

Minutes of the Regular Meeting of the Pine Hill Borough Municipal Utilities Authority held Tuesday, **July 17, 2024** at 7:00 pm at the PHBMUA Building, 907 Turnerville Road, Borough of Pine Hill, County of Camden, State of New Jersey.

PINE HILL MUNICIPAL UTILITIES AUTHORITY

AGENDA

Tuesday July 17, 2024
7:00 PM

PLEDGE OF ALLEGIANCE TO THE FLAG

OPEN PUBLIC MEETING ACT

ROLL CALL

ON THE AGENDA

OPEN THE FLOOR TO THE PUBLIC

MINUTES OF THE FOLLOWING MEETING

1. July 17, 2024

CORRESPONDENCE

1. Pennoni – Mt Clement Well
2. Pennoni - Emergency Repairs Bid Recommendation
3. Long – Emergency Repair – Mt Clement Well
4. Emergency repairs Bid Opinion
5. American Water rates
6. Pennoni – Scope of Service
7. Thank you – The Odenath family

REPORTS

1. ENGINEER
2. SOLICITOR
3. LICENSED OPERATIONS MANAGER
4. EXECUTIVE DIRECTOR
5. BOARD MEMBERS

NEW BUSINESS

OLD BUSINESS

RESOLUTION

1. Budget Transfer Sewer – Accounting Fees
2. Budget Transfer Water – Accounting Fees
3. 2025 Adopted Budget Resolution
4. Resolution Awarding Contract for Emergency Repairs
5. Authorize Advertisement Bid Specifications Parking lot Resurfacing
6. Authorize Advertisement Bid Specifications Xylem pups, spare parts/accessories
7. Appropriate water R & R – Mt Clement well repair
8. Budget Transfer Water – Chemicals/Utilities
9. Budget Transfer Water – Legal Fees
10. Payment of Bills

Closed Session

ADJOURNMENT

Mr. Odenath called the meeting to order with the Pledge of Allegiance to the Flag and the reading of the Open Public Meeting Act.

Roll Call:

Present: Mr. Odenath, Me. Green Mr. Hassett Mr. Knott, Mrs. Burke, Mr. Ford, Mr. Harris

Absent: None

Also in attendance was Mr. Buirch Executive Director, Mr. John Moustakes Solicitor.

Mr. Hassett made a motion to open the floor to the public, seconded by Mrs. Burke. Motion carried.

No one was present from the public.

Mr. Knott made a motion to close the floor to the public, seconded by Mrs. Burke. Motion carried.

Minutes:

Mrs. Burke made a motion to approve the minutes of the July 17, 2024, meeting, seconded by Mr. Knott.

Ayes: Mr. Odenath, Mr. Green, Mr. Hassett, Mr. Knott Mrs. Burke,

Nays: None

Abstain:
Correspondence:

PHMUX24004

Pine Hill Municipal Utilities Authority
Attn: Dominic Buirch, Executive Director
907 Turnersville Road
Pine Hill, NJ 08021

**RE: EMERGENCY REPAIR
MT CLEMENT WELL
PINE HILL MUA**

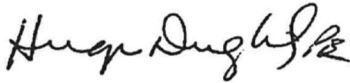
Dear Dominic:

In speaking with you and your staff, I understand that the submersible pump at the Mt. Clement Avenue well house, which is operated and maintained by the Pine Hill Borough MUA, has failed, and must be repaired on an emergency basis. The operation of the potable water well at Mt. Clement Avenue is an essential component of the Pine Hill Borough MUA water system. The pump failure has the potential to affect the public health and welfare.

The submersible pump repair is crucial to ensure the safety, welfare, and public health of the residents of Pine Hill as well as the general public. The cost of this work will likely exceed the bid threshold; however, due to the critical operation of this well, the pump must be repaired immediately.

In discussing the work with you and your staff, the emergency repairs to the Mt. Clement Avenue well pump can proceed in accordance with the "Emergency Contract" provisions (Section 40A:11-6) of the Local Public Contracts Law.

Sincerely,
PENNONI ASSOCIATES INC.



Hugh J. Dougherty, PE, CME
Vice President



Garice Pearce
Graduate Engineer

HJD/ab

PHMUX24001

Pine Hill Borough MUA
Attn: Dominic Buirch, Executive Director
Pine Hill MUA
907 Turnerville Road
Pine Hill, NJ 08021

**RE: PINE HILL BOROUGH MUA
EMERGENCY REPAIRS
BID RECOMMENDATION**

Dear Mr. Buirch:

On June 12, 2024, the Authority received bids on the above referenced project. A total of three (3) contractors submitted a proposal. The bids ranged from \$271,439.46 to \$594,890.00. We have enclosed the bid tabulation.

R. D. Zeuli, Inc. of West Berlin, NJ submitted the lowest qualifying bid. Their bid included the appropriate bid surety and required affidavit. R. D. Zeuli, Inc. has successfully completed emergency services for other authorities in the past.

We recommend that the Emergency Repairs to Water and Wastewater Conveyance System, Mains and Laterals and Supplementary Construction Services contract be awarded to RD Zeuli, Inc. for the low bid amount of \$271,439.46. Our recommendation is contingent upon the availability of funds and review by the Authority Solicitor.

Please feel free to contact us with any questions.

Sincerely,

PENNONI ASSOCIATES INC.



Hugh J. Dougherty, PE, CME
Authority Engineer



Thomas Lisse, PE, CME
Associate Vice President

June 20, 2024

Dominic Buirch, Executive Director
Pine Hill Municipal Utilities Authority
907 Turnersville Road
Pine Hill, NJ 08021

**RE: Emergency Repairs – Mt. Clement Well
Pine Hill Municipal Utilities Authority**

Dear Mr. Buirch

I have received correspondence June 20, 2024, from Huge J. Dougherty, PE, CME, and Garice Pearce of Pennoni Associates, Inc. regarding the submersible pump at the Mt. Clement Avenue well house. According to the correspondence the pump failure has the potential to affect the public health and welfare and its repair is crucial to ensure the safety, welfare, and public health of the residents of Pine Hill, as well as the general public.

After reviewing the circumstances in existence, it is my legal opinion that an actual emergency did indeed exist which required immediate action to protect the public health. N.J.S.A. 40A:11-6 provides that no contract shall be entered into on an emergency basis unless the following circumstances have been met:

1. An actual or imminent emergency must exist requiring the immediate performance of the service;
2. The emergency condition must affect the public's health, safety or welfare and require the immediate performance of the service to alleviate said condition.
3. The emergency purchasing procedure may not be used unless the need for services could not have been reasonably foreseen;
4. The contract shall be of limited duration as to meet only the immediate needs of the emergency;
5. Under no circumstances shall the emergency purchasing procedure be used to enter into a multi-year contract.

It is my legal opinion, based upon the information supplied, that the requirements of N.J.S.A. 40A:11-6 have been met and, therefore, the Authority may proceed in accordance with the emergency contract provisions of the local public contracts law.

If you have any questions or require any further clarification, please do not hesitate to contact me.

Very truly yours,
WADE, LONG, WOOD & LONG, L.L.C.
Christopher F. Long
Christopher F. Long, Esquire

WADE, LONG, WOOD & LONG, LLC

Howard C. Long, Jr. † John D. Wade †

Daniel H. Long † ± ◇ OF COUNSEL

Christopher F. Long † ◇ Leonard J. Wood, Jr. †
OF COUNSEL

John A. Moustakas † ◇

† Admitted to NJ Bar

± Admitted to Washington DC Bar

◇ Admitted to PA Bar

June 26, 2024

Dominic Buirch, Executive Director
Pine Hill Borough MUA
907 Turnerville Road
Pine Hill, NJ 08021

**RE: Pine Hill Borough MUA
Emergency Repairs to Water and Wastewater Conveyance System, Mains, and
Laterals and Supplemental Construction Services**

Dear Mr. Buirch:

I. INTRODUCTION

This office has reviewed the documents provided regarding the bid submission with respect to the Contract for Emergency Repairs to Water and Wastewater Conveyance System, Mains, and Laterals and Supplemental Construction Services on behalf of the Pine Hill Borough Municipal Utilities Authority (“PHMUA” and/or “Authority”). The Authority received three (3) bids for the Contract. The bids were submitted on Wednesday, June 12, 2024, as follows:

VENDOR BASE BID

1. R.D. Zeuli, Inc. \$271,439.46
 2. Crest Construction Group, LLC \$505,760.00
 3. J. Fletcher Creamer & Son, Inc. \$594,890.00
- Engineer's Estimate: \$384,050.00

II. FACTUAL ANALYSIS

The apparent low bid for the above referenced contract was submitted by R.D. Zeuli, Inc. (“R.D. Zeuli”). Following my review of the bid, no defects were uncovered, and the bid complied with the specifications from a legal perspective. The bid was reviewed from a technical perspective by Hugh J. Dougherty, PE, CME, Authority Engineer, and Thomas Lisse, PE, CME, Senior Engineer from Pennoni Associates. Following their review, Mr. Lisse and Mr. Dougherty opined that R.D. Zeuli's bid complies with Dominic Buirch Executive Director June 26, 2024

**RE: Pine Hill Borough MUA
Emergency Repairs to Water and Wastewater Conveyance System, Mains, and
Laterals and Supplemental Construction Services**

the technical specifications and recommended award of the contract to R.D. Zeuli, subject to this office’s review.

III. LEGAL ANALYSIS

The Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. regulates bidding on Contracts of public entities in New Jersey. In general, the practice of public bidding is universally recognized and deeply imbedded in the public policy of the State of New Jersey. *N.E.R.I. Corp. v. New Jersey Highway Authority*, 147 N.J. 223, 236 (1996). There is a prima facie presumption that power and discretion of governmental action in awarding bids on public Contracts has been properly exercised. *Colonnelli Bros., Inc. v. Village of Ridgefield Park*, 284 N.J.Super. 538, 541 (App.Div.1995).

Public bidding statutes are to be construed with sole reference to the public good and rigidly adhered to by courts. *Hall Const. Co., Inc. v. New Jersey Sports & Exposition Authority*, 295 N.J.Super. 629, 634 (App.Div.1996). Furthermore, public bidding statutes exist for the good of taxpayers, not bidders, and they must always be construed for the public good and to guard against favoritism, improvidence, extravagance, and corruption. *Sevell v. New Jersey Highway Authority*, 329 N.J.Super. 580, 584 (App.Div.2000).

Every Contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by Resolution of the governing body of the contracting unit to the lowest responsible bidder after public advertising for bids and bidding therefore. N.J.S.A. 40A:11-4. “*Lowest responsible bidder or vendor*” means the bidder or vendor: (a) whose response to a request for bids offers the lowest price and is responsive; and (b) who is responsible. N.J.S.A. 40A:11-2. The lowest responsible bidder on a public Contract must not only be deemed responsible but must submit the lowest bid which conforms to the Contract specifications. *Matter of Protest of Award of On-Line Games Production & Operation Services Contract, Bid No. 95-X-20175*, 279 N.J.Super. 566, 590 (App.Div.1995).

It is firmly established in New Jersey that material conditions contained in bidding specifications may not be waived. *Terminal Const. Corp. v. Atlantic Cty. Sewerage Auth.*, 67 N.J. 403, 409 (1975). A contracting body is generally without discretion to accept a defective bid. *Meadowbrook Carting Co. v. Borough of Island Heights*, 138 N.J. 307, 314 (1994). However, while material conditions contained in bidding specifications may not be waived, this rule does not apply to minor or inconsequential conditions. Public contracting units may resolve problems arising from such conditions in a sensible or practical way. *Terminal Const. Corp.*, 67 N.J. at 409-11. Materiality of a particular specification is to be determined as a matter of law. *Hanover Tp. v. Inter. Fidelity Ins. Co.*, 122 N.J.Super. 544, 548 (App.Div.1973).

