



HMUA MINUTES

REGULAR
MEETING OF

MARCH 11, 2014

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING MARCH 11, 2014

JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kelly at 8:00 P.M.

Also attending: Steve Polakowski, Stephanie Bunting, Tom Scott, Jason DiLillo, Gerry Barton, Marie Wurtemberg, Robert Ross, Glen Oleska, Counselor Zaiter, Engineer David Klemm, Executive Director Smith, and Recording Secretary Palma.

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

Chairperson Kelly announced that adequate notice of this meeting has been given to the area press and the Town of Hackettstown, and shall be convened and conducted in accord with the requirements of the Open Public Meetings Act.

Chairperson Kelly led a salute of the United States Flag.

Chairperson Kelly indicated that approval of the February 11th Annual Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Harper with Kelly, Jerry DiMaio and Harper voting yea.

Chairperson Kelly indicated that approval of the February 11th Executive Session be the next agenda item. A motion to approve the minutes was made by Harper, being seconded by Jerry DiMaio with Kelly, Jerry DiMaio and Harper voting yea.

John DiMaio entered the meeting.

Chairperson Kelly then recognized members of the College View Drive section of Hackettstown. Questions were asked concerning the new sinkhole in the roadway on College View Drive. Executive Director Smith explained that the sinkhole has been there for some time and was not caused by the water main break. He confirmed that this is considered a dry hole. He confirmed that the HMUA had begun working on it today to fill it in. Residents also voiced their concerns regarding the work performance of the contractor. Executive Director Smith discussed these concerns with the residents and also informed them that the project had been shut down as of today. Smith stated that there would be a meeting on Thursday morning and members of the development were welcome to attend so they could discuss their concerns also at that time. The residents also stated that they were very pleased with the HMUA staff for their hard work and kindness.

Chairperson Kelly then recognized Jerry Barton of Heath Village. She was looking for information on the water system and how the HMUA's water system was tested and what tests were done. Executive Director Smith explained that there was information on the NJ Department of Environmental Protection (New Jersey Drinking Water Watch) website with regards to all the testing of the water the Authority does. He suggested that she contact him and he would review the information with her.



She thanked him and exited the meeting.

Chairperson Kelly then acknowledged Bob Ross. Mr. Ross introduced himself and stated that he works with the NY/NJ Highlands Trail conference and he was interested in having a permanent trail easement for the large reservoir property. He stated that he has done some research on the property and has reached out to Mr. Ellman, but has had no response from him. He introduced Glen Oleska who stated he works with the Highlands Trail. He stated that 15 to 20 years ago an easement was obtained for a trail thru the property. However, after the events of September 11, 2001, the Authority closed the trail. Mr. Ross suggested that the Authority might wish to consider a more permanent easement before the property is sold. Mr. Ross also stated that he would like to reach out again to Mr. Ellman to find out his reasons for not purchasing the property. The Board had no objection to him contacting Mr. Ellman.

Mr. Ross and Mr. Oleska thanked the Board for their time and exited the meeting.

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

Executive Director Smith explained that the water utility had mismarked a number of water services in the College View Development, which were hit by the contractor. The contractor repaired the water services and added the cost to the contract.

The following Resolution #14-2993 was proposed by Harper who moved its adoption.

WHEREAS, due to mismarked water service lines, repairs had to be made to individual water lines which were damaged. These repairs were completed by Reivax Contracting Corp. under Contract 43W; therefore,

BE IT RESOLVED, the Hackettstown Municipal Utilities Authority authorizes a Change Order to Contract 43W to replace damaged water services in the amount of \$4,004.47 under line items 1A and 1B.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize emergency purchase for work associated with the sinkhole remediation.

After a brief discussion, the following Resolution #14-2994 was proposed by John DiMaio who moved its adoption.

WHEREAS, an emergency situation meeting the criteria set forth in NJSA 40A:11-6 related to remediation of numerous sinkholes on College View Drive and Ferris Place; and,

WHEREAS, an emergency purchase was made to Bob Viersma & Sons, Inc. of Hackettstown, New Jersey for sinkhole remediation services in the amount of \$23,363.50;



NOW, THEREFORE, BE IT RESOLVED, that the Hackettstown Municipal Utilities Authority hereby authorizes the payment of \$23,363.50 to Bob Viersma & Sons, Inc. for the emergency described herein in accordance with NJSA 40A:11-6.

