

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
November 7, 2011**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, November 7, 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 and Marianne Smith

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

Minutes: A MOTION was made by Verrilli and seconded by Kula to approve the minutes of the October 3, 2011 meeting. In favor: Kievit, Cicerale, Verrilli, Kula, and Marples.

OLD BUSINESS:

Indian Field:

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

Phase III Conveyance – Bob stated nothing new at this time

Water Tank – Bob stated Mike came across some issues with the specs. Marianne stated we are working with Aqua on the interconnect.

Residential Sump Pumps – Mark presented a draft letter to be sent to all HTMUA customers regarding connection of residential sump pumps into the sewer system of which are against HTMUA Rules & Regulations. Discussion was held.

A MOTION was made by Cicerale seconded by Marples for the “sump pump” letter as presented to be mailed to each individual homeowner/customer and the appropriate homeowner associations for the purpose of informing customers of the need to properly dispense of sump pump wastewater and the fines imposed as per the HTMUA rules and regulations. In favor: Kievit, Cicerale, Verrilli, Kula, and Marples.

Marianne stated there were some power outages caused by the storm in both the Indian Fields and Crystal Springs section. Generators were utilized and no damages were incurred. All is back to normal.

Crystal Springs:

Oaks & Clubhouse Infiltration – Bob stated 25 gallons of material were pumped into the man-holes to seal the infiltrations which were causing issues. Both seem to be doing well at this time.

Water Tank – Discussion was held regarding the resolution presented for the cleaning of the Crystal Springs Water Tower. Marianne stated a lower price was received from Midwest Mobile Washers, LLC.

A MOTION was made by Kula seconded by Marples for;

1. Washing of the Crystal Springs water tower is authorized in an amount not to exceed EIGHT THOUSAND DOLLARS (\$8,000.00).
2. The services of Midwest Mobile Washers, L.L.C. shall be utilized for this project.
3. The project shall be completed on or before December 31, 2011.
4. The source of funding for this project shall be regular budget funds.

In favor: Kievit, Cicerale, Verrilli, Kula, and Marples.

Mr. Whitwell and Mr. Carrico representatives from the Association of Crystal Springs expressed their thanks for working with the association in completing the cleaning of the water tank project.

High Ridge Properties:

Payment Status; High Ridge Properties & Beaver Run Shopping Ctr. – Gail stated the High Ridge portion is 13 full and 1 partial quarter behind with interest calculated to October 31, 2011 for a total due of \$323,386.90.

The Beaver Run portion (Anton Pilz) is current with the exception of interest calculated from the date due to the date payment was received on October 21, 2011 from Lakeland Bank, in the amount of \$6071.14. Total amount due is \$14.15.

Litigation – To be discussed in Executive Session

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 the Hardyston Township Ordinance had to be reintroduced and adopted to add the bonding/financing component. It was necessary to extend the payout terms for the businesses to a 15 year payout, making a smaller payment. Everyone seems to be positive. The repair specifications will be devised during the winter and put out to bid and then the project will begin in the spring. Mark and Fred will be working on a 3-party agreement between the Township, HTMUA and property owners. Discussion was held regarding the process of the project.

New Business

Nothing new 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, 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.

PROFESSIONAL'S REPORTS:

Administrator – Nothing new at this time.

Operator – Nothing new at this time.

Billing Clerk – Gail stated reminder notices have been sent to overdue customers. A list of potential disconnect customers will be generated and sent to Mark for the normal distribution.

CFO – Not present

Accountant – Not present

Attorney – Mark stated both items can be discussed in Executive Session.

Engineer – Nothing further

OPEN PUBLIC PORTION:

The meeting was opened to the public.

Mr. John Carrico President of the Master Association for Crystal Springs thanked the Commissioners and the HTMUA for their due diligence in completing the cleaning of the Water Tank in Crystal Springs.

The meeting was closed to the public.

A MOTION was made by Cicerale seconded by Kula to adjourn to Executive Session to discuss pending litigation and contract negotiation.

Minutes from the Executive Session will be presented at a later time.

The meeting returned to regular session.

Attorney Hontz noted the resignation of the CFO in Borough of Franklin. Administrator Smith noted that as a result of this resignation, Franklin Borough no longer has within its employ a property-certified municipal CFO or Registered Purchasing Agent. The Commissioners discussed how this arrangement violates the existing shared services agreement between HTMUA and Franklin Borough, which agreement requires Franklin Borough to provide a properly certified CFO and Registered Purchasing Agent. Attorney Hontz recommended that the HTMUA immediately terminate the shared services agreement with Franklin Borough as a result of this breach.

Administrator Smith advised that Mr. Rome, the former CFO of Franklin Borough, is about to be employed as CFO for Sparta Township and that Sparta Township would thereafter seek to enter into a shared services agreement with the HTMUA for CFO and Registered Purchase Agents services. Attorney Hontz recommended that HTMUA engage the services of Mr. Rome personally as CFO and Registered Purchasing Agent until such time as he is employed by Sparta Township, after which the HTMUA could enter into a shared services agreement with Sparta Township for CFO and Registered Purchasing Agent services.

A MOTION was made by Verrilli and seconded by Cicerale to immediately terminate the shared services agreement with Franklin Borough for CFO and Registered Purchasing Agent services as a result of Franklin's failure to provide these services, effective October 22, 2011, the date of Mr. Rome's departure from Franklin Borough. In favor: Kievit, Cicerale, Verrilli, Kula and Marples. Opposed: None.

A MOTION was made by Cicerale and seconded by Marples to retain the services of Mr. Rome as CFO and Registered Purchasing Agent of the HTMUA until such time as a shared services agreement with Mr. Rome's next municipal employer is consummated. In favor: Kievit, Cicerale, Verrilli, Kula and Marples. Opposed: None.

A MOTION was made by Kula and seconded by Marples to enter into a shared services agreement with the Township of Sparta for CFO and Registered Purchasing Agent services upon Sparta's employment of Mr. Rome, conditioned upon adoption of said agreement by Sparta Township. In favor: Kievit, Cicerale, Verrilli, Kula and Marples. Opposed: None.

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

Respectfully submitted,

Gail Hensal
Recording Secretary