



HMUA MINUTES

REGULAR
MEETING OF

APRIL 09, 2013

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF APRIL 09, 2013
JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Brown at 8:01 P.M.

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

Also attending: Counselor Zaiter, Engineer David Klemm, Executive Director Smith, Deputy Director Perry 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 March 12th Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio being seconded by Harper with Brown, Harper and Jerry DiMaio voting yea.

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

Chairperson Brown stated the next agenda item was discussion and possible action regarding any project change orders.

Executive Director Smith stated that there was an agenda item later in the meeting to discuss a possible change order.

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

The following Resolution #13-2928 was proposed by Harper who moved its adoption:

Resolution #13-2928A

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

Dated:	March 08, 2013	OEA-997	SL-07	\$129,655.98
Dated:	March 22, 2013	OEA-998	SL-08	<u>203,284.12</u>
			Total	\$332,940.10

Resolution #13-2928B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-365 be formally approved:

REQUISITION #CAF-365



Carl Wolf Comm.	Cabling Labor & Materials	\$ 1,060.00
Hatch Mott MacDonald	Engineering Services	13,331.00
Samuel Stothoff Co.	Well Tw-5 Abandonment	4,440.00
Wire's Electrical Shop	Permit for Generator	198.00
	Total	<u>4,641.50</u>
		\$19,029.00

Resolution #13-2928C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-184 be formally approved:

REQUISITION #RR-184

Capitol Supply	Meter Adapters	\$ 2,212.40
Eagle Equipment	Sewer Jet Repair	1,923.60
Hatch Mott MacDonald	Engineering Services	20,300.00
Komline-Sanderson	Washwater Booster Pump	4,448.00
Reivax Contracting Corp.	Claremont Water Trans. Main	199,776.47
T & T Plumbing	Backflow Preventer	<u>3,550.00</u>
	Total	\$ 232,210.47

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

Board Member John DiMaio entered the meeting.

Chairperson Brown stated the next agenda item was discussion and possible action to certify review of the annual audit report for the fiscal year ended November 30, 2012.

The Audit Report provided General Comments but no Recommendations. Discussion ensued regarding the General Comments with all Board Members participating.

The following Resolution #13-2929 was proposed by Harper 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, 2012 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 reviewed the sections of the annual audit entitled “General Comments” and “Recommendations” in accordance with N.J.S.A. 40A:5A-17; 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, 2012 and, specifically, has reviewed the section of the audit report entitled “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 this Resolution.

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

Chairperson Brown stated the next agenda item was discussion and possible action to authorize purchase of Sharp Street Water Main Project Materials.

The following Resolution #13-2930 was proposed by John DiMaio who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority has determined that the replacement of the Water Main on a portion of Sharp Street would be beneficial to the Authority customers; and,

WHEREAS, the Authority has determined and certified in writing that the value of the acquisition will exceed \$17,500 and has solicited quotations; and,

WHEREAS, Capitol Supply Construction Product of Denville, NJ has submitted the lowest quotation indicating they will provide the supplies necessary for the replacement of the Water Main on Sharp Street in the amount of \$25,270.66

WHEREAS, Capitol Supply Construction Product has completed and submitted a Business Entity Disclosure Certification which certifies that Capitol Supply Construction Product has not made any reportable contributions to a political or candidate committee in the Town of Hackettstown in the previous one year, and that the contract will prohibit Capitol Supply Construction Product from making any reportable contributions in the coming year; therefore,

BE IT RESOLVED, the Hackettstown Municipal Utilities Authority authorizes the purchase of the materials necessary to replace the Water Main on Sharp Street in the amount of \$25,270.66.

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



Chairperson Brown stated the next agenda item was discussion and possible action to remove the remaining paving work from contract #40W and transfer responsibility and payment to Mansfield Township.

Executive Director Smith explained that due to the condition of the affected roadways, trench only repair paving would result in a poor finished product for customers and residents. It is suggested that the remaining portions of Contract items 11A (Temporary Pavement Replacement) and 11B (Permanent Pavement Replacement) be paid to Mansfield Township for their proposed Permanent Full Width Road Paving project. He confirmed that discussions with both the Contract #40W Contractor and Mansfield Township are in agreement with this concept. The total value of the Contract Change Order Reduction is \$100,000 and would be paid to the Township of Mansfield.

After a brief discussion, the following Resolution #13-2931 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, due to the condition of the roadways involved in the Claremont Water Transmission Main Project, it has been determined that trench only paving is not preferred and would not benefit HMUA customers and residents in the affected area; and,

WHEREAS, the Hackettstown Municipal Utilities Authority authorizes a Change Order Reduction of \$100,000 in Contract 40W items 11A and 11B; therefore,

BE IT RESOLVED, that Hackettstown Municipal Utilities Authority will contribute \$100,000 to the Township of Mansfield for the full width road paving of the involved roadways under Contract 40W "Claremont Water Transmission Main Project".

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

Chairperson Brown stated the next agenda item was discussion and possible action to authorize additional water main work for Contract 40W.

