

**TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
MEETING MINUTES
WEDNESDAY – JUNE 22, 2022**

The Township of Hillsborough Municipal Utilities Authority held a scheduled meeting that began at approximately at 6:00 PM on Wednesday, June 22, 2022, with the following members present:

Michael Avolio
Robert Damiano
Robert McCray
Rick Nunn
Frank Scarantino

Also present were Authority Executive Director Robert A. Hough, P.E. and Peter Cipparulo, III, Esq., General Counsel.

These minutes were prepared by Pamela Borek.

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 March 4, 2022.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

May 25, 2022 Regular Meeting Minutes

Mr. Nunn reported that there needed to be an amendment to the Santos portion to include that TTHMUA authority will provide a deadline.

Motion made to approved as amended by Mr. Damiano, seconded by Mr. Nunn. The minutes were approved by a roll call vote: Chairman Avolio – yes, Mr. Damiano – yes, Mr. McCray – yes, Mr. Nunn – yes, Mr. Scarantino abstained.

BUSINESS FROM THE FLOOR

- None at this time.

CORRESPONDENCE

- An email was received this afternoon from a member of the Claremont Community inquiring as to whether or not TTHMUA gave direction to the developer regarding as to if

they (the developer) were permitted to connect and how to connect to the sanitary sewer system. They are claiming that TTHMUA was directing the developer. It was confirmed that this matter was not discussed by the Authority. Further discussion ensued regarding whether or not staff should be communicating with this individual or not. A response will be prepared by TTHMUA attorney.

MATTERS FOR CONSIDERATION

RESOLUTION # 22-0622-1 – Resolution Authorizing the Executive Director to Execute an Agreement with Gardner & Rosario LLC for Financial Accounting and Consulting Services

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

WHEREAS, Gardner & Rosario LLC have agreed to provide the sought-after services to TTHMUA in accordance with Gardner & Rosario LLC proposal dated May 13, 2022, a copy of which is attached hereto, beginning in June 2022 until February 28, 2023, for an estimated not-to-exceed cost of \$41,000.00; and

WHEREAS, TTHMUA has a need to acquire these services without a “fair and open process” as defined by P.L. 2004, c. 19, the “Local Unit Pay-to-Play Law” and in connection therewith, Gardner & Rosario LLC has completed and filed with TTHMUA the required “Pay-to-Play Form;” and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), authorizes TTHMUA to award this agreement as a professional services agreement, without public bidding.

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

1. The Chairman and Executive Director be and they are hereby authorized and directed to execute an agreement dated May 25, 2022 and filed with the Executive Director of the Authority between the Authority and Gardner & Rosario LLC from June 1, 2022 to February 28, 2023.
2. The agreement is awarded without competitive bidding as a professional services agreement as authorized under N.J.S.A. 40A:11-5(1)(a)(i).
3. The agreement shall terminate on February 28, 2023 or when the above-referenced services are no longer needed, whichever shall first occur.
4. A copy of this resolution, the “Pay-to-Play Forms and the agreement shall be kept on file in the offices of TTHMUA.

5. A notice of this action shall be published in the Courier News and Hillsborough Beacon in accordance with the provisions of the Local Public Contracts Law.

Mr. Damiano suggested a highly qualified candidate to work on a part-time basis, assuming Ms. Quabeck will provide training. Attorney Cipparulo will review the Employee Manual to ensure this is acceptable. Furthermore a job description will need to be developed outlining the duties and the number of hours to be worked.

A motion was made by Mr. Scarantino, seconded by Mr. Damiano to table this resolution. All present voted in favor.

RESOLUTION #22-0622-2 – Resolution Authorizing Change Order No. 1 to the Contract Known as “Reconstruction of Eleven (11) Sewer Laterals Along Route 206 – Contract No. 52” to Crest Construction Group LLC, Little Egg Harbor, New Jersey in the Amount of \$27,133.65

WHEREAS, on October 27, 2021, the Township of Hillsborough Municipal Utilities Authority (TTHMUA) awarded the contract known as “Reconstruction of Eleven (11) Sewer Laterals Along Route 206 – Contract No. 52” to Crest Construction Group LLC, Little Egg Harbor, New Jersey (Crest), in the amount of \$181,500.00; and

WHEREAS, during the construction work, Crest has encountered changes in existing sanitary sewer locations, changes in existing materials and mis-marked and un-marked utilities resulting in delays that have been documented and witnessed by both H2M Associates, Inc. staff (the project engineer) and TTHMUA staff; and

WHEREAS, Change Order # 1 has been prepared in the amount of \$27,133.65 to cover Crest’s costs resulting from these delays and thus establishing a new Contract Price of \$208,633.65; and

WHEREAS, based on a review of the documents prepared and submitted, it is the recommendation of TTHMUA staff and the Executive Director that Change Order No. 1 be approved.

