

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

OCTOBER 20, 2022

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. Ancien	Here
Mr. Hazard	Here
Mr. Kendzulak, Jr.	Here
Mr. Mangin	Here
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 #2022-66 Introduction of FY 2023 Budget

TABLED

Resolution #2022-67 Commercial Survey Policy

Mr. Kendzulak, Jr. made a motion to approve Resolution #2022 – 67, Mr. Mangin seconded the motion.

Roll call vote:	Mr. Ancien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-68 Eden Holdings, LLC Block 45.03 Lot 34

Mr. Hazard made a motion to approve Resolution #2022 – 68, Mr. Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Ancien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-69 Return of Legal and Engineering Escrow

Mr. Mangin made a motion to approve Resolution #2022 – 69, Mr. Hazard seconded the motion.

Roll call vote:	Mr. Ancien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-70 Authorization to Accept Proposal for Potential
Expansion of the Main Treatment Plant Study from
Johnson, Mirmiran & Thompson, Inc.
(Proposal = \$19,000.00)

Mr. Hazard made a motion to approve Resolution #2022 – 70, Mr. Mangin
seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-71 Acceptance of Bid and Award of Contract to Russell
Reid Waste Hauling & Disposal Service Co., Inc for the
Septage Receiving Tank Cleaning Project (Contract
#22-3)
(Bid Amount = \$26,655.00)

Mr. Kendzulak, Jr. made a motion to approve Resolution #2022 – 71, Mr.
Anclien seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-72 A Resolution Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier One Requirements

Mr. Hazard made a motion to approve Resolution #2022 – 72, Mr. Tully seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-73 A Resolution Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier Two Requirements

Mr. Hazard made a motion to approve Resolution #2022 – 73, Mr. Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-74 A Resolution Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier Three Requirements

Mr. Anclien made a motion to approve Resolution #2022 – 74, Mr. Kendzulak, Jr. seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Resolution #2022-75 A Resolution in Support of the Application of Raritan Township for a Stormwater Technical Assistance Grant to Conduct a Stormwater Utility Feasibility Study

Mr. Kendzulak, Jr. made a motion to approve Resolution #2022 – 75, Mr. Mangin seconded the motion.

Roll call vote:	Mr. Anclien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

6. Approval of Minutes: Minutes of September 21, 2022 Meeting

Mr. Mangin made a motion to approve the minutes from the September 21, 2022 meeting. Mr. Tully seconded the motion.

Roll call vote:	Mr. Anclien	-	Abstain
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

7. Treasurer's Report / Payment of Bills:

Mr. Kendzulak, Jr. - The bills totaled \$494,027.99; everything appears to be in order. The last orange page, you'll see we're at 67.68% of our budget, we're about three quarters through the year so we are actually in pretty decent shape so far. I feel comfortable with where we are.

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

Roll call vote:	Mr. Ancien	-	Yes
	Mr. Hazard	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Mangin	-	Yes
	Mr. Tully	-	Yes

Mr. Hazard – Before we get to Citizen's Privilege; this is Mr. Mangin's last meeting. He has been past Mayor and on Township Committee, and he retired and is heading down to Delaware. He is moving on.

8. Citizen's Privilege:

Mr. Lanza – My name is John Lanza, and I am here representing the owner W. Brands for an extension of our sewer capacity Agreement. From your conversations and living in the area, you know about the economic problems that we are having right now; unforeseen the last time I was here and asked for the extension to the end of this year. At the time we made the Application, we were anticipating using the warehousing and developing the property for our own use but as it turned out with the economic downturn we are changing our direction probably and turning more to tenant rental and we are asking that our sewer capacity be extended to allow us to do that. As you know, circumstances are well beyond our control or anybody's control. I brought our real estate consultant, Mr. Worden, he was here last time, if you have any questions of him but it is simply an economic issue that was unforeseen, and we are just not in a position to develop the warehousing at this point for ourselves. We are going to have to just make do with what we have off of Route 12 and that is why we are here again to ask if we can extend another year.

Mr. Tully – Unfortunately, I think we made it clear at the last meeting that we were not going to extend it again because it sets a very bad precedent that we don't want to set. We laid out a very clear path for your client as to what they

needed to do to have that extension and to get the capacity under that extension. None of those milestones were met.

Mr. Lanza – They made all of their financial commitments to this Commission; those were all met. They are paid up to date.

Mr. Tully – That was part of the Agreement, but they had to have a plan in before the Township for a Site Plan and they do not.

Mr. Watts – The problem the Authority is under, it's the need for the capacity, it is not just the money, the paying for the capacity. We need the capacity back, since we are under the gun with Readington Township who is seeking more capacity under their Agreement. We can't have it just sitting out there like that, being unused, regardless of payment. We need it back.

Mr. Hazard – Like we said last time, we are concerned about setting a precedent, we have been approached by others also. If we do it now, then we have to go back to all those others. If we make a decision like this, we would have to go back to everyone else, if we came to a different decision here.

