

**REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY**

Chairman Rattner called the meeting to order at 7:35 PM. Following salute to colors, announcement was made that adequate notice of this meeting had been provided for as defined by the "Open Public Meetings Act".

- MEMBERS PRESENT:** Donald Bates, David Hoyt, John Kieser,  
 Daren Phil, Michael Pucilowski, Steven Rattner,  
 Joseph Schwab
- MEMBERS ABSENT:** James Benson, Patrick Kunkel, Melanie Michetti,  
 Edward Schwartz, John Sylvester
- OTHERS PRESENT:** Larry Kron, Esq., Lee Purcell, James Schilling

Chairman Rattner open and closed the meeting to the public.

The meeting minutes of June 28, 2012 were approved on a motion offered by Mr. Pucilowski, seconded by Mr. Hoyt and the affirmative roll call vote of members present.

The special meeting minutes of July 12, 2012 were approved on a motion offered by Mr. Pucilowski, seconded by Mr. Hoyt. Roll call:

Mr. Bates	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Abstain	Mr. Rattner	Yes
Mr. Kieser	Yes	Mr. