

BOROUGH OF BUENA
MUNICIPAL UTILITIES AUTHORITY
P. O. BOX 696
MINOTOLA, NEW JERSEY 08341

The regular meeting of the BBMUA was held on September 25, 2024 at 6:30 p.m. This meeting notice was provided to The Daily Journal and the Atlantic City Press which are the BBMUA's official newspapers. Notices are also posted on the bulletin boards within the Municipal Building as well as the Borough of Buena and BBMUA's websites. The meeting took place in the large meeting room located in the Municipal Building, Minotola while practicing social distancing and complying with guidelines.

The meeting was called to order by Chairman Robert Delano.

Those present were:

R. Delano	D. Horst
J. Johnston	R. Casella in @ 6:34 pm
J. Santagata	S. Testa
C. Santore	Gerald Davis 116 & 120 Melini Avenue
Jonathan Erber	Freddie Schwindt – Buena Connection Brewery
	John Kulin – High Grass Farms

Chairman Delano informed the board that the insurance certificates were received by the companies that will be installing the antenna on the water tower for the HAM radio system.

Chairman Delano stated a notice was received for a hearing on an application for Conte Realty LLC for an application for development with the Land Use Board of the Borough of Buena for a use variance. The meeting of the Land Use Board was cancelled on September 24, 2024 so we will be getting another letter like this at a later date.

A water and sanitary sewer application was received from Buena Connection Brewing Company, LLC and submitted for review by the BBMUA's Engineer DeBlasio & Associates. A check in the amount of \$1,500.00 was submitted with the application for developer's escrow fees to cover the review by DeBlasio & Associates. Mr. Freddie Schwindt, head brewer was in attendance at the meeting. Mr. Schwindt said while the Engineer is reviewing the application, if they have any questions, he will be available for and will provide any information necessary. Chairman Delano stated after the Engineer has reviewed the application the board will take action at that time.

A letter was received from David Flemming, the Engineer for Buena Vista Campground regarding the Sanitary Sewer Infrastructure Improvement Plans pursuant to the Pinelands MOA with Buena Vista Township, Buena Borough, and the Pinelands Commission. There are still some funds in the developer's escrow account to begin the review. This is a significant package that was submitted to review. If additional funds are required Cheryl Santore will reach out to Jay Black who is the contact for the Campground. There is some question as to how this is going to play out. It is a very significant project that they are getting under way and have been working on this for years. We will have to review the MOA as to how that plays together. Robert Casella said you will have to see if the capacity is there. Chairman Delano said he knows what this is showing as far as capacity but he is not sure if this is additional capacity they are looking for or if they are looking to replace capacity they already have that will be used differently in the future. Mr. David Horst asked if the MUA could see what escrow funds are available and then he will speak with Alan Zorzi to be brought up to speed on this project.

Mr. John Kulin of High Grass Farms stated he received the draft interim agreement from the BBMUA's Solicitor, Robert Casella, so he can get moving on things. One thing that Mr. Kulin asked is if it could be changed to specify that there will be a submeter within the facility to put the arrangement in the agreement so it is clear. The other item that Mr. Kulin asked to be put in the agreement is since their sewer bill will be based on their water usage and due to the fact that in the beginning, they will be hauling off approximately two thirds of that water via a waste company for now and paying for that if that could be accounted for in the agreement. For example, if they use 2,000 gallons a day and haul off 500 gallons a day via a waste company it will add up. Once the testing is complete on the wastewater and it is determined what will be dispensed into the BBMUA system the agreement can be revised accordingly. In the interim a significant amount of their wastewater will be hauled off and not dispensed into the BBMUA sanitary sewer system. Chairman Delano asked if anyone had any questions. Mr. David Horst said he would understand that to mean that Mr. Kulin does not want to be charged for the sanitary that you are having hauled off. Mr. Kulin said it would be the industrial waste that will be hauled off that he is speaking of. The sanitary is what it is but the vast majority will be the industrial waste that he will already be paying \$275.00 per thousand gallons minimum to haul away. It is going to add up quickly. Mr. Kulin stated he will provide the BBMUA with the bills to show what gallonage he paid to have hauled off. He isn't going to ask the Board to take his word for it. So, if he could present that information and get the sewer billing reduced by that gallonage every little bit helps. Mr. Kulin stated they are still in a negative cash flow at this point and are just looking for any relief they can get in terms of hoping that is fair with the Board and everyone. Chairman Delano said he doesn't believe they will make that decision this evening but they will. Member Jeff Johnston said he understands what he is saying. Chairman Delano said he also understands exactly what he is saying. That waste is water that will never come into our system for a period of time. The Chairman said we will square that away as to how we can make that work and will get back to you and obviously Mr. Casella will have to redraft the agreement to make it accurate. Mr. Kulin said if we could address those two items the agreement as far as he is concerned is ready to sign and he looks forward to

getting moving on this. Solicitor, Robert Casella, stated the Board would have to approve that change before he could redraft the agreement. Chairman Delano asked if the Board could agree to the agreement subject to changes and then they could discuss exactly what the changes might mean to the BBMUA. Mr. Casella asked if the Chairman is saying that you want the interim agreement to read there will be a change to the sewer only during the term of this agreement until it comes online completely. Chairman Delano said that is correct. The Chairman asked the board and Jonathan Erber if they had any questions or comments or concerns on that. Everyone stated they did not have any concerns. Chairman Delano said we did fix the submeter so it is 100% your water. Chairman Delano asked if we will be billing for water directly or will be billing the landlord. Mr. Kulin stated the BBMUA will bill the landlord and he will be paying the landlord for the water he uses. Mr. Kulin said he has been working with and explaining to the other potential tenants coming in his discussions with the board so hopefully it smooths it out and the next tenants will be much easier. Robert Casella asked if the water meter will be an approved meter and if it will be purchased from the BBMUA. Mr. Kulin stated yes, the meter will be purchased from the BBMUA and the size will be a 2 inch meter. Mr. Kulin stated he will call the BBMUA office in the morning and speak with Cheryl Santore to obtain the cost of the meter and will bring her a check so the meter can be ordered. Mr. Kulin said thank you for the Board's consideration on this. Chairman Delano asked for a motion to accept the agreement subject to changes.

