



HMUA MINUTES

REGULAR
MEETING OF

May 10, 2022

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING May 10, 2022

JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kuster at 3:30 P.M over teleconference due to Executive Order No. 107 signed by NJ Governor Murphy and to promote the necessary social distancing to avoid the spread of COVID-19. Executive Director Corcoran announced that adequate notice of this meeting has been given to the area press and the Town of Hackettstown, and the meeting shall be convened and conducted in accordance with the requirements of the Open Public Meetings Act.

Roll call indicated the following members in attendance: Kuster, Harper, and John DiMaio.

Also attending: Counselor John Zaiter, Executive Director Kathleen Corcoran, Deputy Director Richard Tuttle and Recording Secretary Lasch.

Chairperson Kuster led a Salute of the United States Flag.

Chairperson Kuster indicated that the next agenda item was approval of the April 12, 2022 Meeting minutes. A motion to approve the minutes was made by Harper, being seconded by John DiMaio.

Ayes: Kuster, Harper and John DiMaio

Chairperson Kuster opened the meeting to public participation and noted that no members of the public announced their presence.

Chairperson Kuster stated the next agenda item was discussion and possible action regarding any project change orders. Executive Director Corcoran explained that the two bid allowances in the UV Project contract were not completely depleted; therefore the final contract amount reflects a reduction in the contract price in the amount of \$10,360.32 to \$643,339.68.

The following Resolution #22-3669 was proposed by Harper who moved its adoption:

Resolution #22-3669

WHEREAS, there was a reduction in the contract price for the UV Replacement Project in the amount of \$10,360.32 due to unused allowance funds; therefore,

BE IT RESOLVED that Executive Director Corcoran is authorized to approve Contract Change Order No. 2 to modify the Final Contract Amount to \$643,339.68.

This Resolution was seconded by John DiMaio and upon roll call vote carried:

Ayes: Kuster, Harper and John DiMaio

Chairperson Kuster stated the next agenda item was to entertain a resolution approving the Operations Expense Account Requisitions #OEA-1234 and #OEA-1235 in the total aggregate amount of \$271,788.87. The following Resolution #22-3670 was proposed by John DiMaio who moved its adoption:

Resolution #22-3670

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



approved:

Dated: April 8, 2022	OEA-1234	SL-10	\$ 83,292.48
Dated: April 22, 2022	OEA-1235	SL-11	<u>\$188,496.39</u>
		Total	\$271,788.87

This Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, Harper, and John DiMaio

Chairperson Kuster stated the next agenda item was to entertain a resolution approving Renewal & Replacement Fund Requisition #RR-293 in the aggregate amount of \$109,617.52. The following Resolution #22-3671 was proposed by Harper who moved its adoption.

Resolution #22-3671

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-293 be formally approved:

REQUISITION #RR-293

Applied Analytics, Inc.	ABB Flow Meter System	\$ 11,960.00
Capitol Supply Construction	Mueller Hydrants	\$ 6,243.78
DeMaio Electrical Company	Contract 51S AFP #9	\$ 52,076.89
Envirodyne Systems Inc.	Winsmith Reducer	\$ 23,345.82
Evonik Active Oxygens, LLC	April 2022 Rental	\$ 1,500.00
Ford Hall Company, Inc.	Clarifier Brushes	\$ 5,188.64
Hoover Truck Centers	Mt. Olive Pump – Parts	\$ 1,955.39
Mott MacDonald	Professional Engineering	\$ 4,427.00
Rio Supply, Inc.	Hydrant Meters	<u>\$ 2,920.00</u>
	Total	\$ 109,617.52

This Resolution was seconded by John DiMaio and upon roll call vote carried:

Ayes: Kuster, Harper, and John DiMaio

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving General Fund #GF-19 in the amount of \$2,967.75. The following Resolution #22-3672 was proposed by John DiMaio who moved its adoption.

