



Agenda Date: 9/17/18  
Agenda Item: VB

**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314**  
**Post Office Box 350**  
**Trenton, New Jersey 08625-0350**  
**www.nj.gov/bpu/**

WATER

IN THE MATTER OF NORTHGATE WEST )  
CONDOMINIUM ASSOCIATION, INC., )  
Petitioner, )

v. )

TOWN OF CLINTON, )  
Respondent )

ORDER OF EXTENSION

BPU DOCKET NO. WC17030274  
OAL DOCKET NO. PUC 06947-17

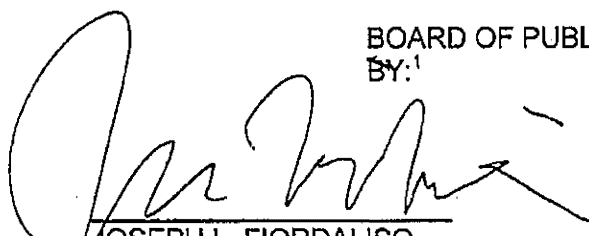
(SERVICE LIST ATTACHED)

The Initial Decision Settlement of Administrative Law Judge Jacob S. Gertsman was received by the Board of Public Utilities ("Board") on September 7, 2018; therefore, the 45-day statutory period for review and the issuing of a Final Decision will expire on October 22, 2018. Prior to that date, the Board requests an additional 45-day extension of time for issuing the Final Decision to adequately review the record in this matter.

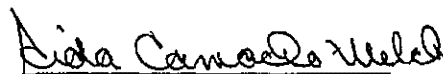
Good cause having been shown, pursuant to N.J.S.A. 52:14B-10(c) and N.J.A.C. 1:1-18.8, **IT IS ORDERED** that the time limit for the Board to render a Final Decision is extended until December 6, 2018.

DATED: 9/17/18

BOARD OF PUBLIC UTILITIES  
BY: <sup>1</sup>

  
JOSEPH L. FIORDALISO  
PRESIDENT

ATTEST:

  
AIDA CAMACHO-WELCH  
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities

<sup>1</sup> Authorized by Board to execute this Order of Extension on its behalf.

Date Board mailed Order to OAL:

9/18/18

cc: Service List Attached

DATED: 9/20/18

*Lisa James-Beavers*

---

LISA JAMES-BEAVERS,  
ACTING DIRECTOR & CHIEF  
ADMINISTRATIVE LAW JUDGE

Date OAL mailed executed Order to Board:

9/20/18

Date Board mailed executed Order to Parties:

9/20/18

IN THE MATTER OF NORTHGATE WEST CONDOMINIUM  
ASSOCIATION, INC., PETITIONER V. TOWN OF CLINTON, RESPONDENT

BPU DOCKET NO. WC17030274  
OAL DOCKET NO. PUC 06947-17

SERVICE LIST

Patricia H. McGlone, Esq.  
McGovern Legal Services, LLC  
PO Box 1111  
New Brunswick, NJ 08903  
[pmcglone@theassociationlawyers.com](mailto:pmcglone@theassociationlawyers.com)

Tara Ann St. Angelo, Esq.  
Gebhardt & Kiefer, P.C.  
P.O. Box 4001  
Clinton, NJ 08809-4001  
[tstangelo@gklegal.com](mailto:tstangelo@gklegal.com)

Stefanie A. Brand, Esq., Director  
Division of Rate Counsel  
140 East Front Street, 4<sup>th</sup> Floor  
Post Office Box 003  
Trenton, NJ 08625-0003  
[sbrand@rpa.nj.gov](mailto:sbrand@rpa.nj.gov)

Aida Camacho-Welch  
Secretary of the Board  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Maria L. Moran, Director  
Division of Water  
Board of Public Utilities  
44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314  
Post Office Box 350  
Trenton, NJ 08625-0350  
[maria.moran@bpu.nj.gov](mailto:maria.moran@bpu.nj.gov)

Alex Moreau, DAG  
Department of Law & Public Safety  
Division of Law  
124 Halsey Street  
Post Office Box 45029  
Newark, NJ 07101-45029  
[alex.moreau@law.njoag.gov](mailto:alex.moreau@law.njoag.gov)

RECEIVED  
CASE MANAGEMENT

SEP 07 2018

BOARD OF PUBLIC UTILITIES  
TRENTON, NJ



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

BOARD OF PUBLIC UTILITIES

SEP 07 2018

MAIL RECEIVED

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 06917-17

AGENCY DKT. NO. WC17030274

IN THE MATTER OF  
THE PETITION OF NORTHGATE WEST  
CONDOMINIUM ASSOCIATION, INC.,

Petitioner,

v.

