

**AGENDA  
CUMBERLAND COUNTY UTILITIES AUTHORITY  
NOVEMBER 19, 2020**

1. CALL TO ORDER
  2. ANNOUNCEMENT THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN ACCORDANCE WITH CHAPTER 231, P.L. 1975 (THE OPEN PUBLIC MEETINGS ACT)
  3. FLAG SALUTE
  4. ROLL CALL
  5. MOTION TO OPEN THE MEETING TO THE PUBLIC FOR THE PURPOSE OF PRESENTING QUESTIONS OR COMMENTS RELATIVE TO ANY PROPOSED AMENDMENTS TO THE SEWER USE RULES AND REGULATIONS
  6. MOTION TO CLOSE THE PUBLIC HEARING ON ANY AMENDMENTS TO THE SEWER USE RULES & REGULATIONS
  7. MOTION TO OPEN THE MEETING TO THE PUBLIC FOR THE PURPOSE OF PRESENTING THE QUESTIONS OR COMMENTS RELATIVE TO THE PROPOSED 2020 BUDGET
  8. MOTION TO CLOSE THE PUBLIC HEARING OF THE 2020 BUDGET
  9. MOTION TO RETURN TO THE REGULAR MEETING
  10. MINUTES OF THE REGULAR MEETING & EXECUTIVE SESSION OF OCTOBER 15, 2020
  11. **REPORTS**
    - A. DIRECTOR
    - B. ENGINEER
    - C. AUDITOR
    - D. GENERAL COUNSEL
    - E. COMMITTEES
      - (1) COMMUNITY/INDUSTRIAL RELATIONS – Commissioner Andre
      - (2) EMPLOYEE RELATIONS – Commissioner Rajacich
      - (3) FACILITIES EXPANSION/CONSTRUCTION - Commissioner VanSant
      - (4) FINANCE AND BUDGET – Vice-Chairman Wasserman
      - (5) OPERATIONS/INSURANCE - Commissioner Young
      - (6) AD HOC – Commissioner Edwards
  12. **RESOLUTIONS**
    - # 3110 RESOLUTION OF THE CCUA TO RATIFY THE AUTHORIZATION FOR EXECUTIVE DIRECTOR ERRICKSON TO HIRE LEGAL COUNSEL FOR HIMSELF, THE COST TO BE PAID BY THE CCUA
- TREASURER'S REPORT**
- A. CASH POSITION OF THE AUTHORITY
  - B. #3111 - RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS
13. CHAIRMAN'S REMARKS
  14. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
  15. PUBLIC PORTION
  16. **POSSIBLE** MOTION FOR EXECUTIVE SESSION FOR LEGAL MATTERS WITH NO POSSIBLE ACTION
  17. ADJOURNMENT

*Have a Happy and Safe Thanksgiving!*

*Next Meeting Scheduled on Thursday, December 17, 2020.*

CUMBERLAND COUNTY UTILITIES AUTHORITY  
November 19, 2020

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday November 19, 2020 in the Meeting Room of the Operations Building 333 Water Street, Bridgeton, New Jersey.

Representing the CCUA:

Albert Jones, Chairman  
Keith Wasserman, Vice-Chairman  
William Andre, Commissioner  
Angelia Edwards, Commissioner  
Ozark Rajacich, Commissioner  
Kenny Smith-Bey, Commissioner  
C. Kenneth Hill, Secretary  
G. Steven Errickson, Director  
Edward Bethea, Treasurer  
James Grace, General Counsel  
Steve Tessa, Auditor  
Hugh Doughty, Engineer  
Bob Carlson, Resident Engineer

Chairman Jones called the meeting to order, announced that adequate notice of this meeting has been given in accordance with Chapter 231, P.L. (THE OPEN PUBLIC MEETING ACT) and led in the flag salute.

Chairman Jones called Kenny Smith-Bey forward to be sworn in as a new Commissioner of the Cumberland County Utilities Authority. General Counsel James Grace administered the oath of office and Commissioner Smith-Bey joined the meeting.

Secretary Hill called the roll, and a quorum was present. Commissioner Young was listed as an excused absence.

Chairman Jones called for a motion to open the meeting to the public for the purpose of presenting questions or comments relative to any proposed amendments to the Sewer Use Rules and Regulations. Motion was offered by Commissioner Andre, seconded by Commissioner Rajacich, and carried unanimously at roll call. Nancy Ridgeway asked what this was about. Director Errickson answered her question as well as James Grace. There were no other questions or comments.

Chairman Jones then called for a motion to close the public hearing on any amendments to the Sewer Use Rules and Regulations. Motion was offered by Vice-Chairman Wasserman, seconded by Commissioner Andre, and carried unanimously at roll call.

Chairman Jones next called for a motion to open the meeting to the public for the purpose of presenting questions or comments relative to the proposed 2020 Budget. Motion was offered by Vice-Chairman Wasserman, seconded by Commissioner Andre, and carried unanimously at roll call.

There were no questions or comments.

Chairman Jones then called for a motion to close the public hearing on the proposed 2020 Budget. Motion was offered by Commissioner Rajacich, seconded by Commissioner Andre, and carried unanimously at roll call.

Chairman Jones next called for a motion to return to the regular meeting agenda. Motion was offered by Commissioner Andre, seconded by Vice-Chairman Wasserman, and carried unanimously at roll call.

Chairman Jones called for a motion to approve the minutes of the Regular Monthly Meeting and the Executive Session of October 15, 2020. Motion was made by Commissioner Rajacich and seconded by Commissioner Andre and carried unanimously at roll call.

Chairman Jones called for reports.

## REPORTS

### Director

Director Errickson submitted the October 2020 Discharge Monitoring Report (DMR) for inclusion into the minutes of this meeting. The Director noted the plant is operating well, and we are meeting our effluent discharge limits, in some cases we are meeting those limits in the single digits.

The Director reported that the work status of the solar project is advancing more rapidly now that we have many more electricians (19) on the project. Approximately 80 % of the panels have been erected to date. Advance Solar has contacted Atlantic City Electric for the cut card and new electric meter for Solar.

Director Errickson reported on the Upper Deerfield Nitrate issue, CCUA and Upper Deerfield continue to work together to find a solution to the Nitrate, Chlorides, Sulfides issue plaguing the water supply in Upper Deerfield. We have a retired and reputable attorney acting as a NON-Binding mediator who has volunteered his time to try and help both sides find a resolution to this issue.

Handbook Negotiations-first meeting with plant employees was held Thursday November 12, 2020 at 2 pm here in the Board Room. There was some confusion regarding which Thursday was to be the meeting date (November 12 or November 19, 2020). We did hold the meeting on November 12, 2020 with not much getting done. Plant committee told us they were not prepared to negotiate and needed more time to prepare. Next meeting is scheduled for Monday November 23, 2020 at 4: 30 pm. Hopefully, the committee will be prepared to hold a discussion.

The Director noted Covid-19 is on the upswing again with a very high rate of infection being reported around the country and in Cumberland County. CCUA is doing everything it can to prevent the disease from getting into the plant by following the CDC guide lines in order to help prevent the spread.

Director Errickson reported that new staff secretary Carroll Hooven has started employment with the CCUA and is getting along nicely. Carroll comes to us with a lot of experience in the government setting and will be a great asset to our team. We wish Carroll the best of luck in her new position.

The Director also noted the Authority is currently hauling two loads a day to DECORA with C&H providing assistance when needed. Sludge hauling to Ash Lane is also being utilized when that option becomes available.

The Director noted the following as to Operations and Maintenance:

GMH has completed the paint work on the south secondary clarifier and is in the process of re-coating the south primary clarifier.

Operations has completed work on the south aeration tank and has re-installed the new diffusers, the tank is now in service and the diffusers are operating well at this time. Work has begun on the north aeration tank, the tank is being drained, cleaned, and inspected at this time.

Quad Construction has received the digester mixers that were sent out for preventative maintenance and bearing replacement. The mixers are scheduled to be re-installed on the digesters in the next few days.

Due to the freezing temperatures that are expected by the end of the week, operations are taking the rock trap that has been installed at the septage receiving out of service. It will be placed back in service when the conditions permit.

Ferric chloride is being added at the rapid mix box at this time. The settling in the primary clarifiers has improved with increasing removal efficiencies being observed.

The Authority experimented with dewatering septage utilizing the screw presses. The results were very encouraging, and a proper evaluation is underway at this time.

Emergency repairs at the Glass Street Pump Station have continued this month. The station has been placed in by-pass and a new grinder is on order. The grinder will be installed in the exterior auger pit and will eliminate the need for the deteriorating bar screen within the stations wet well.

The Director also noted that construction has begun on the new pole barn that will be located next to the maintenance garage.

He noted that there was one Committee meeting this past month. Employee Relations Committee met this month, Zarko Rajacich Chairman.

He also noted that we have one resolution on tonight's agenda

Resolution # 3110 Confirming September 17, 2020 motion by the Board.

In conclusion, the Director offered his thanks to the entire staff and Legal Counsel for their help with preparing his report.

### **Engineer**

We are completing the final plans and specifications for the Headworks Grit and screen replacement: Pennoni completing permit application, final plans, and specifications.

#### **Schedule:**

Submission of TWA application : Pennoni submitted to NJDEP on November 10, 2020.

100 % final completion design: November 2020.

Anticipated advertisement: November / December 2020.

Anticipated award and construction: in year 2021.

Replacement of laboratory hood: Pennoni to begin the direct replacement of the existing laboratory hood in January 2021.

