

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
July 11, 2011**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, July 11, 2011, at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Kievit, Mr. Cicerale, Mr. Verrilli, Mr. Kula, and Mr. Marples. Also present were Mark Hontz, Bob Guerin, Marianne Smith and Bob Schultz.

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

Minutes: Minutes of the June 6, 2011 will be presented at a later date.

OLD BUSINESS:

Indian Field:

Corrosion Control – Bob stated sampling was completed last month on the copper. Results were under the DEP requirements. Three consecutive months must be met for the DEP requirements.

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

Phase III Conveyance – Bob stated nothing new at this time.

MBA Proposal – Bob stated Mike spoke with representatives from MBA. The proposal for the 1st year anniversary quote is not completed. The contract documents are approximately 90% complete and should be ready to be presented for bidding prior to the next meeting.

Crystal Springs:

Station 6 – Bob stated a new pump was installed in Station 6.

Bramble Conveyance – Bob stated Crystal Springs is working on the repairs. Crystal Springs had requested if the commissioners could grant approval for the Chairman to sign the documents if everything is in place before the next meeting.

Mark stated the title commitment was received. Things are progressing and nearly a year ago a conditional approval was made for execution of the conveyance subject to engineering and legal approval.

A MOTION was made by Verrilli seconded by Kula for approval of the documents for Conveyance of the Bramble section of the Crystal Springs development to the HTMUA

subject to engineering and legal approval. In favor: Kievit, Cicerale, Verrilli, Kula and Marples.

Oaks – Sanitary Man Hole- Bob stated nothing new and the item should be taken off the agenda. The repairs which were made seem to be holding given the heavy amount of rainfall in the last month.

Performance/Maintenance Bond – Shotland Bauer expenses – Gail stated that a decision was to be made whether or not the expenses for the repair/blockage in the Shotland Bauer. A question arose as to how the expenses should be paid whether out of the bond or to bill the developer directly. The developer will be billed directly.

Water Tank – Marianne stated some of the residents of Crystal Springs have voiced their concern regarding the condition of the water tank. Thus, they are present at the meeting tonight.

The meeting was opened to the public.

George Whitwell of 20 Wentworth, President of the Wentworth Homeowner's association. He stated, we sit in the middle between Bramble and Wentworth which is also the location of the Water Tower. In the last six years it has deteriorated significantly and from the beginning we were told that it would be cleaned or power washed. This was told to us when we bought our homes six years ago. Mr. Mulvihill informed us that it would be taken care of. Approximately a year ago a resident wrote to the HTMUA inquiring as to the condition of the Water Tank and were told it would be brought up at a meeting. We are not aware of what occurred at the meeting, which is why we are here. If you are familiar with it the Tank is pretty bad. We recognize it is a major expense to repaint it but why we can't clean it in the interim? Mark requested a description for the record of the physical condition of the tank. Mr. Whitwell stated it is dirty; there is black dirt/mold on the lower section where the tank curves in. Each year there is more and more mold. The Crystal Springs logo is fading. After speaking with Marianne the painting may be done sooner than later. The power washing may be done by the fire department until such time that the painting can be completed. Mr. Whitwell presented questions; is the HTMUA in agreement that the Water Tank urgently needs to be cleaned and/or painted? Do you agree with our estimation that it does not look attractive? How far have you gotten in your investigation in this project? Have you considered painting vs. power washing? Is there a reserve fund or does it come out of the capital project fund? How will this be paid for?

Marianne stated that we spoke to the fire department earlier about possibly power washing/hosing the tank. This may be a free alternative and may be a worthwhile exercise for the fire department.

Ken Kievit inquired as to when the tank was or will be inspected? Bob stated it was inspected 2 or 3 years ago and at that time the tank had a 5 year life span prior to needing to be painted. Marianne stated Indian Field tank was scheduled first and further

explained the interconnection with Aqua/Wallkill Water to provide temporary storage for water needs.

Marianne stated the Fire Department is prepared to hose down the tank. Mark stated he is concerned as to what the black is on the tank. Frank stated it is mold. There may be concerns as to the safety to the residence who reside below the tank. Marianne stated when Mike returns for the next meeting he can contact other utilities to inquire what there solutions to the same issue.

Further discussion and questions were made regarding the options. Mark recommended the Administrator and Engineer further investigate the options available including the expenses and risks involved in power washing the tank.

