

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

MAY 21, 2015

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:**

Dr. Buza	Here
Dr. Dougherty	Here
Mr. Kendzulak, Jr.	Here
Chair Kinsella	Here
Mr. Tully	Here

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

3. **PLEDGE OF ALLEGIANCE**

4. **APPLICATIONS:**

None

5. **RESOLUTIONS:**

Resolution #2015 – 28 Corrective Action Plan

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 - 28,
Mr. Tully seconded the motion.

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

Resolution #2014 – 29 Approval of and Authorization to Execute Agreement
for Reservation of Wastewater Treatment Capacity
(COAH) Junction Road Associates, LLC (Block 16.01
Lots 37.01 & 54)

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 - 29,
Mr. Tully seconded the motion.

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

6. **Approval of Minutes:** Minutes of April 16, 2015

Mr. Kendzulak, Jr. – I had discussed some items that needed correcting with Ms. Nicaretta.

Ms. Nicaretta – Yes, I made them on the original.

Mr. Kendzulak, Jr. – There were just a couple minor changes and clarifications I'd like to go over. On page 12 of 27, where I was speaking, about six lines from the bottom, where it says "it's ready to fail", it should read, "it's not ready to fail". Page 21 of 27, where Mrs. Wohlleb is speaking, about three quarters of the way down, it reads "you shouldn't be exceeding eight percent of your pipe capacity", it should read "eighty percent".

Mr. Tully made a motion to approve the minutes from the April 16, 2015 meeting. Dr. Dougherty seconded the motion.

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

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

Mr. Kendzulak, Jr. - The bills totaled \$529,586.92. All appears to be in order. If you go to the last yellow page, you will see we're at 46.15% expended; conservatively we are five months through the year, we are kind of right on budget.

Mr. Kinsella – We're doing better than last year.

Mr. Kendzulak, Jr. – Mrs. Struening had indicated at this time last year we were at 50.16% of our budget.

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

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

8. Citizens' Privilege:

Mr. Mangin – I see the discussion on the High School is way down under the Work Session.

Mr. Kinsella – We can move it up from the Discussion Section of the Work Session. Mr. Miller or Mr. Watts, who would like to talk about this?

Mr. Watts – I think Mr. Miller can talk about the recent meeting he had and then I can talk a little bit about the easement issue.

Mr. Miller – We had a meeting on the 22nd of April and basically, I went over there and told them what you asked me to tell them, which was that you're debating about this whole project and she said "let's sit down and who's responsible for what?" She being Ms. Corbin, the Acting Business Administrator. Basically, she said that Hunterdon Central High School (HCHS) would be responsible for the following: they'll fund it for us, we used the number \$350,000.00 and we'll pay them back over three years, just making up for the interest rate they would have lost on the CD. They will cooperate with RTMUA in obtaining new easements and abandoning the old ones; remove and replace bleachers at their cost, the sheds and the paving under the bleachers, Central's costs; figuring about \$60 - \$65,000.00. They will be responsible for decommissioning the existing pipe with the turf / track renewal project and HCHS would be responsible for any unknown laterals. We know about the ones up above from the break up to the outside going upstream. The downstream we don't know what's there.

Mr. Kinsella – Are they indicated on the map over there Mr. Miller?

Mr. Miller – Mrs. Wohlleb that's your drawing, if you would be so kind.

Mrs. Wohlleb – (refers to map that was submitted to NJEIT for the HCHS 30 yard line project) The laterals aren't shown on this particular map but this is Stewart Field, this is the existing line, here's the existing sewer, this is what is the existing easement here. These are the visitor's bleachers and these are the home bleachers. Here's the goal post, that's where there's one break, also, this is the manhole at the thirty yard line that is buried under the field. The main lateral that is shown here is this line here where the majority of the high school's flow comes into here. This lateral is from the upper building, the one that fronts Route 31. There also seems to be a little bit upstream from here, and a little downstream from here, some additional laterals and there's actually because of when this pipe was constructed and laid and the type of pipe it is, they were laying sewer at the time thinking that they were laying sewer for potential areas were you had your typical lots that were fifty foot wide lots so these pipes basically came in relatively short sections somewhere between three and five foot sections and they already came with fabricated branches. Somehow when this was a cornfield and there was thought that this sewer going through here