TOWN OF CLINTON,

Respondent.

---

Patricia H. McGlone, Esq., for Petitioner, Northgate West Condominium Association,  
Inc., (McGovern Legal Services, attorneys)

Tara A. St. Angelo, Esq. and Matthew Lyons, Esq., for Respondent, Town of Clinton,  
(Gebhardt & Kiefer, attorneys)

Alex Moreau, Deputy Attorney General, for Staff of the Board of Public Utilities  
(Gurbir S. Grewal, Attorney General of New Jersey, attorney)

Debra Robinson, Assistant Deputy Rate Counsel, for Division of Rate Counsel  
(Stefanie A. Brand, Director)

Record Closed: August 29, 2018

Decided: September 6, 2018

OAL DKT. NO. PUC 06947-17

BEFORE **JACOB S. GERTSMAN**, ALJ t/a:

This matter concerns a petition seeking: a determination that respondent, Town of Clinton, failed to comply with N.J.A.C. 14:9-2.2; an order compelling respondent to inspect, flush and repaint petitioner's hydrants; and supervision of respondent in prompt formulation and implementation of a hydrant flushing program and record keeping going forward.

The matter was transmitted to the Office of Administrative Law on May 16, 2017, for determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13.

The matter was scheduled for evidentiary hearings on August 20 and 22, 2018. Prior to the commencement of the hearing, the parties informed the undersigned that they had reached an agreement on a Stipulation of Settlement (J-1), resolving all issues in this proceeding, which would become effective upon approval of the Clinton Town Council. Said Stipulation of Settlement, was signed by counsel for the petitioner and respondent, indicates the terms of settlement, and is attached and fully incorporated herein. The parties filed on August 29, 2018, a Town of Clinton, Hunterdon County Resolution #127-18, approving the settlement.

I have reviewed the terms of settlement and I **FIND**:

1. The parties have voluntarily agreed to the settlement as evidenced by their signatures or their representatives' signatures on the attached document.
2. The settlement fully disposes of all issues in controversy between the parties and is consistent with the law.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

OAL DKT. NO. PUC 06947-17

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

September 6, 2018

DATE

  
\_\_\_\_\_  
JACOB S. GERTSMAN, ALJ t/a

Date Received at Agency:

9-7-18

Date Mailed to Parties:

\_\_\_\_\_

JSG/nd

OAL DKT. NO. PUC 08947-17

**APPENDIX**

**EXHIBITS**

**Jointly Submitted**

J-1 Stipulation of Settlement



Patricia Harl McGlone, Esq. - 037891984  
McGovern Legal Services, LLC  
850 Route 1 North  
North Brunswick, New Jersey 08902  
(732) 246-1221  
Attorneys for Petitioner Northgate West Condominium Association, Inc.

NORTHGATE WEST  
CONDOMINIUM  
ASSOCIATION, INC.,  
Petitioner  
v.  
TOWN OF CLINTON,  
Respondent

STATE OF NEW JERSEY BOARD OF  
PUBLIC UTILITIES  
OAL DOCKET NO. 30274PUC 06947-2017 S  
Agency Ref No: WC 17030274  
SETTLEMENT AGREEMENT

This matter having been opened and brought before the Court by Petition filed by Northgate West Condominium Association, Inc., (the "Association"), seeking a determination by the Court that the Town of Clinton, ( the "Town") has failed to comply with N.J.A.C. 14:9-2.2 and applicable industry standards, seeking an order compelling the Town to immediately inspect, flush and repaint the Association's hydrants and compelling supervision of the Town in prompt formulation and implementation of a hydrant flushing program and proper record keeping going forward and the parties having appeared with counsel for a hearing before Judge Jacob Gertsman, ALJ on February 13, 2018 and the terms of settlement having been reached and placed on the record:

