

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

NOVEMBER 17, 2016

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	Absent
Mr. Kendzulak, Jr.	Here
Chair Kinsella	Here
Mr. Tully	Here

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

3. **PLEDGE OF ALLEGIANCE**

4. **APPLICATIONS:**

None

5. RESOLUTIONS:

Resolution #2016 - 80 Approval for Contract Modification #1 Woodside Farms Pump Station Rehabilitation Project

Mr. Watts – I spent quite a bit of time with Mrs. Wohlleb and Mr. Wohlleb talking about this and putting together a time line and it's clear to me that the delays that gave occasion to the additional charges from the Contractor were the fault of the gas company, there's no question in my mind. In that particular case, according to the Contract, there is no right for the Contractor to make a claim against us if it is the utilities fault.

Mr. Kendzulak, Jr. – That's your interpretation of the construction contract with the Contractor?

Mr. Watts – Yes. The timeline with the gas company, we went to them way in advance, we kept after them, they never got back to us and never got back to us and then they wanted us to relocate the line. We did not drop the ball.

Mr. Kendzulak, Jr. – My feeling is, deny it, we're not paying for it. Or come to somewhere in the middle.

Dr. Buza – I agree, I don't think we should pay for something we're not obliged to pay for pursuant to the Contract.

Mr. Kendzulak, Jr. – As far as taking a position, this is what the Contract documents said, you're not entitled to it.

Mr. Watts – I will write the Contractor a letter on the Authority's position.

TABLED

Resolution #2016 - 82 Adoption of Certified Budget

Mr. Tully made a motion to approve Resolution #2016 – 82, Mr. Kendzulak, Jr. seconded the motion.

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

Resolution #2016 - 83 Establishment of Administrative Salaries

TABLED

Resolution #2016 - 84 Return of Wastewater Treatment Capacity, FDS Realty, LLC (Block 16.01 Lot 40)

Dr. Buza made a motion to approve Resolution #2016 – 84, Mr. Kendzulak, Jr. seconded the motion.

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

Resolution #2016 - 85 Return of Wastewater Treatment Capacity, Raritan Realty and Investment, LLC (Block 36.03 Lot 5)

Mr. Tully made a motion to approve Resolution #2016 – 85, Mr. Kendzulak, Jr. seconded the motion.

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

Resolution #2016 - 86 Approval of and Authorization to Execute Agreement for Transfer of Wastewater Treatment Capacity and Assignment of Agreement for Reservation of Wastewater Treatment Capacity, Raritan Realty and Investment, LLC to 22 Royal, LLC (Block 36.03 Lot 5)

Mr. LaFerla – There is a problem with the Application with the Easement there, they want to put light poles and shrubs in there; I told them no and I'm sure you'll hear about it.

Chair Kinsella – You can tell them the Board agreed with you.

Mr. Tully made a motion to approve Resolution #2016 – 86, Dr. Buza seconded the motion.

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

Resolution #2016 - 87 Authorization to Endorse NJDEP Treatment Works Application for "Flemington Borough Route 31 Interceptor" Sewer Relocation Project

Mr. Tully made a motion to approve Resolution #2016 – 87, Mr. Kendzulak, Jr. seconded the motion.

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

6. Approval of Minutes: Minutes of October 20, 2016

Dr. Buza made a motion to approve the minutes from the October 20, 2016 meeting. Mr. Kendzulak, Jr. seconded the motion. All were in favor.

7. Treasurer's Report / Payment of Bills:

Mr. Kendzulak, Jr. - The bills totaled \$547,106.72. Everything appears to be in order. If you go to the last grey page, if you look at the bottom, the lower right corner, the percent used was 89.3%. If you did the math and said we were eleven months through the year, that would be about 91.7% so looking at it that way, we're pretty good. We're under budget; last year at this time we were at 96.9%. So percentage wise, we're okay.

Chair Kinsella – That's an amazing accomplishment; every year it seems like it happens but it's because our people are looking at the numbers and you don't see this in a lot of places. Mr. LaFerla and everyone who works here, good job.

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

Roll call vote:	Dr. Buza	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Yes
	Chair Kinsella	-	Yes
	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. Tully seconded the motion. All were in favor.