would actually be houses; it turns out that eventually the high school got built on it and the football field got built on this pipe. This pipe still has those branch connections which, in looking at the videos, some appear like they're still sealed and there's nothing coming in but we suspect that maybe a few of them either have infiltration coming in or are actual active laterals that maybe the high school has tied in some sort of maintenance shed or some type of ancillary building. So those are the laterals that are being referred to. This submission was made to the NJEIT and the intent was to show the existing lines and instead of doing rehabilitation on this line to actually bring a new sewer around, which as I mentioned before, this being the visitor's bleachers, would temporarily disrupt the visitor's bleachers because we'd have to dig right through here and tie back into this manhole. The flow is coming this way and this way, going down here and there's an aerial crossing here and this makes its way to the Flemington Wet Weather Facility (FWWF). There's sort of an odd shaped junction manhole where two Flemington lines come together and then at the FWWF there's a metering point and in dry weather this flows into here; when there's wet weather there's a diversion into here. There's our FWWF, the diversion manhole, the flow and some additional flow that is primarily a combination of the high school, most of it is Flemington Borough, probably about ten percent of that flow is from Raritan Township like from Emory Avenue, New York Avenue, Pennsylvania Avenue etc.

Dr. Dougherty – Is that plan from the original?

Mrs. Wohlleb – We did find the original maps from I think the 1930's.

Dr. Dougherty – Did you have one subsequent to that when they put that football field in?

Mrs. Wohlleb – No.

Dr. Dougherty – There's no record of that; that they supplied other drawings to us when they put that field in over the existing pipe?

Mrs. Wohlleb – No, not in your files or our files.

Mr. Kendzulak, Jr. – So the pipe existed before the high school and the high school built that football field, when?

Mr. Miller – 1960.

Mr. Kendzulak, Jr. – Flemington had an easement.

Mr. Watts – The original easement dates back to 1898 but it was updated in 1948 between the then owner and the Borough of Flemington.

Mr. Mangin – Its \$65,000.00 to relocate the bleachers and \$350,000.00 was the actual construction?

Mr. Miller – Yes.

Mrs. Gilbert – Are you going to be removing the existing pipe or divert the flow?

Mrs. Wohlleb – That's up to them; they have a choice of either actually excavating to remove it, where they literally take it out or they can abandon it in place. I wouldn't tell them what to do but most likely they would fill it with some sort of inert material like a very loose mix of concrete, cut the manhole below grade and fill that up and be done with it.

Dr. Buza – Wouldn't they have had to get approval or a variance to build there in the first place? I'm just curious on how they did this without permission.

Mr. Watts – They did it and the issue is what does the easement say and they frankly didn't have the right to put improvements over the easement area. So what that means to me is we have the right to work within that existing easement to do anything we need to do to repair, replace or maintain the pipe.

Dr. Buza – But they also damaged the pipe; they first used the property without approval and then, well, that's my question, when they put in the field, is that when they damaged the pipe?

Mr. Watts – I don't know what municipal approvals they got but I don't think they got any from the Authority because we wouldn't have allowed something to be built over a pipe, unless they went to Flemington because it's Flemington's easement but it's our pipe.

Mr. Mangin – So at the meeting Mr. Miller had on the 22nd with the high school, the school said they have no problem accepting this responsibility?

Dr. Dougherty - As long as we do the work and pay for it and take all responsibility for the construction.

Mr. Mangin – So they're expecting the RTMUA to pay.

(many voices saying yes)

Mr. Tully – They're going to loan us the money and we're going to pay them back with interest.

Mrs. Gilbert – That's what you meant by fund it.

(many voices speaking at once)

Dr. Buza – I'm the new person here, how was it decided in the first place that we were responsible for this? Mr. Watts, as counsel did you have a discussion with the school board's counsel? How is it that at this point we are responsible for this?

Mr. Watts – The way it was presented is that the school came to us saying "we want to replace the turf and it would be a good time for you to replace the pipe". So we had it looked at, it's our pipe, we need to replace it not just for that break but for probably a lot of reasons because it's so old and that would ordinarily be our expense.

Dr. Buza – Do we need to replace it now?

Mr. Watts – No, we don't have to replace it now; they wanted to know if we wanted to replace it now because they were doing the field. Then, when we had more discussions it became evident to me, that no matter how carefully you

replace the pipe, there will be settlement and that is not acceptable underneath an artificial turf field and that's when we started discussing the by-pass.

Mrs. Gilbert – So how critical is it that you do this by-pass to capacity flow or whatever?

Mr. Watts – Well, the pipe needs to be repaired, there's probably other issues with the pipe we don't know about because it's so old and it seems to make sense to the engineers that it go around the field now rather than go underneath it plus the timing is easier to do it around the field.

Mrs. Gilbert – We know that turf fields only last about ten years so they'll have to do it in another ten years, what happens if you wait ten years?

