

**TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
MEETING MINUTES
WEDNESDAY – FEBRUARY 24, 2021**

The Township of Hillsborough Municipal Utilities Authority held a scheduled meeting that began at approximately at 6:00 PM on Wednesday, February 24, 2021, with the following members present:

Michael Avolio
Robert Damiano
Robert McCray
Richard Nunn

Also present were Authority Executive Director Robert A. Hough, P.E. and Peter Cipparulo, III, Esq., General Counsel. Mr. Scarantino was noted as absent.

ANNOUNCEMENT – Open Public Meetings Act

In accordance with the provisions of the Open Public Meetings, Act, P.L 1975, c. 231, as amended, notice of this meeting was duly provided on February 28, 2020 and amended on August 7, 2020.

REORGANIZATION

The members began the business of reorganization.

OATH OF OFFICE

The Oath of Office was administered to Mr. Robert Damiano for a five (5) year term, beginning on February 1, 2021 and concluding January 31, 2026.

ELECTION OF OFFICERS

A motion was made by Mr. McCray, seconded by Mr. Nunn nominating Mr. Avolio as Chairman to serve until the 2022 Reorganization Meeting. All those present voted in favor.

A motion was made by Mr. Damiano to keep the remaining positions the same as 2020. Said motion received a second from Mr. Nunn and all those present voted in favor. Vice Chairman is Mr. Nunn, Secretary is Mr. Scarantino, Treasurer is Mr. Damiano and Assistant Treasurer / Secretary is Mr. McCray.

There was a brief discussion regarding the Committees for 2021. Mr. McCray motioned to keep standing committees for 2021; Mr. Damiano seconded and all those present voted in favor.

MATTERS FOR CONSIDERATION

RESOLUTION # 21-0224-1 – Resolution Appointing Suplee, Clooney & Company as the Auditor for the Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional Auditing Services to The Township of Hillsborough Municipal Utilities Authority (TTHMUA), and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and Suplee, Clooney & Company, for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-2 – Resolution Appointing Hawkins, Delafield & Wood, LLP as the Bond Counsel for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional Bond Counsel Services to The Township of Hillsborough Municipal Utilities Authority (TTHMUA), and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and Hawkins, Delafield & Wood, LLP, for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-3 – Resolution Appointing the Law Offices of Peter Cipparulo, III, LLC as the General Counsel for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional General Counsel Services consisting of legal advice and professional legal services to The Township of Hillsborough Municipal Utilities Authority (hereinafter the “Authority”); and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and the Law Offices of Peter Cipparulo, III, LLC, for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-4 – Resolution Appointing Cleary Giacobbe Alfieri & Jacobs, LLC as a Special Counsel for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional Special Counsel Services who specializes in Authority law, special legal advice and professional legal services on an as needed basis, to The Township of Hillsborough Municipal Utilities Authority (TTHMUA); and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and Cleary Giacobbe Alfieri & Jacobs, LLC, for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-5 – Resolution Appointing McManimon, Scotland & Baumann, LLC as a Special Counsel for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional Special Counsel Services who specializes in Authority law, special legal advice and professional legal services on an as needed basis, to The Township of Hillsborough Municipal Utilities Authority (TTHMUA); and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and McManimon, Scotland & Baumann, LLC, for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-6 – Resolution Appointing H2M Associates, Inc. as a Consulting Engineer for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional Consulting Engineer Services to The Township of Hillsborough Municipal Utilities Authority (TTHMUA); and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and H2M Associates, Inc., for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-7 – Resolution Appointing Van Note - Harvey Associates, Inc. as a Consulting Engineer for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, there exists a need for Professional Consulting Engineer Services to The Township of Hillsborough Municipal Utilities Authority (TTHMUA); and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and Van Note – Harvey Associates, Inc., for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-8 – Resolution Appointing Danskin Insurance Agency, Inc. as the Risk Management Consultant for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, the Township of Hillsborough Municipal Utilities Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund, and

WHEREAS, the bylaws of said fund require that each Authority appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the judgmental nature of a Risk Management Consultant’s duties renders comparative bidding impractical; and

WHEREAS, TTHMUA has determined and certified that the value of the contract may exceed \$17,500; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the “New Jersey Pay to Play” Law, (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” thru the ‘Fair and Open’ Process was publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority as follows:

1. The Chairman and Secretary be and they are hereby authorized and directed to execute a certain agreement dated February 24, 2021 and filed with the Executive Director of the Authority between the Authority and Danskin Insurance Agency, Inc., for 1 year, from March 1, 2021 to February 28, 2022.
2. The Executive Director shall publish a notice of award of said contract in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

RESOLUTION # 21-0224-9 – Resolution Adopting an Order of Business for Conducting Meetings of The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that the general order of business set forth below be adopted by The Township of Hillsborough Municipal Utilities Authority to govern the proceedings of the Authority at all meetings until the Reorganization Meeting in February 2022.

