



Melissa Velez-Morales

From: Masser, Michelle
Sent: Monday, March 28, 2016 8:51 AM
To: Harris, Laura
Cc: Melissa Velez-Morales; Gouveia, Susan
Subject: FW: MSA Approved Meeting Minutes
Attachments: February 25, 2016 approved reorganization mtg minutes.pdf; February 25, 2016 approved regular mtg minutes.pdf

Correspondence

Michelle Masser
Township Clerk
Mount Olive Township
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973-691-0900 X7291

From: Susan Grebe [mailto:sgrebe@msa-nj.org]
Sent: Friday, March 25, 2016 11:52 AM
To: Amy Rhead <rheada@roxburynj.us>; 'Catherine Schultz' <cschultz@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 Approved Meeting Minutes

Attached are the approved meeting minutes of the MSA's February 25th Reorganization and Regular Meetings.

Have a Happy Easter!
Sue

*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 7:37 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: Donald Bates, James Benson, Thomas Bruno, Michael Grogan, Brian McNeilly, Melanie Michetti, Michael Pucilowski, Steven Rattner, Richard Schindelar, Joseph Schwab, John Sylvester
- MEMBERS ABSENT: All Members were present
- OTHERS PRESENT: Patrick Dwyer, Esq., Lee Purcell, PE, Fenton Purcell, PE, James Schilling, Andrew Cangiano, Marvin Joss

MSA Attorney, Patrick Dwyer, swore in the following Commissioners:

- Andrew Cangiano (new appointment for Mount Arlington)
 Richard Schindelar (reappointment for Hopatcong)

MSA Attorney, Patrick Dwyer, opened the floor for nominations for Chairman. Motion made by Mr. Sylvester, seconded by Mr. McNeilly 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.

Chairman Rattner thanked the commissioners for their confidence in him as MSA Chairman.

Motion offered by Mr. Pucilowski, seconded by Mr. Schwab nominating John Sylvester as Vice Chairman. Motion to close nominations offered by Mr. McNeilly, seconded by Mr. Schindelar. Motion to approve the nomination was offered by Mrs. Michetti, seconded by Mr. McNeilly. John Sylvester as Vice Chairman was carried by the unanimous vote of members present.

Motion offered by Mrs. Michetti, seconded by Mr. Bruno nominating Joseph Schwab as Secretary-Treasurer. Motion to close nominations offered by Mr. McNeilly, seconded by Mr. Grogan. Motion to approve the nomination was offered by Mr. Schindelar, seconded by Mrs. Michetti. Joseph Schwab as Secretary-Treasurer was carried by the unanimous vote of members present.

Motion offered by Mr. Schwab, seconded by Mr. Schindelar nominating James Benson as Assistant Secretary-Treasurer. Motion to close nominations offered by Mr. Sylvester, seconded by Mr. Pucilowski. James Benson as Assistant Secretary-Treasurer was carried by the unanimous vote of members present.

Chairman Rattner thanked the Vice Chairman, Secretary-Treasurer and Assistant Secretary-Treasurer for accepting their nominations for 2016.

Chairman Rattner listed the current committee appointments from 2015. He asked each of the commissioners if they would like to volunteer for a different committee for 2016. All commissioners agreed to serve on the same committees. Mr. Cangiano agreed to fill Mr. Phil's position on the Personnel Committee. A motion was made by Mr. Bruno to approve the committee appointments for 2016 as listed below, seconded by Mr. Schindelar and the affirmative roll call vote of members present.

Finance/Audit Committee	James Benson, Steven Rattner, Joseph Schwab
JIF Insurance Commissioner	James Benson
Engineering, Operations, Maintenance & Safety Committee	Michael Grogan, Richard Schindelar, Melanie Michetti, Michael Pucilowski, Thomas Bruno
Personnel Committee	John Sylvester (Chair), Brian McNeilly, Michael Pucilowski, Andrew Cangiano
Purchasing Commissioner	Donald Bates

Resolution No. 16-04 Authorizing the Award of Contract for the Period of January 1, 2016 through March 31, 2016 for Professional Engineering Services to Lee T. Purcell Associates Pursuant to the Provisions of N.J.S.A. 40A:11-5 and Without Public Advertising as a Professional Service was moved by Mr. Pucilowski, seconded by Mr. Bruno and the affirmative roll call vote of members present.

RESOLUTION NO. 16-04

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Lee T. Purcell Associates for Engineering
Services Pursuant to the Provisions of 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 professional engineering services for the period from January 1, 2016 through March 31, 2016 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 40A:11-5; and

WHEREAS, the Secretary/Treasurer has determined and certified in writing that the value of the acquisition will not exceed Seventeen Thousand Five Hundred (\$17,500.00) Dollars; and

WHEREAS, the anticipated term of this contract is three (3) months; and

WHEREAS, Lee T. Purcell Associates 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, 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 Lee T. Purcell Associates 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 Musconetcong Sewerage Authority shall pay Lee T. Purcell Associates a retainer fee in the amount of Seven Hundred Fifty (\$750.00) Dollars for the period from January 1, 2016 through March 31, 2016; and be it

FURTHER RESOLVED, that the Contract shall not exceed Five Thousand (\$5,000.00) Dollars without further authorization from the Commissioners of the Musconetcong Sewerage Authority; 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.

