
RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING MINUTES

FEBRUARY 20, 2014

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	Here
Dr. Dougherty	Absent
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:

None

5. RESOLUTIONS:

REORGANIZATION

Mr. Watts - At this point in the meeting, we will conduct our Reorganization. I will open up to the members the nomination for the position of Chairperson.

Resolution #2014 - 02 Appointment of Chairperson

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 - 02, Mr. Kinsella seconded the motion. All were in favor. Mr. Del Vecchio abstained.

Resolution #2014 - 03 Appointment of Vice - Chairperson

Mr. Del Vecchio made a motion to approve Resolution #2014 - 03, Mr. Kinsella seconded the motion. All were in favor.

Resolution #2014 - 04 Appointment of Secretary

Mr. Tully made a motion to approve Resolution #2014 - 04, Mr. Kendzulak, Jr. seconded the motion. All were in favor. Mr. Kinsella abstained.

Resolution #2014 – 05 Appointment of Treasurer

Mr. Tully made a motion to approve Resolution #2014 – 05, Mr. Kinsella seconded the motion. All were in favor. Mr. Kendzulak, Jr. abstained.

Resolution #2014 – 06 Appointment of Assistant Secretary / Assistant Treasurer

Mr. Del Vecchio made a motion to approve Resolution #2014 – 06, Mr. Kendzulak, Jr. seconded the motion. All were in favor. Mr. Tully abstained.

Resolution #2014 – 07 Establishment of Meeting Dates

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 – 07, Mr. Tully seconded the motion. All were in favor.

Resolution #2014 – 08 Designation of Depositories

Mr. Kendzulak, Jr. made a motion to approve Resolution #2104 – 08, Mr. Kinsella seconded the motion. All were in favor.

Resolution #2014 – 09 Authorization of Signatories

Mr. Kinsella made a motion to approve Resolution #2014 – 09, Mr. Tully seconded the motion. All were in favor.

Resolution #2014 – 10 Designation of Official / Legal Newspapers

Mr. Tully made a motion to approve Resolution #2014 – 10, Mr. Kinsella seconded the motion. All were in favor.

Resolution #2014 – 11 Appointment of Certifying Officer

Mr. Kinsella made a motion to approve Resolution #2014 – 11, Mr. Kendzulak, Jr. seconded the motion. All were in favor.

Appointment of Professionals

Resolution #2014 – 12 Appointment of Auditors

Mr. Miller – Withum Smith + Brown is doing better; we'll see after this year.

Mr. Kinsella made a motion to approve Resolution #2014 – 12, Mr. Kendzulak, Jr. seconded the motion. All were in favor.

Resolution #2014 – 13 Appointment of Consulting Engineer

Mr. Kinsella made a motion to approve Resolution #2014 – 13, Mr. Tully seconded the motion. All were in favor.

Resolution #2014 – 14 Appointment of Legal Counsel

Mr. Kinsella made a motion to approve Resolution #2014 – 14, Mr. Kendzulak, Jr. seconded the motion. All were in favor.

END OF REORGANIZATION

Resolution #2014 – 15 Approval of Proposal for Lawn Maintenance Services

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 – 15, Mr. Tully seconded the motion.

Roll Call Vote:	Mr. Del Vecchio	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

Resolution #2014 – 16 Woodside Farms Pump Station Rehabilitation, Block 40.04 Lot 31; Approval of and Authorization to Execute Sanitary Sewer Easement

Mr. Kinsella made a motion to approve Resolution #2014 – 16, Mr. Kendzulak, Jr. seconded the motion. All were in favor.

Resolution #2014 – 17 Authorization to Execute Agreement for Transfer of Wastewater Treatment Capacity and Assignment of Agreement for Reservation of Wastewater Treatment Capacity, Team Capital Bank to Alpha Tech Holding, LLC, Block 18.01 Lot 12.04

Mr. Tully made a motion to approve Resolution #2014 – 17, Mr. Kendzulak, Jr. seconded the motion. All were in favor.

Resolution #2014 – 18 Authorizing Executive Director to Execute Modified Treatment Works Application, Raritan Junction, LLC (Costco), Block 16.02 Lot 41

Mr. Kendzulak, Jr. made a motion to approve Resolution #2014 – 18, Mr. Kinsella seconded the motion. All were in favor.

Resolution #2014 – 19 Return of L & E Escrow

Mr. Kinsella made a motion to approve Resolution #2014 – 19, Mr. Kendzulak, Jr. seconded the motion.

