



**TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
WEDNESDAY – OCTOBER 25, 2023**

The Township of Hillsborough Municipal Utilities Authority held a meeting that began at approximately at 6:00 PM on Wednesday, October 25 2023, with the following members present:

Michael Avolio
Robert Damiano
Robert McCray
Richard Nunn
Frank Scarantino via teleconference

Also present were Peter Cipparulo, III, Esq., General Counsel, Hillsborough Township Committeeman and Liaison to TTHMUA John Ciccarelli 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 amended on February 10, 2023.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

August 9, 2023, Special Meeting, Closed Session Minutes – a motion was made by Mr. Nunn, seconded by Mr. McCray, all those present voted in favor, except Mr. Avolio and Mr. Scarantino who abstained.

September 27, 2023, Regular Meeting Minutes - a motion was made by Mr. Damiano, seconded by Mr. Nunn, all those present voted in favor, except for Mr. McCray who abstained.

September 27, 2023, Closed Session Minutes - a motion was made by Mr. Damiano, seconded by Mr. Nunn, all those present voted in favor, except for Mr. McCray who abstained.

BUSINESS FROM THE FLOOR

None at this time

PRESENTATIONS

None at this time

CORRESPONDENCE

MEL Annual Report – Ms. Borek distributed a copy of the report to all members for their reference.

MATTERS FOR CONSIDERATION

Ms. Borek stated this resolution was tabled at the last meeting to be amended to retain a portion as the maintenance guarantee.

RESOLUTION #23-1025-01 – Resolution Authorizing the Reduction of Letter of Credit for Gateway at Royce Brook – Section #7

WHEREAS, the Township of Hillsborough Municipal Utilities Authority (TTHMUA) passed a resolution on May 25, 2011 approving an application for the development known as Gateway at Royce Brook, Block 140, Lot 1 and Block 141, Lots 2.01 and 7.01, in the Township of Hillsborough, Somerset County, New Jersey; and

WHEREAS, on January 2, 2019, Gateway Associates of Hillsborough, LLC provided TTHMUA with a Letter of Credit 179 from Two Rivers Community Bank dated January 2, 2011 in the amount of \$298,205.00 in lieu of a Performance Bond for Section # 7; and

WHEREAS, TTHMUA was reduced via Resolution #21-0428-2 to Thirty Percent (30%) of the original amount or \$89,461.50; and

WHEREAS, TTHMUA is in receipt of a request from Gateway for a further reduction of the aforementioned Letter of Credit; and

WHEREAS, TTHMUA Inspector has confirmed that the inspection and testing work on the sanitary sewer system has been completed and found to be in compliance with TTHMUA standards.

NOW, THEREFORE, BE IT RESOLVED, by TTHMUA that the Letter of Credit 179 from Two Rivers Community Bank dated January 2, 2019 for the project known as Gateway at Royce Brook, Section #7 in the amount of \$298,205.00, previously reduced to Thirty Percent (30%) or \$89,461.50, is further reduced to Ten Percent (10%) or \$29,820.50 and will serve as a general maintenance guarantee, effective immediately for the aforementioned project.

The resolution and motion were introduced by Mr. Damiano and seconded by Mr. Nunn, and all those present voted in favor.

Ms. Borek stated that the Annual Audit was completed and the report resulted in no “General Comments and Recommendations.

RESOLUTION #23-1025-2: Approving the 2022 Annual Audit and Authorizing the Preparation and Signing of the Group Affidavit

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended November 30, 2022 has been completed and filed with the Township of Hillsborough Municipal Utilities Authority pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled “General Comments” and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled “General Comments” and “Recommendations” in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Hillsborough Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended November 30, 2022, and specifically has reviewed the sections of the audit report entitled “General Comments“ and “Recommendations”, and has evidenced same by group affidavit in the form prescribed by the Local Finance Board:

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

The resolution and motion were introduced by Mr. Nunn and seconded by Mr. Damiano, and all those present voted in favor.

Ms. Borek stated she had reviewed the Rules and Regulations, made recommendations, which were reviewed by the Board Attorney. The following resolution outlined the amendments.

