

APPROVED

RARITAN TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY

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In the Matter of: :  
: Transcript  
RATE HEARING :  
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: Proceedings  
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Thursday, December 16, 2021  
365 Old York Road  
Flemington, New Jersey 08822  
Commencing at 5:32 p.m.

C O M M I S S I O N E R S:

JOHN TULLY, Chairman  
VALERIE E. ROBITZSKI, Vice-Chairperson  
MICHAEL MANGIN, Secretary  
LOUIS REINER, Asst. Secretary/Treasurer

A L S O P R E S E N T:

RAYMOND FRANK, Chief Operator  
REGINA NICARETTA, Executive Secretary  
DAN MADDEN, Consulting Engineer  
(Johnson, Mirmira & Thompson)  
MICHAEL CRAGIN, Auditor (Bowman & Company)

A P P E A R A N C E S:

WATTS, TICE & SKOWRONEK  
BY: GREG WATTS, ESQUIRE  
Attorneys for the Board

MICHAEL LOMBARDOZZI CSR, LLC  
Somerville, New Jersey 08876  
mlombardozzi92@gmail.com

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TABLE OF CONTENTS

WITNESS PAGE

(No witnesses sworn.)

E X H I B I T S

NO. DESCRIPTION PAGE

(No exhibits marked.)

1                   CHAIRMAN TULLY: This meeting is  
2 called to order at 5:32 p.m. This meeting has  
3 been advertised in accordance with the Open  
4 Public Meetings Act, setting forth the time and  
5 Raritan Township Municipal Utilities Authority as  
6 the place of said meeting. A copy of this agenda  
7 has been posted on the office bullet board.

8                   Regina?

9                   MS. NICARETTA: Mr. Kendzulak?  
10                  Mr. Mangin?

11                 COMMISSIONER MANGIN: Here.

12                 MS. NICARETTA: Mrs. Robitzski.

13                 COMMISSIONER ROBITZSKI: Here.

14                 MS. NICARETTA: Mr. Tully.

15                 CHAIRMAN TULLY: Here.

16                 (Whereupon, the pledge of allegiance  
17 is recited.)

18                 CHAIRMAN TULLY: We're going to go  
19 right to the rate hearing.

20                 MR. WATTS: Okay. It's at this  
21 juncture every year that we have a rate hearing  
22 to establish both the user fees for the upcoming  
23 year, the base user fees, and the connection  
24 fees. Mike Cragin, our auditor, is here, and he  
25 can report to you as to how those figures were

1       calculated.

2                   MR. CRAGIN:  So the user rate and the  
3       base fee will not be increasing this year; they  
4       will stay at 174 for the base fee and 674 for the  
5       user fee.

6                   The 2020 budget did not require an  
7       increase of those fees in order to support that  
8       budget, through the utilization of --

9                   MR. WATTS:  Mike, slow, he's got to  
10      take everything down.

11                  MR. CRAGIN:  So the use of the  
12      revenues and some net positions from prior year  
13      projects not utilized helped to support a rate --  
14      a no rate increase this year.

15                  Additionally, the connection fee was  
16      calculated to be 4,246 this year, based on the  
17      capital base, the increases of bond and loan  
18      principal and interest payments, and also funds  
19      that were used.

20                  MR. WATTS:  Mike, we're going to have  
21      to stop, because we won't have a quorum here for  
22      a second.

23                  (Whereupon, there is a brief pause in  
24      the proceeding, and Mr. Reiner arrived for the  
25      meeting.)

1 MR. CRAGIN: So as we discussed, the  
2 connection fee was calculated at \$4,246, an  
3 increase of 268 from last year's. This is based  
4 on bond and principal -- bond and loan principal  
5 and interest payments, as well as renewal  
6 replacement funds.

7 CHAIRMAN TULLY: Okay.

8 MR. WATTS: Okay. Are there any  
9 members of the public here that have any  
10 questions with regard to the rates just explained  
11 by our auditor?

12 The record should reflect there are  
13 no members of the public that have a question.

14 Do any commissioners have any  
15 questions as regards to the setting of those  
16 rates?

17 CHAIRMAN TULLY: No.

18 MR. WATTS: If not, it would be  
19 appropriate to consider a resolution to establish  
20 the connection fees first. You can go through  
21 that.

