



HMUA MINUTES

REGULAR
MEETING OF

OCTOBER 08, 2013

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING OF OCTOBER 08, 2013
JACOB GARABED ADMINISTRATION BUILDING

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

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

Also attending: Jere St. Lewis, Angela Randle, Yalitza Castillo and Camille Dawson all from Centenary College; Ted Tomaszewski, Mayor of Mansfield Township; Joseph Watters, Deputy Mayor for Mansfield Township; Drew Di Sessa, Engineer for Mansfield Township; Counselor Zaiter, Project 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 September 10th Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Kelly, being seconded by Harper with Brown, Harper, Kelly and Jerry DiMaio voting yea.

Chairperson Brown indicated that approval of the September 10th Executive Session to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio being seconded by Kelly with Brown, Harper, Kelly and Jerry DiMaio voting yea.

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

Chairperson Brown acknowledged a group of students from Centenary College who were there for their Journalism Class to review our public meeting.

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

Executive Director Smith confirmed there were no change orders.

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

The following Resolution #13-2957 was proposed by Kelly who moved its adoption:

Resolution #13-2957A

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

Dated:	September 06, 2013	OEA-1008	SL-20	\$133,565.24
Dated:	September 20, 2013	OEA-1009	SL-19	<u>68,012.57</u>



Total \$201,577.81

Resolution #13-2957B

BE IT RESOLVED, that the following Construction Aid Fund Requisition #CAF-371 be formally approved:

REQUISITION #CAF-371

Hatch Mott MacDonald	Engineering Services	\$13,245.00
MBE Mark III Electric	Contract 42WS Permits	2,127.00
Pumping Services	6" Pump Rental	1,240.00
Washington Township	Soil/Sediment Guaranty-Well 9	200.00
	Total	\$16,812.00

Resolution #13-2957C

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-190 be formally approved:

REQUISITION #RR-190

American UV Depot Inc.	Ultra-Violet Lamps	\$ 2,696.60
Bob Viersma & Sons, Inc.	Excavation Work at WPCP	1,720.00
Chlorinator & Instrument	Parts for CL2 Line Repair	1,530.00
Hatch Mott MacDonald	Engineering Services	7,340.00
Town of Hackettstown	Milling/Paving	11,571.33
	Total	\$ 24,857.93

Resolution #13-2957D

BE IT RESOLVED, that the following Escrow Sub-Requisition #ESR-236 be formally approved:

REQUISITION #ESR-236

Hatch Mott MacDonald	CVS	\$ 427.50
Hatch Mott MacDonald	PRINCESS TOWERS	257.50
	Total	\$ 685.00

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

Chairperson Brown stated the next agenda item was discussion and possible action to adopt modifications to Personnel Policies and Procedures.

After a brief discussion, the following Resolution #13-2958 was proposed by Kelly who moved its adoption.

WHEREAS, the Hackettstown Municipal Utilities Authority originally adopted a Personnel Policies and Procedures manual in February of 2008 and revisions were made in November 2011 and June 2012; and,

WHEREAS, the HMUA Personnel Policies and Procedures Manual has been modified and forwarded to the HMUA Board and Counsel for review; therefore,



BE IT RESOLVED, the Hackettstown Municipal Utilities Authority adopts the modified Personnel Policies and Procedures Manual.

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

Chairperson Brown stated the next agenda item was discussion and possible action to award Contract 43W – Arthur Terrace and College View Water Main Project.

The following Resolution #13-2959 was proposed by Kelly who moved its adoption.

WHEREAS, subsequent to the proper advertisement, nine (9) sealed bids for Contract No. 43W – Arthur Terrace and College View Water Main Project were received and read aloud at a public bid opening on October 4, 2013 at 10:00am at the HMUA Jacob Garabed Administrative Building; and,

WHEREAS, it has been determined that the lowest responsible bid was received from Reivax Contracting Corp. of Newark, New Jersey in an anticipated value of \$1,364,091.66; therefore,

BE IT RESOLVED, that Contract No. 43W – Arthur Terrace and College View Water Main Project be awarded to Reivax Contracting Corp. of Newark, New Jersey 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: Brown, Harper, Kelly and Jerry DiMaio voting yea.

