



HMUA MINUTES

REGULAR
MEETING OF

October 13, 2020

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING October 20, 2020

JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kuster at 2:00 P.M over teleconference due to Executive Order No. 107 signed by NJ Governor Murphy and to promote the necessary social distancing to avoid the spread of COVID-19. Executive Director Corcoran announced that adequate notice of this meeting has been given to the area press and the Town of Hackettstown, and the meeting shall be convened and conducted in accord with the requirements of the Open Public Meetings Act.

Roll call indicated the following members in attendance: Chairman Kuster, John DiMaio and William Harper.

Also attending: Counselor John Zaiter, Executive Director Kathy Corcoran, Deputy Director Frank Biank and Recording Secretary Lasch.

Chairperson Kuster led a Salute of the United States Flag.

Chairperson Kuster indicated approval of minutes of the September 8, 2020 Regular Meeting to be the next agenda item. A motion to approve the minutes was made by John DiMaio, being seconded by Harper.

Ayes: Kuster, John DiMaio and Harper

Chairperson Kuster indicated approval of minutes of the September 8, 2020 Executive Session to be the next agenda item. A motion to approve the minutes was made by Harper being seconded by John DiMaio.

Ayes: Kuster, John DiMaio and Harper

Chairperson Kuster opened the meeting to public participation and noted that no members of the public announced their presence.

Chairperson Kuster stated the next agenda item was discussion and possible action regarding any project change orders. Executive Director Corcoran stated there were no change orders.

Chairperson Kuster stated the next agenda item was to entertain a resolution approving the Operations Expense Account Requisitions #OEA-1193, and #OEA-1194 in the total aggregate amount of \$251,823.06. The following Resolution #20-3520 was proposed by John DiMaio who moved its adoption:

Resolution #20-3520

BE IT RESOLVED, that the following Operations Expense Requisitions be formally approved:

Dated: September 11, 2020	OEA-1193	SL-21	\$120,275.20
Dated: September 25, 2020	OEA-1194	SL-22	<u>\$131,547.86</u>
	Total		\$251,823.06



This Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, John DiMaio and Harper

Chairperson Kuster stated the next agenda item was to entertain a resolution approving Renewal & Replacement Fund Requisition #RR-274 in the aggregate amount of \$44,770.41. The following Resolution #20-3521 was proposed by Harper who moved its adoption.

Resolution #20-3521

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-274 be formally approved:

REQUISITION #RR-274

Duperon	AB Panelview 600 Display	\$	9,933.86
Hackettstown Discount Tire	Front Tires: Truck 29	\$	100.00
JR Metal Products	Manhole Risers	\$	2,267.25
Master Leak Technologies	Water Products	\$	9,456.30
Mott MacDonald	UV System Replacement	\$	12,415.00
T. Slack Environmental	Miscellaneous Services	\$	6,348.00
Water Works Supply Co	Water Distribution Supplies	\$	4,250.00
	Total	\$	44,770.41

This Resolution was seconded by John DiMaio and upon roll call vote carried:

Ayes: Kuster, John DiMaio and Harper.

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving Escrow Subaccount Requisition #ESR-305 in the amount of \$13,177.71 The following Resolution #20-3522 was proposed by John DiMaio who moved its adoption.

Resolution #20-3522

BE IT RESOLVED, that the following Escrow Subaccount Requisition #ESR-305 be formally approved:

REQUISITION #ESR-305

HMUA	Meter Rental/Hydro	\$	84.13
Hydro Might Power Washing	Refund from Meter Rental	\$	1,415.87
Mott MacDonald	Heath Village	\$	368.00
Mott MacDonald	Residences at Bilby	\$	1,163.00
S & S Real Estate, Inc.	Refund Escrow Balance	\$	10,146.71
	Total	\$	13,177.71

This Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, John DiMaio and Harper.

Chairperson Kuster stated the next agenda item was to entertain a Resolution to adopt the FY 2020/2021 Budget. The following Resolution #20-3523 was proposed by John DiMaio who moved its adoption.

