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RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING MINUTES

APPROVED

MARCH 16, 2023

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

(908) 782-7466 Fax

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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. Ancien	Here
Mr. Hazard	Here
Mr. Scipione	Here
Mr. Sipos	Here
Mr. Tully	Here

Also present were Raymond Frank, RTMUA Chief Operator; Regina Nicaretta, RTMUA Executive Secretary; Dan Madden, PE, Johnson, Mirmiran & Thompson; Jason Sena, Esquire, Archer & Greiner.

3. **PLEDGE OF ALLEGIANCE**

4. **APPLICATIONS:**

None

**5. RESOLUTIONS:**

Resolution #2023 - 16      Appointment of Assistant Secretary / Assistant Treasurer (previously Tabled)

Mr. Hazard made a motion to nominate Scott Sipos; Mr. Anclien seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 23      Appointment of Legal Counsel (previously Tabled)  
(Contract not to Exceed \$42,500.00)

Mr. Anclien made a motion to approve Resolution #2023 - 23, Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 – 26      Designation of Depositories, Authorization of Signatories, Electronic Funds Transfers and Cash Management Plan

Mr. Hazard made a motion to approve Resolution #2023 - 26, Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 27      Resolution of Appreciation to John T. Kendzulak, Jr. for Service to Raritan Township Municipal Utilities Authority

Mr. Tully – I'll read the whole resolution (Mr. Tully reads the resolution in its entirety).

Mr. Hazard – Also, he is a past Raritan Township Committee member as well as Mayor.

Mr. Tully – Personally, for when I first started, Mr. Kendzulak, Jr helped and guided me, and I appreciate that too.

Mr. Kendzulak, Jr. – Thank you.

Mr. Hazard made a motion to approve Resolution #2023 - 27; Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 28      Agreement Concerning Tuition for Commercial Driver's License (CDL)

Mr. Anclien made a motion to approve Resolution #2023 – 28 as amended; Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 29      Raritan Headwaters Association Membership

Mr. Sipos made a motion to approve Resolution #2023 - 29; Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 30      Return of L & E

Mr. Hazard made a motion to approve Resolution #2023 - 30; Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

Resolution #2023 - 31      Resolution to Adopt the Provisions of Chapter 48 under Which a Public Employer May Agree to Pay for the SHBP and / or Coverage of Certain Retirees

Mr. Anclien made a motion to approve Resolution #2023 - 31 as amended; Mr. Scipione seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

6. **Approval of Minutes:** Minutes of February 15, 2023

Mr. Scipione made a motion to approve the minutes from the February 15, 2023 meeting. Mr. Tully seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Abstain
	Mr. Tully	-	Yes

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

Mr. Anclien - The bills totaled \$852,409.83; everything appears to be in order. I was in this morning and went over bills with Mrs. Gano. If you go to the last green page; as of March 31<sup>st</sup>, last year we were at 23.99%, this year we are at 23.38%.

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

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Scipione	-	Yes
	Mr. Sipos	-	Yes
	Mr. Tully	-	Yes

8. **Citizens' Privilege:**

None

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

10. **Adjournment of Regular Meeting:**

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



RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
WORK SESSION MINUTES

MARCH 16, 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:**  
  
None
3. **Unfinished Business:**  
  
None
4. **New Business:**  
  
None
5. **Professional Reports:**
  - a) Attorney – None
  - b) Engineer –

Mr. Madden – I'll hit on some of the major things. We continue to keep an eye on flow, tracking it and storm events. February was relatively good as flows go, our rolling average is about 2.87 MGD which isn't bad. We found some things we know we have to correct, and we are in the process of that. We will see how that impacts things but there is still heavy inflow when we have rain, it could be a manhole that is defective; we are just hunting and looking for that. We are working our way from the western part of the town. We saw the biggest influent there. Our biggest pump station is right behind the Starbucks by Home Depot. That is where we see the bulk, that is where the best gains would be if we found a leak somewhere in that section. It kind of covers a big area; Flemington Fields, Johanna, all that. We found some things we are fixing. We saw something in last week's rain event so we are going to keep tracking that. Meanwhile, we are trying to get a vendor in to fix some of these problems. The other thing we are working on with the Infrastructure Bank, the application for funding for the three projects here. I was on the phone the last couple of days with Bond

Counsel and there is an issue. We have two things we want to do. We want to buy something through a co-op, the pumps, which they said was okay. But, the other two things have to be designed. Right now it is all one project and, we might have to split it into two projects because of the funding element; you don't want to wait long for the pumps. We have to get those. The ones we have are so old that you can't get parts for them. I have a phone call tomorrow with the DEP and Bond Counsel if anyone wants to join in to discuss how we can work around this. Whether we need to split the project in two or keep it as one and maybe they will allow us to authorize the pump project earlier. It is all about when the money is available. I don't know if you have cash laying around to pay for the pumps but if not, we will have to go through the bonding. I am hoping they say "yeah, you can get that purchased after we approve whatever the next phase is." We are scurrying to get that next submittal done, which is the environmental report. It is almost done, I just have to proof read it.

