



HMUA MINUTES

REGULAR  
MEETING OF

November 13, 2018

ADMINISTRATION BUILDING  
424 Hurley Drive  
Hackettstown, NJ



REGULAR MEETING November 13, 2018

JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kuster at 7:01 P.M. Chairperson Kuster 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: Kuster, Jerry DiMaio, Harper and Kunz.

Also attending: Counselor John Zaiter, Special Counsel Arthur Russo, Projects Engineer Klemm, Executive Director Corcoran and Recording Secretary Palma.

Chairperson Kuster led a salute of the United States Flag.

Chairperson Kuster indicated approval of minutes of the October 9<sup>th</sup> Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Kunz, being seconded by Jerry DiMaio with Kuster, Jerry DiMaio, Harper and Kunz voting yea.

Chairperson Kuster indicated approval of minutes of the October 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 Kuster, Jerry DiMaio, Harper and Kunz voting yea.

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

Chairperson Kuster stated the next agenda item was discussion and possible action regarding any project change orders. Executive Director Corcoran stated that there is one Change Order for additional hot mixed asphalt (HMA) base course, which was underestimated in the contract bid document. It was decided to hold this item until later in the meeting for discussion.

Chairperson Kuster stated the next agenda item was to entertain Resolutions approving the Operations Expense Account requisitions #OEA-1143 and #OEA-1144 in the total amount aggregate amount of \$228,243.69. The following Resolution #18-3344 was proposed by Kunz who moved its adoption:

Resolution #18-3344

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

Dated:	October 12, 2018	OEA-1143	SL-23	\$113,959.20
Dated:	October 26, 2018	OEA-1144	SL-24	<u>114,284.49</u>
			Total	\$228,243.69

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

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving Renewal & Replacement Fund Requisition #RR-251 in the aggregate amount of \$39,858.00. The



following Resolution #18-3345 was proposed by Harper who moved its adoption.

Resolution #18-3345

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-251 be formally approved:

REQUISITION #RR-251

Pumping Services, Inc.	Trash Pump for WFP (#2)	\$ 7,928.00
T. Slack Environmental Svcs.	Hydrostatic Testing	2,780.00
Tony Sanchez Ltd.	Dump Truck Body	19,150.00
Town of Hackettstown	Escrow for Police Duty	<u>10,000.00</u>
	Total	\$ 39,858.00

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

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving Escrow Subaccount Requisition #ESR-283 in the amount of \$40,373.13. The following Resolution #18-3346 was proposed by Jerry DiMaio who moved its adoption.

Resolution #18-3346

BE IT RESOLVED, that the following Escrow Subaccount Requisition #ESR-283 be formally approved:

REQUISITION #ESR-283

Anthony Iuvone	IUVONE (REFUND)	\$ 350.00
D.R. Horton, Inc.	DRHORTON (REFUND)	35,719.17
Mott MacDonald	HEATH VILLAGE	1,962.00
Mott MacDonald	WOODMONT INDEPENDENCE	651.96
Rio Supply, Inc.	LIONGATE (WAWA)	<u>1,690.00</u>
	Total	\$ 40,373.13

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

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving General Fund Requisition #GF-5 in the amount of \$114,218.04. It was suggested that this agenda item be deferred to later in the meeting.

Chairperson Kuster stated the next agenda item was discussion and possible action to execute a Bill of Sale with SSE-NJ001, LLC for purchase of the WPCP solar system that is the subject of the solar power and services agreement dated December 17, 2009. Executive Director Corcoran stated that Heliosage (otherwise known as SSE-NJ001, LLC) sold the majority of its assets to Coronal Energy in 2015 but continued to operate as a holding company maintaining some assets, including the HMUA solar power system. At this point, they desire to dissolve the company by the end of 2018 and need to no longer own the HMUA solar system. They propose to grant ownership of the facilities to HMUA. Following the sale, SRECs generated by the system would then also be owned by HMUA, resulting in an estimated \$7,500 of income per year.

After a brief discussion, the following Resolution #18-3347 was proposed by Kunz who moved its adoption.



Resolution #18-3347

WHEREAS, Hackettstown Municipal Utilities Authority entered into a Solar Power Agreement dated December 17, 2009 with SSE-NJ001, LLC; and

WHEREAS, SSE-NJ001, LLC desires to no longer own the solar power system on the HMUA property, and HMUA has requested to purchase all rights, title and interest in the system for a cash payment equal to ten dollars; therefore

BE IT RESOLVED, the HMUA authorizes the Executive Director to proceed with the purchase of the existing solar power system and to execute the Bill of Sale with SSE-NJ001, LLC.

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

Chairperson Kuster stated the next agenda item was discussion and possible action regarding an interlocal services agreement for sewer cleaning and inspection services with the Township of Allamuchy.

