



HMUA MINUTES

ANNUAL  
MEETING OF

FEBRUARY 09, 2016

ADMINISTRATION BUILDING  
424 Hurley Drive  
Hackettstown, NJ



ANNUAL MEETING FEBRUARY 09, 2016

JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Harper at 7:30 P.M.

Executive Director Corcoran acknowledged receipt of the resolution adopted by the Town of Hackettstown reappointing William Kuster, to the Authority for a term expiring February 1, 2021. Mr. Kuster completed and executed the Oath of Office.

Also attending: Counselor Michael Fitzgerald, Counselor Zaiter, Engineer David Klemm, Executive Director Corcoran, and Recording Secretary Palma.

Roll call indicated the following members in attendance: Harper, Jerry DiMaio, Kelly and Kuster.

Chairperson Harper 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.

Chairperson Harper led a salute of the United States Flag.

Chairperson Harper indicated approval of the January 12<sup>th</sup> Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Kelly with Harper, Jerry DiMaio, Kelly and Kuster voting yea.

Chairperson Harper indicated that approval of the January 12<sup>th</sup> Executive Session be the next agenda item. A motion to approve the minutes was made by Kuster, being seconded by Kelly with Harper, Jerry DiMaio, Kelly and Kuster voting yea.

Chairperson Harper indicated that the election of officers for the ensuing year would be the next order of business and appointed Counselor Zaiter as Acting Chairperson to conduct the election.

John DiMaio entered the meeting.

Upon hearing the request for nominations for the office of Chairperson for the Board Year 2016/2017, Kelly nominated Harper. Jerry DiMaio seconded the nomination. No further nominations were received. There being only one nomination, Harper was elected as Chairperson. Upon roll call the vote was carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

The newly elected Chairperson Harper then declared nominations for the office of Vice Chairperson to be in order. Kelly nominated Jerry DiMaio. John DiMaio seconded the nomination. No further nominations were received. There being only one nomination, Jerry DiMaio was elected as Vice Chairperson. Upon roll call the vote was carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to appoint the Risk Management Consultant.



After a brief discussion, the following Resolution # 16-3107 was proposed by Jerry DiMaio who moved its adoption:

WHEREAS, the Hackettstown Municipal Utilities Authority has previously joined the New Jersey Utility Authorities Joint Insurance Fund, following a detailed analysis; and,

WHEREAS, the bylaws of said Fund requires that each Authority appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and,

WHEREAS, the Authority has negotiated a reduced fee in the amount of \$4,000, which represents reasonable compensation for the services required; and,

NOW, THEREFORE, be it resolved, the Hackettstown Municipal Utilities Authority does hereby appoint Otterstedt Insurance Agency as its Risk Management Consultant in accordance with the Fund's bylaws; therefore,

BE IT FURTHER RESOLVED, that the Governing Body hereby authorizes and directs the execution of the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1) (a) (i).

This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper then indicated that appointments of Authority professionals be the next several agenda items.

After a brief discussion, the following Resolution #16-3108 was proposed by Kelly who moved its adoption.

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of an Auditor as a non-fair and open contract pursuant to the provision 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; therefore,

BE IT RESOLVED, by the Board Members of the Town of Hackettstown Municipal Utilities Authority as follows:

- 1- That the appointment of VM Associates, Inc. as the Authority's Auditor and retaining them to perform audits for Fiscal Year 2016 in accordance with their January 20, 2016 proposal is herewith authorized without public bidding.
- 2- The term of said appointment shall be to February 13, 2017, or until their successor has been appointed and qualified.



- 3- That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution in the Star-Gazette pursuant to N.J.S.A. 40:11-2.

This Resolution was seconded by Kuster and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

The next agenda item was the discussion and possible action to appoint the Authority's Counselor.

