(C)

Melissa Velez-Morales

From: Masser, Michelle
Sent: Friday, February 26, 2016 11:01 AM
To: Melissa Velez-Morales; Gouveia, Susan
Subject: FW: MSA January 28, 2016 Approved Meeting Minutes
Attachments: January 28, 2016 meeting minutes.pdf

Correspondence

Michelle Masser
Township Clerk
Mount Olive Township
PO Box 450
204 Flanders Drakestown Road
Budd Lake, NJ 07828
clerk@mtolivetwp.org
973-691-0900 X7291

From: Susan Grebe [mailto:sgrebe@msa-nj.org]
Sent: Friday, February 26, 2016 10:50 AM
To: Amy Rhead <rheada@roxburynj.us>; 'Catherine Gleason' <cgleason@hopatcong.org>; Dolores Dalessandro <boroughclerk@netcong.org>; Doris Flynn <dflynn@byramtwp.org>; Ellen Horak <ehorak@stanhopenj.gov>; Linda DeSantis <maboroughclerk@optonline.net>; Masser, Michelle <clerkmichelle@mtolivetwp.org>
Subject: MSA January 28, 2016 Approved Meeting Minutes

Attached are the approved minutes of the MSA's January 28th meeting.

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

Musconetcong Sewerage Authority
Commissioners' Meeting
January 28, 2016

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

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

MEMBERS PRESENT:	James Benson, Thomas Bruno, Michael Grogan, Brian McNeilly, Melanie Michetti, Daren Phil, Michael Pucilowski, Steven Rattner, Richard Schindelar, John Sylvester
MEMBERS ABSENT:	Donald Bates, Joseph Schwab
OTHERS PRESENT:	Patrick Dwyer, Esq., Lee Purcell, PE, Fenton Purcell, PE, Marvin Joss, James Schilling

Chairman Rattner announced that Commissioner Phil's term would be expiring and this was his last official MSA meeting. He thanked Mr. Phil and commended him for his many years of service to the Authority.

Chairman Rattner opened and closed the meeting to the public.

The Regular Meeting Minutes of December 17, 2015, were approved on a motion offered by Mr. Sylvester, seconded by Mr. McNeilly. Roll Call:

Mr. Bates	Absent	Mr. Phil	Yes
Mr. Benson	Yes	Mr. Pucilowski	Abstain
Mr. Bruno	Abstain	Mr. Rattner	Yes
Mr. Grogan	Abstain	Mr. Schindelar	Yes
Mr. McNeilly	Yes	Mr. Schwab	Absent
Mrs. Michetti	Yes	Mr. Sylvester	Yes

The Closed Session Meeting Minutes of December 17, 2015, were approved on a motion offered by Mr. McNeilly, seconded by Mr. Schindelar. Roll Call:

Mr. Bates	Absent	Mr. Phil	Yes
Mr. Benson	Yes	Mr. Pucilowski	Abstain
Mr. Bruno	Abstain	Mr. Rattner	Yes
Mr. Grogan	Abstain	Mr. Schindelar	Yes
Mr. McNeilly	Yes	Mr. Schwab	Absent
Mrs. Michetti	Yes	Mr. Sylvester	Yes

Chairman Rattner suggested that the Expenditures/Treasurer's Report for the month of December be tabled until the February meeting when Mr. Schwab would be present to review the report with the commissioners.

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

ESCROW ACCOUNT	
LTPA	$600.00
OPERATING ACCOUNT	
ABB Inc.	$1,572.35
ADP	$1,014.76
Alternative Auto	$644.35
AmeriGas Propane	$1,310.61
Atlantic Tomorrow	$23.35
Vince Barbato (work boot reimb)	$146.98
Bendlin, Inc.	$252.00
Pat Biasi (eye & work boot reimb)	$611.99
Blue Diamond	$567.10
Cintas Corp.	$582.80
Cintas First Aid	$100.43
Cintas First Aid (First aid/CPR Training course)	$1,176.00
Cleary Giacobbe	$157.50
Daily Record (	$49.52
Keith DeFazio (dental, eye & mileage reimb)	$464.63
Deli Delicious	$470.00