Deputy Director Perry stated they are reviewing the possibility of extending the 12" water main on Mountain Avenue from Marshall's up to Victoria Lane. Since Mountain Avenue has a paving moratorium until 2016, they would run the pipe along the side of the road. This project would be added to Contract 40W if it could be completed within the 20% threshold. The Board had some concerns about the concrete walkways and traffic control. Deputy Director Perry stated that they are working on pricing and should have more information soon.

The Board was in agreement that they should defer this agenda item until more information is obtained regarding the cost estimate.

Chairperson Brown stated the next agenda item was discussion and possible action to authorize Engineering Services for the Water Main Project for Arthur Terrace and areas of College View in Hackettstown.



After a lengthy discussion, the following Resolution #13-2932 was proposed by John DiMaio who moved its adoption.

WHEREAS, a proposal was requested and received from Hatch Mott MacDonald for the design, bid and construction phases for Engineering Services for the Water Main Project on Arthur Terrace and College View areas of Hackettstown; and,

WHEREAS, the Hackettstown Municipal Utilities Authority has a need to acquire Professional 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 Hatch Mott MacDonald to provide Professional Engineering Services for the design, bid and construction phases of the Water Main Project for Arthur Terrace and College View areas of Hackettstown in accordance with their April 9, 2013 proposal is herewith authorized without public bidding.
2. The said payment to Hatch Mott MacDonald shall not exceed \$169,800.
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: Ayes: Brown, Harper, John DiMaio and Jerry DiMaio voting yea.

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

Deputy Director Perry began by stating that the release has been signed by the homeowner of 336 Carnegie Court for the water damage. He explained that after discussions with Counselor Zaiter it was suggested that the payment be made directly to the homeowner and not the carpeting company. He confirmed that a check was issued in the amount of \$3,569.77 directly to the homeowner.

Perry confirmed that the Authority has received two checks from FEMA one for \$750.00 and another for \$1,125.00.

Perry also stated he is still waiting to hear if the Authority would receive any funding from FEMA for the Well #8 and Water Pollution Control Plant generator interconnection. He stated that he would keep the Board posted.

Perry continued by stating the 800 gallon per minute pump was installed today at the Claremont Well. He confirmed that the Variable Frequency Drive should be installed by the end of the week.

Perry confirmed that a purchase order for rebuilding the rotating element and impeller on pump #1 at the Mt. Olive Booster Station has been issued. Pump #2 was rebuilt several months ago.



Perry concluded by stating he has had a request from Jerry DiMaio to see if the Authority could relocate a fire hydrant on Third Street from the island. He confirmed that he sees no problem and that he has discussed this with the homeowner where the hydrant would be moved to and he is fine with it.

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

Executive Director Smith began by stating that he, John Perry, Beth (Musconetcong Watershed Association) and Brian Cowden (Trout Unlimited) met with David Epstein of Land Conservancy and toured the reservoir properties. Smith stated that Mr. Epstein emailed him stating that there is too much infrastructure to become Land Conservancy owned and they do not believe they will be any more successful than the HMUA in changing the thinking of the State of New Jersey to change their mind on ownership. Smith believes that the Authority has exhausted its options for preservation of the properties and would recommend sale of the properties. He confirmed that Counselor Zaiter is continuing to work on the documents necessary for the sale.

Smith also stated that the Authority is in the process of reviewing comments by Hatch Mott MacDonald on Hackettstown's Wastewater Management Plan.

Smith continued by stating the Authority is currently looking at different utility billing program options. The current system programmer is a one man operation and it may be a good to investigate other options.

Smith also stated the Authority recently purchased a MC Lite Itron Radio Meter Reading system. The new equipment has significantly reduced the time spent in reading water meters, allowing more time for personnel to replace aging water meters.

Smith also stated that All Seasons has scheduled a deposition of 92 year old Josephine Palmer for April 18th.

Smith concluded by stating he and John Perry will be conducting a tour of the Water Pollution Control Plant for a County College of Morris Environmental Class on Saturday.

Chairperson Brown requested Counselor Zaiter to proceed with his report.

Counselor Zaiter reported that he is working with the Title Company with regards to the deeds on the reservoir properties and will keep the Board updated.

Chairperson Brown 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).

Engineer Klemm and Recording Secretary Palma exited the meeting.

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



Resolution #13-2933 was proposed by Harper who moved its adoption.

BE IT RESOLVED, on this 9th day of April 2013, by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss a personnel matter 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 Harper and seconded by Jerry DiMaio. Ayes: Brown, Harper, John DiMaio and Jerry DiMaio.

THEREFORE, BE IT RESOLVED, on this 9th day of April 2013, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 9:25 PM.

Jerry DiMaio moved to end Executive Session and re-enter Regular Session, said motion being seconded by John DiMaio and all indicating approval at 9:55 PM. No formal action was taken during Executive Session.

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

John DiMaio mentioned that the reports submitted by John Perry and Dave Klemm are similar and he suggested that the Authority may consider discontinuing the practice of Monthly Engineer's Reports and Dave Klemm's attendance at Authority Meetings. Reports and attendance could be done on an as needed basis. Limited discussion followed on this subject.

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 – 10:03 P.M.

Bruce D. Smith
Executive Director & Secretary