Roll Call Vote:	Mr. Del Vecchio	-	Yes
	Dr. Dougherty	-	Absent
	Mr. Kendzulak, Jr.	-	Yes
	Mr. Kinsella	-	Yes
	Mr. Tully	-	Yes

6. **Approval of Minutes:** Minutes of JANUARY 16, 2014

Mr. Kinsella made a motion to approve the minutes from the January 16, 2014 meeting. Mr. Kendzulak, Jr. seconded the motion. All were in favor. Mr. Tully abstained.

Mr. Kendzulak, Jr. – Has there been any progress or any word back from the Township with regard to the Health Department or Ms. Sunyak?

Mr. Kinsella – I spoke to Ms. Sunyak yesterday, she said she had a meeting with the Board of Health yesterday but I haven't heard from back from her.

7. **Treasurer's Report / Payment of Bills:**

Mr. Kendzulak, Jr. - The bills totaled \$416,137.06.

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

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

8. Citizens' Privilege:

Mr. Saracini – I'm Tony Saracini, Manager of Environmental Compliance at Johanna Foods. One of the things we wanted to talk about today is a letter that was received by me from Hatch Mott MacDonald (HMM) in January. Mr. Dave Smith who is with me and represents Applied Water Management Natural System Utilities is Johanna's consultant for the work that we are going to be doing to upgrade our treatment plant. In the letter that was written in January from HMM, there were some things that were in the letter that I think were just simply not understood when the TWA was presented to HMM for review. Mr. Smith is going to address that, I don't think that is going to take very long, I think it's pretty simple. After that I thought maybe we could have more of a general discussion about flow with Johanna Foods if that's something you want to talk about at that time and some of the things we have planned for the future and maybe talk about capacity. So that's basically it. I brought a site plan, just for reference because I don't know how many of you are familiar with our site. Johanna Foods is approximately 65 acres of land and there are three major production plants on the site; so what you are looking at here (indicating on plan) is our chilled juice operation, this building here represents our yogurt operation and this building here represents warehousing and our little drink boxes for the kids, that's that operation there. This is actually the site plan that we provided to the Raritan Township Planning Board at the end of last year. What you see in fuchsia is what we presented to them as what we would like done, what we are calling Phase One of our upgrades. The blue represents what we are doing in Phase Two of the upgrades and we don't really need to pay attention to that. We only have to pay attention to this little area, which shows what we're doing with our treatment plant. This is our 1.8 million gallon lagoon; this is our operating area here, where we have our belt press, our operators, all of our stored chemicals, basically operations. Then what you see in the fuchsia is what we proposed to the DEP and to the Township in regards to helping control our odor. This is just enclosing the building where we house the dump trucks and then these three tanks are for the upgrade for the actual system itself. So that's the site and I think I'll hand it over to Mr. Smith now to address the letter unless anyone has any general questions now?

Mr. Kendzulak, Jr. – What's being proposed here is going to address that problem; the odor issue?

Mr. Saracini – Yes, exactly; this is what it's all about. Johanna Foods has entered into an ACO (Administrative Consent Order) with the NJDEP. The way ACO's work is you make an agreement with DEP on what you are going to do to correct the problem and then you have to give them a timeline of how quickly you think you're going to get everything done. So as we move along in the process,

we are at the point where we need approvals from the Township and from RTMUA in order to submit the TWA to the DEP.

Mr. Smith – Our engineer's report along with the application was submitted in December and we received the review in January. We were going to provide a written response but we saw this as an opportunity to get together and have an open discussion about the comments and it may help expedite this process. There were two issues that were raised by HMM during their review process. The letter was written by Nancy Wohlleb and addressed to Bruce Miller. The first is concerning flows. In the letter she references that the average daily flow as reported in our report was 317,000 gallons per day (gpd) and Johanna Foods is permitted to discharge on an average daily basis 270,000 gpd; her comment letter references that the flows are actually exceeding permit value by 47,000 gpd. There is something that wasn't considered and that is that our design is based on influent flow, not discharge. So during our process we lose volume due to evaporation from the lagoon, we lose volume as a result of our sludge holding processes and we also reuse water for non-potable uses. Although the letter is correct about the flows, those are design flows to which we design to, not the effluent discharge. In reality, our effluent discharge is well below permit limitations. The letter suggests that Johanna Foods submit a Class III – B Application for an expansion to the flows but it was incorrectly understood that the influent flows were actually discharge. For that reason, I don't believe that an increase in discharge is warranted at this time.

