

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

AUGUST 19, 2021

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. Kendzulak, Jr.	Here
Mr. Mangin	Here
Mr. Reiner	Here
Mrs. Robitzski	Here
Mr. Tully	Here

Also present were Ray 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 #2021 - 47 Acceptance of Maintenance Guarantee and Authorization to Sign Development Agreement, Islamic Center of Hunterdon County, Inc. (Block 43 Lot 13)

Mr. Kendzulak, Jr. made a motion to approve Resolution #2021 - 47, Mr. Mangin seconded the motion.

Roll call vote:	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

Resolution #2021 – 48 Approval of and Authorization to Execute Agreement for Transfer of Wastewater Treatment Capacity and Assignment of Agreement for Reservation of Wastewater Treatment Capacity, Brian Barbiche to Royal Properties, LLC

Mrs. Robitzski made motion to approve Resolution #2021 – 48, Mr. Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Abstain
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

Resolution #2021 – 49 Authorization to Execute Agreement for Transfer of Wastewater Treatment Capacity

Mrs. Robitzski made motion to approve Resolution #2021 – 49, Mr. Mangin seconded the motion.

Roll call vote:	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

6. **Approval of Minutes:** Minutes of July 15, 2021

Mr. Kendzulak, Jr. made a motion to approve the minutes from the July 15, 2021 meeting. Mrs. Robitzski seconded the motion. All were in favor. Mr. Reiner abstained.

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

Mr. Kendzulak, Jr. –The bills totaled \$407,504.79 and all appears to be in order. If you go to the last yellow page, conservatively, we are seven months through the year, that would be through July 31st. If you do the math, seven divided by twelve is 58.3% and if you look, we are on budget. Recognizing that we also did pay some August bills. We are on budget and I'm comfortable with where we are.

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

Roll call vote:	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

8. **Citizens' Privilege:**

None

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

Mr. Tully – We will be going into Closed Session to discuss Pending Litigation Matters with the NJDEP, as well as Contractual and Personnel Matters, and we do anticipate taking official action once we come out of Closed Session.

Mr. Kendzulak, Jr. made a motion to adjourn into Closed Session for the above stated purpose and Mrs. Robitzski seconded the motion. Closed Session was from 5:06 pm – 6:25 pm.

Mr. Tully – We are back into open session. Resolution #2021 – 50, Addition of Third Operator for Midnight Shift. This will be to not fill the crew chief position for the midnight shift.

Mr. Tully – Is there a motion?
Mr. Mangin – Motion.
Mr. Tully – Is there a second?
Mr. Kendzulak, Jr. - Second

Roll call vote:	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

10. **Adjournment of Regular Meeting:**

Mr. Kendzulak, Jr. made a motion to adjourn the Regular Meeting. Mr. Mangin seconded the motion. All were in favor.

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RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

AUGUST 19, 2021

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

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. **Old Business:**

a) Access Easement to Flemington Wet Weather Facility

Previously discussed in Closed Session

4. **New Business:**

None

5. **Professional Reports:**

a) Attorney –

None

b) Engineer –

Mr. Madden – The clarifier project is done; we are going to have the final paperwork for you next month to close out the Contract and we have to finalize the loan with DEP. Two things I want to point out; the EPA is going to be coming for an inspection. We have to fill out a big, long questionnaire for them. I was asked to look into a couple of things. One was the SCADA system. I contacted AEA and they gave me a list, I put in a list of several companies here. They were all well rated.

Mr. Tully – I say get them in, see the system, get proposals for whatever.

Mr. Madden – I understand this can be considered a Professional Service.

Mr. Watts – Yes.

Mr. Tully – Mr. Madden, can you coordinate with Mr. Frank to get them here and whatever?

Mr. Madden – Yes

Mr. Kendzulak, Jr. – Should we do a Request for Qualifications?

Mr. Tully – We just did it with the IT at the Township. We were going to do a Request for Qualifications, and I had everyone in ahead of time to look at the system and then we put the bid out, and they knew what they were dealing with.

Mr. Madden – I can get the ball rolling.

Mr. Tully – Let me know and I can stop by.

Mr. Madden – We updated the I and I Study. We compiled a list of projects we think we can start tackling and there is a group of them that are relatively easy to do. We had a vendor come look at them and we think it is probably worthwhile until we can come up with \$17,500.00, we can go out and ask for three proposals for these.

Mr. Tully – What are the big ones and how much?

