

**MINUTES  
HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
August 2, 2010**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, August 2, 2010, at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Kievit, Mr. Cicerale, Mr. Verrilli and Mr. Kula. Absent, Ms. Leatham. Also present were 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 Kula and seconded by Cicerale to approve the minutes of the July 12, 2010 meeting. In favor: Kievit, Cicerale, and, Kula, abstain Verrilli.

**OLD BUSINESS:**

Indian Field:

**Sewer Service Agreement Amendment** – Mike stated nothing new has been received to date on his end.

Mark stated the YMCA has finally reviewed the sewer service agreement back on June 23<sup>rd</sup> and we are anticipating receipt possibly as early as tomorrow. They had no problems with the agreement and this portion of the allocation should be wrapped up very shortly.

The service contract amendment with Wantage is set to be approved at their next meeting on August 12<sup>th</sup>. Sparta has not responded yet to SCMUA which was sent over a month ago.

**Corrosion Control** – Mike stated we received two letters from the DEP. They were asking for additional information as to how we were going to store the chemical in their first letter. The second letter of July 23<sup>rd</sup> issued by the bureau chief indicated that we can temporarily implement the corrosion control until the end of January. If the corrosion control with the potassium hydroxide then we have to file a permit application of which we have already filed. The technical review representative was contacted and it was indicated that we can install the system and address the comments from the letter of the 23<sup>rd</sup>. At this point in time we are requesting authorization to purchase the dilution system and the process control equipment to be installed in accordance with the application and the July 23<sup>rd</sup> correspondence from the DEP. Approximate cost not to exceed \$20,000.

A MOTION was made by Verrilli seconded by Kula for authorization to purchase the dilution and process control equipment for the purposes of corrosion control in the Indian Field Treatment plant. Cost is not to exceed \$20,000 and will be expended from the escrow fund. In favor; Kievit, Cicerale, Verrilli and Kula.

Mike stated he will work with Ron to obtain three quotes for the required equipment. Further discussion ensued regarding what is needed for the permit and storage of the chemical.

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

**Phase III Conveyance** – Mike stated nothing new at this time.

Crystal Springs:

**Ardleigh & Shotmeyer Housing Sections** – Mike stated construction is ongoing with regards to the housing section. The water and sewer improvements with the exception of a couple of outstanding issues are essentially complete. Crystal Springs is here tonight because one of the conditions of the planning board's approval is receipt of approval from all agencies. Before the subdivision plat is signed, completion and conveyance of the sewer pump station, well No. 3, the sewer force main and some of the gravity systems must be done. Most inspections were completed two weeks ago with Paul from PID Controls. There was an issue with the well at the same time inspections were being completed. The generator came on and the well pump and motor became damaged. Crystal Springs pulled both out and sent them to the supplier for repair and evaluation. Crystal Springs will explain further;

Dale Pierson, Administrator of Development from Crystal Springs stated they are before the commissioners to request relief. We have been working with Mike on the punch list items for the conveyance of water and sewer. We are down to the last item on the punch list; Bill Dusche will explain the problem which was encountered. Crystal Springs is requesting relief from the commissioners to be able to take the two subdivision plats that are ready for signature and record them. We would like to obtain up to seven (7) CO's for homes that are ready to be conveyed to buyers now and continue to work on the situation on the well which will be taken care of as soon as possible. Right now the connection to the other potable well allows us to have more than enough capacity and water to supply to the seven (7) co's. We have provided all the documentation to Mark for review for the dedication. As soon as we can convey, with this last item we will do so immediately.

Mark stated there is no subsequent problem with the documents as far as he is concerned. It becomes fact of the matter whether or not we give our approval to something that is not conveyed over to the HTMUA at this time. As it was previously expressed to Dale Pierson there is only one answer which could be given which is negative. This system has not been conveyed, the easements have not been turned over yet to have us conditionally do it. There really is no suspicion, Crystal springs has been extremely diligent in this matter and unfortunately they have been afforded at the last minute with the failure of the pump and motor. They have put forth with much dismay, significant expense. But, we are not there yet, although very close.

Mr. Verrilli stated he wants Crystal Springs to understand; if you're honest with us, we will be honest with you. We will always help you out as long as you're willing to go halfway. If Crystal Springs does not, we will have a problem.

Mr. Kievit stated the next time a favor is asked it would not be there. Crystal Springs has always been very cooperative and we are willing to work with you.