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

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

The following Resolution #14-2995 was proposed by Harper who moved its adoption:

Resolution #14-2995A

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

Dated:	February 07, 2014	OEA-1021	SL-05	\$124,655.79
Dated:	February 21, 2014	OEA-1022	SL-06	<u>120,311.94</u>
			Total	\$244,967.73

Resolution #14-2995B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-376 be formally approved:

REQUISITION #CAF-376

DeMaio Electrical Co.	Contract 41W (#2)	\$ 23,304.28
Hatch Mott MacDonald	Engineering Services	16,400.00
Washington Township	Well 9 – Escrow Replenishment	<u>26.00</u>
	Total	\$ 39,730.28

Resolution #14-2995C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-195 be formally approved:

REQUISITION #RR-195

Allan Industries, Inc.	102 College View	\$ 4,152.41
Blue Ridge Lumber Co.	Distribution Supplies	762.36
Bob Viersma & Sons, Inc.	Sinkhole Repairs	23,363.50
County Concrete	Flowable Fill	5,310.00
Hatch Mott MacDonald	Engineering Services	23,391.50
Hydra-Numatic Sales Co.	Service Call	1,071.92
Reivax Contracting Corp.	Contract No. 43W (#1)	240,735.17
Tilcon New York, Inc.	Backfill for Sinkholes	<u>7,683.73</u>
	Total	\$ 306,470.59

Resolution #14-2995D

BE IT RESOLVED, that the following Escrow Sub-account Requisition #ESR-240 be formally approved:



REQUISITION #ESR-240

Mountaintop Church	MOUNTAINTOP CHURCH	\$	<u>426.25</u>
	Total	\$	426.25

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

Chairperson Kelly requested Executive Director Smith to proceed with his report.

Smith stated that this morning he met with David Diehl, the zoning official from Hackettstown. Mr. Diehl was upset with Reivax for dumping soil on private property in Independence Township without a Soil Conservation Permit. Smith stated that he was informed that an ordinance was passed regarding the movement of soil. He stated that he explained to Mr. Diehl that the Contractor was responsible, not the Authority.

Smith also stated that while running the new water main on College View, the contractor broke Mr. Scott's sewer line. He confirmed that they ran the water line right through the sewer line.

Smith stated that they have also decided to change inspectors on the site.

Smith also stated that he has made some personnel changes this week, which should make some improvements.

Smith continued by stating that Harvestone Farms has begun drilling their Well.

Smith reported that USR Optonix has been sold. He received a call from Washington Township requesting information regarding the water and sewer allocation for the property. A meeting is scheduled for April 2nd to discuss development of the site. The property is located within the Highlands Preservation Area, but has previously received a Highlands waiver.

Smith continued by stating that the Water Utility has been working on finding leaks and over the last few days they have found 3 leaks. Smith reported that unaccounted for water has reached 25%.

Smith stated that Debbie Palma has been in contact with Joan Greco. Mrs. Greco is still working with her attorney to resolve the issues associated with the leak on her property. She was asked to keep the Board updated.

Smith also stated that the Authority would be receiving its second AEA Wave Award tomorrow. The Award is the Energy Savers Wave Award.

Smith concluded by stating he has been nominated for Treasurer of the NJ Water Environment Association.

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

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



Resolution #14-2996 was proposed by Harper who moved its adoption.

BE IT RESOLVED, on this 11th day of March, by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss Contract Negotiations 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 Harper and seconded by Jerry DiMaio. Ayes: Kelly, Jerry DiMaio, John DiMaio and Harper.

THEREFORE, BE IT RESOLVED, on this 11th day of March 2014, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 10:25 PM.

Harper moved to end Executive Session and re-enter Regular Session, said motion being seconded by Jerry DiMaio and all indicating approval at 10:40 PM. No formal action was taken during Executive Session.

Chairperson Kelly requested Counselor Zaiter to proceed with his report.

Counsel Zaiter stated he had nothing else further to add.

Chairperson Kelly requested Project Engineer Klemm to proceed with his Engineer's Report. Project Engineer Klemm discussed the progress of the water main replacement project.

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

There being no additional comments or discussion, Chairperson Kelly 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 – 10:45 P.M.

Bruce D. Smith
Executive Director & Secretary