Resolution No. 16-05 Authorizing the Award of Contract for Professional Services to Patrick J. Dwyer, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron, as Legal Counsel Pursuant to the Provisions of N.J.S.A. 40A:11-5 and Without Public Advertising as a Professional Service was moved by Mr. Pucilowski, seconded by Mrs. Michetti and the affirmative roll call vote of members present.

RESOLUTION NO. 16-05

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Patrick J. Dwyer, Esq., of Nusbaum, Stein, Goldstein,
Bronstein & Kron, as Legal Counsel Pursuant to the Provisions of
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 legal services for the period from February 27, 2016 through February 1, 2017 pursuant to the provisions of N.J.S.A. 40A:11-5; and

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

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

WHEREAS, Patrick J. Dwyer, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron has submitted a proposal indicating that they will provide legal services at the rate of:

A. Six Thousand (\$6,000.00.00) Dollars for attendance at twelve (12) regular meetings of the Authority; and

B. \$220.00 per hour for all other legal services; and

WHEREAS, Patrick J. Dwyer, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron 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, the Secretary/Treasurer of the Musconetcong Sewerage Authority has certified that 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 Patrick J. Dwyer, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron 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 amount payable under this contract shall not exceed the sum of Seventeen Thousand Five Hundred (\$17,500.00) Dollars unless the Musconetcong Sewerage Authority shall so authorize; 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.

Resolution No. 16-06 Authorizing the Award of Contract for Professional Services to Vincent M. Montanino of VM Associates, Inc. for Auditing Services Pursuant to the Provisions of N.J.S.A. 40A:11-5 and Without Public Advertizing as a Professional Service was moved by Mr. Bruno, seconded by Mr. Schwab and the affirmative roll call vote of members present.

RESOLUTION NO. 16-06

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Vincent M. Montanino of VM Associates, Inc.
for Auditing Services 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 auditing services as a non-fair and open contract for the period from February 27, 2016 through February 1, 2017 pursuant to the provisions of N.J.S.A. 40A:11-5; and

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

WHEREAS, Vincent M. Montanino of VM Associates, Inc., has submitted a proposal indicating that they will provide auditing services at the rate of Seven Thousand Five Hundred (\$7,500.00) Dollars; and

WHEREAS, Vincent M. Montanino has submitted a proposal indicating that he will provide additional accounting services on an as-needed basis. These additional accounting services will be billed at the rate on the attached Fee Schedule; and

WHEREAS, Vincent M. Montanino of VM Associates, Inc., 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, 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 Vincent M. Montanino of VM Associates, Inc., 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 Contract shall not exceed Seven Thousand Five Hundred (\$7,500.00) Dollars for annual auditing services without further authorization from the Commissioners of the Musconetcong Sewerage Authority; and be it

FURTHER RESOLVED, that this Resolution is subject to VM Associates, Inc., providing satisfactory proof of malpractice insurance; 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.

Resolution No. 16-07 Authorizing the Award of Contract for Professional Services to Hawkins, Delafield & Wood, as Bond Counsel Pursuant to the Provisions of N.J.S.A. 40A:11-5 and Without Public Advertizing as a Professional Service was moved by Mr. Pucilowski, seconded by Mr. McNeilly and the affirmative roll call vote of members present.

RESOLUTION NO. 16-07
Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Hawkins, Delafield & Wood,
as Bond Counsel Pursuant to the Provisions of
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 general bond counsel advisory services for the period from February 27, 2016 through February 1, 2017 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 40A:11-5; and

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

WHEREAS, Hawkins, Delafield and Wood have submitted a Schedule of Charges for General Bond Advisory Services which is attached hereto; and

WHEREAS, Hawkins, Delafield and Wood have 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

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 Hawkins, Delafield and Wood 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 this Resolution is subject to Hawkins, Delafield and Wood providing satisfactory proof of malpractice insurance; 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.

Resolution No. 16-08 Authorizing the Award of Contract for Professional Environmental Consulting Services to Najarian Associates Pursuant to the Provisions of N.J.S.A. 40A:11-5 and Without Public Advertising as a Professional Service was moved by Mr. McNeilly, seconded by Mr. Schindelar and the affirmative roll call vote of members present.