The following Resolution #16-3109 was proposed by Kelly who moved its adoption:

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of a Counselor as 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; therefore,

BE IT RESOLVED, by the Board Members of the Town of Hackettstown Municipal Utilities Authority as follows:

- 1- That the appointment of the firm Broschius, Fischer & Zaiter as the Authority's Counselor and retaining them to render legal service to the Authority in accordance with their proposal dated January 6, 2016 is herewith authorized without public bidding.
- 2- The term of said appointment shall be to February 13, 2017, or until their successor has been appointed and qualified.
- 3- That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution in the Star-Gazette pursuant to N.J.S.A. 40:11-2.

This Resolution was seconded by Jerry DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

The next item was the discussion and possible action to appoint the Authority's Consulting Engineer as noted by Chairperson Harper.

At this time, it was suggested that this agenda item be put on hold. All Board members were in agreement.

Chairperson Harper stated the next agenda item was discussion and possible action to appoint the Executive Director, Secretary and Treasurer.

The following Resolution #16-3110 was proposed by John DiMaio who moved its adoption:

WHEREAS, N.J.S.A. 40:14b-18 provides that the positions of Executive Director, Secretary and Treasurer of a Municipal Utilities Authority are appointed positions; and,



WHEREAS, the members of the Authority are desirous of appointing Kathleen Corcoran to fill the positions of Executive Director, Secretary and Treasurer; therefore,

BE IT RESOLVED, that Kathleen Corcoran is hereby appointed Executive Director, Secretary and Treasurer of the Town of Hackettstown Municipal Utilities Authority; and,

BE IT FURTHER RESOLVED that the term of said appointment shall be to February 13, 2017 or until her successor has been appointed and qualified.

This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper opened the meeting to public participation and noted that there were no members of the public present.

Chairperson Harper stated the next agenda item was discussion and possible action regarding any project change orders.

Executive Director Corcoran stated that there were no project change orders.

Chairperson Harper stated that Resolutions pertaining to financial transactions to be the next order of business.

The following Resolution #16-3111 was proposed by Kuster who moved its adoption:

Resolution #16-3111

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

Dated:	January 08, 2016	OEA-1071	SL-03	\$169,561.59
Dated:	January 22, 2016	OEA-1072	SL-04	<u>90,189.69</u>
			Total	\$259,751.28

This Resolution was seconded by Jerry DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

The following Resolution #16-3112 was proposed by John DiMaio who moved its adoption:

Resolution #16-3112

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-398 be formally approved:

REQUISITION #CAF-398

Warco Plumbing & Heating	Supplies -16 Hazen	\$	<u>304.98</u>
	Total	\$	304.98

This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.



The following Resolution #16-3113 was proposed by Kelly who moved its adoption.

Resolution #16-3113

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-218 be formally approved:

REQUISITION #RR-218

NJDOT	Permit Fee – Rt. 46	\$ 265.00
APG-Neuros	WPCP Turbo Blower	2,898.00
American UV Depot, LLC.	Contract No. 43W (#13/#8)	5,950.00
R & J Controls, Inc.	Service Calls	<u>5,579.00</u>
	Total	\$ 14,692.00

The Resolution was seconded by Kuster and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion of the proposed “Annual Meeting Schedule” for the next year.

After a brief discussion, the following Resolution #16-3114 was proposed by Kelly who moved its adoption:.

BE IT RESOLVED, by the Board Members of the Town of Hackettstown Municipal Utilities Authority as follows:

The following schedule for the regular meetings of the Authority for the period commencing March 08, 2016 and concluding February 13, 2017 is hereby adopted:

March 08, 2016  
April 12, 2016  
May 10, 2016  
June 14, 2016  
July 12, 2016  
August 09, 2016  
September 13, 2016  
October 11, 2016  
November 07, 2016  
December 13, 2016  
January 10, 2017  
February 13, 2017



1. All regular meetings will be held at the Jacob Garabed Administration Building at 424 Hurley Drive at 7:30 PM.
2. A copy of the meeting schedule shall be prominently posted in the HMUA Administration Building lobby and also be published in the Star-Gazette.

This Resolution was seconded by Jerry DiMaio and upon roll call vote carried:  
Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

The next agenda item as noted by Chairperson Harper was the discussion and possible action to designate the official newspapers for the Authority.

