Gouveia, Susan

From: Lashway, Lisa
Sent: Friday, June 26, 2015 2:56 PM
To: Canning, Sean
Cc: Gouveia, Susan
Subject: FW: MSA Approved Meeting Minutes - May 28, 2015
Attachments: May 28, 2015 approved meeting minutes.pdf

Correspondence

Michelle Masser
Deputy Clerk

973-691-0900 Ext. 7291
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PO Box 450
Budd Lake, NJ 07828

From: Susan Grebe [mailto:sgrebe@msa-nj.org]
Sent: Friday, June 26, 2015 10:10 AM
To: Amy Rhead; 'Catherine Gleason'; Dolores Dalessandro; Doris Flynn; Ellen Horak; Linda DeSantis; Lashway, Lisa
Subject: MSA Approved Meeting Minutes - May 28, 2015

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

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

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Vice Chairman Sylvester 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:	Thomas Bruno, Michael Grogan, Melanie Michetti, Michael Pucilowski, Steven Rattner (arrived 7:59 PM), Richard Schindelar, Joseph Schwab, John Sylvester
MEMBERS ABSENT:	Donald Bates, James Benson, Brian McNeilly, Daren Phil
OTHERS PRESENT:	Patrick Dwyer, Esq., Lee Purcell, PE, Fenton Purcell, PE, James Schilling, Marvin Joss, Stephan Donati, PE, Stanley Puszcz, PE

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

The Regular Meeting Minutes of April 23, 2015, were approved on a motion offered by Mr. Pucilowski, seconded by Mr. Schwab. Roll Call:

Mr. Bruno	Yes	Mr. Schindelar	Yes
Mr. Grogan	Yes	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Sylvester	Abstain
Mr. Pucilowski	Yes		

The Litigation Closed Session Meeting Minutes of April 23, 2015 were approved on a motion offered by Mr. Schwab, seconded by Mr. Grogan. Roll Call:

Mr. Bruno	Yes	Mr. Schindelar	Yes
Mr. Grogan	Yes	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Sylvester	Abstain
Mr. Pucilowski	Yes		

Mr. Schwab requested to postpone approval of the Personnel Closed Session Meeting Minutes of April 23, 2015.

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

TREASURER'S REPORT- MAY 1, 2015

OPERATING ACCOUNT

Balance as of April 1, 2015:			$ 1,718,130.56
Receipts (April):			
	Hospitalization	2,688.36	
	Mt. Olive – 2nd Quarter Invoice	115,202.40	
	NJ Utilities Authority JIF (PS#6 ins.)	37,518.71	
			$ 155,409.47
Total Disbursements - April:			$ 248,992.86
Balance as of May 1, 2015:			$ 1,624,547.17

RENEWAL & REPLACEMENT ACCOUNT

Balance as of April 1, 2015:		$ 617,499.44
Receipts:		0.00
Disbursements:	Nusbaum Stein (Contract #255)	314.60
	A.C. Schultes (water dilution pump replacement)	12,689.20
Balance as of May 1, 2015:		$ 654,070.64

ESCROW ACCOUNT

Balance as of April 1, 2015:		$ 2,952.34
Receipts:	Morris Habitat for Humanity	2,000.00
Disbursements:	LTPA	1,500.00
Balance as of May 1, 2015:		$ 3,452.34

CAPITAL IMPROVEMENT/RESERVE FOR RETIREMENT ACCOUNT

Balance as of April 1, 2015:	$ 705,000.00
Receipts:	0.00
Disbursements:	0.00
Balance as of May 1, 2015:	$ 705,000.00

ANALYSIS OF BALANCE:

