

December 7, 2011

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Vice Chairman Sylvester called the meeting to order at 7:30 PM. Following salute to colors, announcement was made that adequate notice of this meeting had been provided for as defined by the "Open Public Meetings Act".

MEMBERS PRESENT: Donald Bates, James Benson, David Hoyt, John Kieser, Patrick Kunkel, Daren Phil, Joseph Schwab, John Sylvester.

MEMBERS ABSENT: Melanie Michetti, Michael Pucilowski, Steven Rattner, Edward Schwartz.

OTHERS PRESENT: Larry Kron, Esq., Fenton Purcell, Lee Purcell, James Schilling.

Vice Chairman Sylvester opened and closed the meeting to the public.

JAN 27 2012

October 5, 2011 Regular Meeting Minutes were approved on a motion offered by Mr. Hoyt, seconded by Mr. Kunkel. Roll call:

Mr. Bates	Yes	Mr. Kunkel	Yes
Mr. Benson	Yes	Mr. Phil	Abstain
Mr. Hoyt	Yes	Mr. Schwab	Yes
Mr. Kieser	Yes	Mr. Sylvester	Yes

November 7, 2011 Meeting Minutes were approved on a motion offered by Mr. Hoyt, seconded by Mr. Schwab. Roll call:

Mr. Bates	Yes	Mr. Kunkel	Yes
Mr. Benson	Abstain	Mr. Phil	Abstain
Mr. Hoyt	Yes	Mr. Schwab	Yes
Mr. Kieser	Yes	Mr. Sylvester	Abstain

The November and December 2011 Expenditures/Treasurer's Reports were accepted on a motion offered by Mr. Schwab seconded by Mr. Hoyt. Roll call:

Mr. Bates	Yes	Mr. Kunkel	Yes
Mr. Benson	Yes	Mr. Phil	Abstain (Nov. & Dec.)
Mr. Hoyt	Yes	Mr. Schwab	Yes
Mr. Kieser	Yes	Mr. Sylvester	Abstain (Nov.) Yes (Dec.)

Res. No. 11-40 Budget Transfer was moved by Mr. Schwab, seconded by Mr. Kunkel and the affirmative roll call vote of members present.

RESOLUTION NO. 11-40

**MUSCONETCONG SEWERAGE AUTHORITY
BUDGET TRANSFER**

WHEREAS: There appears to be insufficient funds in the following account to meet the demands thereon for the balance of the current fiscal year,

Administrative – Other Expenses

WHEREAS: There appears to be a surplus in the following account over and above the demand deemed to be necessary for the balance of the current fiscal year,

Education & Training

Electric

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provision of

N.J.S.A. 5:31-2.8, part of the surplus in the amount heretofore mentioned be and the same is hereby transferred to the account mentioned as being insufficient, to meet the current demands, and,

BE IT FURTHER RESOLVED that the Treasurer be and is hereby authorized and directed to make the following transfer:

FROM	TO	AMOUNT
Education & Training	Administrative - Other Expenses	\$4,200.00
Electric	Administrative - Other Expenses	\$1,300.00

Pending Vouchers were approved for payment on a motion offered by Mr. Schwab, seconded by Mr. Kunkel. Roll call:

Mr. Bates	Yes	Mr. Kunkel	Yes
Mr. Benson	Yes	Mr. Phil	Abstain
Mr. Hoyt	Yes	Mr. Schwab	Yes
Mr. Kieser	Yes	Mr. Sylvester	Yes

