

**TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
MEETING MINUTES
WEDNESDAY – JULY 26, 2023**

The Township of Hillsborough Municipal Utilities Authority held a scheduled meeting that began at approximately at 6:00 PM on Wednesday, July 26, 2023, with the following members present:

Robert Damiano
Robert McCray
Richard Nunn
Frank Scarantino via teleconference

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

ANNOUNCEMENT – Open Public Meetings Act

Following the roll call, Vice Chairman Nunn 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

June 28, 2023, Regular Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. McCray, all those present voted in favor, except for Mr. Scarantino who abstained.

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 Authority's net position, use of surplus and preliminary budget. The budget workshop will be scheduled for the week of August 7th.

At approximately 6:19 pm Mr. Gardner left the meeting.

CORRESPONDENCE

The following correspondence had been received by the Authority:

Royce Brook Golf LLC – B183 L38.01 & B183.01 L1

- Applicant seeking relief or modification of Condition Nos. 8, 9, 10 and 13 of Resolution No. 93-PB-31-SRCU.

- Applicant is further seeking an amendment to a previously approved Groundwater and Surface water sampling with a new plan submitted by First Environment, Inc. dated June 28, 2023.

Enclave at Royce Brook – B183 L38.01 & B183.01 L1

- 7/10/23 - MGK Industries Inc – John Roddy Senior Estimator
We received an email from John saying that they have been requested by Toll Brother's to provide a design & build proposal for the sewage pump station. This correspondence included inquiry as to who would take ownership of the pump station.
Mr. Nunn advised to utilize the design specifications of the recently completed Blackwells Mills Pump Station for these purposes.

Hillsborough Commercial Development - 420 Amwell Road – B178 L2

- VanCleaf Engineering submitted on behalf of Applicant Cyzner Properties:
 - o Application for approval of plans and specs for construction of sanitary sewer
 - o Application for Industrial and/or Commercial Sewer Connection/Use Permit
 - o Copy of Sanitary Sewer Flows calculation sheet
 - o Two copies of the Site Plan sheets 6, 8, and 13Ms. Borek to send to J. Harris of CME.

NJDOT Hamilton Road Bridge Replacement Project UPC# 144160

- Joseph Matura from Jacobs Engineering emailed he is the utility designer for the NJDOT Hamilton Road Bridge Replacement Project. Following up from 2019 as the design has progressed, they discovered a sanitary pipe heading east for MH "E" that seemingly dead ends. They are asking for us to investigate.

00 Hamilton, LLC – B183.05 L35

- VanCleaf Engineering letter to Township Administrator – Courtesy copy of the Public Notice for Proposed Amendment to the Upper Raritan Water Quality Management Plan prepared by NJDEP
- Purpose of letter is to request a written Statement of Consent from multiply agencies for the above mentioned proposed WQMP amendment. Accordingly, the purpose of this letter is to request a written statement of consent from our agency in support of the attached amendment proposal. In form of a resolution within 60 days of receipt.
Ms. Borek to draft a letter to SRVSA.

523 Hillsborough Road – B204.04 L29 (see resolution)

- Scott Lutzky – single family home sanitary sewerage connection
- Jerome Harris – Review of proposed Single-Family Tie-In.

473 Raider Blvd – Easement B178 L15

- Art Skaar, Esq. emailed over the proposed form of easement. They are waiting to hear from the association which owns the other parcel.

718 Route 206 – B178.02 L420.01 (see resolution)

- CME Associates – Jerome Harris, PE
 - o Review of single family home sanitary sewer connection

0 New Centre, LLC 0 B148 (149) L25 (1) - New Centre Rd (CR627), South Branch Rd (CR 625) & Hodge Rd

- Letter from County of Somerset Planning Board
 - o The applicant is proposing to construct a single-family dwelling on an existing 0.712-acre lot on New Centre Road and South Branch Road.

Sunnymead Pump Station

- Erica Vavrence Delaware and Raritan Canal Commission
 - o Staff Report Sunnymead Pump Station Replacement

MATTERS FOR CONSIDERATION

RESOLUTION # 23-0726-1 – Appointing Pamela Borek, 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 Pamela Borek, 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.

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

RESOLUTION # 23-0726-2 – Resolution Appointing Pamela Borek., 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 Pamela Borek, 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.

