



HMUA MINUTES

REGULAR
MEETING OF

MARCH 8, 2011

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF MARCH 8, 2011
JACOB GARABED ADMINISTRATION BUILDING

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

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

Also attending: Counselor John Zaiter, Executive Director Smith and Recording Secretary Palma.

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 8, 2011 Annual Meeting minutes 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, Brown, John DiMaio and Harper voting yea.

Chairperson Kelly indicated that approval of the February 8, 2011 Executive Session to be the next agenda item. A motion to approve the minutes was made by Brown, being seconded by Harper with Kelly, Jerry DiMaio, Brown, John DiMaio and Harper voting yea.

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

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

The following Resolution #11-2779 was proposed by Brown who moved its adoption:

Resolution #11-2779A

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

Dated:	February 11, 2011	OEA-943	SL-06	\$150,041.86
Dated:	February 25, 2011	OEA-944	SL-07	<u>80,908.25</u>
			Total	\$230,950.11

Resolution #11-2779B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-340 be formally approved:

REQUISITION #CAF-340



Accutest Laboratories	Laboratory Analysis	2,090.00
Hatch Mott MacDonald	Engineering Services	785.00
QC Laboratories	Laboratory Analysis	<u>4,202.00</u>
	Total	\$ 7,077.00

Resolution #11-2779C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-159 be formally approved:

REQUISITION #RR-159

Fisher Electrical Cont.	WPCP: Replace Chemical Pumps	\$ 1,391.42
George S. Coyne Chemical	Treatment Chemicals	5,258.71
Hatch Mott MacDonald	Engineering Services	12,280.00
NB Controls, Inc.	WPCP: Control Wave Micros	10,315.00
Princeton Hydro	Engineering Services	625.94
Suburban Consulting	Engineering Services	4,199.78
Teledyne Isco, Inc.	Refrigerated Sampler	4,733.20
Washington Locksmith	Panic Bar for WPCP	<u>1,982.00</u>
	Total	\$ 40,786.05

Resolution #11-2779D

BE IT RESOLVED, that the following Escrow Sub-account Requisition #ESR-210 be formally approved:

REQUISITION #ESR-210

55 Newburgh Road, LLC	GRANDAVE - Refund	\$ 3,564.47
55 Newburgh Road, LLC	TROUTBROOK – Refund	1,192.95
Hackettstown Hyundai	HYUNDAI – Refund	47.50
White Castle System, Inc.	PRIMACRES – Refund	<u>29.99</u>
	Total	\$ 4,834.91

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

Chairperson Kelly stated the next agenda item was discussion and possible action to adopt a revised Official Newspapers Resolution.

Pursuant to a detailed review of this matter by Board Member Brown and Counselor Zaiter it is suggested that the Authority utilize newspapers that are published in the State of New Jersey.

After a brief discussion, the following revised Resolution #11-2780 was proposed by John DiMaio who moved its adoption.

WHEREAS, the Authority desires to designate official newspapers in which to publish official public notices,



NOW THEREFORE, BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that the Star-Gazette, Daily Record and Star Ledger are the official newspapers of the Authority.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to grant Tentative and Final Approval for The Greg Donaldson's Farm Market Project in Mansfield Township.

The following Resolution #11-2781 was proposed by Brown who moved its adoption.

WHEREAS, Greg Donaldson has requested Tentative and Final Approval for Water and Sewer Utility service for Donaldson's Farm Market located on Block 1105, Lot 8 in Mansfield Township; and

WHEREAS, the application package has been reviewed and found to be in accordance with Authority Rules and Regulations; therefore,

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority herein grants Tentative and Final Approval for Water and Sewer Utility service for Donaldson Farm Market located in the Township of Mansfield and the Executive Director is authorized to reserve sufficient capacity for the project and execute any necessary documents to obtain approval.

