

**August 17, 2011**

The Regular Meeting of the Hanover Sewerage Authority, County of Morris and State of New Jersey, was held on Wednesday, August 17, 2011 at 9:31 in the evening, prevailing time, at the Municipal Building, 1000 Route 10, Whippany, New Jersey.

PRESENT: Chairman Schleifer, Members O'Hare, Fariello, and Galacki; Liaison Sheridan; Michael C. Wynne, P.E., Executive Director; Silvio Esposito, Treasurer and Christopher Falcon, Esq.

ABSENT: Member O'Brien

**STATEMENT OF PRESIDING OFFICER**

Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Act by posting written notice and agenda of the meeting on the Bulletin Board in the Municipal Building, 1000 Route 10, in the Township of Hanover, and by informing the following newspapers:

HANOVER EAGLE/REGIONAL WEEKLY NEWS  
MORRIS COUNTY DAILY RECORD

And by filing same with the Township Clerk.

(Signed) Joseph Schleifer,  
Chairman

The Executive Director, Michael Wynne, noted that the following correspondence was received:

**1. MARAZITI FALCON HEALEY**

- a. 08/08/2011 Email re: Environmental Compliance Agreement

**2. HATCH MOTT MACDONALD**

- a. 07/13/2011 Letter re: Soil Erosion and Sediment control Application
- b. 08/15/2011 Letter re: Whippany Village Phase II – The Executive Director asked for a motion to concur and approve the subject project. Member O'Hare made a motion, Member Galacki seconded; there was unanimous approval.

**3. DCA**

- a. 06/08/2011 Resolution re: NJEIT Schedule
- b. 06/27/2011 Certification of Amended Budget

**4. STATE OF NEW JERSEY**

- a. 06/23/2011 Letter re: NJEIT Review of Bid Documents
- b. 06/24/2011 Letter re: TWA Carleid, LLC
- c. 07/08/2011 Letter re: TWA Approval Carleid, LLC

**5. MORRIS COUNTY SOIL DISTRICT**

- a. 07/27/2011 Notice re: Certification

**6. NACWA**

- a. 08/01/2011 Letter re: Platinum Peak Performance Award

**7. PROOF OF PUBLICATION**

- a. 06/28/2011 Star Ledger re: Resolution No. 43-11 Rate Schedule Amendment
- b. 06/30/2011 Hanover Eagle re: Resolution 43-11 Rate Schedule Amendment
- c. 06/30/2011 Hanover Eagle Adoption of Bond Resolution
- d. 07/21/2011 Star Ledger re: Contract 2011-1 Sludge Hauling

**8. RESOLUTIONS**

Chairman Schleifer offered the following resolution and moved its adoption.

**RESOLUTION NO. 48-11**

**BE IT RESOLVED by the Hanover Sewerage Authority in the Township of Hanover, County of Morris and State of New Jersey as follows:**

- 1. The Chairman is authorized and directed to sign new or revised Service Agreements in the form approved by the Authority with the following as shown on the Tax Map of the Township of Hanover.

**OWNER**

**BLOCK/LOT**

25-35 Airport Rd., LLC	4901 / 17
EI2 Ridgedale Avenue Inc.	1101 / 9
Cedar Knolls Plaza, LLC	2502 / 1

- 2. **This Resolution shall take effect as provided by law.**

DATED: August 17, 2011

HANOVER SEWERAGE AUTHORITY  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

ATTEST:

Member O'Hare seconded; there was unanimous roll call approval.

AYES: Chairman Schleifer, Members Galacki, Fariello and O'Hare

ABSENT: Member O'Brien

Chairman Schleifer offered the following resolution and moved its adoption.

**RESOLUTION NO. 49-11**

BE IT RESOLVED, by the Hanover Sewerage Authority, County of Morris and State of New Jersey.

1) The employment of the following individual, in accordance with Resolutions No. 35-11 and 36-08 at the classification and rate of pay listed below be confirmed:

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DATE</u>	<u>HOURLY RATE</u>
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Thomas Vogt	Summer Help	07/05/2011	\$10.00
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2) Employment of the above named individual as summer help is made on a temporary basis to a student who will be returning to school in the fall of 2011.

3) A copy of this Resolution shall be transmitted to the Treasurer for his records and necessary action.

DATED: June 22, 2011

HANOVER SEWERAGE AUTHORITY  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

ATTEST:

Member O'Hare seconded; there was unanimous roll call approval.

AYES: Chairman Schleifer, Members Galacki, Fariello and O'Hare

ABSENT: Member O'Brien

Chairman Schleifer offered the following resolution and moved its adoption.