The Parties in this action, Petitioner Northgate West Condominium Association, Inc. (the "Association"), and Respondent Town of Clinton (the "Town"), have voluntarily resolved all disputed matters and enter into the following settlement, which fully disposes of all issues in controversy between them, subject to the Association's right to pursue damages against the Town in the Superior Court, Law Division:

1. The Association is a non-profit condominium corporation established by Beaver Brook Associates, Inc. (the "Developer"), pursuant to the New Jersey Nonprofit Corporation Act, N.J.S.A. 15A:1-1, et seq., and the New Jersey Condominiums Act, N.J.S.A. 46:B-1, et seq.



2. The Town is a municipal corporation of the State of New Jersey, Hunterdon County
3. The Association maintains the shared common elements of a residential community of one-hundred and fifty-three (153) condominium units built by the Developer and located in Clinton Township, a municipality neighboring the Town.
4. There are twelve (12) fire hydrants located within the Association's community (the "Hydrants").
5. The Town owns and operates water supply facilities, including the Hydrants, in accordance with the County and Municipal Water Supply Act, N.J.S.A. 40A:31-1, et seq.
6. The Town is a municipality serving as a public utility as defined by N.J.A.C. 48:2-13.
7. On December 30, 1985, the Developer and the Town entered into a Water Agreement (the "Water Agreement").
8. The Water Agreement provides in pertinent part:

TOWN agrees to supply a maximum of 788,000 gallons per day of water to the TRACT for potable and fire protection purposes...

The customer will be rendered water bills for water usage on a quarterly basis for water usage plus meter service fees for each quarter or fraction of such quarter where water meters remain in service, subject to regulation by the Board of Public Utilities.

....  
Upon final completion of all IMPROVEMENTS, the TOWN will determine if said IMPROVEMENTS comply with plan and specifications and applicable TOWN ordinances, Federal, State and County laws and the engineering requirements of the TOWN. Upon a Certification by the TOWN'S consulting engineer that the IMPROVEMENTS comply therewith, then the TOWN shall accept dedication of the IMPROVEMENTS by DEVELOPER. Title to the IMPROVEMENTS shall thereupon pass to the TOWN and DEVELOPER shall thereafter have no further ownership interest in said IMPROVEMENTS. The TOWN shall be responsible for the maintenance and upkeep thereof upon the expiration of the maintenance guarantee period described hereinafter.

- 9. As defined by the Water Agreement, the Association's community is included in the "TRACT" to be served by the Town, and the Hydrants and water mains supplying the Hydrants are included in the "IMPROVEMENTS" to be owned and maintained by the Town.
- 10. The Association is an intended third-party beneficiary of the Water Agreement between the Developer and the Town.
- 11. The Town, through its Water Department, invoices the Association quarterly for water usage and maintenance and upkeep of the Hydrants.
- 12. For the years 2009, 2011, 2012, 2015 and 2016, the Town was required to, and admits that it did not, test and determine the working condition yearly of the 12 Hydrants located within the Association as required by N.J.A.C. 14:9-2.2.
- 13. For the years 2009, 2011, 2012, 2015 and 2016, the Town was required to, and admits that it did not, implement a flushing plan for each of the 12 Hydrants located within the Association as required by N.J.A.C. 14:9-2.2.
- 14. For the years 2009, 2011, 2012, 2015 and 2016, the Town was required to, and admits that it did not maintain a record of inspections, tests and flushings for a period of six years as required by N.J.A.C. 14:9-2.2 for the 12 Hydrants located within the Association.
- 15. The Town has formulated a plan as part of its Asset Management Plan which includes hydrant inspection and maintenance, attached hereto and incorporated herein as Exhibit A.
- 16. The Town inspected and flushed the Hydrants on August 2, 2018.
- 17. The Town will inspect the Hydrants on an annual basis in compliance with Exhibit A, during the month of August each year as required by N.J.A.C. 14:9-2.2.