22 CHAIRMAN TULLY: Okay. So for  
23 Resolution 2021-71, it's the establishment of the  
24 connection fees as just explained by Mike. If  
25 nobody has any questions, can I get a motion for



1 approval?

2 VICE CHAIR ROBITZSKI: Motion.

3 MR. MANGIN: Second.

4 MS. NICARETTA: Mr. Mangin?

5 COMMISSIONER MANGIN: Yes.

6 MS. NICARETTA: Mr. Reiner?

7 COMMISSIONER REINER: Yes.

8 MS. NICARETTA: Mrs. Robitzski?

9 VICE CHAIRWOMAN ROBITZSKI: Yes.

10 MS. NICARETTA: Mr. Tully?

11 CHAIRMAN TULLY: Yes.

12 Next would be 2021-72, the  
13 establishment of the sanitary sewer user fee,  
14 again, based on what Mike just described to us,  
15 anybody have any questions?

16 If not, can I get a motion?

17 VICE CHAIRWOMAN ROBITZSKI: So moved.

18 MR. MANGIN: Second.

19 MS. NICARETTA: Mr. Mangin?

20 COMMISSIONER MANGIN: Yes.

21 MS. NICARETTA: Mr. Reiner?

22 COMMISSIONER REINER: Yes.

23 MS. NICARETTA: Mrs. Robitzski?

24 VICE CHAIRWOMAN ROBITZSKI: Yes.

25 MS. NICARETTA: Mr. Tully?

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CHAIRMAN TULLY: Yes.


MR. WATTS: That concludes the public hearing.

(Whereupon, the hearing concluded at 5:37 p.m.)

C E R T I F I C A T E

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5 I, Michael Lombardozzi, a Notary  
6 Public and Certified Court Reporter of the State  
7 of New Jersey, do hereby certify that the  
8 foregoing is a true and accurate transcript of  
9 the testimony as taken stenographically by and  
10 before me at the time, place, and on the date  
11 hereinbefore set forth.

12 I do further certify that I am  
13 neither a relative nor employee nor attorney nor  
14 counsel of any of the parties to this action, and  
15 that I am neither a relative nor employee of such  
16 attorney or counsel and that I am not financially  
17 interested in this action.

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20 Michael Lombardozzi,  
21 Certified Court Reporter, State of New Jersey  
22 CERT #: 30X100239700  
23 Date: 4 Jan 2022  
24  
25



APPROVED

RTMUA  
12/16/21 Regular Meeting  
Page 1 of 10

Mr. Tully – We are going to continue to go a little out of order tonight and do the Citizen's Privilege part of the meeting.

Mr. Lanza – My name is John Lanza, and I am representing W. Brands, we are here requesting an extension of our sewer capacity Agreement. That Agreement was due to expire at the end of this year. We needed a deemed complete Application from the Raritan Township Planning Board, and we were not able to do that. According to my client, there was an issue with a misunderstanding on what was required as far as getting a completed plan for the Planning Board. Also, we did take action, we met with Township officials regarding the use of the property, and we have our Project Manager here and we have people who are interested in developing the property and that is holding us up somewhat because of discussions concerning the size and the nature of the structure and we have fulfilled our obligations regarding fees and user fees. We do request an extension of time; I know that we had since March and did not fulfill our obligation and I do apologize to the Commissioners for that. We did fulfill our financial obligation and you are getting the user fees. I would like to get an extension for another year just because of the backlog of the applications. It is difficult to deal with some of the engineering these days with the backlogs in their companies and to get all the matters moved expeditiously. So, we ask for an extension knowing this is absolutely the last time we will be able to do that.

Mr. Tully – I understand that you said that there was a misunderstanding from the Applicant; the Applicant is a developer and has developed other properties, correct?

Mr. Lanza – Correct.

Mr. Tully – He should understand the process and what it takes to get a plan together and what it takes to go through the process. Personally, I do not buy that excuse that he did not understand. However, I think in fairness because I do know that engineering firms are quite busy right now in getting actual work done, I would be willing to entertain a six – month extension rather than a year. Six months from the December 31<sup>st</sup> date to the end of June. At this point, if you are not nearly ready to go, when will you be?