Resolution #20-3523



WHEREAS, the Annual Budget and Capital Budget/Program for the Town of Hackettstown Municipal Utilities Authority for the fiscal year beginning December 1, 2020 and ending November 30, 2021 has been presented for adoption before the governing body of the Town of Hackettstown Municipal Utilities Authority at its open public meeting of October 13, 2020; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects Total Revenues of \$4,998,020, Total Appropriations, including any Accumulated Deficit if any, of \$5,398,020 and Total Unrestricted Net Position utilized of \$400,000; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$3,300,000 and Total Unrestricted Net Position planned to be utilized as funding thereof of \$0; Total Renewal and Replacement funds planned to be utilized of \$2,315,000; Total Debt Authorization planned to be utilized of \$200,000; Total Other Sources (Construction Aid Fund) planned to be utilized of \$785,000; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Town of Hackettstown Municipal Utilities Authority, at an open public meeting held on September 8, 2020 that the Annual Budget and Capital Budget/Program of the Town of Hackettstown Municipal Utilities Authority for the fiscal year beginning December 1, 2020 and ending November 30, 2021 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 Division of Local Government Services.

The Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, John DiMaio, Harper

Chairperson Kuster stated the next agenda item was discussion and possible action to appoint bond counsel for the 1.0 MG Storage Tank and Distribution Main Project.

The following Resolution #20-3524 was proposed by John DiMaio who moved its adoption:

Resolution #20-3524

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of Bond Counsel through a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 40:A-11-5, professional services for the Authority may be retained without public bidding; and

WHEREAS, the firm Rogut McCarthy LLC has submitted a proposal indicating they will provide bond counsel services in connection with the financing of the proposed 1.0 MG



Water Storage Tank and associated water distribution main in accordance with their proposal dated October 9, 2020 for a not to exceed fee of \$18,000 for the duration of the short-term and long-term financing process for the project; and

WHEREAS, the funds will be encumbered by purchase order on an as needed basis pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Board of Town of Hackettstown Municipal Utilities Authority authorizes the Executive Director to enter into a contract with Rogut McCarthy LLC as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification be placed on file with this resolution.

This Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, John DiMaio and Harper.

Chairperson Kuster stated the next agenda item was discussion and possible action to enter into a settlement agreement with Moudro Corporation.

The following Resolution #20-3525 was proposed by John DiMaio who moved its adoption:

Resolution #20-3525

WHEREAS, the Hackettstown Municipal Utilities Authority Attorney and Executive Director have worked with legal representatives of Moudro Corporation to develop a Settlement Agreement associated with a dispute over fees associated with the Residences at Bilby Road project proposed to be located on Lots 1.01 and 2, Block 45 in the Town of Hackettstown; and

WHEREAS, the Authority's Attorney and Executive Director have recommended approval of the proposed Settlement Agreement; and

WHEREAS, the Board Members of the Town of Hackettstown Municipal Utilities Authority have reviewed the proposed Settlement Agreement and agree to its terms;

NOW, THEREFORE BE IT RESOLVED, that the Executive Director of the Hackettstown Municipal Utilities Authority is hereby authorized to execute the Settlement Agreement between the Moudro Corporation and the Town of Hackettstown Municipal Utilities Authority.

This Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, John DiMaio and Harper.

Chairperson Kuster requested the Executive Director and Deputy Director to proceed with their reports.

Kathy started by complimenting the HMUA staff with regard to their diligent attendance at JIF Safety Webinars. The HMUA recently had the highest number (59 of 384 total) of attendances out of the entire NJUA JIF (74 utilities).



The Authority is continuing to operate under the COVID procedures put in place. Two employees traveled to a NJ travel advisory state and had to quarantine but were able to work from home until the COVID test results came back negative.

