

TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
MEETING MINUTES
WEDNESDAY – JUNE 28, 2023

The Township of Hillsborough Municipal Utilities Authority held a scheduled meeting that began at approximately at 6:00 PM on Wednesday, June 28, 2023, with the following members present:

Michael Avolio
Robert Damiano
Robert McCray
Richard Nunn

Also present were Peter Cipparulo, III, Esq., General Counsel, Ronald F. Gardner, Jr of Gardner & Rosario, LLC, and Executive Director Pamela Borek.

ANNOUNCEMENT – Open Public Meetings Act

Following the roll call, Chairman Avolio made the following announcement: 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 February 10, 2023.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Amended minutes of May 26, 2021, Regular Meeting – a motion was made by Mr. Nunn, seconded by Mr. Damiano, all those present voted in favor of amending the May 26, 2021, Regular meeting minutes.

April 26, 2023, Regular Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. Nunn, all those present voted in favor.

May 8, 2023, Special Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. Nunn, all those present voted in favor.

May 24, 2023, Regular Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. McCray, all those present voted in favor.

BUSINESS FROM THE FLOOR

None at this time

PRESENTATIONS

- Financial Presentation and General Discussion – Ronald F. Gardner, Jr. Managing Member, Gardner & Rosario, LLC

Mr. Gardner discussed the sewer connection fee calculation, regarding the \$26 increase. He presented the 2nd Quarter financials.

At approximately 6:35 pm Mr. Gardner left the meeting.

CORRESPONDENCE

The following correspondence had been received by the Authority:

- Hamilton Road – B182 L9 & B183 L38.02 - M&M Realty Partners @ Hillsborough
Notice letter was reissued to correct typo regarding one of the parcel designations in the reference line of original notice.

- 212 Route 206 – B142 L33 - Midwest Storage Developers
Proposes to construct a self-storage facility consisting of three separate buildings.
Proposed Building #1 with frontage along Route 206 approximately 28,000 sq.ft. 3-story self-storage facility.

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Proposed Building P#3 will be approximately 17,200 sq.ft., 1-story self-storage.
Ms. Borek advised this application has been carried until the October 4, 2023, Planning Board Meeting. No action necessary.

- AEA – Model Resolution PFAS Exemption
The EPA is proposing to classify certain PFAS chemicals as “hazardous” under CERCLA, the Superfund Law. This potentially exposes us to expensive enforcement actions and lawsuits despite the fact that we are passive receivers of PFAS. AEA discussed that it is a good idea for boards of commissioners and Executive Directors to weigh in on this matter by contacting New Jersey’s U.S. Senators Booker and Menendez to ask them to sponsor the proposed “Water Systems PFAS Liability Protection Act,” which would exempt us from CERCLA.
Attached is the model Resolution document. If action is taken, AEA suggests sending copies to the Senator with a brief cover.
No action was taken.

- Enclave at Royce Brook – B183 L38.01 & B183.01 L1
Applicant is seeking to construct and operate a new pump station and approximately 8,873 LF 6-inch HDPE force main to serve proposed 174 single family dwellings (three-bedroom or more) and an existing clubhouse (360 member) located on Block 183, Lot 38.01 & Block 183.01, Lot 1. A meeting needs to be set up to discuss options.

- Cyzner Properties – B11 L44.04 & 44.03
VanCleaf Engineering – Wastewater Management Plan Amendment to add proposed lots 44.04 & 44.03 (current lots 44, 44.02, 44.01) in Block 11 to the public sewer service area.
No decision was made.

MATTERS FOR CONSIDERATION

RESOLUTION #23-0628-01 – Resolution Approving Change Order No. 2 for the Contract Known as “Blackwell’s Mills Wastewater Pump Station Replacement – Contract No. 51” (Contractor is JEV Construction LLC, Clinton, New Jersey) in the Amount of \$7,532.00

WHEREAS, on May 25, 2022, the Township of Hillsborough Municipal Utilities Authority (TTHMUA) awarded the contract known as “Blackwell’s Mills Wastewater Pump Station Replacement – Contract No. 51” to JEV Construction LLC, Clinton, New Jersey (JEV) has for the lump sum price of \$1,226,500.00; and

WHEREAS, Change Order No. 2 has been prepared in the amount of \$7,532.00 to address the following additional work that JEV has successfully completed to the satisfaction of the TTHMUA staff and H2M Associates:

- Additional drainage around the new structures
- Installation of 6-inch perforated PVC pipe; and

WHEREAS, it is the recommendation of the TTHMUA’s Executive Director that Change Order No. 2, as stated above, 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. 2 be approved and accepted in the amount of \$7,532.00.
2. The Executive Director and the Chairman are hereby authorized and directed to execute said Contract on behalf of TTHMUA.

