

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
March 1, 2021**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, March 1, 2021 at 7:10 p.m., at the Municipal Building located at 149 Wheatsworth Road. Members present were: Mr. Cicerale, Mr. Kula, Mr. Marples, Ms. Leatham, Mr. O’Grady, Ms. Van Allen and Mr. Bazelewich. Also present Ryan Scerbo, Carrine Kaufer and Michael Vreeland.

After salute to the flag, Mr. Cicerale stated compliance with the Open Public Meetings Act.

Minutes: A MOTION was made by O’Grady seconded by Kula, to approve the minutes of the January 4, 2021 meeting. In favor, Cicerale, Kula, Marples, O’Grady, VanAllen, and Bazelewich.

REORGANIZATION:

WHEREAS, the HTMUA held its annual reorganization meeting on March 1, 2021 during which the Commissioners were charged with completing the election of officers, appointment of staff and making of certain designations; and

WHEREAS, the Commissioners of the HTMUA, in public session, being familiar with the qualifications of Commissioners and staff members and after due deliberation made the following elections, appointments and designations;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the HTMUA that the following elections, appointments and designations are made for the HTMUA organizational year beginning February 3, 2021 through the next annual reorganization meeting in February 2022 by motion and approval as indicated below:

- a. Frank Cicerale is elected Chairman of the HTMUA.
- b. Stanley Kula is elected Vice Chairman of the HTMUA.
- c. Ellis Marples is elected Secretary of the HTMUA
- d. Candace Leatham is elected Treasurer of the HTMUA

A motion to approve items a – d was made by Kula, seconded Cicerale. All in favor.

- e. Carrine Kaufer is appointed Administrator of the HTMUA.
- f. Patty Egan is appointed Recording Secretary/Utility Billing Specialist of the HTMUA.
- g. Grant Rome is appointed CFO of the HTMUA
- h. The New Jersey Herald and New Jersey Sunday Herald as the official newspapers for publication notices

- i. Provident Bank and New Jersey Cash Management Fund are designated as official depositories of the HTMUA.
- j. Appointment to renew membership to Statewide Insurance Fund.
- k. Appointment of Risk Management / Insurance Consultant George Morville of the Bollinger Group.
- l. Adoption of meeting dates (1st Monday of each month with the exception of September 14th). Meeting time 7:00 p.m.
- m. Motion to direct Recording Secretary to advertise public contract awards and Meeting dates.

A motion approve items e – m made by Kula, second by Leatham. All in favor.

- n. Appointment of Professionals: Accountant, Attorney & Engineer; as per below motions

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AUTHORIZING CERTAIN PROFESSIONAL
SERVICE CONTRACTS FOR 2021**

WHEREAS, there exists a need for the retention of an engineer for the Hardyston Township Municipal Utilities Authority (the “Authority”) to render professional advice and engineering consulting services to the Authority and to examine or prepare all engineering documents; and

WHEREAS, Van Cleef Engineering Associates through Michael G. Vreeland, P.E. has provided a proposal to serve as the Authority’s consulting engineer and bill at the following rates for such services:

- Engineer (Licensed) \$130.00 per hour
- Engineer (Staff) \$125.00 per hour
- AutoCAD Technician \$85.00 per hour
- Field Survey Party \$125.00 per hour
- And such other rates as included in the attached proposal attached hereto

WHEREAS, there exists a need for the retention of an attorney for the Hardyston Township Municipal Utilities Authority to render professional advice and consulting services to the Authority and to examine and prepare all legal documents; and

WHEREAS, the firm of DeCotiis, FitzPatrick, Cole and Giblin LLP, through Ryan J. Scerbo, Esq. has provided a proposal for such services and bill for such services at the rate of One Hundred Seventy (\$175.00) Dollars per hour for work performed; and

WHEREAS, there exists a need for the retention of Certified Public Accountants for the Hardyston Township Municipal Utilities Authority to render professional advice and consulting services to the Authority and to examine or prepare budgets and financial statements; and

WHEREAS, the firm of Wielkotz & Company, LLC has provided a proposal for such services and bill at the rate for such services as follows: Partner \$150.00 per hour Manager \$130.00 per hour Senior Accountant \$125.00 per hour Staff Accountant \$105.00 per hour Secretarial \$90.00 per hour; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Municipal Utilities Authority as follows:

1. The proposal of Van Cleef Engineering Associates through Michael G. Vreeland, P.E., the engineers who shall perform engineering services submitted to this Board, a copy of which is annexed hereto, shall be and is hereby approved.
2. A contract is awarded for the period February 1, 2021 to reorganization in February 2022 without competitive bidding as a “professional service” in accordance with 40A: 11-5(1)(a) of the Local Public Contracts Law because Michael Vreeland has served as engineers for the HTMUA in the past and has special knowledge as to the conditions in the Township which are particularly valuable to the Authority.
3. The proposal of DeCotiis, Fitzpatrick, Cole & Giblin LLP, through Ryan J. Scerbo, Esq. the attorney who shall perform legal services submitted to this Board, a copy of which is annexed hereto, shall be and is hereby approved.
4. The contract with DeCotiis, Fitzpatrick, Cole & Giblin LLP, through Ryan J. Scerbo Esq. as attorney for the Hardyston Township Municipal Utility Authority for the period February 1, 2021 to reorganization in February 2022, is a contract is awarded without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law.
5. The proposal of Wielkotz & Company, LLC submitted to this Board to perform auditing services, a copy of which is annexed hereto, shall be and is hereby approved.
6. A contract is awarded for the period February 1, 2021 to reorganization in February 2022 without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because Wielkotz & Company, LLC a Professional Association, having extensive experience serving municipal and other public bodies for a number of years, including the Township of Hardyston, and has special

knowledge as to the conditions in the Township which are particularly valuable to the Authority.