Mr. Madden – If you look at my list, the County pump station, and there is a manhole in Sun Ridge is in pretty bad shape. The big-ticket item here would be Flemington Block. It is going to require a separate bid, specs, and things like that. It has had a partial fix, but we have to fix that right. The only question is do we want to go all the way to the high school. We just found the tapes for it this morning, we will be able to go through them and confirm what is what.

Mr. Kendzulak, Jr. – What is the magnitude of getting I & I out?

Mr. Madden – It is probably two to three gallons per minutes out of each. Each gallon per minute is 40 gallons per day.

Mr. Kendzulak, Jr. – What would be the total cost of doing that line?

Mr. Madden – Probably \$300,000.00 - \$400,000.00 to line it. It is about 1,300 feet, roughly?

6. RTMUA Reports:

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator / Director's Report –

Mr. Frank – I met with Mr. Speeney and Ms. Rosenwinkle of DEP at the FWWF. It was the first time she was ever at the FWWF. We had a Safety Meeting, I had a Zoom call with AEA for a check – in. On the 17th is when we had that big rain event. FWWF was on line. The plant filled within twenty to thirty minutes and started to

discharge. It is the second time I can ever remember the water in the brook came up so high it impeded water going out of the plant, and that whole room flooded.

Mr. Kendzulak, Jr. – How many inches of rain did we get?

Mr. Tully – 6.5 inches inside of four hours.

Mr. Frank – I have an upcoming inspection on the collection system only with the EPA. It is the first time I ever heard of or ever had with EPA. Johanna Flows, on the last page of my report. They have been creeping up and staying steady. Last month was over 300,000 per day. They are limited to 270,000.

Mr. Tully – I have a question for you. When we had the big rain event, was there any spike in their flow that corresponded to the rain event?

Mr. Frank – I don't think it is I & I in their system. I think it is more production and that is what they are flowing.

Mr. Madden – We only measure once a month or once a week so we might not capture an individual day.

Mr. Kendzulak, Jr. – How did Pump Station #1 react?

Mr. Madden – Pump Station #1 handled it pretty well. There was a five-minute increment where the third pump came on, but I think that was just an anomaly; it shut right back down. We peaked out at about twenty-one to twenty-two hundred gallons a minute. Typical flow is about five or six hundred on a dry day; eight or nine hundred in wet weather. The highest I have ever seen was twenty – seven hundred and that was a couple of years back.

Mr. Tully – How soon after two kicked in, did three kick in?
(many voices at once)

Mr. Kendzulak, Jr. – How is Johanna doing with their sprayer thing?

Mr. Frank – They are dead in the water from what I understand. I think as far as their permitting... I think they are a long way away. When I spoke to the guy from the DEP who did permitting, he said "it hasn't even come across my desk yet".

Mrs. Robitzski – Where are we with developing guidelines for charging people for when they go over what they have; Readington, Johanna?

Mr. Frank – We keep kicking this can down the road.

Mrs. Robitzski – I know but weren't we going to draft something?

Mr. Madden – I came up with a proposal to surcharge for a certain amount, so it is just a question of setting the right number and how do we do it.

Mr. Tully – We kind of, I don't want to say, "shelved it", when Johanna, in particular, said they were going to be doing that greywater spraying thing, we were like "okay, they may not be over anymore because they are getting rid of the water elsewhere".

Mr. Kendzulak, Jr. – It goes to Readington, it goes to Johanna. They are 30,000 over and that thing isn't going anywhere.

Mr. Tully – Now that we know it is not going anywhere.

Mr. Frank – 30,000 per day.

Mr. Kendzulak, Jr. – There needs to be a penalty.

Mr. Frank – The other thing is, they just renewed their permit, and in discussion with the DEP, they were looking at fining them for all of their exceedances in their flow above the 270,000. Then they came back to me and said because we don't have an Agreement with them stipulating a flow, it is not enforceable. We have to come up with an Agreement with Johanna, to stipulate the flow, and then we spell out exceedances, what they are going to be charged for, because any exceedances, now they pay just the normal rate.

(many voices at once)

Mrs. Robitzski – The one we were talking about was not specific to Johanna Foods. We were talking about one that would apply across the board, so we have a tool to use when we have this kind of stuff happening.

Mr. Kendzulak, Jr. – I think Mrs. Robitzski is saying, why do we need an agreement, why can't we just say "if you exceed by this much, you are going to be charged or penalized X amount of dollars per gallon over what your allotted".

Mr. Watts – We can certainly do that and Mr. Madden has made recommendations, I'm just saying, politically with Readington Township, rather than throw something in their face, I think some kind of meeting has to take place and say "listen, we have an Agreement with you, that Agreement says you are limited to 125,000 gallons per day, it also says you agree to enter into new agreements with us to give effect to this Agreement. You have been doing good, but you had a month here where you exceeded, so we are going to come up with an Agreement and we are going to give it to you, and it provides for penalties when you exceed.

