

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

JANUARY 16, 2014

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:**

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

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

3. **PLEDGE OF ALLEGIANCE**

4. **APPLICATIONS:**

None

5. **RESOLUTIONS:**

Resolution #2014 - 01 AEA Annual Membership Dues

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 - 01, Mr. Kinsella seconded the motion.

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

6. **Approval of Minutes:** Minutes of December 19, 2014

Dr. Dougherty made a motion to approve the minutes from the December 19, 2014 meeting. Mr. Kinsella seconded the motion. All were in favor.

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

Mr. Kendzulak, Jr. - The bills totaled \$419,705.83.

Mr. Kinsella made a motion to approve the payment of bills. Dr. Dougherty seconded the motion.

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

8. **Citizens' Privilege:**

Mr. Cherichello – My name is Richard Cherichello, I'm here with Christina Dolan and we're here representing the Oaks and Timberwick Estates which is one of various courts off of Horseshoe Drive. We are here in regards to an article that ran in the Democrat about two weeks ago in regards to proposed sewer for the homeowners with septic systems. We wondered what has transpired since then, I know there was a meeting with the new Mayor, I think last week and what had occurred in that meeting and if there are any plans for the future and what was discussed.

Mr. Miller – We did have a meeting and before we can do anything, it has to be determined that there is a problem; we can't just say "we're going to go sewer this area." The Township, while it has a Board of Health, it doesn't have a sanitarian but the County does that for them. What they have to do then is get the County in the process, they being the Township and they are in the process of doing that; going to the County as their agent and saying "we want to know what the problems are out there." The folks in that area know there is a problem; but the last time this happened the people said "oh no, the guy from the County is here; nothing is wrong, nothing is wrong." So the County says, "we went out and did the survey and you said there were all of these problems and now they are saying there aren't any problems." And it was decided that there was no reason to do it. Now the problem has gotten really bad.

Mr. Cherichello – When you say the problem has gotten really bad, and there are a lot of problems, I guess the question is, how many problems, how many households?

Mr. Miller – That's it; we don't know. People will come in and for example I had a guy from Wells Road come in and told me he's had his water checked several times and he drinks nothing but bottled water; he and his family and his neighbors.

Mr. Kinsella – Probably because of a high Coliform bacteria count.

Ms. Dolan – I guess the question we have is how many failing systems are there and are they truly failing systems? We are in the development that you are looking to go through and none of our homeowners have issues. We have forty-four houses with no problems and our house is actually along the brook you are looking to put it by; so you have many in opposition.

Dr. Dougherty – We had a group in here before and we were looking at developments in our long term plans; with some of the older systems that had reached their saturation point. We had a meeting here where maybe eighty people showed up and we gave them the facts that were current back then; if you want the sewers put in we have to make sure we have the capacity at the plant and that varies, year to year based on what we have. The second thing is what does it cost? To put a trunk line in, we're not talking thousands of dollars; we are talking millions of dollars. So we would put them in and if we go by your house you have to hook up, we're not asking do you want to hook up, it's you must hook up. The cost when we were looking at it then was about \$35,000.00 to \$40,000.00 per house plus the hook-up fee. People started saying "we can build a new septic system for that money" and it stopped. I don't know if they built new septic systems or they didn't build them or God came down and cured the problem but it stopped. Then what happens is we have problems where, and we thought the State was going to have you prove you have your septic cleaned every three years and some people that I know, haven't cleaned their system in

twenty years. So what happens? What is the effect of that on the community? The community itself has to take a look at itself and ask if they are doing everything they can, are we maintaining our systems; Mr. Kinsella had mentioned that the junction boxes etc. could be deteriorated by age and the system has to be maintained. That could be a problem but we don't know because we don't have the facts, everything is conjecture. So it sounds like to me, to want the facts and the facts are we'll probably have to do a survey in conjunction with the community, a house to house survey asking things like when did you last pump your system out, can you tell us if you have problems with your system, etc. etc. and get statistics. Maybe it won't be as big a problem as we think it is or maybe it'll be worse; we don't know because we don't have the facts. The press picks it up and asks if the community is healthy and one of our paramount responsibilities to you is to make sure the community is healthy.