The following Resolution #16-3115 was proposed by Kelly who moved its adoption:

WHEREAS, the Authority desires to designate official newspapers in which to publish all official public notices;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that the Star-Gazette, Express Times and Daily Record are the official newspapers of the Authority.

The Resolution was seconded by Kuster and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to readopt the Cash Management Plan.

The following Resolution #16-3116 was proposed by Kelly who moved its adoption:

WHEREAS, it is in the best interests of the Hackettstown Municipal Utilities Authority to earn additional revenue through the investment and prudent management of its cash receipts; and,

WHEREAS, N.J.S.A. 40A:5-14 requires each local government unit to readopt the Cash Management Plan; therefore,

BE IT RESOLVED, the Board Members of the Town of Hackettstown Municipal Utilities Authority hereby readopts the Cash Management Plan as presented.

This Resolution was seconded by Jerry DiMaio and upon roll call vote carried:  
Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to designate depositories for Authority Revenue Funds.

After a brief discussion, the following Resolution #16-3117 was proposed by Kelly who moved its adoption:

WHEREAS, the Authority desires to designate a financial institution as the depository for Authority revenues; and,

WHEREAS, said revenues are to be transferred from the depository to the Trustee, currently U.S. Bank, for deposit into the Revenue Fund and subsequent distribution and investment in other Funds as designated by HMUA's Bond Resolution.



NOW, THEREFORE, BE IT RESOLVED, that the Town of Hackettstown Municipal Utilities Authority does herein formally authorize and direct the Authority revenues be deposited into an interest bearing account in First Hope Bank, said bank being designated as the official depository of Authority revenues and further authorizes the Chairperson or Executive Director to direct the Trustee to make investments in securities as previously approved by the Authority or to authorize transfers to other Authority accounts.

This Resolution was seconded by John DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to designate depositories of the Authority's Construction Aid Fund.

The following Resolution #16-3118 was proposed by Kelly who moved its adoption:

WHEREAS, there exists a continuing need for the Town of Hackettstown Municipal Utilities Authority to reinvest funds which have been deposited in financial institutions; and,

WHEREAS, the Authority desires to designate a financial institution as the depository for the Construction Aid Fund and to designate additional financial institutions for investment of funds so the Authority can obtain the most favorable investment rates;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that:

1. The Authority does herein formally designate First Hope Bank as the official depository for the Construction Aid Fund.
2. The Authority also formally designates Ameriprise Financial, Bank of America, Chase Bank, Edward Jones, First Hope Bank, Hudson City Savings Bank, Fulton Bank, State of New Jersey Cash Management Fund, PNC Bank, Raymond James Financial Services, TD Bank, U.S. Bank, Valley National Bank, and Wells Fargo Bank as financial institutions which the Chairperson or Executive Director are authorized to make deposits and transfer funds for investment in the Securities as previously approved by the Authority.

This Resolution was seconded by Jerry DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion to authorize the Purchasing Agent and Assistant Purchasing Agent to implement the requirements of the HMUA purchasing manual.

The following Resolution #16-3119 was proposed by Jerry DiMaio who moved its adoption:



WHEREAS, it is necessary to authorize the Purchasing Agent and Assistant Purchasing Agent to implement the requirements of the HMUA Purchasing Manual:

WHEREAS, the Authority is desirous of designating Deborah A. Palma as Purchasing Agent and Kathleen Corcoran as Assistant Purchasing Agent;

BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that Deborah A. Palma is designated as HMUA's Purchasing Agent and Kathleen Corcoran is designated as HMUA's Assistant Purchasing Agent.

This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper noted the next agenda item was discussion and possible action to designate the Public Agency Compliance Officer.

After a brief discussion, the following Resolution #16-3120 was proposed by Kelly who moved its adoption:

WHEREAS, in accordance with N.J.A.C. 17:27-3.5, each public agency shall designate an individual to serve as its Public Agency Compliance Officer.

WHEREAS, the members of the Authority are desirous of designating Kathleen Corcoran to serve as its Public Agency Compliance Officer; therefore,

BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that Kathleen Corcoran is designated as HMUA's Public Agency Compliance Officer.