Mr. Saracini – Sometimes a picture is worth a thousand words, I only made two copies of this, but this will show you over the last two years what our average flow is.

Mr. Kinsella – Mr. Coe, is this okay?

Mr. Coe – This whole procedure is unusual for me. Normally this kind of discussion would occur between HMM and them and we would get it resolved and not have to involve the whole Board.

Mr. Kendzulak, Jr. – I'd like to ask a general question, it seems like you're well below the 270,000 gpd, and this is discharge but when you look at it from a monthly perspective there is a spike here. What happened there?

Mr. Smith – That spike is related to the maximum day of discharge.

Mr. Tully – This is over a period of how long?

Mr. Smith – Over two years, on one or two occasions' we exceeded the maximum day limit.

Mr. Kendzulak, Jr. – Why would that be?

Mr. Saracini – That could just be a very high production day.

Mr. Smith – It was just slightly above. The improvements we are making to the plant will help reduce that.

Mr. Kinsella – Do those have anything to do with any of the specific odors that were released at those times?

Mr. Smith – That's a good question. Basically, what was happening with the existing process, is the lagoon was being over loaded. It couldn't maintain a positive DO (dissolved oxygen). So as a result there was odor causing bacteria that would generate as a result of the conditions. You can call them septic if you like but that was essentially the generation of odors and obviously that occurred during summer months when oxygen transfer is reduced. What we are employing into our design is what we call a CFIC (continuous flow – intermittent cleaning) tank it's basically a MBBR (membrane bio reactor) tank and it's going to oxygenate the wastewater and it is also going to remove sludge. The oxygen and the removal of solids will help decrease the load on the lagoon; help it produce a positive DO thereby reducing odors.

Mr. Kinsella – When the system is completed, will it be a completely captured system as far as the influent?

Mr. Smith – Absolutely. Not a drop of influent goes to the lagoon without going through the CFIC. Just playing devil's advocate, if there were something catastrophic that happened to the CFIC there would be a bypass that would go through the lagoon but that would be only in emergency conditions and very rare.

Mr. Kinsella – This was all discussed at the Planning Board and everything was resolved?

Mr. Smith – Correct; in addition to flows, the other issue that was brought up was the need to monitor TKN and phosphorus; I would agree if nitrogen and phosphorus loads were a concern but at this particular facility it's all carbonaceous BOD (biochemical oxygen demand) which we're dealing with, it's citrus acids, fruit juices, things of that nature. We are actually nutrient deficient so we are adding urea to sustain the process and we are adding phosphoric acid to sustain the process as well. The need to monitor TKN and phosphorus we don't feel is really necessary at this time, we intend to operate and report under the current NJPDES permit requirements. Other than that, comment number two says that "neither HMM or RTMUA have evaluated the plant design, design basis or drawings...".

Mr. Coe – We don't intend to.

Mr. Smith – That's all I have, if there are any more questions I'd be glad to answer them.

Mr. Kinsella – The word phosphorus keeps coming up, what is the long term implication for us in case there are phosphorus limitations?

Mr. Coe – I think it would still be worthwhile to know what the ammonia and phosphorus is; maybe we don't sample forever but show us what it is. You say you're adding phosphorus and nitrogen.

Mr. Del Vecchio – If you're adding phosphorus and nitrogen you have to be running at a certain effluent level in order to know that you're maintaining certain phosphorus and nitrogen levels in there. It's probably less than or somewhere around 1ppm or less to at least know there is enough in there to make all the biology run.

Mr. Smith – We are maintaining I think a 100 to 4 to nitrogen ratio and a 100 to 1 BOD to phosphorus.

Mr. Coe – That is less than what normally comes into the plant so just show us that.

Mr. Saracini – If the RTMUA wants to see that then Johanna won't have a problem, we'll be able to show it; we can do a three month sample and be done with it; it's not a problem.

Mr. Del Vecchio – I'm sure you're controlling it and the process around it because you don't want to add more than you need to anyway.

Mr. Kendzulak, Jr. – What is the timeline for actually implementing this and getting this in place?

Mr. Saracini – Assuming we get through the process quickly; it's really in the hands of the DEP and their ability to look at the TWA. We are hoping to be operational this year. Estimates are September 1 assuming everything goes fine from this point forward but I almost hate even saying that on record because there are so many variables.

Mr. Del Vecchio – What are you employing for an odor control system?

Mr. Smith – For the proposed, it's an impregnated carbon unit.