Glass Street Pump Station & Force main Upgrade: Pennoni submitted final report to Authority on October 14, 2020 relating to Pennon's site visit (August 12) and structural inspection (September 11). Pennoni met with Authority to discuss pump station upgrade alternatives on November 17, 2020.

#### **Other Sewer Plant Items:**

EQ Tank Structure: Pennoni prepared and submitted a Condition Assessment Report to the Authority in July 2019.

Compliance Issues: Pennoni uploaded documents, certified by the Authority, to the NJDEP's on-line system in response to NJDEP's comments in September 2020.

Pole Barn Construction project through Co-op by CCUA.



Pennoni assisting with headwords and biogas piping operations (leaks and blockages).

Pennoni is working with the Authority with lid and coating selections to the Primary Digester. Pennoni to perform requested structural and welding inspections as needed.

The Upper Deerfield Pumping Station was completed and closed out with NJDEP in May 2019.

Pennoni to receive backwash water from Upper Deerfield Township (UDT). Pennoni assisting the Authority with a response letter relating to the Authority's meeting with UDT last month.

Solar project: Pennoni to assist the Authority as needed.

Pennoni discussing capital projects with Authority under consideration and investigating possible infrastructure stimulus funding sources.

Upper Deerfield Sewer Pipe Rehab: anticipated 2020/2021.

### **Auditor**

Mr. Tessa reported that he had completed and recently provided to the Authority the updated calculation of the Authority's maximum allowable Connection Fee as of December 31, 2019 in accordance with the Statutes. (N.J.S.A. 40:14B-22). The maximum allowable connection fee as of December 31, 2019 is \$ 3,658.00. The current fee charged by the Authority is \$ 3,450.00. This does not mean you have to charge the higher amount; however, the Authority is required to calculate the fee each year to determine the maximum amount that can be charged.

He also reported that he is working on the Secondary Market Disclosure report. He still needs information from Upper Deerfield to complete the report.

He also stated he provided assistance to management and staff as requested.

### **General Counsel**

Mr. Grace reported that he is continuing to exchange information in an effort to continually and more adequately mediate the matter of Upper Deerfield Wastewater Matter to an amicable resolution. He will update as new information becomes available.

As to the Employee Handbook Modifications he has directed that employee request come in writing on or before November 23, 2020 for consideration. He will continue to update as new information becomes available.

As to the solar project, this matter is moving forward in due course. He will update this board as new information becomes available.

Mr. Grace stated he was available for any questions or concerns by the Director, staff, and Commissioners.

### **Committees**

There was one Committee meeting this past month. The Employee Relations Committee met.

## **RESOLUTIONS**

RESOLUTION (3110) TO RATIFY THE AUTHORIZATION FOR EXECUTIVE DIRECTOR ERRICKSON TO HIRE LEGAL COUNSEL FOR HIMSELF, THE COST TO BE PAID BY THE CUMBERLAND COUNTY UTILITIES AUTHORITY offered by Vice-Chairman Wasserman, seconded by Commissioner Andre, and carried unanimously at roll call.

### **Treasurers Report**

Revenue Account	\$242,277.09
Operating Account	1906884.71
Petty Cash	500.00
Sensor Account	8432.6
General Account	6299562.35
Plant Reconstruction/Replacement	3,265,582.85
User Revenue Reserve	686399.53
Trust Account	1,945,679.01
Total Cash Position	\$14,355,318.14

The Treasurer reported that the bills submitted for payment today for the Operating Account total \$497,622.91. The Authority Chairman and Secretary have checked the vouchers. The Operating Account has sufficient funds to cover these checks and approval of Resolution B is recommended. The monthly bank statements are available for review if anyone is interested.

RESOLUTION (3111) APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS, offered by Commissioner Rajacich, seconded by Commissioner Andre, and carried unanimously at roll call.

### **Chairperson's Remarks**

Chairman Jones thanked all of our staff and employees for their hard work. He wished everyone a Happy and Safe Thanksgiving. He also reminded everyone of the ongoing COVID-19 pandemic and asked for all to be careful.

### **Commissioners-Public Remarks**

Commissioner Andre brought up the issue of spending over \$ 17,000 for an attorney for Director Errickson for unknown reasons, yet when it comes to labor counsel there is no action. He feels that labor council is needed to handle the employee handbook. He then made a motion to advertise for labor counsel for next year (2021), seconded by Commissioner Edwards. A lengthy discussion followed, and Commissioner Andre noted that the firm Long Marmero is still in business and still working, therefore we have a labor counsel in place at this time. A roll call vote was taken.

The roll call vote results were three Commissioners (Edwards, Andre, and Smith-Bey) voting for and three Commissioner (Rajacich, Vice-Chairman Wasserman and Chairman Jones) voting no. This resulted in a three-to-three tie.