There are two (2) criteria for determining whether a specific non-compliance constitutes a substantial and, hence, non-waivable irregularity: (1) Whether the effect of a waiver would be to deprive the public body of its assurance that the Contract will be entered into, performed, and guaranteed according to its specific requirements; and (2) Whether it is of such a nature that its waiver would adversely affect competitive bidding by placing a bidder in a position of advantage over the other bidders or by otherwise undermining the necessary common standard of competition. *Township of River Vale v. R.J. Longo Constr. Co.*, 127 N.J.Super. 207, 222 (Law.Div.1974).

**RE: Pine Hill Borough MUA
Emergency Repairs to Water and Wastewater Conveyance System, Mains, and
Laterals and Supplemental Construction Services**

The court has provided further guidance as to materiality where an error is “patent and the true intent of the bidder obvious”. In such a situation, the Appellate Division has held that such an error may be disregarded by the public agency. The Court held that certain non-compliance (i.e. obvious error) with the bid specifications may be deemed not material and therefore waivable by the public entity. *Spina v. Borough of Fairview*, 304 N.J. Super. 425, (App. Div. 1997).

As a matter of law, the Local Public Contract Law requires certain items to be included as material aspects of every bid. The statute reads:
“When required by the bid plans and specifications, the following requirements shall be considered mandatory items to be submitted at the time specified by the contracting unit for the receipt of the bids; the failure to submit any one of the mandatory items shall be deemed a fatal defect that shall render the bid proposal unresponsive and that cannot be cured by the governing body:

- a. A guarantee to accompany the bid pursuant to section 21 of P.L.1971,c.198 (C.40A:11-21);
- b. A certificate from a surety company pursuant to section 22 of P.L.1971,c.198 (C.40A:11-22);
- c. A statement of corporate ownership pursuant to section 1 of P.L.1977,c.33 (C.52:25-24.2);
- d. A listing of subcontractors pursuant to section 16 of P.L.1971, c.198(C.40A:11-16);
- e. A document provided by the contracting agent in the bid plans, specifications, or bid proposal documents for the bidder to acknowledge the bidder's receipt of any notice or revisions or addenda to the

advertisement or bid documents;”N.J.S.A. 40A:11-23.2.

Finally, a local contracting unit is permitted to reject all bids within a part under certain conditions. N.J.S.A. 40A:11-13.2, provides in pertinent part:

“A local contracting unit can reject all bids for any of the following reasons: Dominic Buirch Executive Director

June 26, 2024

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RE: Pine Hill Borough MUA

Emergency Repairs to Water and Wastewater Conveyance System, Mains, and Laterals and Supplemental Construction Services

- a. The lowest bid substantially exceeds the cost estimates for the goods or services;
- b. The lowest bid substantially exceeds the contracting unit's appropriation for the goods or services;
- c. The governing body of the contracting unit decides to abandon the project for provision or performance of the goods or services;
- d. The contracting unit wants to substantially revise the specifications for the goods or services;
- e. The purposes or provisions or both of P.L.1971, c. 198 (C.40A:11-1 et seq.) are being violated;
- f. The governing body of the contracting unit decides to use the State authorized contract pursuant to section 12 of P.L.1971, c. 198 (C.40A:11-12).N.J.S.A. 40A:11-13.2.

As outlined above, the bid submitted by R.D. Zeuli contained no defects and complied with the specifications from a legal and technical perspective. To the extent a defect may be uncovered, it is my legal opinion that any such defect is minor in nature and may be waived by the Authority pursuant to the Court's holdings in River Vale and Spina.

IV. R.D. ZEULI, INC.'S BID

Our review consisted of an examination of the following documents submitted by R.D. Zeuli that the Authority has provided:

1. Bid Bond;
2. Consent of Surety;
3. New Jersey Surety Disclosure Statement and Certificate;
4. Power of Attorney;
5. Certificate of Authority;
6. Surety Financial Statement;
7. Bid Document Submission Checklist;
8. Proposal;
9. Contractor Information;
10. Installer Qualifications;
11. Bidder's Affidavit;
12. Affirmative Action Questionnaire and Information Form;
13. Non-Collusion Affidavit;
14. Return of Bid Security Information;
15. Acknowledgment of Receipt of Changes to Bid Documents Form;

Dominic Buirch Executive Director

June 26, 2024

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RE: Pine Hill Borough MUA

Emergency Repairs to Water and Wastewater Conveyance System, Mains, and Laterals and Supplemental Construction Services

16. Disclosure of Investment Activities in Iran Form;
17. Certification of Non-Involvement in Prohibited Activities in Russia or Belarus;
18. Statement of Ownership Disclosure;
19. Certificate of Non-Debarment;
20. New Jersey Business Registration Certificate;
21. Public Works Contractor Registration Act Certificate;
22. Certificate of Employee Information Report;
23. SBE Approval Letter;
24. References;
25. Equipment List;
26. Summary of Projects.

The bid submitted by R.D. Zeuli is in the appropriate form.

V. CONCLUSION

After researching the applicable law, reviewing the Contract specifications and documents, and conferring with staff, it is my legal opinion that the lowest responsible bidder for the contract for Emergency Repairs to Water and Wastewater Conveyance System, Mains, and Laterals and Supplemental Construction Services on behalf of the PHMUA is R.D. Zeuli. It is therefore recommended that a Resolution be placed on the Agenda for an upcoming meeting awarding said contract to R.D. Zeuli subject to staff concurrence and the availability of funds.

If you have any questions or require any further clarification, please do not hesitate to contact me.

Very truly yours,

WADE, LONG, WOOD & LONG, L.L.C.

