
RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

JANUARY 17, 2013

365 Old York Road, Flemington, New Jersey
(908) 782-7453 Office (908) 782-7466 Fax

1. **MEETING CALLED TO ORDER AT 5:00 PM**

The meeting of the Raritan Township Municipal Utilities Authority (RTMUA) was called to order stating that the meeting had been advertised in accordance with the Open Public Meetings Act setting forth the time with the RTMUA office as the place of said meeting. It was further stated that a copy of the Agenda was posted on the RTMUA office bulletin board.

2. **ATTENDANCE ROLL CALL:**

Chair Del Vecchio	Absent
Dr. Dougherty	Here
Mr. Kendzulak, Jr.	Here
Mr. Kinsella	Here
Mr. Tully	Here

Also present were Bruce Miller, RTMUA Executive Director; Greg LaFerla, RTMUA Chief Operator; Regina Nicaretta, RTMUA Executive Secretary; James G. Coe, PE, Hatch Mott MacDonald; C. Gregory Watts, Esquire, Watts, Tice & Skowronek.

3. **PLEDGE OF ALLEGIANCE**

4. **APPLICATIONS:**

- a) Application for Sewer Service Class II-A, Brookview Holding, LLC (Block 36.03 Lot 11)

5. RESOLUTIONS:

Resolution #2013 - 01 Approval of Sanitary Sewer Service, Class II-A, Brookview Holding Company, LLC (Block 36.03 Lot 11)

Mr. Kendzulak, Jr. made a motion to approve Resolution #2013 - 01, Mr. Kinsella seconded the motion. All were in favor.

Resolution #2013 - 02 AEA Annual Membership Dues

Mr. Kinsella made a motion to approve Resolution #2013 – 02, Mr. Tully seconded the motion.

Roll call vote:	Chair Del Vecchio	-	Absent
	Dr. Dougherty	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

6. Approval of Minutes: Minutes of December 20, 2012

Dr. Dougherty – Are there any corrections or additions to the minutes?

Mr. Kendzulak, Jr. – Yes, on page 13, about three quarters of the way down, it says “Commissioner Kendzulak: Okay. The claim was initially well in excess of \$120,000.00...” I didn’t make that statement. I spoke with Ms. Nicaretta on this and she seems to think that Mr. Watts said it. I know I didn’t because I didn’t have authority for this.

Mr. Watts – I did say it because it says “You gave me the authority to try to resolve it for up to \$60,000.00.” You have to understand that the Court Reporter can’t change it. We can note it internally but if you asked her to change it she wouldn’t do it because her record shows that it was you.

Mr. Kendzulak, Jr. – Okay, so just for the record here the statement made by Commissioner Kendzulak should really be Attorney Watts.

Mr. Watts – Yes, page 13, lines eighteen through twenty-two.

Mr. Kinsella made a motion to approve the minutes from the December 20, 2013 meeting. Mr. Kendzulak, Jr. seconded the motion. All were in favor.

Dr. Dougherty and Mr. Tully abstained.

7. Treasurer's Report / Payment of Bills:

Mr. Kendzulak, Jr. - The bills totaled \$516,795.56

Mr. Kinsella made a motion to approve the payment of bills. Mr. Tully seconded the motion.

Roll call vote:	Chair Del Vecchio	-	Absent
	Dr. Dougherty	-	Yes
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

Dr. Dougherty – For the record, all vouchers and checks were read by at least two commissioners and cosigned by two commissioners. There was a discussion with the auditor to make sure that is our continuous practice, which it is and I'm just putting it on the record.