**RESOLUTION NO. 50-11**

**WHEREAS**, Michael C. Wynne, P.E., Executive Director of the Hanover Sewerage Authority has applied to the Authority for a reimbursement request for accumulated unused vacation days since 2007; and

**WHEREAS**, the Personnel Subcommittee of the Authority considered the matter and recommended that the sum of \$34,520.08 be paid the Executive Director, together with entitlement to two additional vacation days per year in each of the five years commencing in 2012, on an annual use or lose basis; and

**WHEREAS**, the Authority concurs with the recommendation of the Subcommittee;

**NOW THEREFORE, BE IT RESOLVED** by the Hanover Sewerage Authority in the County of Morris and State of New Jersey on this 17<sup>th</sup> day of August, 2011 as follows:

1. The Authority Treasurer is authorized to process for payment to Michael C. Wynne, P.E., the sum of \$34,520.08 subject to applicable taxes, and benefits contributions, if any.
2. The payment authorized herein is subject to the execution of an Agreement in the form annexed hereto, on behalf of the authority, by its Chairman and Michael C. Wynne, P.E.
3. This Resolution shall take effect as provided by law.

AUTHORITY  
DATED: August 17, 2011  
  
ATTEST:

HANOVER SEWERAGE  
  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

Member O'Hare seconded; there was unanimous roll call approval.

AYES: Chairman Schleifer, Members Galacki, and O'Hare

Nayes: Member Fariello

ABSENT: Member O'Brien

Chairman Schleifer offered the following resolution and moved its adoption.

**RESOLUTION NO. 51-11**  
**TO AMEND THE RATE SCHEDULE OF THE HANOVER SEWERAGE  
AUTHORITY PERTAINING TO THE CALCULATION AND TIME OF  
PAYMENT OF CONNECTION FEES**

**WHEREAS**, the Hanover Sewerage Authority (hereinafter “the Authority”) is authorized by the Sewerage Authorities Law (N.J.S.A.40:14A-7) to make and enforce rules and regulations for the management and regulation of its business and affairs, and to amend the same from time to time; and

**WHEREAS**, there is a need for the Hanover Sewerage Authority (“the Authority”) to revise and amend the Regulations, Specifications and Rate Schedule of the Authority pursuant to N.J.S.A.40:14A-8, and more particularly Appendix I, Charge System and Fees to incorporate revisions required to those provisions pertaining to connection charges;

**NOW, THEREFORE, BE IT RESOLVED** by the Hanover Sewerage Authority in the County of Morris and State of New Jersey on this 17th day of August, 2011 as follows:

1. Appendix I of the Regulations, Specifications, and Rate Schedule of the Hanover Sewerage Authority entitled “Charge System and Fees” and more particularly Section 3 thereof entitled “Connection Charges” is hereby amended by the amendment of Subsections (c) and (e) and the addition of new Subsections (f) and (g) as follows:
  - c. Residential Units – the Connection Fee for residential units shall be the basic connection charge as hereinafter provided except for dwelling units existing prior to 1962 which shall be charged \$100 for each residential unit in the building to be connected.
  - e. Time of Payment – The Connection Fee shall be paid at the time of the issuance of a Construction Permit for construction of a sanitary sewer for the purpose of eventual connection to a Public Sewer. In the event that construction has not started within the term of the Connection Permit and the Authority or NJDEP imposes a connection ban and/or ceases the endorsement/issuance of Treatment Works Approvals pursuant to N.J.A.C.7:14A-22.1, et seq or a successor regulation, then

the Connection Fee shall be payable upon the occurrence of such event.

- f. Credit for Lot Merger – In circumstances where one or more properties/tax lots are merged into one tax lot for the development of a new project, the party responsible for the payment of the Connection Fee shall receive a credit relating to the calculation of the applicable connection fee, equal to the connection fee or fees previously paid or the connection fee and allocated flow applicable at the time the building sewers were capped, whichever is greater, on any lots associated with the amalgamation of lots to form the new merged lot.
- g. New Connection Fee following Permanent Vacancy – In circumstances where 1) a use has been abandoned and a sewer line has been capped upon Permanent Vacancy pursuant to this Appendix I, Special Provisions Related to Rates, Subsection 5 – Adjustment of Service Charge due to Permanent Vacancy of Property Unit, and 2) use of the subject property is later reinstated and renewed for the same or a new use, the party responsible for payment of the Connection Fee shall pay based upon the difference between the current Connection Fee calculated in accordance with the Rate Schedule then in effect and the Connection Fee which would have been charged in the year that the prior use was abandoned and the sewer line capped.

- 2. Appendix I of the Regulations, Specifications, and Rate Schedule of the Hanover Sewerage Authority entitled “Charge System and Fees” and more particularly Section 5 entitled “User Charge System” is hereby amended by the amendment of Subsection 5 (c) entitled “Special Provisions Related to Rates” and Subsection 5 thereof to read:

5) Adjustment of Service Charge due to Permanent Vacancy of Property Unit:

- a) A customer-owner of a property unit being served by the sewer system shall be eligible for an adjustment of the annual service charge when said property unit has become destroyed or in other ways has been rendered in such a condition as to be ineligible for a Certificate of Occupancy and when the owner officially applies for adjustment of the service charge by submitting a certified written statement to the Authority stating when said property became permanently uninhabitable as determined by Township construction, fire or health officials and when the sewer line to the property is/was capped at the property line.