Capital Improvement	$ 675,000.00
Reserve for Retirement	$ 30,000.00

EXPENDITURES REPORT - 2015 BUDGET

5/1/15

	2015 BUDGET	YEAR-TO-DATE EXPENDITURES	BALANCE	% REMAINING
Admin - Salaries and Wages	$149,000.00	$50,786.40	$98,213.60	65.92%
Trustee Admin Fees	$60,000.00	$10,203.63	$49,796.37	82.99%
Administrative - Other Expenses	$33,000.00	$9,401.00	$23,599.00	71.51%
Legal	$25,000.00	$5,294.10	$19,705.90	78.82%
Audit	$14,000.00	$0.00	$14,000.00	100.00%
Engineer	$20,000.00	$4,530.00	$15,470.00	77.35%
Pension	$86,000.00	$77,573.00	$8,427.00	9.80%
Social Security	$60,000.00	$20,258.48	$39,741.52	66.24%
Unemployment	$7,000.00	$3,776.58	$3,223.42	46.05%
Hospitalization	$222,800.00	$86,548.94	$136,251.06	61.15%
Disability Insurance	$10,000.00	$2,749.31	$7,250.69	72.51%
Operating - Salaries and Wages	$620,000.00	$215,864.59	$404,135.41	65.18%
Reserve for Future Retirement	$15,000.00	$0.00	$15,000.00	100.00%
Telephone	$15,000.00	$3,722.13	$11,277.87	75.19%
Electric	$527,000.00	$180,239.78	$346,760.22	65.80%
Propane/Fuel Oil/ Gasoline	$35,000.00	$10,250.97	$24,749.03	70.71%
Supplies/Chemicals	$135,100.00	$38,087.44	$97,012.56	71.81%
Laboratory Supplies	$8,000.00	$2,590.77	$5,409.23	67.62%
Office	$20,000.00	$9,784.03	$10,215.97	51.08%
External Services	$50,000.00	$21,772.45	$28,227.55	56.46%
Education/Training	$15,000.00	$13,294.70	$1,705.30	11.37%
Laboratory Fees	$25,000.00	$5,693.70	$19,306.30	77.23%
Maintenance/Repairs	$100,000.00	$41,391.84	$58,608.16	58.61%
Insurance	$110,000.00	$97,555.42	$12,444.58	11.31%
NJDEP Fees	$25,000.00	$200.00	$24,800.00	99.20%
Permit/Compliance Fees	$150,000.00	$846.80	$149,153.20	99.44%
Equipment	$60,000.00	$18,721.00	$41,279.00	68.80%
Sludge Removal	$550,000.00	$120,946.03	$429,053.97	78.01%
Contingency	$25,000.00	$0.00	$25,000.00	100.00%
Capital Improvement	$300,000.00	$75,000.00	$225,000.00	75.00%
Renewal and Replacement	$200,000.00	$50,000.00	$150,000.00	75.00%
TOTAL	$3,671,900.00	$1,177,083.09	$2,494,816.91	67.94%

Mr. Schwab explained that the pending voucher list was amended so that LTPA's fees for the recent emergency repairs for the MSA's Office/Service Building were to be paid out of the Renewal and Replacement Account. The pending vouchers for the month of May were approved for payment, as amended, on a motion offered by Mr. Schwab, seconded by Mr. Bruno and the affirmative roll call vote of members present.

ESCROW	
Nusbaum Stein	$132.00
RENEWAL & REPLACEMENT	
LTPA	$1,530.00
Tom Valiante & Son	$29,550.00
OPERATING ACCOUNT	
ADP	$576.17
Accurate Waste Removal Services	$3,720.75
Scott Allen (dental reimb)	$600.00
Anchor Pest Control	$192.00
Blue Diamond Disposal	$265.00
CEUnion	$89.00
Cintas Corp.	$466.24
Cintas First Aid	$714.03
Cleary Giacobbe Alfieri Jacobs	$157.50