8. Citizens' Privilege:

Mrs. Boch – We are Donna and David Boch of 14 Covered Bridge Road. We are the property owners for the Covered Bridge Pump Station project. We were here at the last meeting and some of you we did not have the opportunity to meet. First of all, thank you for the last meeting, we were reassured that we would be involved in the landscape planning to hide the pump station and we are pretty comfortable that our concerns were met. Since then, a light pole was delivered in the area back there and we have a lot of concerns about that which we expressed when we were asked to sign the easement with JCP&L; we had them cross out light poles in their Easement Agreement; we would not agree to that. Our concern is the lighting back there. We understand it's an emergency lighting system and we take no issue whatsoever with emergency lighting back there. But, when it comes to selling our house this summer, which we will probably do; I'm a real estate stager and so I am kind of familiar with the market; I can't imagine someone coming onto our deck; our house is appraised at about \$700,000.00; and they are looking at a twenty-two foot light pole, fifty feet off the master bedroom window. I would turn around and walk away without a question. What we are asking of you is; we took time this morning to drive around to four of the pumping stations and of the four we saw; Sandhill, Voorhees Corner and the two on Hart Boulevard; only one has a light pole, all the rest have big emergency lights mounted on the side of the building under the peak of the roof, that's perfectly fine. To look outside and see this thing while you are all reassuring us that it may never be on, how do you reassure a prospective buyer? The RTMUA

says "don't worry about the light pole, it'll never turn on". We will never get to have that conversation with a prospective buyer; they will just be like "no light poles in my backyard, see you."

Mr. Kinsella – Does the pole sit in the easement or on the pavement?

Mr. Coe – It's not a JCP&L pole. It's an RTMUA pole.

Mr. Kinsella – So it's not a standard street pole for power and light?

Mr. Coe – No, I brought what it is; I brought a few copies for everyone to look at. It's a light fixture that's designed to only shine down; sometimes they are called shoebox lights. The lens on the light is a vertical light, so it's not going to shine towards your bedroom or house.

Mrs. Boch – We understand that. Why can't the light be mounted on the pump station? The peak on that roof is a good eighteen feet up. It's tall. It's taller than some of the other pump stations we looked at.

Mr. Boch – The peak of the roof would be more centered overall the manholes etc. as opposed to where it is offset now. Again, it's not the concern of when it will be on or what it will look like when it is on. It's more of what will this thing look like; we're very concerned about prospective buyers sticking around long enough to look at the house. Unlike the other pump stations we've talked about, this one is sandwiched between two houses, in effect, it's in our backyard. We're asking for some consideration for an alternative means for an emergency light.

Mr. Coe – That's not for me to decide, that's for the Authority to decide. I think there should be emergency lighting of some sort there.

Mr. LaFerla – Agreed.

Mrs. Boch – We agree.

Mr. Coe – It is only on a switch, there's no photo cell, timer, or anything else to make this light turn on in the middle of the night.

Mr. Kinsella – Is there a plan for this, Mr. Coe?

Mr. Coe – I don't have the site plan with me.

Mr. Kendzulak, Jr. – Can the light be mounted on the building itself?

Mr. Coe – I don't know if this particular light can but there may be potential.

Mr. Kendzulak, Jr. – I don't know strategically how that is there. Obviously we have to be able to do something in an emergency situation and need to see what's going on.

Mr. Coe – Typically lights that are mounted on a building would be lights you can direct.

Mr. Kendzulak, Jr. – Again, does it being on the building serve the purpose of why the light is out there?

Mrs. Boch – The way the building is positioned, its back corner is what faces our house. The whole front of the building, we can't see from any place on

our property. All of the stuff you guys buried, those massive things, that is all dead center in front of the building.

Mr. Coe – This light is mainly to provide surface lighting to the area where the staff would be working.

Mrs. Boch – What I'm trying to say, if I'm not explaining it well, is if it were mounted on the peak, the highest point of the building, everything that looks to the equipment is under that peak.

Mr. Coe – You explained it well and if the Authority would like us to look at it and discuss it with the contractor, we will.

Mr. LaFerla – The only thing is if you put it on the peak of the building, you have a house on the other side. It's not going to shine straight down then like the post light.

Mr. Kinsella – How far is the footing away from the building?

Mr. LaFerla – Probably about thirty feet.

Mr. Kinsella – So this is for parking purposes?

Mr. LaFerla – No. There are the three manholes there, so the light as is, shines down directly on the manholes.

Mr. Tully – What if you shorten the pole?

Mr. Kinsella – Twenty-two feet seems high. Our street light pole is only about fifteen feet. What color is the pole?

Mrs. Boch – Off white or grey.

Mr. Kinsella – Mr. LaFerla, do you think there would be sufficient coverage if the fixture was mounted on the building?

Mr. LaFerla – I'd have to look at it.