1. Announcement of Compliance with “Open Public Meetings Act”
2. Roll Call
3. Disposition of Minutes of Prior Meetings
4. Business from the Floor
5. Correspondence
6. Matters for Consideration including but not limited to Public Hearings on all matters scheduled pursuant to public notice, such as rate resolutions, bond resolutions, receipt of bids, etc.
7. Discussion Items
8. Professional Reports from but not limited to Attorney(s), Auditor, Consulting Engineer(s), etc.
9. Committee Reports from but not limited to Engineering / Facilities, Finance, I/I and GIS, and Personnel
10. Somerset Raritan Valley Sewerage Authority (SRVSA)
11. Approval of Claims / Other Financial Matters
12. Adjournment

RESOLUTION # 21-0224-10 – Resolution Adopting the By-Laws of The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that the By-Laws of the Township of Hillsborough Municipal Utilities Authority, dated February 2021 and as attached hereto, be adopted by The Township of Hillsborough Municipal Utilities Authority to govern The Township of Hillsborough Municipal Utilities Authority until the Reorganization Meeting in February 2022.

RESOLUTION # 21-0224-11 – Resolution Adopting and Authorizing the Publication of the Annual Meeting Calendar of The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that in accordance with the provisions of the “Open Public Meetings Act”, (C, 321, P.L. 1975) the following schedule of public meetings of The Township of Hillsborough Municipal Utility Authority (TTHMUA) shall be adopted for the year ending February 28, 2022; and

BE IT FURTHER RESOLVED that said schedule be posted on TTHMUA’s Web site, advertised in the Hillsborough Beacon and the Courier-News, and that copies of said schedule be posted on the bulletin board of TTHMUA and filed with the Hillsborough Township Clerk.

**TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
PUBLIC NOTICE**

In compliance with the “Open Public Meetings Act” (C, 321, P.L. 1975) of the State of New Jersey, PLEASE TAKE NOTICE that the Township of Hillsborough Municipal Utilities Authority will hold public meetings for the transaction of the Authority business in accordance with the following schedule:

March 24, 2021	September 22, 2021
April 28, 2021	October 27, 2021
May 26, 2021	November 23, 2021 (Tuesday)
June 23, 2021	December 15, 2021
July 28, 2021	January 26, 2022
August 25, 2021	February 23, 2022

PLEASE TAKE FURTHER NOTICE that all of the above listed meetings will commence at 6:00 P.M. at the offices of the Authority at 220 Triangle Road, Suite 234, in the Township of Hillsborough, County of Somerset, State of New Jersey.

Copies of this notice have been posted on the Authority’s Web site and at the offices of the Authority, filed with the Hillsborough Township Clerk, and published in the Courier-News and the Hillsborough Beacon.

RESOLUTION # 21-0224-12 – Resolution Authorizing the Mailing of Meeting Notices and Fees of The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority that the Executive Director is hereby directed to mail the annual meeting notice and all 48-hour notices to any person so requesting same upon payment to the Authority of the sum of \$10.00 which is hereby declared to be the reasonable sum for each mailing to be made hereunder; provided, however, that mailing to the newspapers shall be without charge.

RESOLUTION # 21-0224-13 – Resolution Authorizing the Adoption of an Indemnification Policy for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority that this Indemnification Policy is adopted, as follows:

Section 1. Except as hereinafter provided, The Township of Hillsborough Municipal Utilities Authority (“Authority”) shall, upon the request of any present or former official, employee or appointee of the Authority provide for the indemnification and legal defense of any civil action brought against said person or persons arising from an act or omission falling within the scope of their public duties with the Authority.

Section 2. The terms of this Resolution and the definition of official, employee and appointee are to be construed liberally in order to effectuate the purposes of this Resolution, except that these terms shall not mean a) any person who is not a natural person; b) any person while providing goods or services of any kind under any contract with the Authority, except an employment contract; c) any person while providing legal or engineering services for compensation unless said person is an employee of the Authority; and d) any person who as a condition of his or her appointment or contract is required to indemnify and defend the Authority and/or secure insurance.