- b) The adjusted charge shall consist of only the unit facilities charge calculated in accordance with Section 5 (a) entitled “Basis of User Charge” and Footnote (a).
3. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not effect other provisions of the Resolution and to this end the provisions of this Resolution are declared to be severable.
4. A copy of this Resolution shall be published in accordance with N.J.S.A.40:14A-8 and a hearing held thereon during the Regular Meeting of the Hanover Sewerage Authority on September 27, 2011 to commence at 8:30 p.m. at the Hanover Township Municipal Building, 1000 Route 10, Whippany, New Jersey.
5. This Resolution shall take effect as provided by law.

DATED: August 17, 2011 HANOVER SEWERAGE AUTHORITY

Member O’Hare seconded; there was roll call approval.

AYES: Chairman Schleifer, Members Galacki, Fariello and O’Hare

ABSENT: Member O’Brien

Chairman Schleifer offered the following resolution and moved its adoption.

### **RESOLUTION NO. 52-11**

WHEREAS, the Hanover Sewerage Authority (hereinafter the “Authority”) has entered into Contract 37, Digester Improvements, with MBE Mark III Electric, Inc. (MBE); and

WHEREAS, the initial contract amount was \$2,745,000.00; and

WHEREAS, the Authority has reviewed the Request for Change Order filed with the Authority by the Executive Director in support of Change Order No. 4; and

WHEREAS, the Authority is satisfied that the proposed Change Order is justified and meets the requirements of N.J.A.C. 5:30-11.8 et seq; and

WHEREAS, the Treasurer has certified that funds are available,

NOW, THEREFORE, BE IT RESOLVED by the Hanover Sewerage Authority in the County of Morris and State of New Jersey on this 17<sup>th</sup> day of August, 2011 as follows:

1. The Chairman is authorized to execute an amendment to the Contract in the amount of \$20,441.09 (Change Order No. 4) for the work described in the aforesaid Request for Change Order in the form submitted to the Authority.
2. The adjusted contract amount shall be \$3,202,910.99
3. This Resolution shall take effect as provided by law.

DATED: August 17, 2011

HANOVER SEWERAGE AUTHORITY  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

Member O'Hare seconded; there was unanimous roll call approval.

AYES: Chairman Schleifer, Members Galacki, Fariello and O'Hare

ABSENT: Member O'Brien

Chairman Schleifer offered the following resolution and moved its adoption.

## **REPORTS**

Chairman Schleifer moved the following reports be accepted and filed as received; Member Fariello seconded; there was unanimous approval.

ABSENT: Member O'Brien

Plant Operations Report – dated June 16 – July 20 and July 21 – August 10, 2011  
Plant Operations Weekly Meetings Report – dated June 16 – July 20  
and July 21 – August 10, 2011  
Hatch Mott MacDonald Report – dated July 22 and August 12, 2011  
Collection System Status Report – dated June 16 – July 20 and July 21 – August 20, 2011  
Treasurers Report – dated June 30 and July 31, 2011  
Superintendents Report # 696 and #697– dated June and July, 2011  
IPP Report - dated June 16 – July 22 and July 22 – August 12, 2011

Member O'Hare moved the payment of bills be confirmed and authorized as listed; Member Galacki seconded; there was unanimous approval.

ABSENT: Member O'Brien

**JULY**

<b><u>REVENUE FUND 110</u></b>	\$
<b><u>REVENUE FUND 111</u></b>	\$339,474.97
<b><u>REVENUE FUND 201</u></b>	\$
<b><u>PLANT EXPANSION FUND 301</u></b>	\$126,758.10
<b><u>PLAN REVIEW FUND 401</u></b>	\$ 1,467.03
<b><u>PAYROLL</u></b>	\$216,430.23

Member O'Hare moved the payment of bills be confirmed and authorized as listed; Member Galacki seconded; there was unanimous approval.

ABSENT: Member O'Brien

**AUGUST**

<b><u>REVENUE FUND 110</u></b>	\$ 44,384.40
<b><u>REVENUE FUND 111</u></b>	\$453,864.07
<b><u>REVENUE FUND 201</u></b>	\$
<b><u>PLANT EXPANSION FUND 301</u></b>	\$336,523.34
<b><u>PLAN REVIEW FUND 401</u></b>	\$ 6,338.39
<b><u>PAYROLL</u></b>	\$176,298.72

**OTHER BUSINESS** – Member Galacki asked that we distribute congratulations’ to the staff for another year of great work; special thanks to Silvio’s mom for the desserts and shared with us that Mr. Campbell of the EDAC Committee was very impressed with our facility. Member O’Hare indicated that he thinks the plant is great all year round not just spruced up for the annual meeting. Member Fariello added his good wishes for a job well done. Chairman Schleifer reiterated his desire for an HSA booth at Hanover Township Day, and we should put out a press release about our recent NACWA Award.

**OPEN TO PUBLIC**

**ADJOURNMENT** The Chairman accepted a motion to adjourn at 9:36 pm by Member O’Hare, Member Galacki seconded; there was unanimous approval.

Respectfully submitted,

Michael C. Wynne, P.E.  
Executive Director