RESOLUTION NO. 16-08
Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional Services to
Najarian Associates Pursuant to the Provisions of
N.J.S.A. 40A:11-5 Without Public Advertising as a Professional Service

WHEREAS, the Musconetcong Sewerage Authority (hereinafter "MSA") requires specialized Engineering, Scientific and Environmental Consulting Services; and

WHEREAS, Najarian Associates have previously provided services to MSA on related and similar issues; and

WHEREAS, Najarian Associates have previously provided professional services to MSA regarding effluent limitations for its facility and water quality of the Musconetcong River.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that a Contract is hereby awarded to Najarian Associates as Special Environmental Consultant for the MSA to perform the following services:

1. Assist as needed with permit approvals from NJDEP, effluent limitations, water quality of the Musconetcong River, and related matters, all on an as needed basis; and

WHEREAS, the costs of the services to be performed by Najarian Associates will be based on a time and material basis in accordance with the attached Schedule in an amount not to exceed Fifteen Thousand (\$15,000.00) Dollars; and

WHEREAS, the Secretary/Treasurer of the MSA has certified that funds are available in the annual budget of the MSA.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the MSA that the Chairman is hereby authorized to enter into a Contract with Najarian Associates as described herein; and be it

FURTHER RESOLVED, that the above is engaged without competitive bidding as a professional service under the provisions of the Local Public Contract Law because the qualitative nature of these services will not reasonably permit the drawing of specifications; and be it

FURTHER RESOLVED, that the amount of this Contract shall not exceed Fifteen Thousand (\$15,000.00) Dollars without further authorization from the Musconetcong Sewerage Authority; 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 MSA publish in the official newspaper of publication a legal advertisement advising of the award as required by N.J.S.A. 40A:11-5.

Resolution No. 16-09 Authorizing the Award of Contract for Professional Services for Risk Management Consulting Services to Stanford Risk Management Services, Inc. Pursuant to the Provisions of N.J.S.A. 40A:11-5 and Without Public Advertising as a Professional Service was moved by Mr. Benson, seconded by Mrs. Michetti and the affirmative roll call vote of members present.

RESOLUTION NO. 16-09

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services for Risk Management Consulting Services
to Stanford Risk Management Services, Inc., Pursuant
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 Risk Management Services pursuant to N.J.S.A. 40A:11-5 for the period from February 26, 2016 through February 1, 2017 pursuant to the provisions of N.J.S.A. 40A:11-5; and

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

WHEREAS, Stanford Risk Management Services, Inc., has submitted a proposal indicating that they will provide risk management services at the rate of six (6%) percent of the Authority's annual assessment as promulgated by the New Jersey Utility Municipal Joint Insurance Fund; and

WHEREAS, Stanford Risk Management Services, Inc., 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 him from making any reportable contributions through the term of the contract; and

WHEREAS, the Secretary/Treasurer of the MSA has certified that funds are available in the annual budget of the MSA.

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 Sanford Risk Management Services, Inc., 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 Contract shall not exceed six (6%) percent of the Authority's annual assessment as promulgated by the New Jersey Utility Municipal Joint Insurance Fund unless further authorized by the MSA; 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.

Resolution No. 16-10 Authorizing the Award of Contract for Professional Services to John A. Napolitano, Esq., and Matthew Giacobbe, Esq., of Cleary Giacobbe Alfieri & Jacobs, LLC, as Special Labor Counsel Without Public Advertising as a Professional Service was moved by Mr. Schindelar, seconded by Mr. Bruno and the affirmative roll call vote of members present.

RESOLUTION NO. 16-10

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to John A. Napolitano, Esq., and Matthew Giacobbe, Esq.,
of Cleary Giacobbe Alfieri & Jacobs, LLC, as Special Labor
Counsel Without Public Advertising as a Professional Service**

WHEREAS, the Musconetcong Sewerage Authority ("MSA") has a need to retain professional services, in particular, special labor counsel for the period from February 26, 2016 through February 1, 2017; and

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

WHEREAS, N.J.S.A. 40A:11-5 permits the award of a contract without public advertising for bids or bidding for professional services; and

WHEREAS, the MSA is desirous of engaging John A. Napolitano, Esq., and Matthew Giacobbe, Esq., of the law firm of Cleary Giacobbe Alfieri & Jacobs, LLC, (hereinafter the "Firm") as Special Labor Counsel based upon its reputation and upon the Firm's representations that it has special expertise in the area of public sector labor law; and

WHEREAS, John A. Napolitano, Esq., and Matthew Giacobbe, Esq., of the law firm of Cleary Giacobbe Alfieri & Jacobs, LLC, have submitted a proposal indicating that they will provide legal services at the rate of:

A. \$175.00 hourly – Attorney Services

B. \$ 60.00 hourly – Paralegal Services

WHEREAS, the MSA is desirous of engaging John A. Napolitano, Esq., and Matthew Giacobbe, Esq., of the law firm of Clearly Giacobbe Alfieri & Jacobs, LLC, as Special Labor Counsel; and

WHEREAS, John A. Napolitano, Esq., and Matthew Giacobbe, Esq., of the law firm of Clearly Giacobbe Alfieri & Jacobs, LLC, have 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, the Secretary/Treasurer of the Musconetcong Sewerage Authority has certified that 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 John A. Napolitano, Esq., and Matthew Giacobbe, Esq., of the law firm of Clearly Giacobbe Alfieri & Jacobs, LLC as described herein; and be it

FURTHER RESOLVED, that the amount payable under this contract shall not exceed the sum of Seventeen Thousand Five Hundred (\$17,500.00) Dollars unless the Musconetcong Sewerage Authority shall so authorize; 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.