Resolution #22-3672

BE IT RESOLVED, that the following General Fund Requisition #GF-19 be formally approved:

REQUISITION #GF-19

Mott MacDonald	1.0 MG Water Tank/Water Main	<u>\$2,967.75</u>
	Total	\$2,967.75

This Resolution was seconded by Harper and upon roll call vote carried:

Ayes: Kuster, Harper, and John DiMaio

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving Escrow



Subaccount Requisition #ESR-324 in the amount of \$12,966.36. The following Resolution #22-3673 was proposed by Harper who moved its adoption.

Resolution #22-3673

BE IT RESOLVED, that the following Escrow Subaccount Requisition #ESR-324 be formally approved:

REQUISITION #ESR-324

Hackettstown MUA	Minim/Water Rental	\$	81.70
Hackettstown MUA	Woodmont/Constr. Monitor	\$	484.36
Minim Productions, Inc.	Refund Meter Rental	\$	1,418.30
Mott MacDonald	Jade Hackettstown Assoc	\$	<u>10,982.00</u>
	Total	\$	12,966.36

This Resolution was seconded by John DiMaio and upon roll call vote carried:

Ayes: Kuster, Harper, and John DiMaio

Chairperson Kuster stated the next agenda item was to entertain subordinate bond resolution in connection with the New Jersey Water Bank Financing Program for HMUA Contract Nos. 52W and 53W. The following resolution #22-3674 was proposed by Harper who moved its adoption.

Resolution #22-3674

WHEREAS, The Town of Hackettstown Municipal Utilities Authority (the “Authority”), a public body corporate and politic of the State of New Jersey (the “State”), has determined that there exists a need within the service area of the Authority to acquire, construct, renovate, install or refinance the Project (the “Project”), as described herein and as further defined in each of that certain Loan Agreement (the “I-Bank Loan Agreement”) to be entered into by and between the Authority and the New Jersey Infrastructure Bank (the “I-Bank”) and that certain Loan Agreement (the “Fund Loan Agreement” and, together with the I-Bank Loan Agreement, the “Loan Agreements”) to be entered into by and between the Authority and the State acting by and through the New Jersey Department of Environmental Protection all pursuant to the New Jersey Water Bank Financing Program (the “Program”); and

WHEREAS, the Authority has determined to finance or refinance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the I-Bank (the “I-Bank Loan”) and the State (the “Fund Loan” and, together with the I-Bank Loan, the “Loans”) pursuant to the I-Bank Loan Agreement and the Fund Loan Agreement, respectively; and

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the Authority to authorize, execute, attest and deliver the Authority’s Subordinate Bond to the I-Bank (the “I-Bank Loan Bond”) and Subordinate Bond to the State (the “Fund Loan Bond” and, together with the I-Bank Loan Bond, the “Authority Subordinate Bonds”) pursuant to the terms of the Municipal and County Utilities Authorities Law of the State, constituting Chapter 14B of Title 40 of the Revised Statutes of the State (the “Utilities Authorities Law”), other applicable law and the Loan Agreements; and



WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Authority Subordinate Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the “Escrow Agreement”) to be entered into by and among the I-Bank, the State, the escrow agent named therein and the Authority; and

WHEREAS, the Authority has determined to temporarily finance or refinance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Program, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Authority, as evidenced by the issuance of the Authority’s Subordinate Notes (the “Authority Subordinate Notes”), pursuant to the Construction Financing Program of the I-Bank (the “Construction Financing Program”); and

WHEREAS, N.J.S.A. 40:14B-27 of the Utilities Authorities Law allows for the sale of the I-Bank Loan Bond and the Fund Loan Bond to the I-Bank and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the I-Bank Loan Bond to the I-Bank without any public offering, all under the terms and conditions set forth in the following resolution; and

WHEREAS, N.J.S.A. 40:14B-27 of the Utilities Authorities Law, Section 24 of the Local Authorities Fiscal Control Law (N.J.S.A. 40A:5A-1 *et seq.*) and N.J.S.A. 58:11B-9(a) each allow for the sale of the Authority Subordinate Notes to the I-Bank, without any public offering, all pursuant to the terms and conditions set forth therein; and