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

NOVEMBER 17, 2016

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

(908) 782-7466 Fax

APPROVED

1. **The Work Session** of the Raritan Township Municipal Utilities Authority will be called to order upon the adjournment of the Regular Meeting.
2. **Correspondence:**
 - a) Alfred R. Coco, PE, Menlo Engineering Associates to Gregory A. LaFerla, Chief Operator / Director, RTMUA regarding Request for Additional Capacity for Block 16.01 Lots 35 & 36

Mrs. Wohlleb – This one is for the fairgrounds property, Raritan Town Square. The second correspondence is the Costco property. The flow goes to what we call the Lipton Tea sewer interceptor. They don't flow to the Bushkill system. This first property, the old fairgrounds, the Applicant looked to develop all on commercial development, nine or ten buildings, all various types of retail including big box stores; the Applicant came in, put in an Application for Sewer Service, got a TWA and has spent the time since then, slowly CO'ing the various buildings. There are a couple of buildings that have not been CO'ed and this Applicant is looking to take the remaining development and now fold in an affordable housing component. Sometime ago, the Applicant, Garden Commercial and their engineer, Menlo Engineering, came to us and initially said they hired a guy to do flow metering and they did flow metering. He initially wanted to take an approach of "I want to find capacity by way of metering my sewer flows. I'm billed on an EDU basis but I'm using less flow than what you are billing me and I think I have capacity, so I want to fold that capacity into changing the direction of my development from my approved commercial to this residential affordable housing component." So we met with them a few months ago and we said "no, no, no, that's not an appropriate way to take a look at it" but we recognized two things. One was, he had presented in one of these tables here, the data he had going back to 2005, these are the square footages, these are the things I connected at and we said "you had different things happen, you have to go back and take an inventory, what are your actual square footages, numbers of seats for the restaurants" and he was supposed to come back with that kind of information and the second thing was I had advised him that I found an old DEP letter that was issued in the late 1990's in regard to Walmart stores where you could identify a specific flow criteria for that type of box store. I gave him that information and he was supposed to come back and actually determine

the number of units he was building of one, two or three bedroom units, and in turn, say "this is what I have, and this is what I need". This first letter I believe is his work to establish that. So what it all boils down to is he is trying to establish that he needs 83.5 EDUs, he believes he has 72 EDUs and he's requesting an additional 11.5 EDUs. I actually have not had time to fully review and go over these numbers and sit down with Ms. Nicaretta which is typical of what we do to make sure he has his records correct and they match ours. On the assumption his assessment is correct, he would be looking for 11.5 EDUs.

- b) Alfred R. Coco, PE, Menlo Engineering Associates to Gregory A. LaFerla, Chief Operator / Director, RTMUA regarding Request for Additional Capacity for Block 16.02 Lot 41

Mrs. Wohlleb – Similarly but a little different for this Raritan Junction development, same developer, same engineer, the Costco property, there were plans to do an additional plan site for commercial / retail and what the Applicant is looking to do is maybe not go that way and to do an affordable housing project on the Costco site. Again, I have not had time to review what he says he has but apparently he says he needs 99 EDUs, he thinks he has 7 EDUs he needs and additional 92 EDUs. So between the two projects they are looking for over 100 EDUs. We received these letters and when we receive formal requests for capacity we have to bring them to the attention of the Board. The only other thing I would do, and it's what I would normally do is to review the actual information he provided.

Chair Kinsella – Can they build that under the present zoning?

Mrs. Wohlleb – There's an overlay. In past times, we would take formal requests for capacity like this to the Capacity Sub – Committee, I don't know if that's the case here or how you want to handle it.

Mr. Kendzulak, Jr. – I think the response is "we're in receipt of your request and we will keep it on file". The one looking for 11.5 EDUs, that's more reasonable. The other question I have, would there be an issue in the conveyance system to get it here?

Mrs. Wohlleb – No.

Mr. Watts – The real issue is, for us to revisit and say we calculated this much capacity was needed and typically if you don't flow that much we don't care, it doesn't matter. They're going to have to show that this box store should be assigned a different capacity, just like we're going to talk about with HealthQuest. So that would be the big hurdle that we can recognize we did allocate too much in the beginning and we're not going to lower it because they're flowing less, we're going to lower it because DEP says so. I think Mrs. Wohlleb needs to ask them to clarify the points that are confusing in the letters

and then we have to make sure we know exactly what they need and what they want and we get an appropriate answer back to them. They may be well short of what they need for their project. At some point you'll have to see if you have enough capacity to go out on a Point System or not.

3. **Unfinished Business:**

None

4. **New Business:**

None

5. **Professional Reports:**

a) Attorney - none

b) Engineer –

Mrs. Wohlleb – Of note, the old switch gear is gone down below. There are a couple of wires that have to be dealt with but the paving and site work is basically completed.

6. **RTMUA REPORTS:**

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator / Director's Report

Mr. LaFerla – I have a couple of little things. With the Flemington ACO, I spoke to Ms. Carmeli today, and there's nothing to report at this time. The other thing is for some reason we have Election Day off but not Veteran's Day. The administration staff would like to switch that and have Veteran's Day off instead of Election Day if that would be okay with the Board.