RESOLUTION #23-1025-03 - Resolution Approving Amendments to the Rules and Regulations of The Township of Hillsborough Municipal Utilities Authority (TTHMUA)

WHEREAS, The Township of Hillsborough Municipal Utilities Authority (THMUA) has determined upon examination of its existing Rules and Regulations that it shall codify its existing practices as follows to include:

Article 3 shall be amended by adding Article 3.44 as follows:

3.44 shall reference Section 5.4 not Section 5.3

Article 5 shall be amended as follows:

- 5.9 shall reference Section 5.4 not Section 5.3
- 5.11 shall reference Sections 5.4 et. al. through 5.10, not paragraphs 5.3, 5.4, or 5.5
- 5.16 Conflict in Regulations shall read as follows: “In the event there exists a conflict, in the opinion of the Executive Director, in the rules and regulations hereby imposed by this Authority and the rules and regulations of the Somerset-Raritan Valley Sewerage Authority or the State Commissioner of the Department of Environmental Protection, or either one of them, each to the other, the most stringent shall govern, unless, upon application to the Authority, the Authority shall agree in writing, to rules and regulations less stringent. Such an agreement by the Authority shall be effectuated via a resolution approved by the Board.”

Article 6 shall be amended as follows:

- 6.3 Individual Grind Pump/Low Pressure Force Main shall read as follows: The Authority may approve, at its discretion, the use of an individual grinder pump, low pressure force main system when a gravity sewer system extension or connection is not immediately available. The individual grinder pump and force main, if approved, shall be considered temporary. Should a gravity sewer extension or connection become available within a reasonable distance to the property and a gravity connection is available, the owner, at their expense, shall make a gravity connection within one and a half years to the gravity system and flows from the individual grinder pump, force main and all apparatus shall be discontinued and permanently disconnected. A restrictive covenant may be placed upon the property by the Authority to ensure the system is disconnected should a gravity connection become available. Low pressure laterals shall belong to the property owner in their entirety including the public right of way. The above shall be effectuated via approving resolution.

Article 7 shall be amended as follows:

- 7.4.3 (Last sentence) shall include via resolution and read as follows: The Authority may approve construction not located in the public right-of-way or easement areas, via resolution, but the facilities shall remain the private property of and shall be maintained by the applicant.

Article 8 shall be amended as follows:

- 8.3 (Last paragraph, first sentence shall remove the word Engineer and replace with Authority and read as follows: Upon satisfactory completion of all requirements herein set forth, and upon determination by the Authority that the facilities have been

constructed in accordance with the approved plans, specifications, rules and regulations, the Authority shall approve the construction.

NOW, THEREFORE, BE IT RESOLVED by The Township of Hillsborough Municipal Utilities Authority that the Rules and Regulations are amended to include the amendments as set forth above.

The resolution and motion were introduced by Mr. Nunn and seconded by Mr. Damiano, and all those present voted in favor.

Ms. Borek stated that this resolution and checklist will fulfill the JIF requirement. She further stated that after the new year a complete overhaul of the manual will be conducted to streamline the information. She advised an addendum regarding the drug testing policy is forthcoming particularly as it related to CDL requirements.

RESOLUTION # 23-1025-4 – Resolution Adopting the Personnel Policies and Procedure Manual, Last Revised / Adopted October 25, 2023, and Submitting Best Practices Checklist

WHEREAS, in accordance with the New Jersey Utility Authority Joint Insurance Fund requirements, the Township of Hillsborough Municipal Utilities Authority (TTHMUA) is required to update the Personnel Policies and Procedure Manual every two (2) years; and

WHEREAS, staff has completed the recommended updates and additional changes including new policies required by law or regulation; and

WHEREAS, the members and counsel have reviewed and discussed the updates and / or changes including new policies and their impact upon the Authority and its personnel; and

WHEREAS, the Employment Practices Best Practices Checklist has also been completed by the Authority's Counsel.

NOW, THEREFORE BE IT RESOLVED, that the revised Personnel Policies and Procedure Manual be hereby readopted by the Township of Hillsborough Municipal Utilities Authority and become effective immediately and will be distributed to all employees.

The resolution and motion were introduced by Mr. Damiano and seconded by Mr. McCray, and all those present voted in favor.

Ms. Borek stated this next project was discussed at the September Board meeting and this resolution memorializes the action taken by the Board.

RESOLUTION # 23-1025-5 - Resolution Ratifying and Confirming a Sewer Connection Repair at 149 Sunnymead Road

WHEREAS, there exists the need to repair the sewer connection at 149 Sunnymead Road; and

WHEREAS, quotes were obtained for said repair and are as follows:

- Schilke Construction Company \$8,250.00
- S.F. Lutzky Contracting, Inc. \$6,500.00
- C&R Utilities no quote

WHEREAS, TTHMUA therefore authorizes S.F. Lutzky to proceed with the project consisting of the following:

- Complete crew, tools, and machinery to excavate find and repair sewer service in area as discussed
- Anticipate 4” SCH 40 PVC service at 8’ to 10’ deep
- Materials – unknown, 4” SCH 40 PVC fittings and pipe
- Backfill with original soil
- Day consists of 8 Hrs., any extra Hrs. will be billed accordingly
- Trench box and safety equipment included, if required
- Up to 3” dewatering pump included, if required

NOW, THEREFORE, BE IT RESOLVED by the Township of Hillsborough Municipal Utilities Authority that S.F. Lutzky is hereby authorized to proceed with the above, in an amount not to exceed \$6,500.00.