This Resolution was seconded by Jerry DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to designate Kathleen Corcoran as Fund Commissioner to the New Jersey Utility Authorities Joint Insurance Fund.

The following Resolution #16-3121 was proposed by Kelly who moved its adoption.

WHEREAS, Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq) permits municipalities to join together to form a joint insurance fund: and

WHEREAS, the New Jersey Utility Authorities Joint Insurance Fund is duly constituted as a Municipal Self-Insurance Fund; and

WHEREAS, the Hackettstown Municipal Utilities Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund, and

WHEREAS, the NJSA 40A:10-36 et seq as well as the Bylaws of the New Jersey Utility Authorities Joint Insurance Fund provide that in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund. Each member shall select either a member of its governing body or one of its employees, and,



WHEREAS, the Term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing utility authority's governing body, shall hold office for two years or for the remainder of his/her term of office as a member of the governing body, whichever shall be less.
2. Commissioners who are employees of the appointing utility authority shall hold office at the pleasure of the utility authority and can be removed by the utility authority at any time without cause.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Hackettstown Municipal Utilities Authority does hereby appoint Kathleen Corcoran to serve as Fund Commissioner to the New Jersey Utility Authorities Joint Insurance Fund.

This Resolution was seconded by John DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to award Contract #AS-16 for the furnishing of Liquid Aluminum Sulfate.

The following Resolution #16-3122 was proposed by Kelly who moved its adoption.

WHEREAS, subsequent to the proper advertisement, one (1) sealed proposal for Liquid Aluminum Sulfate was received and read aloud at a public bid opening on February 9, 2016 at 2:30 PM at the HMUA Jacob Garabed Administration Building; and,

WHEREAS, it has been determined that the lowest bid was received from Chemtrade Chemicals US, LLC of Parsippany, New Jersey for the bid price of \$0.9315 per gallon; therefore,

BE IT RESOLVED, Contract #AS-16 for Liquid Aluminum Sulfate is awarded to Chemtrade Chemicals US, LLC of Parsippany, New Jersey and the Executive Director is hereby authorized to execute the necessary contract documents.

This Resolution was seconded by Kuster and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to grant Tentative and Final approval for the Fulton Bank (901 High Street) project in the Town of Hackettstown.

The following Resolution #16-3123 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, Fulton Bank has requested Tentative and Final Approval for Water and Sewer Utility Service for Block 2 Lot 1 at 901 High Street in the Town of Hackettstown, Warren County; and,



WHEREAS, the application and project plans have been reviewed and approved by the Executive Director and are in accordance with the Authority's Rules and Regulations; therefore,

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority herein grants Tentative and Final Approval for the Fulton Bank project in the Township of Hackettstown, Warren County.

This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to authorize additional engineering services for Contract 45W, Water Main Replacement Phase VII.

Executive Director Corcoran stated that after further review of options for additional water main replacement, construction schedule limitations and discussions with the design engineer, the Authority has decided not to add additional work to the contract.

Chairperson Harper stated the next agenda item was discussion and possible action to authorize advertisement and receipt of bids for Contract 45W, Water Main Replacement Phase VII.

The following Resolution #16-3124 was proposed by John DiMaio who moved its adoption.

WHEREAS, CDM Smith was previously authorized to prepare the plans and specifications for the bidding of Contract #45W, Water Main Replacement Phase VII Project; therefore,

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority hereby authorizes the advertisement for the acceptance of bids for Contract #45W, Water Main Replacement Phase VII Project.

This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action to authorize advertisement and receipt of bids for Contract 44S, Water Pollution Control Plant Miscellaneous Modifications Project.

The following Resolution #16-3125 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, Gannett Fleming Companies was previously authorized to prepare the plans and specifications for the bidding of Contract #44S, Water Pollution Control Plant Miscellaneous Modifications Project; therefore,



BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority hereby authorizes the advertisement for the acceptance of bids for Contract #44S, Water Pollution Control Plant Miscellaneous Modifications Project.

