

**MINUTES  
HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
February 4, 2019**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, February 4, 2019 7:00 p.m., at the Municipal Building located at 149 Wheatsworth Road. Members present were: Mr. Cicerale, Mr. Kula, Mr. Marples, Mr. Kaminski and Ms. Van Allen. Absent: Mr. Roof and Mr. O'Grady. Also present Ryan Scerbo, Mike Vreeland, Marianne Smith and Carrine Kaufer.

After 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 January 7, 2019 meeting. In favor, Cicerale, Kula, Marples, and Kaminski. Abstained, Van Allen.

**REORGANIZATION:**

A MOTION was made by Kula seconded by Marples WHEREAS, the HTMUA held its annual reorganization meeting on February 4, 2019, 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 February 4, 2019 through the next annual reorganization meeting in February 2020:

- 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. Brian Kaminski is elected Treasurer of the HTMUA.
- e. Carrine Kaufer is appointed Administrator of the HTMUA.
- f. Patty Egan is appointed Recording Secretary of the HTMUA.
- g. Patty Egan is appointed Utility Billing Specialist 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 (1<sup>st</sup> Monday of each month with the exception of September 2nd). 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, Kaminski and Van Allen

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY RESOLUTION  
AUTHORIZING CONTRACT WITH FERRAIOLI, WIELKOTZ, CERULLO & CUVO,  
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 \$125.00 per hour Manager \$115.00 per hour Senior Accountant \$105.00 per hour Staff Accountant \$90.00 per hour Secretarial \$75.00 per hour; and

**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, Wielkocz, 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 for the period February 4, 2019 to reorganization in February 2020 without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because Ferraioli, Wielkocz, 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.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Roof				
Kaminski	X			
O'Grady (alt)				
Van Allen (alt)	X			

**HARDYSTON TOWNSHIP  
MUNICIPAL UTILITES AUTHORITY  
RESOLUTION 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 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 for the period February 4, 2019 to reorganization in February 2020 without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because 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.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Roof				
Kaminski	X			
O’Grady (alt)				
Van Allen (alt)	X			

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
RESOLUTION AUTHORIZING CONTRACT WITH  
RYAN J. SCERBO, ESQ.  
OF  
DECOTIS, FITZPATRICK, COLE & GIBLIN, LLP  
FOR PROFESSIONAL SERVICES**

**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 Seventy (\$170.00) 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:

1. The proposal of Decotis, Fitzpatrick, Cole & Giblin LLP, through Ryan J. Scerbo, Esq. The attorney who shall perform such services and submitted a proposal to this Board, shall be and is hereby approved.

2. The contract with Decotis, Fitzpatrick, Cole & Giblin LLP, through Ryan J. Scerbo Esq. as attorney for the Hardyston Township Municipal Utility Authority (HTMUA) for the period February 4, 2019 to reorganization in February 2020, is 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.

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

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Roof				
Kaminski	X			
O’Grady (alt)				
Van Allen (alt)	X			

**OLD BUSINESS:**

**Indian Fields:**

**Phase II As-Built Plans-** Mike stated his waiting the cost proposal to complete the as built plans using the cash portion of the bond. Once we have created a punch list the MUA can negotiate with the bond company to complete the improvements.

**Phase III Conveyance** – Ryan stated the ongoing litigation between the Township and the HOA along with new issues associated with potential litigation with Beazer homes is preventing any new progress.

**Bonds** — Nothing new to report.

**Crystal Springs:**

**Shotmeyer Tract/ Bypass-** Mike has had discussion with the new developer LAM Development Inc. regarding a new developer's agreement and construction of the bypass.

**Water Tank-** Carrine stated that the tank project is out to bid and bids are due on February 14<sup>th</sup>. It is anticipated that the HTMUA will be able to award at the next meeting.

**Irrigation** – Mike reported he spoke with the NJDEP. They have not reviewed the application. Decision is expected in 75 days.

**Ridgefield Commons Emergency Interconnection** – Carrine stated that SMS Development has posted escrow funds and Ryan is currently working the developer's attorney to move forward with finalizing the agreement.

**North Church Technical Center** – Marianne stated that a meeting was scheduled for later in the week with the professional including Mike, the Tax Assessor and the Township Attorney to discuss the special assessment and project costs. Based on the results of the meeting the Township will work to finalize an agreement with the individual property owners in order to move forward with going out to bid.

**Operational Considerations / Metering / Strategic Planning** – Nothing new to report.

### **New Business**

**1. Amendment to HTMUA Rules & Regulations:** A MOTION was made by Kula and seconded by Marples to introduce an amendment to the HTMUA Rules and Regulations to establish attendance requirements for commissioners of the HTMUA. In favor, Cicerale, Kula, Marples, Kaminski and Van Allen.

**2. Corrective Action Plan 2017-2018 Audit Findings:** A MOTION was made by Marples and seconded by Kaminski to adopt the Resolution of the Hardyston Township Municipal Utilities Authority regarding Fixed Assets Schedule for a corrective action to ensure compliance with the State of New Jersey's requirement of establishing and maintaining a fixed asset list. In favor, Cicerale, Kula, Marples, Kaminski and Van Allen.

**RESOLUTION  
of the  
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (“HTMUA”)  
regarding  
FIXED ASSETS SCHEDULE**

**WHEREAS**, at its regularly scheduled meeting of Monday, February 4, 2019, the HTMUA Commissioners discussed the following comment in the HTMUA's 2017-18 audit:  
“Governmental entities should maintain a fixed asset list providing the cost and description of property and equipment, as well as any depreciation previously expensed against such listed

assets. This list should be updated regularly to include purchases or contributions of new capital items and exclude capital assets that have been disposed of or replaced.”; and

**WHEREAS**, the HTMUA Commissioners discussed the propriety and necessity of meeting this obligation of creating and maintaining a fixed assets schedule by way of official corrective action prior to approval of the new budget, as noted in the recent 2017-18 audit; and

**WHEREAS**, the HTMUA Commissioners discussed with the HTMUA Engineer the propriety of engaging the services of a vendor for establishing values of the HTMUA’s fixed assets and noted that the HTMUA maintains a renewal and replacement schedule of its assets, but that this schedule should be supplemented to reflect values;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the HTMUA as follows:

1. A corrective action to ensure compliance with the State of New Jersey’s requirement of establishing and maintaining a fixed asset list is hereby adopted and consists of the following tasks: (a) the HTMUA Engineer is authorized to discuss fixed asset list requirements with the HTMUA Accountant; (b) the HTMUA Engineer shall research and present proposals of outside vendors for performing necessary valuation tasks for the fixed asset list; (c) the HTMUA Engineer is authorized to work on the establishment of the fixed asset list.

Moved by: Ellis Marples

Seconded by: Brian Kaminski

Approving: Cicerale, Kula, Marples, Kaminski & Van Allen

Opposing:

Abstaining:

Recusing:

Certified as a true copy of the Resolution adopted by the Hardyston Township Municipal Utilities Authority at its regular meeting held on February 4, 2019.

**PAYMENT OF BILLS:**

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

**CORRESPONDENCE:**

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

**OFFICER’S REPORTS:**

Nothing at this time.

**PROFESSIONAL'S REPORTS:**

Administrator – nothing further

Operator – not present

Billing Clerk – nothing further

CFO – not present

Accountant – nothing further

Attorney – nothing further

Engineer – nothing further

**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