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 No. 1 in the amount of \$27,133.65 be approved and accepted.
2. The Executive Director and the Chairman are hereby authorized and directed to execute said Change Order on behalf of TTHMUA.

Motion was made by Mr. Scarantino, seconded by Mr. McCray, all those present voted in favor.

RESOLUTION #22-0622-3 - Resolution to Advertise Public Hearing for Revisions to Rate Schedule (Sewer Connection Fee)

WHEREAS, the Township of Hillsborough Municipal Utilities Authority, (hereinafter the “Authority”) is required by law and by Section 303 of its Service Contract with The Township of Hillsborough to promulgate certain uniform charges and connection or tapping fees or charges so that the revenues therefrom will at all times be adequate to pay the expenses of operation and maintenance of the utility system, including reserves, insurance, extensions and replacements, and to pay the principal of and interest on any bonds required by the terms of any contract or the municipal authority or as it may deem necessary or desirable; and

WHEREAS, the Authority, has reviewed the proposed resolution entitled, “Resolution by The Township of Hillsborough Municipal Utilities Authority Establishing Certain Sewer Service Charges and Connection or Tapping Fees;” and

WHEREAS, the Authority, according to law, must establish and hold a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Hillsborough Municipal Utilities Authority having reviewed the proposed resolution entitled, “A Resolution Amending a Resolution by The Township of Hillsborough Municipal Utilities Authority Establishing Certain Sewer Service Charges and Connection or Tapping Fees”, does hereby authorize the Executive Director to publish the same in the Hillsborough Beacon and the Courier-News according to law and establish a public hearing to be held thereon at 6:00 P.M. on July 27, 2022.

Mr. Hough reported this will be for a hearing to be held at the July meeting of TTHMUA.

Mr. Scarantino inquired about the debt service relative to the connection fee calculation. Mr. Hough reported that Ms. Quabeck provided information and he will review it with her.

Motion was made by Mr. McCray, seconded by Mr. Scarantino, all those present voted in favor.

RESOLUTION #22-0622-4 – Resolution Authorizing the Award of a Contract to H2M Associates, Inc. for Professional Engineering Services for Construction Administration and Construction Observation Services for the Blackwell’s Mills Pump Station Replacement – Contract No. 51 in the Amount of \$89,837.00

WHEREAS, the Staff of the Township of Hillsborough Municipal Utilities Authority (TTHMUA) previously recommended that the Blackwell’s Mills Pump Station be replaced; and

WHEREAS, TTHMUA has awarded a construction contract to JEV Construction LLC to construction the Blackwell’s Mills Wastewater Pump Station Replacement – Contract No. 51 has designed by H2M Associates, Inc., and

WHEREAS, at the request of TTHMUA, H2M Associates, Inc., one of TTHMUA’s Consulting Engineering firms, has provided a proposal to provide Construction Administrative and

Construction Observation Services during the construction of the Blackwell’s Mills Pump Station Replacement; and

WHEREAS, H2M Associates, Inc. has submitted a proposal dated June 17, 2022 for the above referenced services; and

WHEREAS, TTHMUA Staff based on the review of the above stated proposal recommends that a contract for Professional Engineering Services for the Blackwell’s Mills Pump Station Replacement – Contract No. 51 be awarded to H2M Associates, Inc. in the lump sum amount of \$22,900.00 for Task 1 – Construction Administration Services and in the not to exceed amount of \$66,937.00 for Task 2 – Construction Observation Services.

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

1. The foregoing “WHEREAS” clauses are hereby incorporated as if fully restated.
2. A purchase order and agreement for a contract for Professional Engineering Services for the Blackwell’s Mills Pump Station Replacement – Contract No. 51 be awarded to H2M Associates, Inc. in the lump sum amount of \$22,900.00 for Task 1 – Construction Administration Services and in the not to exceed amount of \$66,937.00 for Task 2 – Construction Observation Services without public bidding as permitted by law, contingent upon the proper execution and submission of all required documents and forms.
3. TTHMUA Chairman and Executive Director are hereby authorized and directed to execute that appropriate purchase order and agreement with H2M Associates, Inc.
4. This Resolution shall take effect immediately upon final passage according to law.

It was confirmed this award is “not to exceed” \$89,837.

Motion was made by Mr. Scarantino, seconded by Mr. Damiano, all those present voted in favor.

DISCUSSION

Annual Revision to Connection Fee

- Status Report
 - Resolution adopted on this agenda

USEPA Inspection of Facilities - Scheduled for June 21, 2022 – Report of Inspection

Inspection was held on June 21, 2022 as scheduled. A questionnaire was received in advance. All documents provided by staff were found satisfactory. The last time there was an inspection was 2013. There have been 14 incidents reported to the DEP over the last few years. A letter will be forthcoming to report the satisfactory inspection.

