



HMUA MINUTES

REGULAR
MEETING OF

DECEMBER 13, 2011

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF DECEMBER 13, 2011
JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kelly at 8:00 P.M.

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

Also attending: Counselor Zaiter, Engineer David Klemm, Executive Director Smith, Deputy Director Perry 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 November 9th 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 and John DiMaio abstaining.

Chairperson Kelly indicated that approval of the November 9th Executive Session 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 and John DiMaio abstaining.

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 #11-2836 was proposed by Brown who moved its adoption:

Resolution #11-2836A

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

Dated:	November 04, 2011 OEA-962	SL-25	\$142,361.00
Dated:	November 18, 2011 OEA-963	SL-26	<u>92,104.68</u>
		Total	\$234,465.68

Resolution #11-2836B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-349 be formally approved:

REQUISITION #CAF-349



Fisher Electrical Cont.	Emergency Generator	\$ 1,278.73
Hatch Mott MacDonald	Engineering Services	2,500.00
QC Laboratories	Laboratory Analysis	<u>402.00</u>
	Total	\$ 4,181.23

Resolution #11-2836C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-168 be formally approved:

REQUISITION #RR-168

Arcy Mfg. Co., Inc.	Washers for Diffusers	\$ 1,817.98
Cerenzio & Panaro, P.C.	Engineering Services	2,750.00
Laymans Contracting, Inc.	Paving: 8 Brookside	6,300.00
Liberty Construction	Process Aeration Blower-39S	<u>208,943.84</u>
	Total	\$ 219,811.82

Resolution #11-2836D

BE IT RESOLVED, that the following Escrow Sub-account Requisition #ESR-219 be formally approved:

REQUISITION #ESR-219

Hatch Mott MacDonald	HACKHONDA	\$ 1,163.00
QC Laboratories	HACKHONDA	<u>13.00</u>
	Total	\$ 1,176.00

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

Chairperson Kelly stated the next agenda item was discussion and possible action to ratify Budget Line Item Transfers.

After a brief discussion, the following Resolution #11-2837 was proposed by John DiMaio who moved its adoption.

BE IT RESOLVED, the Governing Body of the Town of Hackettstown Municipal Utilities Authority hereby ratifies the action of the Executive Director to transfer funds between the individual Expense Accounts as listed below:

- Water Operations – Supply Maintenance & Supplies – (60601) is increased by \$3,000.
- Water Administration – Professional Services – (67201) is increased by \$5,000.
- Water Operations – Electric & Gas – (63301) is decreased by \$8,000.
- Sewer Operations – Treatment–Maint. & Supplies– (70602) is increased by \$1,000.
- Sewer Operations – Chemical (73102) is increased by \$6,000.
- Sewer Operations – Collection System – (73302) is increased by \$1,000.



Sewer Operations – Electric & Gas (73302) is decreased by \$8,000.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize the release of the Performance Bond, for Woodfield Section 3C.

After a brief discussion the following Resolution #11-2838 was proposed by John DiMaio who moved its adoption.

WHEREAS, Kaplan Companies has requested release of Performance Bond required for the Woodfield Project, Section 3C; and,

WHEREAS, the construction of the water and sewer improvements for the Woodfield Project, Section 3C have been completed; and,

WHEREAS, Kaplan Companies has submitted As-Builts, as required and said As-Builts have been reviewed and approved; therefore,

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority does hereby authorize release of the Performance Bond.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize the Curtailment Service Agreement.

The following Resolution #11-2839 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority has considered and evaluated entering a Curtailment Services Agreement with Clear Choice Energy; and

WHEREAS, the PJM electric grid has an Emergency Load Response Program that enables participants to receive revenue for being available to reduce electric consumption in the event of a PJM declared emergency when the reliability of the electric grid is in jeopardy and voltage reductions and blackouts are imminent; therefore

BE IT RESOLVED, the Town of Hackettstown Municipal Utilities Authority hereby authorizes the execution of the Curtailment Services Agreement with Clear Choice Energy.

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

Chairperson Kelly stated the next agenda item was discussion and possible action to authorize an auction of used equipment.