At this point, Chairperson Brown suggested that they return to the Public Open session to allow members of the public to speak and all members were in agreement.

Mayor Ted Tomaszewski approached the Board. He stated that the water main replacement construction on the roadways in Diamond Hill had more damage than anticipated due to the large truck traffic. He stated that the Township has gone out for Bid on the repaving and the cost was much more than anticipated. He also confirmed that only one bid was received for the project. He stated that the Township was very appreciative of the \$100,000 contribution from the HMUA toward a full road width paving project instead of just repaving the trenches as detailed under the contract. Mayor Tomaszewski questioned if the HMUA would be willing to provide additional funds for the project.

Drew DiSessa, the Township Engineer explained that due to the large truck traffic some of the curbing would also have to be replaced.

Board Member Kelly explained that it was his understanding that the roadways were in very poor condition prior to the HMUA project and that all curbing was repaired. Prior to completing the paving work under the HMUA Contract, the Authority contacted the Township with the offer. The offer was that instead of paying the HMUA Contractor the \$100,000 for the trench only paving contract line



items, the funds would be contributed to the Township toward a full road width paving project. The Township agreed to accept the offer. This did not result in any savings to the HMUA. However, the \$100,000 to Mansfield would go a long way toward providing a cost effective permanent full road width paving solution for the HMUA Ratepayers and Mansfield Township Taxpayers. The HMUA feels this is a great example of government agencies working together to provide a cost effective solution. Kelly also stated that he was not in favor of giving the Township more money.

All Board Members were in agreement that the Authority could not supply any additional funds for the project.

Executive Director Smith also stated that the Sewer Utility had made three openings on Claremont Road, and the Authority may be able to provide additional funds to the Township for the paving on that road. The Board suggested that Smith obtain a cost estimate. Smith also stated he would discuss this with the officials from Mansfield Township.

Chairperson Brown stated the next agenda item was discussion and possible action to adopt the Water Utility Annual and Capital Budgets for fiscal year 2014.

The following Resolution #13-2960 was proposed by Kelly who moved its adoption.

Water Utility Budget

WHEREAS, the Annual Budget and Capital Budget for Water for the Town of Hackettstown Municipal Utilities Authority for the fiscal year beginning December 1, 2013 and ending November 30, 2014 has been presented for adoption before the Governing Body of the Town of Hackettstown Municipal Utilities Authority at its open public meeting of October 8, 2013; and,

WHEREAS, the Annual Budget and Capital Budget was submitted late due to waiting for Consumer Price Index figures to be released by the United States Bureau of Labor Statistics; and,

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and,

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$1,927,000, Total Appropriations including any Accumulated Deficit, if any, of \$2,736,134 and Total Unrestricted Net Assets utilized of \$809,134; and,

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$3,735,000 and Total Unrestricted Net Assets planned to be utilized of \$0;



NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of Hackettstown Municipal Utilities Authority at its Open Public Meeting of October 8, 2013 that the Annual Budget and Capital Budget / Program of the Town of Hackettstown Municipal Utilities Authority for the fiscal year beginning December 1, 2013 and ending November 30, 2014 is hereby adopted and shall constitute appropriations for the purposes stated; and,

BE IT FURTHER RESOLVED, that the Annual Budget and Capital / Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

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

Sewer Utility Budget

The following Resolution #13-2961 was proposed by Jerry DiMaio who moved its adoption.

WHEREAS, the Annual Budget and Capital Budget for Sewer for the Town of Hackettstown Municipal Utilities Authority for the fiscal year beginning December 1, 2013 and ending November 30, 2014 has been presented for adoption before the Governing Body of the Town of Hackettstown Municipal Utilities Authority at its Open Public Meeting of October 8, 2013; and,

WHEREAS, the Annual Budget and Capital Budget was submitted late due to waiting for Consumer Price Index figures to be released by the United States Bureau of Labor Statistics; and,

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and,

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$2,445,000, Total Appropriations including any Accumulated Deficit if any, of \$2,368,901 and Total Unrestricted Net Assets of \$0; and,

