

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

JUNE 18, 2015

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

1. MEETING CALLED TO ORDER AT 5:08 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:

Dr. Buza	Here
Dr. Dougherty	Absent
Mr. Kendzulak, Jr.	Absent
Chair Kinsella	Here
Mr. Tully	Here

Also present were Bruce Miller, RTMUA Executive Director; Greg LaFerla, RTMUA Chief Operator; Regina Nicaretta, RTMUA Executive Secretary; Nancy Wohlleb, PE, Hatch Mott MacDonald; C. Gregory Watts, Esquire, Watts, Tice & Skowronek.

3. PLEDGE OF ALLEGIANCE

4. APPLICATIONS:

- a) Application for Preliminary Sewer Service Class II-B TWA Required, Islamic Center of Hunterdon County, Inc. (Block 43 Lot 13)
- b) Application for Preliminary Sewer Service Class III Industrial User, NJDOT Maintenance Facility (Block 29 Lot 2)

5. RESOLUTIONS:

Resolution #2015 - 30 Approval of Preliminary Sanitary Sewer Service, Class IIB, TWA Required and Authorization to Sign TWA, Islamic Center of Hunterdon County, Inc. (Block 43 Lot 13)

Mr. Tully made a motion to approve Resolution #2014 - 30, Dr. Buza seconded the motion.

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Absent
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

Resolution #2015 - 31 Approval of Preliminary Sanitary Sewer Service, Class III, Industrial User, NJDOT Maintenance Facility (Block 29 Lot 2)

Dr. Buza made a motion to approve Resolution #2014 - 31, Mr. Tully seconded the motion.

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Absent
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

Resolution #2015 - 32 Authorization to Advertise for Chemicals and Receive Bids for the Purchase of Chemicals

Mr. Tully made a motion to approve Resolution #2014 - 32, Dr. Buza seconded the motion.

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Absent
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

Resolution #2015 - 33 Authorization for the Purchase of Energy Generation Services for Public Use Utilizing an Online Auction Website

Mr. Miller – We got a price of .0811 per kilowatt hour and that will save us over the two year contract roughly \$92,000.00. It's not as good as the last time; the original one is still in effect until November, this one will pick up after November and go for another two years.

Mr. Kinsella – The last Contract was for three years and this one is only for two years?

Mr. Miller – Yes; the State of New Jersey did that.

Mr. Kinsella – So we can't get a three year deal anymore?

Mr. Miller – They're discussing it. We didn't go for gas because of the hurricane that went through Texas; the prices are all over the place.

Dr. Buza – When would we know if they would agree to the three years?

Mr. Miller – We don't know yet, there's a meeting tonight, and they're going to ask the question tonight "why not"?

Mr. Kinsella – Is it worth it to wait on this to see if we can get longer than two years; what do you think Mr. Miller?

Mr. Miller – I don't know. I can find out tomorrow morning.

Mr. Watts – We could amend the resolution later to say that you're passing it subject to the possibility of extending it for another year.

Dr. Buza made a motion to approve Resolution #2015 - 33, Mr. Tully seconded the motion.

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Absent
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

6. **Approval of Minutes:** Minutes of May 21, 2015

Mr. Tully made a motion to approve the minutes from the May 21, 2015 meeting. Dr. Buza seconded the motion. All were in favor.

7. Treasurer's Report / Payment of Bills:

Dr. Buza - The bills totaled \$386,943.52. Nothing stood out to me; everything appears to be in order. I called Mrs. Struening to go over some numbers with her and I was satisfied with all of the hard work she is doing. You'll see at the very end of the report it shows that as of the end of this month we've expended 53.29% of our budget; which means we're right on target, we're right where we should be. In fact, we are doing a little better than last year at this time; we were at 55.72% last year at this time.

Mr. Tully made a motion to approve the payment of bills. Dr. Buza seconded the motion.

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Absent
	Chair Kinsella	-	Yes
	Mr. Tully	-	Yes

8. Citizens' Privilege:

Mr. Mangin – I do have a question from Mayor O'Brien; I couldn't give him an answer on this but I told him what I thought the answer was. I thought that you guys had worked with DEP and this had been put to bed but he was wondering about the Permit for the Flemington Wet Weather Facility (FWWF).