Mr. Del Vecchio – So it's a vapor based carbon. How big is the MBBR?

Mr. Smith – It is a couple hundred thousand gallons. It normally operates at a high level and then when the solids get to a certain point there is a connection on the tank that allows sludge to discharge by gravity to a sludge holding tank which is right next to it.

Mr. Coe – I don't see any reason to hold up your TWA, if the Authority wants to authorize Mr. Miller to sign it that's fine. Part of the reason for the letter and even this meeting, we used to talk about flow and we have some inconsistency in the history or the lack of some good information about how much flow Johanna Foods has and we have been saving a certain amount of allocation for Johanna Foods and we don't know for sure if it's the correct amount; we think it is but I think with a new Agreement in place everybody would be on the same page and I think it would be a good thing.

Mr. Del Vecchio – At least for the TWA issue, is there any problems with any of the Commissioner's with letting Mr. Miller sign it so they can keep going and not get in trouble with the DEP?

Mr. Watts – We are still in Regular Session so we can do it by verbal Resolution which we will commemorate. It would be appropriate to pass the Resolution.

Mr. Del Vecchio – Okay, motion to approve?

Mr. Kinsella – Moved.

Mr. Kendzulak, Jr. – Second.

Mr. Del Vecchio – All those in favor signify by saying aye.

All said aye.

Mr. Del Vecchio – The ayes have it. So now we are on to capacity.

Mr. Saracini – I'd like to keep this a very candid talk if that's alright. Here is what Johanna has planned for the next year or so. We are going to be adding a couple of lines for our juice plant. We just got a big contract with a major player in the industry where we'll be making what's called "naked juice". It's becoming very popular so that's one of the things we're doing and then we are also going to be trying to ramp up our yogurt business over the course of the next year. I think the idea of increasing flow to your point is a great one, especially if you're reserving capacity for Johanna. In talking with Mr. Facchina, one of the things we were thinking was upping the average and max flow 150,000 gallons to each side from a permit standpoint, which takes it from 270,000 to 420,000 and from 400,000 to 550,000; assuming that there is capacity for that. Now that maybe a little bit higher than we will need over the course of the next year even two, but I think in the long run if we continue to grow the way we have been it's probably a smart move. That's just numbers I'm throwing out there to see if that sounds like what you were looking for or what you think about that.

Mr. Del Vecchio – I'll go backwards for a second, you're designing a wastewater treatment upgrade so what's the maximum flow it's designed for?

Mr. Smith – It's designed for an average of 400,000 gallons per day but it's got some conservatism factored into it.

Mr. Del Vecchio – So if you were to up your flow to where you want; you'd actually be higher than the design of the new wastewater treatment upgrade.

Mr. Smith – By a small portion but like I said there is some conservatism in the design.

Mr. Del Vecchio – Well there is usually conservatism; anybody who designs a wastewater plant has conservatism but you have to state the capacity.

Mr. Saracini – We also have the ability to add media to the MBBR to up that number. We are not really publicizing that yet but it's definitely an option we've built into the design.

Mr. Del Vecchio – I think part of my standpoint would be, even if there was capacity here, we would want to know the pretreatment facility has the capability of pretreating the amount of capacity that we are allowing.

Mr. Saracini – I completely agree.

Mr. Del Vecchio – Mr. Coe, you can jump in if you want. There is a certain amount and so many cubic feet of MBBR media you can add to increase the capacity. What we probably want to see as we get into these talks is the conservatism on paper. We want to know that if you're going to go that high, and we give it to you, how are you going to get there with the plan? We want to know that plant is not undersized for the load you want us to give you. If all the pumps and chemical needs and the MBBR and the lagoon can take it, then it becomes a matter of how much we can take here. My concern is that the over load ends up here.

Mr. Coe – The Authority's practice has been and I don't see myself why there'd be any deviation, to provide the kind of capacity you're proposing, it means that we have a competitive point system. You would have to compete with others and see if you got the points. You have certain advantages under the current point system; industries have advantages over residential to a certain extent. Existing facilities have advantages over non-existent facilities; the fact that you're already hooked into the Authority gives you an advantage in the point system we have in place. I would think you would do well in the point system but the Authority has to decide that they are going to make the whatever the number is available.