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

RESOLUTION # 23-0726-3 – Resolution Authorizing an Addendum to the Existing Agreement with Gardner & Rosario LLC for Financial Accounting and Consulting Services

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

WHEREAS, Gardner & Rosario LLC was previously authorized by Resolution #22-1122-3 to provide the sought-after services to TTHMUA in accordance with Gardner & Rosario LLC proposal dated November 22, 2022 in an amount not-to-exceed \$10,000.00; and

WHEREAS, Gardner & Rosario LLC has agreed to continue to provide the sought-after services to TTHMUA in accordance with Resolution # 22-1122-3 and Gardner & Rosario LLC proposal dated November 22, 2022; and

WHEREAS, the sought-after services to TTHMUA will require an increase in fees for an additional not-to-exceed amount of \$10,000.00; for a total not to exceed amount of \$30,000; 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 addendum in the additional not-to-exceed amount of \$10,000.00 to the original agreement dated November 22, 2022, for a revised not to exceed amount of \$30,000 and filed with the Executive Director of the Authority between the Authority and Gardner & Rosario LLC beginning upon authorization.
2. The amended 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 when the above-referenced services are no longer needed.
4. A copy of this resolution, the “Pay-to-Play Forms and the original and amended agreements shall be kept on file in the offices of TTHMUA.

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

RESOLUTION #23-0726-4 - Resolution by the Township of Hillsborough Municipal Utilities Authority Establishing Certain Sewer Service Charges and Connection or Tapping Fees

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:

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority that it hereby adopt, prescribe, and establish the following amendment to the Resolution Establishing Certain Sewer Service Charges and Connection or Tapping Fees, the same to become effective and commencing at 1:00 A.M. on August 1, 2023.

SECTION IV. is hereby amended as follows:

SECTION IV. CONNECTION OR TAPPING FEES

In addition to the annual service charges or rates established in Section I hereof, the Authority hereby adopts, prescribes and establishes the following connection or tapping fees as authorized by N.J.S.A. 40:14B-22. The connection or tapping fees are calculated in accordance with the provisions of N.J.S.A. 40:14B-22 and shall be recalculated at the end of each fiscal year.

Single family residential dwelling	\$2,895
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Multiple family residential dwellings
Including townhouses, condominiums,
and apartments.

1-bedroom unit	\$1,737
2-bedroom unit	\$2,461
3-bedroom unit	\$2,895

Senior housing (age restricted):

1-bedroom unit	\$1,071
2-bedroom unit	\$1,650
3-bedroom unit	\$2,171

Assisted living facilities:

Per bed	\$ 965
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All other uses – charge per gallon
of estimated average daily flow

\$9.65

The estimated average daily flow shall be determined by the Authority on the basis of the factors specified in N.J.S.A. 40:B-22 and such other data and information made available to the Authority from its consulting engineer and the results of its other investigations and studies. Any such determination shall be filed with the Executive Director of the Authority and shall be available for public inspection. The charge may, if the Authority so shall determine, be in the nature of an estimated charge which shall be subject to revision after the installation or construction is completed. In no event shall the connection or tapping fee be reduced from the original charge.

As used in the above paragraph, the phrase “estimated average daily flow” shall be based on that consecutive period of three months which had the highest total flow within the first calendar year provided that there is no change in use.

SECTION V. is hereby amended as follows:

SECTION V. CHARGES FOR DISCHARGE OF STORM AND/OR DRAIN WATER

Where the Authority determines that any customer, residential or nonresidential, is discharging a combination of sewerage and storm water or drainage water from any source into the lines of the Authority in excess of the estimated basic standard of 300 gallons per day for an EDU, the Authority shall determine the quantity of such excess and may charge such customer an additional connection or tapping fee at the rate of \$9.65 per gallon of estimated or actual daily flow which is in excess of the aforesaid basic standard.

Such charge shall be in addition to the connection or tapping fee charged in Section IV of this Resolution and will be added to the billing of such customer for the next following quarter after such excess has been determined.

A motion was made by Mr. Damiano, seconded by Mr. McCray and all those present voted in favor to open the public hearing on the aforementioned connection fee proposal.

Seeing no comments. A motion was made by Mr. Damiano, seconded by Mr. McCray to close the public hearing, and adopt the aforementioned resolution, and all those present voted in favor.