Mr. Miller – Right in the front of the Work Session there's a letter.

Mr. Watts – We think we're about to get a settlement document that has been prepared by the DEP though we haven't seen it. We wanted input on it before it was drafted but we weren't given that opportunity. It's been over a year since we met with DEP and they said they were going to work on the document and I guess now they're finally going to let it loose; that's what Senator Bateman told me and that's what our Environmental Counsel Tyler & Carmeli know. I hope within the next few weeks we'll get the settlement document. What we're hoping for is that it will resolve the Permit for the current five year cycle which is just about up and the next five year cycle that's about to begin so we can get at least ten years out of it. We're also hoping for permanent changes but I don't know if we can really anticipate that.

Mr. Mangin – The other thing he has is there is a meeting on...

Mr. Miller – The 24th.

Mr. Mangin – And he had some questions he was hoping to get answers for.

Mr. Miller – I've answered them and I've...

Mr. Kinsella – The questions he had, he had emailed them and he had asked for answers by tomorrow; that's what his email stated, the day after our meeting tonight. So Mr. Miller is planning on, with our other comments, to make sure he gets his response. One other thing before we move on, about the WEFTEC Conference; I had some discussion with Dr. Dougherty and Mr. Kendzulak, Jr. about Ms. Loudon attending the Conference. We've all discussed this and we feel that it would be good for her to attend this at the Authority's expense and just want to make sure that we approve her to go.

Mr. Watts – I would adopt a resolution because it was the Board's consensus before that no one would go, so if this is the will of the Board, the appropriate resolution should be adopted tonight, authorizing her to go and I'm not sure about the budget though.

Mr. LaFerla – There is money in the budget.

Mr. Watts – Okay, so now while we're in the Regular Session you should consider such a resolution.

Mr. Kinsella – So we would like to have a resolution tonight stating that Ms. Loudon be able to attend the WEFTEC Conference in Chicago, I'm not sure of the dates in September.

Mr. LaFerla – Somewhere like the 25th.

Ms. Nicaretta – I can put the dates in the actual resolution.

Mr. Kinsella – And that the Authority will pick up the cost as they normally would have done anyway.

Mr. Watts – The normal and customary costs.

Mr. Kinsella – We can have a vote on that; is there a motion to approve that?

Mr. Tully – Moved.

Dr. Buza – Second.

Mr. Kinsella – Roll Call Ms. Nicaretta.

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Absent
	Chair Kinsella	-	Yes
	Mr. Tully	-	Yes

9. Adjourn into Closed Session by Motion, if Needed

10. Adjournment of Regular Meeting:

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

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

JUNE 18, 2015

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:**

a) Margaret Carmeli of Tyler & Carmeli to Bruce Miller of RTMUA regarding NJPDES Permit Appeals

Discussed previously.

b) Nancy Wohlleb, PE of Hatch Mott MacDonald to Gregory LaFerla of RTMUA regarding Summit Custom Spray Dry

Mrs. Wohlleb – I put this together for Mr. LaFerla, this relates to Summit Custom Spray Dry at Flemington Industrial Park over on River Road. More than a year ago, the Authority's operators noticed at different times they were getting either malodorous or a color that was not normal for flow coming into RTMUA's Main Treatment Plant. Some detective work done by the Authority's plant staff by tracing the flow, traced it back to the Industrial Park last year. We've finally received from one of the tenants on the property, Custom Spray Dry some information relating to: what is their operation, what do they do, how much do they think they're flowing at and how are they connected to our system. What I've done in the letter I prepared is to try to summarize the information that's been provided, and also in reviewing this information, I've received information from the overall property owner and what we've come up with is currently this facility doesn't have flow just from this one tenant, there are three overall buildings, and this is just one tenant in one building, that exceeds 25,000 gpd of average flow. In New Jersey, when you hit that threshold, you are required to submit to the Industrial Program at the DEP, a Significant Industrial Discharge Permit Application and you are subject to the review of DEP. RTMUA is not what is called a "Delegated Agency", very large utility authorities in New Jersey are, they have discretion to review industrial applications and almost in essence permit them. We are not such a facility so the applicant has to deal directly with the State and ultimately we need to either endorse or not accept their flow. So we have a situation where we have somebody who, I don't want to say illicitly connected, but occupied space at the Industrial Park without our prior consent or knowledge. Although right now their discharge has not created a violation for the