The following Resolution #18-3348 was proposed by Jerry DiMaio, who moved its adoption:

Resolution #18-3348

WHEREAS, the Hackettstown Municipal Utilities Authority and the Township of Allamuchy desire to enter into a Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. Agreement for Sewer Cleaning and TV Inspection Services; and,

WHEREAS, these services will be provided to the Township of Allamuchy for costs as specified on "Attachment A" to the Agreement; therefore,

BE IT RESOLVED, this said Uniform Shared Services Agreement for Sewer Cleaning and TV Inspection Services should take effect December 1, 2018 and expire November 30, 2019. It is understood that either party may terminate this contract at any time for any reason by providing at least thirty (30) days written notice to the other party.

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

Chairperson Kuster stated the next agenda item was discussion and possible action to grant Tentative and Final Approval to Woodmont Independence Urban Renewal, LLC for a 120 unit three building residential complex at Bilby Road, Block 6.02, Lot 3 in the Township of Independence. The following Resolution #18-3349 was proposed by Kunz who moved its adoption.

Resolution #18-3349

WHEREAS, Woodmont Independence Urban Renewal, LLC has requested Tentative and Final approval for water and sewer utility service for a new 120 unit three building residential complex on Block 6.02, Lot 3 in Independence, New Jersey; and

WHEREAS, the application and project plans have been reviewed by Mott MacDonald and determined to be in accordance with the Authority's Rules and Regulations as per their letter dated November 13, 2018 with noted conditions; and



- Submittal of Irrigation System Plans, including details and flow information
- Submittal of Performance Bonds
- Submittal of Fire Suppression System Approvals
- Submittal of Plumbing Drawings
- Submittal of TWA forms with endorsement sheets
- Submittal of final NJDEP Safe Drinking Water Act Permit application forms
- Payment of Water and Sanitary Sewer Connection Fees

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority herein grants Tentative and Final Approval for the Woodmont Independence Urban Renewal, LLC in the Township of Independence, Warren County subject to the above noted conditions, and authorizes the Executive Director to execute the documents necessary to obtain water and sewer approvals for the project.

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

Chairperson Kuster stated the next agenda item was discussion and possible action to proceed with the water and sewer rate increases.

Executive Director Corcoran provided the Board with an overview of the findings by Ferraioli, Wielkotz, Cerullo & Cuva, P.A (FWCC) with regard to impacts of the proposed rate increase on industrial properties. She explained that FWCC evaluations projected that a proposed initial 10% rate increase this year followed by a 2% increase for the next five years for both the water and sewer utilities should bring in sufficient funds to cover operating expenses and proposed capital projects anticipated over that time period.

A motion was made by Kunz to move forward with the Public Notice of the water and sewer rate hearing. This motion was seconded by Harper and upon roll call vote carried: Ayes: Kuster, Jerry DiMaio, Harper and Kunz voting yea.

Chairperson Kuster stated the next agenda item was the report of the Sewer Utility Superintendent.

Pete began by stating that since his last meeting they have assisted Allamuchy two times for a total of 7 man hours and 3.5 hours of equipment/jet service.

He also stated that they have assisted the NJDEP and Stevens Institute of Technology with the Arsenic study sampling and testing once in October and there will be another once again in November.

Pete stated that he also attended WEFTEC in September and met with many vendors, reviewing products and equipment, and networking with many colleagues about various topics of concern.

Pete continued by stating they are making headway with the recently upgraded underground fuel oil storage tank regulations. There is testing that needs to be completed on a yearly and every three year cycle, which we completed in September. He confirmed that the oil tank on Seber Rd. passed inspection; however the tanks at the WPCP all need new fill lines installed. These have a built in overflow prevention check valve; however the three current valves failed. He stated that they have ordered this work to be done. They will then need additional work done on the tanks



to update their monitoring controls.

Pete also stated his staff relieved a mainline blockage at Mansfield Village in September. He confirmed that this was reported to the NJDEP. Mansfield Village was having a sewer contractor come on-site that same date to evaluate and price out needed repairs from the punch list. They then forwarded Pete a list of work that will be completed.

Pete stated they have performed tours for CCM, Hackettstown High School AP Environmental Science Class, and one more will be done in November for Centenary University Environmental Science Class.

Pete also stated the Primary Clarifier new gear drive has been received and they are scheduling the installation.

Pete concluded by stating they had their DEP Laboratory audit and there were a few minor items mentioned, and he is awaiting the written report. He confirmed that they will not need another audit for three years.

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

Executive Director Corcoran began by stating the Authority will be receiving a JIF dividend refund of \$12,652.

Kathy also stated that the new Administrative Assistant/Accounts Payable Clerk has been hired and will begin on November 19<sup>th</sup>. She is working on the job description for the Deputy Director position and plans to begin advertising once the new employee is settled in the position.