Dr. Dougherty – The most important point is the safety of our men and particularly if there's an emergency situation which might affect your home and the other home next to it. So, I think the best way to approach this is see if we can compromise but not compromise safety. So, we will need the input of our Chief Operator, who really knows what has to be done and what needs to be there, in cooperation with our Consulting Engineer and if they can come up with a compromise, then, I'd have no problem endorsing it. When are you putting your house on the market?

Mr. Boch – This summer.

Dr. Dougherty – So, we have some time so we can have our Engineer and Chief Operator take a look at this and come back with a suggestion to the Authority which we can handle at the next meeting, which is in February. It may be positive for you, Mr. and Mrs. Boch and it may be not. We have to be honest with you that safety is first.

Mr. Boch – One last comment, where that light shines is immaterial, the light is not the issue. It's the aesthetics.

Dr. Dougherty – We will investigate that...

Mrs. Boch – That’s all we ask.

Dr. Dougherty - ...and the recommendations of the Chief Operator and Engineer will be presented to the Commissioners and then directly Mr. Miller will get in touch with you.

Mr. Miller – Do you still want a meeting or would you rather wait for the recommendations?

Mr. Boch – We would love to have a meeting because we’ve never seen any real plans. The light pole was a surprise so I would love to have an Engineer sit down with us and go through the plans so we understand.

Mr. Coe – You can arrange that through Mr. Miller.

Mr. Miller – Sometime next week? I’ll get a hold of you maybe tomorrow but definitely next week.

9. Adjourn into Closed Session by Motion, if Needed

10. Adjournment of Regular Meeting:

Mr. Kendzulak, Jr. made a motion to adjourn the Regular Meeting. Mr. Kinsella seconded the motion. All were in favor.

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

JANUARY 17, 2012

365 Old York Road, Flemington, New Jersey
(908) 782-7453 Office (908) 782-7466 Fax

1. **The Work Session** of the Raritan Township Municipal Utilities Authority will be called to order upon the adjournment of the Regular Meeting.

2. **Correspondence:**

a) Richard Creter of Flemington Concrete Products, LLC to Bruce Miller of RTMUA regarding Block 27 Lot 36.03; 27 Foster Lane

Mr. Miller – This is just a lot they have that doesn't have capacity. I don't know how it showed up, when they subdivided it, it wasn't there but when the map got filed then it was there. So they have a lot and they have a right to put five EDUs on it; I think they want to put four or three on it.

Dr. Dougherty – So what do we do from here?

Mr. Miller – Just making you aware of it.

Ms. Nicaretta – Wasn't there the problem with the subdivision that was a problem that had to be discussed?

Mr. Miller – The problem was when they originally subdivided it, they had five EDUs for the whole twenty or twenty five acres or whatever it was.

Ms. Nicaretta – And only the two lots that the five EDUs of capacity was divided on.

Mr. Miller – This one showed up by what they call map file. Again, it's there and we never knew about it so basically they managed to pull one over on us and there's another lot there now.

Mr. Kendzulak, Jr. – What is he proposing to do? Is it a Planning Board issue or a Board of Adjustment issue?

Mr. Miller – I don't know who he is going to be in front of.

Mr. Kendzulak, Jr. – We established a policy quite some time ago; that would be a use variance, wouldn't it?

Mr. Watts – It depends on what they are doing. We don't know if it needs a variance or zone change. My guess is because he has his process, his business there, he probably doesn't need anything. He probably doesn't meet either of the prohibited items that would prevent us from giving capacity, so I would say that Mr. Miller can find out whether they anticipate needing either and if they don't then you can just do the Reservation Agreement.

- b) Michael Del Vecchio of RTMUA to Nicholas Angarone of NJDEP regarding Hunterdon County Wastewater Management Plan (WMP)

Mr. Miller – This whole thing is an effort by Raritan Township and everyone to get what they call the tail, the piece that is on Route 202/31 which is south of Kalafer's operations, out of the new WMP map. It was put in by the previous Mayor, he insisted it be put in and we had another Public Hearing and Raritan Township said they'd rather not have it. There's a letter that this one supports that Mayor Elbert wrote and we wrote this one and Mr. Del Vecchio signed it and supported it but now we're in the position where the DEP wants more numbers, basically they want us to run through our whole WQM-007. Mrs. Wohlleb and Mr. Coe and I have been talking about it. Am I right Mr. Coe in saying the real question comes down to the point where...