Section 3. The Authority shall provide for defense of and indemnify any present or former official, employee or appointee of the Authority who becomes a defendant in a civil action if the person or persons involved a) acted or failed to act in a matter in which the Authority has or had an interest; b) acted or failed to act in the discharge of a duty imposed or authorized by law; and c) acted or failed to take action in good faith. For purposes of this Resolution, the duty and authority of the Authority to defend and indemnify shall extend to a cross-claim or counterclaim against said person.

Section 4. The Authority shall not indemnify any person against the payment of punitive damages, penalties, or fines, but may provide for the legal defense of such claims in accord with the standards set forth herein. The Authority may refuse to provide for the defense and indemnification of any civil action referred to herein if the Authority determines that a) the act or omission did not occur within the scope of a duty authorized or imposed by law; b) the act or failure to act was the result of actual fraud, willful misconduct or actual malice of the person requesting defense and indemnification; or c) the defense of the action or proceeding by the Authority would create a conflict of interest between the Authority and the person or persons involved.

Section 5. In any other action or proceeding, including criminal proceedings, the Authority may provide for the defense of a present or former official, employee or appointee, if the Authority concludes that such representation is in the best interest of the Authority and that the person to be defended acted or failed to act in accord with the standards set forth in this Resolution.

Section 6. Whenever the Authority provides for the defense of any action set forth herein and as a condition of such defense, the Authority may assume exclusive control over the representation of such persons defended and such person shall cooperate fully with the Authority.

Section 7. The Authority may provide for the defense pursuant to this Resolution by authorizing its General Counsel to act on behalf of the person being defended or by employing other counsel for this purpose or by asserting the right of the Authority under any appropriate insurance policy that requires the insurer to provide defense.

Section 8. This Resolution shall take effect immediately.

RESOLUTION # 21-0224-14 – Resolution Designating the Official Newspapers of The Township of Hillsborough Municipal Utility Authority (TTHMUA)

BE IT RESOLVED that the Hillsborough Beacon and the Courier News be and are hereby designated the official newspapers of The Township of Hillsborough Municipal Utility Authority.

RESOLUTION # 21-0224-15 – Resolution Establishing the Office Hours and Holiday Schedule of The Township of Hillsborough Municipal Utility Authority (TTHMUA)

BE IT RESOLVED that the offices of The Township of Hillsborough Municipal Utility Authority shall be open from 9:00 A.M. until 4:00 P.M. daily Monday through Friday; and

BE IT FURTHER RESOLVED that the offices of the Authority shall be closed in observance of the following holidays as well as such other holidays as may be declared from time to time by resolution of the Authority:

New Year's Day	Columbus Day
Martin Luther King Day	General Election Day
Lincoln's Birthday	Veteran's Day
Presidents Day	Thanksgiving Day
Good Friday	Thanksgiving Friday
Memorial Day	Christmas Day
Independence Day	Day after Christmas
Labor Day	

RESOLUTION # 21-0224-16 – Appointing Robert A. Hough, P.E., Executive Director of The Township of Hillsborough Municipal Utilities Authority (TTHMUA) as the Certifying Officer and Collector of Charges of TTHMUA

BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority, in accordance with N.J.S.A. 40:14B-18, that Robert A. Hough, P.E., Executive Director of The Township of Hillsborough Municipal Utilities Authority, be and is hereby appointed Certifying Officer and Collector of Charges of The Township of Hillsborough Municipal Utilities Authority.

RESOLUTION # 21-0224-17 – Resolution Appointing Robert A. Hough, P.E., Executive Director of The Township of Hillsborough Municipal Utilities Authority (TTHMUA) as the Public Agency Compliance Officer of TTHMUA

BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority, in accordance with N.J.A.C. 17:27-3.5, that Robert A. Hough, P.E., Executive Director of The Township of Hillsborough Municipal Utilities Authority, be and is hereby appointed Public Agency Compliance Officer of The Township of Hillsborough Municipal Utilities Authority.

RESOLUTION # 21-0224-18 – Resolution Adopting a Cash Management Plan for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that the following Cash Management Plan be adopted by the Township of Hillsborough Municipal Utilities Authority and the Executive Director be authorized to implement said plan:

1. All funds received by the Authority shall be deposited in designated depositories within 24 hours of receipt.
2. All funds shall be deposited in interest bearing accounts.
3. The Executive Director is hereby authorized to negotiate the purchase and sale of U.S. Government obligations, or to invest in time open accounts or certificates of deposit, whichever shall provide the most favorable rates of interest.
4. All claims shall be approved for payment by a majority of the members and checks shall be issued in payment of said claims in accordance with the authorization for disbursements adopted by the Authority.

