



HMUA MINUTES

REGULAR
MEETING OF

JANUARY 11, 2011

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF JANUARY 11, 2011
JACOB GARABED ADMINISTRATION BUILDING

Chairperson Brown called the meeting to order at 8:02 P.M.

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

Also attending: Counselor John Zaiter, Executive Director Smith 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 December 14, 2011 Regular Meeting minutes to be the next agenda item. A motion to approve the minutes was made by Kelly, being seconded by Harper with Brown, Kelly, Jerry DiMaio and Harper voting yea.

Chairperson Brown indicated that approval of the December 14, 2011 Executive Session to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Kelly with Brown, Kelly, Jerry DiMaio and Harper voting yea.

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

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

The following Resolution #11-2760 was proposed by Kelly who moved its adoption:

Resolution #11-2760A

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

Dated:	December 03, 2010	OEA-938	SL-01	\$111,767.83
Dated:	December 17, 2010	OEA-939	SL-02	83,898.27
Dated:	December 31, 2010	OEA-940	SL-03	<u>107,999.57</u>
			Total	\$303,665.67

Resolution #11-2760B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-338 be formally approved:

REQUISITION #CAF-338



Morris County Soil Cons.	Application	1,750.00
AECOM	Engineering Services	8,046.00
Hatch Mott MacDonald	Engineering Services	<u>1,771.50</u>
	Total	\$ 11,567.50

Resolution #11-2760C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-157 be formally approved:

REQUISITION #RR-157

Applied Analytics	8" Flowmeter: Well 5	\$ 4,739.17
Camp Dresser & McKee	Engineering Services	29,000.00
Capitol Supply	Distribution Supplies	1,634.12
EPM Power & Water Sol.	SCADA Instrumentation	4,418.00
Hatch Mott MacDonald	Engineering Services	800.00
Princeton Hydro	Engineering Services	3,195.58
Spectraserv, Inc.	WPCP Improvements – 37S	36,259.05
Suburban Consulting	Engineering Services	<u>5,591.60</u>
	Total	\$ 85,637.52

Resolution #11-2760D

BE IT RESOLVED, that the following Escrow Sub-account Requisition #ESR-208 be formally approved:

REQUISITION #ESR-208

Hatch Mott MacDonald	HESSCORP	\$ <u>68.00</u>
	Total	\$ 68.00

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

Chairperson Brown stated the next agenda item was discussion and possible action to authorize reduction in the performance bonds for the Woodfield Project sections 3A and 3B.

Executive Director Smith stated that a few issues have surfaced, so he would recommend that this matter be deferred to a future meeting. The Board was in agreement.

Chairperson Brown stated the next agenda item was discussion and possible action to approve Contract 38W Change Order.

After a brief discussion, the following Resolution #11-2761 was proposed by Kelly who moved its adoption.



WHEREAS, the Hackettstown Municipal Utilities Authority (HMUA) and PM Construction Corp entered into a Contract, dated June 7, 2010, for the construction of Water System Improvements, Phase IV, Contract 38W; and,

WHEREAS, in the course of performing the Work required under said contract, a number of changes to the Work were deemed necessary due to existing site conditions and changes in work; and,

WHEREAS, Change Order No. 1 has been prepared by the HMUA’s Resident Engineer, Cerenzio & Panaro, P.C., in the amount of Fifty-Four Thousand, Seven Hundred Forty-three Dollars and Ninety-Two Cents (\$54,743.92), and no change in Contract Time, for said work consisting of the following:

Description:

1. Unmarked existing utilities on 5 th Avenue	\$1,826.83
2. Removal of reinforced concrete road base on Cook Ave.	1,852.80
3. Existing unmarked utilities and conflicts on Liberty St.	2,504.24
4. Damage to unknown water service on Liberty St.	926.40
5. Tie in to Hatchery Hill School change in pipe size.	983.19
6. Saw cutting existing concrete road base on Liberty St.	34,239.80
7. Unknown second water service to 133 Liberty St.	546.35
8. Saw cut to install water services on Liberty St.	4,759.20
9. Installation of 1” (inch) services on Liberty St.	2,389.00
10. Additional insulation at E. Plane St. culvert crossing.	989.61
11. Saw cut for 1 ½” water service on Liberty St.	1,374.00
12. Installation of 1 ½” curb stop and curb box.	313.00
13. Difficulties in shut down of water service for abandonment.	654.17
14. Installation of abandonment cap on Grand Ave.	759.22
15. Rising of hydrant on Liberty St.	<u>626.11</u>
Total Increase in Contract Price	\$54,743.92

