

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

OCTOBER 15, 2020

365 Old York Road, Flemington, New Jersey
(908) 782-7453 Office (908) 782-7466 Fax

1. **MEETING CALLED TO ORDER AT 5:00 PM**

The meeting of the Raritan Township Municipal Utilities Authority (RTMUA) was called to order stating that the meeting had been advertised in accordance with the Open Public Meetings Act setting forth the time with the RTMUA office as the place of said meeting. It was further stated that a copy of the Agenda was posted on the RTMUA office bulletin board.

2. **ATTENDANCE ROLL CALL:**

Mr. Grand	Here
Mr. Hazard	Absent
Mr. Kendzulak, Jr.	Here
Mrs. Robitzski	Here
Mr. Tully	Here

Also present were Raymond Frank, RTMUA Chief Operator; Regina Nicaretta, RTMUA Executive Secretary; Dan Madden, PE, Johnson, Mirmiran & Thompson; C. Gregory Watts, Esquire, Watts, Tice & Skowronek.

3. **PLEDGE OF ALLEGIANCE**

4. **APPLICATIONS:**

None

5. **RESOLUTIONS:**

Resolution #2020-60 Introduction of FY 2021 Budget

Mrs. Robitzski made a motion to approve Resolution #2020 – 60, Mr. Grand seconded the motion.

Roll call vote:	Mr. Grand	-	Yes
	Mr. Hazard	-	Absent
	Mr. Kendzulak, Jr.	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

Resolution #2020-61 Approval of and Authorization to Execute Agreement for Transfer of Wastewater Treatment Capacity and Assignment of Agreement for Reservation of Wastewater Treatment Capacity Kopaco, Inc. to 1 Kings Court, LLC (Block 36.03 Lot 12.01)

Mr. Grand made a motion to approve Resolution #2020 – 61, Mr. Tully seconded the motion.

Roll call vote:	Mr. Grand	-	Yes
	Mr. Hazard	-	Absent
	Mr. Kendzulak, Jr.	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

6. **Approval of Minutes:** Minutes of September 17, 2020 Meeting

Mr. Grand made a motion to approve the minutes from the September 17, 2020 meeting. Mr. Tully seconded the motion. All were in favor.

7. **Treasurer's Report / Payment of Bills:**

Mr. Kendzulak, Jr. - The bills totaled \$452,092.36; everything appears to be in order. The last bright orange page, you'll see we're at 69%, conservatively saying, we're through the end of September, nine months through the fiscal year, and that would be 75% so we're under that and we're doing pretty good. We did pay some of October's, so I feel comfortable with where we are.

Mr. Tully made a motion to approve the payment of bills. Mrs. Robitzski seconded the motion.

Roll call vote:	Mr. Grand	-	Yes
	Mr. Hazard	-	Absent
	Mr. Kendzulak, Jr.	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

8. **Citizens' Privilege:**

None

9. **Adjourn into Closed Session by Motion, if Needed**

10. **Adjournment of Regular Meeting:**

Mr. Tully made a motion to adjourn the Regular Meeting. Mrs. Robitzski seconded the motion. All were in favor.

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

OCTOBER 15, 2020

365 Old York Road, Flemington, New Jersey
(908) 782-7453 Office

(908) 782-7466 Fax

APPROVED

-
1. **The Work Session** of the Raritan Township Municipal Utilities Authority will be called to order upon the adjournment of the Regular Meeting.

 2. **Correspondence:**

None

 3. **Unfinished Business:**

None

 4. **New Business:**

None

 5. **Professional Reports:**
 - a) Attorney – None

 - b) Engineer –

Mr. Madden – Just a couple of minor things. We did do the capacity report for the quarter; the flows are pretty good, so we are pleased with that. We are still evaluating Johanna; we are seeing some higher flows than their meter is reading over there. We have a third meter in there now, it actually popped out on Monday, but they put it back in. The flow pushed it out.

Mr. Kendzulak, Jr. – We were not able to get any measurements on the rain on Monday?

Mr. Madden – We were not. Even the previous week we didn't see a big jump, I believe there was a storm on the 30th.