Patricia Williams of 26 Bramble and President of the Bramble Association spoke. She stated she is highly allergic to mold and required 12 mold injections. She questioned the design of the tank. She suggested contacting the company that designed the tank and speak with them as to how this problem is handled. Obviously, we must not be the only ones with this issue.

Mark suggested placing this item on the Agenda for the next meeting.

High Ridge Properties:

Payment Status – Gail stated, the Beaver Run portion (Anton Pilz) is 3 quarters behind plus 1 quarter which is due July 15, 2011. With interest calculated through June 30, 2011 a total of \$23,164.70 is due.

The High Ridge portion is 12 quarters behind plus 1 quarter due July 15, 2011 with interest calculated through June 30, 2011 for a total due of \$290,230.59.

Civil Action –Mark recommended convening to executive session to discuss the legal actions on Beaver Run Properties and High Ridge Properties.

The minutes from the executive session will be presented at a later time.

The meeting was returned to regular session.

Beaver Run Properties / Termination of Allocation –

A MOTION was made by Cicerale seconded by Marples for the HTMUA attorney to file an application for an order to show cause on the Beaver Run properties sewer allocation. In favor: Kievit, Cicerale, Verrilli, Kula, and Marples.

YMCA:

Bob stated nothing new at this time.

Ridgefield Commons Emergency Interconnection:

Bob stated nothing new at this time.

North Church Technical Center:

Marianne stated a letter was sent out to the potentially affected property owners summarizing the recent meeting. It stated the township and the HTMUA are under no obligation to make the necessary repairs and not negotiating on anybody's behalf. We have offered to do this based on a special assessment. The current owner is offering \$60,000 towards the repairs. We requested feedback from the owners.

New Business

Mr. Cicerale inquired as to the status of the wiring issues. Bob Schultz stated two quotes have been received and a third is needed. Everything is working at this time but the quotes are not apples to apples.

PAYMENT OF BILLS:

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

CORRESPONDENCE:

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

OFFICER'S REPORTS:

Nothing at this time.

AT&T – Maintenance Request:

Mike and Gail received an e-mail from AT&T to perform the necessary repairs. A GC would be contacting Mike to make a site visit. The previous plans showed a fiber optic line. They were not sure if the HTMUA would have any issues with installing a fiber optic line.

Mark suggested holding any approval until the engineer receives all the specifications regarding the installation and the impact on other utilities. Presentation to the Planning Board may be necessary.

PROFESSIONAL'S REPORTS:

Administrator – Nothing additional

Operator – Nothing additional.

Billing Clerk – Gail stated Paul Cuva requested a late resolution for the presentation of the budget.

WHEREAS, the Local Authorities Law requires every Authority to transmit three certified copies of the Budget to the Director of Local Government Services at least 60 days prior to the end of the current fiscal year; and

WHEREAS, the Hardyston Township Municipal Utilities Authority Budget for the fiscal year ended August 31, 2012 was due on July 1, 2011;

NOW, therefore be it resolved by the Commissioners of the Hardyston Township Municipal Utilities Authority that the reason for the later introduction of the Authority Budget for the fiscal year ended August 31, 2012 is that the Authority' estimated revenues and appropriations were not known at the time the Budget was to be legally introduced.

A MOTION was made by Cicerale and seconded by Kula to accept the late resolution on the presentation of the 2011-12 budget. In favor; Kievit, Cicerale, Verrilli, Kula and Marples.

Gail stated the CFO has requested a resolution to cancel two (2) outstanding checks.

WHEREAS, at its regularly scheduled meeting of July 11, 2011, the HTMUA considered the request of the HTMUA CFO, Mr. Rome, as presented by the HTMUA Secretary, Ms. Hensal, to cancel HTMUA checks #2133 and #2324 for the following reasons:

(a) check #2133, payable to NJDEP in the amount of \$250 for a Generator Air Quality Permit Application was never utilized because the NJDEP did not require the purchase ; and

(b) check #2324, payable to State of NJ – Division of Taxation in the amount of \$201.21 was not accepted by the State of New Jersey after two attempts at presentation;

A MOTION was made by Kula seconded by Marples to cancel checks #2133 and #2324. In favor: Kievit, Cicerale, Verrilli, Kula and, Marples.

CFO – Not present

Accountant – Not present

Attorney – Nothing further

Engineer – Nothing further

OPEN PUBLIC PORTION:

The meeting was opened to the public.

No comments were offered from the public. The meeting was closed to the public.

There being no further business, A MOTION to adjourn was made by Verrilli, meeting adjourned.

Respectfully submitted,

Gail Hensal
Recording Secretary