Mr. Coe – They are questioning whether this property should be in the Sewer Service Area (SSA), whether there really is such a capacity restriction that would not allow it to be in the SSA.

Dr. Dougherty – This is where the old Exxon tank farm use to be?

Mr. Coe – Yes, all the way down 202/31, to the old driving range that closed. The property was zoned for commercial development. If you want to get the best use of the property, it needs sewers. The Authority is trying to cooperate with the Township and we did look at the numbers. If you want to completely develop the rest of the SSA as well as some four hundred units of homes on septic that were not in the SSA but may need to be at some point in the future, and another three hundred or so homes, that are in the SSA but are not sewered, you don't have enough capacity to even serve those or everything else within your SSA without an expansion. So then the question is, if you have to expand anyway, does it make sense to include this or not include it or don't include it now and see what happens and if you have to expand later then rethink whether or not to include it; if you're going to make an expansion I think you would want to make it the last expansion and then some thought would go into whether you would try to include this tail back in.

Dr. Dougherty – When does this decision have to be made by the community?

Mr. Coe – DEP is really putting pressure on now, after five years of nothing, keep in mind, they asked us to use 2008 flow numbers to run all of the analysis because that's when this whole thing started, in 2008. Actually the newest numbers are lower. They were looking for something by the end of this week. Now, DEP doesn't always get what they want

when they want it. The people at the County seem to be falling all over themselves to try to get something back.

Dr. Dougherty – But there's no action we have to take at this time? The letter has already been filed, it's dated January 7th, there is no action for this for the Authority?

Mr. Coe – Correct.

Mr. Tully – What about Copper Hill School?

Mr. Coe - It's on its own system and they are not part of the tail. There were some documents that Mr. Miller sent me that are either from the Master Plan or whatever, that talked a great extent about not having another expansion, which I was not aware of. I knew this was generally a feeling that another expansion wasn't really in the cards, but I didn't know it was incorporated into the Master Plan. If that's really the case, then I'm not so sure that the Authority should think about allocating capacity to some of these places like the unsewered homes and so on and so forth. There was some thought about having a Capacity Committee meeting to discuss that and maybe bring something back to the Board, but maybe it's not so critical that it happen immediately. Perhaps some time in the near future it should happen so we can decide how to deal with it.

Dr. Dougherty – In these fiscal times, we're talking about seven million to twenty million dollars to expand the plant according to that letter. Where are we going to get ten or twenty million dollars? Is the State going to give us the money like they did last time? I don't think so. Isn't one of the first questions we have to address is what burden would it put on the community, the current ratepayers and the future ratepayers. I'd be interested in that question first and I'm not sure that's been answered.

Mr. Kinsella – Didn't the DEP state that as far as actually costing this thing out was another stage in the process?

Mr. Coe – The original regulation that's in effect basically says you don't do the map then do a Build Out analysis; you do the map and the Build Out analysis simultaneously and then it's a reiterative process where you take a look at what your answers are and decide whether you want a plant expansion. If you don't want a plant expansion, then you should be changing your zoning or changing the SSA to match up the capacity you have available with your SSA. Now however, they're hell bent on adopting a map and worrying about the Build Out later.

Dr. Dougherty – That's the prerogative of the Town Fathers.

Mr. Coe – They've taken the prerogative away from the Authority. This whole process used to belong to the Authority. The attitude at that time was the Township decides on the zoning and then the Authority develops its WMP to support the Township's zoning and you create a SSA

that incorporates those zones that need sewers. Now they are saying we created the zoning, we have areas that should have sewers but now they are saying don't worry about it, don't sewer them anyway.

Mr. Kendzulak, Jr. – Is this letter committing us to anything; we're using this figure of 324,000 gallons; that will trigger a plant expansion, Mr. Coe?

Mr. Coe – There isn't anything that says that you can be forced to expand. If you run out of capacity and financially it's determined that an expansion doesn't work, you don't have to.

Mr. Kendzulak, Jr. – So we're not committed. Basically, there's a sewer map out there but if we had to find 324,000 gallons today could we do it without a plant expansion?