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$960,250 and Total Unrestricted Net Assets planned to be utilized of \$0; and,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Town of Hackettstown Municipal Utilities Authority at its Open Public Meeting of October 8, 2013 that the Annual Budget and Capital Budget / Program of the Town of Hackettstown Municipal Utilities Authority for the fiscal year beginning December



1, 2013 and ending November 30, 2014 is hereby adopted and shall constitute appropriations for the purposes stated;

BE IT FURTHER RESOLVED, that the Annual Budget and Capital / Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

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

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

Deputy Director Perry stated that there will be a Pre-Construction Meeting on Friday for the Well # 9 project. He confirmed that Washington Township passed a Resolution for the site plan approval.

Perry continued by stating the duct bank work for Contract 42WS for the generator interconnection at the WPCP was scheduled to begin this week. He also stated the shop drawings are just about completed.

Perry also stated the Hydraulic Model is complete. The Authority took additional pressure readings on the upper part of the system with different wells running for Hatch Mott to prepare the final report. The final report will be completed and submitted shortly.

Perry concluded by stating the Authority has completed its latest round of Lead and Copper and all samples were below the action level. This third consecutive round of passing samples should reduce the monitoring requirements for the Authority to test once every three years.

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

Executive Director Smith stated the auction of the reservoir properties took place on September 21st. All properties were sold. The Tentative closing date is November 5th. He confirmed that the large property was purchased by Blake Ellman. He reported that Mr. Ellman stated he has no intention of building homes on the property and may be only building a lodge.

Smith continued by stating the HMUA received a letter from Goodland Country Club directed to the Board. Mr. Korzilius is asking for relief for two leaks he had on the water lines for the Country Club. Smith explained that there have been a number of leaks there over the years and both lines run underneath Mine Brook.

A brief discussion ensued with all Board Members. It was suggested that he contact his insurance company for some relief, but the Board could not help with reducing the bills since the water went through the meter.



Smith also stated that Attorney Bell has confirmed that All Seasons Property has until November 12, 2013 to file an appeal.

Smith continued by stating he has received a proposal from Hatch Mott MacDonald for the evaluation of feasibility of acceptance for treatment of partially treated Mars wastewater. He confirmed that he has spoken with a Mars representative regarding the proposal and suggested that it may be beneficial for the Authority to split the cost of the study with Mars. Smith explained that Mars is reviewing their options of replacing their existing anaerobic and aerobic pretreatment system with a system that will discharge a stronger effluent. The study would evaluate the proposed discharge to the HMUA sewer system.

The following Resolution #13-2962 was proposed by Kelly who moved its adoption.

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of an Engineer 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. 40:A-115, 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 the appointment of the firm Hatch Mott MacDonald to provide Professional Engineering Services for the Evaluation of Feasibility of Acceptance for Treatment of Partially Treated M & M Mars Wastewater in accordance with their September 4, 2013 proposal is herewith authorized without public bidding.
2. The said payment to Hatch Mott MacDonald shall not exceed \$19,500.
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, Harper, Kelly and Jerry DiMaio voting yea.

Smith also stated he recently reviewed the number of years employees have been with the HMUA. Discussion continued on the matter with all Board Members participating.

Smith also stated that he attended the Water Environment Federation Workshop on Continuous Quality Improvement last Saturday.

Smith concluded by stating the Authority has renewed its membership in the American Management Association and recently had Charles Volkert complete Management for Supervisors.



Chairperson Brown requested Counselor Zaiter to proceed with his report.

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

Resolution #13-2962 was proposed by Kelly who moved its adoption.

BE IT RESOLVED, on this 8th day of October 2013, by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss 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 Kelly and seconded by Harper. Ayes: Brown, Harper, Kelly and Jerry DiMaio.

THEREFORE, BE IT RESOLVED, on this 8th day of October 2013, by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 9:40 PM.

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

Counselor Zaiter stated he had nothing further to report.

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

Board Member Kelly said he wanted to congratulate Deputy Director Perry on being nominated for the Dr. John L. Leal Award.

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 – 9:55 P.M.

Bruce D. Smith
Executive Director & Secretary