

**MINUTES  
HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
DECEMBER 4, 2017**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, December 4, 2017 at 7:00 p.m., at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Cicerale, Mr. Kula, Mr. Marples, Mr. Roof, Mr. Kaminski, Mr. O’Grady and Ms. Van Allen. Also present were Carrine Kaufer, Mike Vreeland and Ryan Scerbo.

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

**MINUTES:** A **MOTION** was made by Kula, seconded by Kaminski to approve the minutes of the November 6, 2017 meeting. In favor, Cicerale, Kula, Marples, Roof and Kaminski.

**OLD BUSINESS:**

Tabled until the January meeting.

**NEW BUSINESS:**

**North Church Technical Center Fire Protection Agreement between Riverdale Quarry, HTMUA and Hardyston Township.**

A **MOTION** was made by Marples, and seconded by Roof to adopt the North Church Technical Center Fire Protection Agreement between Riverdale Quarry, HTMUA and Hardyston Township. In favor; Cicerale, Kula, Marples, Roof & Kaminski.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN RIVERDALE QUARRY COMPANY, INC., THE TOWNSHIP OF HARDYSTON AND THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY FOR COMPLETION AND TRANSFER OF THE FIRE SUPPRESSION SYSTEM IN THE NORTH CHURCH TECHNICAL CENTER AND SATISFACTION OF ALL OBLIGATIONS UNDER THE 1990 AGREEMENT BETWEEN THE AUTHORITY AND RIVERDALE QUARRY COMPANY, INC.**

**WHEREAS,** the Hardyston Township Municipal Utilities Authority (hereinafter “Authority”) owns and operates a wastewater conveyance system servicing the residents of Hardyston Township (hereinafter “System”); and

**WHEREAS**, in 1990, Riverdale Quarry Company, Inc. (hereinafter “Riverdale”) and the Authority entered into a written agreement regarding the construction, operation and ownership of a fire protection system servicing the North Church Technical Center (hereinafter “1990 Agreement”); and

**WHEREAS**, Riverdale’s obligations pursuant to the 1990 Agreement have not been completed; specifically the fire suppression system in the north Church Technical Center development has not been completed, nor has the fire suppression system or its accompanying easements been properly transferred to, or accepted by, the Authority; and

**WHEREAS**, Riverdale seeks to assist in the completion of the fire suppression system and conclude its obligations under the 1990 Agreement, but has limited financial resources; and

**WHEREAS**, the Township of Hardyston seeks to maintain the viability and value of the North Church Technical Center development with a functioning fire suppression system without placing a financial burden on other, non-affected persons and properties within the Township; and

**WHEREAS**, the Authority has the technical ability to inspect, operate and maintain the fire suppression system and to administer the billing of users of said system within a designated rate structure; and

**WHEREAS**, in order to achieve the goals of Riverdale, the Township of Hardyston and the Authority, the parties have reached an agreement whereby Riverdale will provide access to the Township to complete the fire suppression system pursuant to the terms of the September 1, 2016 proposal (hereinafter “Proposal”); and

**WHEREAS**, in order to finance completion of the fire suppression system, the Township shall establish a special assessment, pursuant to state statute, against the affected properties in the North Church Technical Center development; and

**WHEREAS**, the Authority shall inspect the fire suppression system upon its completion and accept conveyance of the fire suppression system from Riverdale; thereafter the Authority will operate and maintain the fire suppression system and shall allocate the costs of operation and management through the development and application of a special billing rate; and

**WHEREAS**, the parties have reduced their respective rights and obligations to writing in form the of the agreement attached hereto as **Exhibit A**; and

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

1. That the Authority’s Administrator is authorized and directed to, with the advice and counsel of the Authority’s General Counsel and Engineer, to execute the Agreement in a form substantially similar to the form attached hereto as **Exhibit A**.
2. That the Authority’s Administrator is authorized and directed to work with the Authority’s technical, legal and financial advisors to generate a proposed special fire suppression

rate for the Board's consideration and potential adoption in accordance with all applicable legal processes.

3. This Resolution shall take effect immediately

	YES	NO	ABSTAIN	ABSENT
Chairman Cicerale	X			
Vice Chairman Kula	X			
Secretary Marples	X			
Treasurer Roof	X			
Kaminski	X			

Certified to be a true copy of the Resolution adopted by the HTMUA at a meeting held on December 4, 2017

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**PAYMENT OF BILLS:**

A MOTION was made by Kula and seconded by Roof to pay the bills, as per the bill list of December 4, 2017. In favor: Cicerale, Kula, Marples, Roof and Kaminski.

**CORRESPONDENCE:**

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

**OFFICER'S REPORTS:**

Tabled until the January meeting.

**PROFESSIONAL'S REPORTS:**

Tabled until the January meeting.

**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 Kula to adjourn, meeting adjourned.

Respectfully submitted,

**Patty Egan**  
Recording Secretary