Mr. Kendzulak, Jr. – It has to be an agreement? It can't just be a resolution that sets it?

Mr. Watts – If they won't sign an agreement you can start doing it, but I think that is the way it should be approached first.

Mrs. Robitzski – Okay, we can do that but can't we still

develop a policy?

Mr. Watts – Yes, you can have a policy that anybody that exceeds is going to be charged in this fashion.

Mrs. Robitzski – We can meet with Readington and say “hey, we want to come up with an agreement, otherwise this policy is going to come into play”.

Mr. Watts – I think you should meet with Johanna, and say “we are not getting anywhere, and your flows are not going anywhere but up so this is how we are going to start treating you”. It might give them an incentive to find another way to deal with their waste.

Mrs. Robitzski – How are we going to treat it.

Mr. Watts – You need to adopt a resolution that sets a policy for all users, this is how we are going to charge you, a b c and d.

Mrs. Robitzski – Yes, that is it, that is what I am saying. Can we get that drafted somehow?

Mr. Watts – Somebody needs to sit down, whether you want to have a Sub – Committee, Mr. Madden has made recommendations on how to charge, I have seen them.

Mr. Tully – It should be the Capacity Sub – Committee, shouldn't it?

Mr. Watts – Yes, have the Capacity Sub – Committee meet with Mr. Madden and Mr. Frank and me perhaps, and come up with a proposal. Then you can discuss it and vote on it and pass a resolution on it.

Mr. Tully – Who is on the Capacity Sub – Committee?

Ms. Nicaretta – Mr. Mangin and Mr. Kendzulak, Jr.

Mr. Kendzulak, Jr. – Maybe if we could meet before the next meeting, like at 4:00 the day of the meeting. If there is a draft in front of us, instead of just opening up a discussion like this. A draft that has what you think may be an appropriate penalty that is going to make it hurt and give them incentive to not exceed. Then we can say we can do this or modify that or whatever. I'd like to have something in front of us that will spell out what it is.

Mr. Madden – One of the issues we are going to be faced with is the meters, we don't read them every day, if we want to get that one-day overage, for that one day. We are usually looking at averages.

Mr. Frank – We are only getting them on a monthly basis.

Mr. Kendzulak, Jr. – How do you come out and say it is 30,000 per day?

Mr. Frank – I have a formula...

(many voices at once)

Mr. Kendzulak, Jr. – Do a three-month rolling average.

Mr. Tully - Every quarter we bill them for whatever the excess is.

Mr. Kendzulak, Jr. – You'll put something together Mr. Madden?

Mr. Madden – Yes, I'll work with Mr. Watts.

Mr. Kendzulak, Jr. – Just so we can have something in front of us that we can comment on.

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

b) Commissioner's Comments:

None

7. Discussion:

a) Board of Commissioners Authorization for Mr. Frank and Mr. Sciss to Attend the Tentative AEA Annual Meeting and Conference in Atlantic City (November 16 – 17, 2021)

General consensus was given

b) Board of Commissioner's Authorization for Ms. Loudon to attend the AEA Environmental Professional Development Academy

General consensus was given

c) Authorization for Membership Renewal for New Jersey Utility Authorities Joint Insurance Fund (NJUAJIF)

General consensus was given

d) Chemical Bid Results

No comments

e) Janitorial Proposals

No comments

f) Mowing Proposals

No comments

g) Draft of Budget

Mr. Tully – Just a brief update on the budget process. We had our third meeting this week. The Budget as you see, is only missing a couple of items. They are in yellow on the Budget sheet. The big-ticket item is the retirement stuff which the State is historically late with. Last year Mrs. Struening got it in October. Next month, she's going to do a Draft Budget. I've been attending the meetings with Mrs. Struening, Mr. Frank, and Mr. Sciss.

Mr. Reiner – Does it include a rate increase?

Mr. Tully – It always includes a rate increase.

Mr. Kendzulak, Jr. – I talked to Mrs. Struening, I guess there is not enough information that you have yet, that you are waiting to get. What helps is that if we were to estimate the projected through the end of this year. Then we can compare where we are on the current budget.

(many voices at once)

h) Establishment of Administrative Salaries

Previously discussed in Closed Session

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

9. **Adjournment of Work Session:**

Mrs. Robitzski made a motion to adjourn the Work Session. Mr. Kendzulak, Jr. seconded the motion. All were in favor. The Meeting ended at 6:52 pm.