Christopher F. Long



June 26, 2024

VIA REGULAR MAIL

TO ALL: MUNICIPAL CLERKS, CLERKS OF THE BOARDS OF CHOSEN FREEHOLDERS, COUNTY EXECUTIVE OFFICERS, COUNTY ADMINISTRATORS AND SALE FOR RESALE CUSTOMERS

Re: I/M/O a Petition of New Jersey-American Water Company, Inc. for Authorization to Implement a Distribution System Improvement Charge – BPU Docket No. WR24030187
I/M/O a Petition of New Jersey-American Water Company, Inc. for Authorization to Implement a Wastewater System Improvement Charge – BPU Docket No. WR24030203
I/M/O a Petition of New Jersey-American Water Company, Inc. for Authorization to Implement a Resiliency and Environmental System Investment Charge – BPU Docket No. WR24040240

Dear Sir/Madam:

Pursuant to N.J.S.A. 48:2-32.2 and N.J.A.C. 14:1-5.12 (b), (c) and (d), enclosed herewith for service upon you are the Notice of Filing and of Public Hearing in the above referenced matters. These proposed surcharges could result in an increase in existing water and wastewater bills.

Please note the date and times of the virtual public hearings at which members of the public are invited to attend and express their views on the Company's petitions are as follows:

July 16, 2024 – 4:30 PM and 5:30 PM

By Video Conference Online:
<https://bit.ly/3zAqb3J>

By Phone:
Call in number: 1-862-294-2638
Meeting ID: 364 814 248#

Such notice has also been served, together with the verified petitions, proposed tariffs, and all other exhibits, upon the Director of the Division of Rate Counsel, who will represent the interests of customers in these proceedings. **Additional details and further instructions for dialing in to the meeting are included in the enclosed Public Notices, and posted on the Company's website at <https://www.amwater.com/njaw/Customer-Service-Billing/Your-Water-and-Wastewater-Rates/regulatory-proceedings>.**

July 12, 2024

PHMUX19011

Pine Hill Borough Municipal Utilities Authority (PHBMUA)

Attn: Mr. Dominic Buirch, Executive Director

907 Turnerville Road

Pine Hill, NJ 08021

RE: PINE HILL BOROUGH MUNICIPAL UTILITIES AUTHORITY

INSTALLATION OF WELL #8

PROFESSIONAL SERVICES CHANGE ORDER

Dear Dominic:

In connection with the referenced project, additional work is required to complete the installation of the new Well #8. The

identified work is an extension of the original design. We have developed the following scope for the supplementary work:

SCOPE OF SERVICES

Supplemental Work

Additional edits to the hydro report, preparation of WAP application and supporting information for BWSE application,

coordination and meetings with PHMUA and final submission of permitting documents.

Ongoing responses and coordination with NJDEP to obtain BWSE Construct Permit.

Additional coordination with Pine Hill MUA and A.C. Schultes regarding Contractor pricing/equipment selection and

scheduling for well/pump and treatment facilities.

Additional due diligence regarding the Authority request to increase flow from the well. Coordination with Contractor

on equipment pricing and scheduling impacts as well as effects on electrical infrastructure.

Continued construction inspection and administration through completion of well installation and decommissioning.

FEE

Our total fee for this work is requested to be increased to **\$198,873**.

This would be an adjustment to the fees estimated in 2018.

Please feel free to contact us with any questions.

Sincerely,

PENNONI ASSOCIATES INC.

Thomas Leisse, PE, CME

MVA extended
family.
Thank you for
the flowers &
condolences for
the loss of our
Mother, Betty Oshin
Wain/Regard.
The Oshin
family

During a time like this
we realize how much
our family and friends
really mean to us.
Your expression of sympathy
will always be remembered.

Mr. Green made a motion to approve correspondence seconded by Mr. Hassett, motion carried

**ENGINEER'S REPORT
FOR
PHMUX 24003
PINE HILL BOROUGH MUA
July 17, 2024 Meeting**

I. Active Projects

1. Various Water Projects
 - a. New Well "Well 8" and Well 6 & 7 Decommissioning
 - 1) Opened Bids 7/7, Awarded to AC Schultes for \$1,554,150.00.
 - 2) Drilling complete to 672 LF; Interlock new well controls with the existing tank controls. Testing completed. Chlorine contact tank installed. 900 gpm.
 - 3) Bureau of Water System Engineering "BWSE" Permit to Construct approved.
 - 4) Proceed with original design parameters. Atlantic City Electric upgrades complete.
 - 5) AC Schultes released to procure equipment.
 - b. Asset Management Plan (PHMUX 18007)
 - 1) Plan provided to MUA April 2019.
 - 2) Update/Develop a 5-year capital plan for all assets. Review all assets including buildings.
 - c. Backflow Prevention Assembly at NJ American Water Interconnection
 - 1) MUA inspection program.
 - d. Investigate existing Branch Avenue PRV to increase flow capacity for fire safety.
 - 1) Pennoni submitting design details and cost estimate for MUA review.
 - e. Yearly Tank Inspections.
 - 1) Clement Avenue Tank Inspection provided.
2. Federal Law America's Water Infrastructure Act of 2018
 - a. Compliant with Risk and Resilience provisions.
3. Water Allocation Permit
 - a. Permit Renewal issued February 22, 2018. Permit expires February 29, 2028.
 - b. Well status update; John Toal submitted through E2 electronic filing. (Deadline Jan 31).
 - c. Pennoni submitted 2023 DRBC Audit (Deadline March 31st).
 - d. Request to reduce water purchase contract to NJAW Co approved effective June 2024.
 - e. Pennoni submitted Synthetic Organic Compound (SOC) testing waiver.
 - f. MUA submitted Storage Capacity form PA-11B. (Deadline June 18)
4. Map and Regulation Updates
 - a. Awaiting MUA markups.
 - b. Pennoni incorporated MUA CAD data into GIS (NJDEP requirement). Meeting held 11/8 with MUA personnel to review GIS capabilities.
 - c. Solicitor to draft rule change for "Change in Use" connection fees.
5. Maintenance Bonds
 - a. Plant Roof Maintenance bond expires 10/31/2024.
 - b. Bromley Estates PS Generator Maintenance Bond expires July 2025.
7. Annual Water Bond Trustee Report
 - a. Pennoni submitted 2023 report.
8. Country Club and Turnerville Tank
 - a. Preliminary Approval for I-Bank Loan. Estimated budget: \$1.82 Million.
 - b. DEP approved Environmental Planning Report; Specifications submitted for DEP
9. Water Meter Replacement
 - a. DEP approved Environmental Planning Report; Installation Specifications.
 - b. Specifications resubmitted for I-Bank review based on SED comments.
 - c. Specs require contractor notices and provisions for weekend appointments.
10. Tall Pines Sewer Pump Station
 - a. Cost estimate provided to MUA for installation of permanent generator.