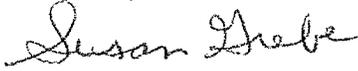
The following one-year appointments were made on a motion offered by Mr. Schindelar, seconded by Mr. Sylvester and the affirmative roll call vote of members present.

Bank Depositories – TD Bank
Official Newspaper – Daily Record
Other Newspaper – New Jersey Herald
Newspaper for Bids – Star Ledger
Plant Physician – Advocare Medical Center at Budd Lake, Route 46

Chairman Rattner opened and closed the meeting to the public.

Motion made by Mr. McNeilly, seconded by Mr. Schindelar and the affirmative roll call vote of members present, Chairman Rattner adjourned the meeting at 7:53 PM.

Respectfully Submitted:



Susan Grebe,
Administrative Assistant

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Chairman Rattner called the meeting to order at 7:55 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: Donald Bates, James Benson, Thomas Bruno, Andrew Cangiano, Michael Grogan, Brian McNeilly, Melanie Michetti, Michael Pucilowski, Steven Rattner, Richard Schindelar, Joseph Schwab, John Sylvester
- MEMBERS ABSENT: All Members Present
- OTHERS PRESENT: Patrick Dwyer, Esq., Lee Purcell, PE, Fenton Purcell, PE, Marvin Joss, James Schilling

Chairman Rattner opened and closed the meeting to the public.

The Closed Session Meeting Minutes of January 28, 2016, were approved on a motion offered by Mr. Bruno, seconded by Mr. Schindelar. Roll Call:

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

The Regular Meeting Minutes of January 28, 2016, were approved on a motion offered by Mr. McNeilly, seconded by Mr. Sylvester. Roll Call:

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

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

TREASURER'S REPORT- JANUARY 1, 2016
OPERATING ACCOUNT

Balance as of December 1, 2015:		<u>\$ 1,488,525.29</u>
Receipts (December):		
Hospitalization	2,688.36	
Municipal Revenue	171,542.86	
		<u>\$ 174,231.22</u>
		<u>\$ 1,662,756.51</u>
Total Disbursements for December:		<u>\$ 201,902.32</u>
Balance as of January 1, 2016:		<u>\$ 1,460,854.19</u>

RENEWAL & REPLACEMENT ACCOUNT

Balance as of December 1, 2015:		<u>\$ 580,285.06</u>
Receipts:		0.00
Disbursements:	Nusbaum Stein	<u>275.00</u>
Balance as of January 1, 2016:		<u>\$ 580,010.06</u>

ESCROW ACCOUNT

Balance as of December 1, 2015:		<u>\$ 3,320.34</u>
Receipts:		600.00
	NJ Foreign Trade Zone Venture, LLC	500.00
	First Fidelity REO (Roxbury Subdivision)	0.00
Disbursements:		<u>0.00</u>
Balance as of January 1, 2016:		<u>\$ 4,420.34</u>

CAPITAL IMPROVEMENT/RESERVE FOR RETIREMENT ACCOUNT

Balance as of December 1, 2015:	<u>\$ 945,000.00</u>
Receipts:	0.00
Disbursements:	0.00
Balance as of January 1, 2016:	<u>\$ 945,000.00</u>

ANALYSIS OF BALANCES:

