

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

JANUARY 23, 2023

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. Anclien	Here
Mr. Hazard	Here
Mr. Kendzulak, Jr.	Here
Mr. Scipione	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**

Chair Tully – We will be going into Closed Session to discuss Personnel Matters; action will likely be taken at the conclusion of Closed Session.

Mr. Hazard made a motion to adjourn into Closed Session for the above stated purpose and Mr. Anclien seconded the motion. Closed Session was from 5:01 pm – 5:07 pm.

Mr. Tully – We are back in Regular Session.

4. **APPLICATIONS:**

None

5. **RESOLUTIONS:**

Resolution #2023 - 01 Association of Environmental Authorities Annual Membership Dues

Mr. Kendzulak, Jr. made a motion to approve Resolution #2023 - 01, Mr. Anclien seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 02 Waiving of Sanitary Sewer User Fees for Vern Ainslie Block 15 Lot 22

Mr. Hazard made a motion to approve Resolution #2023 - 02, Mr. Anclien seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 03 Authorization to Sign Contract Between Low Income Household Water Assistance Program (LIHWAP), New Jersey Department of Community Affairs and Raritan Township Municipal Utilities Authority

Mr. Kendzulak, Jr. made a motion to approve Resolution #2023 - 03, Mr. Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 04 Authorization to Sign Data Sharing Agreement
Between State of New Jersey, Department of
Community Affairs and Raritan Township Municipal
Utilities Authority

Mr. Hazard made a motion to approve Resolution #2023 - 04, Mr. Anclien
seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 05 Reversion of Wastewater Treatment Capacity to
Raritan Township Municipal Utilities Authority Block
16.01 Lot 37

Mr. Hazard made a motion to approve Resolution #2023 - 05, Mr.
Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 06 Authorization for Termination of Performance Bond
Russell Reid Waste Hauling & Disposal Service Co.,
Inc. Sludge Hauling Contract (March 20, 2020 -
December 31, 2022)

Mr. Anclien made a motion to approve Resolution #2023 - 06, Mr. Scipione
seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 07 Authorization for Termination of Performance Bond
Russell Reid Waste Hauling & Disposal Service Co.,
Inc. Septage Receiving Tank Cleaning

Mr. Kendzulak, Jr. made a motion to approve Resolution #2023 - 07, Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 08 Authorization to Purchase Caterpillar Emergency
Generator System (ESCNJ Co-Op)
(Price = \$487,800.00)

Mr. Anclien made a motion to approve Resolution #2023 - 08, Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 09 Intent to Award of Contract to National Auto Fleet
Group for the Purchase of a 2023 Ford Super Duty F-
600 DRW (F6L) XLT 4WD Regular Cab 169" WB 84"
CA, A & K 6,000 Pound Crane Body (Sourcewell
Cooperative Purchasing Program)
(Price = \$163,710.70)

Mr. Kendzulak, Jr. made a motion to approve Resolution #2023 - 09, Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 10 Appointment of Ethbaal Pena as Midnight Shift Crew Chief

Mr. Hazard made a motion to approve Resolution #2023 - 10, Mr. Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 11 Health Benefits Regarding Employee Christopher Cooper

Mr. Anclien made a motion to approve Resolution #2023 - 11, Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

6. **Approval of Minutes:** Minutes of December 15, 2022

Mr. Hazard made a motion to approve the minutes from the December 15, 2022 meeting. Mr. Anclien seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

7. Treasurer's Report / Payment of Bills:

Mr. Kendzulak, Jr. - The bills totaled \$556,897.92; everything appears to be in order. Basically, there are two parts in here. If you go to the light blue page, you will see we are at 84.73% and that would be for last year, calendar ending December 31st. Obviously, we are below \$100,000.00 but this isn't final until the Audit is done, and everything will be reconciled but we are in pretty good shape being that far below the budget. After the first month, the dark green page, you will see we are at 2.57% and we are just starting, we are not even through the entire month of January.

Mr. Scipione made a motion to approve the payment of bills. Mr. Ancien seconded the motion.

Roll call vote:	Mr. Ancien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

8. Citizens' Privilege:

None

9. Adjourn into Closed Session by Motion, if Needed

Previously discussed.

10. Adjournment of Regular Meeting:

Mr. Hazard made a motion to adjourn the Regular Meeting. Mr. Scipione seconded the motion. All were in favor.

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

JANUARY 23, 2023

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:**

- a) To Ray Frank, Chief Operator of RTMUA from Chris Jepson, PE of Van Cleef Engineering regarding Readington Township Sewer collection System Monthly Report

Mr. Tully – Mr. Frank, I read this, this basically doesn't say much. Do you want to go over what it is? Did you talk to anyone about it?

Mr. Frank – No, I didn't. Evidently, this is their new...

