

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
May 3, 2010**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, May 3, 2010, at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Kievit, Mr. Cicerale, Mr. Verrilli, Mr. Kula and Ms. Leatham. Also present were Marianne Smith, Mike Vreeland, Mark Hontz and Bob Schultz.

After salute to the flag, Mr. Kievit stated compliance with the Open Public Meetings Act.

Minutes: MOTION was made by Ms. Leatham and seconded by Mr. Cicerale to approve the minutes of the April 5, 2010 meeting. In favor: Kievit, Cicerale, Verrilli, Kula and Leatham

OLD BUSINESS:

Indian Field:

Sewer Allocation – Marianne stated a pre bid meeting was held with a good size group. Representatives from North Church Gravel, Nutra Sport, Hamburg Borough, High Ridge Properties, and Terrance Bowman a developer representing Wantage. Not all whom showed up at the meeting showed up at the auction. The YMCA bought 2,000 gallons which will cure their deficiency and allow for expansion in the future. Sparta bought 10,000, from what we understand will be held for a future YMCA in Sparta. The balance went to Wantage for a development which will eventually be built on Route 23 and Blair Road. We collected our fees, with the balance due in 10 days. An amended developer agreement will be done with the YMCA. An amended sewer service agreement with SCMUA will also be done with the other municipalities. The upside to us, we could have sold it to another Hardyston development but the second case scenario was to sell it to a SCMUA member.

Mark stated the following sewer allocation was awarded with no competitive bidding occurring, one bidder in attendance did not bid. The total due is \$260,000 with total deposits received of \$76,000 with the balance due from all successful bidders on May 10, 2010.

Lot	GPD	Winning Bidder	Bid (gpd)	Total Due	Paid	check #	Balance Due	Due date
A	2,000	Metro YMCA of the Oranges	\$4.00	\$8,000.00	\$8,000.00	225305	\$0.00	n/a
B	3,000	Wantage Township	\$4.00	\$12,000.00	\$8,000.00	1206	\$4,000.00	5/10/2010
C	10,000	Wantage Township	\$4.00	\$40,000.00	\$10,000.00	1200	\$30,000.00	5/10/2010
D	10,000	Wantage Township	\$4.00	\$40,000.00	\$10,000.00	1201	\$30,000.00	5/10/2010
E	10,000	Wantage Township	\$4.00	\$40,000.00	\$10,000.00	1202	\$30,000.00	5/10/2010
F	10,000	Wantage Township	\$4.00	\$40,000.00	\$10,000.00	1203	\$30,000.00	5/10/2010

G	10,000	Sparta Township	\$4.00	\$40,000.00	\$10,000.00	86710	\$30,000.00	5/10/2010
H	10,000	Wantage Township	\$4.00	\$40,000.00	\$10,000.00	1204	\$30,000.00	5/10/2010
Total				\$260,000.00	\$76,000.00		\$184,000.00	

A MOTION was made by Kula seconded by Leatham to accept the winning bidder list as presented including the total bid amounts and indicated allocation amounts. In favor Kievit, Cicerale, Verrilli, Kula and Leatham.

Corrosion Control – Mike stated a package was compiled and submitted to the DEP of which we received in return as administratively complete. It is being forwarded to the technical engineer.

Phase II As-Built Plans – Mike stated nothing new at this time.

Phase III Conveyance – Mike stated nothing new at this time. Mr. Kievit questioned what will occur with the conveyance. Mike stated Beazer Homes is still involved with Phase III. There is some bonding still in place; we may want to do the research on what is in the bonds. We may want to do the as built plans, make the repairs ourselves, and then call up the bond. Mark stated we should give them a specific amount of time to respond. It will become an operational issue for us in the future.

Crystal Springs:

Payment Status – Gail stated their quarterly charges are paid to date. The bypass agreement payments are all paid and complete.

Ardleigh & Shotmeyer Housing Sections – Mike stated things are moving along. They are hoping to get this all finished up in the next month.

Developer Agreement Charges – Mike stated our developer’s agreement with Crystal Springs allows us to calculate a renewal and replacement charge for infrastructure that has been constructed. A portion of the user rates goes towards the renewal and replacement fund and the developer was going to contribute to the R&R based on the percentage of total lots occupied by residents vs. the lots which are represented by the developer. This number is supposed to be recalculated every May. But, since there has not been much activity, it has not been done. Essentially, when it was calculated in May of 2007 the developer represented 12 lots out of approximately 890 lots that were created. The developer now represents 9 lots. With the difference of 3 lots, it is a difference of \$660 per year. We can do this through a credit to their quarterly charges.

A MOTION was made Cicerale seconded by Kula to issue a credit of \$1320.00 to Crystal Springs Builders towards the quarterly developer charge until it has been fully dispersed. In favor: Kievit, Cicerale, Verrilli, Kula and Leatham.