Mr. Watts – Unless the Authority looks at this as a modification of an existing agreement. I would think it should be treated like anyone else who comes in; some information needs to be given to Mr. Coe so he can look at it and say yes, there is a need for that and there is a way to treat it and there is a way to pretreat it before it comes to us and if we get beyond those points that we know that if we increase the flow and it goes up to that point it's not going to cause an upset to our plant. Once that is determined, then the Authority can make a determination how to go forward, whether it feels it can modify the existing Agreement for an increase or whether it wants to go through the point system allocation. I think we need to show for the points you raised Mr. Chairman, about whether we can sustain the increased flow.

Mr. Del Vecchio – What time frame are you looking to get to 420,000 as an average?

Mr. Saracini – 2016?

Mr. Del Vecchio – So it's not an immediate thing which gets you passed what you have to do now. It's something where we may want to sit down and spend some time and look at what you have there and what you're putting in and put everything together from what the expected influent and effluent at 420,000

gallons per day through that treatment plant is and show that it has the capability to treat, pump and do all that good stuff, that would probably be a very good backup for what you are asking for the increase in flow. We want to see all of that.

Mr. Saracini – Sure.

Mr. Del Vecchio – Besides justifying the flows, knowing that you can treat it there.

Mr. Kendzulak, Jr. – The 2016 date, that includes the expansion of the colors of what is on the plan, does that mean that those things will be in place at that time?

Mr. Smith – The treatment plant expansion will be.

Mr. Saracini – Anything in fuchsia should be done by then. We are probably going to see some increase by the middle of this year, whether or not we need to ask for a smaller amount of increase and maybe take it in steps. We'll have to determine that but I think it's a ramp up process.

Mr. Del Vecchio – Do we have a sampling station there?

Mr. LaFerla – Yes.

Mr. Del Vecchio – So in theory we could do a split sample if we wanted to periodically and check it?

Mr. LaFerla – We just did today.

Mr. Kinsella – In the future does Johanna see this site as sufficient for its needs or are you thinking about expanding the site?

Mr. Saracini – Well, we're definitely out of space on this site without going for a variance. We are at about 54.8 percent and I think you're allowed 55 percent. I can tell you that Mr. Facchina, from what I know of, doesn't have plans to expand the site. I think if we need to increase production, it will be done via technology but I certainly can't speak for him on if he plans on building on another area in the Township, I don't know. Do you think it would be wise, if you think we might run up against flow demands earlier to ask for a much more modest increase now or do you think that's a bad idea?

Mr. Coe – Two years is not a long window in wastewater. We haven't had a point system allocation in two or three years so it doesn't come around that often. My own feeling is, if you're talking within two years, you ask for what you need two years out because you have to do planning too; you have to build some stuff, you need to know you're going to have capacity before you invest in all that stuff.

Mr. Del Vecchio – I would say the first step, unless the other Commissioners have another thought, is you know what you're putting in now for wastewater treatment, you know where you want to go forward, is to put together some document for us to review, showing here is all of the current flow and BOD and everything else; here is the anticipated flow at 420,000 we anticipate this

coming in, here is how everything is sized. I'm sure you've done all the engineering and the technical size of everything so if you show us how you sized the reactors and sized everything and everything meets the treatment capacity there then it's just a matter of allocating the flow. The first thing is to just for our engineer and our Board, is to satisfy us that everything you are doing now with the plant, that it is fully capable of taking 420,000 gallons per day; it's not just the hydraulic, it's the actual mass load of BOD to the plant so when you go to 420,000 gallons is your BOD mass load going up the equivalent amount or is it going down because you have more wash water. So it's a mass loading calculation to the plant. Those are the kind of things that we probably want to see; that it can handle the mass load that it can handle the BOD and your backup is to add more MBBR media which for the guys who don't know what it is, it's little plastic chips that float in the water and hold all the bacteria and it gives you more surface area.

Mr. Saracini – They look like honeycombs.

Mr. Del Vecchio – Who's MBBR are you using?

Mr. Smith – Bio Water.

Mr. Del Vecchio – We're not going to tell you what to do at your wastewater plant, we just want to see how you put it together and make sure from our standpoint it looks like everything you did looks okay and there's enough capacity in the plant to treat what you are going to do. Then we can talk about having any capacity.

Mr. Saracini – Johanna would have no issue at all showing you what you whatever you need. Definitely not a problem.

Mr. Del Vecchio – Mr. Coe, there isn't any problem with the infrastructure there, the piping and everything?

Mr. Coe – Not that I'm aware of, it is something that should be looked at probably.

Mr. LaFerla – There is a section of pipe on their property about 500 feet long that should be TV'ed and looked at to see if it needs to be replaced or repaired.