Mr. Lanza – This is Mr. Kenneth Worden, he is our Project Manager and also an agent for Coldwell Banker. He is also trying to market the property for us.

Mr. Worden - I was fortunate enough to meet the landowner and he has owned the land for a significant amount of time. We had talked about the various different aspects of the possibilities and which way to go. We knew what the zoning was, as you are probably aware, there is quite a bit of apartment housing that went in along that road which kind of changed the flavor a little bit. We looked at the possibility with a variance with Costco and Walmart there and thought one of those bigger guys would come in and make it into a retail facility. I went out and banged all the bushes I could bang, and I came up with the best use which would be an industrial use. The market is there and there are a lot of people looking for industrial site warehouse type properties. I just sold, on River



Road, the Larken Associates project; they have a hundred seventy-five thousand square feet of flex space, and they are putting that in. I had to convince the owners of the direction we should definitely take on a warehouse type of facility and I put the property out to multiple developers, one was an industrial and commercial developer. I met with them and talked about five or six configurations on how the building should layout. We also have two or three clients that are looking to potentially acquire but the problem is to get anyone to sign on the dotted line on a project that big.

Mr. Tully – I don't want to cut you off but, I just want to get a sense from the rest of the commissioners what their time frame is. If anybody else has an inkling from six months to a year for an extension.

Mrs. Robitzski – How fair do you feel six months is?

Mr. Worden - The problem is that I don't have a signed, definite tenant right now. They will build the building themselves. The configuration will depend upon which client purchases because they have different requirements for loading docks etc. To go in with a hard copy to just say "let us get our Planning Board thing in", we could do that and then go back to the Planning Board again when we get the changes.

Mr. Tully – I'm just afraid that six months is going to go by and there is not going to be a Planning Board application and then you are not going to be able to get on an agenda. I also work for the Township, I'm the Assistant Engineer, so I have reviewed all the other plans for Larken, Pioneer and all the other ones. I can tell you if it is a Zoning Board application, if you submit it today, you won't be on until April. The Planning Board is a little more wide open but it is starting to fill up so you would need to have something in, within the next three or four months to guarantee you would be on and heard by...

Mr. Worden - ...That's what I'm afraid of. We will push as hard as we can.

Mr. Tully – Do you think you will be in before the Board within the next four or five months? Like April or May?

Mr. Worden - Do I think it is possible? It might be possible but at this point I'm just being open. If I had a signed deal, I would say yes, but I don't.

Mr. Tully – At that point, I know how everything is working in the Township and after hearing the description, I think a year might be more reasonable. Until next December.

Mr. Watts – That will be one year to have an Application deemed complete. They have paid full Connection Fees and they are paying User Fees as if they were fully connected, so it is not a negative to the Authority at all.

Mr. Worden - I assure you we have plenty of interest in the property. I appreciate any consideration.

Mr. Watts – We will have a resolution for the January meeting, authorizing the Chairman to sign an Amendment to the Agreement that would keep the initial terms the same and the Applicant will have until December 31, 2022 to have the Application deemed complete.

General consensus by Board.

Mr. Tully – We will go into Closed Session now to discuss Contractual and Legal Matters and Personnel Matters and no action will be taken on anything discussed in Closed Session.

Mr. Mangin made a motion to adjourn into Closed Session for the above stated purpose and Mr. Reiner seconded the motion. Closed Session was from 5:47 pm – 6:08 pm.

Resolution #2021 - 73      Adoption of Certified Budget for FY 2022

Mr. Reiner made a motion to approve Resolution #2021 – 73, Mr. Mangin seconded the motion.

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

Resolution #2021 - 74      Designation of Public Agency Compliance Officer

Mr. Mangin made a motion to approve Resolution #2021 – 74, Mrs. Robitzski seconded the motion.

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

Resolution #2021 - 75      Resolution Authorizing Raritan Township Municipal Utilities Authority to Become a Member of the Somerset County Cooperative Pricing System, #2-SOCCP, and Authorizing Execution of a Membership Agreement

Mrs. Robitzski made a motion to approve Resolution #2021– 75, Mr. Mangin seconded the motion.