WHEREAS, the Authority has heretofore issued revenue bonds pursuant to a resolution of the Authority adopted on October 3, 1967, entitled: “Resolution Authorizing the Issuance of Revenue Bonds of The Town of Hackettstown Municipal Utilities Authority”, as amended and supplemented (the “General Bond Resolution”), where under, all the Revenues of the Authority, as defined and provided for therein, have been pledged to the payment of the principal of, redemption price, if any, and interest on any revenue bonds heretofore or hereafter issued by the Authority under the General Bond Resolution (the “Revenue Bonds”), to the extent and in the manner provided in the General Bond Resolution; and

WHEREAS, the provisions of Sections 616 and 622 of the General Bond Resolution authorize the Authority to issue subordinated indebtedness payable out of the General Fund created and established by the General Bond Resolution, all in accordance with and upon the terms and conditions set forth in the General Bond Resolution and, in particular, Sections 616 and 622 thereof; and

WHEREAS, the Authority is desirous of authorizing the issuance of the Authority Subordinate Bonds and the Authority Subordinate Notes as subordinated indebtedness;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HACKETTSTOWN MUNICIPAL UTILITIES AUTHORITY, and the members or commissioners thereof, **AS FOLLOWS:**

Determination to Undertake the Project. The Authority does hereby determine to undertake the following improvements to the Authority’s water system: (A) construction of a new water storage tank with related water distribution lines; and (B) replacement of lead (which



includes galvanized) water service lines (collectively, the “Project”). It is hereby determined and stated that the components of the Project are purposes for which Additional Bonds (as defined in the General Bond Resolution) of the Authority could be authorized, and thus are permitted purposes for the issuance of subordinated indebtedness as provided in Sections 616 and 622 of the General Bond Resolution.

Estimated Cost of the Project. The estimated maximum total cost of the Project, as defined in the Utilities Authorities Law, is \$7,500,000.

Authorization of Authority Subordinate Bonds and Authority Subordinate Notes. In accordance with Sections 25 and 26 of the Utilities Authorities Law and subject to and pursuant to the provisions of this resolution, bonds and notes of the Authority (herein referred to as the Authority Subordinate Bonds and the Authority Subordinate Notes, respectively) in one or more series are hereby authorized to be issued in the principal amount not to exceed \$7,500,000 for the purpose of raising funds to pay the costs of the Project, including the funding of costs of issuance.

Payment of Authority Subordinate Bonds and Authority Subordinate Notes. The Authority does hereby determine that the Authority Subordinate Bonds and the Authority Subordinate Notes shall be and constitute subordinated indebtedness, and shall be payable from amounts in the General Fund established and created by the General Bond Resolution in the manner and upon the terms and conditions set forth in the General Bond Resolution and this resolution.

Award of Authority Subordinate Bonds. In accordance with N.J.S.A. 40:14B-27 of the Utilities Authorities Law and N.J.S.A. 58:11B-9(a), the Authority hereby sells and awards its (a) I-Bank Loan Bond to the I-Bank in accordance with the provisions of this resolution and (b) Fund Loan Bond to the State in accordance with the provisions of this resolution.

Basic Terms of Authority Subordinate Bonds; Delegation of Power to Make Certain Determinations. The chairman or vice chairman of the Authority (the “Chairman”) or the Secretary of the Authority is hereby authorized to determine, in accordance with the Utilities Authorities Law and pursuant to the terms and conditions established by the I-Bank and the State under the Loan Agreements and the terms and conditions of this resolution, the following items with respect to the I-Bank Loan Bond and the Fund Loan Bond:

The aggregate principal amount of the I-Bank Loan Bond to be issued and the aggregate principal amount of the Fund Loan Bond to be issued, which amounts in the aggregate shall not exceed \$7,500,000;

The maturity and annual principal installments of the Authority Subordinate Bonds, which maturity shall not exceed thirty (30) years;

The date of the Authority Subordinate Bonds;

The interest rates of the Authority Subordinate Bonds;

The purchase price for the Authority Subordinate Bonds; and

The terms and conditions under which the Authority Subordinate Bonds shall be subject to redemption prior to their stated maturities.