~~by the end of~~ the month of  
 no later than the end of August  
 each year

- 18. The Town has implemented a flushing plan for the Hydrants as required by N.J.A.C. 14:9-2.2, set forth in Exhibit A and will perform flushing during each annual inspection of the Hydrants.
- 19. The Town will maintain a record of inspections as required by N.J.A.C. 14:9-2.2 containing the information and data set forth in Exhibit A.
- 20. The condition of the exterior paint of the 12 Hydrants located within the Association will be maintained and inspected as part of the regular annual inspection of the Hydrants in accordance with applicable law and Exhibit A, as may be amended by the Town from time to time, which currently states that "Hydrants with chipped paint or rust showing should be touched up with a wire brush and paint brush applied, however hydrants in severe need of repainting (more than 25% surface area required touch up) should be reported to the Town Administrator or his designee. The Administrator or his designee will make a determination if such condition negatively affects the functionality of the hydrant. If it does, it will be painted.
- 21. The Town shall continue to file reports with the BPU as required by N.J.A.C. 14:3-6.1,
- 22. The parties agree that if any portion of the Settlement Agreement is deemed unenforceable, the remainder of this Settlement Agreement shall be fully enforceable.

SIGNATURES ON NEXT PAGE

23. This settlement shall become effective upon approval by town council

(00321267)

SO AGREED:

NORTHGATE WEST CONDOMINIUM ASSOCIATION, INC.

By: Robert C. Stewart Pres. N.G.W.

Title: President N.G.W.

Date: 8/20/18

TOWN OF CLINTON

By: Theresa Ann St. John

Title: Attorney

Date: 8/20/18

# Exhibit A

SCE-3765

February 2017

**DIVISION 02 - EXISTING CONDITIONS****SECTION 022510 - HYDRANT INSPECTION AND MAINTENANCE****PART 1 - GENERAL****1.1 DESCRIPTION****A. Scope**

1. Contractor shall provide all labor, materials, tools, equipment, and incidentals as may be necessary to perform a complete inspection, hydrant flushing, flow and pressure readings, and painting of each hydrant. Complete documentation and reporting of the inspections, flushing, readings, and painting are required for each of the hydrants located within the entire Clinton Water distribution system. Documentation shall be digital copies of the report. Digital copy forms for contractor to furnish updated hydrant GIS inventory will be provided by Suburban Consulting Engineers, Inc. and will require built-in network access for Android or Apple devices. Each hydrant is to be inspected once per year. It is anticipated that repairs may be required and that the Contractor will be required to perform any and all hydrant repairs or hydrant replacement in accordance with the various payment items under this contract, if and where directed.

**B. Related Sections:**

1. Section 221100 - Piping, Fittings, and Valves.

**1.2 QUALITY ASSURANCE**

- A. The fire hydrant system inspectors shall be experienced and responsible for coordinating and verifying the inspection of the existing fire hydrants, performing hydrant flushing, and flow and pressure readings, and documenting the evaluation of the existing conditions and identify areas which have failed, malfunctioned, exceeded service life, or are vulnerable for failure during the service life of the equipment. Five (5) years of experience in hydrant installation, operation, and repairs is required, for each inspector. Evidence of such experience shall be submitted for approval.
- B. All hydrant installation, operation, and repairs shall be in accordance with AWWA M-17 procedures.

**1.3 SUBMITTALS****A. Informational Submittals: Submit the following:**

1. Procedure Submittals: List of record control procedures within Contractor's organization for testing, including methods, frequency of reporting, and distribution of testing and inspection reports. Two hard copies to be submitted to the Owner and Engineer prior to begin of inspection.
2. Digital upload of completed inspection report. Suburban Consulting Engineers Inc. to furnish digital inspection report.
3. Completed inspectors' report of his inspection, readings, evaluation and recommendations. Two hard copies to be submitted to the Owner and Engineer prior to beginning of inspection.
4. Report shall contain recommendations for corrective maintenance and repair of the hydrants. Two hard copies to be submitted to the Owner and Engineer prior to beginning of inspection.

SCE-3765

February 2017

- 5. Implementation plan/schedule for the projected completion of yearly inspection and repairs. Two hard copies to be submitted to the Owner and Engineer prior to beginning of inspection.
- 6. Evidence of calibration of calibrated/certified gauges & flow measurement devices.