Mr. Kendzulak, Jr. – I saw our meter is measuring 400,000 and theirs is measuring between 300 and 400,000.

Mr. Madden – Yes, that is what we are generally seeing.

Mr. Kendzulak, Jr. – So, there is a 100,000 difference.

Mr. Madden – There is something unaccounted for obviously. We have to figure what it is. I think their meter probably has to be calibrated.

Mr. Kendzulak, Jr. – What is our next step in pushing this issue here?

Mr. Madden – I think we need to address it with them. They should be required to calibrate the meter.

Mr. Kendzulak, Jr. – How do we go about doing that? At some point we have to call them in and say “we are measuring right here, and we’re coming up with say 350,000. You are giving us information that we are billing you at that is 300,000; there is an issue here.

Mrs. Robitzski – We bill on their meter?

Mr. Frank – Yes.

Mr. Kendzulak, Jr. – So, that is a problem because we are getting hit here plus it is impacting our capacity. Is there a ceiling on how much they can send us?

Mr. Frank – That, I’m not sure about.

Mr. Watts – We do have an Agreement; we do have a limit with them, but they have to keep the meter in they also have to keep it calibrated and maintain it.

Mrs. Robitzski – So what do we do?

Mr. Watts – We put them on notice that the readings are off, and they have to immediately get the meter recalibrated and send us the results.

Mr. Kendzulak, Jr. – We have to do something; we are losing money here. What happens when it rains? I don’t know the best way to approach them, write a letter or something.

Mr. Watts – It should come from the Authority. We should tell them what we’ve seen, and we want the meter recalibrated and we want the results. Give them thirty days.

Mr. Kendzulak, Jr. – You guys can draft the letter and have Mr. Watts look it over before it goes out and we have to check the Agreement to see if there’s anything in it that says “you’re only supposed to be sending us whatever”. We have to come up and say “listen, we have a meter downstream and we’re getting inconsistent readings of this which is inconsistent of what you’re sending us.”

Mr. Madden – The clarifier, the fourth one is almost done, they should be starting that one back up at the end of the month or the first week of November.

Mr. Kendzulak, Jr. – Mr. Madden, I don’t know if JMT is the appropriate party or if there is another specialist that should take a look at this, but we are rated at 3.8 MGD. Is there any way we can look at that to see if there is any way we can increase our rating from 3.8 MGD to something else higher?

Mr. Watts – We had several years ago, Mott MacDonald did it and they didn't find any more. Maybe things have changed but I thought we had them do that.

Mr. Kendzulak, Jr. – I thought the issue with that was going to be the phosphorus. At the very least, would it be possible to review that report and see what they came up with and see what conclusions they came up with. The question is, what is the bottleneck and is there a way we can remove the bottleneck or retrofit something down there to remove the bottleneck. What would the costs or the impacts of that be? Take a mile-high review of it and see if there is any merit in it.

Mr. Madden – One last thing, Mr. Kendzulak. I want to follow up from the last meeting where you asked me to reach out to the County. I talked to Mr. Bogan. He said all of our numbers are finalized except it's just not processed yet for the Wastewater Management Plan (WMP).

Mr. Kendzulak, Jr. – What is going on with that whole study with Flemington and when they were going to evaluate Flemington and capacity and stuff like that?

Mr. Madden – I don't know if that continued, it got waylaid because of the C-1.

Mr. Kendzulak, Jr. – That is something we need to take a look at. You may want to give him a call on that too.

Mr. Madden – I just wanted to update you that he said our numbers are all finalized, and I think all accepted.

Mr. Kendzulak, Jr. – What about Flemington's numbers? They were an urban and they were a different animal on how you figure out what they have.

Mr. Madden – As far as the Township goes, all the things we did internally, we are all squared.

6. RTMUA REPORTS:

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator / Director's Report –

Mr. Frank – Flemington didn't go on at all last month. We are scheduling the cleaning of the septage receiving tank. We had a DEP inspection this month; everything went well and there weren't any issues. We had the quarterly safety meeting, so it was a pretty uneventful, routine month.

