



HMUA MINUTES

REGULAR
MEETING OF

June 11, 2024

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING JUNE 11, 2024

JACOB GARABED ADMINISTRATION BUILDING & VIRTUAL MEETING

The meeting was called to order by Chairman Lala at 3:30 P.M. in person and 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.

Roll call indicated the following members in attendance: Harper (in person); Lala, Jerry DiMaio, and John DiMaio (over teleconference).

Also attending: Executive Director Corcoran, Deputy Director Pizarro and Recording Secretary Lasch (in person); Robert McNinch and Counselor Zaiter (over teleconference).

Chairperson Lala led a salute of the United States Flag.

Chairperson Lala indicated approval of the May 14, 2024 Regular Meeting to be the next agenda item. A motion to approve the minutes was made by Harper, being seconded by John DiMaio.

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.

Chairperson Lala stated the next agenda item was discussion and possible action to certify review of the annual audit report for fiscal year ended November 30, 2023. Director Corcoran stated that Robert McNinch was present to present the FY 2022/23 Audit and answer any questions. McNinch shared his screen, which indicated increases in funds over time. He stated that the audit indicated the prior fiscal year was a good year for the Authority, with revenues exceeding budgets for both water and sewer. Recent rate increases and good budgeting and spending practices has resulted in a healthy financial position. When the required GASB pension and health benefit numbers become available from the state, the numbers in the audit will be updated. The Board thanked McNinch and he exited the meeting.

The following Resolution #24-7872 was proposed by John DiMaio who moved its adoption:

Resolution #24-7872

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, 2023 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, and specifically the sections



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, 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 report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE BE IT RESOLVED, that 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, 2023, and specifically has reviewed the sections 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 that the Secretary 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.

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to approve and adopt the FY 2022/23 Audit Corrective Action Plan. The following Resolution #24-7873 was proposed by Harper who moved its adoption:

Resolution #24-7873

WHEREAS, by Resolution the Commissioners of the Hackettstown Municipal Utilities Authority have certified that they have received the 2023 annual audit and have personally reviewed the audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A: 5A-17; and

WHEREAS, the Audit includes Comments and Recommendations requiring action by the Authority; and

WHEREAS, N.J.A.C. 5:31-7.6(i) requires a "corrective action plan, in the form of a resolution, to be adopted by the members of the governing body with respect to Comments and Recommendations made in the audit, shall be filed forthwith the Division within 45 days of receipt of the annual audit"; and

WHEREAS, a corrective action plan addressing these Comments and Recommendations has been prepared by the Authority; and

WHEREAS, the Commissioners of the Authority have reviewed this 2023 Corrective Action Plan (attached hereto).

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Hackettstown Municipal Utilities Authority the following:



1. The Commissioners hereby approve and adopt the 2023 Corrective Action Plan.
2. The Secretary of the Authority is hereby directed to promptly submit to the Director of the Division of Local Government Services this Corrective Action Plan, accompanied by a certified true copy of this resolution.

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action regarding any project change orders. Director Corcoran stated that there were none.

Chairperson Lala stated the next agenda item was to entertain a resolution approving the Operations Expense Account Requisitions #OEA-1288, #OEA-1289 and #OEA-1290 in the total aggregate amount of \$732,465.41. The following Resolution #24-7874 was proposed by Harper who moved its adoption:

Resolution #24-7874

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

Dated:	May 3, 2024	OEA-1288	SL-12	\$446,935.70
Dated:	May 17, 2024	OEA-1289	SL-13	\$146,771.84
Dated:	May 31, 2024	OEA-1290	SL-14	<u>\$138,757.87</u>
		Total		\$732,465.41

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was to entertain a resolution approving Renewal & Replacement Fund Requisition #RR-318 in the aggregate amount of \$104,953.68. The following Resolution #24-7875 was proposed by John DiMaio who moved its adoption.