**PART 2 -- PRODUCTS**

NOT USED

**PART 3 -- EXECUTION**

**3.1 COORDINATION WITH OWNERS OPERATION**

A. Contractor shall coordinate with the respective Fire Departments and water system representatives at a minimum of 48 hours prior to commencement of any inspection, flushing, and flow and pressure readings. Should hydrants be taken out of services, contractor to provide notice to emergency services, the municipality, and the Town of Clinton Water Department

**B Fire Department Contact Information:**

Clinton Fire Department  
 Walter Dorf  
 1 New Street  
 P. O. Box 5062  
 Clinton, NJ 08809  
 (908) 735-8613

Pattensburg Fire Company  
 Dan VanFossen  
 513 County Road 614  
 Asbury, NJ 08802  
 (908) 735-6053

Annandale Hose Company  
 Robert Emery  
 68 Beaver Avenue  
 Annandale, NJ 08801  
 (908) 735-5214

Quakertown Fire Department  
 Bradley Patkochis  
 P.O. Box 34  
 Pittstown, NJ 08867  
 (908) 735-5220

Lebanon Borough Fire Company  
 Kevin Saharic  
 88 Main Street  
 Lebanon, NJ 08833  
 (908) 236-2792

High Bridge Fire Department  
 Jeff Smith  
 7 Maryland Avenue  
 P. O. Box 232  
 High Bridge, NJ 08829  
 (908) 638-6383

**3.2 INVESTIGATION ASSESSMENT REPORTS**

A. The Inspector shall submit two (2) copies each of each report of inspections to Owner and Engineer. The contractor shall prepare hard copies as well as digital copies. Digital copy forms for contractor to furnish updated hydrant GIS inventory will be provided by Suburban Consulting Engineers, Inc. and will require built-in network access for Android or Apple devices. GIS inventory for hydrants will include:

- 1. Name of inspector.
- 2. Date of inspection.
- 3. Type of inspection or test.
- 4. Corresponding fire hydrant FID and hydrant number.

**SPECIAL INSPECTION ASSESSMENTS**

CLNT000462

**022510-2**

SCE-3765

February 2017

5. Address and nearest intersection of hydrant.
6. Municipality of hydrant.
7. Hydrant condition
8. Bonnet, hydrant, and cap colors.
9. Storz connection present.
10. Hydrant lock present and condition.
11. Barrel Diameter.
12. Hydrant valve present.
13. Hydrant manufacturer.
14. Date of previous inspection or sampling and test or service.
15. Flow rates, static pressure, residual pressure measurement location/hydrant #, and flow pressure.
16. Water main size connected to hydrant.

3.3 CONTRACTOR RESPONSIBILITIES

A. Inspection of the fire hydrant includes:

1. Visually inspect the exterior of the hydrant and surrounding area. Any missing components (Caps etc.) should be indicated on the Hydrant Maintenance/Inspection form.
2. Inspect the exterior paint for condition. Hydrants with chipped paint or rust showing should be touched up with a wire brush and paint brush applied, however, Hydrants in severe need of repainting (more than 25% surface area required touch up) should be reported and indicated on the form.
3. Check to see if the hydrant needs to be raised or lowered and indicate this under level grade/accessibility/clearance/obstructions on the form.
4. Open the nozzle caps and check for the presence of water or ice in the hydrant barrel.
5. Attach a diverter to one 2-1/2-inch nozzle and flush out hydrant barrel.
6. With the hydrant running, locate and turn off the isolation valve (cleaning out of valve box may be necessary). Water should stop flowing through the hydrant. Indicate valve condition on the form, including number of turns to close.
7. Re-open the isolation valve then close the hydrant and check to ensure the hydrant drains. Indicate drain function on the form.
8. Re-install all nozzle caps leaving loose enough to allow air to enter/escape.
9. Open the hydrant and allow air to vent from the nozzle cap. Tighten the nozzle cap.
10. With the nozzle caps tight open the hydrant full and check for ease of operation. Indicate on the form.
11. With the hydrant fully open check for leaks at flanges, around outlet nozzles, at packing/seals, and around stem. Indicate any leaks on the Form.
12. Repair leaks where visible.
13. Partially close the hydrant and allow the drains to open and flush the drain outlets.
14. Close hydrant completely.
15. Check outlet nozzle caps visually for chains and any damage. Remove all caps and clean the threads. Notes conditions on form.
16. Check the condition of the gaskets and lubricate threads. Ensure each cap operates easily. Clean up any excess oil using a rag and acetone.
17. Replace the caps and be sure not to overtighten.
18. Check lubrication of opening-nut threads. Lubricate if necessary. Clean excess lubrication with a cloth and acetone
19. Repair any nearby damage caused by flushing, restore to previous condition



