

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

JUNE 10, 2021

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

1. **MEETING CALLED TO ORDER AT 5:00 PM**

The meeting of the Raritan Township Municipal Utilities Authority (RTMUA) was called to order stating that the meeting had been advertised in accordance with the Open Public Meetings Act setting forth the time with the RTMUA office as the place of said meeting. It was further stated that a copy of the Agenda was posted on the RTMUA office bulletin board.

2. **ATTENDANCE ROLL CALL:**

Mr. Kendzulak, Jr.	Here
Mr. Mangin	Here
Mr. Reiner	Here
Mrs. Robitzski	Absent
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**

4. **APPLICATIONS:**

None

5. RESOLUTIONS:

Resolution #2021 - 39 Resolution Authorizing Raritan Township Municipal Utilities Authority for Member Participation in a Cooperative Pricing System and Authorizing Execution of a Cooperative Pricing Agreement

Mr. Kendzulak, Jr. made a motion to approve Resolution #2021 – 39, Mr. Mangin seconded the motion.

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

Resolution #2021 – 40 Authorization to Advertise for Chemicals and Receive Bids for the Purchase of Chemicals

Mr. Mangin made a motion to approve Resolution #2021 – 40, Mr. Kendzulak, Jr. seconded the motion.

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

Resolution #2021 – 41 Authorization to Execute Settlement Agreement with New Jersey Department of Environmental Protection (NEA 210001-46348) and Payment of Penalty

Mr. Kendzulak, Jr. made a motion to approve Resolution #2021 – 41, Mr. Mangin seconded the motion.

Roll call vote:	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Reiner	-	No
	Mrs. Robitzski	-	Absent
	Mr. Tully	-	Yes

Resolution #2021-42 Authorization to Appeal Enactment of New Jersey
Department of Environmental Protection C – 1 Stream
Regulations

Mr. Kendzulak, Jr. made a motion to approve Resolution #2021 – 41, Mr. Mangin seconded the motion.

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

6. **Approval of Minutes:** Minutes of May 20, 2021

Mr. Kendzulak, Jr. – The only question I have is, the driveway that goes back to the Wet Weather Facility, we had the dialog with regards to Polytech, Flemington's involvement, easements, and stuff like that. Where do we stand on that?

Mr. Tully – From the Township perspective, schools are not required to submit an application to the Township for any of their improvements. They can submit for a courtesy review for some projects, which sometimes they do, depending on the size of the project. They did not for the parking lot. We talked about it internally and as the parking spaces are going to be stone, and generally pervious and there aren't fifty or sixty parking spaces, we were okay with the parking. However, we did agree with Mr. Frank that the drive aisle should be paved up to where the parking lot ends, so the last parking space, it should be paved to that point. There are two additional residences that access that driveway, so once we get past the second driveway, we think there should be some kind of chain or something across that to prevent access past the common access for the driveway.

Mr. Kendzulak, Jr. – You mentioned that there are two gates.

Mr. Frank – There is a gate at the very end of the houses, there is a gate across the driveway and that is where DPW starts their yard. The second gate is to get into the Wet Weather Facility.

Mr. Tully – So, there is no need for an additional access barrier.

Mr. Frank – There used to be a barrier between where the parking lot from the school used to dump out onto the lane. There was a gate there that remained closed all the time because it discouraged the kids from parking on that lane. Then for whatever reason, the gate got opened and stayed opened. This last time that they did the stone work, they removed the gate. So, now there is no gate.

Mr. Tully – Is it worth putting something closer than the two gates that are there?

Mr. Frank – You are not going to be able to because of the houses at the very end.

Mr. Watts – I have sent a letter to the Borough. When the property for the high school was acquired, there was an easement that was also acquired. When we took over the maintenance and ownership responsibilities of the Wet Weather Facility, Flemington added us to the easement to access the plant. Part of that is we have the responsibility to maintain the drive, which has been a thorn in our side for years; as Mr. Frank said, we have to sub it out and it is expensive, but we use it a lot. Now, if other people are going to use it, we don't feel we should have the sole maintenance responsibility. I sent a letter to the Borough saying, "we entered into this Easement Agreement in 1990, and the only people who were supposed to use it were the Authority, and Flemington for the DPW and if other people are going to use it, we have to revisit the responsibility for maintenance."

Mr. Kendzulak, Jr. – My recollection was that someone did speak to Polytech, and they said would pave it?

Mr. Watts – They said they would pay their share of the cost. I spoke to the superintendent; at the time I didn't know if they were going to use it or go out through the high school access and he said "oh, no, we intend to use it" and I said "well, then we are going to have a maintenance issue" and he said, "we will be happy to consider helping with that."