Mr. Coe – That goes to Pump Station #1 I presume?

Mr. LaFerla – Yes, it goes to Pump Station #1.

Mr. Coe – That wouldn't have a problem with capacity. Do you know whether they connect with an eight inch line or bigger?

Mr. LaFerla – I think it's bigger but I'm not positive.

Mr. Coe – 400,000 gallons per day is the upper end of what an eight inch pipe can handle.

Mr. Del Vecchio – You have to remember he's talking about an increase in the max. The max you want it to go is 550,000, so the lines you'd have to look at have to be able to go to 550,000. These are all the things we need to look at. I

would suggest, put together some sort of technical document for us to review to justify the increase based on that the plant has the capacity to treat it, I would also suggest looking at your lines going off your plant and making sure that your lines are big enough to handle the max flow at 550,000 and then we can take a look at it; I'm sure the line is big enough but we might as well check and see where we end up and if everything is fine with that and once we have that we can start getting the other thing going and that I think could happen relatively quickly.

Mr. Saracini – I was going to ask how long that process normally takes.

Mr. Del Vecchio – If what you give us is good and we can for what you need, if you tell us you need it right away then we can probably convene a point system.

Mr. Coe – See what the options are, that would be the first thing.

Mr. Watts – See if you need the point system or not.

Mr. Del Vecchio – We can start looking at that, at least we know what the numbers are, they can give us their information and then once we review that we'll look at our side and maybe we have another chat.

Mr. Saracini – I think that's a great idea.

9. Adjourn into Closed Session by Motion, if Needed

10. Adjournment of Regular Meeting:

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

RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
WORK SESSION MINUTES

FEBRUARY 20, 2014

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:**

None
3. **Unfinished Business:**

None
4. **New Business:**

None
5. **Professional Reports:**
 - a) Attorney - none
 - b) Engineer - ok

Mr. Coe – We did have a meeting with a company that sells a product and they are going to send us a proposal; we'll see what it says and then we'll share it with you.

6. RTMUA Reports:

a) Administrative Report - ok

b) Operations Report

1. Chief Operator's Report

Mr. Del Vecchio – Mr. LaFerla, can you tell us about the flood?

Mr. LaFerla – Last Monday, the guys had been down in the return building earlier bleeding a pump that had gone air bound; they came up and within half an hour they started getting alarms from the building. They go down there and the basement is half full of water, sludge etc. They went to close the valves and by the time they got the valves closed the basement was about a foot from being full. Everything down there was under about ten feet of water. Luckily we had two spare motors for the return pumps and a spare motor for the wasting pumps so the guys got it pumped out and we replaced the motors within a couple of hours. Nothing went to the river. We took the motors out, we sent them out to be baked, they got baked and then tested and they all came back good. The only thing is the actuators and mag meters for the SCADA were under water so ACS is in checking that stuff out. We got some of the mag meters working again. Mrs. Struening and I filled out the paperwork for the insurance company and that's where we stand right now. I talked to ACS and we're going to talk about a water in the basement alarm type thing because of the SCADA.

Mr. Tully – What was the cause?

Mr. LaFerla – The wasting pump has a ball check valve that has a cover that sits there and slides back and forth and there's a bolt that holds it down; the bolt snapped and when it snapped the ball came up and the clarifier was just draining through a ten inch pipe right into the basement.

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:

Mr. Kinsella – I received a call last week from Mr. Oliver Elbert, Township Committeeman and he was talking about proposed high density housing for the Township. There isn't anything in the works right now but the developer is proposing a couple hundred apartments on the US Bronze site. The second one is by another developer who is thinking about one on Case Boulevard where the O-2 zone is by J.P. Case, between that and the highway. They were thinking about some high density housing too but they met with the Planning Board, and said maybe they wouldn't go that route but maybe there would be some single family houses, maybe thirty houses being proposed instead.

Mr. Mangin – Yes, we're not sure. It's actually the property that abuts the industrial property, the ninety – two acres by the Greek Church.

Mr. Kinsella – The other thing I was told and this is just a rumor, the property that Kalafer owns on South Main Street which was going to be the big Circle Buick Dealership, there's a concept of high density housing over there. The only reason I bring this up, and I spoke to Ms. Sunyak yesterday about this, and she said there isn't anything right now, no applications have been made, it's just ideas that are being circulated. If we are supposedly committed to sewerage the existing homeowners in the Township; sooner or later somebody is going to be coming in with an application for housing and maybe some high density housing and we're already committed to sewerage a certain area of the Township under the Sewer Service Area (SSA); what is our position on this? My thought was if there are going to be applications coming in for high density housing how do we approach this when we're already committed to something else. There is nothing tangible in front of us, however...