SCE-3765

February 2017

19. Repair any nearby damage caused by flushing, restore to previous condition

B. The following items shall be inspected:

1. Bonnet/Top Section including:
  - a. Dust Cap/Weather Shield
  - b. Operating Nut Stem
  - c. Oil Port/Grease Fitting
  - d. Bonnet Bolts/Nuts
  - e. Gaskets/O-ring Seals
2. Barrel/Mid-Section including:
  - a. 2 1/2" Hose Caps
  - b. 2 1/2" Hose Nozzles
  - c. Pumper/Steamer Cap
  - d. Pumper/Steamer Nozzle
  - e. Safety Flange/Internal Stem Coupling
  - f. Storz Fitting
  - g. Flange Gasket/O-Ring Seals
  - h. Flange Bolts/Nuts
  - i. Level Grade/Accessibility/Clearance/Obstructions
3. Subsurface/Standpipe Section including:
  - a. Main Operating Valve
  - b. Water Drainage (Pumped out if Non-Draining)
  - c. Lower Stem
  - d. Standpipe/Shoe Assembly
4. General Hydrant Maintenance including:
  - a. Lubrication (Caps, Nozzles, Operating Nut)
  - b. Hydrant Opened and Closed Completely
  - c. Water Conditions
  - d. Paint Conditions
5. General Hydrant Testing:
  - a. Hydrant Condition
  - b. Flow Rate
  - c. Static Pressure
  - d. Residual Pressure measured at nearby Hydrant

B. The inspector shall promptly notify the Owner and Engineer of significant irregularities or deficiencies observed during the special inspections. Recommendations of corrective action will be submitted to the Engineer and remedial measures taken as may be directed by the Owner.

3.4 METHOD OF MEASUREMENT AND PAYMENT

Payment for the inspection and corresponding report on each fire hydrant as identified in this specification section shall be made at the unit bid price upon completion of the on-site inspections and the submission and acceptance of assessment reports to the Owner and Engineer.

3.5 BASIS OF PAYMENT

Payment will be made under:

| <u>Pay Item</u> | <u>Description</u> | <u>Pay Unit</u> |
|-----------------|--------------------|-----------------|
|-----------------|--------------------|-----------------|

SPECIAL INSPECTION ASSESSMENTS

022510-4

CLNT000464

SCE-3768

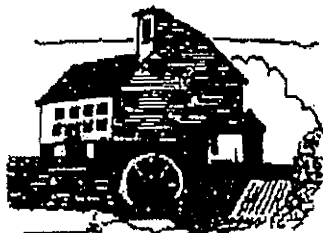
February 2017

|    |   |       |
|----|---|-------|
| #1 | Inspection and Reports on each fire hydrant including flushing, flow and pressure readings, and painting of each hydrant. | Each  |
| #4 | Uniform Traffic Directors   | \$/Hr |

**\*\*END OF SECTION 022510\*\***



Fire Hydrant Inspection Form



**TOWN OF CLINTON**  
 INCORPORATED APRIL 8, 1885  
 43 Leigh St., P.O. Box 5194  
 Clinton, N.J. 08809-5194  
 (908) 735-8816 FAX (908) 735-8082

|                       |     |
|-----------------------|-----|
| Date                  |     |
| Name Of Inspector     |     |
| Inspecting Agency     | CWD |
| Type of Inspection    |     |
| Barrel Dia.(inches)   |     |
| Hydrant Valve         |     |
| Hydrant Manufacturer  |     |
| Flow Rate (GPM)       |     |
| Static Pressure (PSI) |     |
| Res. Pressure (PSI)   |     |
| Flow Pressure (PSI)   |     |