This Resolution was seconded by John DiMaio and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper stated the next agenda item was discussion and possible action regarding the Liquid Aluminum Sulfate Antitrust Class Action Lawsuit.

Attorney Michael Fitzgerald introduced himself to the Board and gave a brief overview of his Law Firm. He explained to the Board that he is currently representing another Authority in the Class Action Lawsuit against certain vendors of liquid aluminum sulfate for the violation of the Anti-Trust Laws.

After a brief discussion the following Resolution #16-3126 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority (hereinafter referred to as the "Authority") has purchased liquid aluminum sulfate from various vendors who it is believed have violated Anti-Trust Laws; and

WHEREAS, the Authority has purchased said material from 2007 through present and it is believed that the Authority is entitled to the return of any overpayments made as a result of the violation of any Anti-Trust Laws; and

WHEREAS, the Authority is in need of legal services to pursue its claim as part of a class action against various defendants who it is believed have violated the Anti-Trust Laws; and

WHEREAS, it is suggested by proposed counsel to represent the Authority that the alleged violators of the Anti-Trust Laws are General Chemical Corporation, General Chemical Performance Products, LLC, Gen Tek, Inc., Chemtrade Logistics Income Fund and others; and

WHEREAS, it is the desire of the Authority to become a lead plaintiff and to retain the Law Offices of Michael D. Fitzgerald to explore the potential for recoveries of monies from the alleged violators of the Anti-Trust Laws; and

NOW, THEREFORE, BE IT RESOLVED this 9<sup>th</sup> day of February 2016, by the Board of Commissioners of the Hackettstown Municipal Utilities Authority, County of Warren, State of New Jersey, as follows:

1 – The Authority through its Board of Commissioners does hereby authorize and confirm the Execution of a Retainer Agreement with the Law Offices of Michael D. Fitzgerald to represent the Authority with regard to the recovery of any monies as a result of Anti-Trust Law violations. Said retainer to be subject to the review and potential modification of said Retainer Agreement by the Authority's attorney.



2 – The Authority authorizes the Law Offices of Michael D. Fitzgerald to file any and all necessary pleadings on behalf of the Authority.

3 - The Authority authorizes and directs the Authority Chairman and Secretary to execute and confirm the Retainer Agreement and any other documents necessary to effectuate the Terms of this Resolution subject to the review and approval by the Authority’s attorney.

4 – The Authority directs the Law Offices of Michael D. Fitzgerald to provide periodic updates regarding the status of the matter to legal counsel for the Authority.

The Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster voting yea.

Chairperson Harper requested the Sewer Utility Superintendent to proceed with his report.

Pete began by stating that Mike Brady passed his C-4 exam and Artie Klein passed his S-1 exam, which were taken in October 2015.

Pete continued by stating that the Wastewater Treatment Plant had its annual fire inspection by Washington Township and passed.

Pete also stated that the Sewer Utility recently completed repair work at 15 Meadow Lane, consisting of a new cleanout and two wrap around repair couplings due to tree root intrusion. In addition, they installed a curbside cleanout for 38 Mitchell Road due to a blockage that the camera could not access at that location.

Pete continued by stating they survived the 2016 blizzard with no interruption of service. Due to difficulties encountered following the storm, Pete suggested that replacement of the 2011 Chevy 1500 plow truck should be the 2500 version to better handle plowing.

Pete also stated that the Sewer Utility assisted Allamuchy in November and January for a total of 17 man hours and 8.5 billable jet hours.

Pete also stated that they continue to meet with Kathy daily to review operations and to discuss the progress of Contract 44S.

Pete also stated the Sewer Utility assisted the Hackettstown DPW with a number of storm drain jetting incidents and camera work on Grand Ave. He also confirmed they assisted the DPW with a blockage at the Town Hall.

Pete continued by stating he is currently working on the year end renewals and paperwork. Some of these are for the EPA Sludge report, Physical Connection permit, Surface Water permit and Liquid Biosolids contract. They also are currently running lab tests for the State Certification of water parameters.