Keith DeFazio	$241.00
Deli Delicious	$450.00
Endress + Hauser	$3,242.88
Fisher Scientific	$1,170.60
Grainger	$243.17
Susan Grebe (mileage reimb)	$57.21
Hach (chemicals)	$51.59
JCP&L	$35,646.79
Kemira	$9,981.59
Kenvil Power Mower	$661.62
Lakeland Service	$2,490.08
Lowe's	$304.94
MSA Payroll 5/8/15	$30,029.57
MSA Payroll 5/22/15	$30,003.29
NJSHBP	$17,287.14
NJ American Water	$1,167.98
Najarian Associates	$442.50
Napa Auto Parts	$175.33
Netcong Hardware	$13.30
Nusbaum Stein	$4,091.60
One Call	$38.44
Passaic Valley Sewerage Commission	$67,056.00
Pegasus Electric Motors	$1,175.00
QC Labs	$1,275.00
R-D Trucking	$32,176.00
R&J Control	$10,955.57
Roxbury Township Water Dept.	$134.94
Shell Fleet Plus	$319.76
Staples	$273.18
Terex Services	$2,350.00
Treasurer, State of NJ	$1,915.00
Treasurer, State of NJ	$17,178.86
Tree King	$1,175.00
USA Bluebook	$166.71
UV Doctor	$4,709.37
Verizon	$701.24
Verizon Communications	$55.07
Verizon Wireless	$225.42
WEF	$390.00
OPERATING TOTAL	$286,803.43

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

A. 4/21/15 NJDEP – Approval of Mt. Olive Sewer Service Area Mapping Correction
B. 5/19/15 Stanley Puszcz, PE – Reappointment of CP Engineers as MSA Alternate Engineer

Mr. Schilling asked the commissioners if they had reviewed his monthly report and if anyone had any questions or comments. Mr. Schilling discussed the "Sole Source" letter for GP Jager and the Muffin Monster cartridge for Plant No. 1 primary pump. He said it was reviewed and approved by the MSA's Attorney and Qualified Purchasing Agent. The cost is $10,462.80. The Mr. Dwyer will prepare a resolution for approval for the next month's meeting.

Mr. Schilling reported that he will be going out to bid for the micro strainer rehab. This project has been on the MSA's Capital Plan for sometime. He explained some of the issues with rags and disposable wipes and talked about other wastewater plants problems with the debris.

Mr. Schilling also reported that AC Schultes started work on Contract #255 that day.

Mr. Schilling discussed a problem with the entry alarm on PS #6. A delayed alarm time was suggested.

Mr. Schilling also reported that the phosphorus analyzer is working well and he is getting a lot of valuable data on a daily basis. He plans to make a presentation of the data at the MSA's June meeting. Sludge reduction and ferric chloride usage was discussed.

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

Lee Purcell, PE note that LTPA's review of Hopatcong State Park interceptor connection is still on hold.

Mr. Purcell reported that his review of Roxbury Park Sanitary Sewer Capacity is still on hold until Roxbury and Netcong meet to discuss an interconnection between the two municipalities.

Fenton Purcell, PE reported on the new NJPDES Permit which goes into effect on July 1, 2015. He suggested that this would be a good time for the MSA to talk with the DRBC about a discrepancy between the DRBC's requirements and the NJDEP's requirements in the new permit. He discussed the DRBC's former docket regulations.

Mr. Purcell presented a compliance report schedule to the commissioners for review and explained the process of submitting the compliance report for the MSA's permit. He reported that it will be a substantial report and will require a significant amount of engineering work to prepare the report. He suggested that a plan should be optimized for submittal of the report.

Mr. Purcell also reported on the dilution water pump project and Contract #255. AC Schultes is presently working on both projects and they are on schedule.

Chairman Rattner entered the meeting at 7:59 PM.

Mr. Purcell also reported that the emergency repairs of the discharge force main from the MSA's Office/Service Building have been completed successfully.

Mr. Pucilowski asked Mr. Purcell about setting up a contract for emergency situations and indicated that it would be good to have an emergency contract in place for future emergencies similar to the recent situation for the repairs to the discharge force main. Mr. Purcell and Mr. Joss agreed a contract could be prepared for emergencies. Chairman Rattner noted that this was an emergency and the work needed to be done immediately, so there was a need to get a quote with the first qualified contractor available who could get the work done right away for the integrity of the plant and then resolutions can be approved for the work and expenses. The need to have an emergency contract in place and what would be required was briefly discussed.

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

Resolution No. 15-17 Authorizing the Musconetcong Sewerage Authority to Enter into an Emergency Purchase of Goods and/or Services without Competitive Bidding Pursuant to N.J.S.A. 40A:11-6, was moved by Mr. Rattner, seconded by Mr. Schwab and the affirmative roll call vote of members present.

