

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
March 2, 2015**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, March 2, 2015, at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Cicerale, Mr. Kula, Mr. Marples, Mr. Albanese, and Mr. O'Grady. Absent Mr. Roof, and Mr. Kaminski. Also present were Marianne Smith, Paul Cuva, and Mike Vreeland.

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

Minutes: A MOTION was made by Kula seconded by Albanese, to approve the minutes of the January 5, 2015 meeting. In favor; Cicerale, Kula, Marples, Albanese, and Mr. O'Grady.

The meeting of February 2, 2015 was cancelled due to inclement weather.

RE-ORGANIZATION:

A MOTION was made by Kula seconded by Marples WHEREAS, the HTMUA held its annual reorganization meeting on March 2, 2015, during which the Commissioners were charged with completing the election of officers, appointment of staff and making of certain designations; and

WHEREAS, the Commissioners of the HTMUA, in public session, being familiar with the qualifications of Commissioners and staff members and after due deliberation made the following elections, appointments and designations;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the HTMUA that the following elections, appointments and designations are made for the HTMUA organizational year beginning March 2, 2015 through the next annual reorganization meeting in February 2016:

- a. Frank Cicerale is elected Chairman of the HTMUA.
- b. Stanley Kula is elected Vice Chairman of the HTMUA.
- c. Ellis Marples is elected Secretary of the HTMUA.
- d. Jeffrey Albanese is elected Treasurer of the HTMUA.
- e. Marianne Smith is appointed Administrator of the HTMUA.
- f. Gail Hensal is appointed Recording Secretary of the HTMUA.
- g. Gail Hensal is appointed Accounting Clerk of the HTMUA.
- h. Grant Rome is appointed CFO/Purchasing Agent of the HTMUA.
- i. Sussex Bank and New Jersey Cash Management Fund are designated as official depositories of the HTMUA.
- j. The New Jersey Herald and The New Jersey Sunday Herald as the official newspapers for publication.
- k. Appointment of Risk Management/Insurance Consultant; George Morville of the Bollinger Group.
- l. Appointment of Professional: Engineer and Accountant; as per below motions

- m. Appointment of Attorney: As per below motions
- n. Adoption of meeting dates (1st Monday of each month with the exception of September 14th). Meeting time 7:00 p.m.
- o. Motion to direct Recording Secretary to advertise public contract awards and Meeting dates.

In favor: Cicerale, Kula, Marples, Albanese, and O'Grady.

A MOTION was made by Marples seconded by Kula to appoint the following professionals;

Authorizing contract with Thomas Germinario, Esq. as special counsel for the purpose of North Church Technical Center.

WHEREAS, there exists a need for the retention of an attorney for the Hardyston Township Municipal Utilities Authority to render professional advice in the matter of North Church Technical Center.

WHEREAS, the contractor shall, for such services, bill at the rate of One Hundred Fifty (\$150.00) Dollars per hour for work performed; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids on the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Municipal Utilities Authority as follows:

2. A contract is awarded without competitive bidding as a "professional service" in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because Thomas Germinario has served as attorney for the HTMUA for the purpose of North Church Technical Center in the past and has special knowledge as to the conditions in the Township which are particularly valuable to the Authority.

Authorizing contract with Mark Hontz, Esq. as special counsel for the purpose of water and sewer conveyance of the Bourne, a section of the Crystal Springs development, and for the purpose of transition to new attorney.

WHEREAS, there exists a need for the retention of an attorney for the Hardyston Township Municipal Utilities Authority to render professional advice in the matter of water and sewer conveyance for the Bourne section of the Crystal Springs development and transitional purposes for the new attorney.

WHEREAS, the contractor shall, for such services, bill at the rate of One Hundred Fifty (\$150.00) Dollars per hour for work performed; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Municipal Utilities Authority as follows:

2. A contract is awarded without competitive bidding as a “professional service” in accordance with 40A: 11-5(1)(a) of the Local Public Contracts Law because Mark Hontz has served as attorney for the HTMUA for many years and has special knowledge as to the conditions in the Township which are particularly valuable to the Authority.

Authorizing contract with Ryan Scerbo, Esq., of Decotis, Fitzpatrick & Cole LLP.

WHEREAS, there exists a need for the retention of an attorney for the Hardyston Township Municipal Utilities Authority to render professional advice and consulting services to the Authority and to examine and prepare all legal documents; and

WHEREAS, the contractor shall, for such services, bill at the rate of One Hundred Sixty Five (\$165.00) Dollars per hour for work performed; and

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Municipal Utilities Authority as follows:

1. The proposal of Decotis, Fitzpatrick & Cole LLP, through Ryan J. Scerbo, Esq. T who shall perform such services and submitted a proposal to this Board, shall be and is hereby approved pending contract approval by the HTMUA Administrator.
2. The contract with Decotis, Fitzpatrick & Cole LLP, through Ryan J. Scerbo Esq. as attorney for the Hardyston Township Municipal Utility Authority (HTMUA) for the period March 2, 2015 to March 2, 2016, is entered into pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. A notice of this action shall be printed once in the official newspaper of the Hardyston Township Municipal Utility Authority.