Determinations Conclusive. Any determination made by the Chairman or the Secretary pursuant to the terms of this resolution shall be conclusively evidenced by the execution and attestation of the Authority Subordinate Bonds by the parties authorized under Section 8(c) of this resolution.

Further Terms of Authority Subordinate Bonds. The Authority hereby determines that certain terms of the Authority Subordinate Bonds shall be as follows:

The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-1F, or as may otherwise be determined by the Chairman or the Secretary. The I-Bank Loan Bond shall be issued in a single denomination and shall be numbered R-1I, or as may otherwise be determined by the Chairman or the Secretary;

The Authority Subordinate Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

The Authority Subordinate Bonds shall be executed by the manual or facsimile signature of the Chairman, and the Secretary or the Assistant Secretary of the Authority (the "Secretary"), by manual signature, shall attest to the execution of the Authority Subordinate Bonds and shall affix, imprint, engrave or reproduce thereon the corporate seal of the Authority.

Forms of Authority Subordinate Bonds. The Fund Loan Bond and the I-Bank Loan Bond shall be substantially in the forms set forth in Exhibit A and Exhibit B hereto, respectively, with such changes, insertions and omissions as may be approved by the Chairman, such approval to be evidenced by the signature of the Chairman on the Authority Subordinate Bonds.

Participation in Construction Financing Program; Terms of Authority Subordinate Notes. The Authority does hereby determine to temporarily finance or refinance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Program, pursuant to the Construction Financing Program. The terms and conditions of the Authority Subordinate Notes, and the form thereof, shall be provided for by supplemental resolutions to be hereafter adopted by the Authority.

Authorized Parties. The law firm of Rogut McCarthy LLC, bond counsel to the Authority, is hereby authorized to arrange for the printing of the Authority Subordinate Bonds and the Authority Subordinate Notes, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank and the State for the Program, to arrange for same. The Authority auditor is hereby authorized, if necessary, to prepare the financial information, if any, necessary in connection with the issuance of the Authority Subordinate Bonds and the Authority Subordinate Notes. The Chairman, the Treasurer and the Secretary (collectively, the "Authorized Authority Officers") are hereby severally authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Authority to Adopt Confirming Resolution. The terms of the Authority Subordinate Bonds authorized to be determined by the Authorized Authority Officers pursuant to



and in accordance with Section 6 of this resolution shall be ratified by a confirming resolution to be hereafter adopted by the Authority prior to the issuance of the Authority Subordinate Bonds.

Delivery of Authority Subordinate Bonds and Authority Subordinate Notes. Each Authorized Authority Officer is hereby authorized to execute any certificate or document necessary or desirable in connection with the sale of the Authority Subordinate Bonds and the Authority Subordinate Notes and is hereby further authorized to deliver same to the I-Bank and the State upon delivery of the Authority Subordinate Bonds and the Authority Subordinate Notes and the receipt of payment therefor in accordance with the Loan Agreements.

Execution of Agreements. The I-Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the “Financing Documents”) are hereby authorized to be manually executed and delivered on behalf of the Authority by the Chairman in substantially the forms presented to the Authority with this resolution and hereby made a part of this resolution as though set forth in full herein, with such changes as the Chairman, in his or her sole discretion, after consultation with counsel, bond counsel and any other advisors to the Authority (the “Authority Consultants”) and after further consultation with the I-Bank, the State and their representatives, agents, counsel and advisors (collectively, the “Program Consultants” and, together with the Authority Consultants, the “Consultants”), shall determine, such determination to be conclusively evidenced by the execution of each such Financing Document by the Chairman. The Secretary is hereby authorized, if necessary, to attest by manual signature to the execution of the Financing Documents by the Chairman and to affix, imprint, engrave or reproduce the corporate seal of the Authority to such Financing Documents.