Mr. Madden – I think they are supposed to submit to you as the receiving entity; a monthly report and that is probably what this is. I think they are finally getting around to doing it. This is what the operator should be doing as part of his license.

3. **Unfinished Business:**

None

4. **New Business:**

None

5. **Professional Reports:**

- a) Attorney – None
 - b) Engineer –

Mr. Madden – There are several projects going on. One of them that I'd like to talk to everyone about is the sludge holding tank that is being replaced. When we took the tank apart, we kept the bottom, what they call a starter ring, in place because we didn't want to dig up all of the concrete. After they took it down, they found that there was some pitting in a little bit of it so they need to do some patchwork that wasn't included in the original

contract and they are estimating it to be about \$4,000.00 to \$5,000.00 when it comes in. I think it is money well spent because you want that to last.

Mr. Scipione – Is it something like they weld a plate in place?

Mr. Madden – They can't really weld it because it is glass lined.

Mr. Tully – How old is the tank?

Mr. Madden – I think it has to be at least twenty to twenty – five years old.

Mr. Frank – It's older than that, I'd put it closer to thirty.

Mr. Madden – The paving project is done; we are just waiting for them to submit the final paperwork. I have been working with Mr. Frank on the Flemington Wet Weather Facility bid; the DEP is making us do that so we are going to have to bite the bullet and do that.

Mr. Hazard – What is the scope of that?

Mr. Madden – They are making us have the tanks leak free, but they don't really leak. They also want us to paint the inside of the building because there is paint peeling off of the walls and they think it is getting into the effluent. We have to follow what they want us to do. We are trying to keep it as minimal as possible.

Mr. Hazard – What is the scope of the compliance order from the State for the Wet Weather Facility? That's it?

Mr. Madden – Our thought was Flemington was better off spending their money on their system since they are going to be under this Administrative Order, rather than putting their money into that old facility if the DEP would allow it but Mr. Frank checked and they said we still have to do it. That Consent Order will go for ten years. They are eventually going to want them to take that facility off line. That is why we said why pay this money to fix it needlessly and they have to pay eighty percent. We discussed the generator replacement.

Mr. Tully – What is the timeline on the generator?

Mr. Madden – It is going to be at least eighteen months.

Mr. Scipione – What is the estimate on the installment of the new generator when it is swapping over? Is there any pre – work we can do until we get the new generator?

Mr. Madden – The vendor is going to do all of the work. They will take the old one out and put the new one right in. We have to have it synchronized.

Mr. Scipione – Are we looking at a week for swapping it in and out?

Mr. Madden – I don't know how quick it will be, I have to find that out. There will be a period where we will be without a generator. I don't know how long that will be. One of the things we have in this project is a connection for an emergency. If our generator is not working, they can come

quickly and plug leads in. We submitted the fourth quarter capacity report. It was a typical fourth quarter, for you guys who are seeing this for the first time, the numbers we are tracking, where are we over or under our permit. All of the flow that we projected plus what is happening right now that comes through. We see it fluctuate quarter to quarter but typically in the fourth quarter it is a little wetter. We keep an eye on that; there have been a couple of significant storms. The septage tank is done, we are working on these diffusers and the design for the bar screens and the belt filter press. That is part of the IBank project we are putting together, there are two to three components to that. The pumps, we are looking to see if the IBank will pay, I think they will, if we bought them through a co – op. I want to verify that. Other than that, if there are any other questions I can answer.

6. RTMUA REPORTS:

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator / Director's Report –

Mr. Tully – The Chief Operator report, Mr. Frank.

Mr. Frank – I didn't have a whole lot between our last meeting and then I was on vacation. The one thing I do want to bring to your attention is Readington's flows; 9,000 gallons off of their limit and they want to put that housing in that will generate 16,000 a day.

Mr. Kendzulak, Jr. – How is that going to play out?

Mr. Tully – We are going to be on the hook for it.

Mr. Kendzulak, Jr. – We have to have some kind of penalty system in place.

Mr. Watts – That would have to go into a new Agreement.

Mr. Kendzulak, Jr. – It has to be something that is going to hurt somehow. What is it going to cost Raritan Township here? We don't have that capacity, that means that our folks here, businesses here, don't have it. What does it take to get that back as far as correcting I & I issues? Mr. Madden, I know we talked about that. There needs to be some type of analysis, you can't just pull a number off of your head.

Mr. Madden – I have actually researched this a little bit, there is an organization that started doing a study on this. If you bring a developer in and he fixes an eight inch line, for a hundred feet, how much credit of flow does he get for that? I'm trying to find out if there is a way to correlate that to our system. Every gallon of flow removed,

such as Readington in this case, for every gallon they remove, they would have x, it would cost a certain amount, so we try to correlate that into a dollar amount.

Mr. Tully – The flip side for them is every gallon that is over.