Mr. Coe – Not by itself, you have that, plus the other things that I mentioned.

Mr. Kendzulak, Jr. – The other things you mentioned such as?

Mr. Coe – The four hundred homes over here,

Mr. Kendzulak, Jr. – Which are already part of the WMP.

Mr. Kinsella – No, they are not, they are part of the SSA.

Mr. Coe – Well, no. There are two sets of homes; there are the homes that are in the SSA now and are not sewerred; Raritan Gardens, Broad Acres and then...

Mr. Kendzulak, Jr. – Where are we based on what we need to do? We've identified these other developments where there is a history of failed septic systems. We are adding those in and recognizing Broad Acres and Raritan Gardens are within the existing SSA, is there enough capacity to satisfy everyone?

Mr. Coe – No.

Mr. Kendzulak, Jr. – Now, with this letter going out, assuming DEP takes it and they act on this letter, are we committed in any way to expand?

Mr. Coe – No.

Mr. Kendzulak, Jr. – Okay, so it's pie in the sky that we think they should be part of this, recognizing that there are financial constraints and we may not be able to do it. In a perfect world, if we could, we would accommodate the 324,000 gallons but we are not committed to doing it.

Mr. Coe – Right. The gist of the letter is we don't want the 324,000 gallons; the 324,000 gallons is what is being called the tail.

Dr. Dougherty – At the same time, part of this is going to be out of our hands, it sounds like. So at the same time, I think we have to think of our budget for next year if this is what the issue is going to be. We better

start thinking if we can feasibility expand the plant and what it will cost us so when our feet are held to the fire on this issue, we can say here's the deal, we have to expand the plant and this is what it's going to cost and how are you going to help us get that money?

Mr. Coe – You've already started that process a little bit. If you recall, about a year ago we did a stress test on the plant looking at expansion. We are still waiting for the State to come out with their phosphorus limits and if you're going to expand you want to do it all as one project because there will be another project of some sort to remove phosphorus. It would make sense if this all come together within some reasonable timing and it seems to me that it is because you will have five years to deal with the phosphorus facilities; well, you have four years now, they're saying they are not going to give you sixty months because you've known its coming for a long, long time. So you now have a four year time frame to get the phosphorus stuff done. The four years hasn't started yet.

Dr. Dougherty – In your previous engineering work, did you ever sketch out or think about what it would look like for an expansion; do we have the land to do it, the pipes?

Mr. Coe – No, we haven't but that would be the first step when we got there. Once you have the phosphorus limits, there will be a need for a feasibility study which will really lead to cost estimates.

Dr. Dougherty – So we are going to have the influences of the State and the Planning Board and the Community and possibly the County on the expansion of this plant.

Mr. Kinsella – The Township, when they were doing this, I went to one of their meetings; they are saying do we want to stay Raritan Township or do we want to become like Edison? Like Flemington becoming the Metuchen of Edison; where we just keep growing and become more and more commercial. The sense I got from their discussion is they don't want to do that. There was one member of the Committee who was pushing for that but they are no longer on the Township Committee.

Dr. Dougherty – At this point, I don't think there is anything we have to do. This letter signed by Mr. Del Vecchio is representing the Authority and that's our position.

Mr. Kendzulak, Jr. – The only thing that raises a flag is we start talking about capacity and active projects, the Union Hotel, Flemington Cut Glass, the redevelopment of Agway; Flemington Borough already has their capacity reserved. Why are we even bringing this up in the letter?

Mr. Miller – Because they have three redevelopment projects going on.

Mr. Kendzulak, Jr. - Understood. But they are in the planning stages, they already have reserved capacity.

Mr. Miller – The question is do they have enough? I don't know; I asked that question, the Mayor, Erika Edwards...

Mr. Kendzulak, Jr. – What do you mean do they have enough?

Mr. Coe – They have more capacity than they will ever use.

Mr. Kendzulak, Jr. – I don't think we should have referenced them.

Mr. Kinsella - No one's here from there tonight.

Mr. Coe – I saw their attorney yesterday and he's been made aware of the issue.

Dr. Dougherty – I think what we should do is, who is on the Capacity Committee? Well, we reorganize in February. I think this is something we refer to our Capacity Committee and they can come back with some recommendations and guidance for the rest of the Authority so we can see where we are going with this. I definitely think when we start preparing the budget we'd better start thinking about what it will cost to expand this plant.