Mr. Watts – We don't know but we know that there is a break in it now and since we know that I think it needs to be addressed because it could become a health issue.

Mr. Mangin – What size is that pipe?

Mrs. Wohlleb – This is an eighteen inch pipe. In terms of the condition of the pipe, we were able to make some kind of determination based on an internal video inspection that was done last fall, and the high school approached us and said "you might want to do that because we're doing this turf field"; in a perfect world this is a lousy set up; if you were ever in a situation where you had an emergency, for example, Thanksgiving weekend, or Homecoming or something like that, you'd would be out there digging because you really do have sewage coming up. That's the situation, you want to have the ability for all of the sewers to have access, to get in there and if you had to, make a repair. You don't have that here so the idea of bringing it around is, you'll start off with a new pipe, with new material, something that will be built to today's standards, with the hope that it would be an extremely long time, 25, 30 or 40 years out before you'd even have to think about what's going on with the pipe. You'd also be out of the way of the school so that's really the ideal situation. I think in the past, we've known that we've had this sewer line here but there was never much of a catalyst to do anything about it because there was nothing really wrong with the pipe, nobody complained about it, they did the turf field and everything was flowing. Now you have a situation where we put the camera in there, we saw the damage as a result of the goal post.

Dr. Dougherty – Is there a history of us doing any mark-outs before they put up the goal posts?

Mr. LaFerla – Not that I know of.

Dr. Dougherty – Aren't mark-outs required before digging?

(many voices speaking at once)

Dr. Dougherty – My point is, we're coming full circle again as we discussed at the last meeting that we're taking on the responsibility for all of their mistakes and poor planning and not only that, they want to make us pay for it.

My objection is, which I'll put on the record again, you have five communities which this school serves, but you're going to put the burden of all of it on our ratepayers and that doesn't seem like a fair burden for this Authority to assume because those are mistakes made by another independent body. As I recall, it first got to this table because they came to us and said "we want this done, but you have to wait until the day after graduation to start and it's got to be done before football season starts". This meant you had to have it done by August; you only had from the end of June to August to do it.

Mr. Kinsella – We were going to be a subcontractor for the main contractor so already we were on the bad end of the stick; they were telling us what to do according to their schedule and then if you throw in a rain event or two and when it doesn't work and they can't have the first home game who would be the bad guy? RTMUA would be the bad guy.

Mrs. Wohlleb – If it was only a matter of lining it, it would be a different story but you actually have two breaks in here that can't be lined, the repair is such that it has to be dug up and that's what Mr. Watts alluded to in the beginning, now you're digging in here, as much as you try to control settlement you're always going to have some differential settlement and it's the wrong spot to have it in.

Mr. Kendzulak, Jr. – What changed it all was this million dollar carpet they put in. If you had to go and dig up grass, it'd be a different story and you could deal with it better. Going back to what Dr. Dougherty and Dr. Buza said, why is this our problem? There's an easement, there's a sanitary sewer and they built the football field after us so I would think from a legal perspective we would prevail in that and certainly the solution of getting it out of the football field is a sound engineering solution that takes the problem away but let them deal with it. Let them get an engineer, they can design it, then our engineer from Hatch Mott MacDonald (HMM) will review it like any other developer but it's all on them. Let them pick it up and share it among the five sending municipalities and the burden isn't just on the Raritan Township ratepayers.

Mr. Kinsella – If this was a regular developer, the developer would have to assume all costs; it wouldn't be at the ratepayer's expense. I don't know why this isn't part of their entire project. Why farm it out to us? It's not fair because there's no equity here, the ratepayers would be getting banged badly with this. Think about Flemington Borough with this, their Contract with us says they have to pay 28% of it, they don't have a real vote in this thing and it's not an equitable situation.

Mr. Kendzulak, Jr. – Even if they were going to finance it because we couldn't finance it but just looking at the whole thing, it's just not our issue.

Mr. Kinsella – If they are so quick to say they will lend us the money, then they have the money; it's not because they can't pay for it.

Dr. Buza – It just seems to me that if it was a private person had damaged our pipe on their land, they would be responsible for reimbursing us, am I correct? The school board or whoever, when they put down the goal posts they damaged the pipe so aren't they responsible to pay for it? It just seems so simple to me.

Mr. Kendzulak, Jr. – There are two locations; one is the goal post going through the pipe, what is the other one?

Mrs. Wohlleb – There's another one out in the field between this manhole and the goal post.

Mr. Kendzulak, Jr. – Is it from settlement?

Mrs. Wohlleb – No, it's an actual break.