Mr. Tully – Maintenance and paving are two different animals.

Mr. Kendzulak, Jr. – Do they have a right, easement wise?

Mr. Watts – Flemington has the right to allow it.

Mr. Kendzulak, Jr. – So, Flemington can deny it and say we don't want you to use it. It was fine the way it was; we were able to handle it, it was minor maintenance, and we could do it and be done with it.

Mr. Watts – We don't have the right to tell Flemington "don't let anyone else use it."

Mr. Kendzulak, Jr. – Understood. Flemington has the ability to say, "this is the way it was". Did Flemington do any maintenance on that or were we responsible for that?

Mr. Frank – We were responsible for it.

Mr. Kendzulak, Jr. – Maybe Flemington could just push it and say, "you guys pave it." If you could put a dollar figure on patching potholes with stone and we would deduct that as to this is what our annual maintenance cost is, which is pretty much going to be peanuts. Let them pick up the rest of the cost associated with it.

Mr. Tully – Do we plow it too?

Mr. Frank – Yes.

Mr. Tully – It would be easier to plow with pavement there.

Mr. Kendzulak, Jr. – The thing is, now we are plowing it for their benefit too.

Mr. Frank – We are plowing it for the benefit of the homeowners.

Mr. Kendzulak, Jr. – Understood, but now the school would have the benefit of the access because we would be plowing that.

Mr. Reiner – This school is?

Mr. Frank – Polytech, which is part of Hunterdon Central.

Mr. Kendzulak, Jr. – I think there is room for negotiation, I'm not saying we don't pay anything, again it is going to fall on Flemington to say "yes, we agree".

(many people speaking all at once)

Mr. Kendzulak, Jr. – So, where is that going now?

Mr. Watts – The letter was sent to Mr. Diehl. I summarized the various easements and what Polytech was doing and I said "you have to refer this to whatever attorney is representing you and have that attorney contact me because we can't be expected to maintain it, if you are letting other people use it.

Mr. Kendzulak, Jr. made a motion to approve the minutes from the May 20, 2021 meeting. Mr. Mangin seconded the motion. All were in favor.

7. Treasurer's Report / Payment of Bills:

Mr. Kendzulak, Jr. - The bills totaled \$423,277.31; everything appears to be in order. If you go look at the separate orange page Mrs. Struening gave at your place, you will see at the very bottom, we are at 42.31% through the year and if you did the math and assume that, I don't know if we paid any bills that went into June yet, we're at 41.75 months out of the year which puts us right on budget and some of these things we have already previously paid in advance. I would say we're in pretty good shape where we are budget wise at this point.

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

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

8. Citizens' Privilege:

None

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

10. **Adjournment of Regular Meeting:**

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

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

JUNE 10, 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:**

None
 3. **Unfinished Business:**

None
 4. **New Business:**

None
 5. **Professional Reports:**
 - a) Attorney –

Mr. Watts – No report, just something to discuss in Closed Session.
 - b) Engineer –

Mr. Madden – We had a manhole repair specialist contractor come out and look at a few manholes that we found to be in disrepair. We asked him to give us price and we are back and forth with him on the whole thing. Unfortunately, the guy has been away on vacation this past week and a half so we haven't been able to get that resolved yet. The idea is to fix a few of the manholes up by the County, by public works, by Pump Station #2 to stop the leak in there and there was one manhole in Case Boulevard that was found that needs to be addressed; Case Boulevard, by Sun Ridge. The system capacity, we are tracking where we are, and we are about 73 – 75% typically. There was one significant rain event this month, we had back-to-back days, but we were able to maintain just one pump running at Pump Station #1; that seems to be our indicator as to when problems really occur. The contractor is back fixing the coatings on the clarifier, they should be done with that tomorrow. They have to do some pin hole testing through

Monday but other than that they should be wrapped up. We did some more GIS work, I guess they tied in the system with the camera truck so they can take that information from the video. One thing I did want to mention; on the manhole locations, I noticed when I looked at the book today, the map didn't have the labels on it, so I handed out another one with the labels. Where the meters were located in the past, the present and where we figure we are going to go next. That's all shown on this map.

Mr. Kendzulak, Jr. – Are we starting to find anything Mr. Madden? Are we starting to isolate anything?

Mr. Madden – Yes, up towards that public works, there's a few manholes and we are starting to see some points that might have some bang for our buck.

Mr. Kendzulak, Jr. – When you say public works, what do you mean?

Mr. Tully – The County public works.

(many people speaking at once)

Mr. Reiner – On State Highway 12.