Edible Arrangements	$102.99
eMaint Enterprises	$3,060.00
Endress + Hauser	$3,270.66
Eurofins QC Labs	$2,543.00
Fisher Scientific	$340.21
Susan Grebe (mileage & petty cash)	$144.77
JCP&L	$47,680.58
Kemira	$9,783.79
LTPA	$4,710.00
Lowes	$11.34
MSA Payroll 1/2/16	$31,667.40
MSA Payroll 1/15/16	$30,057.47
MSA Payroll 1/29/16	$29,731.63
Maryland Biochemical	$963.26
NJEIT (loan payment S340 384-06)	$16,033.58
NJEIT (loan payment S340 384-07)	$11,191.72
NJEIT (loan payment S340 384-08)	$26,199.91
NJSHBP	$17,784.61
NJ American Water	$2,874.41
NJ Herald	$22.50
NJ Utilities JIF	$37,353.99
Napa Auto Parts	$44.04
Northeast Computer	$5,401.00
Nusbaum Stein	$2,378.20
One Call	$19.84
PMZ Landscaping	$550.00
Pan Metro	$600.00
Paramount FMS	$1,952.00
Passaic Valley Sewerage Commission	$45,056.00
R-D Trucking	$20,160.00
Randolph Township	$1,100.00
Steven Rattner (AEA conference refund)	$114.00
James Schilling (dental reimb)	$177.48
Shell Fleet	$207.57
Staples	$270.89
TD Bank	$70,931.80
Unum Life Insurance	$1,384.67
Verizon	$1,457.05
Verizon Wireless	$225.20
WEF	$206.00

Mr. Dwyer noted that the letter from Givaudan would be address by Fenton Purcell in his engineer's report.

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

A. 12/15/15 John Trombley, Givaudan – NJDEP Significant Indirect User Permit Application
B. 12/18/15 Patrick Dwyer, Esq. – Letter to DRBC transmitting MSA Application
C. 12/18/15 NJ Utilities Authorities JIF – 2016 Budgets
D. 12/23/15 Patrick Dwyer, Esq. – Letter to Anne Donohoe, Esq. regarding Title Estoppel Requests
E. 12/29/15 Robert Beinfield of Hawkins Dellafield – Bond Counsel Services for MSA 2016
F. 12/30/15 LTPA – Review of TWA Permit Application for ITC West, 450 International Drive
G. 1/8/16 Linda Desantis, RMC – Resolution Appointing Mount Arlington Councilman Andrew Cangiano as MSA Commissioner
H. 12/14/15 Patrick Dwyer, Esq. – Letter to Judge Rigo at OAL regarding MSA v. NJDEP
I. 1/20/16 Vincent M. Montanino, RMA – 2016 Audit and Accounting Services for MSA
J. 1/21/16 Patrick Dwyer, Esq. – Letter to John Trombley at Givaudan Fragrances regarding Significant Indirect User Permit Application for 300 Waterloo Road, Mt. Olive
K. 1/22/16 NJDEP – One Year Time Extension TWA Approval No. 13-0335, Waterloo Valley Road SS Extension, Mount Olive
L. 1/27/16 Lisa Schweitzer of Chester, Ploussas – ITC West TWA Application
M. 1/27/16 LTPA - Review of Revised Information for TWA Permit Application for ITC West, 450 International Drive

Mr. Schilling asked if the commissioners had reviewed his monthly report and if anyone had any questions or comments.

Mr. Schilling reported that he updated the MSA's website so that it would be in compliance for 2016. He posted all required information for 2016 thus far. He will make the additional changes when they take place.

Mr. Schilling also reported that the legal notice for the Engineering Request for Proposals and Qualifications was published in the MSA's official newspapers on January 26th and 27th, and has been posted on the website. He also indicated that the Authority has received six requests for the RFP at this time.

Mr. Schilling also discussed a meeting he had with the science teacher at Saint Michael's School in Netcong regarding a tour for her sixth grade students. A waiver was requested by the school for the students to take the tour. The commissioners and Mr. Schilling discussed the insurance implications and risks with sixth grade students. Commissioner Pucilowski suggested that the MSA should have Saint Michael's school named as an additional insured. It was also suggested that more chaperones should be required. Mr. Dwyer would prepare a waiver form for the students' parents to sign. Mr. Dwyer also suggested that Mr. Schilling explain the dangers of the water pollution control facility to the students before the tour.

The Director's Report and the Maintenance and Repairs Report for the month of January were accepted on a motion offered by Mr. McNeilly, seconded by Mr. Sylvester and the affirmative vote of members present.

