



HMUA MINUTES

REGULAR
MEETING OF

MAY 11, 2010

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF MAY 11, 2010
JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Brown at 8:06 P.M.

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

Also attending: Counselor Zaiter, Engineer David Klemm, 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 April 13th Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Harper with Jerry DiMaio and Harper voting yea and Brown and John DiMaio abstaining.

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 #10-2719 was proposed by John DiMaio who moved its adoption:

Resolution #10-2719A

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

Dated:	April 09, 2010	OEA-921	SL-10	\$138,255.33
Dated:	April 23, 2010	OEA-922	SL-11	<u>106,599.85</u>
			Total	\$244,855.18

Resolution #10-2719B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-330 be formally approved:

REQUISITION #CAF-330

AECOM	Engineering Services	\$	1,245.00
Hatch Mott MacDonald	Engineering Services		<u>1,052.91</u>
	Total	\$	2,297.91

Resolution #10-2719C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-149 be formally approved:



REQUISITION #RR-149

NJDOT	Application Fee-Contract 38W	\$ 900.00
Warren Cty. Soil Cons.	Application Fee-Contract 38W	600.00
Treasurer, State of NJ	Administrative Fee-Cont. 38W	2,500.00
Warren Cty. Soil Cons.	Administrative Fee-Cont. 38W	25.00
NJDOT	Application Fee-Route 46	300.00
Hydra-Numatic Sales	Meadow Lane Pump Repair	2,661.81
Reliable Electric Motor	Motor for Mt. Olive Booster	2,720.80
Suburban Consulting Eng.	Engineering Services	11,145.40
Water Works Supply Co.	Hydrant Meter- Franklin St	<u>2,784.71</u>
	Total	\$ 23,637.72

Resolution #10-2719D

BE IT RESOLVED, that the following Escrow Sub-account Requisition #ESR-200 be formally approved:

REQUISITION #ESR-200

Hatch Mott MacDonald	HESS	\$ 1,175.00
Hatch Mott MacDonald	KLAND51LLC	870.00
Hatch Mott MacDonald	ROBERTORT	510.00
Hatch Mott MacDonald	STEPHENS	221.00
Pao-Shu Chi	YIDING-FA	<u>1,433.66</u>
	Total	\$ 4,209.66

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

Chairperson Brown stated the next agenda item was discussion and possible action to award Contract #38W Water System Improvements Phase IV.

After a brief discussion, the following Resolution #10-2720 was proposed by Jerry DiMaio who moved its adoption:

WHEREAS, subsequent to the proper advertisement, fourteen (14) sealed bids for Contract #38W Water System Improvements Phase IV were received and read aloud at a public bid opening on May 7, 2010 at 2:00 PM at the HMUA Jacob Garabed Administration Building; and,

WHEREAS, it has been determined that the lowest bid was received from P.M. Contractors, Inc. of Hillside, NJ; therefore,

BE IT RESOLVED, Contract #38W for the Water System Improvements Phase IV be awarded to P.M. Contractors, Inc. of Hillside, NJ and the Executive Director is hereby authorized to execute the necessary contract documents.

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

Chairperson Brown stated the next agenda item was discussion and possible action to appoint a firm to perform construction administration for Contract #38W.



Engineer Klemm exited the meeting.

After extensive discussion on this matter, the following Resolution #10-2721 was proposed by John DiMaio who moved its adoption:

WHEREAS, proposals were requested from six engineering firms and the proposal received from Cerenzio & Panaro Engineering was the lowest cost of the proposals received; and

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

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

1. The appointment of Cerenzio & Panaro Engineering to render engineering services to the Authority to assist in the Construction Administration Services for Contract No. 38W in accordance with their May 7, 2010 proposal, is herewith authorized without public bidding.
2. The term of said appointment shall be to May 7, 2011, or until such time as the completion of the project.
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 Jerry DiMaio and upon roll call vote carried. Ayes: Brown, John DiMaio, Jerry DiMaio and Harper voting yea.

David Klemm re-entered the meeting.

Chairperson Brown stated the next agenda item was discussion and possible action to acknowledge receipt of the Annual Audit Report.