Mr. Miller – My question is should we go to step three, this Nick Angarone has requested more detail and Mrs. Wohlleb has the detail, should we follow up and give them the detail or just say this is where we stand?

Mr. Coe – I think the more information you throw out there the worse it's going to get. If they are going to be insistent and say we're not satisfied; it's very unusual, this is a new law and DEP is being very dictatorial in the way they are dealing with this and the County, he won't fight the DEP at all. Historically we have had to argue with DEP to say we, the Authority, don't want to put that area in the SSA.

Mr. Kendzulak, Jr. – How did DEP even get to this?

Mr. Coe – It was driven to be added, I believe by Mr. King, to be included in the SSA.

Mr. Kendzulak, Jr. – So DEP is saying, you put it in why do you want to take it out now? And DEP is reluctant to take it out? Why? Why even have a governing body or an Authority if DEP is going to make some blind decision that has nothing to do with how we want to develop the Township.

Mr. Coe – They say it makes sense because it's zoned for business and commercial. It does make sense to include it based on the zoning.

Mr. Kendzulak, Jr. – And that's the way DEP is looking at it.

3. **Unfinished Business:**

None

4. **New Business:**

None

5. **Professional Reports:**

a) Attorney –

Mr. Watts – I need guidance from the Authority. I don't know how many members remember that a long time ago, for the County Retention Records Building, it had to be sewerred and the sewer line was installed but the County didn't want to give us a Metes and Bounds description so we could do an Easement. It was probably more than five years ago. So we've been at them and at them and in January 2012 I sent another letter to the Architect, Mr. Frank Bell, saying that "it's been two years since you responded to me the last time, here's the Easement, we want you to sign it because two years ago you agreed to sign it because we left the Metes and Bounds description off." We just had it drawn on a map. Mr. Bell is ignoring me, he's ignoring Ms. Nicaretta so I need your guidance on if you want me to go to the County Counsel office or if any members want to contact the Freeholders and say "what's this guys' problem" because this is ridiculous.

Mr. Kendzulak, Jr. – What happens if we don't get an Easement?

Mr. Coe – There are Authority customers upstream that aren't County and this might not be an issue if it was all County because then we could say "you can own the sewer".

Mr. Kendzulak, Jr. – So if any of those houses have a problem with that line technically that Easement gives us the right to go in there and do the work on the County property. So technically we're not allowed to go on the County property to service that line without the Easement?

Mr. Watts – Correct.

Mr. Coe – Is the issue really just getting the Metes and Bounds?

Mr. Watts – No. I took it out. We had a drawing without the Metes and Bounds by their Engineer and said generally this is where we want the Easement. We didn't put them through the extra expense.

Mr. Kinsella – Why do you think they are holding off? Is it a money thing?

Mr. Watts - No, there isn't any money involved. All they have to do is look at it and sign it.

Mr. Coe – They rerouted the sewer which created legally a need for a relocated Easement.

Mr. Kendzulak, Jr. – What if we don't get it, then what's the problem?

Mr. Coe – The Authority has Easements for all their other sewers.

Mr. Watts – There would be an issue where access had to be obtained and if it wasn't just for the County and might be for the upstream people, we would simply say, we're not going to do it and tell the County "you take care of it".

Dr. Dougherty – So basically the engineer from the County is ignoring you.

Mr. Watts – The architect, Mr. Bell; for years and years for no reason.

Dr. Dougherty – Who is his boss?

Mr. Kendzulak, Jr. – I would say probably John Glynn.

Mr. Watts – I think he's left.

Mr. Kendzulak, Jr. – Since it's a legal issue, wouldn't it make sense to send it to the County Counsel and say we've attempted to do this and we're just trying to clean this thing up and could you please facilitate it.

Mr. Watts – I think that's a better way than calling the Freeholders.

Mr. Kinsella – Would it make a difference if I gave him a phone call?

Mr. Watts – Sure, and then I'll send a letter. Just ask him what is he doing? It's not just me; he's not returning any of Ms. Nicaretta's phone calls either.