- a) Overtime Recap
 - b) Septage / Greywater Recap
2. Laboratory Summary - ok
 3. Maintenance Summary - ok
 4. Readington Flows

b) COMMISSIONERS' COMMENTS

Mr. Kendzulak, Jr. – Mr. Frank, I see you and Mrs. Struening put together a critical, essential infrastructure, I guess these are guidelines?

Mr. Frank – Yes. This was an updated memo that we had issued earlier in March, regarding our policies and this was a new memo that we were able to get from the CDC regarding critical, infrastructure employees, so we updated the memo and this is the copy of what we sent out to the plant. The only thing I am going to change is that it will be from the Board versus from Mrs. Struening and me.

Mr. Kendzulak, Jr. – Just a couple of things here. That last sentence in the second paragraph. “Employees who test positive from COVID – 19 will be required to self-quarantine for a fourteen – day period from the point of last exposure.” What do you mean by last exposure? If you still have the symptoms, you could have the symptoms for a month.

Mr. Frank – They are saying when you had your potential exposure, when your last possible time was, your fourteen days starts from there.

(many voices speaking at once)

Mr. Frank – You have fourteen days from your last contact with that person if they test positive.

Mr. Kendzulak, Jr. – Okay, but not if you test positive. It says, “employees that test positive”.

Mr. Frank – If they test positive, then they are out for fourteen days.

Mr. Kendzulak, Jr. – But...

Mrs. Robitzski - ...from when they test?

Mr. Frank – I would say...

Mr. Kendzulak, Jr. – ...I think we need to take another look at this thing here.

(many voices speaking at once)

Mrs. Robitzski – If you are exposed fourteen days from contact, if you test positive, fourteen days from your test.

Mr. Kendzulak, Jr. – What if I have it and I am testing positive fourteen days after I had it or even twenty days after I had it and I’m not kicking it?

Mrs. Robitzski – I think there is a limit to the...

Mr. Kendzulak, Jr. - ...I thought you had to be fever free for a certain period of time before you were not contagious.

(many voices speaking at once)

Mr. Grand – So you can be positive but be asymptomatic.

Mr. Kendzulak, Jr. – Say I test positive now. The way I read this is, okay, I will be quarantined for fourteen days from now. But what happens if ten days from now, I get another test and I am still positive?

Mr. Grand – You are positive until you test negative.

Mr. Kendzulak, Jr. – Correct. What is the time frame? This says, “employees that test positive for COVID – 19 will be required to self – quarantine fourteen – day period from the point of last exposure.”

Mr. Tully – It should say “until they have a negative test or provide a negative test result”.

Mr. Grand – Right, because if...

(many voices speaking at once)

Mr. Kendzulak, Jr. – I think we need to take a look at this.

(many voices speaking at once)

(Discussion was interrupted by call in with Ms. Carmeli and Mr. Tyler for Closed Session. Discussion resumed after Closed Session)

Mr. Kendzulak, Jr. – Mr. Frank, when I saw this language, I was scratching my head.

Mr. Grand – I agree with you, the language is a little questionable. There is a lot of confusion about this and things are changing all of the time. The issue of an exposure, the way it is written here, is really super narrow. I don't know that we should feel comfortable with this. They define potential exposure, and I don't know who actually wrote this, but a potential exposure means a household contact or having close contact within six feet of an individual that has been confirmed or suspected COVID – 19. That's not the definition that we use. Really, if you are within six feet, and you have unprotected exposure, for ten minutes. Even if you think you had an exposure, that does not mean that you are COVID positive. What it means is, you have to self – quarantine and watch your symptoms, only when you are symptomatic. That is the driver for being tested. You can have had an exposure and not have really had an exposure, but you might not be symptomatic and if you are not symptomatic that is the reason not to get tested. You only get tested if you have two of the symptoms on that list.

Mr. Kendzulak, Jr. – But you would quarantine for fourteen days from the exposure to the individual that tested positive.