RESOLUTION # 21-0224-19 – Resolution Designating the Official Depositories for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that the following banks be designated as Depositories for funds of The Township of Hillsborough Municipal Utilities Authority until the Reorganization Meeting in February 2022.

Affinity Credit Union	Amboy National Bank
Bank of America	Chase Bank
Constitution National Bank	Financial Resources Federal Credit Union
Fulton Bank	Peapack Gladstone Bank
PNC Bank	Provident Bank
TD Bank	Valley National Bank
Wells Fargo Bank NA	Unity Bank

BE IT FURTHER RESOLVED that the Treasurer be and is hereby authorized to assign the various accounts of the Authority to any of the above-named depositories.

RESOLUTION # 21-0224-20 – Resolution Authorizing Disbursements for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that all disbursements of The Township of Hillsborough Municipal Utilities Authority Operating Fund, Construction Fund, General Fund, and Inspection Trust Fund shall be made by checks signed by any two members of the Authority and countersigned by the Executive Director.

BE IT FURTHER RESOLVED that all disbursements of The Township of Hillsborough Municipal Utilities Authority Petty Cash Account be made by checks signed by any member of the Authority and the Executive Director of the Authority; and

BE IT FURTHER RESOLVED that all disbursements of The Township of Hillsborough Municipal Utilities Authority Revenue Fund transmitting revenues to the Trustee be made by checks signed by any one of the following:

Chairman	Vice-Chairman
Secretary	Treasurer
Asst. Secretary/Treasurer	Executive Director

RESOLUTION # 21-0224-21 – Resolution Authorizing Payroll Disbursements for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that salaries and wages be paid by checks disbursed from the payroll account on a biweekly, monthly or quarterly basis as elected by the employees, said checks to be signed by any one of the following:

Chairman	Vice-Chairman
Secretary	Treasurer
Asst. Secretary/Treasurer	Executive Director

RESOLUTION # 21-0224-22 – Resolution Authorizing Investments for The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

BE IT RESOLVED that the Executive Director is hereby authorized to negotiate the purchase and sale of U.S. Government obligations, or to invest in time open accounts or certifications of deposit, whichever is the most favorable to achieve the best program for the investment of Authority funds; and

BE IT FURTHER RESOLVED that all such transactions shall be reported to the Board at the following regular meeting of the Authority.

A brief discussion ensued as to why the appointment of two (2) Special Counsels and two (2) Consulting Engineering firms. In order to avoid any conflict two were being appointed.

A motion was made by Mr. Nunn, seconded by Mr. Damiano and all present voted in favor of the above consent agenda items.

The 2021 Reorganization meeting adjourned at 6:08 pm.

REGULAR MEETING AGENDA

The Township of Hillsborough Municipal Utilities Authority continued with a scheduled meeting that began at approximately at 6:09 PM on Wednesday, February 24, 2021, with the following members present:

Chairman Michael Avolio
Robert Damiano
Robert McCray
Richard Nunn

Also present were Authority Executive Director Robert A. Hough, P.E. and Peter Cipparulo, III, Esq., General Counsel. Mr. Scarantino was noted as absent.

APPROVAL OF MINUTES

January 27, 2021 Regular Session Minutes - Motion to approve by Mr. Damiano, second by Mr. Nunn and the roll call vote was: Chairman Avolio -yes, Mr. Damiano – yes and Mr. Nunn – yes. Mr. McCray abstained.

BUSINESS FROM THE FLOOR

None at this time

CORRESPONDENCE

None at this time

MATTERS FOR CONSIDERATION

RESOLUTION # 21-0224-23 - Release of Letter of Credit in the Amount of \$344,137.50 – TJC at Hillsborough, LLC, Block 207.01, Lot 107 (Hidden Brook)

WHEREAS, the Township of Hillsborough Municipal Utilities Authority (TTHMUA) passed a resolution on September 28, 2011 approving an application from TJC at Hillsborough, LLC, 603 First Avenue, Raritan, New Jersey for a sanitary sewer extension to serve a proposed 23 lot subdivision, known as Hidden Brook, in Block 207.01, Lot 107, in the Township of Hillsborough, Somerset County, New Jersey; and