Bill Dusche, Project Manager at Crystal Springs stated he has been working with Mike in regards to the pump and motor. The first suspicion as to why the pump failed was the loss of the first phase of electric, which may have taken out the motor. We pulled out the pump and had a new motor waiting to replace it. When we pulled out the pump it was full of gravel. We sent the pump out to Pennsylvania to be re-built and tested. I was hesitant to put it right in again. We spoke to Mike about possibly raising it up and getting it away from the gravel. The force of the water is so strong, about 550 gpm. According to the supplier there is proper screening. We are suspicious and skeptical of placing a 60 hp, \$6,000 motor back in. We want to confirm the testing and that there is ample water before we move forward.

Mike stated they should speak with Crew Engineers, engineers of the water & sewer project, about some of the electrical concerns and the location of the pump in the hole. There is casing down to a certain depth and then open bedrock. When it was originally put on it was only pumping through a fire hydrant and against a low pressure. Not it is flowing at a very high pumping rate. Now that it is hooked up to the system it's flowing around 400 gpm. It is a lower rate, slower velocity and maybe we won't be pulling that stuff out of the fractures of the rock. Until it gets investigated, we may not want to place a \$6,000 motor and pump in again, only to have the same problem occur. It may happen two more times in the two year maintenance contract and then again and then it will become our problem.

Bill stated he has the rebuilt pump back. He spoke to the original well driller to possibly to perform air lifts to purge out the well and then send a camera down to see what the problem is. The well driller recommended raising it as long as we have ample supply, which can be determined with the 72 hour test.

Mike stated this happened when the pump was originally placed. A screen was placed on it but, now it has become a problem a second time.

Billy and Dale stated one of the homes on the townhouses is ready for inspections. The Pembroke townhome building #3 has 5 sales pending and one of the single family homes. We are ready for co's within a week.

Mr. Cicerale questioned what it is going to entail given Mark Hontz's question as far as the conveyance to be able to be compliant.

Mike stated in a perfect world the engineer and the attorney would say everything is good to go and they have satisfied all the conditions of the HTMUA. Then a letter is sent to

the planning board that all conditions are met. I would not recommend taking ownership of the well and pump until the issues are resolved. They are asking for a letter requesting for only seven (7) co's to be issued.

Mark stated what the planning board needs is our approval. Normally we would not say yes until we receive the easement and the dedication. We either say we are entirely satisfied or not.

Further discussion amongst the professional staff, Crystal Springs and commissioners ensued.

Dale Pierson stated she has been very, very careful with the subdivision plats. Any water and sewer piping through any of the lots in the new section already have the easements right on the subdivision plats. Also, Shotmeyer is a very big section; these two plats are broken down into small phases. The two plats that we want to record are not all of the units of Shotmeyer, there are two buildings in Pembridge as opposed to all four and the single family plat consists of 17 lots instead of 108. The two plats we are recording are phased; they do not include all of the lots. This is not all of Shotmeyer being recorded.

A MOTION was made by Verrilli seconded by Kula to grant a letter of approval for subdivision of the plats of Shotmeyer being signed and recorded as presented. Cloverdell Phase I, Pembridge Phase I. A limitation of seven (7) Certificates of Occupancy will be issued, subject to a letter being received from Crystal Springs Builders, LLC indicating that no more than seven (7) certificates of occupancy will be issued for any structures in the Shotmeyer Tract. In favor; Kievit, Verrilli, Kula; Oppose; Cicerale

For the record, Mark Hontz Attorney for the HTMUA opposes the issuance of approval to filing subdivision plats for Colverdale Phase I and Pembridge Phase I in the Shotmeyer tract located at the Crystal Springs development.

High Ridge Properties:

**Payment status (High Ridge/Sussex Borough)**– Gail stated there are eight (8) full and one (1) partial quarter behind with interest calculated through July 31<sup>st</sup> for a total due of \$184,021.00.

**Payment Status (Beaver Run Shopping Plaza/Anton Pilz)** – Gail stated there are two full quarters behind with interest calculated through July 31<sup>st</sup> for a total due of \$9,692.53.

Mark stated he spoke with Patrick Dwyer, attorney for High Ridge Properties today stating he was not aware of the delinquency but spoke to his client, of which they were aware of the delinquency. They indicated a check will be issued this week. Mark suggested it to remain on the agenda for the next regularly scheduled meeting in September. You may wish to send a letter of revocation if payment is not received this week indicating that it is up for revocation with actual revocation with notice, this would be an additional statement.

A MOTION was made by Kula seconded by Verrilli to place the Beaver Run Shopping Plaza (High Ridge Properties LLC) on the regularly scheduled HTMUA meeting of September 13, 2010 for sewer revocation should their delinquent quarterly developer agreement payment not be received by August 13, 2010. In favor; Kievit, Cicerale, Verrilli and Kula.

