
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-51 was adopted.

A motion was made by Commissioner Swartz and seconded by Commissioner Bresch to adopt Resolution #R-14:4-52, ratifying approval of expense vouchers as approved by the Executive Director under authorization granted by CCMUA Resolution #R-97:3-60, dated March 17, 1997. There being no question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	ABSTAIN
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-52 was adopted.

A motion was made by Commissioner Bresch and seconded by Commissioner Swartz to adopt Resolution #R-14:4-53, authorizing payment of \$2,876,889.77 for expenses disbursed from various trust accounts. There being no question on the motion, a roll call vote was taken. On roll call, the Commissioners responded to their names as follows:

Commissioner	Bresch	-	YES
"	Burley	-	YES
"	Dixon	-	YES
"	Engelbert	-	YES
"	MacFarlane	-	ABSTAIN
"	Swartz	-	YES
"	Wu	-	YES
"	Young	-	YES
Chairman	Brennan	-	YES

Resolution #R-14:4-53 was adopted.

**PUBLIC PARTICIPATION:**

Good Evening Chairman and Commissioners. My name is Kelly Francis and I am here on behalf of several different organizations that I represent. I am here to comment on the proposed Phoenix Park project. I came before you and the Freeholder Board last year on this issue where I presented my objections to the project. I repeated my objections to the Freeholder Board at a recent meeting after I received notice that an RFP was issued for the construction of the Phoenix Park.

I have several reasons why I am opposed to the development of this park. They are:

- 1) This parcel of land is one of the most valuable in the City of Camden and on the entire East Coast because it is prime waterfront real estate.
- 2) The 25 year Master Plan for the City of Camden does not indicate that this parcel of land is to be used for a park. The entire area from 4<sup>th</sup> Street to Atlantic Avenue is zoned as Port Industrial, Light Industrial or Commercial. I was a participant in the development of this plan.
- 3) 60% of Camden's property and land is tax exempt for one reason or another. It may be owned by the State, the County, a hospital or institutions and colleges. This, therefore, makes Camden one of the nation's poorest cities. Camden has been bankrupt for the last 40 years and the State has to bail it out since the shipyard closed in 1967.
- 4) Land and property taxes revenue is what supports the City and provides services to its residents. Two years ago, the City had to layoff 1/2 of its entire police force, 1/3 of its fire department, civilian workers took furloughs because it did not generate enough tax revenue. The City cannot afford to have any more property, especially valuable waterfront property, become tax exempt. As it is, the CCMUA sits on 46 acres of valuable tax exempt property. South Jersey Port sits on about 300 acres of tax exempt property because it is owned by the State of NJ. Camden's waterfront is approximately 4 miles long and there are only about 4 tax paying businesses along the waterfront. The Aquarium, the Riversharks stadium, the Susquehanna Bank Center are all tax exempt because they are owned by the State of NJ. Susquehanna Bank Center leases the land from the EDA. The County owns Wiggins Park, the Battleship Museum and the Marina and no taxes are paid to the City. The County owns almost 100 acres of tax exempt land along the waterfront which is the most valuable land the City has and no taxes are paid for it. Phoenix Park is another 5 acres of valuable waterfront property and it is unconscionable that it is going to be turned into a park whereby the City will receive no tax revenue from it.



- 5) Camden's residents do not have jobs which further compounds the problem. How do you create jobs- by having the City market land to businesses that will come to Camden and create jobs? Camden once was an industrial giant; today there are no jobs. Camden cannot afford to waste this valuable waterfront property on a park.
- 6) In addition, this is not a good location for a park. The property is sandwiched between the CCMUA and other industries. Visitors to the park will be exposed to pollution from the industries and from diesel ships in port and traffic pollution from I-95.

Chairman Brennan interjected that he would be leaving the meeting but not because he disagreed with Mr. Francis. He stated that he agreed with Mr. Francis in that Camden's financial woes cannot be exaggerated. However, it appears that the County and City authorities thought that this was an intelligent and good use of this parcel of land. He added that if it were a choice between Business A and a park, I would think that Business A would trump the park, but there is no business interested in the property. He turned the meeting over to the Vice-Chairman, James MacFarlane at 6:35pm.

The people of Camden do not want a park at this location. The Master Plan calls for the property to be port industrial, light industrial or commercial which makes sense. The residents of Waterfront South have a park adjacent to this property and there are two other parks a block away from Waterfront South for their use. The CCMUA already occupies 46 acres of waterfront property; why do you need another 5 acres that is tax exempt. A park does not produce jobs and does not bring in tax revenue. One reason why no business will come to that location is because of the odors from your sewer plant and MacAndrews & Forbes. Couldn't the money spent on the development of the park be used to eliminate odors from your plant?

I just won a lawsuit against a slum lord/tax evader. The courts agreed with me, the owner had hundreds of children living in the housing units and therefore, should be paying taxes.

Vice-Chairman MacFarlane thanked Mr. Francis for his opinion and noted that the Board will keep it under consideration. His opinion was clearly understood by the Board, noting that he recognized that Mr. Francis strongly objects to this project. However, he added, that there are others who are strongly in favor of the project otherwise it wouldn't be moving forward. Mr. Francis responded that he was hoping that he could avoid litigation, but has been doing it for the last 30-40 years and has no problem doing so in this case either.

There being no further business, Vice-Chairman MacFarlane entertained for a motion of adjournment. A motion was made by Commissioner Engelbert and seconded by Commissioner Bresch. All Commissioners responded "Aye" in favor and the meeting adjourned at 6:43pm.

Minutes of this meeting were approved on 5/19/14

Respectfully Submitted,

  
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Kim Michelini  
Authority Secretary