Statement of Consent – TWA Extension – Craig by –Pass – Mike stated when Crystal Springs came in for the Shotmeyer and Ardleigh they also applied for the sewer by-pass TWA permit which goes behind the Craig. There were two different permits which were issued. They started the construction for the Shotmeyer, which protected the permit. But, construction had not begun in the Craig by-pass, even though they are interrelated, until a certain number of housing units had been constructed so the permit for this section lapsed. They have asked us to begin the process to obtain an extension from the DEP. In correspondence received from the DEP it stated even though the permit is expired they will consider the permit extension instead of a new application if new consent forms are signed and an application fee is submitted. It was also brought to the attention of SCMUA and it is being placed on their agenda at their next meeting.

A MOTION was made by Kula seconded by Leatham to approve the signing of consent forms for the TWA permit extension of the Craig by-pass. The fee is to be processed and paid for by Crystal Springs Builders. In favor; Kievit, Cicerale, Verrilli, Kula and Leatham.

High Ridge Properties:

Payment status – Gail stated High Ridge Properties is 7 full and 1 partial quarters behind with interest calculated through April 30th for a total of \$157,276.00.

Sussex Borough – Mark stated the matter is still in litigation.

TWA Application – Mike stated nothing new at this time.

YMCA

Mike stated he received their flow information for the month of April. The water reading was 8,900 gpd, the sewer 8,200 gpd, which came down from last month. A new developer's agreement will be devised to reflect the new sewer allocation purchase.

Ridgefield Commons Emergency Interconnection:

Mike stated shortly after last month's meeting a phone call was received from Wendell to go over the punch list we put together. We indicated that we would be available but we have not heard any follow up.

North Church Technical Center

Mike stated nothing new in regard to the water system. We did receive a letter from Riverdale Quarry stating they will be closing up shop. A bond was posted for the road improvements and they are calling up the bond.

Shotmeyer Brothers Site Plan:

Mike stated nothing new at this time.

New Business

Mike stated he met with Bob and Ron regarding a list of action items which need to be taken care of. One of them being the I&I issue at the Red Oaks sanitary sewer manhole. There is a sanitary manhole at the intersection of Tannery and Crystal Springs Road the riser section is cracked, we are concerned about some concrete falling.

Additionally, at the individual pumps stations Ron has been using a portable crane he has been hooking up to the back of the truck to pull the meter. A recommendation and request is being made to install bases at each of the pump stations with an appropriate portable davit. It can be used at each individual station to pull the pumps out. This will give Ron the ability to use it in any situation and weather. He is in the process of obtaining three price quotes. But, based on initial information for the davit, seven bases and winches, and cable he can most likely purchase the equipment for no more than \$4,500.00. He will then coordinate with the road department by utilizing their auger extension. We are requesting authorization of up to \$7,500.00 for the installation at each of the stations.

A MOTION was made by Verrilli seconded by Cicerale for authorization of up to \$7,500.00 for the purchase and installation of a base and mast for each pump station. This will allow use of a davit to remove the pump when necessary. Funds will be expended from the Operations and Maintenance account. In favor: Kievit, Cicerale, Verrilli, Kula and Leatham.

Mark stated two customers have notified us of their assumption that as a result of their discharge from bankruptcy they do not owe us any money. This has been a contention with us before and research was done prior with a bankruptcy attorney. The referring attorney was unsure as to what our position would be other than he was sure if the debt was moved to a municipal lien. He was unclear of the secured position if it was a dischargeable debt prior to it being moved to a municipal lien. We have one debtor by the name of Valez. They listed the HTMUA, of which it was discharged, but it was listed more as a general debt and there is no indication to the court that it was a municipal utility. The involved attorney's asked me to present to you the request for us to turn the water back on as it is a primary residence to the Valez's but there is no water. The response has been, make a payment plan, they contended that it was discharged. The attorney for the Valez's indicates it is not a priority and if we would just take care of it to avoid extra work by the attorney. What we would like to do, until such time that someone can give us a definitive answer, upon proof that the debt is dischargeable, otherwise please make a payment plan. A letter should be sent that until they can prove otherwise they will need to make a payment plan.

PAYMENT OF BILLS:

A MOTION was made by Leatham and seconded by Verrilli to pay the bills as per the bill list. In favor: Kievit, Cicerale, Verrilli, Kula and Leatham.

CORRESPONDENCE:

A MOTION was made by Kula seconded by Leatham to approve the correspondence as presented. In favor: Kievit, Cicerale, Verrilli, Kula and Leatham. No questions were made regarding the correspondence.

OFFICER'S REPORTS:

Nothing at this time

PROFESSIONAL'S REPORTS:

Administrator – nothing additional

Operator – not present

Billing Clerk – nothing additional

CFO –not present

Accountant – not present

Engineer – nothing additional

Attorney – nothing additional

OPEN PUBLIC PORTION:

The meeting was opened to the public. There were no members of the public present. There being no further business, a motion to adjourn was made by Leatham, meeting adjourned.

Respectfully submitted,

Gail Hensal
Recording Secretary