

**MINUTES  
HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
April 2, 2012**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, April 2, 2012, at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Cicerale, Mr. Verrilli, and Mr. Kula, and Mr. Marples. Also present were Mark Hontz, Mike Vreeland, and, Marianne Smith.

A moment of silence was observed in memory of Ken Kievit, Chairman of The HTMUA.

After salute to the flag, Mr. Cicerale 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 March 5, 2012 meeting. In favor: Cicerale, Verrilli, Kula. Abstain, Marples.

Designation of Chairman:

A MOTION was made by Kula seconded by Marples nominating Cicerale as Chairman, Verrilli as Vice Chairman, Kula as Secretary, Marples as Treasurer with all positions being accepted by the named individuals. In favor: Cicerale, Verrilli, Kula, and Marples.

A MOTION was Verrilli seconded by Kula designating the Chairman Cicerale as signatory for accounts held with Sussex Bank. In favor: Cicerale, Verrilli, Kula, and Marples.

**OLD BUSINESS:**

Indian Field:

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

**Phase III Conveyance** – Mike stated revised as-built plans were received from Beazer Homes. They asked to move forward with the conveyance. There currently is \$5,000 in each of the escrow accounts.

**Water Tank** – Mike stated all of Mark's comments were received and initiated into the bid documents including comments from our insurance representative and MBA, the company which provided the inspection of the water tanks.

The bid documents are then ready to be advertised with authorization from the HTMUA. A couple of conditions of the project should be noted; tank available to paint before June 1 or after August since this is the peak water demand period. A pre-bid meeting will be

held on April 25<sup>th</sup> with bids due the first week of May. MBA has recommended a special Sherwin Williams paint, which they will produce a mark –up. The tank will be a two tone color with the darker on bottom and the lighter on top.

A MOTION was made by Verrilli and seconded by Kula to authorize the HTMUA engineer to advertise for bids on the Indian Field Waterspheroid Rehabilitation project. In favor: Cicerale, Verrilli, Kula, and Marples.

**Well#2** – Mike stated nothing new at this time.

**Finished Water Storage Plan** – Mike stated that Ron has responded back to the state regarding the deficiencies and they have been addressed. A copy of the letter is in the current correspondence.

#### Crystal Springs:

Mike stated he has been working with Hovnanian regarding the punch list. A contractor had completed all the items with the exception of one, which should be completed this week. They should have everything wrapped up from an engineering standpoint by the end of the week. Mark stated he received correspondence from their counsel requesting all the documents for the conveyance. Mark explained the process and requirements including title documents and insurance. A letter was sent to explain the process and requirements.

The escrow account balances are not up to date. Gail will follow up with the CFO to obtain the current balance for both the water and sewer accounts for Hovnanian.

Gail stated Crystal Springs was billed by us for reimbursement of services performed by our vendor A.L. Millier for pumping the Van Decker pumping station. This occurred after the conveyance but still falls under their responsibility. An invoice was sent in September with a due date of October for \$1600, the vendor was already paid. Crystal Springs was sent 4 notices including interest charges, they are now asking for forgiveness on the interest, with no explanation. The interest will not be forgiven.

#### High Ridge Properties:

**Payment Status; High Ridge Properties & Beaver Run Shopping Ctr.** – Gail stated the High Ridge portion is 15 full and 1 partial quarter behind with interest calculated through 3/31/12 for a total amount due of \$381,601. The Beaver Run Shopping Center (Anton Pilz) portion is current with the exception of \$17 in interest based on payment from Lakeland Bank on their behalf.

**Litigation** – A MOTION was made by Verrilli to convene to Executive session to discuss litigation with all those in favor.

A MOTION was made by Kula to return to regular session.

Minutes from the executive session will be presented at a later date.

Ridgefield Commons Emergency Interconnection:

Mark Hontz recused himself.

Mike stated there is nothing new at this time to report. They understand our needs to utilize the interconnection during the water tank project for Indian Fields. Within the next week or two we will contact them to finalize the project. Discussion was held regarding the status of the project. Mike explained the history.

North Church Technical Center:

Mike stated Marianne requested a schedule of where we are on the project. Before completing it an e-mail was received from Roberta Hess requesting the same. Mike stated to her that as he understood there was a draft 3-party agreement being prepared and their attorney will be receiving a copy. Mark stated the draft agreement was sent March 6<sup>th</sup> clearly outlining the understandings and obligations of all parties. A response was received on March 30<sup>th</sup> from Mr. Meltzer, attorney for North Church. Of the few obligations that Riverdale had was the consent to the construction of the system, the contribution of the \$60,000, the conveyance of all their rights to the fire suppression system and the title policy with the right of access, right of repair and easements. The response from Riverdale was they were not going to pay for anything beyond the \$60,000 including the title policy; they are not going to be responsible for anything beyond the conveyance. Marianne stated that the township and the HTMUA are under no obligation to complete the project. Mark recommended not waiving the title insurance. The first time one of the lines needs replacing or repair and we do not have the proper easement to dig up the involved property or do not have the right to it puts us at a risk for litigation. The title insurance policy will give us knowledge of the property in regards to risk that we may or may not undertake. The commissioners agreed. Mark will respond to Mr. Meltzer with his recommendations.

New Business

Nothing at this time.

**PAYMENT OF BILLS:**

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

**CORRESPONDENCE:**

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

**OFFICER'S REPORTS:**

Nothing at this time.

**PROFESSIONAL'S REPORTS:**

Administrator – Nothing additional

Operator – Not present

Billing Clerk – Nothing additional

CFO – Not present

Attorney – Nothing additional

Engineer – Nothing additional

**OPEN PUBLIC PORTION:**

The meeting was opened to the public.

No members of the public were present.

The meeting was closed to the public.

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

Respectfully submitted,

Gail Hensal  
Recording Secretary