Mr. Kendzulak, Jr. – How did it break? Is it possible from driving big, heavy equipment over it?

Mr. Tully – From putting in drainage for the field?

Mrs. Wohlleb – It could be from drainage for the field.

Mr. LaFerla – It's fairly deep at one end and it's shallower at the other.

Mrs. Wohlleb – I recall that it's an odd shape like a puncture.

Mr. Kendzulak, Jr. – So it's not something that Mother Nature created?

Mrs. Wohlleb – No.

Mr. Kendzulak, Jr. – So both breaks are man-made from disturbing.

Mr. Tully – Going back to what Dr. Buza said, if it was private, they would be responsible for fixing those two breaks but not for re-routing the whole thing. So the cost for fixing those two things is about \$360,000.00 or so.

Mr. Miller – I had this discussion with their Board when they first paved the field and I said "you better let us get out there and look at it because otherwise you'll be out there with a backhoe on Thanksgiving", that was around 2005 or 2006.

Mr. LaFerla – No, we've never been out there to TV that line.

Mrs. Wohlleb – No, you haven't.

Mr. Miller – Someone went out there, they had someone out there.

Mrs. Wohlleb – No, I don't think so.

Mr. LaFerla – Me either.

Dr. Buza – It's prudent for both us and them to do it all at once; take care of the break and take care of whatever damage there is and re-line it. We wouldn't be in this position that we're forced into today, I think is very relevant to the discussion of who is responsible. Maybe we would only be partially responsible if we want to do something additional beyond what the school board needs to have done which is to address and repair the damage they caused.

Mr. Tully - If they just fixed the breaks and were done with it, it wouldn't harm anything it would just be done.

Mrs. Wohlleb – Just to make note, there is actually a change of material, there is a section of this that is cast iron, which is the portion that was originally going to be lined, that's the type of pipe that is very susceptible to hydrogen sulfite corrosion, so that piece of it, if we were not going around and we would rather just do the rehabilitation even if we said "okay, these are man-made damages" just do the line, the cost of lining it is really just by the pipe being eighty years old.

Mr. Kendzulak, Jr. – So where do we go from here? The position is that we're not responsible for anything here and I assume we can certainly argue that the goal post through the sanitary sewer wasn't done by us and the other thing is it can be argued that it's obvious that this other break was a man-made break that we didn't do; the Board has two options, they can fix the two breaks based on our review and keep it where it is, it's all on their dime and on their schedule, we'll just review and approve the repairs that they have or they can take the by-pass and we can let them design it, and we can review it and approve it like any other developer.

Dr. Dougherty – If they choose just to repair it and we still have that pipe under there and there's a manhole cover thirty feet under, they have to do some kind of document holding us harmless that we won't be responsible should something happen and we have to tear it up.

Mr. Kendzulak, Jr. – That's why it would make so much sense for them to go through and get it out of the field and don't deal with this again but it shouldn't be on us.

Dr. Dougherty – There should be a discussion between the powers that be, not just the Business Administrator but with their engineer or someone and perhaps their attorney and our attorney to sit down and hash it out and let cool minds prevail for them to do the right thing for the taxpayers and the ratepayers.

Mr. Kendzulak, Jr. – Recognizing that originally this football field was going in this summer and we were scrambling but now it's going in next summer. So they have time to deal with this but as soon as we let them know what our position is, let them figure it out and they should be able to get it all in order and taken care of. Is there a TWA associated with this? What's the time line on that?

Mrs. Wohlleb – Yes. To do a TWA for something like this?

Mr. Kendzulak, Jr. – It's doable for them to do this by-pass this winter if they wanted to.

Mrs. Wohlleb – Yes, they'd have to hustle but it's doable. If they just do the repairs, and not the by-pass, there's no TWA.

Mr. Kendzulak, Jr. – If this is the direction we're going to go in, it's up to us to let them know so that if they want to get the football field put in next summer, and they choose to by-pass the sanitary sewer out of the football field, they need

to start looking at that now because if not it'll push it back another summer to get the football field re-done.

Mr. Kinsella – I'd like to hear our legal authority on this.

Mr. Watts – I think the only issue now is do you want to send a letter or do you want to have a meeting? I think the Board's position is supported by the easement document and the fact that they've repeatedly built over the easement and the reason for the repair or the replacement is due to things that have happened within the easement area not caused by the Authority. At this point it's just about how you want to deliver the message. I recommend we let HMM do the design and they reimburse us for the design. A lot of the works been done already on the design.