The following Resolution #10-2722 was proposed by John DiMaio who moved its adoption:

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made; and

WHEREAS, the annual audit report for the fiscal year ended November 30, 2009 has been completed and filed with the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, specifically the sections entitled "General Comments" and "Recommendations", and evidenced same by group affidavit in the form prescribed by the Local Finance Board; and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically noted that the audit did not include any "General Comments" and "Recommendations"; therefore

BE IT RESOLVED, the governing body of the Town of Hackettstown Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended



November 30, 2009, and specifically noted that the audit did not include any "General Comments" and "Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED, the Executive Director of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of the resolution.

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

Chairperson Brown stated the next agenda item was discussion and possible action to appoint a firm to conduct an Energy Reduction Plan for NJ Clean Energy Program Pay for Performance.

After a lengthy discussion, the following Resolution #10-2723 was proposed by Harper who moved its adoption:

WHEREAS, the Hackettstown Municipal Utilities Authority desires to submit a "Pay for Performance" rebate application to the NJ Office of Clean Energy (NJOCE) for proposed Energy Savings improvements; and

WHEREAS, the first step in that process is to have a Pay for Performance Approved Partner develop an Energy Reduction Plan; and

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 to conduct an Energy Reduction Plan; and

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

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

1. That the appointment of CDM to render engineering services to the Authority to develop an Energy Reduction Plan for NJ Clean Energy Program Pay for Performance Program in accordance with their May 7, 2010 proposal, is herewith authorized without public bidding.
2. The term of said appointment shall be to May 7, 2011, or until such time as the completion of the project.
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 Jerry DiMaio and upon roll call vote carried. Ayes: Brown, John DiMaio, 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 the Law Firm of Bell and Hassing have split and now there are new attorneys working on the Dorlan case. He confirmed that the water service to



the property has now been off for nearly 3 years. He stated that he would keep everyone up-to-date on any new developments.

Smith also stated he has received a request for a “will service letter” for the sanitary sewer connection for the Mountaintop Church, from Careaga Engineering. He stated that at the present time the Church has filed for an exemption from the Highlands Council. All Board Members were in agreement that the HMUA would not provide the requested documents.

Smith also stated that a meeting was conducted with DEP representatives on Friday May 7th. Four representatives from DEP came to the HMUA Administration Building and met with he and two representatives from AECOM to discuss Water Permitting. The meeting was the result of an initial discussion with Fred Sickels (DEP) at the NJ American Water Works Association conference in mid April. The meeting was to include a representative from the Highlands Council, but they were unavailable. The major topics of discussion included the permitting for the Claremont Well and proposed new Heath well. The HMUA submitted a Major Modification of a Water Allocation Permit approximately June 2009. The Application was rejected by DEP in July 2009 because it required approval from the Highlands Council. Be advised that both projects are in the Planning Area. There are differences in the requirements of the Highlands Council and DEP. DEP also seems to be unhappy with the Highlands situation. Smith explained the Authority’s long-term plans and the deadlines imposed by Dam Safety. He stated that the DEP did agree to now accept a revised Water Allocation Permit package and begin review prior to receipt of Highlands approval. DEP also agreed to expedite the Construction Permit for the Claremont Replacement well. Smith stated that he felt the meeting went well. Another meeting will be scheduled in the future to include a Highlands Council representative. He will inform the Board of the date and time of the meeting.

Smith also stated CEPT bench scale testing will begin at the WPCP on May 19th.

Smith also stated that the Highlands Council would be reviewing the Solar Project, which may take up to several months.

Smith continued by stating that Princeton Hydro has begun the site investigation for the breaching of the Lower Mine Hill Reservoir.

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

Counselor Zaiter stated he had nothing further to add.

Chairperson Brown 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).

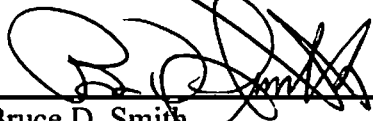
Chairperson Brown requested whether anyone had business of a general nature to discuss.

Board Member John DiMaio questioned whether the Authority has looked into providing any type of ACH or online bill review and payment for its customers. Executive Director Smith stated that a significant number of customers are using online banking to make payments. Staff is currently tracking the number of payment received in this way. Staff previously looked into the acceptance of credit card payments. Smith stated that this will be investigated and provide further information at the next meeting.



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 John DiMaio and followed by a unanimous voice vote.

Time – 9:25 P.M.



Bruce D. Smith
Executive Director & Secretary