(general consensus)

Ms. Nicaretta – We'll have to do a resolution to change that in the Personnel Manual?

Mr. Watts – Yes.

Mr. LaFerla – Mr. Schneider the Maintenance Supervisor is retiring April 1st, I would like to move Mr. Sciss into his position and I'd like to have

him overlap Mr. Schneider's duties so he has an idea of what he'll have to do. I'd also like permission to start looking for another maintenance worker.

(general consensus)

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

b) COMMISSIONERS' COMMENTS

7. **Discussion:**

Mr. Watts – I would say items B, C and E would be for Closed Session discussion.

a) Public Information Flyer from Plainfield Municipal Utilities Authority

Chair Kinsella – Isn't that something the Township should be disseminating?

Mr. Kendzulak, Jr. – Isn't that in the newsletter?

Ms. Nicaretta – Yes, we always put a little blurb in the newsletter plus there's a little blurb on our website.

Mr. Kendzulak, Jr. – Can something go out with our bills?

Ms. Nicaretta – Not really, there's not enough room on the bill. You're talking about something going out like when Mrs. Bacigalupo did the brochure about the Authority a few years ago?

Chair Kinsella – Yes; something in color, with pictures, something to attract the rate payer's attention.

Dr. Buza – What else could go in it besides illicit connections to educate the public?

Ms. Nicaretta – Information on garbage disposals?

Mr. LaFerla – We'll work on something and maybe have a draft for the next meeting.

Mr. Tully – If someone called up and said they didn't know if their connection was illicit or not and wanted to know if you'd send someone to look at it, would you?

Mr. LaFerla – Yes, I wouldn't have a problem with that at all. I mean if that's okay with the Board. I think we should.

- b) Mott MacDonald Proposal for LSRP Services for HSRHS
To be discussed in Closed Session
- c) Proposal for Geotechnical Investigation for Route 31 Interceptor Sewer Location
To be discussed in Closed Session
- d) First Neshanic Interceptor Evaluation Phase I – Manhole Evaluation

Mr. Kendzulak, Jr. – We had JMT go out and evaluate the Neshanic Interceptor and take a look at certain areas because we know we're getting spikes in flows at Pump Station #1 very quickly. They went out there and they looked at it and if you go to page three at the bottom, and I'll just read this (reads last paragraph of page three and first paragraph of page four). So Mr. LaFerla, I know this is only a couple of days old but I think we need to work with these guys and get them this information so that they can do that. I don't know where you are with getting our guys out to TV it but let's see if we can move this thing along. Then they go on to talk about (reads the last paragraph of page four). So if we could get that TV'ed.

Mr. LaFerla – It's already been TV'ed.

Mr. Kendzulak, Jr. – Okay, do they have the information?

Mr. LaFerla – No, I didn't get this report until today when I got back from the conference.

Mr. Kendzulak, Jr. – Okay, so if you could fill his request because I guess there were a couple of manholes that exist that they weren't able to find and the only way to find them I guess is through TV inspection.

Mr. LaFerla – We know where it is but it's in a horse field so we didn't want to dig it up and have the horses go through there and get hurt. The extra manhole they found that wasn't on the map was for Mt. View development.

Ms. Wohlleb – I do have a question; where they recommend the cleaning, and TV'ing, when the guys go out and TV, they TV with the flow, the flow is active. So depending on how that is, it's typical to say that if you want to get a structural view of the pipe your flows should be typically no more than fifteen percent full so you can get a full view. The guys don't have the capability either to bypass or use a big mouth plug, which is an air plug; it's a plug that has an opening so it channels the flow. In the past we made a recommendation that the Authority get it and you can get them in different sizes. If you're flowing more than fifteen or twenty percent full, you're may not get what you want to see.

Mr. Kendzulak, Jr. – Well, we'll leave that up to them. It has been dry; but if you can make this a priority Mr. LaFerla.

Mr. LaFerla – Yes.

e) Draft Agreement HCRHS

To be discussed in Closed Session

8. Adjourn into Closed Session by Motion, if Needed

Chair Kinsella – We will be going into Closed Session to discuss Contractual Matters, specifically being the Shared Services Agreement to be entered into between the RTMUA and HCRHS; we do not anticipate any official action will need to be taken once we come out of Closed Session.

Mr. Tully made a motion to adjourn into Closed Session for the above stated purpose and Dr. Buza seconded the motion. Closed Session was from 5:57 pm – 8:20 pm.

9. Adjournment of Work Session:

Mr. Kendzulak, Jr. made a motion to adjourn the Work Session. Mr. Tully seconded the motion. All were in favor. The Meeting ended at 8:21pm.