



HMUA MINUTES

SPECIAL
MEETING OF

June 05, 2020

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



HMUA SPECIAL MEETING
JUNE 05, 2020
JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kuster at 3:15 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, Jerry DiMaio, John DiMaio and William Harper.

Also attending: Counselor John Zaiter; Executive Director Corcoran; Deputy Director Biank; Recording Secretary Lasch; Consulting Engineer David Klemm; Peter Paftinos; John Sarto, Steve Gouin & Michael Bruno of GHC Law; and Mark Peck, Town of Hackettstown Counsel.

Flag Salute.

Chairman Kuster opened the meeting to public participation and asked if anybody would like to speak. Mark Peck stated he is not participating; he is only here as an interested party and hopes the Hackettstown Municipal Utilities Authority (HMUA) will entertain Mr. Paftinos and his counsel with regard to how the connection fees should be calculated.

Steve Gouin, co-counsel on behalf of Peter Paftinos, stated that he submitted a letter to the HMUA outlining the Moudro Corporation's appeal of connection fees and statements on why they feel the connection fees are too high. He is requesting a reduction in fees; preferably to be reverted back to when the original Residences at Bilby Road development application was submitted and stated that the project is not viable if relief is not given.

Zaiter questioned if the request was for the full relief of the connection fees to the connection fees in the rate schedule in place prior to April 9, 2019. Mr. Gouin confirmed that request.

Chairman Kuster asked if there was any other input from Board Members. Hearing none, Chairman Kuster stated he would entertain a motion to convene into Executive Session. Resolution #20-3489 was proposed by John DiMaio. The motion to convene in Executive Session was seconded by Jerry DiMaio.

Ayes: Kuster, Jerry DiMaio, John DiMaio and Harper

Resoluton #20-3489

BE IT RESOLVED, on this 5th day of June, 2020 by the HMUA and pursuant to N.J.S.A. 10:4-1 et. seq., the Authority shall discuss Potential Litigation in Executive Session.

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



THEREFORE, BE IT RESOLVED, on the 5th day of June, 2020 by the HMUA that the matters, as noted above, will be discussed in Executive Session, said session commencing at 3:31 PM.

Harper moved to end Executive Session and re-enter Regular Session, said motion be seconded by Jerry DiMaio and all indicating approval at 4:20 PM. No formal action was taken during Executive Session.

It was proposed by Zaiter that a virtual meeting be scheduled for Monday morning, June 8, 2020, between Zaiter, Executive Director Corcoran and Moudro Corporation's counsel at GHC Law. The virtual meeting was scheduled for Monday, June 8th at 10:30 AM, to be coordinated by Corcoran.

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

Time – 4:25 PM

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