(many voices speaking at once)

Mr. Mangin – Just one more question on responsibility, let's say there was a possibility that we could get the school to accept the responsibility of relocating that entire line around the field but when you come off the field on the Junction Road side, RTMUA has a problem with that steel pipe would that re-lining of that pipe be the responsibility of the RTMUA or the high school?

Mrs. Wohlleb – That's the RTMUA.

(many voices speaking at once)

Mr. Kinsella – Maybe once the school builds the circuitous line and they hook up into that manhole, maybe at that point we could check out our remainder of that line.

Mr. LaFerla – Most of the remainder of that line is overhead.

Mrs. Wohlleb – What Mr. LaFerla means is that even though it still flows by gravity there are concrete piers and the pipe actually pops out of the ground because of the grading over there and it's exposed but it's supported by concrete piers. We made a repair to one about four years ago.

Mr. Kinsella – I have one more question for Mr. Miller, has the Board of Education passed a resolution stating what their intention is or what their responsibility is?

Mr. Miller – No.

Mr. Kinsella – Okay, so there's nothing in stone from the high school that says RTMUA is going to do this and we're going to do that, they haven't done that yet?

Mr. Miller – Correct.

Mr. Kinsella – I think what we should do is just make our statement that we are not going to do this.

Mr. Kendzulak, Jr. – It makes sense that a formal letter go out and Mr. Miller can give a courtesy call and say "it was discussed and the feeling is it's not the Authority's responsibility".

Mrs. Wohlleb – So at this point though and it goes back to the last meeting, we had an application into the Trust for this project. We did start to get review letters and the process is moving on DEP's end but seemingly that's off the table now; and I believe since the last meeting, I believe your Bond Counsel has tried to get the ball rolling on his end.

Mr. Kendzulak, Jr. – The directive we gave at the last meeting was to pull the plug on it.

Mrs. Wohlleb – Do we want them to keep cranking out these review letters and call saying "Mrs. Wohlleb, why aren't you responding"? Something from the Authority, not the engineer needs to be submitted to the Trust.

Mr. Kinsella – Mr. Miller, you can take care of that.

Mr. Miller – Yes.

Mr. Watts – So the sense of the Board is that Mr. Miller should make a courtesy phone call to the school's business manager and say that it will be followed up by the letter stating the Authority's position and that we wanted them to know what to expect. I can help Mr. Miller with the letter or it could come from the Chairperson, whichever you prefer.

Dr. Buza – Personally, I think the letter should come from legal counsel. There are legal reasons behind the decision. It's not an emotional decision, it's based upon a legal, sound decision.
(general consensus)

Mrs. Gilbert – Just for my understanding, you're saying that they can either tear up the old one or fill it; can the filling of it be done without tearing up anything? Could they put in the turf field now and then next year fill it up?

Mrs. Wohlleb & Mr. Tully – No.

Mrs. Wohlleb – I don't think they can and the reason why is it's a very long stretch of pipe; you're going to need this access point since the manhole is buried. You could estimate how much is going in but you really need to see for sure that the concrete actually fills it.

(many voices speaking at once for an extended length of time)

Mr. Kinsella – Are we all like minded here? Mr. Watts will draft the letter and Mr. Miller will call the school.

Mrs. Wohlleb – Mr. Miller, you'll address the Trust?

Mr. Miller – Yes, I will.

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.

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

MAY 21, 2015

365 Old York Road, Flemington, New Jersey

(908) 782-7453 Office

(908) 782-7466 Fax

-
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) Correspondence from Mr. Raymond F. Glove, Jr. of Dresdner Robin to Mrs. Nancy Wohlleb, PE of Hatch Mott MacDonald and Correspondence from Nancy Wohlleb, PE of Hatch Mott MacDonald to Mr. Bruce Miller of RTMUA regarding NJDOT Maintenance Facility Pump Test Discharge

Mr. Miller – Basically they are doing a two day pumping test.