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

RESOLUTION # 23-0628-2 – Resolution Appointing Ms. Pamela Borek as a Representative of the Township of Hillsborough Municipal Utilities Authority (TTHMUA) to the Board of the Somerset Raritan Valley Sewerage Authority (SRVSA) for an Unexpired Five (5) Year Term that Commenced on February 1, 2023

WHEREAS, in accordance with the provisions of NJSA 40:14A, it is necessary for the Township of Hillsborough Municipal Utilities Authority (TTHMUA) to appoint a representative to the Somerset Raritan Valley Sewerage Authority (SRVSA) for the Unexpired Five (5) Year Term of Mr. Randal Smith that commenced on February 1, 2023 and expires January 31, 2028,

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

1. Ms. Pamela Borek be and is hereby appointed a member of the Board of the Somerset Raritan Valley Sewerage Authority (SRVSA) to serve an Unexpired Five (5) Year Term that commenced February 1, 2023, and expires January 31, 2028.

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

RESOLUTION #23-0628-3 - 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 26, 2023.

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

RESOLUTION #23-0628-4 – Authorizing the Payment of a Stipend to Tracie Hohnhorst

WHEREAS, on April 28, 2023, Mr. Robert A. Hough resigned from the position of Executive Director of the Township of Hillsborough Municipal Utilities Authority (Authority); and

WHEREAS, the Authority determined that there was the need to appoint an Acting Executive Director and effectuated such action via resolution on April 26, 2023; and

WHEREAS, the Authority has authorized a stipend of \$3,500 to be paid to Ms. Tracie Hohnhorst for serving as the Acting Executive Director until the Executive Director was hired.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hillsborough Municipal Utilities Authority that Ms. Tracie Hohnhorst shall receive a \$3,500 stipend.

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

DISCUSSION

The following items were brought forth for discussion with the Board:

- **2023 Environmental Joint Insurance Fund Audit**
Ms. Borek indicated that the above-mentioned audit had been completed and the audit results were favorable except for one recommendation regarding a Spill Prevention Control & Countermeasures (SPCC), which has since been addressed and the audit

checklist has been modified accordingly. The diesel tanks were labeled, and the antifreeze drums were relocated under a rain shield with secondary containment.

- **Block 152, Lot 64 - Farm Road, Subdivision**
 - **Connection of 3 Single Family Dwellings**
- **JS Masonry, LLC – 15 Park Avenue – Block 142; Lot 20**
 - **Build a 1,200 SF Warehouse/Office, per application submitted in 2020.**
- **167 Woods Road; Block 204, Lot 40**
 - **Connection of SFD – plan & application submitted.**
- **Block 178.02, Lot 420.01 – 718 Route 206 South**
 - **Connection of Single-Family Dwelling**

The above-mentioned items are being sent for Engineering Review to J. Harris of CME.

- **Revise Employment Application**
Reviewed and found acceptable by Attorney Cipparulo; will be updated on the website.
- **Remnants of Hurricane Ida–TTHMUA Impacts/Status**
Ms. Borek reported that an updated MOU has been submitted and projects are moving to the closeout phase.
- **Sunnymead Pump Station**
No update was provided at this time.
- **Force Main Project**
 - **Easements**
Ms. Borek reported that the appraisals have been completed and shared with the Board. A question was raised if the Authority seeks condemnation, how long and how much will it cost? Attorney Cipparulo indicated that the Authority could exercise “implied easement in fact”, but it is still uncertain the timing and cost. Can redesigning be an option? A teleconference will be set up with J. Napolitano and the Authority to further discuss options and next steps.
- **Blackwell’s Mills Pump Station Replacement (TTHMUA Contract No. 51)**
Ms. Borek reported that paving is anticipated to be completed the week of July 4th. There is a change order on the agenda via resolution. She further reported that the generator is expected to be delivered mid-November.
- **Rehabilitation Rt 206 Gravity Sanitary Sewer Laterals (TTHMUA Contract No. 52)**
 - **Crest Construction – Final Payment, Retainage, for Contract 52 – Rehabilitation of Rt 206 Sewer Lines requested, and Maintenance Bond received May 4, 2023**
Ms. Borek stated the above will be reviewed by the Attorney Cipparulo and if found complete will be on the July bill list.
- **Mulford Lane Pump Station Replacement (TTHMUA Contract No. 53)**
No additional update.

- **Rehabilitation of Sanitary Sewer Mains – (TTHMUA Contract No. 54)**
No additional update.
- **Inflow / Infiltration (I/I) Reduction / Removal Program**
Ms. Borek reported that three years of summary data has been shared with the Board.
- **Status of Sewer System Flow Monitoring by Flow Assessments**
No additional update.
- **Borough of Millstone Sanitary Sewer Connection**
No additional update.
- **Easement Maintenance**
No additional update.
- **2022 Facilities Plan Update**
No additional update.

2023 Summary (Last revised April 21, 2023) of Will Serve Letters – For Informational Purposes Only

- No new projects added.

2023 Summary (Last revised April 21, 2023) of Sewer Connection Approvals – For Informational Purposes Only

- No new projects 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 – No report at this time.

CLAIMS LIST

- **Operating Fund** \$174,442.81
- **General Fund** \$ 68,947.72

Motion to approve the claims list was made by Mr. Damiano, seconded by Mr. McCray; all those present voted in favor except for Mr. Nunn, who voted no.

ADJOURNMENT

A motion to adjourn was made at 8:00 pm by Mr. Damiano, seconded by Mr. McCray and the meeting adjourned.