



HMUA MINUTES

ANNUAL  
MEETING OF

FEBRUARY 15, 2023

ADMINISTRATION BUILDING  
424 Hurley Drive  
Hackettstown, NJ



ANNUAL MEETING FEBRUARY 15, 2023

JACOB GARABED ADMINISTRATION BUILDING & VIRTUAL MEETING

The meeting was called to order by Chairperson Kuster at 3:30 P.M. over teleconference to promote the necessary social distancing to avoid the spread of COVID-19 and other viruses. 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.

Executive Director Corcoran acknowledged receipt of the resolution adopted by the Town of Hackettstown appointing Gerald DiMaio to the Authority for a term of office expiring on February 1, 2028.

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

Also attending: Counselor Zaiter, Executive Director Corcoran, Deputy Director Pizarro and Recording Secretary Lasch.

Chairperson Kuster led a salute of the United States Flag.

Chairperson Kuster indicated approval of the January 10<sup>th</sup>, 2023 Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Jerry DiMaio, being seconded by Lala.

Ayes: Harper, Jerry DiMaio and Lala

Abstained: Kuster and John DiMaio

Chairperson Kuster indicated that the election of officers for the ensuing year would be the next order of business and appointed Counselor Zaiter as Acting Chairperson to conduct the election.

Upon hearing the request for nominations for the office of Chairperson for the Board Year 2023/2024, John DiMaio nominated Ciro Lala. Kuster seconded the nomination. No further nominations were received. There being only one nomination, Lala was elected as Chairperson.

Ayes: Kuster, Harper, Jerry DiMaio, John DiMaio and Lala

Chairperson Lala then declared nominations for the office of Vice Chairperson to be in order. John DiMaio nominated Harper. Kuster seconded the nomination. No further nominations were received. There being only one nomination, Harper was elected as Vice Chairperson.

Ayes: Lala, Harper, Kuster, Jerry DiMaio, and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to appoint the Risk Management Consultant.

After a brief discussion, the following Resolution #23-3739 was proposed by Kuster who moved its adoption:



Resolution #23-3739

WHEREAS, the Hackettstown Municipal Utilities Authority has previously joined the New Jersey Utility Authorities Joint Insurance Fund, following a detailed analysis; and,

WHEREAS, the bylaws of said Fund require that each Authority appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and,

WHEREAS, the Authority has negotiated a reduced fee in the amount of \$4,000, which represents reasonable compensation for the services required for the duration of one year; and,

NOW, THEREFORE, be it resolved, the Hackettstown Municipal Utilities Authority does hereby appoint Otterstedt Insurance Agency as its Risk Management Consultant in accordance with the Fund's bylaws; therefore,

BE IT FURTHER RESOLVED, that the Governing Body hereby authorizes and directs the execution of the Risk Management Consultant's Agreement annexed hereto.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio, and John DiMaio

Chairperson Lala then indicated that appointments of Authority professionals be the next several agenda items. Chairperson Lala continued by stating the first appointment will be for the Authority's Auditor. After a brief discussion, the following Resolution #23-3740 was proposed by John DiMaio who moved its adoption.

Resolution #23-3740

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of an Auditor as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.5; 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 Town of Hackettstown Municipal Utilities Authority as follows:

- 1- That the appointment of Wielkotz & Company as the Authority's Auditor and retaining them to perform audits and other support services in accordance with their January 24, 2023 proposal is herewith authorized without public bidding.
- 2- The term of said appointment shall be to February 13, 2024, or until their successor has been appointed and qualified.
- 3- That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution in the NJ Herald pursuant to N.J.S.A. 40A:11-5 (1) (a) (i).

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio



The next agenda item was the discussion and possible action to appoint the Authority's Counselor. After a brief discussion, the following Resolution #23-3741 was proposed by Kuster who moved its adoption:

Resolution #23-3741

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of a Counselor 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-11-5, 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 Broschious, Fischer & Zaiter as the Authority's Counselor and retaining them to render legal services to the Authority in accordance with their proposal dated January 2, 2023 is herewith authorized without public bidding.
- 2- The term of said appointment shall be to February 13, 2024, or until their successor has been appointed and qualified.
- 3- That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution in the NJ Herald pursuant to N.J.S.A. 40A:11-5 (1) (a) (i).

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio.

The next item was the discussion and possible action to appoint the Authority's Consulting Engineer as noted by Chairperson Lala.

The following Resolution #23-3742 was proposed by Harper who moved its adoption:

Resolution #23-3742

WHEREAS, the Town of Hackettstown Municipal Utilities Authority has a need to retain professional services of a Consulting 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-11-5, 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 Mott MacDonald as the Authority's Consulting Engineer and retaining them to render engineering service to the Authority in accordance with their proposal dated January 31, 2023 is herewith authorized without public bidding.