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

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

The following Resolution #11-2782 was proposed by John DiMaio 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 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, pursuant to N.J.S.A. 40A-11-5, professional services for the Authority may be retained without public bidding; therefore,

BE IT RESOLVED, by the Board Members of the Town of Hackettstown Municipal Utilities Authority as follows:

1. That retaining the firm of QC Inc. to perform Certified Laboratory analysis for the Authority in accordance with their proposal dated February 22, 2011 is herewith authorized without public bidding.



2. The term of said appointment shall be to February 22, 2012, or until their successor has been appointed and qualified.
3. That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution in the Star-Gazette pursuant to N.J.S.A. 40:11-2.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to retain a firm to conduct appraisal services for a tax appeal.

After a brief discussion, the following Resolution #11-2783 was proposed by Brown who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority has a need to obtain an appraisal necessary for a municipal tax appeal, and,

WHEREAS, a proposal dated March 3, 2011 was received from Holzhauer & Holenstein, LLC in an amount not to exceed \$4,800, therefore,

BE IT RESOLVED, the Hackettstown Municipal Utilities Authority hereby authorizes Holzhauer & Holenstien, LLC to perform the appraisal as detailed in their March 3, 2011 proposal.

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

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

Smith began by stating he received a letter from the NJDEP providing notice to the Authority of Insufficient Firm Water Capacity. Smith stated that he believes that the NJDEP has miscalculated the firm capacity and has inadvertently removed the surface water supply from the Authority's list of available water supplies. He stated that he has made several phone calls and, as of today, he has not received a return call. He confirmed that he would forward a letter requesting clarification on the matter and suggest that the notice be rescinded.

Smith continued by stating that the electronic email billing is going well and that the Authority has approximately 286 customers signed up as of today.

Smith also stated that the CEPT Study is continuing and should be completed in the next four weeks.

Smith confirmed that the Authority has received a \$22,300 rebate check from the NJ Office of Clean Energy for Phase 1 of the Energy Reduction Plan.

Smith continued by stating that over the last few years the Authority has retained several different engineering firms to provide design and inspection services for various Authority projects. Discussion continued on this subject with all Board Members



participating. The discussion also included the possibility of considering a Project Management firm or person to conduct inspections for Authority projects.

Smith also stated that Helio Sage stated that the DEP has informed him verbally that the project would not require a flood hazard area permit. This will certainly help in eliminating the need to obtain a Highlands Waiver.

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

Resolution #11-2784 was proposed by Brown who moved its adoption.

BE IT RESOLVED, on this 8th day of March 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 pending litigation 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 Brown and seconded by Harper. Ayes: Kelly, Jerry DiMaio, Brown, John DiMaio and Harper.

THEREFORE, BE IT RESOLVED, on this 8th day of March 2011, 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 Brown and all indicating approval at 9:40 PM. No formal action was taken during Executive Session.

Chairperson Kelly requested Counselor Zaiter to proceed with his report.

Counselor Zaiter stated he has discussed the Biosolids contract with PVSC's attorney. No formal action was taken on this matter.

Chairperson Kelly then stated that Engineer Klemm was not able to attend this meeting. Chairperson Kelly confirmed that the Board had received a copy of the engineer's report prior to the meeting. (copy attached)

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

Executive Director Smith stated that as a result of the recommendations in the NJ Comptrollers report on On-Line Transparency, the Authority has begun posting the additional information on its website.

Smith also stated that he received a call from Fletcher Platt asking if the HMUA would be interested in authorizing an article on the history of the HMUA in the AEA's 40th Anniversary Newsletter. The HMUA was a founding member of the AEA. The Board indicated that they support the development of the article.

Smith also stated that he has received additional resumes for the Deputy Director position and would like to set up interviews.



Board Member Brown stated that he was happy to note that the Engineer's Report indicated that Habitat Assessments have been sent to the NJDEP for two properties to be included in the Hackettstown Wastewater Management Plan.

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

Time – 10:12 P.M.



Bruce D. Smith
Executive Director & Secretary