Authorizing contract with Guerin & Vreeland Engineering, Inc. Robert P. Guerin & Michael Vreeland

WHEREAS, there exists a need for the retention of an engineer for the Hardyston Township Municipal Utilities Authority to render professional advice and engineering consulting services to the Authority and to examine or prepare all engineering documents; and

WHEREAS, the contractor shall bill at the following rates for such services:

Engineer (Licensed)	\$120.00 per hour
Engineer (Staff)	\$80.00 per hour

AutoCAD Technician	\$70.00 per hour
Field Survey Party	\$150.00 per hour
Inspector	\$65.00 per hour
Licensed Surveyor	\$90.00 per hour

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Municipal Utilities Authority as follows:

1. The proposal of Guerin & Vreeland Engineering, Inc. through Robert P. Guerin, P.E., and Michael G. Vreeland, P.E., the engineers who shall perform such services and submitted a proposal to this Board, a copy of which is annexed hereto, shall be and is hereby approved.

2. A contract is awarded without competitive bidding as a “professional service” in accordance with 40A: 11-5(1)(a) of the Local Public Contracts Law because Robert Guerin & Michael Vreeland have served as engineers for the HTMUA in the past and have special knowledge as to the conditions in the Township which are particularly valuable to the Authority.

3. A notice of this action shall be printed once in the official newspaper of the Township of Hardyston.

Authorizing contract with Ferraioli, Wielkotz, Cerullo & Cuva, P.A. for professional services

WHEREAS, there exists a need for the retention of Certified Public Accountants for the Hardyston Township Municipal Utilities Authority to render professional advice and consulting services to the Authority and to examine or prepare budgets and financial statements; and

WHEREAS, the contractor shall, for such services, bill at the rate for such services as follows:

Partner	\$120.00 per hour
Manager	\$110.00 per hour
Senior Accountant	\$100.00 per hour
Staff Accountant	\$85.00 per hour
Secretarial	\$70.00 per hour

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Municipal Utilities Authority as follows:

1. The proposal of Ferraioli, Wielkotz, and Cerullo & Cuva submitted to this Board to perform such services, a copy of which is annexed hereto, shall be and is hereby approved.
2. A contract is awarded without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because Ferraioli, Wielkotz, Cerullo & Cuva, a Professional Association, having extensive experience serving municipal and other public bodies for a number of years, including the Township of Hardyston, and has special knowledge as to the conditions in the Township which are particularly valuable to the Authority.
3. A notice of this action shall be printed once in the official newspaper of the Township of Hardyston.

In favor: Cicerale, Kula, Marples, Albanese, and O’Grady

OLD BUSINESS:

Indian Field:

Phase II As-Built Plans – Mike stated nothing new

Phase III Conveyance – Mike stated nothing new

Irrigation meter replacement – Mike stated nothing new.

Crystal Springs:

By Pass Upgrade/SCMUA – Mike stated nothing has been able to move forward due to weather conditions.

Hamburg By-Pass –Mike spoke with the Hamburg engineer trying to set up a meeting with all parties. No meeting date has been reached.

Pool closing requirements – No progress due to weather.

Bourne Water Meter Escrow –Mike stated there are few residences within the Bourne section that Crystal Springs has been unable to enter to change the water meter. Instead of holding up the conveyance an escrow agreement has been established in the amount of \$500.

A MOTION was made by Albanese seconded by Marples for the purpose of execution of the conveyance documents in addition to the Escrow agreement for the water and sewer conveyance of the Bourne section of the Crystal Springs Development. In favor: Cicerale, Kula, Marples, Albanese, and O’Grady

High Ridge Properties:

Payment Status – Gail stated 26 full and 1 partial quarter with interest calculated through February 28, 2015 for a total amount due of \$796,083.88.

Ridgefield Commons Emergency Interconnection –

Mike stated nothing new at this time.

North Church Technical Center:

Nothing new at this time.

New Business

Nothing at this time.

PAYMENT OF BILLS:

A MOTION was made by Kula and seconded by Albanese to pay the bills for February 2nd and March 2nd, 2015, as per the bill list. In favor: Cicerale, Kula, Marples, Albanese, and O’Grady

CORRESPONDENCE:

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

OFFICER’S REPORTS:

Nothing at this time.

2013-14 AUDIT INTRODUCTION

Paul Cuva presented the audit report. Explanation was given on the revenues versus expenditures comparison of 2014 to 2013. Revenues were up slightly over the previous year. We did well due to a few new customers being added to Crystal Springs development. Expenses for electric were up over \$8,000 due to the addition of an additional account from a conveyance and rate increases by the supplier. \$250,000 was placed into renewal and replacement reserves. The renewal and replacement schedule will need to be reevaluated to tie in with our current renewal and replacement funding schedule. Not all fixed assets are showing in the capital asset report. Mike has been working on updating our capital asset schedule, Discussion was held on the renewal and replacement fund.

PROFESSIONAL’S REPORTS:

Administrator – nothing at this time.

Operator – not present

Billing Clerk – Disconnect notices were mailed to twenty three customers. Six homes were tagged for disconnect of which four paid and two were slated for disconnect but we were unable to due to snow and a common meter. On-line payments are being utilized with great success and is most beneficial during our disconnect periods.

CFO – not present

Accountant – nothing further

Attorney - not present

Engineer – Mike spoke with Ron regarding frozen pipes in a unit at Crystal Springs. Ron was unable to locate the shut off valve due to the excessive snow, but Comet Management entered the residence and shut the water off from the inside. Comet management is having difficulty locating the resident.

OPEN PUBLIC PORTION:

The meeting was opened to the public.

As there were no members of the public present, the meeting was closed to the public.

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

Respectfully submitted,

Gail Hensal
Recording Secretary