Mr. Lanza – I'll discuss it with the owner, and you will hear from us one way or the other.

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. Ancien seconded the motion. All were in favor.

APPROVED

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

OCTOBER 20, 2022

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:**

None
3. **Unfinished Business:**

None
4. **New Business:**

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

Mr. Madden – The paving was done today. That one is checked off. This is this year's version, next year we have to do the rest. The sludge holding tank, they are still in the building stage of the tank. The parts are on order. SCADA, we want to set up the meeting for SCADA; he was out until this week. I don't know who we want to have at this meeting. I went through the report in detail, it is pretty thorough. They have a lot of pricing information in there and everything else so we can figure out what steps you want to do to go where. It is pretty comprehensive. I have a copy if anybody wants one. We are pretty much set to go on the FWWF upgrades. We just have to get it advertised and we will be ready to move on with that one. The generator replacement; we recently found out that the company that we have been working with here, that the guys have been working with, is in the New Jersey STARTS co-op. We are investigating how to get that done through them. They have to do some things on the vendor side, we have to do some things on our side, but I think that is the easiest approach if we can make that work. We did the third quarter capacity report. The third

quarter was, I think our average was 2.33, which is pretty low. It has been a pretty dry summer. It started shooting up again in the Fall but that is pretty typical; we had a couple of big rain events. There was one that stretched out over four days and by the fourth day, the system was kind of maxed out and that is when we saw an excessive increase in flow in Pump Station #1 on that day. We did the bid for the septage receiving tank. We met with Bond Counsel the other day so that will be moving along. Mr. Watts, Mr. Frank, and I met with Readington again.

6. **RTMUA REPORTS:**

a) ADMINISTRATIVE / OPERATIONS REPORT

1. Chief Operator / Director's Report –

Mr. Frank – The Wet Weather Facility went on line twice last month. The Pre-Con meeting for the asphalt paving that was done today. We had the reverse auctions for both our natural gas and our electric for next year. I think it was twenty – four months for one and thirty – six months for the other. The natural gas company backed out, we had locked in a price and before the close of business, they backed out of the contract before it was fully sealed, and we had to do another reverse auction the following week. The price went up tenths of a cent from the original price, but we were able to lock in what I think is a fairly good rate. We started Union negotiations, had a meeting with Bond Counsel, we had the bid opening for the septage receiving tank cleaning, had a safety meeting and then the ongoing litigation with Readington Township.

Mr. Tully – How is Ms. Willett working out?

Mr. Frank – Good, the lab is now certified, and she is going to do her first DMR and we will start doing samples next month.

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

- 2. Laboratory Summary - none
- 3. Maintenance Summary - ok
- 4. Readington Flows

b) COMMISSIONERS' COMMENTS

None

Discussion:

- a) 3rd Quarter 2022 Capacity Evaluation

Previously discussed.

- b) October 2022 I & I Update

Mr. Madden – We have identified some things that we are going to get fixed. We brought in this company; they are in a co-op so we can just go with them. We are going to get them to come in and fix some of these leaks.

Mr. Tully – So, everything on this map is going to get fixed?

Mr. Frank – Over the course of two years, maybe three depending on the pricing.

Mr. Kendzulak, Jr. – Mr. Madden, I don't know if this is possible. This is a little small, I don't know if you can project it on a wall or something but can you give us an overview on what we did, so we can see on the map, we looked at this, this is where we had something, so we can all have an appreciation of what we found in certain areas, where we are going next, instead of trying to work off an eleven by seventeen sheet of paper.

Mr. Madden – I'll bring in a bigger map.

Mr. Tully – Can you do it next meeting?

Mr. Madden – Yes.

Mr. Tully – I'm going to ask a loaded question but there is no way to determine what we are going to save on infiltration by fixing all of this stuff, is there? Like quantify it?

Mr. Madden – Not really, it is very difficult.

Mr. Kendzulak, Jr. – We have three flow meters, and they are all out?

Mr. Madden – There are still two in.

Mr. Frank – One we are waiting on a sensor.

Mr. Madden – One of them wasn't operating. We are getting data from them, and we are able to see what the trends are. That is what we are really trying to find, where we can get our best bang for the buck if you would.

8. Adjourn into Closed Session by Motion, if Needed

Chair Tully – We will be going into Closed Session to discuss Litigation Matters, Contractual Matters and Personnel Matters and we do not anticipate any official action will need to be taken once we come out of Closed Session.

Mr. Hazard made a motion to adjourn into Closed Session for the above stated purpose and Mr. Kendzulak, Jr. seconded the motion. Closed Session was from 5:26 pm – 5:57 pm.

9. Adjournment of Work Session:

Mr. Mangin made a motion to adjourn the Work Session. Mr. Hazard seconded the motion. All were in favor. The Meeting ended 5:58 pm.