Dr. Dougherty – Okay, so Mr. Kinsella will try to poke Mr. Bell and if that doesn't work Mr. Watts will go to County Counsel.

b) Engineer -

Mr. Kendzulak, Jr. – How are we doing with the Permit and DEP? What's going on with that?

Mr. Coe – The only open issue right now deals with the Permit at the FWWF and that's in the hands of Ms. Carmeli. We've sent everything in.

Mr. Kendzulak, Jr. – Nothing yet about phosphorus for the Main Treatment Plant?

Mr. Coe – We don't have a draft Permit yet.

Mr. LaFerla – We just sent in the paperwork to start the whole process and it'll be awhile.

6. RTMUA Reports:

- a) Administrative Report - ok
- b) Operations Report
 - 1. Chief Operator's Report - ok
 - i) Overtime Recap - ok
 - ii) Septage / Greywater Recap - ok
 - 2. Laboratory Summary - ok
 - 3. Maintenance Summary - ok
 - 4. Readington Flows - ok
- c) Commissioner's Comments:
None

7. Discussion:

- a) 4th Quarter Capacity Evaluation

Mr. Coe – We talked about capacity a little already tonight but this just indicates another reasonably good quarter. With everything in, you have an excess of a little over half a million gallons of capacity.

- b) Building Demolition Project Bid Results

Mr. Coe – You received two bids on that project and there was a lot of disparity between them. Yannuzzi and Sons had a bid of \$36,750.00 and Drill Construction had a bid of \$119,000.00. It's our recommendation that you award to Yannuzzi.

Dr. Dougherty – Okay, then a resolution for it at the next meeting.

c) Lawn Proposals

Ms. Nicaretta – This is pretty self-explanatory; it's the same guy as this past year.

Dr. Dougherty – Okay, so a resolution for this too at the next meeting.

d) Meeting Dates for Year 2013

Dr. Dougherty – Any concerns about the meeting dates or times for the coming year?

Mr. Watts – You can always change it if it's an issue in the course of the year. You send notice to the paper.

e) RTMUA Commissioners

Dr. Dougherty – Mr. Kendzulak, are you coming back?

Mr. Kendzulak, Jr. – I don't know, I received a verbal confirmation but not an official one yet. I'm good until the end of the month though.

Mr. Watts – You can actually stay until you are replaced.

Dr. Dougherty – This is a reminder of what Committee's each of us is on and I guess just to get ready for the Reorganization Meeting next month. We'll discuss this further in Closed Session in a little bit.

Mr. Kinsella – Just as a note, the new liaison from the Township Committee is Craig O'Brien, the new Committee member.

Ms. Nicaretta – I reached out to him by email and gave him the Agenda for this meeting and let him know when the meetings are.

f) RTMUA Professional Contracts

Dr. Dougherty – We will discuss this in Closed Session.

- g) Change Order Request from DeMaio Electrical Company, Inc. Regarding SCADA Phase II and Main Blower Improvements

Mr. Coe – There is a letter regarding the resolution of four items that have to do with the SCADA / Blower Replacement Project. Some of it is piping issues, things that we determined needed to be done to provide the proper installation, some of it was electrical in nature; there was quite a bit of back and forth with DeMaio on these things and finally resolved at a price of \$66,213.01. The Contract is a little over a million dollars. There was a previous Change Order for the blower; the total Change Order for this job; I'm not happy with it; is about ten percent. It's well within the twenty percent limit but more than I like to see. We do feel the items are justified and we do recommend the Authority approving the Change Order.

Dr. Dougherty – Okay, a resolution at the next meeting for this also. At this time, I'd like to go into Closed Session.

8. Adjourn into Closed Session by Motion, if Needed

Mr. Watts – We will be going into Closed Session to discuss Personnel Matters and Contractual Matters, specifically the Flemington Borough New Service Agreement and we do not anticipate any action once we come out of Closed Session.

Mr. Kinsella made a motion to adjourn into Closed Session for the above stated purpose and Mr. Tully seconded the motion. Closed Session was from 6:00 pm – 7:09 pm.

9. Adjournment of Work Session:

Mr. Kendzulak, Jr. made a motion to adjourn the Work Session. Mr. Tully seconded the motion. All were in favor. The Meeting ended at 7:10 pm.