Resolution #24-7875

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-318 be formally approved:

REQUISITION #RR-318

Edmunds GovTech	Hosting & Resident Self-Service 5 Year	\$	4,000.00
GenServe LLC	Repl. Power Supply Board – Meadow Ln.		795.00
Jet Vac Equipment	Jet Vac Repairs		5,893.68
Nielsen Ford of Morristown	2024 Ford F-150 4 Door & 2024 Ford F-150 Extended Cab		<u>94,265.00</u>
	Total	\$	104,953.68

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

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



Subaccount Requisition #ESR-349 in the amount of \$8,471.75. The following Resolution #24-7876 was proposed by Harper who moved its adoption.

Resolution #24-7876

BE IT RESOLVED, that the following Escrow Subaccount Requisition #ESR-349 be formally approved:

REQUISITION #ESR-349

Hackettstown MUA	Jade Hackettstown Assoc – Const. Monitor	\$ 2,331.00
Hackettstown MUA	NVR, Inc.- Water & Sewer Inspections	750.00
Mott MacDonald	Ariya Realty of 57 – Mansfield Dunkin	849.00
Mott MacDonald	Lion Gate at Musconetcong	2,059.00
Mott MacDonald	Russo HT Urban Renewal – Vermella	2,014.00
Mott MacDonald	St. Fra Willow Grove	<u>468.75</u>
	Total	\$ 8,471.75

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and request for authorization to amend the Authority’s Employee Handbook. Director Corcoran stated that she was proposing to significantly increase the salary adjustments associated with completing operations courses and achieving operator licenses. This is to keep up with inflation and to incentivize the workers to seek higher level licensing and higher positions within HMUA. In addition, Corcoran proposed a change to make the Juneteenth holiday the third Friday of June (the state of NJ holiday) instead of the June 19th federal holiday. The following Resolution #24-7877 was proposed by Harper who moved its adoption.

Resolution #24-7877

WHEREAS, the State of New Jersey’s official Juneteenth holiday is the third Friday of June every year; and

WHEREAS, it is anticipated that higher salary adjustments associated with completing courses and achieving operator licenses will incentivize workers to seek higher level licensing and positions; now therefore

BE IT RESOLVED, the HMUA Employee Handbook will be modified to list Juneteenth as the New Jersey official Juneteenth holiday and the proposed higher salary adjustments for completing courses and achieving operator licenses.

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and request for authorization to sell three vehicles in an online auction. Director Corcoran stated the three vehicles are a 2009 van, a 2011 truck and a 2014 truck, all of which have reached the end of their useful life for HMUA and have been replaced. Resolution #24-7878 was proposed by Jerry DiMaio who moved its adoption.



Resolution #24-7878

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

WHEREAS, the Board Members are desirous of selling said surplus property in an “as is” condition without express or implied warranties; now, therefore,

BE IT RESOLVED by the Hackettstown Municipal Utilities Authority, as follows:

1. The sale of the surplus property, no longer of use by the HMUA, shall be conducted through GovDeals pursuant to N.J.S.A. 40A:11-36 and guidance set forth in the Division of Local Government Services’ Local Finance Notice 2019- 15. The terms and conditions of the agreement entered into with GovDeals are available online at govdeals.com and also available from the HMUA.
2. The sale will be conducted online and the address of the auction site is www.govdeals.com.
3. Attached is the surplus property to be sold.
4. The surplus property as identified shall be sold in an “as is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
5. The HMUA reserves the right to accept or reject any bid submitted.

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

Ayes: Lala, Harper, Jerry DiMaio and John DiMaio

Chairperson Lala stated the next agenda item was discussion and possible action to approve an Amendment to PCS Site Agreement with STC Five LLC for leasing of land for a communications tower. Director Corcoran explained the major changes requested by HMUA, under the direction of John Zaiter, and which of those changes that STC Five LLC has agreed to. It was suggested that the board move into executive session. A motion was made by John DiMaio to move into executive session to discuss contract negotiations.

Resolution #24-7879

BE IT RESOLVED, on this 11th day of June 2024 by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. Seq., the Authority shall discuss contract negotiations in Executive Session. It is not possible, at this time, for the Authority to determine when and under what circumstances the above referenced item to be discussed in Executive Session can be publicly disclosed.