Roll Call Vote:	Mr. Kendzulak, Jr.	-	Absent
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

Resolution #2021-76      Employment of Victoria Holloway as Full Time Office Assistant

Mrs. Robitzski made a motion to approve Resolution #2021 – 76, Mr. Mangin seconded the motion.

Roll Call Vote:	Mr. Kendzulak, Jr.	-	Absent
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Yes
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes

6.      **Approval of Minutes:**      Minutes of November 18, 2021

Mrs. Robitzski made a motion to approve the minutes from the November 18, 2021 meeting. Mr. Mangin seconded the motion.

Roll Call Vote:	Mr. Kendzulak, Jr.	-	Absent
	Mr. Mangin	-	Yes
	Mr. Reiner	-	Abstain
	Mrs. Robitzski	-	Yes
	Mr. Tully	-	Yes



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

Mr. Tully - The bills totaled \$\$445,134.22. All appears to be in order. If you look at the last green page; you will see that we are about 83% through the Budget, which is about right, we are in month twelve and we are in good shape with the Budget.

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

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

**8. Citizens' Privilege:**

Previously discussed

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

Previously discussed

**10. Adjournment of Regular Meeting:**

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

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
WORK SESSION MINUTES

DECEMBER 16, 2021

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

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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) John R. Lanza, Esquire of Lanza & Lanza, LLP to Chairperson and Board of RTMUA regarding Block 16.01 Lot 37, W. Brands Agreement Concerning Wastewater Treatment Capacity

Previously discussed.

3. **Old Business:**

None

4. **New Business:**

None

5. **Professional Reports:**

a) Attorney –

b) Engineer –

Mr. Madden – There were a couple of major things we were working on in the past month. We were trying to finalize our SCADA requisitions for bringing in a specialist to review the SCADA system. We brought three companies in, and they reviewed what we have so they could get an idea of what the scope of the work would be. I drafted a Request for Qualifications to send to those three for a formal proposal and then you can select based on that or we left it in there if you want to interview them, you can bring them in for an interview. Mr. Frank and I met with all three of them, they all seemed very capable in their field and are specialists in their field, so we got good vibes from every one of them.

Mr. Tully – Who were the three?

Mr. Madden – EMA, Avanceon and Morehouse Engineering.



Mrs. Robitzski – Was one any better than the other?

Mr. Madden – I would say they were all 95+. Knowing sewer systems, plants, things like that and understanding how it relates to what you need to do. They all seemed very on board with that.

Mr. Tully – Mr. Frank, what did you think? If you had to work on an extensive basis with them.

Mr. Frank – I liked all three of them. I liked Mr. Morehouse's proposal and what he proposed. He is a Commissioner at Stony Brook; he's been a long time Commissioner there. He thinks our system is in great shape. We have a good infrastructure to build upon. I think he is local. I think he is in Hopewell.

Mr. Madden – The other two are from the Philadelphia area but they all work in New Jersey. We got the references from AEA; different members of the AEA said, "use them, use them, use them". I guess my question is, I want to update this and get it out. Depending on what your schedule is, when do you want to award this? I think replies need to be in by the end of January.

Mr. Tully – In by the end of January, review them for the February meeting, and then maybe March at some point?

Mr. Madden – February is your reorganization; if you want to handle them as a professional.

Mr. Tully – That way too, if we get them in January, we can interview them in the next couple of weeks.

Mr. Madden – So, we will ask them for a price breakdown of man hours and all that?

Mr. Tully – Man hours, rates. There is no way to know what they're going to do.

Mr. Madden – They looked at stuff for about an hour or so.

Mr. Tully – I would say ask them for whatever recommendations they may make based on the short time they were here and an associated cost, I don't know what else.

Mr. Madden – Maybe I can call you to discuss this?

Mr. Tully – Yes.

Mr. Madden – The other thing, I know everyone was anxious to start addressing some of these I & I problems we have been having. Mr. Frank and I met, and we have an Evaluation Chart in here for some of the things we found going through the videotapes. There are some projects that Mr. Frank's staff can do; sleeves that are inserted into the pipes, they are looking to do some of those. I guess there was an issue with money being available to do this because last year the Ida storm took up a lot of money. So, we have a few manholes we want to send out right away, once the

money is available. Though it may be an issue where they have to wait for warmer temperatures.