Authority, the unknown content of it and the un – quantification of it and just the fact that what they're doing is above and beyond a threshold that the State needs to be made aware puts the Authority in a bad position. We received this information, by copying this property owner and this tenant and on our letter we've given them quite a list of things that they have to produce and prepare and I've identified a thirty day time period for them to pull it together. Obviously as an Authority we need to make sure that they continue to be responsive. The longer we let them go undetected in regards to revenue and the increase of a chance of a violation and more importantly the unknown content of this discharge posing a safety risk to the operators is not in our favor. What we've identified in here is what we should enforce until the time they can "catch up" and get the permit from the State, they should impose temporary measures to control and treat their flow. The only other alternative would be to back a cement truck up, plug up manhole and say "when you're approved for your permit, then you can start flowing again". There's an issue with the tenant but my letter really tried to identify the overall issue with the property; definitely from a billing perspective but also from sort of an inventory perspective. When tenants come in and out, it's not like they're getting a CO and the Building Department sees this kind of activity. We caught this because of what's coming out of the pipe and what the guys were able to do to trace the flow back.

Mr. Tully – Now that we've notified them, legally, are we still completely on the hook for a violation? Since they connected without us knowing, where do we stand?

Mrs. Wohlleb – I haven't had a chance to go over this with Mr. Watts to say "I've advised the Authority", based upon either our Rules and Regulations or just in general, we've given these guys more than ample time this far to get me this information. They have more to do but we gave a thirty day time period that we felt was reasonable for them to pull it all together but I think we need to really keep the heat on them to say "what are you going to do right now to control what's coming out of your pipe?" There are several ways to do it in writing, my letter can be attached as an engineer's letter but there might be more needed like it be on RTMUA letterhead that sinks teeth into this.

Mr. Watts – I think they should be threatened with the cement truck. We've talked about something like this for years but it might have to be done. I think we should reserve the right if they don't comply within the time period that we will cut off their access to the plant.

Mrs. Wohlleb – Their facility engineer or somebody they would have as a consultant should be able to take this and give them something to do. It's been a year just to get them to give me this information. I just don't want it to go by the wayside and I think it's up to us to be proactive on it.

Dr. Buza – I agree with putting it on letterhead and advising them formally so they're on notice as to what counsel just directed us to advise them and then they can't say they didn't have proper notice.

Mr. Tully – When's the thirty days up?

Dr. Buza – From whenever they receive the letter you give them. Unless they were advised previously, then you can say "we had previously advised you and you had thirty days".

(many voices speaking at once)

Mrs. Wohlleb – The only other option is to basically call the DEP Hotline and let DEP truly get involved based on their own regulations.

Mr. LaFerla – Which at one point we did.

Mr. Watts – We threatened that probably about a year ago.

Mr. Tully – Should the letter come from Mr. Watts rather than us?

Mr. Watts – I can help draft it.

Dr. Buza – Or he can write it on behalf of us. This time we're giving them a finite thirty days and if they don't comply we're reporting them.

Mrs. Wohlleb – What they submitted was MSDS sheets from all the chemicals they use. They have two main processes; it's what they do to create the product they create and then because they work for all sorts of different pharmaceutical and food additive entities they have to clean up the batch they just made and then they contract the next guy so there is a cleaning process and it's really the cleaning process that we're really seeing the color. They identified MSDS sheets for the different chemicals related to both of those operations but they didn't actually identify the concentration that's being used. They didn't give us enough of an analysis.

Mr. Watts – One thing to remember, this has been going on for some time and we haven't had any problems.

Mr. LaFerla – The one time it did turn the river green.

Mr. Watts – Right but we haven't had any exceedences or upsets.

Mr. LaFerla – Right, it hasn't caused a problem for the plant.

Mr. Kinsella – Here's a further question, we don't know from any operation of what their coming out with?

Mrs. Wohlleb – You have agreements with all of the industrial customers, if I'm correct?