11. Vibratory Rollers
 - a. Meeting held 2/13 with Borough to discuss use of nonvibratory rollers on paving projects.
12. Emergency Repair Contract
 - a. Bid opening held June 12th. Recommend award to RD Zeuli Inc.
13. Valve Exerciser
 - a. Out to bid; bid opening July 30th.
14. Parking Lot Paving
 - a. Pennoni to prepare plans and specifications; Advertise in August.
15. Xylem Pumps, Parts and Service
 - a. Pennoni to prepare specifications; Advertise in August.

II. Other Projects

1. New Projects
 - a. Self-storage; Retail/apartments; Pine Valley Cottages
2. Pine Valley Developers (Fairway Pines) Use Variance
 - a. Use variance approval for 85 units.
 - b. NJDEP permits resubmitted.
 - c. Branch Avenue/3rd Avenue PRV design and installation to provide redundancy.
3. Carl Pursell- 121 Berlin-Cross Keys Road
 - a. 20-year Recapture Agreement for Amboy Bank.
4. Amboy Bank/Foxmoor (Townhomes) (PHMU 1202)
 - a. Possible warehouse development.
 - b. Recapture agreement applies to new property owner.
5. "Pine Hill Partners" (Lakes at Pine Hill) (PHMU 0612) (Property purchased by Carl Pursell)
 - a. Pennoni issued bond release recommendation (release not recommended).
6. Waiver for Water Connection
 - a. 251 Cross Keys Road Truck Facility.
 - b. 166 Watsonstown New Freedom Road.
7. Tank Antenna
 - a. ATT: Turnerville.
 - b. Cellco/Verizon: Mt. Clement.
 - c. Cellco/Verizon: Turnerville; Request for antenna swap-out.
 - d. T-Mobile/MetroPCS: T-Mobile request for generator installation.
 - e. T-Mobile/MetroPCS: Turnerville; Request for generator installation.
 - f. Sprint: Mt. Clement; Decommissioning complete.
 - g. Ham Radio Operator Antenna: Turnerville

* Mr. Dougherty gave a brief overview of projects - Schultes to get a schedule with well #8, The Valve Exerciser, The Self-Storage Project. and Xylem Pumps

Mrs. Burke made a motion to approve the Engineer's Report, seconded by Mr. Knott

Ayes: Mr. Odenath, Mr. Green Mr. Hassett, Mr. Knott, Mrs. Burke,

Solicitor's Report: None

Operations Manager Report July 2024

The following work was completed this month:

116 Assorted work orders serviced

38 Utility mark outs completed

1. We handed out and collected 30 lead sample bottles. We are waiting for Eurofins lab to pick up samples to be analyzed. Results will be sent to the homeowners and to the DEP for compliance.
2. We inspected all the Grease traps within our collection system. All were found to be compliant.
3. We inspected all the Backflow devices within our distribution system. All are operational. All compliance paperwork was submitted to the DEP.
4. All our emergency generators were serviced by the Gen Serv Co. They made a couple of small recommendations that we will attend to.
5. We repaired water meter leaks at 115 Mason Run, 134 E Clearview Ave, 206 Franklin Ave and E 10th Ave. One sewer vent was repaired at 222 Floyd Ave.
6. We routinely jetted W. Woodburn Ave from the dead end to Forrester Ave, entire Millstream and Gristmill Rds. McKnight Dr from Country Club to Turnerville Rd and 7th Ave from Erial Rd to W. Brach Ave.
7. We are in the process of changing the fluorescent light fixtures with LED units which was purchased by Dominic.
8. I have completed and filed the 2nd quarter Water diversion, Water utilization, Disinfectant residual forms B & C and the TTHN/HAA5 LRAA'S.
9. We inspected the valving at The Cedar Brook Apts on Blackwood /Clementon RD. They are good. We made a few recommendations that they will attend to.

10. Mt. Clement well #2 is still out of service. Turnerville well #4 is picking up the slack pumping around 750k to 850k daily.
11. We had a problem with our Bromley sewer station controls on a Saturday, contacted Dominic to advise. We needed to call for service. We called Municipal Maintenance. They determined the problem was a faulty water level pressure transducer. They installed a temporary transducer to get us operational again.

Mrs. Burke made a motion to approve the Operations Manager Report, seconded by Mr. Green
 AYES: Mr. Odenath, Mr. Green, Mr. Hassett, Mrs. Burke, Mr. Knott Naves: None

PINE HILL MUNICIPAL UTILITIES AUTHORITY
 EXECUTIVE DIRECTOR'S REPORT

July 17, 2024

We forwarded the updated bid specifications to Karla Martin from NJ DEP for review. We received a letter back from Karla with a couple of minor issues with the SED wording. Tom Leisse from Pennoni made the necessary changes and we resubmitted. I have reached out to Karla twice since we resent the paperwork. I have not received a response back. I will continue to reach out to her to finalize this last part.

The Well #8 project is still in progress. I am working with Gus Schultes to get the remaining items ordered. The VFD and other electrical equipment has been ordered. Pennoni is still working to get final approval back to AC Schultes regarding distribution equipment. We are waiting for our engineers to sign off on paperwork regarding the pumps needed for this project.

