

**MINUTES  
HARDYSTON TOWNSHIP  
MUNICIPAL UTILITIES AUTHORITY  
September 14, 2020**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, September 14, 2020 at 7:00 p.m., at the Municipal Building located at 149 Wheatsworth Road. Members present were Mr. Cicerale, Mr. Kula, Mr. Marples, Mr. Bazelewich, and via conference call, Ms. Van Allen. 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 Marples seconded by Kula to approve the minutes of the August 3, 2020 meeting. In favor, Cicerale, Kula, Marples, and Van Allen. Abstain: Bazelewich.

**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 water tank project is complete. He has received the contractor's final application for payment. A final change order was made. Ryan Scerbo reviewed the maintenance bond and there are a few changes that need to be made. Once maintenance bond is posted and final change order is approved final payment will be made.

Irrigation – Mike Vreeland reported he attended a site meeting with representatives from the irrigation and management companies to see where they would contemplate making their connections. Mike will provide them with pressure information and they will make a decision on how many connections they will want and where to place them.

Operational Considerations – Nothing new to report.

**NEW BUSINESS:**

**A. A RESOLUTION OF THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AUTHORIZING AND CONFIRMING THE PERFORMANCE OF EMERGENCY SERVICES IN ACCORDANCE WITH THE N.J.S.A. 40A:11-6**

A MOTION was made by Marples and seconded by Kula. In favor, Cicerale, Kula, Marples, Van Allen and Bazelewich.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
A RESOLUTION OF THE  
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES  
AUTHORITY AUTHORIZING AND CONFIRMING THE  
PERFORMANCE OF EMERGENCY SERVICES IN  
ACCORDANCE WITH N.J.S.A. 40A:11-6**

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes the award of a contract where emergency circumstances dictate the need for immediate action to prevent harm to the public health, safety and welfare; and

**WHEREAS**, on July 7, 2020 a routine sample collected at the Meadow Pond sampling station yielded a positive test result for coliform and E-coli; and

**WHEREAS**, the Authority collected raw water samples from Well 3 and Well 4 on July 9, 2020 in an attempt to identify the source of the positive test results; and

**WHEREAS**, the results of the July 9, 2020, and subsequent samples from July 11, 2020, confirmed that the source of the coliform and E-coli was Well 3; and

**WHEREAS**, Well 3 is a vital component of the Authority's water supply system; and

**WHEREAS**, as required by law and pursuant to direction from the New Jersey Department of Environmental Protection, the Authority undertook corrective action consisting of repair work associated with Well 3; and

**WHEREAS**, the Authority authorized Samuel Stothoff Co., Inc., to repair Well 3 ("Repair Work"); and

**WHEREAS**, the Authority is satisfied that an emergency existed requiring the authorization of services to remedy the situation as provided by law; and

**NOW, THEREFORE, BE IT RESOLVED** by the Hardyston Township Municipal Utilities Authority in the County of Sussex in the State of New Jersey on this 7th day of September 2020 as follows:

1. That the Authority's Billing Specialist is authorized and directed to provide payment to Samuel Stothoff Co., Inc. in connection with the Repair Work in the amounts set forth in the invoices attached hereto and made a part hereof as **Exhibit A**.
2. This Resolution shall take effect immediately.

**B. A RESOLUTION OF THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ACCEPTING THE COMPLETED WORK AND AUTHORIZING THE FINAL PAYMENT IN CONNECTION WITH A CONTRACT WITH BRAVE INDUSTRIAL PAINT, LLC IN CONNECTION WITH THE PAINTING OF THE CRYSTAL SPRINGS WATER TANK**

A MOTION was made by Kula and seconded by Marples. In favor, Cicerale, Kula, Marples, Van Allen and Bazelewich.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**A RESOLUTION OF THE  
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
ACCEPTING THE COMPLETED WORK AND AUTHORIZING THE FINAL  
PAYMENT IN CONNECTION WITH 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 was 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 (the “Contract”); and

**WHEREAS**, the Authority, via a Resolution, dated April 6, 2020, authorized a change order to the Contract to address 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 completed the Work and submitted its request for final payment to the Authority; and

**WHEREAS**, the Authority’s General Consulting Engineer has reviewed Brave Industrial Paint’s final invoice and inspected the Work completed by Brave; 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, pay Brave Industrial Paint's final invoice for the Work in the amount set forth in the invoice attached hereto and made a part hereof as Exhibit A, contingent upon first receive a maintenance bond from Brave in a form and amount acceptable to the Authority's General Consulting Engineer and General Counsel.
  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 this Resolution shall take effect immediately.
- C. A RESOLUTION AUTHORIZING THE EXECUTION OF A BILL OF SALE FOR THE ACCEPTANCE OF A FIRE SUPPRESSION SYSTEM IN CONNECTION WITH 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.**

A MOTION was made by Van Allen and seconded by Bazelewich. In favor, Cicerale, Kula, Marples, Van Allen and Bazelewich.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**RESOLUTION AUTHORIZING THE EXECUTION OF A BILL OF SALE FOR THE ACCEPTANCE OF A FIRE SUPPRESSION SYSTEM IN CONNECTION WITH 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, the Township of Hardyston and the Authority, entered into an agreement whereby Riverdale provided access to the Township to complete the fire suppression system pursuant to the terms of the September 1, 2016 proposal (hereinafter “Proposal”); and

**WHEREAS**, the Township completed the work outlined in the Proposal and shall establish a special assessment, pursuant to state statute, against the affected properties in the North Church Technical Center development to cover the cost of the Proposal; and

**WHEREAS**, the Authority has inspected the completed fire suppression system and is willing to accept conveyance of the fire suppression system from Riverdale; and

**WHEREAS**, after acceptance of the system 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**, to effect the transfer of the system the parties have prepared a Bill of Sale form 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 Bill of Sale in a form substantially similar to the form attached hereto as **Exhibit A**, provided that the Bill of Sale shall not be executed prior to the Authority receiving a title report from Riverdale and a descriptive map of the system from the Authority’s Consulting Engineer.

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

### **PAYMENT OF BILLS:**

There was no bill list for September due to year end processing.

### **CORRESPONDENCE:**

There was no correspondence

### **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 – Mike Vreeland reported Patty Egan has ordered meters for the new construction by Ryan Homes in Crystal Springs.

## **OPEN PUBLIC PORTION:**

The meeting was opened to the public. Jackie Cully, President of the Country Club Ridge at Crystal Springs 11, who resides at 9 Coventry Road discussed the process of installing an irrigation system in their community to avoid using the pond. Robert Thomas, Property Manager for Comet Management was also inquiring about the irrigation system in Indian Fields. Mike Vreeland explained the process of the irrigation system. Ryan Scerbo explained the importance of following the conditions of an agreement. Carrine Kaufer reported she provided the billing rate structure and explained the testing process procedures. Gene McCarthy of 9 Meadow Pond Road in Indian Fields was inquiring about all the traffic in his area. Mike Vreeland explained the Corrective Action Plan work being done to repair the wells.

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

Respectfully submitted,

**Patty Egan**

Recording Secretary