



**TOWNSHIP OF HILLSBOROUGH MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES
WEDNESDAY – DECEMBER 13, 2023**

The Township of Hillsborough Municipal Utilities Authority held a meeting that began at approximately at 6:00 PM on Wednesday, December 13, 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, Andy Nowack of Premier Development 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

PUBLIC COMMENT

Mr. Nowack of Premier Development addressed the Board and provided some information regarding the hotel to be constructed at Brookhaven Lofts, indicating that Premier Development is obligated to construct said hotel. Additionally, they will own and operate the 101-room establishment which will also have a restaurant as well as each of the 101 hotel rooms will be equipped with laundry facilities. He further inquired if there was any possible way of lowering the connection fee. Mr. Nunn informed him that if the plumbing was not there, then yes. Mr. Nowack indicated that the plumbing would be there. Mr. Avolio mentioned that fact changes the “hotel” dynamic. The consensus of the Board was that the previously provided connection fee would remain. At 6:16 pm, Mr. Nowack left the meeting.

APPROVAL OF MINUTES

November 13, 2023, Special Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. McCray, all those present voted in favor, except Mr. Scarantino who abstained.

November 21, 2023, Regular Session Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. McCray, all those present voted in favor, except Mr. Scarantino who abstained.

November 21, 2023, Closed Session Meeting Minutes – a motion was made by Mr. Damiano, seconded by Mr. McCray, all those present voted in favor, except Mr. Scarantino who abstained.

BUSINESS FROM THE FLOOR

None at this time

CORRESPONDENCE

Municipal Excess Liability Joint Insurance Fund - Community Risk Management Manual was provided to the Board Members

MATTERS FOR CONSIDERATION

RESOLUTION #23-1213-01 - Resolution Approving Change Order No. 3 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 \$11,008.00 Credit

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. 3 has been prepared in the amount of \$11,008.00 to address the following items:

- Credit for not furnishing generator battery
- Credit to reduce the value of the allowance.

WHEREAS, it is the recommendation of the TTHMUA's Executive Director that Change Order No. 3, 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. 3 be approved and accepted in the amount of \$11,008.00.
2. The Executive Director is hereby authorized and directed to execute said Change Order on behalf of TTHMUA.

Ms. Borek stated this change order was for two items that were not provided resulting in credit due to the Authority.

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

RESOLUTION #23-1213-02 – Resolution Approving the Completion of Probation and Authorizing the Permanent Employee Status of Diego Altamirano, Effective December 11, 2023

WHEREAS, The Township of Hillsborough Municipal Utilities Authority (TTHMUA) hired Mr. Diego Altamirano for the position of Entry Level – Maintenance effective September 11, 2023 with a starting hourly rate of \$19.55 per hour and a 90-day probationary period; and

WHEREAS, Mr. Dan Reiter, Supervisor - Maintenance, Mr. Eric Lehman, Foreman and Mr. John Pilla, Foreman have advised that Mr. Altamirano has successfully completed his probation period with the exception of obtaining his Commercial Driver License (CDL); and

WHEREAS, Mr. Altamirano is required to obtain his Commercial Driver License (CDL) by August 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, based on the recommendation of the staff, TTHMUA hereby acknowledges that Mr. Diego Altamirano has successfully complete his 90-day probationary period for the position of Entry Level – Maintenance and as a result will be offered permanent employee status effective December 11, 2023.

Ms. Borek reported that she met with the Maintenance Management Team consisting of the Maintenance Supervisor and the Foremen. All were in agreement that Mr. Altamirano has progressed in his training and should be granted full employee status.

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

RESOLUTION #23-1213-03 – Resolution Authorizing the Execution of an Agreement with Gardner & Rosario, LLC for Financial and Consulting Services, in an Amount not to exceed \$30,000

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 has agreed to provide the said services for TTHMUA in accordance with Gardner & Rosario LLC proposal dated December 4, 2023, 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 \$30,000.00; 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 Executive Director is authorized and directed to execute an agreement dated December 4, 2023 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 when the above-referenced services are no longer needed.
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. Notice of this action shall be published in the Courier News in accordance with the provisions of the Local Public Contracts Law.

Ms. Borek stated that this resolution would permit the execution of a contract with Mr. Gardner for 2024 which remains beneficial to the Authority.

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

RESOLUTION #23-1213-04 – Resolution Authorizing the Executive Director to Sign on Behalf of the Authority Statements of Consent for TWA Applications for Fox Chase Sewer Replacement

WHEREAS, there exists the need for the replacement of an existing sanitary gravity sewer line in the area of Fox Chase Estates; and

WHEREAS, TTHMUA’s Consulting Engineer, Van Note-Harvey Associates is preparing plans and various permit applications; and

WHEREAS, Statements of Consent for TWA Applications is one of those applications; and

WHEREAS, TTHMUA Board authorizes the Executive Director to sign such consents on behalf of TTHMUA.

NOW, THEREFORE, BE IT RESOLVED by TTHMUA that the Executive Director is authorized to sign Statements of Consent for TWA Applications for the project known as the Fox Chase Sewer Main Replacement.

BE IF FURTHER RESOLVED, a copy of this resolution shall be provided to SRVSA.

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

DISCUSSION

Ms. Borek brought forth the following items for discussion:

Connection Fee for the Hotel at Brookhaven Lofts – please refer to the above public comment.