**Bonnet/Top Section**

|  |  |
|--|--|
| <b>Dust Cap/Weather Shield</b>                     |  |
| <input checked="" type="checkbox"/> Checked and OK | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |
| <b>Operating Nut/Stem</b>                          |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |
| <b>Oil Port/Grease Fitting</b>                     |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |
| <b>Bonnet Bolts/Nuts</b>                           |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Gaskets/O-Ring Seals</b>                        |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

**Barrel/Mid-Section**

|  |  |
|--|--|
| <b>2 1/2" Hose Caps</b>                            |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>2 1/2" Hose Nozzles</b>                         |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Pumper/Steamer Cap</b>                          |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Pumper/Steamer Nozzle</b>                       |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Safety Flange/Internal Stem Coupling</b>        |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Storz Fitting</b>                               |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Flange Gasket/O-Ring Seals</b>                  |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Flange Bolts/Nuts</b>                           |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|   |  |
|---|--|
| <b>Level Grade/Accessibility/Clearance/Obstructions</b> |  |
| <input type="checkbox"/> Checked and OK                 | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action      | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                       |  |

**Subsurface/Standpipe**

|  |  |
|--|--|
| <b>Main Operating Valve</b>                        |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Water Drainage (Pumped out if Non-Draining)</b> |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Lower Stem</b>                                  |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Standpipe/Shoe Assembly</b>                     |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

**General Hydrant Maintenance**

|  |  |
|--|--|
| <b>Lubrication (Caps, Nozzles, Operating Nut)</b>  |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Hydrant Opened and Closed Completely</b>        |  |
| <input checked="" type="checkbox"/> Checked and OK | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Water Condition</b>                             |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|  |  |
|--|--|
| <b>Paint Condition</b>                             |  |
| <input type="checkbox"/> Checked and OK            | <input type="checkbox"/> May Require Future Attention      |
| <input type="checkbox"/> Required Immediate Action | <input type="checkbox"/> Critical Failure (Out Of Service) |
| <input type="checkbox"/> Serviced                  |  |

|                               |
|-------------------------------|
| <b>Email</b>                  |
| Jsesto@suburbanconsulting.com |

Powered by [www.doForms.com](http://www.doForms.com)

TOWN OF CLINTON, HUNTERDON COUNTY

RESOLUTION

#127-18

AUTHORIZING EXECUTION OF AMENDED AGREEMENT WITH NORTHGATE WEST CONDOMINIUM ASSOCIATION

WHEREAS, Northgate West Condominium Association, Inc., (the "Association") filed a Petition with the Board of Public Utilities ("BPU"), OAL DOCKET NO. PUC 06947-2017S, seeking a determination by the Court that the Town of Clinton (the "Town") failed to comply with N.J.A.C. 14:9-2.2 with regard to certain fire hydrants located within the Association; and

WHEREAS, parties appeared with counsel for a hearing before Judge Jacob Gertsman, ALJ on February 13, 2018 and placed a settlement on the record, which was approved by Resolution #59-18 of the Town Council dated February 27, 2018; and

WHEREAS, pursuant to a conference call amongst Judge Gertsman and counsel for the Association and the Town on March 29, 2018, Judge Gertsman advised that the proposed settlement did not meet the requirements of the BPU, which would ultimately have to approve the settlement, and

WHEREAS, the parties engaged in negotiations and on August 20, 2018 appeared before Judge Gertsman again and signed and placed a revised settlement on the record (subject to approval by the Town Council), which is attached hereto; and

WHEREAS, Judge Gertsman advised that, in his opinion, such revised settlement would meet the requirements of the BPU; and

WHEREAS, it is in the best interests of the Town of Clinton to enter into an agreement with Association in the form attached hereto in order to resolve the above-referenced action; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton, Hunterdon County that the Mayor is authorized to execute the agreement in the form attached hereto.

*Cecilia Covino*

Cecilia Covino, RMC/CMC  
Municipal Clerk

DATED August 28, 2018