7. A notice of this action shall be printed once in the official newspaper of the Township of Hardyston.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	x			
Vice Chairperson Kula	x			
Secretary Marples	x			
Treasurer Leatham	x			
O’Grady	x			
Van Allen (alt)				
Bazelewich (alt)				

OLD BUSINESS:

Indian Fields:

Phase II As-Built Plans- Nothing new to report

Phase III Conveyance – Nothing new to report

Bonds – Nothing new to report.

Crystal Springs:

Shotmeyer Tract/ Bypass- Nothing new to report

Irrigation – nothing new to report

Operational Considerations / Metering / Strategic Planning:

Coverison to a Meter Based Billing System – Nothing new to report

Asset Management Plan - Nothing new to report

Fixed Assets/Developer Conveyance – Nothing new to report

New Business

a. Corrective Action Plan 2019-20210 Audit Findings: A MOTION was made by Leatham and seconded by O’Grady to adopt the Resolution of the Hardyston Township Municipal Utilities Authority regarding Fixed Assets Schedule for a corrective action to ensure compliance

with the State of New Jersey’s requirement of establishing and maintaining a fixed asset list. In favor, Cicerale, Kula, Marples, Leatham and O’Grady.

**RESOLUTION
of the
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY (“HTMUA”)
regarding
FIXED ASSETS SCHEDULE**

WHEREAS, at its regularly scheduled meeting of Monday, March 1, 2021, the HTMUA Commissioners discussed the following comment in the HTMUA’s 2019-2020 audit: “Governmental entities should maintain a fixed asset list providing the cost and description of property and equipment, as well as any depreciation previously expensed against such listed assets. This list should be updated regularly to include purchases or contributions of new capital items and exclude capital assets that have been disposed of or replaced.”; and

WHEREAS, the HTMUA Commissioners discussed the propriety and necessity of meeting this obligation of creating and maintaining a fixed assets schedule by way of official corrective action prior to approval of the new budget, as noted in the recent 2019-2020 audit; and

WHEREAS, the HTMUA Commissioners discussed with the HTMUA Engineer the propriety of engaging the services of a vendor for establishing values of the HTMUA’s fixed assets and noted that the HTMUA maintains a renewal and replacement schedule of its assets, but that this schedule should be supplemented to reflect values;

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the HTMUA as follows:

1. A corrective action to ensure compliance with the State of New Jersey’s requirement of establishing and maintaining a fixed asset list is hereby adopted and consists of the following tasks: (a) the HTMUA Engineer is authorized to discuss fixed asset list requirements with the HTMUA Accountant; (b) the HTMUA Engineer shall research and present proposals of outside vendors for performing necessary valuation tasks for the fixed asset list; (c) the HTMUA Engineer is authorized to work on the establishment of the fixed asset list.

Moved by: Candace Leatham

Seconded by: Michael O’Grady

Approving: Cicerale, Kula, Marples, Leatham and O’Grady

Opposing:

Abstaining:

Recusing:

Certified as a true copy of the Resolution adopted by the Hardyston Township Municipal Utilities Authority at its regular meeting held on March 1, 2021.

b. LAM Development/Shotland Bauer – Utility Access Road Bond Replacement:

A MOTION was made by O’Grady and seconded by Marples to approve the replacement of the performance bond for the utility access road for a portion of Block 16.26 Lot 1 within Crystal Springs with a new performance bond and cash guaranty by Lam Development Group, LLC and release the existing guarantee to Shotland Bauer, LLC subject to the corrections required by the review of the HTMUA Engineer and Attorney. In favor: Cicerale, Kula, Marples, Leatham and O’Grady.

PAYMENT OF BILLS:

A MOTION was made by Leatham and seconded by Kula to pay the bills, as per the bill list for February 1, 2021 and March 1, 2021. In favor: Cicerale, Kula, Marples, Leatham and O’Grady.

CORRESPONDENCE:

A MOTION was made by Kula and seconded by O’Grady to accept the correspondence as presented. In favor: Cicerale, Kula, Marples, Leatham and O’Grady.

OFFICER’S REPORTS:

Nothing at this time.

PROFESSIONAL’S REPORTS:

Administrator – Carrine Kaufer provided a brief update on staffing relative to a longer than expected leave of absence for the billing clerk. All operations are continuing as normal including the upcoming billing for the 2nd quarter.

Operator – not present

Billing Clerk – nothing further

CFO – not present

Accountant – not present

Attorney – nothing further

Engineer – Mike Vreeland provided an update regarding the receipt of a NJDEP violation for a failure to implement a corrosion control treatment and source water treatment plan due to exceedance of the copper levels in the water in Indian Fields. The required notice will be mailed to the residents with the quarterly billing. Mike also discussed the ongoing conversations taking place between the MUA and the developer regarding the possibility of additional allocation or the future development of Crystal Springs.

OPEN PUBLIC PORTION:

The meeting was opened to the public.

As there were no members of the public present, the meeting was closed to the public.

There being no further business, A MOTION was made by Cicerale to adjourn, meeting adjourned.

Respectfully submitted,
Carrine Piccolo-Kaufer
Administrator