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**Susan Gouveia**

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**From:** Lashway, Lisa  
**Sent:** Friday, March 28, 2014 10:36 AM  
**To:** Susan Gouveia; Canning, Sean; Quinn, Tim; Maniscalco, Sherry  
**Subject:** FW: MSA Approved Meeting Minutes  
**Attachments:** February 27, 2014 reorganization meeting minutes.pdf; February 27, 2014 regular meeting minutes.pdf

Lisa Lashway  
Mt. Olive Twp. Clerk  
973-691-0900 Ext. 7291  
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PO Box 450  
Budd Lake, NJ 07828

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**From:** Susan Grebe [mailto:sgrebe@msa-nj.org]  
**Sent:** Friday, March 28, 2014 10:25 AM  
**To:** Amy Rhead; 'Catherine Gleason'; Dolores Dalessandro; Doris Flynn; Ellen Horak; Linda DeSantis; Lashway, Lisa  
**Subject:** MSA Approved Meeting Minutes

Attached are the approved minutes of the MSA reorganization meeting and regular meeting held on February 27th.

*Susan Grebe,  
Administrative Assistant  
Musconetcong Sewerage Authority  
110 Continental Drive, Budd Lake, NJ 07828  
973-347-1525 ext. 201*

**REORGANIZATION MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY**

Chairman Rattner called the meeting to order at 7:04 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, Michael Grogan, John Keiser (arrived 7:14 PM), Melanie Michetti, Daren Phil, Michael Pucilowski, Steven Rattner, Joseph Schwab, Edward Schwartz

**MEMBERS ABSENT:** John Sylvester

**OTHERS PRESENT:** Patrick Dwyer, Esq. (arrived 7:18 PM), Lee Purcell, PE, Fenton Purcell, PE, James Schilling, Brian McNeilly, John Campanile, Stephen Donati, PE

MSA Administrative Assistant, Susan Grebe, swore in the following Commissioners:

Donald Bates (reappointment for Netcong)  
Brian McNeilly (new appointment for Stanhope)  
Melanie Michetti (reappointment for Roxbury)  
Steven Rattner (reappointment for Mount Olive)

MSA Administrative Assistant, Susan Grebe, opened the floor to nominations for Chairman. Motion made by Mr. Schwab, seconded by Mr. Schwartz nominating Steven Rattner as Chairman. Motion to close nominations offered by Mr. Pucilowski, seconded by Mr. McNeilly and the affirmative roll call vote of members present. Steven Rattner as Chairman was carried by the unanimous roll call vote of members present.

Motion offered by Mr. Bates, seconded by Mr. Benson nominating John Sylvester as Vice Chairman. Motion to close nomination by Mr. Pucilowski, seconded by Mr. Schwab and the affirmative roll call vote of members present. John Sylvester as Vice Chairman was carried by the unanimous roll call vote of members present.

Motion offered by Mr. Pucilowski, seconded by Mr. Bates nominating Joseph Schwab as Secretary-Treasurer. Motion to close nominations by Mr. Pucilowski, seconded by Mr. Grogan and the affirmative roll call vote of members present. Joseph Schwab as Secretary-Treasurer was carried by the unanimous roll call vote of members present.

Motion offered by Mr. Schwab, seconded by Mr. Schwartz nominating James Benson as Assistant Secretary-Treasurer. Motion to close nominations by Mr. Pucilowski seconded by Mr. Bates and the affirmative roll call vote of members present. James Benson as Assistant Secretary-Treasurer was carried by the unanimous roll call vote of members present.

Chairman Rattner asked Mr. McNeilly which committee he would prefer to be appointed to. Mr. McNeilly said that he would like to be on the Personnel Committee at this time. Chairman Rattner asked if all the commissioners were happy with their present committee assignments. He said he would like to continue with the previous year's appointments of the various committees with the addition of Mr. McNeilly on the Personnel Committee. The previous year's appointments by Chairman Rattner, with the addition of Brian McNeilly to the Personnel Committee, were carried by unanimous consent of members present, as listed:

Finance/Audit Committee	James Benson, Steven Rattner, Joseph Schwab
Insurance Commissioner	James Benson
Operations, Maintenance & Safety Committee	Michael Grogan, John Kieser, Melanie Michetti, Michael Pucilowski
Personnel Committee	Daren Phil, John Sylvester, Edward Schwartz, Brian McNeilly
Purchasing Agent Commissioner	Donald Bates

John Keiser arrived at the meeting at 7:14 PM.