The resolution and motion were introduced by Mr. Damiano and seconded by Mr. Nunn, and all those present voted in favor.

DISCUSSION

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

Ms. Borek reported that she followed up with Millstone Administrator / Clerk, Mr. Greg Bonin and was advised that Millstone remains in discussion with VC regarding their development (70-80 age restricted). Mott MacDonald is working on the design work and cost estimates. Next would be a public meeting for the residents in early 2024. No other time frames available at this time.

Billing updates

- 4th Quarter Cycle B saw a \$7,003.50 increase in billing

Safety Classes

- All class requirements for 2023 will be completed by October 31, 2023

Additional Meeting Dates

- The following additional meetings have been established and noticed for the Authority:
 - November 13th – 9 am (special meeting)

- November 21st – 6 pm (regular meeting)
- December 4th – 9 am (special meeting)
- December 13th – 6 pm (regular meeting)
- January 8th – 9 am (special meeting)
- January 24th – 6 pm (regular meeting)
- February 12th – 9 am (special meeting)
- February 28th – 6 pm (regular meeting)
- Keeping in mind that if determined the meeting is not necessary or if a quorum is not available, we can cancel said meeting.

The Employee Holiday Gathering was discussed and the date will be December 22nd, held at the offices.

Ms. Borek proposed streamlining the packet generation process. Going forward, there will no longer be board books generated for every member, but rather the packet will be emailed to Board members in advance of the meeting. One complete board book will be created and available for review at the meeting.

Facilities Update

Ms. Borek reported that General Pump Station Maintenance has been changed. The Foremen will be taking over the responsibility with the crews.

Pump Station Visits:

Monday October 23rd the following pump stations were toured by the Board:

- Mulford
- Claremont
- Blackwells Mills
- Claremont
- Ivy Lane

Another tour will be set up on November 13th.

Gumble Pump Station

Final design specifications for replacement pumps signed off and awaiting delivery schedule from PSI

Sunnymead Pump Station

RFP issued and to be received Monday, October 30th at 2 pm and clarifications were provided to the respondents today.

Sunnymead Force Main Project

No further update

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

No further update

Easement Maintenance remains an ongoing project.

Pre-construction Meetings

None held at this time

Miscellaneous Items

Piedmont Path

- No further update

Potential Land Transfers

- Block 152.04, Lot 13 is a 1.41 acre parcel of land, formerly the Fieldhedge Facility, which was vacated in the early 2000's. TTHMUA maintains the grass. There is Township Open Space behind it comprised of 4.09 acres, on Block 152.01, Lot 9.01.
- Block 155, Lot 26 is a 1.97 acre parcel of land, formerly a facility on Meadowbrook Drive.
- If interested in selling to the Township, a letter to the Township Administrator will need to be sent outlining the value to the Township and it will then be reviewed by the Open Space Committee.

Committee Reports:

- Engineering / Facilities
- Finance
- I&I / GIS
 - I&I
 - Point repairs – 10
 - Camera footage – 7,425
 - GIS
 - 177 Inspection Risers
 - 20 manholes lids
 - 10 force main lids
- Personnel
 - Employee Reviews to be conducted week of 11/6
 - Recommendations for salary increases to Personnel Committee by 11/9
 - Finalized 11/21

SRVSA

- Meeting of October 23, 2023 was attended by Mr. Scarantino and Ms. Borek.
- September 2023 flow analysis report to be emailed to Board members under separate cover. Resolution recognizing former Commissioners Michael Impellizeri (Manville) and Randy Smith (Hillsborough) were presented. The Budget, connection schedule and Audit were also presented. The New Connection Fee payable per EDU to SRVSA will be \$2,274, representing an increase of \$32 over last year.

CLAIMS LIST APPROVAL

- Operating Fund \$205,392.08 – October 25, 2023
- General Fund \$ 28,991.57 – October 25, 2023
- Inspection Trust Fund \$ 36,692.31 – October 25, 2023

A motion was made by Mr. Damiano, seconded by Mr. Nunn, all present voted in favor to approve the Claims List.

ADJOURNMENT

A motion to adjourn was made at 6:59 pm by Mr. Damiano, seconded by Mr. McCray and the meeting adjourned.