

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

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

Michael Avolio
Robert Damiano
Rick Nunn
Robert McCray

Also present was:

Authority Executive Director Robert A. Hough, P.E.

Mr. Scarantino and Peter Cipparulo, III, Esq., General Counsel were noted as absent.

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 as part of the annual meeting notice on March 4, 2022.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

September 28, 2022 Regular Meeting Minutes (Revised)

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

October 26, 2022 Regular Meeting Minutes

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

BUSINESS FROM THE FLOOR

- None at this time.

CORRESPONDENCE

- None at this time.

MATTERS FOR CONSIDERATION

Public Hearing and Resolution – adoption of New Jersey Department of Community Affairs Budget Resolution entitled: 2022 (2022-2023) Authority Budget Resolution Township of Hillsborough Municipal Utilities

WHEREAS, the Annual Budget and Capital Budget/Program for the Hillsborough Municipal Utilities Authority for the fiscal year beginning December 01, 2022 and ending November 30, 2023 has been presented for adoption before the governing body of the Hillsborough Municipal Utilities Authority at its open public meeting of November 22, 2022; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget presented for adoption reflects Total Revenues of \$6,843,500.00, Total Appropriations, including any Accumulated Deficit, if any, of \$6,943,500.00, and Total Unrestricted Net Position utilized of \$100,000.00; and

WHEREAS, the Capital Budget as presented for adoption reflect Total Capital Appropriations of \$6,304,000.00 and Total Unrestricted Net Position Utilized of \$1,504,000.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Hillsborough Municipal Utilities Authority at an open public meeting held on November 22, 2022 that the Annual Budget and Capital Budget/Program of the Hillsborough Municipal Utilities Authority for the fiscal year beginning December 01, 2022 and ending November 30, 2023 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Motion to open the public hearing was made by Mr. Damiano, seconded by Mr. McCray, all present voted in favor.

Mr. Hough reported that the budget had been approved by the state.

Upon no further discussion the public hearing was closed by a motion made by Mr. Damiano, seconded by Mr. McCray, and all present voted in favor.

Motion was made to adopt the budget resolution by Mr. Damiano, seconded by Mr. McCray, and all present voted in favor.

RESOLUTION # 22-1122-1 - Resolution Authorizing Approval of a Sanitary Sewer Extension for Sukhdev A. & Ruchika Angras for Proposed Major Subdivision at Farm Road, Block 152, Lots 3.01, 3.02 and 3.03, in the Township of Hillsborough in the Amount of 900 GPD

WHEREAS, Sukhdev A. and Ruchika Angras, 441 2nd Avenue, Piscataway, New Jersey has requested a sanitary sewer extension for the project known as Proposed Major Subdivision at Farm Road located on Block 152, Lots 3.01, 3.02 and 3.03 in the Township of Hillsborough, Somerset County, New Jersey; and

WHEREAS, the proposed project consists of 3 single family dwellings (3 single family dwellings x 300 GPD / single family dwelling = 900 GPD) for a total of 900 GPD; and

WHEREAS, the total wastewater flow to be generated from this project is 900 GPD and will be conveyed via The Township of Hillsborough Municipal Utilities Authority (TTHMUA) facilities to the Somerset Raritan Valley Sewerage Authority; and

WHEREAS, the connection of the proposed project to the existing TTHMUA facilities will be via gravity sewer; and

WHEREAS, plans, specifications, an Engineer's Report and other support documents have been prepared by Van Cleef Engineering Associates, LLC, Hillsborough, New Jersey and have been reviewed by CME Associates, TTHMUA's professional engineer.

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. CME Associates' memorandum of October 19, 2022.
2. Approval of the Somerset Raritan Valley Sewerage Authority.
3. Approval of the New Jersey Department of Environmental Protection.
4. 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. In addition, the plans should be submitted in electronic computer aided design (CAD) format.
5. 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.

6. A 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.
7. Conveyance of all applicable sanitary sewer easements to the Township of Hillsborough Municipal Utilities Authority, as may be applicable. It should be noted that the plans designate an Access and Utility Easement, consisting of 0.32 acres, extending from Farm Road eastward to just past the entrances to the driveways for the easternmost two (2) houses.
8. Should the Township of Hillsborough Municipal Utilities Authority be required to make any repairs or conduct any work to any portion of the sanitary sewer system within the applicable sanitary sewer easements, the restoration of any lawn or pavement area will be the responsibility of the property owners or any Homeowners Association should one be formed.
9. 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.

Mr. Hough reported that the sewer is in the easement, and any restoration, if necessary, would be completed by the homeowners association, which ultimately will be the property owners going forward.

Mr. Nunn stated that in the future this needs to be addressed in the rules and regulations and inquired about it being a private road.

Mr. Damiano further inquired about that and if restoration was necessary a lien would be placed on the homeowners association.

Upon the conclusion of the discussion a motion was made by Mr. Damiano, seconded by Mr. Nunn, and all present voted in favor.

RESOLUTION #22-1122-2 – Resolution Approving the Hiring of Joshua Carlton as a Full-Time Employee from 90-day Probation Period

WHEREAS, The Township of Hillsborough Municipal Utilities Authority (TTHMUA) hired Mr. Joshua Carlton for the position of Entry Level – Maintenance effective May 2, 2022 with a starting hourly rate of \$21.00 per hour and a 90-day probationary period; and

WHEREAS, Mr. Dan Reiter, Supervisor - Maintenance, has advised that Mr. Carlton has obtained his Commercial Driver License (CDL) and has successfully complete his probationary period and

recommends removing Mr. Carlton from his 90-day probationary period effective November 1, 2022.