Mr. Tully – If it is anything like the DOT version of the iBank, once you have that part done and submitted, it goes relatively quickly.

Mr. Madden – This is usually where it stalls.

Mr. Tully – The roads are different; we budget the roads at the Township. We draw on the budget for the roads, the three million, we draw out of that and when each individual project is done, I submit all of the requisitions and then we get reimbursed for that project. In the Township it may be five or six \$500,000.00 projects but it is already budgeted for so we draw and then get reimbursed. I don't know if this is going to be the same way; where we outlay the money for the pumps but ultimately we are reimbursed. I am hoping it is the same process.

Mr. Madden – Do we have the money to outlay?

Mr. Anclien – That Capital account, there is like six hundred and something thousand in that.

Mr. Madden – That should cover it. I think the quote was like five twenty or something.

(many voices speaking at once)

Mr. Anclien – On that Capital account, there's \$617,000.00 in there, there's a certain percentage that has to stay in that Capital account, is that correct?

Mr. Tully – I'm pretty sure, yes.

Mr. Anclien – Can we take it out and bring it below that dollar amount as long as it is replaced?

Mr. Hazard – You would have to ask our auditor.



Mr. Tully – The problem is, if we pull that out and we still have to buy other stuff out of it and we don't get the reimbursement until December, we are stuck.

Mr. Madden – I don't think you would have to pay it until December anyway, so you might be able to finagle it.

Mr. Tully – With the roads, we get a lead time for the project, once you borrow it, you have the project completed within eighteen months.

Mr. Madden – Hopefully, we can resolve it tomorrow. I had talked to Bond Counsel and he was asking to find out if we have cash.

Mr. Tully – After the call, just send me an email and let me know how everything worked out.

Mr. Ancien – Even from the Operating Account, can you transfer into the General Fund? I mean there is five million in the Operating Account.

Mr. Tully – We have that contingency fund.

Mr. Ancien – Okay, I'll talk to the auditor.

Mr. Madden – We have a couple of projects that are ongoing. The sludge holding tank; they should be starting up in the spring, they are waiting for the weather to break.

Mr. Tully – Are they going to finish it this year?

Mr. Madden – Yes, once they get going, it will be weeks probably. We have a couple of old projects we are waiting for the contractors to send us invoices. This is unheard of. We keep bugging them every couple of weeks and we will get it eventually. We are still working on the diffusers. Again, we are having trouble getting information from our contacts but we will get that resolved too. We are looking for a better style. We submitted the IPP Report this month and we are finishing up the Stormwater Pollution Prevention Plan which is required by the State.

## 6. **RTMUA REPORTS:**

### a) ADMINISTRATIVE / OPERATIONS REPORT

#### 1. Chief Operator / Director's Report –

Mr. Frank – Normal stuff; our box pickups, I did the septage and greywater breakdown, the Readington overtime. The Readington flows were back within parameters this month from last month. Flemington did not go online last month. Ms. Nicaretta and Mr. Sciss went to the Kickoff meeting for our safety thing in Toms River. We had our quarterly safety in house meeting, and we had an



issue with grease behind the Ramada Inn. I reached out to Mr. Diehl knowing there are some other Borough restaurants that don't go into our line but still. I asked if they did grease trap inspections and he said they do them when they do the jetting and tv camera and stuff, if they notice grease they do grease trap inspections. I asked how often that was and he said about every five years. We do them annually. If it is a problem, we do it even more than that.

Mr. Tully – I think it has to be yearly.

Mr. Hazard – He has to be wrong on that or they are just not doing it.

Mr. Frank – We need to possibly look into following up on that. Since we had the problem in the area and I know Taco Bell is there and some of the other stuff runs down Reaville Avenue, and that line kind of goes back and forth; just off the top of my head, I wanted to ask how often they did the inspections.

Mr. Hazard – If we think it is a real problem, we don't have to do it now but we should clarify their policy and inspection. There is no way five years is within the law, so I think he is wrong.

(many voices speaking at once)

Mr. Frank – The Flemington driveway.

Mr. Tully – So, Mr. Frank sent me pictures about two months ago about this. I went through Planning and Zoning in the Township and I went and talked to the Chief of Police. Basically, there is nothing that Planning and Zoning can do about it even though the residents are renting out parking spaces in their driveway, there is nothing prohibiting them from that. I talked to the Chief and he said basically, since it is not a public road way, police can not limit people from parking there. It would be up to us because it is in a private easement and a private drive, to work some kind of agreement out with the school. That is where we stand. This driveway is next to the Polytech so it is a convenience thing. Those kids could park someplace else but if you are coming here and you can park in that driveway versus down at the bridge. I don't know if we get in touch with the Board of Education or Polytech.

Mr. Hazard – Probably the Board of Education. So, they are coming down our driveway, and the property they are parking on is private property, not our property.

Mr. Tully – But it is a common access drive and that is where the problem is coming in.

Mr. Hazard – The residents are coming in through there too.

Mr. Tully – We are responsible for maintaining the whole thing. Basically, a driveway that was designed for five houses, only for access and our vehicles is now getting daily traffic, turning around etc.