Mr. Watts – Yes, like Johanna Farms who does sampling.

Mr. Kinsella – We get reports on that? For this particular thing, if the operation changes, we still don't necessarily know what the use is out there, correct?

Mrs. Wohlleb – You mean if a new tenant comes in anywhere?

(many voices speaking at once)

Mr. Kinsella - There's a void here.

Mrs. Wohlleb – The one thing that you do with your customers, you send out, annually, a Commercial Survey where you try to identify occupants, square footages, a list of tenants and who's there.

Mr. Tully – Shouldn't we put something in place where when the Building Department or the Township issues a CO, we should get a copy of it?

Mrs. Wohlleb – We are involved in the CO process but this isn't a CO situation.

Mr. Tully – Well if they change tenants it has to be.

Mrs. Wohlleb – Not in this case.

Dr. Buza – Who gives you the annual report?

Mrs. Wohlleb – The RTMUA's billing department sends out an annual Commercial Survey to all of their commercial customers and I'm pretty sure the industrial customers, Mr. Miller?

Mr. Miller – We always sampled industrial.

Ms. Nicaretta – I'm pretty sure the Commercial Surveys only go out to the Commercial customers.

Dr. Buza – Can we require them to advise us when there's a change of tenants.

Mrs. Wohlleb – They are required.

Dr. Buza – They're not compliant?

Mrs. Wohlleb – I think there is some effort to identify who isn't responsive.

Dr. Buza – So you're saying when they go to get the permit we should be able to find out.

Mrs. Wohlleb – If somebody goes to the Township I think one of the first things they do is to call and see if RTMUA has a CoC or not.

Mr. Watts – If there is a change of use they have to get a CO through the Township. If they don't, they're in trouble that way and we wouldn't know but once they apply for a CO, then we find out about it.

Mr. Tully – That's only for a change of use. If it's industrial to industrial, you don't necessarily need a CO, if you're just renovating the inside, you just get a Building Permit.

Mr. Watts – I think they need a new CO with it if it's a new use or at least a CCO.

Mr. Kinsella – On the same site there's all the wells that are dealing with the contaminated ground, they've been pumping out for how many years now?

Mrs. Wohlleb – They're not pumping anymore, they've recently stopped.

Mr. Kinsella – Were we aware of what was coming in here?

Mr. LaFerla – Yes, because that was always sampled.

Mrs. Wohlleb – Yes, metered and sampled. That's what's odd about this site, is that you have from that facility, sampled and metered flow but you've got

two other buildings where tenants apparently can come in and out and there's no place to sample or meter the other two buildings.

Mr. LaFerla – The one building you probably could but we're not. There's supposedly a meter pit there. But at Summit Custom Spray Dry there's no place that you can meter. As a matter of fact they have a concrete pipe that comes out and there's a drain there and it just sort of pours down into the floor drain.

Mrs. Wohlleb – With your Industrial customers you typically create a special agreement with them.

3. Unfinished Business:

Mr. Kinsella – About the high school?

Mr. Watts – As you know we received correspondence from counsel for the High School Board of Education pointing out what our duties were; taking care of our own pipes and we answered the attorney pointing out that there is an easement and that it's not a good idea to put a football field over an easement. I haven't heard back yet but I'm sure I will in due course. I'm sure something will be worked out with the high school.

Mrs. Wohlleb – Right after Mr. Watts had sent his letter, Edwards Engineering, who is the engineer for the High School had asked to have a copy of the video that was done and it was sent to them.

Mr. Watts – I think their argument is "you can't prove we hurt your pipe" my answer is "you had a grass field over it, you had heavy equipment over it, you replaced the grass field with synthetic turf field and you shouldn't have anything over it anyway and do you really want us to fix it in place? We'll be happy to do that but you'll have a big sag in your field and that won't be our responsibility".

Dr. Buza – Not only that, isn't the break right beneath the goal post?