Mr. Cherichello – You make some good points and that is what we are looking for; to make sure the facts are really there.

Mr. Kendzulak, Jr. – One of the big players here is the Board of Health, they're the ones that have to determine if there is a health problem or not. If there is and the only way to address it is to possibly sewer the area; then it has to be sewered.

Mr. Coe – To make it clear, the jurisdiction on septic systems is not this Authority, the Authority only has jurisdiction over the sewer lines that exist. It can decide to extend sewers in an area if it feels it is necessary however in this case the primary emphasis is on the Health officials, they really have to determine if what has been alluded to, not only how many failures there have actually been but why have there been failures. If the failures occurred because a baffle broke off or a lack of pumping out that's the kind of failure that wouldn't necessarily trigger an Authority to put in sewers. But if the failures are caused by the nature of the soil, the height of the ground water, contamination of wells; those are the kinds of things that may indicate septic systems aren't working in the area anymore and given the size of some of the lots; in this area they are smaller, maybe an acre in some cases and maybe there's not enough room given improvements that were put on the properties over the years to build another field on. These are the things that the Township will need to consider before they go on with a project that's been estimated to be 15 million dollars for 320 homes.

Ms. Dolan – By all means you want to make sure everyone's health is maintained and there isn't a concern but in the same sense, if it's less than what I'm hearing was complained of so far, for maybe ten percent, why are the other homeowner's made to hook up to sewer? Capacity wise, for your sewer plant, what is that at right now?

Mr. Coe – Its 100,000 gallons out of 3.8 million gallons so it's a relatively small addition and something that the Authority can probably manage right now.

There is some analysis that would have to still go into that; that 15 million dollars doesn't count the value of the treatment.

Ms. Dolan - We just want all options to be looked at; our whole development is opposed to this, we don't have issues in our development and our development is what you are looking to go through for this.

Mr. Kinsella - The Township Planner, Jamie Sunyak, I don't know if you've spoken to her or not but she is going to access all the records from the County Health Department, all the records for failing septics, anything that's been going on. If you have to do work to remediate a system, you have to get permits through them. We had that meeting last week so that's in her charge right now and she's going to contact them and get the records as far back as she can get them and get a current assessment of exactly what the situation is. Until we have that current assessment, we're just talking.

Ms. Dolan - So those four homeowner's that would like to be hooked up, because they have failing systems supposedly, what are they doing about their systems right now? Even if you said tomorrow this is going to happen, it's not going to happen right away so are they putting the rest of us at risk?

Mr. Del Vecchio - If something was going to be done, it would have to be engineered etc. We are working with the Township to help them along with this process; every individual homeowner is important so we are trying to look into that. Unless the County came out and deemed that entire area as a health risk then it's not mandatory for us to put it in. Then it becomes a matter of the people who live there are going to have to want it. The problem we found last time, everyone wanted to have it put in until they found out what it was going to cost. Typically, when someone is building homes in an area that is sewered or going to be sewered, the lines are put in by the developer and that cost is all wrapped into that initial cost of the house and everything else. When they don't exist by you the cost falls onto you but when they realize the cost they say we'll fix the septic. Before we can say we have to go in there, there isn't anything mandating it; we are just looking with the Township into the problem in that area. To see if there a problem, and have the Health Department who is the one that has the jurisdiction over the septic systems to look at it and have them determine if there is a problem there or is it just a couple of homes that have old systems that maybe haven't been maintained or whatever; are there options for them to move their systems or whatever.

Ms. Dolan - How long can we anticipate before we have some answers for our homeowner's?

Mr. Miller - You can turn around and ask the Mayor, he is right behind you.