WHEREAS, the Hackettstown Municipal Utilities Authority Staff and Resident Engineer have reviewed and negotiated the individual items listed above and have found each to be necessary and the cost for each to be reasonable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Hackettstown Municipal Utilities Authority that the Executive Director is hereby authorized and directed to execute Change Order Number 1 to Contract No. 38W, which reflects the work outlined above and contained in Change Number 1, for an increase in



Contract Price of Fifty-Four Thousand, Seven Hundred Forty-Three Dollars and Ninety-Two Cents (\$54,743.92) and no change in Contract Time.

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

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

The following Resolution #11-2762 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 Funds require 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 Harper and upon roll call vote carried: Ayes: Brown, Kelly, Jerry DiMaio and Harper voting yea.

Chairperson Brown stated the next agenda item was discussion and possible action to authorize sale of used equipment and material.

Executive Director Smith also requested that the Board defer this agenda item until a future meeting.

Chairperson Brown stated the next agenda item was discussion and possible action to appoint a firm to provide engineering services for a

Project to replace the existing process air blowers as recommended by the approved energy reduction plan.

After a brief discussion, the following Resolution #11-2763 was proposed by Jerry DiMaio who moved its adoption.



WHEREAS, the Hackettstown Municipal Utility Authority has a need to acquire engineering services to develop a contract for Process Aeration Blower Replacement as part of an Energy Reduction Plan, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, proposals were requested from several engineering firms and the proposal received from Hatch Mott MacDonald was the lowest cost of the proposals received; and,

WHEREAS, the Authority has determined that the value of the acquisition will exceed \$17,500; 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 Hatch Mott MacDonald to render engineering services to the Authority in accordance with a January 11, 2011 proposal, is herewith authorized without public bidding.
2. The term of said appointment shall be until such time as the work detailed in the proposal has been completed.
3. That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution pursuant to N.J.S.A 40:11-2.

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

At this point, Chairperson Brown requested the Executive Director to proceed with his report.

Executive Director Smith began by stating that he has emailed Patricia Melia requesting certain information, but, as of today, he has not received a response. He also noted that since September of 2008 the Authority has paid The Bell Law Group approximately \$29,000.

Smith continued by stating a water booster pump has been installed at Well #2 to pump distribution system water to the 1.0 million gallon tank to supply fire protection to M&M.

Smith also stated there are now 227 customers that are registered to receive email billing. The number continues to grow.

Smith continued by stating the Water Pollution Control Plant project is continuing. O'Brien & Gere are approximately 1-1/2 months into the CEPT Study.

Smith also stated that a representative from Helio Sage was out to investigate an alternative location for a roof mounted solar PV system. He stated that a few days later the HMUA received a letter from the Highlands Council providing a recommendation for exemption for the Solar project. Smith stated he contacted Helio Sage and they are coming up to meet with him on Monday.



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

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

Resolution #11-2764 was proposed by Kelly who moved its adoption.

BE IT RESOLVED, on this 11th day of January 2011, by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss issues concerning contract negotiation 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 Kelly and seconded by Jerry DiMaio. Ayes: Brown, Kelly, Jerry DiMaio and Harper.

THEREFORE, BE IT RESOLVED, on this 11th day of January 2011, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 8:50 PM.

Kelly moved to end Executive Session and re-enter Regular Session, said motion being seconded by Harper and all indicating approval at 9:10 PM. No formal action was taken during Executive Session.

Chairperson Brown requested Counselor Zaiter to proceed with his report.

Counselor Zaiter stated he has called the attorney for the PVSC on several occasions with regards to the biosolids contract. He stated that he received a letter from the PVSC's attorney stating that the PVSC will

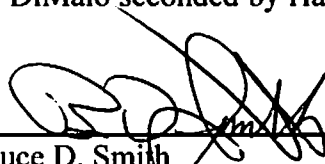
not make any changes to the contract. Counselor Zaiter stated that he is continuing to work on this matter.

Chairperson Brown then stated that due to the inclement weather Engineer Klemm was requested by the Board not to attend. Chairperson Brown confirmed that the Board had received a copy of the engineer's report for their review. (copy attached)

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 Jerry DiMaio seconded by Harper and followed by a unanimous voice vote.

Time – 9.18 P.M.



Bruce D. Smith
Executive Director Secretary