On June 17th we discovered an issue with the Mt. Clement well not working. We had AC Schultes comes out to determine the failure with the well. After removal and initial inspection, the motor coupling was still attached and connected to the pump shaft and able to spin, however it was extremely light and easy to move indicating that there was an internal failure in either the pump or motor that was preventing all of the impellers to spin and produce water.

After a complete disassembly and inspection, the pump was found to be in poor condition, including major pitting of the interconnector and the majority of internals (bearings and impellers wiped out. While the rest of the pump can be repaired quickly, a new interconnector is currently 8–10-week lead time, and it is therefore recommended that it be replaced with new. During the last repair, the interconnect piece was reused along with the discharge case due to the extensive lead time, but this time around it is not in reusable condition. In addition to the pump, the motor was also tested and megs fine and spins fine and could be reused, but if a new pump is going to be installed, it is also recommended to pair it with a new motor. The drop pipe and wire can be both be reused “as is” and the fabricated discharge 90 will need to be sandblasted to determine the extent of corrosion before being repaired and painted. The existing pump was a 3600 RPM, which is the cheaper, more available option, however because it is spinning twice as fast, the equipment has the potential to wear faster. The alternative would be an 1800 RPM setup which is more expensive and has a longer lead time but should last longer and not fail as quickly.

We had Pennoni engineers review the difference between the 1800 RPM Motor and Pump from the current 3600 RPM Motor and Pump. It was decided to go with an 1800 RPM Gould's Pump & SME Motor. This was ordered on July 3rd. The lead time is 3 to 5 weeks. As soon as Schultes receives in the new motor and pump they will come back and make the installation. I will keep the board posted on any new developments. I have allocated \$75,000 from the Water Renewal and Replacement account. I have discussed this with our auditor Stefanie DeSantis, and we are ok with pulling this amount.

We had a service line leak at the old Wawa on Erial Road over a month ago. JEM Paving came and restored the site back to ADA compliance. They are waiting for the warning pad to come in to complete the walkway. We currently have put back the red brick that was previously there. I

spoke with JEM Paving, and they indicated that they would verify with county engineers on exact replacement to finalize this project. We have held the check for payment until issue is resolved.

I have three budget line adjustment resolutions on the agenda for this meeting. These adjustments are for Accounting Fees for Bowman & Co. The second is for adjustment to Chemicals and Utilities – Operating. The last is for an adjustment to Legal Fees. I also have a resolution for the Mt. Clement Emergency Well repair.

We have started the process of converting our old lights over to LED. I have been working with Graybar through the Omnia Partners Co-op to obtain better pricing. We have already purchased two outside lights on the front of the old treatment plant. We have purchased new LED lights for the main office and for the maintenance garage. We received these new lights in on July 8th. The maintenance guys will start the process and replacing the old lights with the new LED lights. We should see significant savings on our electric for the garage and main office.

The 2024-2025 Budget Adoption Resolution is on the agenda for tonight's meeting. This is the last step for approval. I will send off final paperwork to Paul Ewert at DLGS. I have entered in the new budget information into Edmunds. We will need to roll over the year toward the end of July.

We have a resolution on the agenda for the awarding of the Emergency Repair bid we opened in June. We will be awarding this contract to R. D. Zeuli, Inc. They were the lowest bidder among the three bids that we received

We have a resolution authorizing advertisement for the Main Office Parking Lot Resurfacing project. This is a capital budget item for next year's budget. We also have a resolution authorizing advertisement for Xylem Pumps, Spare Parts and Accessories. This resolution will help with the purchase of the backup Flygt pumps for the sewer pump stations.

Mr. Knott made amotion a approve the Executive Director's report, seconded by Mr. Green

Ayes: Mr. Odenath, Mr. Green, Mr. Hassett, Mr. Knott, and Mrs. Burk

Naves: None

Board Members: Mr. Green - National Night out August 6th, 2024. All the Board Members said a Thank you to Dominic for his time.

Mr. Green made a motion to go into Closed Session, seconded by Mrs. Burke, Motion carried

New Business: None
 Old Business: None
 Resolutions:

**PINE HILL BOROUGH
 MUNICIPAL UTILITIES AUTHORITY**

Sewer

RESOLUTION #24 – 058

WHEREAS, the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority have determined that certain budget appropriations, in the 2023/2024 Authority Sewer Budget are not sufficient to meet anticipated expenses; and

WHEREAS, transfers between appropriations are permitted.

NOW THEREFORE BE IT RESOLVED, by the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority that the following transfers be affected and that a certified copy of this resolution be forwarded to the Secretary/Treasurer and Financial Clerk.

APPROPRIATION TITLE	FROM	TO
Accounting Fees		5,500.00
Recording Secretary		40.00
Executive Director		7,300.00
Health Insurance	7,340.00	
Engineer Fees	3,000.00	
Trustee	2,500.00	
Total	\$12,840.00	\$12,840.00

AND, BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

**PINE HILL BOROUGH
 MUNICIPAL UTILITIES AUTHORITY**

Water

RESOLUTION #24 - 059

WHEREAS, the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority have determined that certain budget appropriations, in the 2023/2024 Authority Water Budget are not sufficient to meet anticipated expenses; and

WHEREAS, transfers between appropriations are permitted.

NOW THEREFORE BE IT RESOLVED, by the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority that the following transfers be affected and that a certified copy of this resolution be forwarded to the Secretary/Treasurer and Financial Clerk.