Mr. O'Brien - Mr. Mangin was the Mayor last year and the reason we are both here is because this is an important issue. We've directed Ms. Sunyak to

contact the County Board of Health, pull the information and see what's going on. We have a Township meeting next Tuesday and that will be one of the questions that I'll ask her. You are certainly welcome to come to the meeting. I think this is the right Board to go to for discussions; I don't want you to get tied up in bureaucracy. Everyone is welcome to come to the Township meeting and ask questions. We will all probably end up meeting in another month or so when she has sufficient information for us to figure out what's the problem, what are the worst areas and do we need to move forward with this? If it's two houses, you're right, those two houses will have to fix their septic, if it's an endemic problem, like Mr. Coe said and there is a problem with the soil or something like that then we will need to figure out how to proceed.

Mr. Del Vecchio – At that point we would get involved looking at what we have to engineer, what is the cost going to be and what's got to be done in the area. Until we get the answers from the County Health Department; it's a step by step process and that is where we are at right now.

Dr. Dougherty – I think what you can take back to your part of the community is that you have the two chief elected officials sitting here, the entire Board here looking at it so we're not just talking; it's a serious concern that we are working on. If it wasn't, these two gentlemen wouldn't be here right now, it's not a scheduled meeting for them.

Mr. Kinsella – You say you have forty – two families in there; do you have anything in writing from anyone saying they can vouch that their septic system has been inspected, that it is functioning properly?

Ms. Dolan – No, but that was my next question going forward; is there something voluntary that we can do to ask our community members to provide to you since we seem to be the ones that don't seem to be having issues.

Mr. Del Vecchio – First you can copy us on anything and get it to the Township and they will get it to the Health Department. Where we are stuck here is we need the Health Department to look at it and say there is a problem. If they say there is a problem then we have to look at it and say how do we fix the problem. That's the first step to determine if there is a problem. Is it two or three homes or is it something that can't be fixed there or is it something more than that? That we don't know because the septics are out of our jurisdiction.

Ms. Dolan – Can you confirm right now where you are thinking of placing this thing right now? Our understanding from what we read in the paper is along the brook line.

Mr. Miller – It's just when you look at it on a map, it makes sense.

Mr. Cherichello – So it's the easiest path.

Mr. Miller – Yes but there's nothing to say that the one area that may need to be sewerred is right over there. If it's Meadow Run it makes sense to run a line up the road.

Mr. Coe – I don't think your development is even in the area that's being considered. Can you please look at this map and show me where you live?

Ms. Dolan – It was actually written up in the paper that it will come right through our development.

Mr. Mangin – You can't believe everything you read.

Ms. Dolan – It was my understanding that it was from Meadow Run and would extend back to Samuel Drive so it would go right through Timberwick Estates.

(Discussion between Mr. Coe and both homeowners occurred as did various other side dicussions)

Mr. Del Vecchio – If it does get to any point where we are going to put lines in obviously everyone that would be involved would be notified but we have not set any plans yet onto where a line is definitely going, there is some draft stuff we looked at years ago if we had to run lines here or there or somewhere, where the lines might go. What are you saying Mr. Coe?

Mr. Coe – I'm saying none of the plans that I have or Mr. Santowasso's plans from 1990 or the plans that we, Hatch Mott MacDonald prepared in 2006 shows sewers for the development that would include Horseshoe.

Mr. Miller – It was never mentioned, it was not one that was to be sewerred. It's just that that brook is the corridor that would probably go up whichever side...

Mr. Coe – No, that brook is not the same brook that this lady is speaking of. The brook is the main brook that went to the Dory Dilts pumping station. There is apparently another tributary that runs through this development and there is no plan to put sewer there.

Ms. Dolan – Again, this was based on what the papers wrote.

Mr. Miller – Don't worry nothing is going to happen quickly.

Ms. Dolan – We did not anticipate that it would but in the same sense, before too much money was spent into anything we wanted to know what any other options were.

Mr. Del Vecchio – Once the Health Department completes their reviews, I'm sure that will end up in the paper. At that point we'll have to review if we're running lines and that will end up in the paper and that will be when it starts to be real and we'd know where we were running lines for sure.

Mr. O'Brien – You have my contact information and my email, so please, if you have any questions feel free to call me. I'm on septic too and my house is twenty – five years old so I personally share your concerns too.

Mr. Cherichello – Thank you.