Mr. Kendzulak, Jr. – Wasn't that done as part of the WMP that looked at a future analysis?

Mr. Coe – The future analysis was based on current zoning and it sounds like all of this stuff... (many people talking at once)

Mr. Kinsella - ...it would all have to be zoned changed. Now the Master Plan isn't up for review until 2018; none of this would be allowed under the current Master Plan. I just want to give a head's up on what may be coming.

Mr. Coe – Historically, this Authority and I think most Authority's take the fact that they will follow the lead of the Township fathers and the Planning Board and tell us what you want the Town to look at and we'll find a way to find wastewater treatment for it. Depending on what they want to do, if they want to do it all and they want to sewer everything, and if that's what they want, yes, you would be talking about a plant expansion. Ultimately it's between the Planning Board and to a certain extent DEP has its nose in it and got into this thing of build

outs and so forth and saying show us what your build out is and if your build out is too big, change the zoning so it fits in your plan. It depends on what the Township decides what it wants to do; I think the Authority sits back and waits.

Mr. Kinsella – I understand that but it seems if there are certain proposals coming out of the woods here, for higher density housing, something we haven't seen in years; the Township hasn't had to deal with anything like this in quite a while. If this is what's in the wind, we should be thinking about it. How do we deal with something like this?

Mr. Tully – How long would it take for us to expand the plant? If you were going to do all this; overlap wise? What you're taking about Mr. Kinsella, it is only four years away but if the plant takes five, there's going to be a gap in there somewhere.

Mr. Kinsella – Anything can be done in the Board of Adjustment.

Mr. Del Vecchio – Again, we are talking a long term look here, there's nothing even on the table; these things might not get proposed. We're talking five years, seven or ten years down the road probably.

Mr. Kinsella – I was told that the one developer has a builder in mind that this was discussed with.

Mr. Mangin – Mr. Del Vecchio made a good point, there's nothing out there yet. The developer wants to do things the governing body is not in favor of. They want to come to us and make the Bronze industrial property an area in need of development. They bypass the Zoning Board and they come right to the Planning Board with a set of plans and there you go. It happened in Princeton Borough, they got the Borough Committee in favor of that and then they went to the Planning Board and spent a lot of money and the Planning Board shut it down and they turned around and sued the Town; and they are winning that suit right now as far as I know. We're not really happy with that and I don't think we are even going to entertain that right now. The other developer has deep pockets and they are willing to go in front of the Board of Adjustment, for the 92 acres and present something but they said in the future. We can't stop somebody from doing that; will they win that, will it be the size they want? We don't know. The first impression the first developer gave us was over 325 units on Route 202. Those are upscale apartments that they want to build with one to three bedrooms. Of course they have their engineers lined up to say things like it will only add twenty cars to Route 202 in the morning for 300 units. They've done nothing to work with the Department of Transportation (DOT) who is looking at that whole corridor between the Flemington Circle and the Somerville Circle. Why don't they do something with mass transit that takes cars off the road, why don't they do a village with retail with these apartments, so if someone needs a pack of cigarettes or milk, they won't have to drive out of the development. They are going to put two outlets on a massive development all going out to Route 202

and then you have to take a U-turn to go to Shop Rite. They are there and they are not going away right now; they are very persistent. They didn't get what they wanted when I was Mayor, there's been a change in Mayor and they came back again. I think Mr. O'Brien feels the same way I do and the whole Committee is concerned. At the point where they do things legally, we have to accept an application somewhere along the line. I think the owners of Bronze, have moved their plant to Pennsylvania, they've moved everything out, the plant is pretty much a shell, it's only used for some warehousing right now and they want to sell it. Of course we don't have an industrial customer to take their place.

Mr. Kinsella – What is the school situation right now? Is the school population diminishing?

Mr. Mangin – There's reduced class amounts. But, you look at two major developments and then you have higher amounts, you'll be short police.

Mr. Del Vecchio – It's going to tax everything within the Township; schools, police, fire department and probably us.