Mrs. Wohlleb – Yes, DOT which has a site on Route 31 by the train trestle, it's their maintenance facility, they have an existing connection into our sewer but they are looking into doing some groundwater remediation of their site but they want to do this pump test. I received this letter with the backup information for their request, I think that they want to do this in June, and it basically amounts to a forty – eight hour test, they're going to have pre-treatment and we've taken a look at it and feel that at a twenty to thirty gallon per minute rate, and with some caveats, because of its location the discharge is going into a sewer that makes its way to that sewer to the FWWF and it's to be done only in dry weather which they are okay with, and we've already spelled out the other requirements mainly related to paying their user fees and review and escrow fees; we've identified a flow based on twenty to thirty gallons per minute which is about 50,000 gallons per day for two days so essentially it's an estimated EDUs worth over the course of forty – eight hours. My letter back to them just summarizes what they are looking to do, the amount of flow, how we felt in terms of their percent of their discharge relative to the overall plant flow and to again spell out the requirements. The one thing I wanted to make clear to them is this is only a two day test, if there's a thought of in the future of looking to do this in the long term we'd have to take a much closer look at it and evaluate if it's feasible because as long as we have the FWWF there would be a concern that this flow would be going to that site where there is no ability to treat with these types of parameters. I think it's a fairly administrative thing to do though I do recommend that either Mr. LaFerla or his staff or someone from HMM's staff go out while they are doing the test just to verify that they are doing what they said

they'd be doing, that they pretreat, that they're taking some samples to make sure their pretreatment process is working and that they are actually flowing at the flow they said they'd be flowing at and not making the test longer. They need to fill out an Application for Sewer Service and do some paperwork with Ms. Nicaretta, particularly to pay their fees and then the matter of them notifying RTMUA when they do it.

- b) Email from John Smith of Energy Market Exchange to Bruce P. Miller of RTMUA regarding EMEX Reverse Auction

Mr. Miller – EMEX is the reverse auction that we had with electricity and gas; both end in November of this year, one was twenty - four months and one was thirty - six months. We'll be up in November but the rates are rising and I was talking with John Smith about it and he recommended we have an auction the day of the next Board meeting. You can back out of it, you can do whatever you want but if you remember the last time, we were at about thirteen six per kilowatt hour and we got an auction for three years at point seven four eight and the minute we signed it we saved about \$125,000.00 I think. The original gas contract wasn't as good, I don't remember what it was but it is point five five per therm now and it was low sevens though it's still saving some money. We can take it or we can leave it or we can leave it and get one later if it's going down.

Mr. Kendzulak, Jr. – Mr. Miller, once this thing comes in, we only have a short window to accept it, right?

Mr. Miller – Yes, one day. That's why we have it on the day of the meeting.

Mr. Kendzulak, Jr. – If you could do the research and find out what the rate is for JCP & L, right?

Mr. Miller – Sure; it'll start at the JCP & L rate and then what happens is everyone starts to bid, it's online; they say "RTMUA is at thirteen point six per kilowatt hour, who bids next"? And you can see it; someone bids twelve, eleven etc.

Mr. Kendzulak, Jr. – That locks you into a period?

Mr. Miller – It gives you twelve, twenty – four or thirty – six and you can pick whichever one you want.

Mr. Kinsella – Thirty – six is the max?

Mr. Miller – Yes but for gas it's not, that's why we did twenty – four for that.

Mr. Kendzulak, Jr. – Is it going to be just us doing it?

Mr. Miller – Yes. There is one more thing I'd like to talk about and I spoke to Mr. LaFerla about it; it has to do with MEL, Magnesium Electron; they came to me and asked "would you be willing to take 790,000 gallons per day of our effluent?" When I talked to Mrs. Wohlleb about it, the answer was "you're taking it out of the Delaware River Basin (they deposit it in Trenton now) and you're putting it into the Raritan River Basin" and it's not going to go any further. Mr. LaFerla said that they had tried Frenchtown and Lambertville too.

Mr. Kinsella – Frenchtown doesn't want it.

Mr. LaFerla – We don't want it either.

Mr. Tully – No, we don't want it.

Mr. LaFerla – Never mind you'd have eleven tractor trailers going in and out of here a day.

(many voices speaking at one time)

Mrs. Wohlleb – It's not even in your sewer service area.

Mr. Miller – I just wanted to make you aware of it.

Mr. Kendzulak, Jr. - What's going on with Costco? I thought I had heard they were going to be open by September. Why is it taking so long?

Mrs. Wohlleb – I'm not sure what's going on, on the building side but they did drag their feet over the winter with the sewer construction and then they started testing. I don't know what they were thinking; they ended up putting in ductile iron pipe in more places than they had originally proposed so where there was pvc pipe they were supposed to do a mandrel test, basically pass a steel bird cage through a pipe; for pvc pipe it's important because once the backfill operation has occurred over the pipe you want to see if the pipe has turned egg shaped or crushed and doesn't have it's nice circular look and shape so everything will flow nicely. You don't need to do that for an iron pipe because of its strength and characteristics but someone out there called up our office and said "we're ready to do the test" and we get out there and they say "we got the cage stuck in the pipe", they tried to put it into the ductile iron pipe. For two months now it seems like we're waiting for them to finish the sewer testing but I think they are going to have to dig up the pipe to get this thing out. So they've just stopped work on the sewer part.