Capital Improvement	\$ 900,000.00
Reserve for Retirement	\$ 45,000.00

EXPENDITURES REPORT - 2015 BUDGET

1/1/16

	2015	YEAR-TO-DATE		%
	BUDGET	EXPENDITURES	BALANCE	
Admin - Salaries and Wages	\$155,000.00	\$146,405.53	\$8,594.47	5.54%
Trustee Admin Fees	\$30,000.00	\$17,718.63	\$12,281.37	40.94%
Administrative - Other Expenses	\$35,000.00	\$28,057.00	\$6,943.00	19.84%
Legal	\$25,000.00	\$20,689.80	\$4,310.20	17.24%
Audit	\$14,000.00	\$0.00	\$14,000.00	100.00%
Engineer	\$20,000.00	\$10,610.00	\$9,390.00	46.95%
Pension	\$86,000.00	\$77,573.00	\$8,427.00	9.80%
Social Security	\$60,000.00	\$58,588.10	\$1,411.90	2.35%
Unemployment	\$7,000.00	\$5,319.74	\$1,680.26	24.00%
Hospitalization	\$222,900.00	\$199,923.64	\$22,976.36	10.31%
Disability Insurance	\$10,000.00	\$6,398.65	\$3,601.35	36.01%
Operating - Salaries and Wages	\$632,000.00	\$606,967.28	\$25,032.72	3.96%
Reserve for Future Retirement	\$15,000.00	\$15,000.00	\$0.00	0.00%
Telephone	\$18,000.00	\$13,343.35	\$4,656.65	25.87%
Electric	\$527,000.00	\$376,373.71	\$150,626.29	28.58%
Propane/Fuel Oil/ Gasoline	\$35,000.00	\$16,163.76	\$18,836.24	53.82%
Supplies/Chemicals	\$140,000.00	\$116,534.68	\$23,465.32	16.76%
Laboratory Supplies	\$10,000.00	\$8,720.28	\$1,279.72	12.80%
Office	\$20,000.00	\$17,594.17	\$2,405.83	12.03%
External Services	\$50,000.00	\$45,011.87	\$4,988.13	9.98%
Education/Training	\$15,000.00	\$14,610.74	\$389.26	2.60%
Laboratory Fees	\$25,000.00	\$17,966.20	\$7,033.80	28.14%
Maintenance/Repairs	\$100,000.00	\$62,175.77	\$37,824.23	37.82%
Insurance	\$110,000.00	\$97,555.42	\$12,444.58	11.31%
NJDEP Fees	\$25,000.00	\$18,327.86	\$6,672.14	26.69%
Permit/Compliance Fees	\$100,000.00	\$82,060.50	\$17,939.50	17.94%
Equipment	\$60,000.00	\$19,125.30	\$40,874.70	68.12%
Sludge Removal	\$600,000.00	\$551,458.31	\$48,541.69	8.09%
Contingency	\$25,000.00	\$0.00	\$25,000.00	100.00%
Capital Improvement	\$300,000.00	\$300,000.00	\$0.00	0.00%
Renewal and Replacement	\$200,000.00	\$200,000.00	\$0.00	0.00%
TOTAL	\$3,671,900.00	\$3,150,273.29	\$521,626.71	14.21%

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

TREASURER'S REPORT- FEBRUARY 1, 2016
OPERATING ACCOUNT

Balance as of January 1, 2016:	<u>\$ 1,460,854.19</u>
Receipts (January):	
Hospitalization	3,111.62
Municipal Revenue	471,188.18
Interest	1,753.68
Caesars Atlantic City	234.00
	<u>\$ 476,287.51</u>
	<u>\$ 1,937,141.70</u>
Total Disbursements for January:	<u>\$ 439,872.57</u>
Balance as of February 1, 2016:	<u>\$ 1,497,269.13</u>

RENEWAL & REPLACEMENT ACCOUNT

Balance as of January 1, 2016:	\$ 580,010.06
Receipts:	0.00
Disbursements:	<u>0.00</u>
Balance as of February 1, 2016:	\$ 580,010.06

ESCROW ACCOUNT

Balance as of January 1, 2016:	\$ 4,420.34
Receipts:	0.00
Disbursements:	Transfer to Operating (LTPA Roxbury Subdivision) 500.00
	LTPA (450 ITC West TWA) <u>600.00</u>
Balance as of February 1, 2016:	\$ 3,320.34

CAPITAL IMPROVEMENT/RESERVE FOR RETIREMENT ACCOUNT

Balance as of January 1, 2016:	\$ 945,000.00
Receipts:	0.00
Disbursements:	<u>0.00</u>
Balance as of February 1, 2016:	\$ 945,000.00

ANALYSIS OF BALANCES:

Capital Improvement	\$ 900,000.00
Reserve for Retirement	\$ 45,000.00

EXPENDITURES REPORT - 2016 BUDGET

2/1/16

	2016	YEAR-TO-DATE		%
	<u>BUDGET</u>	<u>EXPENDITURES</u>	<u>BALANCE</u>	<u>REMAINING</u>
Admin - Salaries and Wages	\$160,000.00	\$22,827.51	\$137,172.49	85.73%
Trustee Admin Fees	\$20,000.00	\$10,681.72	\$9,318.28	46.59%
Administrative - Other Expenses	\$35,000.00	\$1,864.74	\$33,135.26	94.67%
Legal	\$25,000.00	\$1,755.60	\$23,244.40	92.98%
Audit	\$10,000.00	\$0.00	\$10,000.00	100.00%
Engineer	\$20,000.00	\$3,130.00	\$16,870.00	84.35%
Pension	\$86,000.00	\$0.00	\$86,000.00	100.00%
Social Security	\$65,000.00	\$9,261.95	\$55,738.05	85.75%
Unemployment	\$7,000.00	\$1,736.96	\$5,263.04	75.19%
Hospitalization	\$219,260.00	\$30,901.79	\$188,358.21	85.91%
Disability Insurance	\$10,000.00	\$1,384.67	\$8,615.33	86.15%
Operating - Salaries and Wages	\$666,640.00	\$90,397.21	\$576,242.79	86.44%
Reserve for Future Retirement	\$5,000.00	\$0.00	\$5,000.00	100.00%
Telephone	\$20,000.00	\$959.43	\$19,040.57	95.20%
Electric	\$530,000.00	\$0.00	\$530,000.00	100.00%
Propane/Fuel Oil/ Gasoline	\$40,000.00	\$876.99	\$39,123.01	97.81%
Supplies/Chemicals	\$160,000.00	\$1,613.69	\$158,386.31	98.99%
Laboratory Supplies	\$10,000.00	\$340.21	\$9,659.79	96.60%
Office	\$20,000.00	\$10,550.23	\$9,449.77	47.25%
External Services	\$20,000.00	\$3,070.55	\$16,929.45	84.65%
Education/Training	\$70,000.00	\$1,852.00	\$68,148.00	97.35%
Laboratory Fees	\$30,000.00	\$2,417.00	\$27,583.00	91.94%
Maintenance/Repairs	\$150,000.00	\$644.35	\$149,355.65	99.57%
Insurance	\$110,000.00	\$37,353.99	\$72,646.01	66.04%
NJDEP Fees	\$25,000.00	\$0.00	\$25,000.00	100.00%
Permit/Compliance Fees	\$25,000.00	\$0.00	\$25,000.00	100.00%
Equipment	\$60,000.00	\$3,270.66	\$56,729.34	94.55%
Sludge Removal	\$700,000.00	\$19,592.00	\$680,408.00	97.20%
Contingency	\$25,000.00	\$0.00	\$25,000.00	100.00%
Capital Improvement	\$200,000.00	\$0.00	\$200,000.00	100.00%
Renewal and Replacement	\$200,000.00	\$0.00	\$200,000.00	100.00%
TOTAL	\$3,723,900.00	\$256,483.25	\$3,467,416.75	93.11%

EXPENDITURES REPORT - 2015 BUDGET

2/5/16

	2015	YEAR-TO-DATE		%
	BUDGET	EXPENDITURES	BALANCE	REMAINING
Admin - Salaries and Wages	\$155,000.00	\$150,663.53	\$4,336.47	2.80%
Trustee Admin Fees	\$30,000.00	\$17,718.63	\$12,281.37	40.94%
Administrative - Other Expenses	\$35,000.00	\$28,573.77	\$6,426.23	18.36%
Legal	\$25,000.00	\$21,304.90	\$3,695.10	14.78%
Audit	\$14,000.00	\$0.00	\$14,000.00	100.00%
Engineer	\$20,000.00	\$11,690.00	\$8,310.00	41.55%
Pension	\$86,000.00	\$77,573.00	\$8,427.00	9.80%
Social Security	\$60,000.00	\$58,588.10	\$1,411.90	2.35%
Unemployment	\$7,000.00	\$5,319.74	\$1,680.26	24.00%
Hospitalization	\$222,900.00	\$200,395.64	\$22,504.36	10.10%
Disability Insurance	\$10,000.00	\$6,398.65	\$3,601.35	36.01%
Operating - Salaries and Wages	\$632,000.00	\$606,967.28	\$25,032.72	3.96%
Reserve for Future Retirement	\$15,000.00	\$15,000.00	\$0.00	0.00%
Telephone	\$18,000.00	\$14,800.40	\$3,199.60	17.78%
Electric	\$527,000.00	\$424,054.29	\$102,945.71	19.53%
Propane/Fuel Oil/ Gasoline	\$35,000.00	\$16,804.95	\$18,195.05	51.99%
Supplies/Chemicals	\$140,000.00	\$126,754.50	\$13,245.50	9.46%
Laboratory Supplies	\$10,000.00	\$8,720.28	\$1,279.72	12.80%
Office	\$20,000.00	\$17,968.05	\$2,031.95	10.16%
External Services	\$50,000.00	\$46,565.64	\$3,434.36	6.87%
Education/Training	\$15,000.00	\$14,610.74	\$389.26	2.60%
Laboratory Fees	\$25,000.00	\$18,092.20	\$6,907.80	27.63%
Maintenance/Repairs	\$100,000.00	\$63,759.11	\$36,240.89	36.24%
Insurance	\$110,000.00	\$97,555.42	\$12,444.58	11.31%
NJDEP Fees	\$25,000.00	\$18,327.86	\$6,672.14	26.69%
Permit/Compliance Fees	\$100,000.00	\$82,225.50	\$17,774.50	17.77%
Equipment	\$60,000.00	\$19,125.30	\$40,874.70	68.12%
Sludge Removal	\$600,000.00	\$597,082.31	\$2,917.69	0.49%
Contingency	\$25,000.00	\$0.00	\$25,000.00	100.00%
Capital Improvement	\$300,000.00	\$300,000.00	\$0.00	0.00%
Renewal and Replacement	\$200,000.00	\$200,000.00	\$0.00	0.00%
TOTAL	\$3,671,900.00	\$3,266,639.79	\$405,260.21	11.04%