Mr. Grand – Correct and this suggests you could still come to work unless you become symptomatic and I think that is correct. I think that's

what we want to recommend. Within the fourteen days you would maintain your distance, you would monitor your symptoms, you would look for symptoms and monitor your temperature and things like that, you would keep your distance from everybody, you would wear a mask and things like that and if you don't become symptomatic, you wouldn't get tested and the assumption would be you are not COVID positive. If you become symptomatic, and you get tested and you are positive, then you are out and you quarantine for the fourteen days.

Mr. Kendzulak, Jr. – I just want to have another look at it. This is my understanding of it. If I was next to someone, in close contact, for ten minutes, without facial covering, that's close contact. I would be required to quarantine for fourteen days. If it were casual contact I would not be required to quarantine.

Mr. Grand – Correct, but this suggests that the employee can come to work during that time.

Mr. Kendzulak, Jr. – I think we are playing with fire.

Mr. Grand – If we applied this definition, we would have a lot of people out and we wouldn't be able to staff the hospital. We ask people to watch for symptoms, they are not out at home quarantined for fourteen days, but they watch for symptoms, the sore throat, fever, things like that. If they meet the definition for getting tested, which is having two symptoms on that list.

Mr. Kendzulak, Jr. – “Employees who test positive for COVID – 19 will be required to self – quarantine for fourteen days from the point of last exposure.” I don't know what that means.

Mr. Grand – If you test positive, I think we can assume, that you became positive from that exposure, so that is when the clock starts ticking. So, if you and I had lunch together and we didn't have our masks on and we are sitting close and you tested positive, then that would be an exposure.

Mr. Kendzulak, Jr. – The way I am reading it, it has to do with me. “Employees who test positive”, meaning if I test positive, I will be required to self – quarantine for a fourteen-day period from the point of last exposure. That is what I am saying, to me I would be required to quarantine until I tested negative or I was fever free or whatever for a certain time period.

Mr. Grand – I see what you are saying.

Mr. Kendzulak, Jr. – The way I am reading it, it's speaking to the guy who tests positive. Not the person who was in close contact.

Mr. Grand – Yes, you are correct.

Mr. Kendzulak, Jr. – I think we need to just take another look at it. The other thing is it says, “that this does not replace the Personnel Travel memo sent July 20th.” Now, there is a memo that goes on about the states...

Mr. Grand – ...it changes every day.

Mr. Kendzulak, Jr – It changes every day. Mr. Tully, does the Township have anything? I know we can't just say "everyone is quarantined and that's it".

Mr. Tully – We just had an updated one on travel last week.

Mr. Kendzulak, Jr. – What should be in the memo? How should this memo be written? The only thing I am asking is instead of reinventing the wheel is does the Township have its own guideline that spells it all out?

Mr. Tully – Mr. Frank, if you want to reach out to Ms. Gano over in HR, she has the latest stuff.

Mr. Kendzulak, Jr. – Take a look at it Mr. Frank. If it doesn't make sense, it doesn't make sense. Mr. Grand, I don't want to put you on the spot but maybe you can work with Mr. Frank on this.

Mr. Grand – Sure, I can share our protocol which is probably not as tight as some other entities.

Mr. Frank – This was based off the CDC for critical infrastructure employees.

Mr. Kendzulak, Jr. – It's just that last sentence, to me it's speaking about the employee testing positive and if the employee tests positive, they have to be fever free and whatever to come back. They could have it for a long time and be battling it and this doesn't speak to that.

Discussion:

- a) 3rd Quarter 2019 Capacity Evaluation

Previously addressed.

8. Adjourn into Closed Session by Motion, if Needed

Mr. Kendzulak, Jr. – We will be going into Closed Session to discuss pending litigation matters with NJDEP; we do not anticipate any official action will need to be taken once we come out of Closed Session.

Mr. Grand made a motion to adjourn into Closed Session for the above stated purpose and Mr. Tully seconded the motion. Closed Session was from 5:18 pm – 5:42 pm.

9. Adjournment of Work Session:

Mr. Grand made a motion to adjourn the Work Session. Mr. Tully seconded the motion. All were in favor. The Meeting ended at 5:51 pm.