Mr. Kendzulak, Jr. – So what's the projected date of opening now?

Mr. Miller – I was told it would be by Thanksgiving by Scott Loventhal.

Mr. Kendzulak, Jr. – I have one other thing and Mr. Kinsella I think you raised a little concern over this. The Hunterdon County CEDS, Mr.

Miller, you went to a meeting? Is this something we should be concerned about or is it just planning talk and it's never going to materialize?

Mr. Miller – The meeting I went to which had about eighteen or nineteen people who were not part of the County, there wasn't much enthusiasm about it; Jack Cust sort of read them the riot act and said "why don't you people get in gear, look at this thing, it's six months old", the stuff hasn't been updated and he said the thing looked like it'd been written for Chantilly, Virginia. They produced five copies of it, we get the sixth; that's what he sort of implied. No one was happy with it; they were all saying "hands off our Township".

Mr. Kendzulak, Jr. – So you don't see this thing having legs here?

Mr. Miller – I don't think so.

Mr. Kinsella – They were really pushing this thing, it had legs.

Mr. Kendzulak, Jr. – What about the Township? Did anyone from the Township show up?

Mr. Miller – No, no one from the Township was there.

Mr. Kendzulak, Jr. – Are they concerned? They should be concerned.

Mr. Miller – I don't know. There was one person from Readington and Milford and Frenchtown. I have the list of who was there if you want it.

3. Unfinished Business:

None

4. New Business:

None

5. Professional Reports:

a) Attorney - none

b) Engineer –

Mrs. Wohlleb – The last thing on the Engineer's Report is the Facilities Planning Report which basically evolves into your Capital Improvement Plan over the next ten years. We pretty much prepared it and we're coming up to the point where Mr. LaFerla and the staff will sit down and start working on it. We've identified the projects based on our field work and working with Mr. LaFerla, and I thought it might be prudent to meet with the Engineering Sub – Committee first, rather than just sort of submit the report cold; here's the numbers, here's the

recommendations, here's the priorities and get going on the Capital Improvements and my concern is that we prepared a report based on a proposal we did last year, really before a lot of the questions that have come up the latter part of last year and into this year about the future of the Authority; any potential expansion because there might be additional housing or development or finalization of the Wastewater Management Plan (WMP), I just want to make sure that at this point, though technically I've met my scope of work by doing what I've done but a number of questions will come up when I submit this. Take for example, I'm making a recommendation that the headwork's of the treatment plant, your basing it on the current capacity and demand of the plant; what happens if we expand? We can get to that answer but I haven't done and pushed the costing or do any of the engineering related to what you'd have to do to the headwork's building if you expanded. Part of the reason is because I don't know what that number is. We talked with some idea about the WMP but I just thought that there are some open questions and since there is an Engineering Sub – Committee I thought it might be good to sort of feel them out first at that level so there could be more meaningful discussion and not just try to rush it through the Board meeting; I wanted to get some feedback from the Board as to whether or not that would be prudent to schedule an Engineering Sub – Committee meeting.

Mr. Kendzulak, Jr. – Is something like this premature at this point? We don't know what's going and we're waiting on the County and all of this. My own initial opinion unless I hear otherwise is I'm not too keen on expanding this thing.

Mrs. Wohlleb – The intent is to get a sense of, people, whether it's the public or members of the Township or County, who are asking questions, how much does it cost to expand the plant, where are your weak parts in your system, obviously I have elements of existing data and institutional knowledge, that can generally answer the question but what concerns me is that no one has really looked at in a long time is the Bushkill Interceptor, that was a study done twenty years ago, there's that pipe line capacity issue, again, if I make a recommendation that says "you need to do your headwork's" then you would set out to do your design based on what you know today, we know the plant flows on an average based on a design of 3.8 million gallons per day (MGD) and it's designed for a certain peak and we would match that but say in the next five years you go and build a headwork's and say you were faced with doing an expansion; do you want to push it off until then and you'll deal with the engineering then? Spend the Capital to do the headwork's and maybe find out that we can't salvage what we just invested in if the plant expanded. Say it was the grit facility, particularly if I'm saying "in five years you going to spend X amount of dollars based on all things remaining equal, the plant remaining as it is today.

Mr. Kendzulak, Jr. – Are we premature in moving forward with this Facilities Planning Report or do we wait until some of this stuff shakes out to have a clear picture of where we are going?