NOW, THEREFORE, BE IT RESOLVED, based on the recommendation of the staff, TTHMUA hereby acknowledges that Mr. Joshua Carlton has successfully complete his 90-day probationary period for the position of Entry Level – Maintenance and as a result will be offered permanent employment effective November 1, 2022.

Upon the conclusion of the discussion a motion was made by Mr. Damiano, seconded by Mr. McCray, and all present voted in favor.

RESOLUTION # 22-1122-3 – Resolution Authorizing 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 November 22, 2022, a copy of which is attached hereto, beginning upon authorization; and

WHEREAS, the sought-after services to TTHMUA will be provided for a not-to-exceed cost of \$10,000.00; and

WHEREAS, funds are available for this purpose, and

WHEREAS, TTHMUA has a need to acquire these services and is subject to the profession exemption 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 Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and TTHMUA’s “Pay-to-Play Forms”; 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 November 22, 2022 and filed with the Executive Director of the Authority between the Authority and Gardner & Rosario LLC beginning upon authorization.
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 reported that the system used to process credit card and ACH payments was in need of an upgrade and that those new upgrades were not working with the current computer system. This contract would be for \$125 / hour, not to exceed \$10,000 to be retained to address the computer system and streamline the system. Mr. Nunn inquired if this could start right away. That was confirmed. It was further suggested to remove the February terminate date.

Upon the conclusion of the discussion a motion was made by Mr. Nunn, seconded by Mr. McCray, and all present voted in favor.

DISCUSSION

Proposed Operating Budget and Capital Budgets – Fiscal Year Ending November 30, 2023

Professional Contracts for 2023

- **Status / Update**

Mr. Hough reported that the bids are ready to go out next week and will be advertised on Monday.

Remnants of Hurricane IDA – TTHMUA Impacts / Updates on FEMA / Insurance Claims

- **Sunnymeade Pump Station**

Mr. Hough reported that regarding the generator \$500K in expenses has been submitted to FEMA. The next conference call is scheduled for Monday.

Sunnymeade Pump Station and Force Main Project

- **New Generator / ATS Installation**
 - **Installation Status**
 - **Platform Status**
- **Design / Easement Update**
 - **Response to SRVSA Letter – Submitted to SRVSA on August 5, 2022**
 - **Permit Update**
 - **Easement 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**

Mr. Hough reported that Ron would be presenting at the November meeting to the SRVSA and response should be received early December.

Mr. Nunn inquired about the NJDEP application process. Mr. Hough reported that VNHA is working on that and updating the application for NJDEP. He will get a schedule from VNHA, it is a 90 day permit with a 30 day extension. Mr. Nunn inquired if the bids would be out by June. Mr. Hough confirmed if it gets started right after the New Year.

It is necessary for TTHMUA to get in queue with the IBank.

Mr. Nunn inquired if it is possible to utilize water usage as a guide for the pricing. He further inquired as to when was the last rate increase and how much. Mr. Hough will report back on that.

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

- **Project Status**
 - **Proposed Construction Schedule / Update**
 - **Status of Shop Drawing Submittals / Review**

Mr. Hough reported this will begin after the New Year.

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

- **Project Status**
 - **Construction Update / Completion**
 - **Project Closeout Status**

Mr. Hough reported this project is completed and a final inspection has been requested.

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

- **Submission of Somerset County American Recovery Plan Application**
- **Project Status**
 - **Design work update**

No additional update.

Rehabilitation of Sanitary Sewer Mains (TTHMUA Contract No. 54)

- **Project Status – Request Engineering Proposals**

This will occur after reorganization. (This is for the Fox Chase area.)

Inflow / Infiltration (I/I) Reduction / Removal Program

- **General Discussion**
- **Review of September 19, 2022 Meeting with SRVSA**
- **Status of Sewer System Flow Monitoring by Flow Assessments**

No additional update.

Borough of Millstone Sanitary Sewer Connection

- **Project / Design Status**

Nothing additional update.

Rules and Regulations of the Township of Hillsborough Municipal Utilities Authority

- **Review of Current Rules and Regulations**

Nothing additional update.

Easement Maintenance

- **Status Update**

Mr. Hough reported that a spreadsheet has been received from Mr. Napolitano and a meeting with be set up with Mr. Scarantino for review.

2022 Facilities Plan Update

- **Project Status**

2022 Summary (Last revised October 21, 2022) of Will Serve Letters – For Informational Purposes Only

- Two (2) new projects added.

2022 Summary (Last revised October 21, 2022) of Sewer Connection Approvals – For Informational Purposes Only

- No new projects added.

Additional Meeting Dates

- **Reorganization Meeting Date**
 - **Wednesday, February 1, 2023 6 pm – confirmed**
- **Sunnymeade Project Meeting Dates – TBD**

Mr. Nunn reported that all the pieces are in for the platform and the generator will need to be pre-drilled. It is currently being worked on.

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 – No report at this time.

SRVSA REPORT – no report.

CLAIMS LIST

- **Operating Fund** \$ 825,394.43
- **General Fund** \$ 52,334.79
- **Plan Review** \$ 575.60

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

At 6:35 pm Peter Cipparulo, III, Esq., General Counsel joined the meeting.

At 6:45 pm TTHMUA moved into Closed Session.

At 7:03 pm TTHMUA resumed the public meeting.

ADJOURNMENT

Motion to adjourn was made at 7:05 pm by Mr. Damiano, seconded by Mr. McCray and the regular meeting adjourned.