

**MINUTES  
HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
OCTOBER 7, 2019**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, October 7, 2019 at 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. 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 Van Allen, seconded by Kaminski to approve the minutes of the September 9, 2019 meeting. In favor, Cicerale, Kula, Marples, Kaminski and Van Allen.

**OLD BUSINESS:**

**Indian Field -**

Phase II As-Built Plans – Nothing new to report

Phase III Conveyance – Nothing new to report.

Bonds – Nothing new to report.

**Crystal Springs -**

Shotmeyer Tract/ Bypass – Mike Vreeland reported that the engineer for the new developer prepared a construction estimate which he has review and found acceptable. The developer will provide a performance bond for the amount in the construction estimate.

| Water Tank – Mike reported that AT&T ~~wasere~~ not able to relocate ~~its~~~~their~~ equipment according to the schedule so painting of the Crystal Springs water tower has been delayed until the spring. The construction schedule provided is 75 day schedule. The contractor provided 2 possible schedules – one for a November start or one with a March start. The late fall start could generate a number of weather related issues and therefore it was the engineer’s recommendation that they delay the start of the project until spring. The delayed start is at no cost to the MUA and will alleviate potential weather related problems.

Irrigation – Nothing new to report.

**Ridgefield Commons Emergency Interconnection –**

Ryan Scerbo stated that the agreement and associated bill of sale for the final management and ownership of the Ridgefield Commons Emergency Interconnection between the HTMUA and

Aqua was complete; and the agreement outlines metering, ownership and maintenance for both parties.

A MOTION was made by Marples and seconded by Kula Authorizing. The Execution ~~o~~<sup>a</sup> ~~f~~<sup>n</sup> ~~a~~<sup>n</sup> Emergency Interconnection Agreement ~~a~~<sup>And</sup> Bill Of Sale ~~w~~<sup>With</sup> AQUA New Jersey Inc., ~~i~~<sup>n</sup> ~~c~~<sup>Connection</sup> ~~w~~<sup>With</sup> Ridgefield Commons Emergency Interconnection Facility. In favor, Cicerale, Kula, Marples, Kaminski and Van Allen.

## **HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

### **A RESOLUTION OF THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE EXECUTION OF AN EMERGENCY INTERCONNECTION AGREEMENT AND BILL OF SALE WITH AQUA NEW JERSEY INC., IN CONNECTION WITH RIDGEFIELD COMMONS EMERGENCY INTERCONNECTION FACILITY**

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

**WHEREAS**, Pottersville Properties Development, LLC and the Authority previously entered into an Agreement for Emergency Water Interconnection, dated April 13, 2006 (the “Interconnection Agreement”); and

**WHEREAS**, Pottersville Properties Development, LLC has been succeeded by SMS Hardyston LLC (“SMS”); and

**WHEREAS**, the Emergency Interconnection Facilities were completed in accordance with the requirements of the Interconnection Agreement; and

**WHEREAS**, SMS, through its predecessor, also entered into an Easement Agreement, dated April 13, 2006, with the Hardyston Township Fire Department for easement across Lot 50, Block 67 (the “Easement”); and

**WHEREAS**, SMS and Hardyston Township Fire Department have entered into an Amended and Restated Easement Agreement for an easement across Lot 50, Block 67 (the “Amended and Restated Easement”) to accurately reflect the location of the Emergency Interconnection Facility; and

**WHEREAS**, SMS and the Authority executed a Bill of Sale in March 2019 pursuant to which the Authority purchased all of SMS’s rights, title and interest in the Emergency Interconnection Facilities in order to properly operate and maintain the Emergency Interconnection Facilities; and

**WHEREAS**, AQUA New Jersey, Inc. (“AQUA”) now owns and operates the water supply system connected to the Emergency Interconnection Facilities;

**WHEREAS**, AQUA and the Authority desire to enter into formal agreements governing the operation and ownership of the Emergency Interconnection Facilities; and

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

1. That the Authority Administrator is hereby authorized and directed, with the advice and input of the Authority’s General Consulting Engineer and the Authority’s General Counsel, to execute an Agreement for the Emergency Water System Interconnection and a Bill of Sale for the Emergency Interconnection Facility in a form substantially similar to the form attached hereto and made a part hereof as **Exhibit A**.
2. That a final copy of the executed Bill of Sale shall be presented to the Board at the Board’s next regularly scheduled board meeting following execution of same.
3. Notice of this Resolution and the contract award shall be posted in the appropriate newspapers and the Authority’s website.
4. That this Resolution shall take effect immediately.

**PAYMENT OF BILLS:**

A MOTION was made by Kula and seconded by Kaminski to pay the bills, as per the bill lists of September 9, 2019 & October 7, 2019. In favor: Cicerale, Kula, Marples, Kaminski, and Van Allen.

**CORRESPONDENCE:**

No correspondence to review

**OFFICERS’ REPORTS**

Nothing to report

**PROFESSIONALS’ 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.

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