2- The term of said appointment shall be to February 13, 2024 or until their successor has been appointed and qualified.

3- That the Executive Director of the Authority is hereby authorized and directed to publish this Resolution in the NJ Herald pursuant to N.J.S.A. 40A:11-5 (1) (a) (i).

The Resolution was seconded by Jerry DiMaio and upon roll call vote carried:

Ayes: Lala, Harper, Kuster, Jerry DiMiao and John DiMaio.

Chairperson Lala stated the next agenda item was discussion and possible action to appoint the Executive Director, Secretary and Treasurer. The following Resolution #23-3743 was proposed by Kuster who moved its adoption:

Resolution #23-3743

WHEREAS, N.J.S.A. 40:14b-18 provides that the positions of Executive Director, Secretary and Treasurer of a Municipal Utilities Authority are appointed positions; and,

WHEREAS, the members of the Authority are desirous of appointing Kathleen Corcoran to fill the positions of Executive Director, Secretary and Treasurer; therefore,

BE IT RESOLVED, that Kathleen Corcoran is hereby appointed Executive Director, Secretary and Treasurer of the Town of Hackettstown Municipal Utilities Authority; and,

BE IT FURTHER RESOLVED that the term of said appointment shall be to February 13, 2024 or until her successor has been appointed and qualified.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala opened the meeting to public participation and noted that no members of the public announced their presence. Executive Director Corcoran took this opportunity to introduce our new Deputy Executive Director, Christopher Pizarro. Mr. Pizarro gave a short description of his background and qualifications and thanked the board for the opportunity. Board members welcomed Deputy Director Pizarro.

Chairperson Lala stated the next agenda item was discussion and possible action regarding any project change orders. Executive Director Corcoran stated there were no change orders.

Chairperson Lala stated the next agenda item was to entertain a resolution approving the Operations Expense Account Requisitions #OEA-1254, and #OEA-1255 in the total aggregate amount of \$247,854.98. The following Resolution #23-3744 was proposed by Kuster who moved its adoption:

Resolution #23-3744

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

Dated:	January 13, 2023	OEA-1254	SL-04	\$141,430.98
Dated:	January 27, 2023	OEA-1255	SL-05	<u>\$106,424.00</u>
		Total		\$247,854.98



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

Ayes: Lala, Harper, Kuster Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was to entertain a resolution approving Renewal & Replacement Fund Requisition #RR-302 in the aggregate amount of \$18,757.52. The following Resolution #23-3745 was proposed by Harper who moved its adoption.

Resolution #23-3745

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-302 be formally approved:

REQUISITION #RR-302

Fisher Electrical Contractors	Change Starter on Well #6	\$ 2,412.52
Longo Electrical Mechanical	Repair Pump & Motor Ind. Pump	14,020.00
Miller Energy	ABB Electromagnetic Flowmeter	<u>2,325.00</u>
	Total	\$ 18,757.52

The Resolution was seconded by Jerry DiMaio and upon roll call vote carried:

Ayes: Lala, Harper, Kuster Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was to entertain a Resolution approving General Fund #GF-27 in the amount of \$8,289.22. The following Resolution #23-3746 was proposed by John DiMaio who moved its adoption.

Resolution #23-3746

BE IT RESOLVED, that the following General Fund Requisition #GF-27 be formally approved:

REQUISITION #GF-27

Mott MacDonald	Lead Service Line Replacement Program	\$ 2,340.00
Richard Grubb & Assoc	1.0MG Tank-Project Authorization	<u>\$ 5,949.22</u>
	Total	\$ 8,289.22

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was to entertain a Resolution approving Escrow Subaccount Requisition #ESR-333 in the amount of \$2,642.98. The following Resolution #23-3747 was proposed by Kuster who moved its adoption.

Resolution #23-3747

BE IT RESOLVED, that the following Escrow Subaccount Requisition #ESR-333 be formally approved:



REQUISITION #ESR-333

Hackettstown MUA	Woodmont-Construction	\$	136.23
Mott MacDonald	Russo HT Urban Renewal LLC	\$	<u>2,506.75</u>
	Total	\$	2,642.98

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was approval of the proposed Annual Meeting Schedule for the period of March 2023 through February 2024. After a brief discussion, the following Resolution #23-3748 was proposed by Kuster who moved its adoption:

Resolution #23-3748

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

1- The following schedule for the regular meetings of the Authority for the period commencing March 14, 2023 and concluding February 13, 2024 is hereby adopted:

March 14, 2023

April 11, 2023

May 9, 2023

June 13, 2023

July 11, 2023

August 08, 2023

September 12, 2023

October 10, 2023

November 14, 2023

December 12, 2023

January 09, 2024

February 13, 2024

2- All regular meetings will be held at the Jacob Garabed Administration Building at 424 Hurley Drive at 3:30 P.M. on the meeting dates above.