Lee Purcell reiterated that the review of the Roxbury Park sanitary sewer capacity is still on hold until Roxbury and Netcong discuss the development proposal.

Mr. Purcell reported on a two-lot Roxbury Subdivision Plan that he reviewed that was prepared by Dynamic Engineering. The request was to connect two houses to the MSA's interceptor sewer. He issued a report to Mr. Schilling and the developer's engineer directing how the connections are to be made to the inceptor. The report also indicated that an escrow would be needed for the construction inspection by the MSA.

Mr. Purcell also reported on the endorsement of the TWA application for the ITC West, 450 International Drive, Lot 2.05, Block 103 in Mount Olive. He explained that this application was approved and endorsed by the Authority in the past. The permit has lapsed and a new permit is now being required. Nothing has changed since the last submission to the MSA for consent. He recommended that the MSA approve a resolution of consent for the TWA and endorse the application consent forms.

Resolution No. 16-03 Authorizing the MSA's Endorsement of the NJDEP Treatment Works Approval (TWA) Permit Application to Serve a Flex Warehouse/Office Building Consisting of 50,772 Square Feet of Warehouse Area and 14,810 Square Feet of Office Building Space for Property Located at Block 103, Lot 2.05, 450 International Drive, Mount Olive, Morris County, NJ, was moved by Mr. Pucilowski, seconded by Mr. Sylvester and the affirmative roll call vote of members present.

RESOLUTION NO. 16-03

**Resolution of the Musconetcong Sewerage Authority
Endorsing the New Jersey Treatment Works Approval (TWA)
Permit Application to Serve a Flex Warehouse/Office Building
Consisting of 50,772 Square Feet of Warehouse
Area and 14,810 Square Feet of Office Building Space for
Property Located at Block 103, Lot 2.05,
450 International Drive, Mount Olive, Morris County, NJ**

WHEREAS, on May 9, 2007, the Musconetcong Sewerage Authority (hereinafter "MSA") adopted Resolution No. 07-25 entitled "Resolution of the Musconetcong Sewerage Authority Endorsing the New Jersey Treatment Works Approval (TWA) Permit Application to Serve a Flex Warehouse/Office Building Consisting of 50,772 Square Feet of Warehouse Area and 14,810 Square Feet of Office Building Space for Property Located at Block 103, Lot 2.05, International Drive, Mount Olive, Morris County, NJ"; and

WHEREAS, on March 22, 2012, the MSA adopted Resolution No. 12-15 entitled "Resolution of the Musconetcong Sewerage Authority Endorsing the New Jersey Treatment Works Approval (TWA) Permit Application to Serve a Flex Warehouse/Office Building Consisting of 50,772 Square Feet of Warehouse Area and 14,810 Square Feet of Office Building Space for Property Located at Block 103, Lot 2.05, International Drive, Mount Olive, Morris County, NJ"; and

WHEREAS, the prior approval received from the State Approved TWA Application has lapsed and a new application must be filed; and

WHEREAS, the MSA has received the following documents submitted by Chester, Ploussas, Lisowsky Partnership, LLC:

1. Letter from Chester, Ploussas, Lisowsky Partnership, LLC dated December 9, 2015 enclosing the following documents:
   a. Treatment Works Approval TWA-1 signed by New Jersey Foreign Trade Zone Venture, LLC on December 10, 2015;
   b. WQM-003 Form endorsed by the Musconetcong Sewerage Authority and Mount Olive Township on March 27, 2012;
   c. New WQM-003 Form requiring the endorsement of Musconetcong Sewerage Authority;
   d. New WQM-003 Form requiring the endorsement of Mount Olive Township;
   e. Engineer's Report, WQM-006 signed by the Chester Ploussas, Lisowsky Partnership, LLC on Dec. 9, 2015;
   f. Standard Specifications;
   g. Preliminary and Final Site Plan;
   h. TWA Permit issued by NJDEP on June 19, 2012 which expired on June 18, 2014;
   i. One year extension issued by NJDEP on August 26, 2014 which expired on June 17, 2015;
   j. Resolution by the Mount Olive Township Council authorizing execution of the TWA on March 27, 2012; and
   k. Resolution of the MSA dated March 22, 2012 authorizing execution of the TWA.
2. Letter from Chester, Ploussas, Lisowsky Partnership, LLC dated December 9, 2015 certifying that "there have been no changes to the Plans or Specifications approved by the Musconetcong Sewerage Authority on March 22, 2012;"
3. Letter from Chester, Ploussas, Lisowsky Partnership, LLC dated December 15, 2015 indicating they "discovered a discrepancy between the approved Site Plan and the TWA Application and WQM-006 submitted to the Authority on December 9, 2015" and enclosing a revised TWA-1 Form and WQM-006 Engineer's Report;
4. Resolution of the Township Council of the Township of Mount Olive dated December 22, 2015 and WQM-003 signed by Laura Harris Business Administrator for Mt. Olive Township; and

