

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
APRIL 6, 2020**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, April 6, 2020 at 7:05 p.m., via conference call. Members present were Mr. Cicerale, Mr. Kula, Mr. Marples, Mr. Kaminski, and Mr. O’Grady. Also present were Carrine Kaufer, Ryan Scerbo and Mike Vreeland.

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 O’Grady to approve the minutes of the February 3, 2020 meeting. March meeting was cancelled. In favor, Cicerale, Kula, Marples, Kaminski and O’Grady.

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 –Nothing new to report.

Water Tank – Mike Vreeland reported the contractor has begun mobilizing to the site with anticipation to start work this week. Carrine Kaufer reported that there had been concerns expressed by residents regarding the work continuing during the COVID-19 pandemic and she has been communicating with the HOA property managers to address any concerns. She reiterated that there should be no significant impact on the public’s daily water usage.

Irrigation – Carrine Kaufer stated that there have been continued questions concerning the ability for sections of Crystal Springs to connect to the system for irrigation purposes. At this point in order to move the process forward she stated the HOA should submit a formal request and the necessary escrow in order to begin reviewing what would be necessary to allow for a connection to the system to occur.

NEW BUSINESS:

A. RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT REGARDING DEVELOPMENT OF CRYSTAL SPRINGS II BETWEEN LAM DEVELOPMENT GROUP AND THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

A MOTION was made by Kaminski, seconded by Marples. In favor Cicerale, Kula, Marples, Kaminski and O'Grady.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**A RESOLUTION OF THE
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT
REGARDING DEVELOPMENT OF CRYSTAL SPRINGS II BETWEEN LAM
DEVELOPMENT GROUP AND
THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, the Lam Development Group ("Developer") is now the purported owner and/or would-be developer of the following properties within the Crystal Spring II development, known and designated as Block 16.31, Lot 1, Block 16.32, Lots 1 and 2, and Block 16.33, Lot 1, Block 16.27, Lot 1, Block 16.36, Lot 1, Block 16.29, Lot 1, Block 16.30, Lot 1, and Lots 1.08 – 1.16, and Block 16.34, Lots 1.05 - 1.12, in in the Township of Hardyston (the "Subject Property" or the "Property"); and

WHEREAS, pursuant to the Crystal Springs II Masterplan General Development Plan Update #5, dated October 9, 2014, there are 302 housing units depicted on the entirety of the aforementioned Property, which is purportedly controlled and/or owned by Developer. These units include nine, 18-Unit condominium buildings along Tarrington Road, 12 Townhouse units along Tarrington Road, 8 golf villas along Devon Court, 70 Single Family-Zero Lot Line Units along Coventry Road, Ashbourne Court and Devon Court, and 50 Townhouse Units in a housing section known as Ardleigh at Crystal Springs (Block 16.27, Lot 1). These units are hereinafter referred to as the "Lam Development"; and

WHEREAS, Developer is in the process of constructing a development within the Township of Hardyston, County of Sussex and State of New Jersey; and

WHEREAS, as part of the land use approvals for said development from the Township, Developer is required to enter into written agreement(s) with the HTMUA regarding construction of water and sewer systems and conveyance of said systems to the HTMUA for operation; and

WHEREAS, Developer is a successor to Swedeland Development Group, a partnership, which entered into a Developer's Agreement with the HTMUA on January 14, 1987; and

WHEREAS, Developer is a successor to, assign of and/or affiliated with C.S. Acquisition, a general partnership of the State of New Jersey, consisting of Crystal Springs

Acquisition, L.L.C. and R.N.G. Realty, L.L.C., which general partnership entered into a Water System Developer's Agreement with the HTMUA on May 10, 1995; and

WHEREAS, the parties hereto desire to modify, clarify and or reconfirm the provisions of said prior agreements with the Developer's predecessors and/or affiliates by entering a Developer's Agreement in the form substantially similar to the form attached hereto as **Exhibit A**;

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

1. The HTMUA Administrator is hereby authorized and directed to execute the Developer's Agreement attached hereto and made a part hereof as **Exhibit A** as well as any and all ancillary documentation necessary to effectuate the intent and purpose of this Resolution and said Agreement.
2. The Administrator his hereby authorized and directed to have the Developer's Agreement recorded with Sussex County Clerk's office.
3. This Resolution shall take effect immediately upon adoption.

B. A RESOLUTION AUTHORIZING THE AWARD OF A CHANGE ORDER TO A CONTRACT WITH BRAVE INDUSTRIAL PAINT, LLC IN CONNECTION WITH THE PAINTING OF THE CRYSTAL SPRINGS WATER TANK

A MOTION was made by O'Grady and seconded by Kaminski. In favor, Cicerale, Kula, Marples, Kaminski and O'Grady.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**A RESOLUTION OF THE
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE AWARD OF A CHANGE ORDER TO A CONTRACT WITH
BRAVE INDUSTRIAL PAINT, LLC IN CONNECTION WITH THE PAINTING OF
THE CRYSTAL SPRINGS WATER TANK**

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, the Systems include a water spheroid tank servicing the Crystal Springs development (the "Tank"); and

WHEREAS, the Tank is in need of repainting, including a new logo (the “Work”); and

WHEREAS, the Authority, via a Resolution, dated January 7, 2019, authorized the solicitation of bids in connection with the Work; and

WHEREAS, the Authority, via a Resolution, dated March 3, 2019, the authority awarded a contract to Brave Industrial Paint, LLC as the lowest responsible bidder for the Work; and

WHEREAS, it has been determined that certain additional fire prevention measures are required to be implemented during the administration of the Work in the form of strategically placed water tankers; and

WHEREAS, Brave Industrial Paint, LLC has provided a proposal, dated April 2, 2020, for a contract change order which includes a proposal from Central Painting and Sandblasting, Inc. a water tanker supplier which proposal is attached hereto as **Exhibit A** in the amount of \$12,075 for the first thirty(30) days and an additional \$203.55 for each day beyond the first thirty (30) days as well as an additional \$632.50 per day for a Central Painting and Sandblasting technician if needed; and

WHEREAS, the Authority’s General Consulting Engineer has reviewed Brave Industrial Paint’ s proposal and determined it to be necessary and appropriate and that services and equipment of Central Painting and Sandblasting should be required for no more than sixty (60) days; and

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

1. That the Administrator, in consultation with the Authority’s General Consulting Engineer, is hereby authorized and directed to execute a change order with Brave Industrial Paint, LLC, in accordance with Brave Industrial Paint’s proposal dated April 2, 2020, attached hereto as **Exhibit A**, in an amount not to exceed \$37,156.50 an amount equal to sixty (60) days of services.
2. That the Administrator, working with the Authority’s General Consulting Engineer and the General Counsel, is authorized to take all necessary actions and execute all necessary documents and agreements to effectuate the intent of this Resolution.
3. That 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 O'Grady and seconded by Marples to pay the bills, as per the bill lists of March 2, 2020 and April 6, 2020. In favor: Cicerale, Kula, Marples, Kaminski and O'Grady.

CORRESPONDENCE:

A MOTION was made by Kula and seconded by Marples to accept the correspondence of April 6, 2020. In favor: Cicerale, Kula, Marples, Kaminski and O'Grady.

OFFICERS' REPORTS

Nothing to report

PROFESSIONALS' REPORTS

Administrator – nothing further

Operator – not present

Billing Clerk – nothing further

CFO – not present

Accountant – nothing further

Attorney – nothing further

Engineer – not present

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,
Patty Egan
Recording Secretary