Chairman Rattner asked if any of the commissioners would like discuss any of the resolutions on the Consent Resolution Agenda separately and not include it on the Consent Resolution Agenda. Mr. Pucilowski asked if the resolution for VM Associates auditing services should include additional services as well. Chairman Rattner indicated that would be done by a separate resolution when needed. Chairman Rattner questioned about the quotes received for lab services. Mr. Schilling responded that all responses received either could not supply all the services required by the MSA or were at higher prices than QC Labs. He also added that the prices quoted by QC Labs were quoted for a three year contract. Mr. Phil indicated that he had questions regarding Resolution #14-07 for alternate engineering services by CP Engineers and requested that the resolution be discussed and voted on separately. Chairman Rattner noted that the Consent Resolution Agenda would include Resolutions #14-03 through Resolution #14-10 excluding Resolution #14-07 as requested by Mr. Phil.

A motion was made by Mr. Pucilowski to approve Resolutions #14-03 through #14-10 with the exception of Resolution #14-07, seconded by Mrs. Michetti and carried by the unanimous roll call vote of members present.

- Resolution #14-03 Appointing Lee T. Purcell Associates for Professional Engineering Services
- Resolution #14-04 Appointing Patrick Dwyer, Esq. Nusbaum, Stein, Goldstein, Bronstein & Kron, as Legal Counsel
- Resolution #14-05 Appointing VM Associates for Auditing Services
- Resolution #14-06 Appointing Hawkins, Delafield & Wood as Bond Counsel
- Resolution #14-08 Appointing Najarian Associates for Environmental Consulting Services
- Resolution #14-09 Appointing Stanford Risk Management
- Resolution #14-10 Appointing QC Laboratories for Permit Compliance Lab Services for a 3 year period

Mr. Dwyer arrived at the meeting at 7:18 PM.

Chairman Rattner opened discussion for Resolution #14-07. Mr. Phil said that he had one main concern with Resolution #14-07 awarding a contract to CP Engineers for alternate engineering services for 2014. He noted that CP Engineers are the municipal engineers for one of the member municipalities. He estimated that approximately five years ago a very similar discussion had taken place for the same type of issue with a different municipality and engineering firm along with the professional conflicts that can occur if the resolution were approved. At that time MSA commissioners decided it was a situation that they did not want to get involved in. He further indicated that professional conflicts can be worked through, but suggested that the resolution address the issue. Mr. Phil specifically mentioned his concerns about a project that CP Engineers were involved in that could cause conflicts in the future if they were appointed as the alternate engineers for the Authority. Mr. Phil reiterated that he believed the resolution should address the concern of professional conflicts. The commissioners discussed the concerns. Mr. Dwyer agreed with Mr. Phil that the alternate engineer needs to be able to back up any engineering issues without conflicts. Mr. Pucilowski suggested that the resolution should include the issue of professional conflicts. Chairman Rattner discussed a past issue regarding conflicts with the primary engineer for the MSA and that the engineer was not able to serve on the specific project. Mr. Schwartz suggested putting a clause in the resolution addressing professional conflicts issues. Mr. Dwyer said the resolution could be amended to include a clause stating that, "in the event the alternate engineering firm has a conflict with any of the member municipalities or the MSA itself, it will step aside and not serve". Mr. Rattner asked if that was satisfactory. Mr. Phil suggested that maybe the representative present from CP Engineers should offer his opinion on the situation. Mr. Donati of CP Engineers said that the firm represents a lot of regional authorities and it is very common to have conflicting issues. He said that in those issues the firm must be transparent to the conflicts. He said that CP Engineers regularly attends the monthly MSA meetings so that if needed they can help out the primary engineer or the Authority with any problems or issues that arise. He said that CP Engineers appreciates the opportunity and the appointment of alternate engineer. Chairman Rattner asked if any of the commissioners had any further concerns or issues.

Resolution No. 14-07 Authorizing the Award of a Contract for Professional Services to CP Engineers, LLC for Engineering Services as Needed Pursuant to N.J.S.A. 40A:11-5 and Without Public Advertising as a Professional Service, was moved by Mr. Benson, seconded by Mr. Schwab. Roll call:

Mr. Bates	Yes	Mr. Phil	No
Mr. Benson	Yes	Mr. Pucilowski	Yes
Mr. Grogan	Yes	Mr. Rattner	Yes
Mr. Keiser	Yes	Mr. Schwab	Yes
Mr. McNeilly	Yes	Mr. Schwartz	Yes
Mrs. Michetti	Yes		

RESOLUTION NO. 14-07

Resolution of the Musconetcong Sewerage Authority  
Authorizing the Award of a Contract for Professional  
Services to CP Engineers, LLC for Engineering Services  
as Needed Pursuant to N.J.S.A. 40A:11-5 and Without  
Public Advertising as a Professional Service

WHEREAS, the Musconetcong Sewerage Authority has a need to acquire alternate professional engineering services as needed by the Authority for the period from February 27, 2014 through February 1, 2015 as a professional service; and