Mr. Watts – It's very suspicious that it would be there by coincidence. It's in their best interest to get it out of the field.
(many voices speaking at once)

4. New Business:

None

5. Professional Reports:

- a) Attorney - none
- b) Engineer –

Mrs. Wohlleb – Only one thing, we met earlier and had the Engineering Sub – Committee Meeting and it was helpful towards the Facilities Planning Report which I will issue to Mr. LaFerla and the Sub – Committee next week. Mr. LaFerla will be able to take the costing information that we've provided and then with Mrs. Struening and Mr. Miller, begin to plan the ten year Authority Capital budget.

6. RTMUA Reports:

- a) Administrative Report –

Mr. Kinsella – Just something I'd like to add to something Mr. Miller had said about Costco; the Historical Committee had a meeting the other day with Mr. Loventhal from Garden Commercial Properties. I mentioned to him about this thing stuck in the pipe and he said that's been taken care of but the problem with Costco is there is a homeowner on Route 31 who has a problem with the new access to the place. It's still going on as of last Tuesday, the Planning Board is involved but that seems to be the hold up on something that was supposed to open in September which will obviously not be and they don't even think by Christmas now.

Mrs. Wohlleb – From what I understand, there are different prototypes of different types of Costco's and they changed the prototype of it and they actually have to relocate one or two laterals that they put in and then they're doing all kinds of stuff with the building. They were making some changes at the corporate end.

Mr. Kinsella – The good thing for the Raritan Township Historical Committee is that after eight years they are going to finally cough up the money so we can restore the old school house over there. We're going to start that in August.

b) Operations Report

1. Chief Operator's Report –

Mr. LaFerla – Two things, this morning I talked about and went over with Dr. Dougherty the applications for the new employee; we went over them, I made my decision and I'd like permission to call and hire the guy. This is for the open position, if that's okay?

Mr. Kinsella – Sure, how soon can he start?

Mr. LaFerla – He'd like to give two weeks' notice so I'm going to call him tomorrow so that way on Monday he can give his notice and then he would start here July 6th. The second thing is just so that you know there was a broken sludge line under the building that we had to fix. At the next meeting you'll get the resolution. It was the sludge line coming in from the sludge holding tank. We had to reroute lines; those lines broke beneath the building and there was ten yards of cement on top of them that we had to jack hammer through and then had to reroute the lines outside the building.

Mr. Watts – One matter briefly, we were going to have a hearing for Mr. Stone at this meeting and obviously we didn't. The Union interceded and asked for more time and I also received a request from one of his attorneys so that's been carried until the July 16th meeting. He wants an open hearing and that was a specific request from the Union representative.

Mrs. Wohlleb – I have one other comment, yesterday I met with Pulte Homes, related to the Creekside Development and when the application and plans came in, I did my technical review and I've met twice with Pulte, once was a couple of weeks ago, and we went through a lot of the meat of the technical comments and then the second meeting that we had yesterday was related to two items. The first item Pulte did agree with was that in order for RTMUA to endorse the TWA Application that they would be preparing this summer, we needed to understand the existing flows inside the RTMUA pipe that they are going to be connecting to. We would like to evaluate the interceptor with three meters, they agreed they would sponsor two of the meters. Basically what we would need to do is, my firm, Hatch Mott MacDonald, has both staff and equipment to get out to the RTMUA manholes, install three meters and once activated we would look to let these meters run about three to four months at a maximum. What we're hoping to do is get thirty days' worth of data and see if we have the information we need to be able to

understand what the existing flows are in the interceptor. If that's the case than that's as far as we'll take it. We would at that point be able to make a recommendation to Pulte as to how they can construe their means of final connection to the RTMUA system. If we have to go longer, we'll go longer. What's nice about this arrangement is the metering has a two - fold purpose, it does benefit the developer because it tells him what to do and will allow him the means to submit for a TWA Permit but for us it going to give us a better understanding of how our interceptors are flowing right now in wet weather and dry weather which is something that hasn't been looked at in these sewer lines. I wanted to get permission from the Board to work with Pulte to get these meters installed and what we had suggested in terms of the financial arrangement was that, I had identified a cost to do the metering and to conduct the analysis that is necessary to determine the capacity of the line; kind of a "not to exceed" budget if we had to go the full four months of metering; it's a \$30,000.00 cost. Pulte would be paying two thirds of that cost and then the balance of the cost would need to be borne by the Authority. If there was a general consensus tonight that I could proceed in this way I would like to install the meters as soon as possible but I could for next meeting provide a write up which in essence would really be an engineering proposal so that what I'm doing and what the arrangement is for Pulte is documented. Pulte is going to be sending RTMUA something in writing saying they will pay their fair share of this metering but because the Authority would have to expend funds to cover the balance, I do need to prepare a proposal. This all happened so quickly I wasn't able to do it for this meeting but typically we work session and resolution our engineering proposals. We are willing to take the risk that if for some reason the expenditure doesn't happen, we'll come back and we'll pull the meters and we won't do it. That does put us in a somewhat bad position to not be able to at some point this summer sign off on the Treatment Works Approval Consent. It is my strong recommendation to do it but I don't want to assume that I have permission without asking to install the meters.