Kathy continued by stating Heath Village West has completed their wet taps and are starting the installation of the water mains. She stated they are still waiting the submittal to install the insertion valve. She confirmed that they are hoping this will be soon so that they can make the repairs to the leak on the tapping sleeve for Hastings Square.

Kathy also stated the Arsenic Treatability study began in May with sampling and additional samplings were done in June and July. Jar testing of coagulation sedimentation was also completed in October and will be completed again in November. She also confirmed they are waiting for the jar testing to determine if they should move forward.

Kathy also stated the nitrification system project is in a holding pattern due to shop drawing production for manufacture of the diffuser system by Sanitaire.

Also Mott MacDonald has been authorized to move ahead with Jar testing to better determine Peracetic Acid dosing requirements.

Kathy continued by stating Mott MacDonald is working on completing the WQAA Cybersecurity Program Form, using the results from the Cybersecurity Program Report previously completed. This form must be submitted no later than November 16<sup>th</sup>.

Kathy also stated there was a water main break on High Street in the area of Oak Street. This break affected M&M Mars and they did lose water for a period of time. The Water Utility had to figure out valves and piping, but they were able to isolate the area of the break by closing valves in the street and opening valves in M&M's vault. She confirmed that in order for the Authority to repair the broken pipe they would have to open the County Road and remove concrete. They



are discussing different options for a second feed that would not require us to work in the County roadway.

Kathy also stated the water main project is completed with the exception of some punch list items.

Kathy also stated that the water utility continues to do leak detection on a daily basis and the total system numbers are looking good.

Kathy stated that there has been some discussion with Scott Armstrong regarding possibly purchasing the Mason dump truck from the DPW, as they no longer need it. This truck would be an asset to the Authority since it has a normal salt spreader and snow plow, which could be used for smaller jobs. Also, the use of an additional dump truck for larger jobs would be helpful.

Kathy concluded by stating that the office staff has started sending out letters to customers whom we are having issues with for meter replacements. As per our Attorney, these letters will be sent certified mail and regular mail.

Upon the completion of the Executive Director's report, Chairperson Kuster requested Projects Engineer Klemm to proceed with his report. (See Attached)

Chairperson Kuster requested Counselor Zaiter to proceed with his report. Counselor Zaiter stated he had nothing further to add.

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

John Zaiter and Pete Tynan exited the meeting.

Chairperson Kuster stated he would entertain a motion to convene into Executive Session. Resolution #18-3350 was proposed by Jerry DiMaio who moved its adoption. The motion to convene into Executive Session was seconded by Kunz. Ayes: Kuster, Jerry DiMaio, Harper and Kunz.

Resolution #18-3350

BE IT RESOLVED, on this 13th day of November by the Hackettstown Municipal Utilities Authority 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 this 13th day of November, 2018 by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 8:10 PM.

Kunz moved to end Executive Session and re-enter Regular Session, said motion being seconded by Jerry DiMaio and all indicating approval at 9:15 PM. No formal action was taken during Executive Session.

Upon returning, it was noted that the Board would approve the Change Order for Pillari Brothers, but noted that this approval was contingent upon not waiving any future rights or claims against the design engineering firm.





Chairperson Kuster stated he would entertain Resolution #18-3351 approving General Fund Requisition #GF-05 in the amount of \$114,518.04. The following was proposed by Kunz who moved its adoption.

Resolution #18-3351

BE IT RESOLVED, that the following General Fund Requisition #GF-05 be formally approved:

REQUISITION #GF-05

Pillari Bros.	Contract 47W Application #6	\$	106,185.54
Suburban Consulting	Engineering Services		<u>8,032.50</u>
	Total	\$	114,218.04

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

At this point, Attorney Gonchar and Mary Ellen Bove, representing Heath Village, entered the meeting.

Counselor Gonchar approached the Board and thanked them for their time. She passed out letters from the DEP stating that part of the Heath Village West property to be developed was removed from the service area in the 2012 Wastewater Management Plan. She stated that from 2009 to 2018 Heath Village West could not have been provided with service. She also stated that there was a downsizing in the project from 360 EDU's to 150 EDU's. She confirmed that she has reviewed the HMUA's Rules and Regulations with regards liquidated damages for expired permits and finds this not to be acceptable.

Counselor Russo stated that he received her letter but has not had time to review it and discuss it with the Board. He stated that he would be in contact with her.

Attorney Gonchar and Mary Ellen Bove thanked the Board and exited the meeting.

Chairperson Kuster asked whether anyone had business of a general nature to discuss. There being no additional comments or discussion, Chairperson Kuster declared a motion to adjourn would be in order and was so moved by Kunz, seconded by Jerry DiMaio and followed by a unanimous voice vote.

Time – 9:15 P.M.

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