RESOLUTION NO. 15-17

Resolution Authorizing the Musconetcong Sewerage Authority to Enter into an Emergency Purchase of Goods and/or Services Without Competitive Bidding Pursuant to N.J.S.A. 40A:11-6

WHEREAS on April 15, 2015 an emergency occurred at the Musconetcong Sewerage Authority ("MSA") facility at 110 Continental Drive, Budd Lake, NJ, namely, a breach in a discharge pipe; and

WHEREAS it was necessary for the MSA to undertake immediate repairs of its facility; and

WHEREAS, N.J.S.A. 40A:11-6 permits the award of a contract without public advertising when "an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services;" and

WHEREAS, Local Public Contracts Law Regulations N.J.A.C. 5:34-6.1(a) provides that the use of emergency purchasing pursuant to N.J.S.A. 40A:11-6 shall be subject to the following requirements:

1. An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service;
2. The emergency purchasing procedure may not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the part of the contracting unit to plan for the purchase of any goods or services required by the contracting unit;
3. The contract shall be of such limited duration as to meet only the immediate needs of the emergency; and
4. Under no circumstances shall the emergency purchasing procedure be used to enter into a multi-year contract.

WHEREAS, when the Director of the MSA became aware of the emergency condition he promptly notified the Chairman and other Commissioners of the MSA, describing the nature of the emergency, the time of its occurrence, and the need for invoking this section; and

WHEREAS, the Chairman and Director of the Musconetcong Sewerage Authority determined that:

1. An actual emergency existed requiring immediate repairs;
2. The emergency condition affected the public health, safety or welfare; and
3. The need for the emergency repairs could not have been reasonably foreseen by the Musconetcong Sewerage Authority; and
4. The award of short term contracts of limited duration was necessary to make the repairs;

WHEREAS MSA thereafter undertook emergency repairs which included the following:

Tom Valiante and Son, Inc.		$29,550.00
	Total	$29,550.00

NOW, THEREFORE, be it resolved by the Commissioners of the Musconetcong Sewerage Authority as follows:

1. All of the information set forth above is included as if repeated herein.
2. That the Musconetcong Sewerage Authority sustained damages to one of its facilities on April 15, 2015 which required immediate repairs.
3. That it was necessary for the MSA to award a contract in order to undertake emergency repairs pursuant to N.J.S.A 40A-11.6 and N.J.A.C. 5-34.
4. That the actions of the MSA were authorized; and be it

FURTHER RESOLVED, that the amount of the Contracts awarded as a result of the emergency shall not exceed $29,550.00 without further approval from the Musconetcong Sewerage Authority; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman and/or James Schilling was authorized to award the contracts set forth herein on behalf of the Musconetcong Sewerage Authority.

Resolution No. 15-18 Certifying the Annual Audit for 2014 to the Local Finance Board, was moved by Mr. Schwab, seconded by Mr. Bruno and the affirmative roll call vote of members present.

RESOLUTION NO. 15-18
ANNUAL AUDIT
CERTIFICATION TO LOCAL FINANCE BOARD

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2014 has been completed and filed with the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments and Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Musconetcong Sewerage Authority thereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2014, and specifically has reviewed the sections of the audit report entitled "General Comments and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the Secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

Resolution No. 15-19 Authorizing the Director James Schilling to Submit the Annual Effluent Monitoring Report to the Delaware River Basin Commission, was moved by Mr. Pucilowski, seconded by Mr. Schwab and the affirmative roll call vote of members present.

RESOLUTION NO. 15-19

**Resolution of the Musconetcong Sewerage Authority
Authorizing Director James Schilling to Submit Annual
Effluent Monitoring Report to the Delaware River Basin Commission**

WHEREAS, the Musconetcong Sewerage Authority has been issued a docket regarding its operations (Docket No. D-2002-40 CP) by the Delaware River Basin Commission ("DRBC"); and

WHEREAS, pursuant to said Docket the MSA is required to submit Effluent Monitoring Reports to the DRBC; and

WHEREAS, the DRBC has requested that the Effluent Monitoring Reports be submitted on an annual basis.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Director James Schilling is authorized to sign and submit the Annual Effluent Monitoring Report for the Year 2014 to the Delaware River Basin Commission; and

BE IT FURTHER RESOLVED, that the Annual Effluent Monitoring Report for 2014 shall refer to the stay of enforcement issued by NJDEP for certain specified effluent limits.