Mr. Tully – At least you have identified them.

Mr. Madden – The next phase is we would lump a bunch of these together, based on priorities and start putting them out to bid or go through the Co-op. If we go through the Co-op, it would be better. You have multiple Co-ops so I will work with Mr. Frank and his staff to do that.

Mr. Tully – The proposed flow meter location, is that buying a new flow meter?

Mr. Madden – We are moving the ones we have around. It makes sense, to maybe buy another one. We are trying to re-establish what is going on back there, because we have such high hydraulics in the system back by Johanna, we are trying to go upstream and downstream to see if we can get more stable flows and get a better grip on what is going on there. I don't know if that will be the answer, but we have also identified multiple things in that region to fix with sleeves and the grouting and things like that so. I'm not sure if they want to do the grouting in the winter because they do use water in the system in the process.

Mr. Frank – The sleeving they can do.

Mr. Tully – Last time you were saying there was something at Carriage Gate, did you determine what that was? Like a manhole rim or something?

Mr. Madden – That was submerged. That kind of threw everything out of whack. I think Mr. Frank has put some inserts in there at this point. Our staff engineer, Ms. Hickok, has been working with Mr. Frank's group to walk the lines to look for and find things. We are stepping this up to try to meet your needs.

Mr. Tully – This is very helpful.

Mr. Madden – I have also been working with Mr. Watts, he is writing these letters regarding the surcharges. On the back burner we have some other things like the design for the sludge holding tank. We met with one of the reps for them. Those are the major highlights for the month.

Mrs. Robitzski – Readington Township and Johanna, is there anything we have to decide on those?

Mr. Tully – No, I was hoping Mr. Kendzulak, Jr. would be here to have input on that because he had some good input the last time we talked about it and I would like a full consensus of the Board. The development review you did Mr. Madden, which one is Block 36 Lot 13, 180 Pennsylvania? Is that Pioneer or Esko that is right by TD Bank.

Mr. Madden – No, it was off Royal Road, I thought it was landlocked.

Ms. Nicaretta – It is the old Barbiche property.



Mr. Tully – Okay, that is Pioneer.

Mr. Madden – We are still reviewing; we have some questions.

Mr. Tully – From our end at the Township, they need approval from here before we sign any plans.

**6. RTMUA Reports:**

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator's Report

Mr. Frank – Flemington did not go online last month. I met with the sludge storage tank people. We are going to get ready to go out to bid on that. Again, Mr. Madden and I met with Readington regarding their need for capacity to build that COAH housing down in Three Bridges. We told them “no”. They are still sold on the idea that they are going to be able to minimize their I & I to stay within their permitted flows and still squeeze this in. I told them good luck and I would like to see a couple of years of good data before we would consider it.

Mr. Tully – At least two years minimal.

Mr. Frank – Minimal. We did finally get our reimbursement from FEMA for our COVID expenditures, in the amount of \$7,469.00. We are currently going back to FEMA for reimbursement for Ida, they told us we need to go through the insurance company first. I met with the insurance adjuster today to show him the two sites we had damage to. He said everything was reasonable and after we get done with them, we can still go back to FEMA, and they will try to make us whole. He did say that we would still be able to recoup since it has been two months since Ida, and he said we could also look at some of the overtime costs we had to endure. Mr. Sciss received another outstanding Loss Control Report from JIF, so that was a great thing for Mr. Sciss. Ms. Nicaretta did JIF Executive Safety Meeting last week since Mr. Sciss and I were both out.

a) Overtime Recap

b) Septage / Greywater Recap

2. Laboratory Summary

3. Maintenance Summary

4. Readington Flows

b) COMMISSIONERS' COMMENTS

None

7. **Discussion:**

a) 2021 Inflow and Infiltration Study Report

Previously discussed

b) RQP's for SCADA System Upgrades

Previously discussed

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. Mangin seconded the motion. All were in favor. The Meeting ended at 6:28 pm.