WHEREAS, the MSA has received letters from its Engineers Lee T. Purcell Associates dated December 30, 2015 and January 27, 2016 recommending the Authority endorse the application by Resolution; and

WHEREAS, the flow available to the Township of Mount Olive pursuant to Service Contract with the MSA is 1,533,000 GPD and that the average use for the Township of the Mount Olive for the past 3 months has been 640,445 GPD.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the MSA that the above referenced Treatment Works Approval Permit Application (TWA-1) for the connection of an existing sanitary sewer line to a serve a flex warehouse office building consisting of 50,772 square feet of warehouse area, and 14,810 square feet of office building space for a total of 65,582 square feet for property located at Block 103, Lot 2.05, 450 International Drive in the Township of Mount Olive, Morris County, New Jersey is hereby endorsed contingent upon the following:

A. Receipt of NJDEP TWA-1 Form endorsed by Applicant; and be it

FURTHER RESOLVED, that Steven Rattner, Chairman of the Musconetcong Sewerage Authority is hereby authorized to sign the Statement of Consent (NJDEP Form WQM-003) at two (2) locations on Pages 2 and 3 of 4 where indicated.

Chairman Rattner pointed out that LTPA's appointment ends on January 31, 2016 and the MSA does not have a new consulting engineer in place. He noted that there were funds presently budgeted for engineering costs. It was his opinion that LTPA should handle any issues that may come up in accordance with their present fee schedule until a new engineer is appointed, unless any of the commissioners objected. He believed that a formal resolution would not be needed at this time unless the costs exceed the funds available in the General Engineering Budget. Mr. Pucilowski mentioned that the Engineering Committee had discussed the need for an engineer on a short term basis and they would contact Lee Purcell, PE or Fenton Purcell, PE if needed. Chairman Rattner explained that LTPA should be paid for any time required by the MSA for consulting engineering needs. Mr. Pucilowski also noted that there will be some interaction required between the newly appointed engineer and LTPA once the MSA appoints an engineer. Mr. Schilling said he had discussed the matter with Lee and Fenton Purcell and LTPA's firm will remain whole until March 31, 2016. He further explained that after March 31st the Authority will have to work out the legalities for consulting engineer services from Lee and Fenton Purcell on an individual consulting basis.

Fenton Purcell, PE reiterated that the Authority will need to submit a compliance report on July 1, 2016 for the NJDEP Permit.

Mr. Purcell also discussed a letter from Givaudan Fragrances Corporation regarding a NJDEP Significant Indirect User (SIU) Permit Application request received by the MSA. He explained the permit approval was for the MSA to be able to accept Givaudan's industrial waste after it has been pre-treated. He had prepared a five page report for Mr. Schilling expressing his comments and recommendations on the issues. He explained that there were many discrepancies in the permit application. He also prepared a summary report for the commissioners indicating LTPA's comments on the various application issues. He asked that the Administrator e-mail the summary report to the commissioners. He summarized the application issues and discrepancies in his report for the commissioners. He also explained that the time frame requested for responding to the application was incorrect. Mr. Dwyer sent a letter to Givaudan responding to their request letter and the incorrect time frame. Mr. Purcell further reported that LTPA recommends that the MSA does not endorse the Consent Forms for the SIU Permit Application. He explained some of the inconsistencies with the application and the problems of the MSA accepting the industrial waste discharge. He noted an informal meeting that he and Mr. Schilling had with Givaudan approximately two months ago. The meeting discussion included the fact that Givaudan presently pays $600,000.00 a year to haul the waste away, which is probably an economic reason for the permit request.