Authorized Actions. The Authorized Authority Officers are hereby further severally authorized to (i) manually execute and deliver and the Secretary is hereby further authorized to attest by manual signature to such execution and to affix, imprint, engrave or reproduce the corporate seal of the Authority to any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Authority Officers or the Secretary, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the Authority Subordinate Bonds and the Authority Subordinate Notes and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such document, instrument or closing certificate by the party authorized under this resolution to execute such document, instrument or closing certificate and (ii) perform such other actions as the Authorized Authority Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Subordinate Nature of Authority Subordinate Bonds and Authority Subordinate Notes. i) In the event of any insolvency or bankruptcy proceedings, or any receivership, liquidation, reorganization or other similar proceedings in connection therewith, relative to the Authority or to its property, or in the event of any proceedings for voluntary liquidation, dissolution or other winding up of the Authority, whether or not involving insolvency or bankruptcy, the holders of all Revenue Bonds shall be entitled to receive payment in full of all payments on such Revenue Bonds before the holders of all outstanding Authority Subordinate Bonds and Authority Subordinate Notes are entitled to receive any payment from the Revenues (as defined in the General Bond Resolution).



In the event that any of the Authority Subordinate Bonds and the Authority Subordinate Notes are declared due and payable before their expressed maturity because of the occurrence of a default (under circumstances when the provisions of (A) above shall not be applicable), the holders of all Revenue Bonds at such time outstanding shall be entitled to receive payment in full of all payments then due on such Revenue Bonds before the holders of such Authority Subordinate Bonds and Authority Subordinate Notes are entitled to receive any accelerated payment from the Revenues of principal or interest upon such Authority Subordinate Bonds and Authority Subordinate Notes. Any event of default with respect to the Authority Subordinate Bonds and Authority Subordinate Notes shall not in itself create the right to declare an event of default with respect to the Revenue Bonds.

If any event of default with respect to the Revenue Bonds shall have occurred and be continuing (under circumstances when the provisions of (A) above shall not be applicable), the holders of all Revenue Bonds then outstanding shall be entitled to receive payment in full of all payments on all such Revenue Bonds before the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes are entitled to receive any accelerated payment from the Revenues of principal or interest on such Authority Subordinate Bonds and Authority Subordinate Notes.

No holder of any Revenue Bonds shall be prejudiced in such holder's right to enforce subordination of the Authority Subordinate Bonds and the Authority Subordinate Notes by any act or failure to act on the part of the Authority.

The provisions of (A), (B), (C) and (D) above are solely for the purpose of defining the relative rights of the holders of the Revenue Bonds on the one hand and the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes on the other hand, and nothing herein shall impair, as between the Authority and the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes, the duty of the Authority, which is unconditional and absolute, to pay to the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes, the principal thereon and premium, if any, and interest thereon in accordance with their terms, nor shall anything herein prevent the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes from exercising all remedies otherwise permitted by applicable law upon default under the General Bond Resolution, subject to the rights under (A), (B), (C) and (D) above of the holders of the Revenue Bonds to receive cash, property or securities otherwise payable or deliverable to the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes.

Withdrawals from the General Fund. In accordance with Section 511 of the General Bond Resolution and provided that the amount in every account or fund created and established by the General Bond Resolution, including the Bond Service Fund, the Sinking Fund, the Bond Reserve Fund and the Renewal and Replacement Fund, equals or exceeds the amount required to be therein and that the Authority is not in default in the payment of the principal of or interest on or redemption price of any Revenue Bonds, the trustee under the General Bond Resolution, in accordance with written instructions to be provided by the Authority, is hereby authorized and directed to withdraw from the General Fund from time to time amounts necessary to satisfy the debt service payments with respect to the Authority Subordinate Bonds and the Authority Subordinate Notes.



Covenant to Pay Authority Subordinate Bonds and Authority Subordinate Notes.

The Authority hereby particularly covenants and agrees with the holders of the Authority Subordinate Bonds and the Authority Subordinate Notes and makes provisions which shall be a part of its contract with such holders, that the Authority will pay or cause to be paid the principal of every Authority Subordinate Bond and Authority Subordinate Note and the interest thereon at the date and place and in the manner mentioned in such Authority Subordinate Bond and Authority Subordinate Note according to the true intent and meaning thereof and will carry out and perform all of the acts and things required of it by the terms of this resolution.