Fierst Farm Orchard Drive - Block: 147 Lots: 21, 21.01, 21.02, 21.03 - Ms. Borek reported that she received a meeting request regarding Fierst Farm Orchard Drive - Block: 147 Lots: 21, 21.01, 21.02, 21.03 (VC2331H) from Mike Ford of VanCleeef Engineering, who is working with contract purchasers of the property, and they wish to propose development of the site. Ms. Borek stated the property is not in the SSA and would require an amendment. The application has not been deemed complete by the Twp Planning Department as of yet. On the concept plan there is a pump station. The Board directed Ms. Borek to schedule the meeting.

Professional Contracts for 2024 – Ms. Borek stated that professional services will be sought for the following for 2024: Auditor, Bond Counsel, Consulting Engineer, General Legal Counsel, Professional Engineer, Special Counsel, and Risk Management Consultant. It has been posted on the THMUA website and appeared in the Courier News December 8, 2023. Submissions are due by Friday, January 5, 2024. This will provide staff and the Board with adequate time to review the submissions prior to the TTHMUA reorganization meeting in February 2024.

Remaining Meeting Dates – Ms. Borek reminded the Board of the remaining meeting dates. The 2024 Reorganization was confirmed for February 28, 2024.

WAVE Award Nominations – due Friday, January 26, 2024. Application information sent via email.

Part time engineer – Ms. Borek was directed to schedule a meeting with one of the applicants.

Narcan Training – Ms. Borek stated this training was scheduled for December 11th at 2 pm but was cancelled; it will be rescheduled.

Employee Holiday Gathering - Ms. Borek reminded the Board about the Employee Holiday Gathering to be held on December 22nd – 12:30 pm, Administration Office, along with an Ugly Holiday Sweater Contest.

Facilities Update

Pump Station Summary Sheet – Ms. Borek shared the draft Pump Station Summary sheet that was requested by Mr. Scarantino in conjunction in working with Maintenance Supervisor Dan Reiter. This will be a working document going forward representing the overall “inventory” of the pump stations.

Gumble Pump Station – Ms. Borek reported that there was a bypass hose failure on 12/1/23, PSI deployed and made repairs. 12/11/23 another hose failure, PSI deployed, and repair made. Rebuild: Parts due in week of 2/23/24, winterized on 12/6/23

Sunnymead Pump Station – Ms. Borek stated that VNHA and H2M will be invited in for a presentation at the 1/8/24 Board Meeting (9am)

She provided weather related information from the recent storm.

Sunnymead Force Main Project – Ms. Borek provided an update on the Eminent Domain Procedures, which were also sent to the Board. She further reported that easements have been obtained north of Brooks Blvd to Harvard Way. A discussion ensued regarding this action, particularly regarding if these other easements and access is what is truly necessary for the project. The process needs to be outlined. Mr. Scarantino inquired as to the dollar exposure to the Authority. Mr. Cipparulo stated the Authority would be paying their legal fees and condemnation is

irrevocable. Chairman Avolio inquired about Authority exposure. Mr. Nunn inquired about testing on the easement and suggested that it might be necessary to get the Law Enforcement Authorities involved. Consensus was reached for Executive Director to contact the Sheriff's office to gain access and conduct a soil sample survey. Mr. Cipparulo inquired and suggested that the pros and cons of such action should be determined as well.

Pump Station at the Enclave - No further update.

Mulford Lane Pump Station Replacement (TTHMUA Contract No. 53) – Ms. Borek stated that the Authority is awaiting a response from PSE&G regarding service upgrade.

Easement Maintenance

Ms. Borek reported that maintenance continues with the focus on addressing areas previously identified as inaccessible. She shared some pictures of manhole repairs made in an easement.

Piedmont Path / Fox Chase Sewer Replacement – Ms. Borek reported that TTHMUA staff (Borek, Lehman and Reiter) met with the following individuals from VNHA: Brandon Fetzer, Don Fetzer and Dan Schmidt to discuss the above-mentioned project, particularly how we will bypass for the final connections at either end of the replacement. Also discussed was the timeline for the project. A consent for TWA applications was signed by the Mayor. She requested that VNHA send to SRVSA ASAP the application information as SRVSA has a meeting on December 18th, otherwise we will be waiting another month. NJDEP is taking at least 3 months to complete reviews. At best we are looking at mid-April for a response from NJDEP, go out to bid in May, open responses in June, award in July and with any luck maybe shovel in the ground September.

Committee Reports:

Engineering / Facilities – no further update

Finance – no further update

I&I / GIS

I&I

Point repairs – 6

Camera footage – 5,343

GIS – no further update

Personnel – no further update

SRVSA

Ms. Borek reported that at the November 27, 2023 SRVSA budget adopted, salary increases approved. The next meeting of the SRVSA will be December 18, 2023.

CLAIMS LIST APPROVAL

- Operating Fund: December 13, 2023 \$446,172.38
- General Fund: December 13, 2023 \$ 7,507.80

A motion was made by Mr. Nunn, seconded by Mr. McCray and all those present voted in favor of the December Claims lists.

ADJOURNMENT

With a motion by Mr. McCray, seconded by Mr. Damiano, all those present voting in favor the meeting adjourned at 7:29 pm.