



HMUA MINUTES

REGULAR  
MEETING OF

MAY 14, 2013

ADMINISTRATION BUILDING  
424 Hurley Drive  
Hackettstown, NJ



REGULAR MEETING OF MAY 14, 2013  
JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Brown at 8:01 P.M.

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

Also attending: Counselor Zaiter, Project Engineer David Klemm, Executive Director Smith, Deputy Director Perry and Recording Secretary Palma.

Chairperson Brown 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 Brown led a salute of the United States Flag.

Chairperson Brown indicated that approval of the April 9th Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Harper with Brown, Harper, John DiMaio and Jerry DiMaio voting yea and Kelly abstaining.

Chairperson Brown indicated that approval of the April 9<sup>th</sup> Executive Session to be the next agenda item. A motion to approve the minutes was made by Harper, being seconded by Jerry DiMaio with Brown, Harper, John DiMaio and Jerry DiMaio voting yea and Kelly abstaining.

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

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

Deputy Director Perry explained the details of the change order decrease in the overall price of the contract.

The following Resolution #13-2934 was proposed by John DiMaio who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority authorizes a Change Order for a \$264,715.68 reduction in the amount for Contract 40W; therefore,

BE IT RESOLVED, that the Governing Body of the Town of Hackettstown Municipal Utilities Authority hereby approves the Change Order for a reduction of \$264,715.68 for Contract 40W.

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

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



The following Resolution #13-2935 was proposed by Kelly who moved its adoption:

Resolution #13-2928A

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

Dated:	April 05, 2013	OEA-999	SL-09	\$133,062.49
Dated:	April 19, 2013	OEA-1000	SL-10	<u>111,461.99</u>
			Total	\$244,524.48

Resolution #13-2935B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-366 be formally approved:

REQUISITION #CAF-366

Bros. Fischer, & Zaiter	Professional Services	\$ 277.50
Hatch Mott MacDonald	Engineering Services	12,004.00
Mid-America Pump	Goulds Pump for Well 8	27,813.00
Samuel Stothoff Co.	Goulds Pump Installation	5,409.65
TGM Services	Piping for AB Generator	1,095.27
Wire's Electrical Shop	AB Generator/Concrete Pad	<u>12,935.00</u>
	Total	\$59,534.42

Resolution #13-2935C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-185 be formally approved:

REQUISITION #RR-185

Badger Meter, Inc.	5/8" & 1" Meters/ERTs	\$ 19,476.00
Bros. Fischer & Zaiter	Professional Services	693.75
Capitol Supply	Distribution Supplies	25,130.38
Dell Marketing L.P.	PowerEdge T320 Server	3,614.87
DFFLM	2013-Ford F-150	16,050.00
Hatch Mott MacDonald	Engineering Services	15,450.00
Princeton Hydro LLC	Engineering Services	2,370.60
Pumping Services, Inc.	Recondition RAS Pump #3	10,565.85
R&J Control, Inc.	WFP: Generator Repair	3,616.00
Reivax Contracting Corp.	Claremont Water Trans. Main	<u>14,869.21</u>
	Total	\$ 111,836.66

Resolution #13-2935D

BE IT RESOLVED, that the following Escrow Sub-Requisition #ESR-231 be formally approved:



REQUISITION #ESR-231

Church of the Assumption	STMARY- REFUND	\$	500.00
Hatch Mott MacDonald	PRINCESS TOWERS		425.00
R&J Control Inc.	HOGS		<u>541.84</u>
	Total	\$	1,466.84

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

Chairperson Brown stated the next agenda item was discussion and possible action to authorize an auction of the Burd Reservoir Property located in Washington Township.

Executive Director Smith stated that he and Counselor Zaiter did an inspection of the Burd Reservoir early this evening. It was suggested by the Board that the Authority consider appointing a realtor to handle the auction of the property so the Authority could get the best price. Executive Director Smith stated that he would look into receiving proposals for the auction. This agenda item was deferred until the next meeting.

Chairperson Brown stated the next agenda item was discussion and possible action to authorize an auction of a 2003 Chevrolet Pickup Truck.

The following Resolution #13-2936 was proposed by Kelly who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority is the owner of certain surplus property, which is no longer needed for public use; and,

WHEREAS, the Board Members are desirous of selling said surplus property in an "as is" condition without express or implied warranties,

NOW THEREFORE, be it resolved by the Hackettstown Municipal Utilities Authority, as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at [govdeals.com](http://govdeals.com) and also available from the HMUA.
2. The sale will be conducted online and the address of the auction site is [www.govdeals.com](http://www.govdeals.com).
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. Listed below is the surplus property to be sold.
  - 2003 Chevrolet Pickup Truck VIN # 1GCCS19X938275501
5. The surplus property as identified shall be sold in an "as is" condition without express or implied warranties with the successful bidder required



to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

6. The HMUA reserves the right to accept or reject any bid submitted.

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

Chairperson Brown stated the next agenda item was discussion and possible action to retain a firm to conduct laboratory services.

The following Resolution #13-2937 was proposed by Kelly who moved its adoption.