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

10. **Adjournment of Regular Meeting:**

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

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

APPROVED

JANUARY 16, 2014

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

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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:**

None

3. **Unfinished Business:**

None

4. **New Business:**

Mr. Del Vecchio – The only thing I wanted to mention here is I sent an email around to all of the Commissioner's in regards to Jennifer Loudon who runs the lab here. She had submitted for a grant from the WEF to do some research work that could help to improve the performance of the plant. She made it to the finals though unfortunately she didn't get the grant. There were over one hundred grant submittals and she made it to the final fifteen and they only took five. She put in a lot of extra time of her own time and put all the information together and everything else to submit for the RTMUA and I told her that once she gets the comments back to go back again next year and see if we can make changes to it to see if we can get it next year. She did a really nice job and it's definitely a benefit of her going to the WEFTEC conferences and she's a benefit to us, she did a lot of stuff on her own to help us out. I just wanted to put it on the record to thank her very much.

5. **Professional Reports:**

a) Attorney - none

b) Engineer - ok

6. RTMUA Reports:

- a) Administrative Report - ok
- b) Operations Report
 - 1. Chief Operator's Report - ok
 - 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) 4th Quarter 2013 Capacity Evaluation

Mr. Coe – Again, it was a relatively dry fourth quarter of 2013 by 85% of normal precipitation. As a result your flow was lower and some of the I & I work that's been done has been helpful too. At this point you are showing a surplus capacity of 732,000 gallons per day after adding in all of your allocations you're a little bit over 3 million gallons per day out of 3.8 million gallons per day. That's why I was able to say 320 homes which would equate to about 100,000 gallons per day should be able to be accommodated if at some point the decision was made that the project should go ahead; obviously that's not been determined yet but if it should be.

- b) Lawn Proposals

Mr. Del Vecchio – Ms. Nicaretta?

Ms. Nicaretta – It's the usual; they stayed the same and Leoni has done it for years.

Mr. Del Vecchio – Okay, so it will be a resolution next month to award the proposal.

c) Meeting Dates for Year 2014

Mr. Del Vecchio – Does anyone have a problem with any of the dates?
(no answer)

d) RTMUA Commissioner's

Mr. Del Vecchio – Is there any one of these committees that anyone wants to rotate around; is everyone happy with where they are at? (everyone answered "I'm happy")

e) RTMUA Professional Contracts

Mr. Del Vecchio – Mr. Miller?

Mr. Miller – Bowman & Company is up very, very minimally and only in two or three categories.

Mr. Del Vecchio – Is Bowman doing everything?

Mr. Miller – No, they don't do the Audit, Withum Smith + Brown does the Audit.

Mr. Del Vecchio – Hatch Mott MacDonald? Anything of consequence?

Mr. Miller – I discussed it with Mr. Coe and he didn't have a problem with it; in Section 6, item J "Other Provisions Concerning Payment" it's all about if you don't make payment and interest and I asked Mr. Coe if that paragraph could just be struck out.

Mr. Del Vecchio – I think we go through this every year, it's just the standard Hatch Mott MacDonald terms and conditions.

Mr. Coe – We've never charged you interest and we very rarely don't get paid in thirty days by you so in any case we will not charge you interest and will strike it off the Contract.

Mr. Del Vecchio – Mr. Watts?

Mr. Watts – Last year I quoted a certain rate and I actually inadvertently charged you five dollars under the contracted rate last year.

Mr. Del Vecchio – Withum Smith + Brown?

Mr. Miller – They went up very minimally also.

Mr. Del Vecchio – Okay, so we'll be all set for them for next month.

8. Adjourn into Closed Session by Motion, if Needed

Mr. Watts – We will be going into Closed Session to discuss potential Litigation Matters concerning Woodside Farms Pump Station and we do not anticipate any action once we come out of Closed Session.

Dr. Dougherty made a motion to adjourn into Closed Session for the above stated purpose and Mr. Kinsella seconded the motion. Closed Session was from 5:35pm – 5:50 pm.

9. Adjournment of Work Session:

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