Mark stated he has made inquiries into Mr. Prol, Mr. Ursin and Mr. Dwyer as to the status of the Sussex Borough litigation. It is deadlocked at the moment, negotiations are stalled, and people are going on vacation so we are not looking for any resolution any time soon. The Sussex Borough attorney had prepared a service contract amendment and circulated it to the parties involved of which they responded; Sussex would not do it, SCMUA does. SCMUA has indicated they will not prepare it pursuant to their prior instructions of the litigation being settled. A letter was then sent to SCMUA requesting the service agreement to be prepared indicating they are ready to go of which SCMUA has not responded.

#### YMCA

**Developer agreement** – Mark stated the draft was sent out to the YMCA on June 23<sup>rd</sup>. A follow up call was placed to them in July. A number of calls had to be made and the amendment resent. Finally after speaking with Mr. Carcieri he indicated that all looked fine and they would be forwarding the signed copy maybe as early as tomorrow.

A MOTION was made by Cicerale seconded by Kula to authorize signature of the contract service agreement amendment upon receipt of the signed agreement from the YMCA. In favor; Kievit, Cicerale, Verrilli and Kula.

Mike stated he received the sewer flows today and will review it shortly.

#### Ridgefield Commons Emergency Interconnection:

Mike stated that an e-mail was received from Wendell indicating all the punch list items have been completed. They did send the additional information on the controller we had requested and they agreed on the amount of the maintenance bond estimate provided. They are in the process of obtaining a letter of credit or maintenance bond from the bank for attorney review on our end. At that point he will visit the site with Ron and inspect the interconnection one more time. Once this is all completed we should be able to go forward with the conveyance.

New Jersey Board of Public Utilities hearing – Mark stated he is not sure of any interest we may have or any input that would be necessary. If the commissioners would see any need for a representative of the HTMUA to attend we would but as we only have the interconnection and there is an agreement in place there truly is no need. The commissioners agreed.

Mike stated he received a copy of the permit that was issued from the DEP for the installation of microfiltration for well No. 4 where the bacteria problem was occurring.

North Church Technical Center

Mike stated nothing new at this time.

New Business

No new business at this time.

**PAYMENT OF BILLS:**

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

**CORRESPONDENCE:**

Mr. Cicerale questioned the sewer flows which were received from SCMUA indicating infiltration. Mike stated the school flows are recorded at the county plant. It could be possible that they are not taking readings every day. Discussion ensued.

A MOTION was made by Verrilli seconded by Kula to approve the correspondence as presented. In favor: Kievit, Verrilli, Cicerale, and Kula.

**OFFICER'S REPORTS:**

Nothing at this time

**PROFESSIONAL'S REPORTS:**

Administrator – not present

Operator – Bob stated there were problems with the pump at Station 6 in Crystal Springs. We lost an impeller again. Luckily we had one on site and it was placed in the hole. This is the second time with the impellers. We called the pump company, the representative is on vacation and will return next week. The last time a rock hit, it may be the same problem. We will keep you posted.

A letter was sent out to the homeowner at 73 Meadow Pond Road, no response has been received to date. We are ready to act upon it.

Billing Clerk – nothing additional

CFO –not present

Accountant – not present

Attorney – Mark requested the escrow balance for Crystal Springs. Gail stated the sewer account has a balance of \$923.47 and the water \$\$1,387.61 with all vouchers being paid to date with none outstanding. An additional replenishment request was sent to Crystal Springs this week and should be paid by the next meeting.

Engineer – Mike stated Bob received an e-mail from the new management company for the Briar Crest at Crystal Springs. The homeowner's are requesting to place landscaping around a sewer pump station, it has a white vinyl fence around it with an access drive and parking area. There is an easement in place, we requested a landscaping plan. Mike presented the plan showing shrubs, plantings and trees. Concerns were made regarding plantings over the sanitary line or trees being planted in the area. There is no objection to low lying shrubs. There would be no responsibility on behalf of the HTMUA based on our operations or snow removal.

A MOTION was made by Cicerale seconded by Kula to approve the fence line screen plantings and landscaping proposal by the homeowner's association for the area surrounding the Briar Crest sewer pump station at Crystal Springs. The HTMUA engineer and water operator will oversee the project. The association will be responsible for any and all maintenance and replacement. The HTMUA will not be responsible for any maintenance or replacement. In favor; Kievit, Cicerale, Verrilli and Kula.

**OPEN PUBLIC PORTION:**

The meeting was opened to the public.

There being no further business, a motion to adjourn was made by Kula, meeting adjourned.

Respectfully submitted,

Gail Hensal  
Recording Secretary