WHEREAS, the Secretary/Treasurer has determined and certified in writing that the value of the acquisition will exceed Seventeen Thousand Five Hundred (\$17,500.00) Dollars; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, CP Engineers, LLC has submitted a proposal indicating that they will provide engineering services at the rate indicated on the attached Fee Schedule; and

WHEREAS, CP Engineers, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political committee or candidate in the Borough of Hopatcong, Borough of Mount Arlington, Township of Byram, Township of Mount Olive, Borough of Netcong, Township of Roxbury or Borough of Stanhope in the previous one (1) year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, in the event CP Engineers LLC shall have a conflict of interest it shall notify the MSA and recuse itself from performing any work which creates a conflict; and

WHEREAS, funds are available in the annual budget of the Musconetcong Sewerage Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Chairman is hereby authorized to enter into a Contract with CP Engineers LLC as described herein; and be it

FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and be it

FURTHER RESOLVED, that the Chairman is authorized to execute the Contract in the form attached hereto; and be it

FURTHER RESOLVED, that the Musconetcong Sewerage Authority publish in the official newspaper of publication a legal advertisement advising of the award as required by N.J.S.A. 40A:11-5.

The following one-year appointments were made on a motion offered by Mrs. Michetti, seconded by Mr. Benson and carried by the unanimous roll call vote of members present.

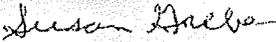
DEPOSITORY	TD Bank
PLANT PHYSICIAN	Advocare Medical Center at Budd Lake
OFFICIAL NEWSPAPER	Daily Record
OTHER NEWSPAPER	New Jersey Herald
NEWSPAPER FOR BIDS	Star-Ledger

Mr. Schilling introduced Mr. John Campanile of Stanford Risk Management Services who was appointed for risk management services for 2014. Mr. Schilling and Chairman Rattner thanked Mr. Campanile for his help over the past year. Mr. Campanile offered to make a risk management presentation at a future meeting. It was agreed to schedule a presentation at a future meeting.

Mr. Campanile left the meeting at 7:31 PM.

Motion made by Mr. McNeilly, seconded by Mr. Schwartz and the affirmative roll call vote of members present, Chairman Rattner adjourned the meeting at 7:33 PM.

Respectfully Submitted:

  
Susan Grebe,  
Administrative Assistant

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Joseph Schwab, MSA Secretary-Treasurer, called the meeting to order at 7:35 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, Michael Grogan, John Keiser, Brian McNeilly, Melanie Michetti, Daren Phil, Michael Pucilowski, Joseph Schwab, Edward Schwartz

MEMBERS ABSENT: Steven Rattner, John Sylvester

OTHERS PRESENT: Patrick Dwyer, Esq., Lee Purcell, PE, Fenton Purcell, PE, James Schilling, Stephen Donati, PE

Mr. Schwab opened and closed the meeting to the public.

The meeting minutes of January 23, 2014 were approved on a motion offered by Mr. Pucilowski, seconded by Mr. Bates. Roll Call:

Mr. Bates	Yes	Mrs. Michetti	Yes
Mr. Benson	Yes	Mr. Phil	Yes
Mr. Grogan	Abstain	Mr. Pucilowski	Yes
Mr. Keiser	Yes	Mr. Schwab	Yes
Mr. McNeilly	Abstain	Mr. Schwartz	Abstain

The Expenditures/Treasurer's Report was accepted on a motion offered by Mr. Schwab seconded by Mr. Benson and the affirmative roll call vote of members present.

The pending vouchers for the month of February were approved for payment on a motion offered by Mr. Pucilowski, seconded by Mrs. Michetti and the affirmative roll call vote of members present.

<b>ESCROW ACCOUNT</b>	
Nusbaum Stein	\$495.00
<b>OPERATING ACCOUNT</b>	
ADP	\$909.13
AmeriGas Propane	\$3,598.36
Atlantic Tomorrow	\$24.99
Nick Barbato (dental reimbursement)	\$552.60
Blue Diamond	\$355.00
Certified Labs	\$94.27
Cintas Corp.	\$580.60
Cintas First Aid	\$195.84
EMR Power Systems	\$4,964.95
Federal Express	\$20.11
Fisher Scientific	\$43.25
Friends of Tanzania (donation in Memory of L. Kron, Esq.)	\$100.00
Glasscar Auto Glass	\$375.00
Grainger	\$110.89
Susan Grebe (petty cash & mileage reimb)	\$179.67
JCP&L	\$5,831.84
J.W. Topping & Associates	\$950.00
Kemira	\$4,866.61
Lowe's	\$87.83
McMaster-Carr	\$87.42
NJSHP	\$16,616.63
NJ American Water	\$2,563.03
Netcong Hardware	\$20.91
North Jersey Section NJWEA	\$300.00
Northeast Industrial Tech	\$1,673.51
Nusbaum Stein	\$2,585.00
One Call	\$14.40
PERS	\$72,455.00
PPL Energy	\$25,978.77
Pan Metro Services	\$500.00
Passaic Valley Sewerage Commission	\$33,575.50
Polydync	\$2,052.00
QC Labs	\$2,304.00
James Schilling (mileage & dental reimb)	\$283.10

Shell Fleet Plus	\$548.61
Spectraserve	\$14,508.00
Staples	\$127.90
USA Bluebook	\$167.68
Verizon (phone)	\$685.19
Verizon Communications (internet)	\$49.99
Verizon Wireless	\$225.48
WEF (membership renewals)	\$610.00

The following correspondence for the month of February was received and filed on a motion offered by Mrs. Michetti, seconded by Mr. Pucilowski and the affirmative vote of members present.