Remnants of Hurricane Ida – TTHMUA Impacts / Update on EMA / Insurance Claims

○ **Sunnymeade Pump Station**

It was reported today that the gator will be replaced. Information continues to be provided to FEMA as requested in addition to the expenses for the temporary generators. The calls now are every three weeks with email correspondence in the interim.

Sunnymeade Pump Station and Force Main Project

- **Design / Easement Update**
 - **Permit Update**
- **Copart Update**
- **Green Acres Update**
- **Norfolk Southern Railway Company Agreement**
- **Santos Property**
 - **Issues with proposed realignment**
- **Flow Meter Installation**
 - **Pump Station Design Flows**
- **NJDEP Water Bank Financing Program**
 - **Status / Update**
 - **Report on Bond Counsel's Review of Rate Impacts**

The permit applications have been submitted and comments are being received on completeness. There will be upcoming review meetings for the design and flows. VNHA has submitted a construction cost estimate which will be sent to bond counsel for assistance regarding the financing. There remains no response from the property owner (Santos property). Attorney Cipparulo will send another letter with a deadline for a response.

It was discussed who additional correspondence come from, TTHMUA Attorney or the Condemnation Counsel? It was determined that it should originate from the Condemnation Counsel.

All of the other right of ways are moving forward, the Santos property is the missing link, and however, there are no signed agreements. TTHMUA needs to verify the facts of the timing of the building and who was there first so recitals can be included in the letter to Santos, since there are pipes on the property.

Mr. Hough provided a summary document including how much has been spent on this project, dating back to 2017. It was determined that costs were being recorded for this project in 2017 and there were unspecified costs in 2017 and 2018. It is assumed those costs are engineering costs. Starting in 2019, bills were received with task information included on them. A large portion of the expenditure has been for permit fees.

The generator will be scrapped for approximately a \$1,500 offer to TTHMUA.

Blackwell’s Mills Pump Station Replacement (TTHMUA Contract No. 51)

- **Project Status**
 - **Award Phase Status / Construction Update**

The contract has been awarded and drawings have been received. Key components are being lined up amid supply chain issues.

Rehabilitation of Route 206 Gravity Sanitary Sewer Laterals (TTHMUA Contract No. 52)

- **Project Status**
 - **Construction Update / Completion**
 - **Approval of Change Order No.1** – was approved via resolution on this agenda.

No resident complaints, favorable results with this contractor.

Mulford Lane Pump Station Replacement (TTHMUA Contract No. 53)

- **Project Status**
 - **Design work update**

There is an issue regarding the routing of a new sewer line and staff is working with the resident to provide an understanding of the process.

Borough of Millstone Sanitary Sewer Connection

- **Project / Design Status**

The most recent meeting with the design team was canceled at the last minute and a new meeting date has yet to be proposed.

Rules and Regulations of the Township of Hillsborough Municipal Utilities Authority

- **Review of Current Rules and Regulations**

The review of the rules and regulations has begun.

An inquiry was made as to when a restaurant expands does their rate increase? It depends on the information received from the Building Department at the Township. Grease traps are monitored in conjunction with the Health Department.

Easement Maintenance

- **Status Update**

It needs to be clear as to who is responsible for the maintenance of easements and that information needs to be provided in the documentation when a project is turned over.

Mowing has started through some of the easements, however, those that remain wet will not yet be mowed.

2022 Summary (Last revised June 17, 2022) of Will Serve Letters – For Informational Purposes Only

- One (1) new project added

2022 Summary (Last revised June 17, 2022) of Sewer Connection Approvals – For Informational Purposes Only

- One (1) new project added

COMMITTEE REPORTS

Engineering / Facilities – No report at this time

Finance – No report at this time.

I/I and GIS – No report at this time.

Personnel –Mr. Hough reported that an employee inquired if Friday or Monday would be given off for Juneteenth; options were presented in terms of giving back a day off. There may be the need to adjust the holiday schedule for next year; one option is giving back Election Day.

Private sector has cut holidays to a minimum and changed it to a cumulative number of floating holidays.

There was a question regarding marijuana and it was recommended to follow the rules of the State and hold someone in violation if they are visually impaired.

SRVSA REPORT – no report.

CLAIMS LIST

- **Operating Fund** \$ 174,299.40
- **General Fund** \$ 141,644.51

Motion to approve claims lists was made by Mr. Damiano, seconded by Mr. Nunn and all those present voted in favor.

ADJOURNMENT

Motion to adjourn was made at 7:06 pm by Mr. Damiano, seconded by Mr. Scarantino and the regular meeting adjourned.