APPROPRIATION TITLE	FROM	TO
Accounting Fees		3,000.00
Executive Director		11,000.00
Health Insurance	11,000.00	
Trustee	3,000.00	
Total	\$14,000.00	\$14,000.00

AND, BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

2025 ADOPTED BUDGET RESOLUTION

Pine Hill Municipal Utilities Authority

FISCAL YEAR: August 01, 2024 to July 31, 2025

WHEREAS, the Annual Budget and Capital Budget/Program for the Pine Hill Municipal Utilities Authority for the fiscal year beginning August 01, 2024 and ending July 31, 2025 has been presented for adoption before the governing body of the Pine Hill Municipal Utilities Authority at its open public meeting of July 17, 2024; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget presented for adoption reflects Total Revenues of \$2,930,000.00, Total Appropriations, including any Accumulated Deficit, if any, of \$3,091,200.00, and Total Unrestricted Net Position utilized of \$161,200.00; and

WHEREAS, the Capital Budget as presented for adoption reflect Total Capital Appropriations of \$375,100.00 and Total Unrestricted Net Position Utilized of \$375,100.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Pine Hill Municipal Utilities Authority at an open public meeting held on July 17, 2024 that the Annual Budget and Capital Budget/Program of the Pine Hill Municipal Utilities Authority for the fiscal year beginning August 01, 2024 and ending July 31, 2025 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

 (Secretary's Signature)

 (Date)

Governing Body Recorded Vote

Member	Aye	Nay	Abstain	Absent
John Odenath				
Thomas Knott				
Christopher Green				
Christine Burke				
Thomas Hassett				
Scott Ford - Alternate				
Christopher Harris - Alternate				

**PINE HILL BOROUGH MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AWARDING CONTRACT FOR EMERGENCY REPAIRS TO WATER AND
WASTEWATER CONVEYANCE SYSTEM, MAINS, AND LATERALS AND SUPPLEMENTAL
CONSTRUCTION SERVICES
RESOLUTION # 24-061**

WHEREAS, the Pine Hill Borough Municipal Utilities Authority ("PHMUA" and/ or "Authority") prepared specifications and solicited bids for the contract for Emergency Repairs to Water and Wastewater Conveyance System, Mains, and Laterals and Supplemental Construction Services; and

WHEREAS, on June 12, 2024, the Authority received three (3) bids for the project as follows:

VENDOR	BASE BID
1. R.D. Zeuli, Inc.	\$271,439.46
2. Crest Construction Group, LLC	\$505,760.00
3. J. Fletcher Creamer & Son, Inc.	\$594,890.00
<u>Engineer's Estimate:</u>	<u>\$384,050.00; and</u>

WHEREAS, the bids were reviewed by Hugh J. Dougherty, PE, CME, Authority Engineer, and Thomas Leisse, PE, CME, Senior Engineer from Pennoni Associates, who, via correspondence June 12, 2024, recommended the award of the contract to R.D. Zeuli, Inc. ("R.D. Zeuli") in the base bid amount of \$271,439.46; and

WHEREAS, the bids were further reviewed by Christopher F. Long, Esq., Authority Solicitor, who, via letter opinion dated June 26, 2024, opined that R.D. Zeuli was the lowest responsible bidder for this project; and

WHEREAS, the Chairman and Members of the PHMUA concur with the aforementioned recommendations and desire to award the contract for Emergency Repairs to Water and Wastewater Conveyance System, Mains, and Laterals and Supplemental Construction Services on behalf of the Authority to R.D. Zeuli. NOW, **THEREFORE BE IT RESOLVED** by the Pine Hill Borough Municipal Utilities Authority, a body corporate and politic as follows:

1. The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereo

**PINE HILL BOROUGH MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AUTHORIZING ADVERTISEMENT OF BID SPECIFICATIONS FOR PARKING
LOT RESURFACING
Resolution # 24-062**

WHEREAS, the Pine Hill Borough Municipal Utilities Authority ("PHMUA" and/ or "Authority") desires to have the parking lot resurfaced at the main office; and

WHEREAS, Pennoni Associates, Inc. ("Pennoni") has prepared a detailed project manual for the above referenced project; and

WHEREAS, the Authority desires to advertise for the receipt of bids for the above referenced project; and

NOW, THEREFORE BE IT RESOLVED by the Pine Hill Borough Municipal Utilities Authority, a body corporate and politic as follows:

- 1.The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.
2. The PHMUA is hereby authorized to advertise for bids for a vendor to provide a Parking Lot Resurface.
- 3The Authority's Executive Director, and/or his designee, is hereby authorized and directed to take any and all steps necessary to effectuate intent of this resolution.

**Authorize PINE HILL BOROUGH MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AUTHORIZING ADVERTISEMENT OF BID SPECIFICATIONS FOR XYLEM
PUMPS, SPARE PARTS AND ACCESSORIES
RESOLUTION # 24-063**

WHEREAS, the Pine Hill Borough Municipal Utilities Authority ("PHMUA" and/ or "Authority") desires to purchase Xylem Pumps, Spare Parts and Accessories; and

WHEREAS, Pennoni Associates, Inc. ("Pennoni") has prepared a detailed project manual for the above referenced project; and

WHEREAS, the Authority desires to advertise for the receipt of bids for the above referenced project; and

NOW, THEREFORE BE IT RESOLVED by the Pine Hill Borough Municipal Utilities Authority, a body corporate and politic as follows:

- 1.The provisions of the WHEREAS clauses set forth above are incorporated herein by reference and made a part hereof.

- 2. The PHMUA is hereby authorized to advertise for bids for a vendor to provide Xylem Pumps, Spare Parts and Accessories.
- 3. The Authority's Executive Director, and/or his designee, is hereby authorized and directed to take any and all steps necessary to effectuate intent of this resolution.

**PINE HILL BOROUGH
MUNICIPAL UTILITIES AUTHORITY
RESOLUTION #24-064**

WHEREAS, the Pine Hill Borough Municipal Utilities Authority has an emergency well repair at Mt. Clement; and

WHEREAS, it will be necessary to appropriate the funds from the Water Renewal and Replacement Fund in order to complete this work.

NOW, THEREFORE BE IT RESOLVED by the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority that the appropriation of \$75,000.00 from the Water Renewal and Replacement Fund, which is required to complete the emergency well repair at Mt. Clement is hereby authorized; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and that certified copies of this resolution be forwarded without delay to the Authority Trustee, Secretary/Treasurer and Financial Clerk.