WHEREAS, due to the need to obtain accurate laboratory data for submission to regulatory authorities and the implications of the Clean Water Enforcement Act and the mandatory fines involved, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional Certified Laboratory services; and,

WHEREAS, the Authority has determined and certified in writing that the value of the acquisition will exceed \$17,500 and has solicited quotations; and,

WHEREAS, QC Laboratories of Southampton, PA has submitted the lowest quotation indicating they will provide the laboratory services in the amount of \$21,226.00

WHEREAS, QC Laboratories has completed and submitted a Business Entity Disclosure Certification which certifies that QC Laboratory has not made any reportable contributions to a political or candidate committee in the Town of Hackettstown in the previous one year, and that the contract will prohibit QC Laboratory from making any reportable contributions in the coming year; therefore,

BE IT RESOLVED, the Hackettstown Municipal Utilities Authority authorizes the laboratory services in the amount of \$21,226.00.

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

Chairperson Brown stated the next agenda item was discussion and possible action to authorize purchase of Backhoe/Loader.

After a brief discussion, the following Resolution #13-2938 was proposed by Harper who moved its adoption.

WHEREAS, the Authority has the need to replace an older Backhoe using the New Jersey State Contract; therefore,

BE IT RESOLVED, that the Governing Body of the Town of Hackettstown Municipal Utilities Authority hereby approves the use of the New Jersey State Contract for the purchasing of a Holland Backhoe for the Authority at a total cost of \$78,329.00.



This Resolution was seconded by Kelly and upon roll call vote carried: Ayes: Brown, Harper, John DiMaio and Kelly voting yea and Jerry DiMaio voting no.

At this point, Chairperson Brown requested Deputy Director Perry to proceed with his report.

Deputy Director Perry began by stating that Claremont Water Transmission Main Project 40W has just about been completed. He confirmed that there were still a few items on the punch list that needed to be addressed.

Perry also stated that the mark outs are being done on Arthur Terrance and Collegetown Drive. He also confirmed that the water main replacement on Sharp Street is going good, and once Fire Hydrant flushing is completed, work will resume again.

Perry stated that the Fire Hydrant flushing began on May 12<sup>th</sup> and will be completed by May 24<sup>th</sup>.

Perry continued by stating that the Authority has received the construction permit for Well #9.

Perry also stated that Mt. Olive Pump #1 is currently being repaired and should be back in service by Memorial Day.

Perry continued by stating that back in February he entered the HMUA with the American Water Works Association for the Wandell LaDue Utility Safety Award, and he received confirmation that the HMUA had won for 2013. The New Jersey Section of the AWWA will accept the award on the HMUA's behalf at the Annual Conference in Denver.

Perry also stated that the 60% design phase for the Claremont Well No. 8 Generator and WPCP Generator Interconnection (Contract 42WS) has been completed.

Perry continued by stating that the annual inspection of the Water System was conducted on 4/22 by NJDEP. A letter of compliance was received on May 13.

Perry concluded by stating that the Well No. 9 Well House Project (Contract No. 41W) design phase is just about completed. He confirmed that the Construction Permit has been received and once the design phase is completed, he would like the Board to authorize the Bidding of the project.

A motion was made by Kelly that once the design phase is completed and approved, the Authority may move forward with the bidding process so as to not delay the project. This motion was seconded by Jerry DiMaio and upon roll call vote carried: Ayes: Brown, Harper, John DiMaio, Kelly and Jerry DiMaio voting yea.

Upon completion of the Deputy Director's report, Chairperson Brown requested the Executive Director to proceed with his report.

Executive Director Smith stated the Authority staff is evaluating a utility billing program that may replace HMUA's existing program.



Smith also stated he attended the deposition of 92 year old Josephine Palmer. Mrs. Palmer was deposed by All Seasons.

Smith continued by stating that he heard on the radio that Quick-Check plans to go to the Washington Township Planning Board and Highlands Council to receive a waiver to build on Route 46 across from the Honda Dealership. Smith will keep the Board advised as to the progress of this matter.

Smith concluded by reporting that an application has been submitted to build a CVS on the Bergen Tool property. The property has a large outstanding balance due to prior water leakage on the site. Smith wanted to confirm with the Board that approvals will be subject to receipt of the outstanding balance. All Board Members were in agreement.

Chairperson Brown requested Counselor Zaiter to proceed with his report.

Counselor Zaiter reported that he will be having a conference call regarding Harvestone Farms and an appointment will be set up for mediation.

Chairperson Brown requested the Projects Engineer to proceed with the Engineer's Report. Projects Engineer Klemm discussed the report, which was submitted to the Board prior to the meeting (attached).

Engineer Klemm and Recording Secretary Palma exited the meeting.

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

Resolution #13-2939 was proposed by John DiMaio who moved its adoption.

BE IT RESOLVED, on this 14th day of May 2013, by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss a personnel matter 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 John DiMaio and seconded by Kelly. Ayes: Brown, Harper, John DiMaio, Kelly and Jerry DiMaio.

THEREFORE, BE IT RESOLVED, on this 14<sup>th</sup> day of May 2013, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 9:20 PM.

Jerry DiMaio moved to end Executive Session and re-enter Regular Session, said motion being seconded by John DiMaio and all indicating approval at 9:38 PM. No formal action was taken during Executive Session.

A motion was made by Kelly to authorize a \$2,000 increase in the annual pay rate for Debbie Palma. The motion was seconded by John DiMaio and upon roll call vote carried: Ayes: Brown, Harper, John DiMaio, Kelly and Jerry DiMaio voting yea.



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

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

Time – 9:45 P.M.

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Bruce D. Smith  
Executive Director & Secretary