WHEREAS, on April 23, 2014, TJC at Hillsborough, LLC provided TTHMUA with a Letter of Credit dated April 23, 2014 in the amount of \$554,134.00 in lieu of a Performance Bond; and

WHEREAS, on September 1, 2015, TJC at Hillsborough, LLC provided TTHMUA with a revised Letter of Credit dated September 1, 2015 in the amount of \$344,137.50 in lieu of a Performance Bond; and

WHEREAS, TJC at Hillsborough, LLC has requested that since the above stated project has been completed that the Letter of Credit provided to TTHMUA be returned to TJC at Hillsborough, LLC; and

WHEREAS, TTHMUA staff has reviewed this request, inspected the project, found all work to be complete and recommends that the Letter of Credit be returned to TJC at Hillsborough, LLC.

NOW, THEREFORE, BE IT RESOLVED, that the Letter of Credit, dated September 1, 2015, in the amount of \$344,137.50 be returned to TJC at Hillsborough, LLC.

Mr. Hough reported that this resolution had been tabled from the previous meeting because of an issue with the force main. It has since been repaired and Mr. Hough recommended adopting this resolution.

A motion was made by Mr. Nunn, seconded by Mr. Damiano, and all those present voted in favor.

RESOLUTION # 21-0224-24 – Resolution Approving Change Order Nos. 1 and 2 and a Two (2) Year General Maintenance Bond for the Contract Known as “Rehabilitation of Route 206 Existing Sanitary Gravity Sewer System – Contract No. 50” (Contractor is SWERP, Inc., Bristol, Pa.)

WHEREAS, on July 29, 2020, the Township of Hillsborough Municipal Utilities Authority (TTHMUA) awarded the contract known as “Rehabilitation of Route 206 Existing Sanitary Gravity Sewer System – Contract No. 50” to SWERP, Inc., 1237 Hayes Boulevard, Bristol, Pa. 19007 (SWERP), in the amount of \$318,600.00; and

WHEREAS, the work has been completed to the satisfaction of Van Note – Harvey Associates Inc. (VNHA), the project engineer, and TTHMUA; and

WHEREAS, Change Order # 1 has been prepared in the amount of \$11,950.00 to cover the cost for SWERP to conduct a one (1) night investigation of the condition and construction of existing sanitary sewer laterals and thus establishing a new Contract Price of \$330,550.00; and

WHEREAS, Change Order # 2 has been prepared in the amount of -\$51,371.80 to establish the Final Contract Price of \$279,178.20; and

WHEREAS, SWERP has submitted a Two (2) Year General Maintenance Bond in the amount of \$279,178.20 for this previously referenced Contract that is acceptable to VHNA and TTHMUA.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Hillsborough Municipal Utilities Authority, County of Somerset, State of New Jersey as follows:

1. That Change Order Nos. 1 and 2 and the Two (2) Year General Maintenance Bond be approved and accepted.
2. The Executive Director and the Chairman are hereby authorized and directed to execute said Change Orders and any other Project Closeout documents on behalf of TTHMUA.

Mr. Hough reported this was for the Route 206 rehabilitation project and that the lining and manhole work had been completed, all of the laterals (11 of the 17 laterals) were not and would not be completed at this time due to their construction and condition. At this time, a decision has not been made regarding the rehabilitation of the remaining laterals, but that it would not be under this contract. It was recommended that the project be closed at this time.

A motion was made by Mr. Damiano, seconded by Mr. McCray, and all those present voted in favor.

RESOLUTION # 21-0224-25 - Resolution Authorizing Approval of a Sanitary Sewer Connection for Sherman Tract – Phase I (Block 86, Lot 21 in the Township of Hillsborough)

WHEREAS, RPM Development Group. LLC, 77 Park Street, Montclair, New Jersey has requested a sanitary sewer connection for the project known as Sherman Tract – Phase I located on Block 86, Lot 21 in the Township of Hillsborough, Somerset County, New Jersey; and

WHEREAS, the requested wastewater flow from the proposed development is 21,160 gallons per day (GPD); and

WHEREAS, the connection of the proposed development will be via a gravity sewer; and

WHEREAS, plans entitled “Preliminary / Final Major Site Plan & Subdivision, Block 86, Lot 21, Sherman Tract – Phase I, Situated in Township of Hillsborough, Somerset County, New Jersey” prepared by MidAtlantic Engineering Partners, LLC, dated 5/28/2019, last revised 11/02/2020 has been reviewed by the Township of Hillsborough Municipal Utilities Authority staff.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hillsborough Municipal Utilities Authority that this sanitary sewer connection be approved subject to the following conditions:

1. TTHMUA review memo of February XX, 2021.
2. Approval of the Somerset Raritan Valley Sewerage Authority and the New Jersey Department of Environmental Protection.
3. As-built plans of the sanitary sewer connection shall be prepared by the applicant’s engineer. Two (2) sets shall be provided to the Authority in reproducible form on mylar.
4. Performance Bond and inspection fees in the amounts established by the Authority shall be provided to the Township of Hillsborough Municipal Utilities Authority for the proposed sewerage facilities prior to construction, as may be applicable.
5. Maintenance Bond in the amount and form required by the Township of Hillsborough Municipal Utilities Authority shall be provided to the Authority for a period of up to two (2) years from the date of release of the Performance Bond, as may be applicable.
6. Conveyance of all applicable sanitary sewer easements to the Township of Hillsborough Municipal Utilities Authority, as may be applicable.
7. All on-site sanitary sewer facilities such as sewer mains and force mains, laterals and connections shall be the responsibility of the owner.
8. Approval shall remain in effect for a period of two (2) years, at which time, if construction of the facilities has not been initiated, re-approval will be required.

BE IT FURTHER RESOLVED that this project be forwarded to the Somerset Raritan Valley Sewerage Authority and the New Jersey Department of Environmental Protection for approval and the Executive Director be authorized to execute applications required in connection with said submittal.

There are pending design changes, thus Mr. Hough recommended that the aforementioned resolution was tabled. All members present agreed.

DISCUSSION

Sunnymeade Pump Station and Force Main Project

- Design / Easement Update
- Copart Update
- Green Acres Update
- Norfolk Southern Railway Company Agreement
- Flow Meter Installation – Pump Station Design Flows

Mr. Hough reported that the Authority is in receipt of a license agreement from NSR and the proposed license fee is \$37,000. The agreement has been sent to the Attorney for review. The Authority has 60 days to respond to NSR. This was an unexpected expense for this project. Mr. Hough inquired about the breakdown of the \$37,000 and he anticipates having that information for the March meeting.

Mr. Hough reported on the ongoing Green Acres issue and that the goal is the least amount of disturbance. Staging of equipment on the Township property would minimize the disturbance.

Mr. Hough further reported that the Santos connection is feasible.

Staff has begun receiving easements from VNHA and staff is reviewing.

Flowmeters are recording but the second one is not functioning properly and has been returned to the vendor.

Blackwell's Mills Pump Station Replacement

- Project Status
- February 4, 2021 Project Meeting Update

Staff members met with H2M on February 4th at the location and the design documents are being prepared.

Rohill Pump Station - Generator and Automatic Transfer Switch (ATS) replacement

- Project Status
- New generator and ATS scheduled for delivery in mid-February 2021

Generator was shipped; it was initially delayed because of the inclement weather.

Facilities Plant Update

- Project Status – Completed

The facilities plan has been updated and finalized. Copies are available upon request. Reference to the Valley Road Sewerage Authority was removed.

2021 Summary Will Serve Letters & Sewer Connection Letters

No projects added.

2021 Summary Sewer Connection Letters

One (1) new project added.

COMMITTEE REPORTS

Engineering / Facilities – Valves are not working, Mr. Hough reported that Municipal Maintenance will exercise them and that staff has discussed with Schilke to be on standby should any issues arise.

Finance – No report at this time.

I/I and GIS – Staff members are moving forward with GIS, not so with easements as a result of snow cover, however before too much growth in the Spring the easements will be reviewed.

Personnel – There was a general discussion regarding succession planning in anticipation of future retirements. Cannabis legislation will need to be discussed at a future time. There will be no policy changes at the moment. Attorney Cipparulo will inquire with the JIF and draft a letter.

SRVSA REPORT – no report.

CLAIMS LIST

- **Operating Fund** **\$1,133,787.92**
- **General Fund** **\$ 72,811.47**

Motion to approve the claims lists was made by Mr. Damiano, seconded by Mr. Nunn the roll call vote was: Chairman Avolio -yes, Mr. Damiano – yes, Mr. McCray - yes and Mr. Nunn – yes.

ADJOURNMENT

Motion to adjourn was made at 6:33 pm by Mr. Damiano, seconded by Mr. McCray and the regular meeting adjourned.