



HMUA MINUTES

REGULAR
MEETING OF

APRIL 12, 2011

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF APRIL 12, 2011
JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kelly at 8:02 P.M.

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

Also attending: Counselor Zaiter, Engineer David Klemm, 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 March 8, 2011 Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Brown with Kelly, Jerry DiMaio, Brown and Harper voting yea.

Chairperson Kelly indicated that approval of the March 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 and Harper voting yea.

Chairperson Kelly opened the meeting to public participation and noted there were members of the public present.

Executive Director Smith stated that John Manilio was present regarding the agenda item concerning the Hackettstown Honda.

Chairperson Kelly suggested so as not to detain Mr. Manilio the Board move to agenda item dealing with the Hackettstown Honda project. All were in agreement.

After a brief discussion, the following Resolution #11-2785 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, Hackettstown Honda has requested Tentative and Final Approval for Water and Sewer Utility Service for Block 4, Lot 7 on Route 46 in the Township of Washington; and,

WHEREAS, the Executive Director has determined that the lot is within the Approved Water and Sewer Service Area and has further reviewed the required applications and found them to be in accordance with the Authority Rules and Regulations; therefore,

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority, herein grants Tentative and Final Approval for Block 4, Lot 7 on Route 46 in the Township of Washington, and the Executive Director is authorized to reserve sufficient water and sewer capacity for the project and execute any necessary documents to obtain other approvals.

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

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



The following Resolution #11-2786 was proposed by Harper who moved its adoption:

Resolution #11-2786A

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

Dated:	March 11, 2011	OEA-945	SL-08	\$131,514.42
Dated:	March 25, 2011	OEA-946	SL-09	<u>200,057.45</u>
			Total	\$331,571.87

Resolution #11-2786B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-341 be formally approved:

REQUISITION #CAF-341

Treasurer, State of NJ	WAP Modification-1 st Pymt.	\$ 3,620.00
Accutest Laboratories	Laboratory Analysis	2,150.00
Hatch Mott MacDonald	Engineering Services	7,000.00
QC Laboratories	Laboratory Analysis	4,145.00
Treasurer, State of NJ	WAP Modification – 2 nd Pymt.	<u>3,620.00</u>
	Total	\$ 20,535.00

Resolution #11-2786C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-160 be formally approved:

REQUISITION #RR-160

A.P. Certified, LLC	Distribution Supplies	\$ 3,105.00
ATS Environmental Svc.	Leak Detection System	3,915.76
Intuit, Inc.	Computer Software	2,100.00
Itron	Logger Repairs	1,620.78
JDV Equipment	WPCP Improvements – 36S	75,599.33
O'Brien & Gere	Engineering Services	8,838.02
Princeton Hydro	Engineering Services	105.34
Spectraserv, Inc.	WPCP Improvements – 37S	18,497.50
Suburban Consulting	Engineering Services	5,531.50
Total Dynamic Systems	Impeller & Sleeves	<u>4,868.50</u>
	Total	\$ 124,181.73

Resolution #11-2786D

BE IT RESOLVED, that the following Escrow Sub-account Requisition #ESR-211 be formally approved:



REQUISITION #ESR-211

Bros., Fischer & Zaiter	HUNTERBRK	\$	231.25
Bros., Fischer & Zaiter	STEPHENS		185.00
Hatch Mott MacDonald	NKBA		911.50
Hydra-Numatic Sales Co.	HOGS		<u>39.65</u>
	Total	\$	1,367.40

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

Chairperson Kelly stated the next agenda item was discussion and possible action to award a Contract for Water Meters and Automatic Meter Reading.

The following Resolution #11-2787 was proposed by Brown who moved its adoption.

WHEREAS, subsequent to the proper advertisement, two (2) sealed proposals for Water Meters & Automatic Meter Reading Modules were received and read aloud at a public bid opening on April 5, 2011 at 3:00 P.M. at the HMUA Jacob Garabed Administration Building; and,

WHEREAS, it has been determined that the lowest responsible bid was received from BadgerMeter, Inc. of Milwaukee, WI in an anticipated value of \$28,290.05; therefore,

BE IT RESOLVED, Contract #WM-AMR-11 for Water Meters & Automatic Meter Reading Modules be awarded to BadgerMeter, Inc. of Milwaukee, WI and the Executive Director is hereby authorized to execute the necessary contract documents.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize bidding of the WPCP Process Aeration Blower Replacement Project.

The following Resolution #11-2788 was proposed by Brown who moved its adoption.

WHEREAS, Hatch Mott MacDonald Engineering was previously authorized to prepare the plans and specifications for the bidding of the WPCP Process Aeration Blower Replacement Project; therefore,

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority hereby authorizes the advertisement for the acceptance of bids for the WPCP Process Aeration Blower Replacement Project.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize submission of an application to the NJ Division of Archives and Records Management for request and authorization for records disposal.

After a limited discussion on the matter, the following Resolution #11-2789 was proposed by Jerry DiMaio who moved its adoption.



WHEREAS, the Administrative staff has reviewed the New Jersey requirements for disposal of public records and has developed a list for disposal; therefore

BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that the Executive Director is hereby authorized and directed to follow the appropriate guidelines for disposal of the records and submit the proper forms to the State for approval prior to disposal.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to appoint a firm to provide Professional Engineering Services associated with the post construction benchmarking for HMUA's approved Energy Reduction Plan.

After a lengthy discussion, the following Resolution #11-2790 was proposed by Harper who moved it adoption.