m/Johnston s/Santagata to accept the interim agreement subject to changes that were discussed tonight. m/passed

Gerald Davis of 116 and 120 Melini Avenue. Back in 2005 he and his partner purchased three lots on Melini Avenue. In 2005 the BBMUA Board approved to extend the sewer main on Melini Avenue for the three lots located on Block 115 lots 23.04, 23.05, and 23.06 that Mr. Davis purchased. In 2006 Mr. Davis paid for three sewer tap in fees and this morning paid for the water tap in fees as well as meters. One of the homes was previously built, tied in and sold. He has since built two new homes on the two remaining lots and wants to tie those in now so he can sell the homes. The sewer line is in a position where he can tie in the home located at 120 Melini Avenue but he is coming before the Board today to explain the situation of needing to address the sewer line situation to tie in 116 Melini Avenue to make the board aware since they were not the Board in 2005. Mr. Davis said he will speak with Alan Zorzi when he returns from vacation but he wanted to move things along by speaking with the Board. Chairman Delano said as he explained to Mr. Davis when he spoke to him, they do not know how they will accomplish this yet but they will get this figured out so that he can connect the one sewer line. Chairman Delano said he knows that they will get it solved and will lay it on Alan's shoulders when he returns from vacation because as Plant Superintendent, he has to be sure that is going to work and if he needs any additional information from the Engineer, we will go that route. Chairman Delano said he can assure Mr. Davis that he will have sewer to that property. It is just that we don't have all of the mechanics of it figured out at this point. Mr. Davis said if there is anything that he can do as well to help just contact him. Chairman Delano said he will be in touch and will follow up as best we

can. Chairman Delano informed the other Board Members that he asked Mr. Davis to come to the meeting tonight and present his issue to this board and put it on the record so this matter can be addressed and taken care of.

Mr. David Horst, of DeBlasio & Associates provided the board with an update on the USDA grant/loan application project for various roads in the Borough. DeBlasio & Associates has received back the requested information for the application from the BBMUA and has submitted a request to Buena Borough for financial information for legal solicitor costs, auditor costs, permits and miscellaneous bond council costs and interest during construction costs. Once this information is received the preliminary application can be sent to the USDA. There is also a possibility that there is some funding from the NJ I-Bank and they are looking into that avenue as well to complete the various road projects in the Borough which would include addressing the sewer lines under those roads.

Mr. Horst informed the board that DeBlasio & Associates is proceeding with the work on the Buena Borough MUA Wastewater NJPDES Permit Renewal.

m/Johnston s/Santagata adopt Resolution R-35-2024 authorizing the meeting of the Borough of Buena Municipal Utilities Authority closed to the public to discuss matters of potential litigation which involve attorney client privilege pursuant to N.J.S.A. 10:4-12(b)(7). m/passed

m/Johnston s/Santagata to open the executive closed session meeting at 6:54 pm. m/passed

m/Johnston s/Santagata to close the executive closed session meeting and return to regular session at 7:05 pm. m/passed

Steve Testa of Romano, Hearing, Testa and Knorr said they are still in house putting together the 2022 Audit information and getting ready to roll into 2023.

m/Johnston s/Santagata to approve the treasurer's report as read. m/passed

m/Johnston s/Santagata to approve the purchase of a new server for the BBMUA plant from Dell in the amount of \$1,624.94. m/passed

The State of New Jersey and the Government Records Council informed all agencies that effective September 3, 2024 everyone must adopt the new OPRA form established by the Government Records Council. A copy of the new form was provided.

m/Johnston s/Santagata to adopt resolution R-34-2024 adopting the new OPRA form to comply with N.J.S.A. 47:1A-1 et seq per amendment to P.L. 2024, c.16. m/passed

Robert Smith of Remington & Vernick Engineers sent a letter for Mr. Stephen R. Hughes of Hughes Electric Co., LLC authorizing him to proceed with the well no. 3 emergency generator project in accordance with the contract documents.

m/Johnston s/Santagata to accept the minutes of the last regular meeting held on August 28, 2024. m/passed

m/Johnston s/Santagata to accept the minutes of the last closed executive session meeting held on August 28, 2024. m/passed

Assistant Plant Superintendent Jonathan Erber informed the Board of a PEOSH inspection that was conducted on September 23, 2024 at the BBMUA Sewer Treatment Plant. There are a few corrective actions that have to be addressed with some of the safety plans and a few electrical items that Leeway Electric began correcting today.

Mr. Erber also informed the Board of a water service failure that occurred on Sunday, September 22, 2024 on Wheat Road. The water was turned off for one hour to make the repair and the entire issue was cleaned up within 4 hours.

m/Johnston s/Santagata to file all correspondence sent out for review without reading numbered 1 through 12. m/passed

m/Johnston s/Santagata to pay all bills presented. m/passed

The next regular meeting will be held on October 9, 2024 at 6:30 p.m.

m/Johnston s/Santagata to adjourn the meeting 7:14 p.m. m/passed

Submitted by
Cheryl Santore-BBMUA Secretary