

**MINUTES
HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
February 3, 2025**

The meeting of the Hardyston Township Municipal Utilities Authority was held on Monday, February 3, 2025 at 7:00 p.m., at the Municipal Building located at 149 Wheatsworth Road.

Members Present: Mr. Cicerale, Mr. Kaminski, Mr. Codner. and Mr. Caiazzo,

Members Absent: Mr. O'Grady, Mrs. Carey, Mrs. Card

Also present: Mrs. Carrine Piccolo-Kaufer, Mr. Michael DiFazio, and Mr. Mike Vreeland.

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

Oath of Office

The oath of office was administered by Mr. DiFazio to Mr. Cicerale.

REORGANIZATION:

The HTMUA held its annual reorganization meeting during which the Commissioners were charged with completing the election of officers, appointment of staff and making of certain designations for year beginning February 3, 2025 through the next annual reorganization meeting in February 2026.

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 by motion and approval as indicated below.

A MOTION was made by Kaminski seconded by Caiazzo to approve the following elections, appointment, and designations. All were in favor.

- a. Frank Cicerale is elected Chairman of the HTMUA.
- b. Robert Codner is elected Vice-Chairman of the HTMUA
- c. Brain Kaminski is elected Secretary of the HTMUA
- d. Michael O'Grady is elected Treasurer of the HTMUA
- e. Carrine Kaufer is appointed Administrator of the HTMUA
- f. Nicole Niebuhr is appointed Recording Secretary of the HTMUA
- g. Corrinne Hockman is appointed CFO of the HTMUA.

A MOTION was made by Kaminski seconded by Caiazzo to approve the following elections, appointment, and designations. All were in favor.

- h. New Jersey Herald and New Jersey Sunday Herald are the official newspapers for publication notices.

- i. Provident Bank and New Jersey Cash Management Fund are designated as official depositories of the HTMUA
- j. Carrine Kaufer is appointed as Commissioner to the Statewide Insurance Fund and Frank Cicerale appointed as Alternate.
- k. Gallagher is appointed Risk Management Consultant.
- l. Adoption of Meeting dates (1st Monday of each month with the exception of September 2, 2025) Meeting time 7:00 p.m.

- m. A MOTION was made by Codner seconded by Caiazzo to direct the Recording Secretary to advertise public contracts awards and meeting dates. All in favor.

- n. A MOTION was made by Codner seconded by Caiazzo to adopt a resolution of the Hardyston Township Municipal Utilities Authority Authorizing Certain Professional Service Contracts for 2025. In favor, Cicerale, Kaminski, Caiazzo, and Codner.

**HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
RESOLUTION AUTHORIZING CERTAIN PROFESSIONAL
SERVICE CONTRACTS FOR 2024**

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) \$147.00 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 has provided a proposal for such services and bill for such services at the rate of One Hundred Seventy (\$180.00) 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 Wielkottz & Company, LLC has provided a proposal for such services and bill at the rate for such services as follows: Partner \$155.00 per hour Manager \$135.00 per hour Senior Accountant \$130.00 per hour Staff Accountant \$110.00 per hour Secretarial \$95.00 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 3, 2025 to reorganization in February 2026 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, 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 for the Hardyston Township Municipal Utility Authority for the period February 3, 2025 to reorganization in February 2025, 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 Wielkottz & 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 3, 2025 to reorganization in February 2026 without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because Wielkottz & 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.

MINUTES: A MOTION was made by Caiazzo seconded by Kaminski, to approve the minutes of the November 4, 2024 meeting. In favor, Cicerale, Kaminski, Caiazzo, and Codner.

OLD BUSINESS:

Indian Fields:

Phase II As-Built Plans- Mr. DiFazio discussed the status of the receipt of the deliverables from Barberi and Associates for the Indian Field Phase II As-Built. He stated that there had been multiple attempts to compel Mr. Barberi to produce the final deliverables and Mr. Barberi recently provided one section and that the final two sections would be forthcoming within two weeks.

The Board made a motion to provide notice to Mr. Barberi that the deliverables must be received by no later than February 17, 2025, and to direct Mr. DiFazio to initiate a legal complaint for breach of contract for failure to meet the requisite deadline. Motion by Mr. Kaminski, seconded by Mr. Caiazzo. In favor Cicerale, Kaminski, Caiazzo, and Codner.

Crystal Springs:

Mr. Vreeland provided an update on the capacity of the existing sewer pump station and the need for the construction of the additional pump station contemplated as part of the overall build-out of Crystal Springs.

Operational Considerations / Metering / Strategic Planning:

1. Conversion to a Meter Based Billing System
2. Fixed Assets/Developer Conveyance

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

New Business

- a. **Resolution Authorizing the Execution of Certain Shared Service Agreements with the Township of Hardyston for Administration/Secretarial, Billing, and Maintenance Services**

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY RESOLUTION
AUTHORIZING CERTAIN PROFESSIONAL SERVICE CONTRACTS FOR 2025**

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) \$152.00 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 has provided a proposal for such services and bill for such services at the rate of One Hundred Seventy (\$180.00) 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 Wielkott & Company, LLC has provided a proposal for such services and bill at the rate for such services as follows: Partner \$155.00 per hour Manager \$135.00 per hour Senior Accountant \$130.00 per hour Staff Accountant \$110.00 per hour Secretarial \$95.00 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 3, 2025 to reorganization in February 2026 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, 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 for the Hardyston Township Municipal Utility Authority for the period February 3, 2025 to reorganization in February 2026, 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 Wielkottz & 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 3, 2025 to reorganization in February 2026 without competitive bidding as a “professional service” in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because Wielkottz & 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.

b. Audit Review Resolution Fiscal Year Ended August 31, 2024

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

RESOLUTION

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 August 31, 2024 has been completed and filed with the Governing Body and the Director of the Division of Local Government Services 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 Hardyston Township 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 August 31, 2024, 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.

PAYMENT OF BILLS:

A MOTION was made by Kaminski and seconded by Caiazzo to pay the bills, as per the bill list for December 9, 2024, January 6, 2025 and February 3, 2025. In favor: Cicerale, Kaminski, Caiazzo, and Codner

CORRESPONDENCE:

A MOTION was made by Kaminski and seconded by Caiazzo to accept the correspondence as presented. In favor: Cicerale, Kaminski, Caiazzo, and Codner.

OFFICER'S REPORTS:

Nothing new to report

PROFESSIONAL'S REPORTS:

Administrator – Ms. Kaufer presented the request of the Hardyston Township Volunteer Fire Department and Office of Emergency Management to co-locate a small antenna on the Crystal Springs and Park Drive water towers as part of the emergency communication upgrade project. The Board recommended that the Engineer review the specifications and once determined that no structural problems exist, an agreement be drafted for consideration of approval.

Operator – Nothing further to report.

Billing Clerk – Nothing further to report.

CFO – Was not present.

Accountant – Nothing further to report.

Attorney – Mr. DiFazio provided an update on the bid submission for the lease of the water tower. He reported that one bid from Cellco (Verizon) was received for the minimum bid amount. The bid documents were being reviewed for completeness and a recommendation to award is anticipated for the next meeting. Mr. DiFazio also provided an update on the attempt to settle the outstanding termination fees with MCI Eastern Security. He indicated that MCI did not agree to proposed counter from the MUA to settle for half.

A motion was made by the Board with All in favor to settle the outstanding charges for \$6,000.

Engineer – Nothing further to report

OPEN PUBLIC PORTION:

The meeting was opened to the public.

Tony Alfano, Tannery Hill, briefly spoke to the Board to inquire on the status of the adoption of a commercial water and sewer rate for the hotel and any future commercial users.

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There being no further business, A MOTION was made by Caiazzo to adjourn, meeting adjourned at 8:11 p.m.

Respectfully submitted,

Nicole Niebuhr

Board Secretary