Mr. Scipione – And this with the fence here?

Mr. Frank – That is Polytech; that is what Polytech did because Polytech has access to that easement for their students. On top of all of that, with all of the construction that is going on in the Borough; they are running tandems up and down that road all of the time to go to into the DPW to dump all of that stuff off. We have car traffic; we have truck traffic.

Mr. Tully – At this point, it sounds like we need to get in touch with the BoE and try to come out with some kind of agreement to pave the driveway, just from our own access.

Mr. Frank – It is not even that, it is the drainage etc.

Mr. Tully – I know, it is going to be a big deal.

Mr. Frank – Are we on the hook for the twenty percent because it is an improvement and Flemington is paying a portion of that?

Mr. Tully – It is accessing the Wet Weather Facility so I would think it is eighty twenty.

Mr. Frank – This is what I found in the Agreement. We own the property, that was given to us by Flemington Borough, within the fence for the Wet Weather Facility. We are granted access through the easement to get to the Facility.

Mr. Scipione – Who owns the easement?

Mr. Tully – The easement goes through all of the properties. Without the driveway, those houses are landlocked.

(many voices speaking at once)

Mr. Tully – We have to maintain what was a gravel drive for what was five houses. Now you have twenty or thirty cars parking there every day.

Mr. Hazard – Do we get many complaints from any residents over there?

Mr. Frank – Yes.

Mr. Ancien or Mr. Sipos – Is it one guy renting it out or are they all doing it together?

Mr. Frank – I believe there are three houses, renting space out. One guy has a fenced in yard, he enlarged his driveway and has kids parking within his fence. The other one has them parked along his driveway and then the one put down gravel.



Mr. Tully – The way I understand it, the easement is on their property, it is just an easement, so we have the ability to access it, but we have to maintain the driveway. It is still part of their property, so even if we were taking setbacks, it wouldn't matter because they are only applicable to the building. If they had a regular driveway, it is five feet to the property line but this isn't a driveway, it is a common access road, which is a different definition. That is why Zoning can't do anything because it is private property. If, someone is having Balloon Fest and I want to have twenty cars park on my driveway, I can do it because there is nothing that says I can't do it. This is happening everyday and since it is a private access drive, the police say they are not able to do anything.

Mr. Sena – I will have to look at the easement documents and the Agreement and maybe Code Enforcement can do something.

Mr. Tully – At this point, I think we need to take a step beyond that and figure out...

(many voices speaking at once)

Mr. Scipione – And Polytech opened this gate in the back?

Mr. Frank – Yes, there used to be a gate kind of separating the back parking lot and since they have opened the gate to allow the kids to park in that gravel area they put in, kids from the main parking lot cut through there and go down our lane to exit and get that much further down the road when school gets out. We have chip and tarred it numerous times and created a decent base but then you get one soft area because it is spongy in that area, then you get a pothole, then the kids coming in and out, then the tandems running up and down that road and then it just goes to heck.

Mr. Hazard – I think our best way is to find a legal way that they are not allowed to do that, coverage, dump whatever and create a lot.

Mr. Frank – When Mr. Watts spoke to the people from the Polytech, they seemed like they would kick in when we got to the point where we would do something, when we had a plan, laid out costs, then they would participate. As far as bringing the Borough in, that would be my thing.

Mr. Tully – Maybe if we come up with a cost estimate and say, "here this is what it is going to cost, here's your portion" and that starts the discussion.

Mr. Frank – Right now the Borough uses it more than anybody between the truck traffic and just running in and out with the DPW, they are in and out three to four times a day.



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

b) COMMISSIONERS' COMMENTS

None

7. **Discussion:**

- a) Authorization for Mr. Frank, Mr. Sciss and Ms. Willett to attend the NJWEA Annual Conference and Exposition in Atlantic City, May 8 – 12, 2023

General consensus.

- b) FWWF Driveway

Previously discussed.

- c) Committee Appointments

Mr. Tully – We need to fill Personnel and Plant Collections. Mr. Sipos, you're on Personnel and Plant and Collections, which is not really anything crazy.

Mr. Ancien – Am I on Engineering with you, or is that not correct?

Mr. Tully – I thought it was going to be Mr. Scipione. Capacity and Expansion and Engineering all go together so that is kind of like one thing.

Ms. Nicaretta – So, Mr. Scipione will go on Engineering?

Mr. Tully – Yes.

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

Mr. Tully – I would like to go into Closed Session for the purpose of discussing personnel matters and labor negotiations and matters falling within the attorney / client privilege. Approximate duration will be thirty minutes and we do not anticipate any official action will be taken once we come out of Closed Session.

Mr. Ancien made a motion to adjourn into Closed Session for the above stated purpose and Mr. Hazard seconded the motion. Closed Session was from 5:57 pm – 6:37 pm.

9. **Adjournment of Work Session:**

Mr. Anclien made a motion to adjourn the Work Session. Mr. Scipione seconded the motion. All were in favor. The Meeting ended at 6:38 pm.