Mr. Madden – Yes, but more in the back, behind, because our pump station is in the back of their complex. We did go back out to the FWWF. I talked to Mr. Frank, and we are trying to pin point what the State is really looking for us to do because they only referenced fixing cracks. The previous job was to fix cracks but also put a coating on the tank and we are thinking, do we really need to do that? Should we just address the specific problems? Why spend all that money when we still don't know what is going to happen with that place? I think that is what we are looking to do instead of that big project with the full coating because that would be an expensive process. That might be something Flemington would be interested in because they are going to pay the lion's share of that. As far as the SCADA bond issue, we will discuss that in Closed Session. I reached out with Mr. Diehl, he didn't have a chance to meet with me, but I sent him all the stuff and explained everything, he seems to understand what I said, and I returned and email or two. There was just one development review, the COAH place. Junction Road has not restarted construction out there yet. I don't know what they are doing. Mr. Kendzulak, you asked me to look at the Bushkill Interceptor and the future flows. We found a map, that Ms. Nicaretta found here, a map of the old system where all of the different potential new flows to be allocated would connect. I provided a packet at your place that will show a summary of where those points are at.

Mr. Kendzulak, Jr. – Do we see an issue when they go online?

Mr. Madden – Well, I'm saying it's about 5% when you get towards where you see the problem areas. We are adding 5% to the average flow

at that point. It is not a problem for average flow but for rain events, which is going to be a problem no matter what. I think we should try to get some I & I out of there and continue to do that.

Mr. Kendzulak, Jr. – Is there any merit in straightening that line out?

Mr. Madden – I think that is something to look at in the future especially if there is going to be a major developer tying in. I don't know if anything is planned, I don't know if there is an allocation that would be a big impact.

Mr. Kendzulak, Jr. – Correct me if I am wrong here. We realized sometime ago that we had a problem in that Neshanic Interceptor. Where it was going into Pump Station #1, and there were three pumps in there and all three pumps were going on line because there was a lot of flow there. As Mr. Madden indicated, it doesn't mean that three times the flow is coming out just because three pumps are running. But there is a problem that we have identified that particular interceptor as being an issue and what it does is create capacity issues in the pipe downstream. The Pulte development on Case Boulevard, there was a concern that the pipe had sufficient capacity. What came up was, what happens when all these other future people that want to tie in there, what impact is that going to have on that interceptor. Ideally, the thing is, if we can find the I & I and get that out of it, it's not an issue and that is what we are looking to do. I guess we are plugging some of the holes up? I guess you haven't found the golden goose?

Mr. Madden – Not yet. We may never, that is the reality of it.

Mr. Tully – There is no way to quantify the I & I. You can't say "oh, we saved 200,000 gallons.

Mr. Madden – We can put meters back in and see if that did the trick.

6. RTMUA REPORTS:

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator / Director's Report

Mr. Frank – It was pretty much a standard month. The only thing different was I met with the contractor about replacing the DO meters in the area two basins which controls all the air for the plant. I met with painting contractors; along with the outside tanks, the DEP recommends and is insisting we fix the peeling paint that is in our filter building. I met with several contractors, and I think we are going to try to lump those two projects together, as one project; both the

outside tanks and the inside filter building and go out to bid with it.

Mr. Kendzulak, Jr. – Just an observation as far as the septage and the greywater, we are in pretty good shape, almost \$120,000.00 more right now than it was this time last year for the septage and almost \$10,000.00 more for the greywater.

Mr. Frank – The new price increase began on June 1st.

Mr. Kendzulak, Jr. – So, these reflect the old prices?

Mr. Frank – Correct. We are still limiting deliveries until noon time. The numbers are going to drop a little bit, we are trying to get our solids under control, and we are getting swamped with septage. We told them that they have until noon and then they have to call, if we have room, we will take it. It seems to be working out.

- a) Overtime Recap
- b) Septage / Greywater Recap

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

b) COMMISSIONERS' COMMENTS

None

7. **Discussion:**

None

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

Mr. Tully – I'd like a motion to go into Closed Session for the purpose of discussing pending litigation matters with NJDEP and we do not anticipate any official action will be taken once we come out of Closed Session.

Mr. Kendzulak, Jr. made a motion to adjourn into Closed Session for the above stated purpose and Mr. Mangin seconded the motion. Closed Session was from 5:31 pm – 5:50 pm.

9. **Adjournment of Work Session:**

Mr. Kendzulak, Jr. made a motion to adjourn the Work Session. Mr. Mangin seconded the motion. All were in favor. The Meeting ended at 5:51pm.