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

ESCROW ACCOUNT	
Nusbaum Stein	\$451.00
OPERATING ACCOUNT	
ADP	\$803.69
AmeriGas Propane	\$1,126.83
AEA	\$3,700.00
Scott Allen (eye reimb)	\$156.57
Vince Barbato (work boot reimb)	\$146.98
Blue Diamond	\$283.55
Cintas Corp.	\$582.80
Cintas First Aid	\$71.14
Cleary Giacobbe	\$1,032.50
Coyne Chemical	\$4,715.17
Daily Record	\$63.60
Eurofins QC Labs	\$485.00
Federal Express	\$22.26
Fisher Scientific	\$48.16
Grainger (\$190.57
Susan Grebe (petty cash, mileage)	\$274.06
Hach	\$65.44
JCP&L	\$40,426.43
LTPA	\$1,260.00
Lowe's	\$2,334.07
MSA Payroll 2/5/16	\$5,165.00
MSA Payroll 2/12/16	\$29,624.42
MSA Payroll 2/26/16	\$31,209.90
NJSIBP	\$17,784.61

NJ American Water	\$2,801.44
NJ Herald	\$35.70
NJ WEA North Jersey Section	\$300.00
NJ WEF Registrar	\$152.00
Northeast Industrial Tech	\$14,923.15
Nusbaum Stein	\$3,641.00
One Call	\$9.92
Passaic Valley Sewerage Commission	\$22,791.00
Polydyne	\$1,944.00
R-D Trucking	\$21,385.00
R&J Control	\$3,124.00
Steven Rattner	\$472.00
Roxbury Township Water Dept.	\$134.94
James Schilling	\$667.63
Shell Fleet	\$210.45
Star Ledger	\$175.25
TF's Trophies	\$125.95
USA Bluebook	\$259.00
Verizon	\$757.20
Verizon Wireless	\$225.18
WEF	\$886.00

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

- A. 2/2/16 Patrick Dwyer, Esq. – Letter to John Trombley at Givaudan Fragrances regarding Significant Indirect User Permit Application for 300 Waterloo Road, Mt. Olive
- B. 2/3/16 Borough Clerk Hopatcong – 2016 Reorganization Meeting Minutes Appointing Richard Schindelar as MSA Commissioner
- C. 2/19/16 Patrick Dwyer, Esq. – Letter to John Trombley at Givaudan Fragrances regarding Significant Indirect User Permit Application for 300 Waterloo Road, Mt. Olive
- D. 2/22/16 Ruggiero Plante Land Design – TWA Approval Permit, Woodmont Park at Roxbury, Roxwood Associates, LLC
- E. 2/23/16 Patrick Dwyer, Esq. – Letter to Judge Rigo at OAL regarding MSA v. NJDEP

Mr. Schilling asked if the commissioners had reviewed his monthly report and if anyone had any questions or comments. Mr. Pucilowski asked about the generator repairs. Mr. Schilling explained that there was a power outage on Sunday and the generator started, ran briefly and then stopped. The staff called for service. Some parts were changed and the problem wound up being that rodents chewed a wire. Rodent pesticide was placed in areas so that the problem will not occur again.

Mr. Schilling reported that he is required to file the annual effluent report to the DRBC. He asked for authorization to file the report. A motion to authorize Mr. Schilling to file the DRBC report was offered by Mr. Schwab, seconded by Mr. Schindelar and the affirmative vote of members present.

Mr. Schilling also reported that proposals for engineering services were received. The review process has begun and can be discussed at the March meeting. Chairman Rattner asked about the review sheets and if there will be some kind of a point system to make a decision. Mr. Schilling explained the review process. Each of the commissioners of the Engineering Committee will rank the received proposals independently and then the Committee will get together to make a decision.