Reimbursement Intent. The Authority intends to issue the Authority Subordinate Bonds and the Authority Subordinate Notes to finance the cost of the Project. If the Authority incurs such costs prior to the issuance of the Authority Subordinate Bonds or the Authority Subordinate Notes, the Authority hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of the Authority Subordinate Bonds and the Authority Subordinate Notes in the maximum principal amount of Authority Subordinate Bonds and Authority Subordinate Notes authorized by this resolution.

Resolution Constitutes Contract. In consideration of the purchase and acceptance of the Authority Subordinate Bonds and the Authority Subordinate Notes by those who shall hold the same from time to time, the provisions of this resolution shall be deemed to be and shall constitute contracts between the Authority and the holders from time to time of the Authority Subordinate Bonds and the Authority Subordinate Notes.

Security for Authority Subordinate Bonds and Authority Subordinate Notes Upon Discharge of General Bond Resolution. Upon the discharge of the lien, benefit and security of the General Bond Resolution in accordance with the terms thereof when there are no outstanding Revenue Bonds of the Authority, the Authority Subordinate Bonds and the Authority Subordinate Notes shall be secured by a pledge of and a lien on all revenues, funds and moneys of the Authority, including, but not limited to, service charges imposed upon users of the water and sanitary sewerage systems and annual charges received pursuant to any service contract between the Authority and the Town of Hackettstown applicable to and securing the Authority Subordinate Bonds and the Authority Subordinate Notes.

No Recourse. No recourse shall be had for the payment of the principal or redemption price, if any, of or the interest on the Authority Subordinate Bonds and the Authority Subordinate Notes or for any claim based thereon or on this resolution against any member or other officer of the Authority or any person executing the Authority Subordinate Bonds and the Authority Subordinate Notes. The Authority Subordinate Bonds and the Authority Subordinate Notes are not and shall not be in any way a debt or liability of the State or of any county or municipality, and do not and shall not create or constitute any indebtedness, liability or obligation of the State or of any county or municipality, either legal, moral or otherwise.

Authorization for Resolution. This resolution is adopted by virtue of the Utilities Authorities Law and pursuant to its provisions, and the Authority has ascertained and hereby determines that adoption of this resolution is necessary to carry out the powers, purposes and duties expressly provided in the Utilities Authorities Law and that each and every matter and thing as to which provision is made in this resolution is necessary in order to carry out and



effectuate the purposes of the Authority in accordance with the Utilities Authorities Law.

Capitalized Terms. All capitalized words and terms used but not defined in this resolution shall have the meanings ascribed to such words and terms, respectively, in the preambles to this resolution.

Filing of Resolution. The Secretary is hereby authorized and directed to cause copies of this resolution to be filed for public inspection in the following places: in the office of the Town Clerk of the Town of Hackettstown, 215 West Stiger Street, Hackettstown, New Jersey; and in the office of the Authority, 424 Hurley Drive, Hackettstown, New Jersey.

Publication of Notice. The Secretary is hereby authorized and directed to cause to be published, after completion of filing of copies of this resolution as directed in the preceding Section, in the “Daily Record”, a legally qualified public newspaper circulating in the district of the Authority, a notice in substantially the form attached as Exhibit C hereto and by this reference incorporated as if set forth in full herein.

Effective Date. This resolution shall take effect immediately.

This Resolution was second by Kuster and upon roll call vote carried:

Ayes: Kuster, Harper and John DiMaio

Chairperson Kuster requested the Executive Director Corcoran to proceed with her report. Executive Director Corcoran started by saying that the construction is expected to ramp up again very soon at Woodmont. Victorian Mews located behind CVS is moving full speed ahead.

Executive Director Corcoran reported that the sewer utility continues the portable flow meter monitoring within the collection system. They performed routine jetting and mainline camera work. They took apart piping at the digester and ATB for struvite removal.

The temporary generator was received and set up at the WFP for the sewage pump station.