CONSTRUCTION ACCT	
CFM Construction	\$84,966.00
Daily Record	\$31.72
DeMaio Electrical	\$12,710.60
Longo Electrical Mechanical	\$58,192.40
Nusbaum Stein	\$308.00
Lee T. Purcell Assoc	\$7,115.00
RENEWAL/REPLACEMENT FUND	
JoGi Construction	\$2,615.00
Reiner Pump Services	\$108,110.00
OPERATING ACCOUNT	
ADP	\$664.24
Atlantic Business Products	\$320.00
Nicholas Barbato	\$562.71
Cintas Corp.	\$1,131.61
Cintas First Aid & Safety	\$650.65
Robert Colabella	\$234.18
Daily Record	\$274.36
Keith DeFazio	\$333.80
Dwyer Instruments	\$406.22
FedEx	\$49.75
Grainger	\$397.70
Hach Co	\$361.75
Hess	\$630.08
Hess	\$3,351.32
Hess	\$21,263.70
J C P & L	\$11,773.17
K G Services	\$170.00
Kemira	\$9,627.60
McMaster Carr	\$82.56
NJSHBP	\$15,359.95
NJ American Water	\$1,983.73
Najarian Assoc	\$9,697.50
Northeast Industrial Tech	\$1,762.28
Nusbaum Stein	\$6,010.00
One Call Concepts	\$31.36
Passaic Valley SC	\$17,501.00
The Plumbing Store	\$50.72
Polydyne	\$1,962.00
QC Laboratories	\$1,888.50
Quill	\$528.95
R D Trucking	\$16,560.00
Rowe & Co	\$61.99
Roxbury Twp Water Dept	\$126.00
James Schilling	\$292.06
Shell Fleet Plus	\$416.28
Martha Soccio	\$99.49
Robert Still	\$562.92
Suburban Propane	\$2,092.94
Treas. State of NJ	\$4,500.00
VanGenderen Auto Parts	\$96.09
Verizon	\$623.32
Verizon Communication	\$49.99
Waste Management of NJ	\$628.77

The following correspondence was received and filed on a motion offered by Mr. Hoyt, seconded by Mr. Benson and the affirmative vote of members present.

November Correspondence

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|----|----------|--|
| A. | 10/14/11 | NJDEP – Final Permit Action |
| B. | 10/18/11 | L. Kron, Esq. – Final Permit Action |
| C. | 10/19/11 | Najarian Assoc. – Proposal |
| D. | 10/20/11 | NJDEP – Change Order Approval |
| E. | 10/21/11 | NJDEP – Payment Request Approval |
| F. | 10/24/11 | LTPA – Engineering Proposal |
| G. | 10/24/11 | LTPA – Budget Increase Request |
| H. | 10/25/11 | JIF – Elected Officials’ Training Seminars |
| I. | 10/25/11 | NJEIT – Loan Disbursement |
| J. | | NJDEP – Settlement Agreement |

December Correspondence

A. 11/07/11	L. Kron, Esq. – Request for Alternate Dispute Resolution
B. 11/07/11	L. Kron, Esq. – Adjudicatory Hearing Checklist
C. 11/07/11	NJ Utility Authorities JIF – 2011 Dividend
D. 11/10/11	NJDEP – Payment Request No. 6 Approval
E. 11/17/11	NJEIT – Loan Disbursement
F. 11/21/11	NJDEP – FY2012 Annual Fee
G. 11/23/11	L. Kron, Esq. – Adjudicatory Hearing
H. 11/23/11	NJDEP – Payment Request No. 4 Approval

Mr. Kron stated that the appeals have been filed disputing the new NJPDES Permit and is hopeful that the issues will be resolved through mediation. The current permit is good for 5 years.

Mr. Schilling noted that sludge production and disposal costs are down. Mr. Schilling has participated in meetings with NJSMUAESA relative to electric cost reduction. More research will be done before a recommendation is made. Commissioner Benson suggested that Stanhope's Administrator be contacted as the town just completed an energy audit. Commissioner Schwab noted that the electric bills reflect a decrease in energy usage and commended Mr. Schilling for efficient plant operation. The bio-assay samples were complaint and testing is reduced from quarterly to semi-annual. Mr. Schilling anticipates that the MSA savings for the purchase of propane through the Morris Co. Co-Op will offset the annual dues. All 4 pumps were received from Reiner Pump on November 18 and were installed by MSA personnel. Mr. Schilling will obtain cost proposals for uniform service. LTPA will follow up on the NJDOT letter to Mr. Schilling of November 11 regarding resurfacing of Route 206 in Byram. The Authority discussed the appointing by resolution at the reorganization meeting, of local Contractors for emergency repairs. The Repairs & Maintenance Report was accepted on a motion offered by Mr. Schwab, seconded by Mr. Hoyt and the affirmative vote of members present.