- A. 1/28/14 Chester Ploussas – TWA for Fratelli Beretta Facility, 750 Clark Dr., Mount Olive
- B. 1/31/14 Van Cleef Engineering – From WQM-005 for Exeter, 650 International Dr. Mount Olive
- C. 2/4/14 Steven Dalton, Esq. – Villages at Roxbury Mapping Waiver Request
- D. 2/20/14 Robert Beinfield – Dellafield Hawkins Bond Counsel Services
- E. 2/20/14 LTPA – Professional Engineering Services for 2014

Mr. Schilling asked if the commissioners had reviewed his monthly report and if anyone had any questions. Mr. Pucilowski asked about the fraudulent long distance calls. Mr. Schilling explained that Verizon had not put an international calling block on the phones as initially requested, so a second request had to be made for the block, and a permanent block is now in place.

Mr. Schilling indicated that he received the report for the annual NJDEP inspection that was conducted on February 6<sup>th</sup>. The Authority received 100% compliance with no issues or complaints.

Mr. Schilling also updated the commissioners on the secondary clarifier failure and that it is back on-line and fully compliant. The commissioners discussed the situation and the back up Plant #3. Mr. Schilling indicated that he plans to test Plant #3 during this spring and make sure that it is in standby mode. Mr. Schwab suggested that the plant should have a standard operating procedure in place for emergencies.

The Repairs and Maintenance Report was accepted on a motion offered by Mr. Benson, seconded by Mr. Schwartz and the affirmative vote of members present.

Mr. Purcell thanked the commissioners for reappointing Lee T. Purcell Associates as the Authority's Engineer for 2014.

Mr. Purcell recommended that the Chairman should sign-off on the NJDEP WQM-005 Form for the Mount Olive Realty Company, Exeter, 650 International Drive Treatment Works Approval Permit. The Authority had endorsed the TWA Permit Application previously. He explained that the form was acceptable and should be signed and submitted to the NJDEP as required.

Motion made by Mr. Pucilowski to authorize Chairman Rattner to sign the NJDEP WQM-005 Form for the Mount Olive Realty Company, Exeter, 650 International Drive Treatment Works Approval Permit, seconded by Mrs. Michetti and the affirmative roll call vote of members present.

Mr. Purcell also reported on the Villages at Roxbury mapping waiver request. He updated the commissioners on a letter that the project attorney sent to the USEPA with additional information requested by the USEPA.

Lastly, Mr. Purcell also noted that LTPA is available to assist the MSA in developing an Asset Management Plan.

The Engineer's Report was accepted on a motion offered by Mr. Pucilowski, seconded by Mrs. Michetti and the affirmative vote of members present.

Mr. Pucilowski discussed the need to have certain bills paid without prior approval. He suggested that a resolution be prepared designating bills of exception and authorizing that bills of exception could be paid without prior approval. He requested that the item be placed on the agenda for discussion at next month's meeting and that he would forward information he had regarding bills of exception to the MSA Attorney for review. Mr. Pucilowski said bills that could be included would be utility bills, bills that are covered under contract, recurring bills or bills less than \$5,000.00 in aggregate.

Mr. Benson noted that the commissioners can now take a JIF course on line that will give the Authority a \$250.00 credit per person. He said he would forward the information to the Administrator for distribution.

Motion made by Mr. Pucilowski, seconded by Mr. Schwartz and the affirmative roll call vote of members present for the commissioners to go into closed session at 8:03 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:

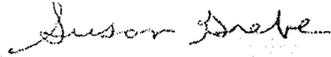
1. The public shall be excluded from discussion of, action on and hearing the tape of closed session of the Musconetcong Sewerage Authority;
2. The general nature of the subject matter to be discussed is as follows: Litigation

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

Motion to reopen the meeting to the public at 8:24 PM was offered by Mr. McNeilly, seconded by Mr. Schwartz and the affirmative vote of members present.

Motion made by Mr. Grogan, seconded by Mr. McNeilly and the affirmative roll call vote of members present, Mr. Schwab adjourned the meeting at 8:25 PM.

Respectfully Submitted;



Susan Grebe,  
Administrative Assistant