3- In order to promote the necessary social distancing to avoid the spread of COVID-19 and other viruses, meetings of the HMUA will also be held virtually at 3:30PM on the meeting dates above.



- 4- A copy of the meeting schedule shall be prominently posted in the Jacob Garabed Administration Building lobby and also be published in the official newspapers of the Authority.

The Resolution was seconded by Jerry DiMaio and upon roll call vote carried:

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

The next agenda item as noted by Chairperson Lala was the discussion and possible action to designate the official newspapers for the Authority. The following Resolution #23-3749 was proposed by Kuster who moved its adoption:

Resolution #23-3749

WHEREAS, the Authority desires to designate official newspapers in which to publish official public notices;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that the Express Times, Daily Record and New Jersey Herald are the official newspapers of the Authority.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to readopt the Cash Management Plan. The following Resolution #23-3750 was proposed by Kuster who moved its adoption:

Resolution #23-3750

WHEREAS, it is in the best interests of the Hackettstown Municipal Utilities Authority to earn additional revenue through the investment and prudent management of its cash receipts; and,

WHEREAS, N.J.S.A. 40A:5-14 requires each local government unit to readopt the Cash Management Plan; therefore,

BE IT RESOLVED, the Board Members of the Town of Hackettstown Municipal Utilities Authority hereby readopts the Cash Management Plan as presented.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to designate depositories for Authority Revenue Funds. After a brief discussion, the following Resolution #23-3751 was proposed by John DiMaio who moved its adoption:

Resolution #23-3751

WHEREAS, the Authority desires to designate a financial institution as the depository for Authority revenues; and,





WHEREAS, said revenues are to be transferred from the depository to the Trustee, currently U.S. Bank, for deposit into the Revenue Fund and subsequent distribution and investment in other Funds as designated by HMUA's Bond Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hackettstown Municipal Utilities Authority does herein formally authorize and direct the Authority revenues be deposited into an interest bearing account in First Hope Bank, said bank being designated as the official depository of Authority revenues and further authorizes the Chairperson or Executive Director to direct the Trustee to make investments in securities as previously approved by the Authority or to authorize transfers to other Authority accounts.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to designate depositories of the Authority's Construction Aid Fund. The following Resolution #23-3752 was proposed by Kuster who moved its adoption:

Resolution #23-3752

WHEREAS, there exists a continuing need for the Town of Hackettstown Municipal Utilities Authority to reinvest funds which have been deposited in financial institutions; and,

WHEREAS, the Authority desires to designate a financial institution as the depository for the Construction Aid Fund and to designate additional financial institutions for investment of funds so the Authority can obtain the most favorable investment rates;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that:

1. The Authority does herein formally designate First Hope Bank as the official depository for the Construction Aid Fund.
2. The Authority also formally designates Ameriprise Financial, Bank of America, Chase Bank, Edward Jones, First Hope Bank, M&T Bank, Fulton Bank, State of New Jersey Cash Management Fund, PNC Bank, Raymond James Financial Services, TD Bank, U.S. Bank, Valley National Bank, and Wells Fargo Bank as financial institutions which the Chairperson or Executive Director are authorized to make deposits and transfer funds for investment in the Securities as previously approved by the Authority.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion to authorize the Purchasing Agent and Assistant Purchasing Agent to implement the requirements of the HMUA purchasing manual. Director Corcoran recommended that Thomas Carroll be designated as the Purchasing Agent and Nancy Lasch as Assistant Purchasing Agent. The following Resolution #23-3753 was proposed by Harper who moved its adoption:



Resolution #23-3753

WHEREAS, it is necessary to authorize the Purchasing Agent and Assistant Purchasing Agent to implement the requirements of the HMUA Purchasing Manual; and

WHEREAS, the Authority is desirous of designating Thomas Carroll, QPA, as Purchasing Agent and Nancy Lasch as Assistant Purchasing Agent;

BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that Thomas Carroll is designated as HMUA's Purchasing Agent and Nancy Lasch is designated as HMUA's Assistant Purchasing Agent.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala noted the next agenda item was discussion and possible action to designate the Public Agency Compliance Officer. Director Corcoran suggested designation of Deputy Director Pizarro as Public Agency Compliance Officer. The following Resolution #23-3754 was proposed by Lala who moved its adoption:

Resolution #23-3754

WHEREAS, in accordance with N.J.A.C. 17:27-3.3, each public agency shall designate an individual to serve as its Public Agency Compliance Officer; and

WHEREAS, the members of the Authority are desirous of designating Christopher Pizarro to serve as its Public Agency Compliance Officer; therefore,