Mr. Kinsella – What's the estimate cost?

Mrs. Wohlleb – Not to exceed \$30,000.00.

Mr. Kinsella – And Pulte pays \$20,000.00?

Mrs. Wohlleb – Basically, yes.

Mr. Kinsella – And we benefit? Is it something we could do anyway or not as far as the meter?

Mrs. Wohlleb – I don't know the status of your own meters for this summer to calibrate them and pull the data.

Mr. Tully – If we did it anyway, there would still be some cost.

Mrs. Wohlleb – One benefit too would be if we follow this procedure and we follow this proposal, it's been our practice for the last couple of years to let Flemington Borough know to the extent that they would have some participation in a portion of this, we could identify it so again the true cost to the Authority is somewhat reduced by that cost sharing as well.

Mr. Kinsella – Do we have money set aside to do this?

Mrs. Wohlleb – Your cost would be under \$10,000.00.

(many voices speaking at once)

Mrs. Wohlleb – And if we document this as well if there are other users that would benefit from this information. Pulte is here and they really would like to, by the end of the summer, submit their significant DEP permits, which the TWA is one of them. That's the sense of urgency.

Mr. Kinsella – I'm fine with it.

Dr. Buza - I support your strong recommendation.

Mr. Tully – Yes.

Mrs. Wohlleb – So for the next meeting, I'll prepare a proposal for your Work Session and again, if for some reason it is not adopted, we won't do it.

Ms. Nicaretta – I can email the proposal to the Commissioner's before the meeting so they have it ahead of time to review and have it as a Resolution at the July meeting so it can be voted on.

Mr. Kinsella – Okay. Pulte really has to do this, there's no other way around it, they have to do it.

Mrs. Wohlleb – It seemed like they agreed at the meeting yesterday and I explained the reasons why and even their engineer recognized the need to do it.

Mr. Kinsella – And this can't benefit Baldacchino at all?

Mrs. Wohlleb – That was the second thing that did come up. There are some issues with trying to pull these entities together and it's a timing issue. If this project had been on the radar ten years ago and Baldacchino came in, maybe things could have been different. Right now Baldacchino has all of his approvals, to proceed his way. Pulte right now they do not have an interest to run sewers in Ridge Road. Again, from an engineering and technical standpoint it makes all the sense in the world but with the layers of Township and Authority approvals and the fact that Baldacchino is ready to go, hands are sort of tied unless both the Township and the Authority want to make the investment in breaking those covenants and I don't get a sense at this point that that's the case. I have no reason to stop him or issue a stop work order, if he calls and says "I'm ready, I need an inspector" then he's entitled to it. I just felt that we had to ask and if we

and the Township can have it well documented that the developer said “no” and there’s no legal reason that we have to make them do it, them being Pulte, then it’s just documented for future reference so if there’s public comment down the road that says “why didn’t you think to let the sewers be gravity here” you have some effort to show we tried.

- i) Overtime Recap - ok
- ii) Septage / Greywater Recap - ok

- 2. Laboratory Summary - ok
- 3. Maintenance Summary - ok
- 4. Readington Flows - ok

c) Commissioner’s Comments:

None

7. **Discussion:**

a) Legal & Engineering and Inspection Escrow for Projects

Not discussed.

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

9. **Adjournment of Work Session:**

Mr. Tully made a motion to adjourn the Work Session. Dr. Buza seconded the motion. All were in favor. The Meeting ended at 6:02 pm.