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

Lee Purcell reported on a TWA Application received for Woodmont Park at Roxbury from Roxwood Associates, LLC. He discussed the project with Cesira Ruggiero of Ruggiero Plante Land Design, the firm that sent the submission to the MSA. He explained that a TWA Permit for this project was issued in 2006 at which time the MSA had endorsed the Consent Forms for the permit application. That permit has lapsed and a new permit must be issued. He discussed the project with Ms. Ruggiero and it seems like the entire project is still the same except for an increase in the flow. Mr. Purcell will review the plans and specifications submitted with the application. He explained there must be an inter-municipal agreement between Netcong and Roxbury which will make the project somewhat difficult to complete. A sewer line for the project in Roxbury will go off site into the Borough of Netcong and go 500 feet down Barone Street where it will tie into the MSA's interceptor. He advised that the MSA should only consent to the project if both Roxbury and Netcong endorse it. He discussed having a meter included in the project to measure the flow from Roxbury. He also noted that the meter chamber would be the MSA's responsibility to operate. Mrs. Michetti indicated that Netcong would have to review the part of the project in the Borough and the meter chamber would have to be constructed according to the MSA's requirements. Mr. Purcell said he would prepare a report and include those conditions. The commissioners discussed the meter chamber that would be the MSA's responsibility and the service agreement.

There was additional discussion comparing a Mount Olive Township meter chamber and if the MSA were to take the responsibility of that meter chamber also. Mr. McNeilly suggested that the Authority stay with its current practice. Mr. Purcell noted that the flow in the meter chamber for the project would be very low, less than 50,000 gallons a day, which will make it a very problematic meter chamber to deal with. Mr. Schilling explained about the eight meter chambers throughout the municipalities and that the MSA owned and maintained six of them. Mr. McNeilly noted that an escrow for the project should be requested. Mr. Purcell suggested that Roxbury and Netcong could consider establishing a set number for the flow so that a meter would not be needed. Mrs. Michetti asked if Mr. Purcell could write a letter to Roxbury Township explaining the position with the MSA's perspective along with his report. Mr. Purcell said that Netcong should also be copied on the letter and his report.

Fenton Purcell, PE reminded the commissioners that the Authority will need to submit a compliance report on July 1, 2016 for the NJDEP Permit. Some work will need to be done by the MSA Engineer.

Mr. Purcell reported further on the meeting held with Givaudan on February 17th for their SIU Permit application. He noted that a summary of his comments on the permit application was sent out to the commissioners and asked if anyone had questions. He had a couple more general observations to surmise. He discussed the BOD and COD levels in the untreated industrial waste and indicated that the Mount Olive Township Engineer had a concern with those levels. Mr. Purcell recommended that the MSA not sign the application. Chairman Rattner discussed the application and the fact that it needed to go through Mount Olive first for approval. Mr. Purcell said that a treatability study should definitely be performed by Givaudan because the type of treatment they are proposing will not handle the COD. Mr. Schilling said he researched the application and spoke to a NJDEP representative about the application. Essentially the application is incomplete since no one will consent to it. He explained about regulatory enforcement for all seven towns the MSA serves. The NJDEP has the MSA's sewer ordinance on file. The ordinance has language about what types of waste the MSA can and cannot accept. There was also some language about the MSA supporting the industrial treated waste. Mr. Schilling further explained the NJDEP's review process of loadings based on the MSA's permit for COD and BOD. Mr. Dwyer indicated that the old sewer services agreements talk about not taking industrial waste and there is no distinction about pretreated or not pretreated. Mr. McNeilly noted that the regulation for industrial waste has been a detriment, but has also been supported by all the municipalities since the MSA started. Mr. Schilling noted that the NJDEP forwarded him a copy of the sewer ordinance dated 2001 and signed by his predecessor that indicates the MSA has guidelines on pretreated waste. Mr. Dwyer noted that it conflicts with the original sewer service agreements. Mr. McNeilly advised that consent to this application would be a poor decision on the MSA's part and that the MSA is a sanitary plant and should not consider accepting industrial waste. Chairman Rattner noted that Mr. Schilling has been handling the situation very well over the past six months.

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

Lee Purcell, Fenton Purcell and Mr. Joss left the meeting at 8:44 PM.

Motion made by Mr. Sylvester, seconded by Mrs. Michetti and the affirmative roll call vote of members present for the commissioners to go into closed session at 8:46 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:

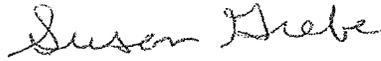
1. The public shall be excluded from discussion and action of the closed session of the Musconetcong Sewerage Authority;
2. The general nature of the subject matter to be discussed is as follows: Personnel Negotiations
The above subject matter will be made public once negotiations are complete and it is deemed to be in the public interest.

Motion to reopen the meeting to the public at 8:57 PM was offered by Mr. McNeilly, seconded by Mr. Schwab and the affirmative vote of members present.

Motion was made by Mr. Sylvester that the current status of the Union Contract as presented at the last meeting is the same and there is no change in position with the error for overtime and double over time, seconded by Mr. McNeilly and the affirmative vote of members present.

Motion made by Mr. Pucilowski, seconded by Mr. Bruno and the affirmative vote of members present, Chairman Rattner adjourned the meeting at 9:01 PM.

Respectfully Submitted:

A handwritten signature in cursive script that reads "Susan Grebe".

Susan Grebe,
Administrative Assistant