Pete concluded by stating upcoming projects by WPCP personnel include manhole frame change outs in Kenwood prior to paving, a new rotating pump assembly change out on the raw sewage pump and change out of ultraviolet lamps as needed.

Chairperson Harper requested Executive Director Corcoran to proceed with her report.

Executive Director Corcoran began by stating Pre-Bid Meetings would take place at the beginning of March for Contracts 44S and 45W.

Kathy also stated that the Authority has received a rate increase from the Passaic Valley Sewerage Commission for the processing of our sludge. The old rate was \$45.00 per 1,000 gallons and is now \$55.00 per 1,000 gallons. Including hauling costs, she confirmed that this would likely exceed the overall sludge disposal budget of \$169,000.

Kathy continued by stating Morris County College has requested a tour of the Wastewater Treatment Plant which will take place on April 16<sup>th</sup>.

Kathy also stated she received a draft Power Purchase Agreement from Synnergy Solar and is having John Zaiter review it.

Kathy continued by stating she received a call from Tower Advisor Associates, who are consultants that work to maximize revenue from cell tower leases. She stated that they are interested in pursuing installation of cell antennas at some of our water tank locations. She has asked them for more information and will keep the Board updated.

Kathy also stated that she and Bud would be attending the AWWA Conference in Atlantic City in March.

Kathy concluded by stating she had received information regarding the re-zoning of the Musconetcong Age-Restricted Housing Project in Washington Township. The Board was concerned with how this would affect the firm capacity of the Authority.

Chairperson Harper requested Counselor Zaiter to proceed with his report.

Counselor Zaiter stated that Kathy, Bud, Dave Klemm and Mr. DeMaio met with DeMaio's bond insurance carrier. John stated that the issues are being resolved. The issue with the generator itself has been fixed. The louvers are still not working; however DeMaio confirmed that replacement louver motors have been ordered. He also confirmed that the leaking water meter will be replaced.

Chairperson Harper requested Project Engineer Klemm to proceed with his Engineer's Report. Project Engineer Klemm stated that the Age-Restricted Project planned for Washington Township is in the HMUA service area. He also handed out maps showing the area and what the projected flows could be based on the proposed zoning changes. Washington Township only included a projected flow of 126,300 gpd for a specific project (Greenbriar Riverview) on several of these lots in their approved WMP Chapter. This zoning change could double the estimated flow



(255,300 gpd). He also stated that the last time a study was done showing potential projects and flow projections was in 2008. Mr. Klemm was requested to complete an update to the flow projection study to determine current available water and sewer capacities.

The Board suggested that Executive Director Corcoran forward a letter to the Township of Washington stating the concerns of the Authority, and request that it be read into the record at their public hearing on February 10, 2016.

At this point it was suggested that the Board convene into Executive Session.

Counselor Zaiter and Pete Tynan exited the meeting.

Chairperson Harper stated he would entertain a motion to convene into Executive Session.

Resolution #16-3127 was proposed by Jerry DiMaio, who moved its adoption.

BE IT RESOLVED, on this 9<sup>th</sup> day of February 2016, by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. seq., the Authority shall discuss Potential Contract Litigation in Executive Session.

It is not possible, at this time, for the Authority to determine when and under what circumstances the above referenced items, which are to be discussed in Executive Session, can be publicly disclosed.

A motion to convene into Executive Session was made by Jerry DiMaio and seconded by Kuster. Ayes: Harper, Jerry DiMaio, John DiMaio, Kelly and Kuster.

THEREFORE, BE IT RESOLVED, on this 9<sup>th</sup> day of February 2016, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 9:40 PM.

Mr. Kelly moved to end Executive Session and re-enter Regular Session, said motion being seconded by Kuster and all indicating approval at 10:00 PM. No formal action was taken during Executive Session.

Chairperson Harper requested whether anyone had business of a general nature to discuss.

There being no additional comments or discussion, Chairperson Harper declared a motion to adjourn would be in order and was so moved by John DiMaio, seconded by Jerry DiMaio and followed by a unanimous voice vote.

Time – 10:00 P.M.

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Kathleen Corcoran  
Executive Director & Secretary