**PINE HILL BOROUGH
MUNICIPAL UTILITIES AUTHORITY
RESOLUTION #24 -065**

Water

WHEREAS, the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority have determined that certain budget appropriations, in the 2023/2024 Authority Water Budget are not sufficient to meet anticipated expenses; and

WHEREAS, transfers between appropriations are permitted.

NOW THEREFORE BE IT RESOLVED, by the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority that the following transfers be affected and that a certified copy of this resolution be forwarded to the Secretary/Treasurer and Financial Clerk.

APPROPRIATION TITLE	FROM	TO
Chemicals		2,500.00
Utilities – Operating		6,000.00
Water Agreements	6,000.00	
Laboratory Testing	2,500.00	
Total	\$8,500.00	\$8,500.00

AND, BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

**PINE HILL BOROUGH
MUNICIPAL UTILITIES AUTHORITY
RESOLUTION #24 -066**

Water

WHEREAS, the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority have determined that certain budget appropriations, in the 2023/2024 Authority Water Budget are not sufficient to meet anticipated expenses; and

WHEREAS, transfers between appropriations are permitted.

NOW THEREFORE BE IT RESOLVED, by the Chairman and Commissioners of the Pine Hill Borough Municipal Utilities Authority that the following transfers be affected and that a certified copy of this resolution be forwarded to the Secretary/Treasurer and Financial Clerk.

APPROPRIATION TITLE	FROM	TO
Legal Fees		3,000.00
Meters/Connections	3,000.00	
Total	\$3,000.00	\$3,000.00

AND, BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

**PINE HILL BOROUGH MUNICIPAL UTILITIES AUTHORITY
COUNTY OF CAMDEN
STATE OF NEW JERSEY
Resolution #24-67**

AUTHORIZING THE PINE HILL BOROUGH MUNICIPAL UTILITIES AUTHORITY TO GO INTO CLOSED SESSION

WHEREAS, the Pine Hill Borough Municipal Utilities Authority (“PHBMUA”) is subject to the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq. (“Act”) which requires that its meetings be open to the general public; and

WHEREAS, Section 10:4-12 of the Act permits the Authority to go into closed session, which is not open to the general public, for certain limited purposes enumerated in that Section; and

WHEREAS, the Authority hereby desires to adopt this Resolution to go into closed session at this time in order to: *[Check all that apply]*

_____ Discuss matters deemed confidential by express provision of Federal or State Law or Rule of Court;

_____ Discuss matters in which release of the information would impair a right to receive funds from the United States Government;

_____ Discuss matters the disclosure of which constitutes an unwarranted invasion of individual privacy, including but not limited to, information relative to an individual's personal or family circumstances and any material relating to medical, rehabilitation, custodial, or child protection issues;

_____ Discuss Collective Bargaining Agreements;

_____ Discuss any matter involving the purchase, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if disclosed;

_____ Discuss any tactics and techniques utilized in protecting the safety and property of the public if disclosure would impair such protection and/or any investigations or violations or possible violations of the law;

_____ Discuss any pending or anticipated litigation or contract negotiation (other than collective bargaining) in which the Authority is or may become a party and/or any matters falling within _____ the attorney-client privilege; and/or

 X Discuss any matter involving the appointment, termination, terms and conditions of employment, evaluation of performance of, any specific prospective or current public officer or employee of the Authority;

Related to: *[Must Fill in Specifics]* Labor Negotiation / Authority Personnel Matter ;

WHEREAS, the Authority believes that the matters discussed in closed session will be disclosed to the general public if an when the Board of Commissioners of the Authority will need to adopt a further resolution taking action on such matters as may be required under the County Improvement Authority Act, N.J.S.A. 40:37A-1 et seq.;

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby resolves to go into closed session for the reasons articulated above immediately after passage of this Resolution. This Resolution shall be kept on file for public inspection in accordance with statutory provisions.

WATER RESOLUTION

BE IT RESOLVED BY THE PINE HILL BOROUGH MUNICIPAL AUTHORITY that the following accounts be adjusted for billing:

2829000-0	2 Franklin Ave	Service Line Leak	Res done for 87T (550.71)
1885000-0	86 E 10 th Ave	Leaky Meter	Res done for 3T (18.99)
1169000-0	58 W. Woodburn Ave	Leaky Meter	Res done for 9T (56.97)
58000-0	115 Mason Run	Leaky Meter	Res done for 18T (113.94)
87000-0	603 Mason Run Leaky Meter	Est Rdg Billing Chg	Res done for 9T (56.97)
1382000-0	134 E Clearview Ave	Service Line Leak	Res done for 2T (12.66)

I hereby certify that the following is a true and exact copy of the resolution passed at a meeting held July 17, 2024.

Payment of Bills
Revenue Resolution

BE IT RESOLVED by the PINE HILL BORO MUNICIPAL UTILITIES AUTHORITY, that the following amounts are hereby approved and authorized for payment out of the Revenue Fund.

Water Fund	\$69,239.56
Renewal & Replacement	\$1,791.02
Sewer Fund	\$36,797.48
Sewer General	\$23,661.02
Total Funds Approved	\$131,489.08

BE IT FURTHER RESOLVED that a check or checks of the Authority drawn on the William Penn Bank, payable to the parties claiming payment in the amounts due on said requisitions be executed in the name of the Authority by its Chairman or Vice-Chairman and its Secretary.

Mr. Green made a motion to approve all above resolutions #058 – 069, seconded by Mr. Knott

Ayes: Mr. Odenath, Mr. Green, Mr. Hassett, Mr. Knott, and Mrs. Burke

Nays: None

2025 Adopted Budget resolution

Ayes: Mr. Odenath, Mr. Knott, Mr. Green, Mrs. Burke, Mr. Hassett, Mr. Ford, Mr. Harris

Nays: None

Mr. Green made a motion to adjourn the meeting, seconded by Mrs. Burke

All in favor

Adjournment : 8:15