RESOLUTION #23-0726-5 – Resolution Authorizing Execution of an Agreement with the North Jersey Wastewater Cooperative Pricing System, NJWCPS, to become a Member through November 24, 2024

WHEREAS, The Township of Hillsborough Municipal Utilities Authority (TTHMUA) desires to enter into an Agreement with the North Jersey Wastewater Cooperative Pricing System, NJWCPS, which is administered by Passaic Valley Sewerage Commission as Lead Agency, to become a

member of the NJWCPS through November 24, 2024, and each renewal, thereafter of the system, unless TTHMUA elects to formally withdraw from the system;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY (TTHMUA), COUNTY OF SOMERSET, STATE OF NEW JERSEY AS FOLLOWS:

1. The Board of The Township of Hillsborough Municipal Utilities Authority (TTHMUA) hereby authorizes the execution of an Agreement with the North Jersey Wastewater Cooperative Pricing System by the Passaic Valley Sewerage Commission as Lead Agency in 2004 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is to become a member of the NJWCPS through November 24, 2024.
2. TTHMUA Executive Director is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Passaic Valley Sewerage Commission as Lead Agency of the NJWCPS.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate TTHMUA officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

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

RESOLUTION # 23-0726-6 - Resolution Authorizing Approval of a Sanitary Sewer Extension for 523 Hillsborough Road, Block 204.04, Lot 29, a proposed single-family tie-in, in the Township of Hillsborough

WHEREAS, applicant, Thomas Drake has requested a sanitary sewer extension tie-in for 523 Hillsborough Road, Block 204.04, Lot 29 in the Township of Hillsborough, Somerset County, New Jersey; and

WHEREAS, the proposed project consists of extending the 8-inch diameter sanitary sewer line on Woods Road, approximately 230 feet to the south of existing manhole #5 near the driveway of Block 204.04, Lot 25.07 to the southeast corner of Block 204.04, Lot 29 and constructing a new manhole (#6), which would connect to the structure via a 4-inch diameter lateral; and

WHEREAS, the total wastewater flow to be generated from this extension is 300 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 and specifications 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. As listed in the CME Associates' memorandum of July 19, 2023, attached herein.
2. Approval of the Somerset Raritan Valley Sewerage Authority.

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

RESOLUTION # 23-0726-7 - Resolution Authorizing Approval of a Sanitary Sewer Connection for 718 Route 206, Block 178.02, Lot 420.01, a proposed single-family tie-in, in the Township of Hillsborough

WHEREAS, applicant, Real-Vest Construction – Robert Berlant has requested a sanitary sewer extension for 718 Route 206, Block 178.02, Lot 420.01 in the Township of Hillsborough, Somerset County, New Jersey; and

WHEREAS, the proposed project consists of connecting an existing single-family dwelling to an existing sewer manhole, located near the northwest corner of the property via a 4-inch diameter sewer lateral; and

WHEREAS, the total wastewater flow to be generated from this extension is 300 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 and specifications 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. As listed in the CME Associates' memorandum of July 21, 2023, attached herein.
2. Approval of the Somerset Raritan Valley Sewerage Authority.

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

RESOLUTION # 23-0726-8 - Resolution Ratifying and Confirming the Expenditures Related to the Emergency Repairs of the Gumble Pump Station

WHEREAS, on July 10, 2023, there was a failure at the Gumble Pump Station; and

WHEREAS, as such, emergency measures were needed to restore service and avoid any spills; and

WHEREAS, there remains unanticipated expenditures related to the restoration of the Gumble Pump Station.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hillsborough Municipal Utilities Authority that the Executive Director is authorized to expend the necessary funds for the emergency repair and restoration of the Gumble Pump Station.

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

RESOLUTION # 23-0726-9 - Resolution Authorizing the Promotion of John Pilla, Maintenance / Inspector for The Township of Hillsborough Municipal Utilities Authority to the Position of Foreman, Effective August 1, 2023

WHEREAS, there exists a vacancy in the position of Foreman as the result of a recent retirement; and

WHEREAS, the Supervisor has previously recommended John Pilla to foreman to fill said vacancy; and

WHEREAS, the Executive Director concurs with said recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hillsborough Municipal Utilities Authority that John Pilla be approved for a promotion to foreman, effective August 1, 2023, at a salary of \$87,334.