Mr. Kendzulak, Jr. – Part of what is going to drive it is capacity. Certainly you have Johanna Foods and from a ratable perspective you want to accommodate them, they have a need there, it's a good thing for the Township and they are looking to take some excess or reserved capacity that we have. Then it goes back to what Mr. Kinsella had said, you have different people from existing developments that are coming in, whether it goes down that road or not, that are saying they might need to be sewerred, should we be socking away capacity to accommodate them? I don't know, I haven't looked at the numbers in a while, how much do we have to accommodate Johanna Foods and to accommodate any other obligations that we may have along the line. When you start looking, that may be a way to meter any kind of high density development that we have here. From the public safety perspective, if you have failing septic systems, we have to keep that aside because what is the alternative? Expand the plant; where is that money going to come from?

Mr. Kinsella – I just think in our minds we should have some kind of priority situation and obviously Johanna Foods is number one.

Mr. Tully – They are ready to go tomorrow.

Mr. Kinsella – They are a major player here, they are the biggest tax payer in the Township and they pull their weight. But if we have obligations to existing homes in the SSA, and if it comes down that way, I think these future developers have to know that they are going to have to get to the end of the line.

Mr. Del Vecchio - Mr. Coe, based on the current Management Program, say it was 300 something units, I don't think we have that much excess capacity anyway.

Mr. Coe – The 300 units is in the magnitude of 100,000 gallons a day. The last quarter, we had 700,000 gallons a day. But you're highly variable from quarter to quarter unfortunately some people like to think of this as money in the bank, how much do you have left in the bank; well, unfortunately with the leakage into the sewer system, every month there seems to be lost money. With respect to Johanna Foods, we've been reserving 61,000 gallons per day outside of what they've been giving us; if they need a 150,000 you need to come up with 90,000 more. For every 300 homes that's another 100,000 gallons per day.

Mr. Del Vecchio – We could in theory though, if you looked at everything that's in the Wastewater Management Plan (WMP), if we had to sewer all of the rest of the houses that are in the SSA, if you were to turn all of that on, when they do the WMP, we would probably be tight then.

Mr. Coe – Right. You may want to direct me to count up all of the homes in the SSA that aren't sewered and put a line item in this listing that says we are going to reserve 300 gallons for every one of those homes; that would not be an unreasonable thing to do if you have an expectation that sooner or later you are going to need to provide service to those homes.

Mr. Kendzulak, Jr. – So what is the mechanism here when it comes down to the DEP and the WMP; basically that's in place based on the current zoning so obviously these proposed developments are in an O-2 zone and there would have to be some kind of zone change. It's not like when you're getting a variance for one house on one lot. What happens to the WMP; that would have to be modified?

Mr. Coe – We are on new ground here, the DEP changed the rules, they wanted a new plan and a new build out analysis but then at least in this County and I think actually most Counties, it kind of stalled out. They put a map together, they didn't redo the build out analysis based on the new maps and now the timeline has been extended again, I don't know until when and I don't think anyone is working on it.

Mr. Mangin – I think what we can do on our part is if a third party starts to get up to speed and comes in with some concrete ideas and comes to the Township, the Planning Board or the Board of Adjustment, I think the Committee will let you guys know and maybe you should have a representative there to listen in and tell us first hand. If we get any heads up, I can let you guys know ahead of time. Right now it's really not concrete.

7. Discussion:

- a) Board of Commissioner's Authorization for Mr. LaFerla and Mr. Miller to Attend AEA Spring Utility Management Conference, March 11 – 12, 2014 in Atlantic City

Mr. Del Vecchio – This is budgeted for?

Mr. Miller – Yes.

Mr. Del Vecchio – Okay.

- b) Commissioner & Attorney Attendee Confirmation for AEA Spring Utility Management Conference in Atlantic City, March 11 – 12, 2014

Mr. Del Vecchio – I'm not sure yet.

Mr. Kendzulak, Jr., Mr. Tully, Mr. Kinsella and Mr. Watts declined.

- c) Board of Commissioner's Authorization for Mr. LaFerla, Ms. Loudon, Mr. Miller and Mr. Schneider to Attend 2014 NJWEA Annual Conference in Atlantic City, May 12 – 16, 2014

Mr. Del Vecchio – Again, this has been budgeted for?

Mr. Miller – Yes.

Mr. Del Vecchio – Okay.

- d) Johanna Farms Discussion

Mr. Del Vecchio – This was previously discussed.

- e) Signing of Documents (Signatories Sheet)

8. Adjourn into Closed Session by Motion, if Needed

9. Adjournment of Work Session:

Mr. Tully made a motion to adjourn the Work Session. Mr. Kinsella seconded the motion. All were in favor. The Meeting ended at 6:16 pm.