BE IT RESOLVED, by the Town of Hackettstown Municipal Utilities Authority that Christopher Pizarro is designated as HMUA's Public Agency Compliance Officer.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to authorize the check signers of all authority checks. Director Corcoran explained the situation with the current check stamp signatures. After some discussion, the following Resolution #23-3755 was proposed by Kuster who moved its adoption:

Resolution #23-3755

WHEREAS, the Authority has avoided the cost of new check stamps each year by utilizing prior stamps as long as the Board member on the stamp continues as an Authority Board Member; therefore,

BE IT RESOLVED, William Harper, Jr. and Executive Director Kathleen Corcoran will continue as the Authority's check signers.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio



Chairperson Lala stated the next agenda item was discussion and possible action to release the performance bond for QuickChek Hackettstown located at Mountain Avenue and Bells Lane. Director Corcoran explained that the project is complete; however a separate performance bond remains in place for the disconnection of the water and sewer lines in Mountain Avenue. The following Resolution #23-3756 was proposed by John DiMaio who moved its adoption.

Resolution #23-3756

WHEREAS, the QuickChek Hackettstown project is completed and has completed all requirements under the HMUA Rules and Regulations to the satisfaction of HMUA and its engineer, and

WHEREAS, an acceptable Maintenance Bond has been provided; therefore,

BE IT RESOLVED that HMUA Board hereby authorizes release of the Performance Bond for the QuickChek Hackettstown project.

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

Ayes: Lala, Harper, Kuster, Jerry DiMaio and John DiMaio

Chairman Lala requested Executive Director Corcoran to proceed with her report. Executive Director Corcoran started by stating the Woodmont is near completion of their water line installations. Hackettstown Crossing continues to move along and is looking for approval of Phase II C which is mixed use including a Dunkin Donuts drive thru. We will not commence our review until they have preliminary planning board approval. In addition, River Valley Apartments at Rt. 46/Mine Hill Rd. has requested tentative approval for approximately 19 EDU's with 40 apartments.

Director Corcoran continued to say that we received an updated application for Residences at Bilby Road and the new Popeyes in Mansfield, which both are currently under review by Mott MacDonald. In addition, she stated that she met with the Heath Village engineer regarding a building with 24 one and two-bedroom units at the corner of Newburg and Schooley's Mountain Road, which will meet the COAH obligation for the future phase. Their next phase will be about 144 2-bedroom duplex units and a community center. They cannot build within 660 feet of an active bald eagle's nest, so will lose about 14 of their previously proposed units.

Director Corcoran continued by stating our IT consultant held a cyber security training session for all employees to show them the pitfalls of the internet and how to protect from hacking and look out for phishing, etc.

On the sewer side, Director Corcoran continued by stating that staff performed routine jetting of the sewer lines and used the mini camera at several locations to check on blockages. There was a main line blockage on Main Street near James on Main Restaurant. They jetted the main from Liberty Street to the flushing manhole at the Main Street Café. They also checked manholes along various rights of way in the woods. They began some yearly oil changes on plant equipment, and installed a new level transmitter for raw sewage pump control. They repacked



raw sewage pump 3 and put it back in operation. The annual EPA Biosolids report was submitted. In addition, the NJDEP issued the final NJPDES permit, which no longer contains arsenic and mercury limits in the permit. Further, piping has been delivered and the contractor plans to begin gas line construction in March.

On the water side, Director Corcoran reported that January water usage was higher compared to last year and 2021. We had one main break on Miller Street and also had two service leaks since the last meeting.

Leak detection continues with the deployment of correlators every night. Staff dug up and repaired four and located seven curb boxes. They completed 72 mark-outs and replaced 19 old meters. Staff also replaced the chemical feed pump at well #9, repaired two fire hydrants and replaced another.

Corcoran further stated that the water allocation permit is still under review by NJDEP but we expect the permit to be issued shortly. The Lead Service Line Project is moving as far as material procurement by the contractor; however, the meter setters are still on backorder. Once they arrive, the contractor hopes to get started by late Spring.

Corcoran continued regarding the 1.0 MG tank project. The wetlands permit was recently issued by DEP and the soil conservation certification was issued in December. The cultural resources Application for Project Authorization was submitted to SHPO on January 17, 2023. As for Independence Planning Board approval, several comments were received from the Planning Board engineer and Mott Macdonald is sending a response letter requesting several waivers in addition to the variances previously requested. It is hoped that the project will be heard at the March 20, 2023 meeting.

Chairman Lala thanked Director Corcoran for her report.

Chairperson Lala requested Counselor Zaiter to proceed with his report. Counselor Zaiter stated there was nothing to report.

Chairperson Lala asked whether anyone had business of a general nature to discuss with no response.

Chairperson Lala declared a motion to adjourn would be in order and was so moved by John DiMaio and followed by a unanimous voice vote.

Time –4:29 P.M.

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Kathleen Corcoran  
Executive Director & Secretary