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:

Gumble Pump Station Failure / Restoration Plan

Ms. Borek shared the information regarding the pump station failure of July 10, 2023, as well as the proposed rehabilitation plans. VNHA is working on the specifications of the plans in conjunction with PSI.

Block 152, Lot 64 – Farm Road, Subdivision - Connection of 3 Single Family Dwellings

Approved via resolution on 11/22/2022.

JS Masonry, LLC – 15 Park Ave – Block 142, Lot 20 - Build a 1,200 SF Warehouse / Office, per application submitted in 2020.

Ms. Borek advised the owner is requesting a status update. She will send him the memo from J. Harris.

167 Woods Road; Block 204, Lot 40 - Connection of SFD – plan & application submitted.

Ms. Borek referred to the memo from J. Harris, in which he reiterates the Rules and Regulations regarding this type of connection, since gravity is available.

Piedmont Path / Fox Chase Project

Ms. Borek advised that staff meet with VNHA and shared sewer plans (07/11/23); VNHA to spec out the project so TTHMUA can go out to bid.

Employee Handbook Review

Ms. Borek to redline and then share with Attorney Cipparulo. Update to be provided when available.

Revise Employment Application

Ms. Borek advised this has been completed and the new application is on the website.

Remnants of Hurricane Ida – TTHMUA Impacts / Status

Ms. Borek stated that as requested by FEMA an updated MOU was submitted and the final \$206,327.27 for the Project Completion and Certification submitted on 7/20/2023, payment to follow.

Sunnymead Pump Station

Ms. Borek advised that a meeting set up with R. Anastasio (SRVSA) to discuss design options – 07/27/2023, 9 am. Agha Husan of VNHA will also be present. Two board members, Mr. Scarantino and Mr. Nunn indicated they wished to participate in said meeting. Ms. Borek also reported that due to the storm the day prior, Sunnymead Pump Station has been running on backup generator from Tuesday afternoon until power was restored late Wednesday afternoon. An account has subsequently been established with Allied Oil for future bulk diesel delivery.

SMPS Force Main Project

Ms. Borek reported that J. Napolitano sent letter to Coparts. Conference call on 07/25/2023 with Attorneys Cipparulo, Napolitano and Stinley. Revised map sent. In person meeting to be set up – date TBD.

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

Final paving scheduled for 07/26/2023. Ms. Borek will advise once completed.

Rehabilitation of Route 206 Gravity Sanitary Sewer Laterals (TTHMUA Contract No. 52)
Final bill to be sent for August meeting.

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

Ms. Borek stated that the design specifications were to be completed by mid-August, per Steve Hearl (H2M). She also contacted Somerset County to inquire about funding and timing and was advised they would get back to her. She further reported that a circuit breaker blew over the weekend, working on one pump at this time. Emergency call out to PSI to pull the pump; appointment has not been confirmed.

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

No update on this and no information.

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

A meeting was held on July 18, 2023. In attendance was VC Nunn, F. Scarantino, R. Smith, M. Spinelli, E. Lehman and ED P. Borek. Areas of concern were identified and available for review.

Borough of Millstone Sanitary Sewer Connection

No update at this time.

Easement Maintenance

Maintenance of easements continues. Maps to be provided in August.

2022 Facilities Plan Update

Update to be provided in August.

2023 Summary (Last revised June 23, 2023) of Will Serve Letters – For Informational Purposes Only

No new projects added.

2023 Summary (Last revised June 23, 2023) of Sewer Connection Approvals – For Informational Purposes Only

No new projects added.

Ms. Borek reported that Rohill Pump Station permits were closed out with the Township on July 10, 2023 and River Road Pump Station final electrical was closed out on July 18, 2023.

COMMITTEE REPORTS

Engineering / Facilities – No report at this time.

Finance

- Budget timeline: introduce September, adopt November.

I&I / GIS

Staff met with County on 7/5/2023. TTHMUA has been advised that Somerset County is seeking to close out the project. Trimble hand device not working properly.

Personnel – No report at this time.

SRVSA – resolution was tabled regarding Block 183.05, Lot 35

CLAIMS LIST

- **Operating Fund** \$178,889.05
- **General Fund** \$ 5,608.67

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 7:40 pm by Mr. Damiano, seconded by Mr. McCray and the meeting adjourned.