Mr. Madden – Exactly, but they could force the developer to take care of the whole sixteen thousand because we are not raising their rate.

Mr. Kendzulak, Jr. – At some point, it has to stay at 125,000. Once that goes online and they start hitting 130,000 and 5,000 over, there needs to be a penalty for that so we can theoretically take that money and find 5,000 to offset that in repairs.

Mr. Madden – That is where I am kind of going...

(many voices speaking at one time)

Mr. Kendzulak, Jr. - ...at the end, when this Agreement is done, we need to have some type of number in there, that this is what it is going to cost them.

Mr. Watts – I think the way it is measured, is critical. It can't be...

Mr. Kendzulak, Jr. - ...Not pull a number out and say it is \$10,000.00 for every; you have to come up with what does it cost to go through and find this, these issues?

Mr. Tully – One thing is finding the issues but if it is ten thousand gallons extra a month, what does it cost? We are going to go through chemicals faster, what does it cost us on our end? To treat it, per gallon, is it five dollars extra plus whatever it costs to find it? Because it is a two prong...

(many voices speaking at one time)

Mr. Madden – They pay for that either way, though, right? They pay by the gallon.

Mr. Kendzulak, Jr. – Whatever it is, when it is time to sign this new Agreement, that needs to be part of it and there needs to be some type of engineered number that makes sense, and the penalty needs to hurt.

Mr. Tully – There has to be some kind of chart or something that goes with it that says it, like a sliding, for every...how do we get this new Agreement started Mr. Watts?

Mr. Watts – The last instruction I got was to work slowly with Readington, which I am doing.

Mr. Tully – How fast is this going to come back, the judicial part of it, and then say, yes, you have to do it? Is it a year? Is it six months?

Mr. Watts – I think they are under the gun to get this done soon.

Mr. Tully – So, we should probably have the Agreement sooner rather than later.

Mr. Watts – We should let them know these numbers.

Mr. Hazard – We have to let them know.

Mr. Watts – Plus, the Sewer Master should know that. This is the average daily flow. They are going to want a quarterly flow, so it may be bad for a month, but if it is not bad for more than that they are not going to care.

Mr. Scipione – When they go over, they are still paying the per gallon.

Mr. Watts – Yes, but no penalties.

Mr. Tully – Johanna, that is the other thing. We have to have something similar with them at some point. Mr. Tyler is supposed to be working on that, right?

Mr. Watts – Yes. I will give him a nudge.

Mr. Hazard – We use the same equation with Johanna as we do with Readington.

Mr. Tully – Yes, keep it consistent.

Mr. Madden – What I originally proposed was a percentage of overage. Johanna is a different animal though.

Mr. Kendzulak, Jr. – That number of 270 is up for debate. We thought it was 270 but that DEP thing that came through, the 270 doesn't count is my understanding. We need to renegotiate that.

Mr. Tully – The DEP Permit basically didn't have a limit on it, correct?

Mr. Madden – They also wanted an Agreement. I'll look into it. I talked to somebody about it and they were researching what they had but I haven't had a chance to go through the whole thing. I'll work on that.

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

b) COMMISSIONERS' COMMENTS

7. **Discussion:**

a) 4th Quarter 2022 Capacity Evaluation

Previously discussed.

b) Sludge Holding Tank #1, Contract 22-1, Change Order #1

Previously discussed.

c) Authorization for Mr. Frank, Mr. Sciss and Ms. Willett to Attend the AEA Utility Management Conference in Atlantic City, March 14 & 15, 2023

Mr. Ancien made a motion, Mr. Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Ancien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Scipione	-	Yes
	Mr. Tully	-	Yes

d) Meeting Dates for Year 2023

Mr. Tully – They are the same, the third Thursday of each month unless anyone has an issue with that.

Mr. Frank – Except for December, that one is the second Thursday of the month.

e) RTMUA Professional Contracts

Mr. Tully – Ms. Nicaretta, anything in the Contracts we need to know about?

Ms. Nicaretta – Mott MacDonald declined to submit a Contract this year.

Mr. Tully – We kept Mott MacDonald for Special Projects, after we switched consulting engineers, so I don't know if we want to try to get a Special Projects Engineer or wait until something comes up.

Mr. Watts – Wait until it comes up and then appoint someone.

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

Chair Tully – We will be going into Closed Session to discuss Personnel Matters; we do not anticipate any official action will need to be taken once we come out of Closed Session.

Mr. Hazard made a motion to adjourn into Closed Session for the above stated purpose and Mr. Kendzulak, Jr. seconded the motion. Closed Session was from 5:38 pm – 6:47 pm.

9. **Adjournment of Work Session:**

Mr. Hazard made a motion to adjourn the Work Session. Anclien seconded the motion. All were in favor. The Meeting ended at 5:48 pm.