Commissioner Andre then made a motion to hire labor counsel to draft a working handbook and handle negotiations with employees, seconded by Commissioner Edwards. A lengthy discussion followed with Commissioner Edwards saying that the employee handbook should be updated. Commissioner Andre added that we do not use our labor counsel correctly. Director Errickson said that Jim Grace does a good job as legal counsel as well as labor counsel, we do not need a separate labor counsel. Chairman Jones noted that since the year 2000 we had always used our legal counsel as our labor counsel until Doug Long was appointed as labor counsel. His belief was that it had worked very well that way. A roll call vote was taken.

The results of the roll call vote were three votes for (Edwards, Andre, and Vice-Chairman Wasserman) and two votes no (Rajacich and Chairman Jones) and one vote abstained (Smith-Bey). This resulted in three votes for, two votes against and one vote abstained.

Vice-Chairman Wasserman then offered his idea that the last vote was moot since we do not have a labor counsel since the breakup of the firm Grace Marmero.

A discussion followed and Vice-Chairman Wasserman stated he did not understand the previous motion and would not have voted for it. It was decided to take a re-vote.

The results of the re-vote were three votes yes (Edwards, Andre, and Smith-Bey) and three votes no (Rajacich, Vice-Chairman Wasserman and Chairman Jones). This resulted in a three to three tie.

Commissioner Andre said someone was missing, how come vote came out even. It was noted that Commissioner Young was absent and could not vote.

There were no comments from the public..

The meeting was adjourned on a motion from Commissioner Edwards.

The next regular Monthly Meeting of the Cumberland Counties Utilities Authority will be held Thursday December 17, 2020 in the Public Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey at 4:30 pm.

Respectfully submitted,



C. Kenneth Hill, Secretary



CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT
ANGELIA EDWARDS	X			
WILLIAM ANDRE	X			
ZARKO RAJACICH	X			
SMITH-BEY	X			
JERRY YOUNG				X
KEITH WASSERMAN	X			
ALBERT JONES	X			

RESOLUTION # 3110

Offered By Wasserman

Seconded By Andre'

Dated November 17, 2020

A RESOLUTION OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY  
TO RATIFY THE AUTHORIZATION FOR EXECUTIVE DIRECTOR ERRICKSON  
TO HIRE LEGAL COUNSEL FOR HIMSELF, THE COST TO BE PAID BY THE  
CUMBERLAND COUNTY UTILITIES AUTHORITY

WHEREAS, the Cumberland County Utilities Authority ("CCUA") operates a "wastewater treatment system," as that term is defined in the Local Public Contracts Law at N.J.S.A. 40A:11-15(19); and

WHEREAS, the Executive Director Errickson may have the need to hire legal counsel from the firm of Cooper Levenson to represent him regarding allegations made by certain employee(s) against him; and

WHEREAS, the CCUA has a need ensure that the interests of its Executive Director for the benefit of the CCUA are protected; and

WHEREAS, by motion on September 17, 2020, with a proper second and carried by a five to two affirmative vote by the Board of Commissioners of the CCUA the Board authorized the Executive Director to enter into a professional services contract to hire legal counsel; and

WHEREAS, this professional services contract shall be in an amount not to exceed Seventeen Thousand Five Hundred Dollars (\$17,500.00), without additional Board approval;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Cumberland County Utilities Authority, in the County of Cumberland and State of New Jersey, as follows:

- 1) All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length;
- 2) The Executive Director Errickson is hereby authorized to execute a contract to retain legal counsel as enumerated herein;
- 3) This Resolution only shall become effective when a copy of the New Jersey Business Registration Certificate of Cooper Levenson is submitted to the Cumberland County Utilities Authority pursuant to the provisions of N.J.S.A. 52:32-44b (1) and a copy of that New Jersey Business Registration Certificate shall be placed on file with this Resolution.



## CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT
ANGELIA EDWARDS	X			
WILLIAM ANDRE	X			
ZARKO RAJACICH	X			
SMITH-BEY	X			
JERRY YOUNG				X
KEITH WASSERMAN	X			
ALBERT JONES	X			

RESOLUTION # 3111

Offered By Rajacich

Seconded By Andre'

Dated November 17, 2020

### A RESOLUTION APPROVING AND AUTHORIZING THE PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS

**WHEREAS**, certain operating account vouchers have been received, reviewed, approved and recommended for payment by the Cumberland County Utilities Authority's Finance Committee,

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority that, subject to the availability of funds, the vouchers listed herein in the total sum of \$497,622.91 be and the same are hereby approved for payment and that the Chairman and Treasurer are authorized and directed to issue checks against the Operating Account in payment of the same.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, November 17, 2020 at 4:30 p.m. prevailing time.

DATED: **NOVEMBER 17, 2020**