Mrs. Wohlleb – I think legally you have to have a Capital Improvement Plan that goes into your budget; you have to show I think at least a five year outlay of expenditures so you do need something based on what you know I think technically that's why it's revisited annually. Actually, this question came up in 1998 or 1999 when the auger monster, the current headwork's equipment was put in; it was the same question that was debated at the time by the Board and Mr. Coe and in the end it was decided to just design for what is was that day, that's now lasted sixteen or seventeen years but the equipment now is coming to its end and within the next five years it will reach its twenty plus year life cycle and something would need to be done.

Dr. Dougherty – I agree you have to do some forward planning and what happens when you don't; take a look at our municipality right now, they used to have a five year plan for roads, a five year plan to buy police cars, a five year plan to do whatever and they budgeted and projected where they would be but that's been scrapped and that's why they're in somewhat of the situation they are today as well as the State government has done the same thing. I think it behooves us to have some kind of a five year plan looking forward to where we are going. I was here when we did the muffin monster and all of that stuff and I think you have to look forward and we may have stuff shoved at us that you're going to have to expand that you're going to have to do this but it's beyond our control.

Mr. Watts – We are also required to present our Capital Plan to the Borough of Flemington.

Mrs. Wohlleb – Yes, it's in the Contract.
(many people speaking at one time)

Mrs. Wohlleb – You have expenditures, you foresee a headwork's issue a grit facility, there's some work on the clarifiers, there's a need at the septage facility but the rags are an issue because that's part of what your headwork's isn't doing. You look back at the last ten years and you really embarked on your pump station program and you had those different expenditures over the last ten years but what you were able to do was essentially plan for it, you had those numbers built out each year.

Dr. Dougherty – Why don't you come up with a proposal of what you think should be done and estimate the costs and then we can discuss it?

Mrs. Wohlleb - It's kind of a wide open book though.

Dr. Dougherty – You are the engineer, you come up with the idea and say “look, the way things are going, from the best of the knowledge we have now,

you are going to have to look at this, this and this and we're prepared to plan something along those lines for you and it's going to cost this much money.

Mr. Kendzulak, Jr. – I think Mrs. Wohlleb's request is to meet with the Engineering sub – committee to get more direction.

Mrs. Wohlleb – Yes.

Mr. Kinsella – You'll be hearing from the Capacity Sub – Committee shortly too. We are going to have a meeting with the Township soon.

6. RTMUA Reports:

a) Administrative Report - ok

b) Operations Report

1. Chief Operator's Report –

Mr. Kinsella – These pictures Mr. LaFerla?

Mr. LaFerla – These are pictures of the sludge holding tank; we just cleaned out the smaller one, that's about six months' worth in there and it was about a foot deep in most places.

Mr. Kendzulak, Jr. – How do you clean it out?

Mr. LaFerla – Two guys with shovels and put it in the vactor. The rags and stuff they take out and dump into the dumpster and they took a trip to Kearney with it.

Mrs. Wohlleb – Your sludge holding tank is the bottom end of the process; you have at all your pump stations, macerated rags, toilet paper, swifter mop type stuff and when it gets to the plant if it gets passed the screen it starts getting on weirs of different chambers, then it makes its way to that tank and binds itself with human hair, grease and it's almost like it forms braids and that's why they have problems with the mixer that they have and rags just accumulate.

Mr. LaFerla – They actually take saws in there and just cut through them. The last thing I have is at the last meeting I asked you about starting to get someone since Mr. Mazza is retiring; I posted all the different positions because the guys get to switch and now I'm at the position I need to hire for and I'm letting you know that I'm going to start advertising.

Mr. Tully – What position did you get down to?

Mr. LaFerla – The midnight shift.

Dr. Dougherty – I'd like to see the Board represented there, we have a Personnel Committee and we should also interview the applicants with you.

Mr. LaFerla – Yes, you should.

Dr. Dougherty – That's part of the Personnel Policy; I think we'll sit with you and you can bring the applicants in, we can look at them, talk to them and maybe we can avoid other problems like we will be discussing later tonight.

Mr. LaFerla – Yes, I would appreciate it. Thank you.

- 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) Hunterdon Central High School 30 Yard Line Project

Previously discussed.

8. Adjourn into Closed Session by Motion, if Needed

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

Dr. Dougherty made a motion to adjourn into Closed Session for the above stated purpose and Dr. Buza seconded the motion. Closed Session was from 6:35 pm – 6:43 pm.

9. Adjournment of Work Session:

Mr. Tully made a motion to adjourn the Work Session. Mr. Kendzulak, Jr. seconded the motion. All were in favor. The Meeting ended at 6:44 pm.