THEREFORE, BE IT RESOLVED, on the 11th day of June, 2024 by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 4:12 PM.

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

Ayes: Lala Harper, Jerry DiMaio and John DiMaio



Regular Session was re-entered at 4:17 PM.

The following Resolution #24-7880 was proposed by Harper, who moved its adoption.

Resolution #24-7880

WHEREAS, STC FIVE LLC, a Delaware limited liability company (“STC Five LLC”) is successor in interest to Sprint Spectrum L.P., a Delaware limited partnership (“SSLP”), by and through its attorney-in-fact, Global Signal Acquisitions II LLC, A Delaware limited liability company; and

WHEREAS, Hackettstown Municipal Utilities Authority (“Authority”) and SSLP entered into a PCS Site Agreement dated January 31, 2001 together with the Modification Rider attached to the end thereto (as amended and assigned, the “Agreement”) whereby the Authority leased to SSLP a 2,500 square feet portion of its property on Esna Drive in Washington Township, Morris County, for the purpose of maintaining a communications facility; and

WHEREAS, the term of the Agreement has an original term that will expire on January 30, 2026, and the Authority and STC Five LLC desires to amend the terms of the Agreement to provide for additional renewal terms beyond the original term, and to make other changes as outlined in First Amendment to PCS Site Agreement (BU 878908); and

WHEREAS, the Authority has requested modification of paragraph 2. Term. of the Agreement to give the HMUA the same right to provide notice of non-renewal of any additional term with 90 days notice; now therefore

BE IT RESOLVED, the Hackettstown Municipal Utilities Authority hereby approves of the First Amendment to PCS Site Agreement (BU 878908) and authorizes the Executive Director to execute the required documents, upon revision of the First Amendment to Site Agreement to include the above requested modification to paragraph 2. Term. of the Agreement.

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

Ayes: Lala Harper, Jerry DiMaio and John DiMaio

Chairperson Lala requested Director Corcoran to proceed with her report.

Director Corcoran began by stating that the water utility now has a new van and Ford F-150 truck, and the sewer utility has a new Ford F-150 truck to replace the vehicles being sold on govdeals.

On the water side, May water usage was close to 2023 and a bit higher than 2022. We had no main breaks and four service leaks since the last meeting. Continuing the leak detection by putting the correlators out each night.

Director Corcoran continued to report that, following our annual fire hydrant flushing program, the water utility completed minor repairs to four hydrants. In addition, the utility has begun the valve exercising program for this year.

Corcoran stated that the NJDEP has issued a draft of the long awaited Water Allocation Permit, for which the application was submitted in April 2022. The permit appears to change nothing in the way HMUA is allowed to operate its wells.



Corcoran continued to state that she prepared an RFP for engineering services for replacement of 8,650 LF of water main in Diamond Hill, about half of the mains in the development.

The water utility staff is stretched thin currently, so a retired chief operator has been helping out part time to fill a gap in staff due to medical leave of a high level operator.

Regarding the 1.0 MG tank project, Corcoran stated that she has been working with the County and Mott MacDonald, and some waivers will be requested for county requirements, such as road widening, etc.

Director Corcoran stated that Deputy Director Chris Pizarro will report on the sewer side.

Deputy Director Pizarro continued that sewer staff continued replacement and repair of clean outs in the Hidden Hill development. Notable WPCP tasks included replacement of the influent washer/compactor motor, assistance to Allamuchy with the sewer jet under our intermunicipal agreement, draining of the fuel oil from the ATB underground storage tank.

Deputy Director Pizarro continued to report on upcoming projects, including roof replacement at the ATB and intermediate pump station, purchase of a natural gas generator to be located near the pump station, and removal of all of the underground storage tanks.

Chairperson Lala requested Counselor Zaiter to proceed with his report. Counselor Zaiter commented that he had 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 –4:21P.M.

Kathleen Corcoran
Executive Director & Secretary