The sewer utility removed grit from division box 1 with the jet; ¾ ton of grit was dumped at Warren County Landfill. They rented a brush hog for the fence line and various areas at the WPCP. They also performed and passed NJDEP performance samples for lab certification.

Pete Tynan and Mike Brady are attending the NJWEA Conference in Atlantic City and taking some operations classes.

The UV project is complete and closeout items are being addressed. It is in full operation since April 14, and PAA disinfection has ended. Our E Coli bacteria test results have been very good, and we’re hoping to see an energy reduction, as this new system is flow paced as to how many bulbs are energized.

On the water side, April usage was less compared to last years, with the daily average for April 2022 being 1.878 MGD compared to 2021 usage of 1.938 MGD. The water utility has had no main breaks since the last board meeting, making it seven for the year so far. Leak detection continues with the deployment of correlators every night.

The water utility continues to work on the chlorine pilot study at Well #6. It was discovered that the Constant Chlor pellets for this system are proprietary and are only available from one vendor.



We are now looking to try out the Accutab system which uses larger, and more widely available tablets.

Executive Director Corcoran continued to report that a replacement generator radiator was purchased and installed by HMUA operators at the Mount Olive booster station, which saved on plumber costs. The water utility completed 86 mark out requests. Fire hydrant flushing has been in process and will continue throughout the week. A few minor issues were discovered, but nothing major.

The 1.0 Tank design work permit applications and planning document were submitted to IBank. No comments from the NJDEP to date, and we are still waiting for NJDEP Land Use permits before we can get IBank approval.

The Lead Service Line Replacement project was submitted to the IBank on April 14th. The goal is to get the project in the IBank's current fiscal year. We have been pushing all the various review agencies to expedite this project and have been successful with most. The SED approval has been problematic – they have not responded to us after several individuals have emailed and left messages, including the IBank NJDEP reviewer.

We have been able to get into all locations except one home on Liberty Street to confirm line materials and layout, and get photos. We reached out to the one property in Independence and the property owner has signed an individual agreement granting permission to replace their lead service line and allowing Right of Entry to allow HMUA and its contractors to perform work.

The Town of Hackettstown will hold the public hearing and final adoption of the ordinance requiring lead/galvanized service lines to be replaced at it May 12, 2022 Council Meeting.

Executive Director Corcoran stated that last month we discussed required payment plans for customers that are in arrears due to COVID. The state has now extended to June 15th the moratorium for those that want to apply for assistance or get on a payment plan. We are required to send monthly letters in English and Spanish to any customer to which we are sending delinquent notice, offering them the payment plan and notifying them that they can also apply for assistance through the Low Income Household Water Assistance Program. This program will provide up to \$1,500 per household for household income at or below 60% of state MHI (\$6,439 a month for a family of four). Nancy has continued to do a great job tackling the ever changing regulations and all the mailings, etc.

Chairperson Kuster thanked Director Corcoran for her report and requested Counselor Zaiter to proceed with his report. Counselor Zaiter suggested the Board convene into Executive Session.

Chairperson Kuster stated he would entertain a motion to convene into Executive Session. Resolution 22-3675 was proposed by Harper who moved its adoption. The motion to convene into Executive Session was seconded by John DiMaio.

Ayes: Kuster, Harper and John DiMaio

Resolution #22-3675



BE IT RESOLVED, on this 10th day of May, 2022 by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss attorney client communication and potential 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 item which is to be discussed in Executive Session, can be publicly disclosed.

THEREFORE, BE IT RESOLVED, on the 10th day of May, 2022 by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 3:58PM.

Harper moved to end Executive Session and re-enter Regular Session, said motion being seconded by John DiMaio and all indicating approval at 4:19PM. No formal action was taken during Executive Session.

Chairperson Kuster asked whether anyone had business of a general nature to discuss with no response. Chairperson Kuster declared a motion to adjourn would be in order and was so moved by John DiMaio, seconded by Harper and followed by a unanimous voice vote.

Time – 4:20 P.M.

Kathleen Corcoran, PE, PP, PMP
Executive Director & Secretary