

**MINUTES**  
**HARDYSTON TOWNSHIP**  
**MUNICIPAL UTILITIES AUTHORITY**  
**April 22, 2013**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, April 22, 2013, at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Cicerale, Mr. Verrilli, Mr. Kula, Mr. Marples, and Mr. Albanese. Also present were Mark Hontz, Mike Vreeland, and, Marianne Smith.

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

Mr. Albanese was welcomed as a new member commissioner. His term expires 1/31/18 and was previously sworn in.

Minutes: A MOTION was made by Verrilli and seconded by Marples to approve the minutes of the March 4, 2013 meeting. The regularly scheduled meeting of April 1, 2013 was cancelled and rescheduled for April 22, 2013. In favor: Cicerale, Verrilli, Kula, and Marples. Abstain Albanese.

**OLD BUSINESS:**

**Indian Field:**

**Phase II As-Built Plans** – Mike stated we have not received any as-built plans. Over the last few weeks inspections began in the Phase II townhome and patio section. We have checked all the water main valves in the street, fire hydrants and started on the sanitary manholes. The manholes should be completed and the water service shut off and sewer clean outs should be started before the next month's meeting. A punch list will then be created. Discussion was held regarding the condition of the various inspected items.

Discussion was held regarding the improper use of the fire hydrants for both the Indian Field and Crystal Spring development.

A MOTION was made by Kula seconded by Marples for the secretary to send reminder letters with a copy of the HTMUA Regulation 3.6.8; Hydrant Tampering to all management companies and Associations for the improper use of fire hydrants within the Indian Field and Crystal Springs development. In favor; Cicerale, Verrilli, Kula, Marples, and Albanese.

**Phase III Conveyance** – Mike stated both Mark and he attended a meeting with Beazer Homes representatives to discuss the process in regards to the paperwork (bill of sale, deed of easement, etc.) necessary for conveyance. An e-mail was received from Beazer Homes, their surveyor was at the development and made revisions to the as-built plans as we had requested. They are still moving forward and they understand the process involved.

**Well #2** – Mike stated nothing new to report.

**Indian Field / HFH Bonds** – Mark received a listing of all the bonds and will research what is still outstanding and then present to the commissioners.

Crystal Springs:

**By Pass Upgrade** – Marianne stated a letter was sent to SCMUA regarding the By-Pass Upgrade and their obligations. SCMUA recently acknowledged and confirmed the process.

**Shotmeyer Maintenance Bond** – Mike stated the two outstanding chart recorders, which was resolved and the air release vacuum valves on the sewer main. Crystal Springs has ordered and received the items and have scheduled the contractor for some time this week. If all goes well we may be in a condition to release the bonds.

**K. Hovnanian** – Mark stated we will need to convene to executive session. A MOTION was made by Verrilli, seconded by Marples to convene in to executive sessions to discuss pending litigation.

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

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

A MOTION was made by Verrilli seconded by Marples. To authorize the HTMUA attorney to coordinate with the Hardyston Township Attorney in resolving the pending litigation with K. Hovnanian. Due to the potential conflict that members of the HTMUA have been served in their individual capacity as members of the Council, it would be appropriate at this time for these members to recuse themselves.

In favor; Cicerale recused, Verrilli, Kula recused, Marples, and Albanese.

Mike stated Crystal Springs had received approval for water main extension permits for the Ardleigh and Shotmeyer sections. Those permits have expired, Crystal Springs has applied for a renewal permit application and thus approval is needed for the review and signature on the HTMUA behalf.

A MOTION was made by Kula and seconded by Marples to approve the review by the HTMUA Engineer for the renewal and authorization on behalf of the HTMUA for the water main extension permit application for the Ardleigh and Shotmeyer section of Crystal Springs. In favor; Cicerale, Verrilli, Kula, Marples, and Albanese.

High Ridge Properties:

**Payment Status;**

**High Ridge Properties** – Gail stated the High Ridge portion is 19 full and 1 partial quarters behind with interest calculated through March 31, 2013 for a total amount due of \$514,673.

**Beaver Run Shopping Ctr.** – Gail stated the Beaver Run (Anton Pilz) portion is 2 full quarters behind with interest calculated through March 31, 2013 for a total amount due of \$8,305.00.

Mark suggested an executive session to discuss the Beaver Run portion and possible litigation.

A MOTION was made by Kula seconded by Marples to convene to executive session to discuss the Beaver Run Shopping Center portion with regards to possible litigation.

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

The minutes of the executive session will be released at a later time.

A MOTION was made by Verrilli seconded by Marples to authorize the HTMUA attorney to contact the representative of Lakeland Bank by telephone and letter to notify of the overdue status of the quarterly charges and that the HTMUA will be contemplating setting up a hearing of revocation unless the account is brought up to date. In favor; Cicerale, Verrilli, Kula, Marples, and Albanese.

#### Ridgefield Commons Emergency Interconnection –

Marianne stated the Township held a meeting with the new owners of the Ridgefield Commons Development. It was made clear what is necessary for the conveyance of the interconnection. Mike stated a memorandum of understanding was developed by Tom Collins Esq. outlining the responsibilities and obligations of each party. Mike will forward a copy to the new owners.

#### North Church Technical Center:

Mike stated nothing new at this time to report. Communication has been continuing with the inspectors and a schedule of inspections should be forthcoming.

#### New Business

Nothing at this time

#### **PAYMENT OF BILLS:**

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

#### **CORRESPONDENCE:**

Marianne stated correspondence was received from a resident of the Indian Field Development. It was hand delivered prior the last scheduled meeting, which was canceled. A rate analysis was compiled. We don't like to see any rates rise but overall the municipal portion of the taxes has increased an average of 2% over a seventeen year period and the HTMUA portion 1%. Comparing to the SCMUA rate which is a major portion of our budget has averaged over 8% per

year over the same time period. A chart was presented showing the comparison to other area municipalities. Given the economic conditions we have a healthy surplus and cash on hand from the renewal and replacement fund to perform necessary repairs and maintenance. We have been in discussion with MSI and our technical staff, Jeff Stabile, to change over our billing system to be technologically set to go ahead with our metering. Target is to have the billing system up and running by the end of the summer. Gail explained the challenges of converting the current Harris Flexibill billing system as compared to the MSI system. Discussion ensued.

### **OFFICER'S REPORTS:**

Nothing at this time.

### **AT&T CONTRACT:**

Mark stated we were contacted by Black Dot, agent for AT&T, whom continually inquires as to if we would like to re-negotiate our contract. An offer was made by Black Dot to substantially reduce our lease even though AT&T has no intention of canceling our contract. The present contract currently has additional automatic renewal terms. Mark will contact Black Dot to indicate we are not interested in re-negotiating the terms of the contract.

### **EQUIPMENT PURCHASE:**

Tabled until next meeting

### **PROFESSIONAL'S REPORTS:**

Administrator – nothing further.

Operator – not present

Billing Clerk – nothing further

CFO – not present

Accountant – not present

Attorney – nothing further

Engineer – nothing further

### **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 Verrilli to adjourn, meeting adjourned.

Respectfully submitted,

Gail Hensal  
Recording Secretary