The sewer utility purchased and replaced the VFD on the influent screen at the WPCP. They also provided assistance to the Township of Allamuchy with the rental and operation of the sewer jet & vacuum truck. The sewer utility continues to monitor collection system infiltration and inflow with the installation of a portable flow meter within the Diamond Hill collection system. The portable meter is now at its second location after collecting approximately 3 weeks of flow data at the initial location. The sewer utility also pulled RAS pump #2 and sent it out for rebuilding.

Regarding the proposed 1.0 MG Tank construction, the draft agreement prepared by Warren County's Attorney has been reviewed, and comments/clarifications are being prepared for submission to the County.

Kathy continued by stating that there were no water main breaks in September, but a break was discovered today in Diamond Hill. This break brings the total number of main breaks in 2020 to nine, and one repair of a leaking repair clamp.

September water usage increased compared to last year. The water utility continues to exercise valves with a total of 1,460 valves exercised to date and very few issues encountered. The utility continues to restore the blacktop areas disturbed due to leak repairs. Leak detection continues with the nightly deployment of the leak detection correlators. The water utility also continues to paint fire hydrants throughout the distribution system. Kathy added that the water utility also repaired a broken water line inside Mount Olive Pump Station.

Kathy said the last item was the paving reimbursement agreement with the Town of Hackettstown. There was some discussion with the Board regarding the extent and depth of pavement restoration and the timing of reimbursements. There was consensus that the HMUA should pay the Town in the year that the HMUA project is completed and the price should be based on the Morris County Cooperative Pricing Council awarded bid price for the year the HMUA project took place, and reimbursement should be limited to a 2" depth of pavement. The agreement should also state that the HMUA will not be held responsible for paving of roads disturbed by the HMUA prior to 2016. However, the HMUA will be responsible for reimbursing half of the Town's cost to restore the roads disturbed in 2016 and later. The Board directed Kathy to draft an agreement to bring to the Town of Hackettstown Mayor and Council for approval.

Frank discussed the status of the WPCP gas service easements and the verbal terms of easement acquisition from Mr. Bill Shoop to accept \$7,500 in exchange for the easement. John Zaiter is working to get in contact with Elizabethtown Gas's attorneys regarding the easement agreements since the agreements are in favor of Elizabethtown Gas. There are terms presented by ABB for easement acquisition that have to be reviewed and agreed upon by Elizabethtown Gas.

Kathy added that a request for relief letter was received from a customer at 22 Saunders Lane, requesting forgiveness from the HMUA Board. The customer had a leak that the next door neighbor brought to their attention. The customer had the leak fixed immediately, but was charged for significant excess water usage caused by the leak. The customer has been out of



work since COVID-19 began and simply can't afford to pay the balance. The water portion of the bill total is \$798.94.

A motion was made by Bill Harper that, since the owner of 22 Saunders Lane repaired the leak as soon as it was discovered, and given the economic repercussions of the COVID-19 pandemic and unique current hardships faced by the customer, the Authority would accept a payment of \$100 towards the water portion of the bill and forgive the remaining water balance on the bill. The motion was seconded by John DiMaio, who moved its adoption.

Ayes: Kuster, John DiMaio and Harper

Chairperson Kuster requested Counselor Zaiter to proceed with his report. Counselor Zaiter discussed the status of the agreement between the Authority and Warren County for the acquisition of land for the proposed 1.0 MG tank. Counselor Zaiter stated that the agreement is near execution and continued by stating that currently the HMUA or its agents cannot access the county owned property for design/planning purposes until the agreement is in place. Once the agreement is in place, the Authority would have 5-years to execute the land swap and demolish the existing 1.0 MG water storage tank.

Chairperson Kuster asked whether anyone had business of a general nature to discuss with no response.

Chairperson Kuster declared a motion to adjourn would be in order and was so moved by John DiMaio and seconded by Harper and followed by a unanimous voice vote.

Time – 2:54P.M.

Kathleen Corcoran, PE, PP, PMP
Executive Director & Secretary