The following Resolution #11-2840 was proposed by Jerry DiMaio who moved its adoption:

WHEREAS, the Hackettstown Municipal Utilities Authority is the owner of certain surplus property which is no longer needed for public use; and,

WHEREAS, the Board Members are desirous of selling said surplus property in an "as is" condition without express or implied warranties,

NOW, THEREFORE, be it resolved by the Hackettstown Municipal Utilities Authority, as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the HMUA.
2. The sale will be conducted online and the address of the auction site is www.govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. Listed below is the surplus property to be sold.
 - 2 (two units) – Hoffman Model #74106A3 Centrifugal Blowers with 125 HP Motors and Electrical Control Equipment and Cabinet.
5. The surplus property as identified shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The HMUA reserves the right to accept or reject any bid submitted.

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 a 5-year renewal of membership in the Morris County Cooperative Pricing Council (MCCPC).

The following Resolution #11-2841 was proposed by Harper who moved its adoption.

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process, and



WHEREAS, the Hackettstown Municipal Utilities Authority desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to renew its membership in the MCCPC for the period of October 1, 2011 through September 20, 2016.

BE IT RESOLVED, by the Hackettstown Municipal Utilities Authority, County of Warren, New Jersey as follows:

1. Bruce D. Smith, Executive Director of the Hackettstown Municipal Utilities Authority hereby authorizes the execution of an Agreement with the Morris County Cooperative pricing Council by the Township of Randolph as Lead Agency dated October 1, 2011 pursuant to N.J.S.A 40A:11-11 (5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2011 through September 30, 2016.
2. The Hackettstown Municipal Utilities Authority Executive Director is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Hackettstown Municipal Utilities Authority officials are authorized and directed to perform all requirements to affect the purpose of this Resolution.

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

At this point, Chairperson Kelly requested Deputy Director Perry to proceed with his report.

Perry stated that two of the three pressure transmitters have been installed at the Mt. Olive Booster Station and Independence Booster Station. The transmitter for Well #2 should be done within a few days. Once all the pressure transmitters are installed, it will be integrated into the SCADA system.

Perry also stated that the items sold on GovDeals have generated approximately \$16,000 to the Authority.

Perry confirmed that he has been in contact with the DOT regarding a grounding rod that was installed through a sewer line in Mansfield Village. He stated that he gave them the contact information for Oswald Enterprises which does underground sewer utility repairs.

Perry concluded by stating he has heard nothing further from FEMA, but the Authority should be receiving reimbursement soon.

Upon completion of the Deputy Director's report, Chairperson Kelly requested the Executive Director to proceed with his report.

Executive Director Smith requested that the Board acknowledge receipt of the Annual Facilities Inspection Report prepared by Hatch Mott MacDonald. Upon



completion of a brief discussion, Jerry DiMaio made a motion stating the Board had received the Annual Facilities Inspection Report as prepared by Hatch Mott MacDonald. Brown seconded the motion with Kelly, Jerry DiMaio, Brown, John DiMaio and Harper voting yea.

Smith continued by stating he has met with all employees to discuss the reduction in annual sick time from 15 to 10 days starting in 2012.

Smith also stated that as of December 5th the acceptance of credit card payments through Paymentus is operational with a link on the HMUA Website.

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 #11-2842 was proposed by Brown who moved its adoption.

BE IT RESOLVED, on this 13th day of December 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 legal 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, John DiMaio and Harper.

THEREFORE, BE IT RESOLVED, on this 13th day of December 2011, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 8:43 PM.

Brown moved to end Executive Session and re-enter Regular Session, said motion being seconded by Harper and all indicating approval at 8:58 PM. No formal action was taken during Executive Session.

Smith concluded by stating he received a letter from the DEP regarding the Water Allocation Permit for the Claremont Well. He stated that the requested maximum pumping rate from the well will be reduced from 1,055 to 800 gallons per minute. Smith confirmed he will be sending letters to four area homeowners on private wells. The letters will state that if their wells are negatively impacted, the homeowner will have the option of either having the HMUA deepen their private wells or providing public water supply to the home.

Chairperson Kelly requested Counselor Zaiter to proceed with his report.

Counselor Zaiter stated that he had nothing further to add.

Chairperson Kelly requested the Project 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 John DiMaio, seconded by Jerry DiMaio and followed by a unanimous voice vote.

Time – 9:20 P.M.

A handwritten signature in black ink, appearing to read "Bruce D. Smith", is written over a horizontal line.

Bruce D. Smith
Executive Director & Secretary