Chairman Rattner explained about the Mount Olive Service Agreement and that it is only for domestic waste. He further explained that Givaudan's flow is Mount Olive's responsibility under that service agreement. He indicated that Mount Olive needs to be informed about this request from Givaudan and the requirements under their service agreement with the MSA. The MSA cannot give out gallonage allocation. He said Mount Olive should be noticed immediately about this request. He compared other past similar projects in Mount Olive. Mr. Dwyer noted that Mount Olive was copied on his response letter to Givaudan. It was suggested that the Mount Olive Business Administrator should be contacted about this permit request as soon as possible. Mr. Schilling suggested maybe a meeting should be required to review their service agreement with this request and the MSA permit requirements. The commissioners further discussed the concerns for the water pollution control plant. It was also suggested that Mount Olive's Engineer also be contacted along with the Mount Olive Business Administrator. Copies of the permit request letter from Givaudan should be forwarded to Mount Olive.

Mr. Pucilowski ask Mr. Purcell about the two houses in Roxbury that would be connecting to the MSA interceptor and if a backflow preventer should be recommended in the event that there is an issue. Mr. Purcell said that interceptor is 42 inches in diameter and in his report it is required that the connection should made at 2 o'clock on the pipe which is high to the ground and it will not have a backflow problem. Mrs. Michetti asked who would be inspecting the connections. Mr. Purcell suggested that MSA Staff could do the inspections. Mrs. Michetti said no construction should start without notice. Mr. Purcell suggested that MSA should be notified when the building permit is obtained, so it would be ahead of time of the connections.

The Engineer's Report for the month of December was accepted on a motion offered by Mr. McNeilly, seconded by Mr. Sylvester and the affirmative vote of members present.

Lee Purcell, Fenton Purcell and Mr. Joss left the meeting at 8:25 PM.

Mr. Pucilowski asked Mr. Schilling about information for the PSVC Coop. Mr. Schilling indicated that the MSA is now a member, but there is no website available yet.

Motion made by Mr. Phil, seconded by Mrs. Michetti and the affirmative roll call vote of members present for the commissioners to go into closed session at 8:29 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 are 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 and action of the closed session of the Musconetcong Sewerage Authority;
2. The general nature of the subject matter to be discussed is as follows: Personnel

The above subject matter will be made public once negotiations are complete and it is deemed to be in the public interest.

The meeting was reopened to the public at 8:46 PM.

Resolution No. 16-01 Authorizing MSA Administrative Assistant's Salary Changes.
Mr. Phil thanked Ms. Grebe for her hard work and performance over the past two years. He explained her salary increase. The salary increase for 2015 will be increased from $25.54 per hour to $26.54 per hour retroactive to January 1, 2015. 2016 salary increase would be from $26.54 per hour to $27.54 per hour retroactive to January 1, 2016. A motion was made by Mr. Phil to increase MSA Administrative Assistant Susan Grebe's salary as described above, seconded by Mrs. Michetti and the affirmative roll call vote of members present.

Resolution No. 16-02 Authorizing MSA Director's Salary Changes. Mr. Phil explained to MSA Director James Schilling that the commissioners have proposed a retroactive salary increase of $2,500.00 for 2015 which would be a salary increase from $98,000.00 to $100,500.00. 2016 salary increase would be from $100,500.00 to $103,000.00 retroactive to January 1, 2016. A motion was made by Mr. Phil to increase MSA Director James Schilling's salary as described above, seconded by Mr. Schindelar and the affirmative roll call vote of members present.

Chairman Rattner indicated that retroactive pays could be prepared at this time. Formal resolutions would be prepared by MSA Attorney Patrick Dwyer for signatures by the Chairman and Treasurer to be kept on file at the MSA main office.

RFQ's to appoint a new consulting engineer were discussed. Mr. Pucilowski reported that the Engineering Committee finalized the documents for proposals and the position was advertised in the MSA official newspapers. RFQ's for the position are to be submitted by February 17th at which time MSA Purchasing Agent, Marvin Joss will open the submissions and evaluate them. The proposals will be reviewed and compared, and a recommendation can be made for an in-house engineer. Additional recommendations may be made for a special needs engineer.

Chairman Rattner reminded the commissioner's that on February 25th the MSA will hold its reorganization meeting before the regular meeting. If possible, the commissioners should let the Administrator know what positions and committees they are interested in ahead of the meeting.

Motion made by Mr. Sylvester, seconded by Mr. Schindelar and the affirmative vote of members present, Chairman Rattner adjourned the meeting at 9:00 PM.

Respectfully Submitted:

Susan Grebe

Susan Grebe,
Administrative Assistant