Chairman Rattner noted that he had two items to add under new business. The first item was getting the DRBC requirement resolved and a resolution should be required to authorize the MSA's Attorney to contact them. He reported that the DRBC representatives understand the issue and want to resolve it. They agree that if the Authority has not gotten any violations and the MSA is a good standing facility the issue should be resolved. He suggested that Mr. Dwyer should contact the DRBC representatives and find out what information the DRBC needs from the MSA for compliance. He indicated that a resolution would be needed so that Mr. Dwyer can negotiate a settlement. A motion was made by Chairman Rattner to authorize Patrick Dwyer, Esq., MSA Attorney, to initiate discussions with the DRBC representatives to reconcile the differences between DRBC Docket effluent limits and the limits recently issued by the NJDEP, seconded by Mr. Pucilowski and approved by the affirmative roll call vote of members present.

Chairman Rattner also reported on the Lake Musconetcong Regional Planning Board and wanted to know if MSA can assist them. He explained that the Lake Musconetcong Regional Planning Board is investigating doing a trial on Lake Musconetcong to control the phosphorus, nitrogen, algae, dissolved oxygen, and temperature. The Board recently reviewed a program that they are considering, which is a liquid live micro-organism biological lake clarifier. It has been approved by the NJDEP because it is all natural. The company that will be doing the trial is promising that the program will actually start to decrease the sludge at the bottom of the lake. The Board is contemplating doing the trial either in Netcong by the cove or Stanhope by the old beach, in approximately 3 to 5 acres. They want to measure the effect on the chemical makeup. He asked if there is anything the MSA's lab can do to assist the Board if they test certain samples. Mr. Schilling said that the MSA lab can test for temperature, ph, BOD, phosphorus and ammonia in house. The lab does not test for nitrate or nitrogen in house, those tests get sent out. Mr. Schilling offered to give the Board a list of what the MSA can test for in house. Chairman Rattner suggested that Mr. Schilling meet with the members of the Lake Musconetcong Regional Planning Board. Mr. Schilling said he looked forward to meeting with them and learning more about the program. Chairman Rattner briefly discussed the program further and said he would send Mr. Schilling information for the program.

Vice Chairman Sylvester noted that the reappointment of CP Engineers would be carried to the next month's meeting. Mr. Pucilowski noted that the MSA Engineering Committee had asked for recommendations for an alternate engineer at last month's meeting and did not receive any suggestions. He briefly explained what was discussed at the last Engineering Committee meeting and that they were thinking of appointing two or three firms for engineering backup to address any conflicts that may arise. He again asked for recommendations from the commissioners.

Vice Chairman Sylvester indicated that discussion and review of Roxwood Associates, LLC residential development in Roxbury Township was on hold.

Marvin Joss, Lee Purcell, PE and Fenton Purcell, PE left the meeting at 8:20 PM.

Motion made by Mr. Schindelar, seconded by Mr. Pucilowski and the affirmative roll call vote of members present for the commissioners to go into closed session at 8:21 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 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

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

Motion to reopen the meeting to the public at 8:59 PM was offered by Mr. Pucilowski, seconded by Mr. Schwab and the affirmative vote of members present.

A motion was made by Mr. Pucilowski to approve the Personnel Closed Session Meeting Minutes of April 23, 2015, as amended, seconded by Mr. Schwab. Roll Call:

Mr. Bruno	Yes	Mr. Rattner	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mrs. Michetti	Yes	Mr. Schwab	Yes
Mr. Pucilowski	Yes	Mr. Sylvester	Abstain

Motion made by Mr. Schindelar, seconded by Mr. Schwab and the affirmative roll call vote of members present, Vice Chairman Sylvester adjourned the meeting at 9:02 PM.

Respectfully Submitted:

Susan Grebe

Susan Grebe,
Administrative Assistant