WHEREAS, the Engineering firm, CDM previously developed HMUA's Energy Audit for the NJOCE Local Government Energy Audit Program and is also an Approved Partner for the Pay for Performance Program; and,

WHEREAS, a proposal was requested and received from CDM for the Preparation of Installation and Post-Construction Benchmarking Report; and,

WHEREAS, the Hackettstown Municipal Utilities Authority has a need to acquire Professional Engineering Services as a Non-Fair and Open Contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; therefore,

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

1. That the appointment of CDM to render engineering services to the Authority for the Preparation of Installation and Post-Construction Benchmarking Report in accordance with their March 10, 2011 proposal, is herewith authorized without public bidding.
2. The said payment to CDM shall not exceed \$23,700.
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 Brown and upon roll call vote carried: Ayes: Kelly, Jerry DiMaio, Brown and Harper voting yea.

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize reductions in the performance bonds for the Woodfield Project.

After reviewing information supplied by the Executive Director the following Resolution #11-2791 was proposed by Brown who moved its adoption.

WHEREAS, Kaplan Company has requested a reduction in the amounts of the project performance Bonds (#0402280 & #0402281) for the water and sewer construction associated with the Woodfield project; and,

WHEREAS, inspections have been conducted of the status of the facilities that have been constructed to determine the amount of the bond reductions; therefore,



BE IT RESOLVED, that the Hackettstown Municipal Utilities Authority authorizes a \$200,000 reduction of Bond #0402280 from \$741,883.06 to \$541,883.06 and authorizes a \$140,000 reduction of Bond # 0402281 from \$438,437.09 to \$298,437.09.

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

Counselor Patricia Melia of the Bell Law Group entered the meeting.

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

Resolution #11-2792 was proposed by Brown who moved its adoption.

BE IT RESOLVED, on this 12th day of April 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 litigation matters 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 Jerry DiMaio. Ayes: Kelly, Jerry DiMaio, Brown and Harper.

THEREFORE, BE IT RESOLVED, on this 12th day of April 2011, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 8:35 PM.

Jerry DiMaio moved to end Executive Session and re-enter Regular Session, said motion being seconded by Harper and all indicating approval at 9:30 PM. No formal action was taken during Executive Session.

Chairperson Kelly noted that the next agenda item was discussion and possible action to acknowledge receipt of the Annual Audit Report.

Chairperson Kelly stated that he would like to defer this agenda item until next meeting to allow more time to review the Audit Report. The Board was in agreement.

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

Executive Director Smith began by stating that he conducted a tour of the Water Pollution Control Plant on Saturday April 9th for a Morris County Community College class. The tour went well.

Smith also stated the Water Allocation Permit has been deemed Administratively Complete and will not require additional Highlands approvals.

Smith also stated that there has been a tremendous amount of infiltration into the Diamond Hill Pump Station and the Sewer Utility has been investigating the problem. The Sewer Utility has been inspecting sanitary sewer lines in the area and have found numerous homes with cracked sanitary sewer lines. They have also found one home with a sump pump connected directly to the sanitary sewer. Smith confirmed that a letter was hand delivered to the homeowner on March 18th requesting that the sump pump be immediately disconnected. As of this date, the



sump pump has not been disconnected. Smith will be sending stronger letter providing 10 days notice or face penalty.

Smith continued by stating that he has requested additional information from Debbie Palma in an effort to evaluate adding more information to the website including Requests for Proposal, Bid Notices, etc.

Smith also stated that he has spoken with Brian Cowden of Trout Unlimited regarding a project, which they are considering to realign the stream at the Water Pollution Control Plant site. Smith stated that during the original plant construction in 1971, a portion of the stream was piped under a treatment unit. Fish will not travel upstream through the dark pipeline. Trout Unlimited is proposing a project to redirect the stream out of the pipeline. Smith will provide additional information as it becomes available.

Smith continued by stating he is investigating the procurement of Electricity for HMUA sites. He stated that there is a group receiving bids on April 27th. He also stated that the Authority has several other options.

Smith also stated the Authority has received a letter from the State advising that the Solar Project is located outside the Flood Hazard area. Smith confirmed that Helio Sage is moving forward and will be filing for the necessary construction permits from Washington Township.

Smith confirmed that the new digester mixer tubes and gas compressor have been delivered to the WPCP site. The project continues to move forward.

Smith also stated he has forwarded a second letter to the State Division of Water Supply requesting that they rescind their letter providing notice of Insufficient Firm Capacity. He stated he will wait for a response and will request a meeting, if necessary.

Smith concluded by stating he would like to set up another tour of the facilities for the Board. The Board was in agreement and suggested that possibly it could be scheduled for a Friday afternoon.

Noting the completion of the Executive Director's report, Chairperson Kelly requested Counselor Zaiter to proceed.

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

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

Resolution #11-2793 was proposed by Brown who moved its adoption.

BE IT RESOLVED, on this 12th day of April 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 Tax litigation matters 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 and Harper.



THEREFORE, BE IT RESOLVED, on this 12th day of April 2011, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 9:50 PM.

Brown moved to end Executive Session and re-enter Regular Session, said motion being seconded by Jerry DiMaio and all indicating approval at 9:58 PM. No formal action was taken during Executive Session.

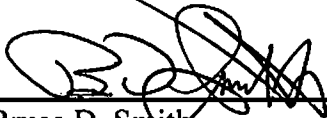
Counselor Zaiter stated he had nothing further to add.

Vice Chairperson Kelly then 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).

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

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 – 10:02 P.M.



Bruce D. Smith
Executive Director & Secretary