Res. No. 11-39 Authorizing the Execution of an Agreement with the Morris County Cooperative Pricing Council was moved by Mr. Kieser, seconded by Mr. Benson and the affirmative roll call vote of members present.

RESOLUTION NO. 11-39

Resolution of the Musconetcong Sewerage Authority Authorizing the Execution of an Agreement with the Morris County Cooperative Pricing Council to Become a Member for the Period Of October 1, 2011 through September 30, 2016

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Musconetcong Sewerage Authority desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to become a member of the MCCPC for the period of October 1, 2011 through September 30, 2016.

BE IT RESOLVED, by the Musconetcong Sewerage Authority, County of Morris, State of New Jersey as follows:

1. The Commissioners of the Musconetcong Sewerage Authority hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2011 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is to become a member of the MCCPC for a five (5) year period from October 1, 2011 through September 30, 2016.
2. The Musconetcong Sewerage Authority Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Musconetcong Sewerage Authority officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

Motion was offered by Mr. Hoyt seconded by Mr. Kieser authorizing the MSA Purchasing Agent to retain Mr. George Walters of Northeast Water Technology in the amount not to exceed \$2,000.00 to locate the possible water line leak or break at the MSA plant. Motion carried by the unanimous roll call vote of members present.

Mr. Purcell updated the Authority on the status of the five (5) priority projects. All projects are expected to be completed by January 24, 2012. NJEIT Payment Requests are being filed and received. LTPA is working on a solution to the shortage of the chain length on Contract 220 at PS #2. DeMaio Electrical (Contract 230) will be submitting a claim for removing a concrete slab that was found below grade level. Mr. Purcell will outline the work performed and Mr. Kron will review the contract

specifications and bid for Contract 240 relating to the Contractor's request for a change order for 12 additional new manhole frames and covers at the cost of \$15,300.00. LTPA has received a price quotation from National Water Main for the recommended additional work (major leaks) for Contract 240. This additional work was found while the TV inspection and cleaning was done and should be completed. Mr. Kron recommends that the Authority go out to bid for all of the additional work. Mr. Purcell will ask the State if the excess funds from the priority projects can be used for the repairs. The Engineer's Reports for October and November were accepted on a motion offered by Mr. Schwab seconded by Mr. Hoyt and the affirmative vote of members present.

Res. No. 11-38 Awarding Contract No. SH-12 to Spectraserv Inc was moved by Mr. Kunkel, seconded by Mr. Hoyt and the affirmative roll call vote of members present.

RESOLUTION NO. 11-38

**Resolution of the Musconetcong Sewerage Authority
Awarding Contract No. SH-12 to Spectraserv Inc.,
to Pump and Transport Sludge from
the Musconetcong Sewerage Treatment Plant to
Passaic Valley Sewerage Commission**

WHEREAS, on November 3, 2011, the Musconetcong Sewerage Authority received the following bids to pump sewage sludge from Musconetcong Sewerage Authority (hereinafter "MSA") sewage treatment plant on a periodic basis and transport and unload the sludge in compliance with all appropriate regulations to the Passaic Valley Sewerage Commission, 600 Wilson Avenue, Newark, New Jersey - Contract SH-12:

<u>Company Name</u>	<u>2/15/12 - 2/14/13</u>	<u>2/15/13 - 2/14/14</u>	<u>2/15/14 - 2/14/15</u>
Spectraserv, Inc. 75 Jacobux Ave. Kearny, NJ 07032	\$36.00 per 1,000 gallons	\$36.00 per 1,000 gallons	\$39.00 per 1,000 gallons
R & D Trucking, Inc. 1874 Route 23 North West Milford, NJ 07480	\$38.00 per 1,000 gallons	\$38.00 per 1,000 gallons	\$38.00 per 1,000 gallons
Accurate Waste Removal Services 226 Prospect Point Rd Lake Hopatcong, NJ 07849	\$38.00 per 1,000 gallons	\$40.00 per 1,000 gallons	\$40.00 per 1,000 gallons
Russell Reid 200 Smith Street; PO Box 130 Keasbey, NJ 08832	\$48.30 per 1,000 gallons	\$48.30 per 1,000 gallons	\$48.30 per 1,000 gallons

WHEREAS, the Commissioners of the Musconetcong Sewerage Authority hereby make the following findings of fact:

1. Spectraserv, Inc., submitted the lowest bid for Contract No. SH-12 for the periods:
 - a. 2/15/12 - 2/14/13; \$36.00 per 1,000 gallons;
 - b. 2/15/13 - 2/14/14; \$36.00 per 1,000 gallons;
 - c. 2/15/14 - 2/14/15; \$39.00 per 1,000 gallons.
2. Spectraserv, Inc., is a conforming bid in that it complied with all of the requirements of the Notice of Bidders and submitted all of the required documents, namely:
 - a. Consent of Surety;
 - b. Bid Bond;
 - c. Public Works Contractor's Registration Act;
 - d. Business Registration Certificate;
 - e. Non-collusion Affidavit;
 - f. Affirmative Action/Questionnaire;
 - g. Solid Waste Transporter License;
 - h. Mandatory Affirmative Action Language;
 - i. Ownership Statement Compliance; and
 - j. Contractor Certification and Disclosure of Political Contribution; and

WHEREAS, sufficient funds are available in the Budget of the Musconetcong Sewerage Authority to pay for said Contract.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract No. SH-12 to pump liquid sewage sludge from the MSA treatment plant on a periodic basis and transport and unload the sludge in compliance with all appropriate regulations at the Passaic Valley Sewerage Commission, 600 Wilson Avenue, Newark, New Jersey is hereby awarded to Spectraserv, Inc., on its bids of: a) \$36.00 per 1,000 gallons for the period from 2/15/12 to 2/14/13; b) \$36.00 per 1,000 gallons for the period from 2/15/13 to 2/14/14; and c) \$39.00 per 1,000 gallons for the period from 2/15/14 to 2/14/15; and be it

FURTHER RESOLVED, that the Secretary is hereby authorized and directed to return the bid bonds of all of the unsuccessful bidders upon receipt of the fully executed Contract and other required documents from Spectraserv, Inc.; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is hereby authorized to execute a Contract with Spectraserv, Inc., on behalf of the Musconetcong Sewerage Authority.

Mr. Fenton Purcell and Mr. Lee Purcell leave the meeting at 9:10 PM.

Motion made by Mr. Benson, seconded by Mr. Kieser and the affirmative roll call vote of members present for the commissioners to go into closed session at 9:10 PM:

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12 (b) (1-9) permits the exclusion of the public from meeting in certain circumstances;

WHEREAS, the Commissioners of the Musconetcong Sewerage Authority is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Musconetcong Sewerage Authority as follows:

1. The public shall be excluded from discussion of, action on and hearing the tape of closed session of the Musconetcong Sewerage Authority;
2. The general nature of the subject matter to be discussed is as follows:
Personnel/Contract Negotiations

The above subject matter will be made public as soon therefore as it is deemed to be in the public interest.

Vice Chairman Sylvester re-opened the meeting at 9:25 PM.

Motion was offered by Mr. Hoyt, seconded by Mr. Benson to adjourn and by the affirmative vote of members present, Vice Chairman Sylvester adjourned the meeting at 9:25 PM.

Respectfully Submitted:

Martha Soccio
Admin Asst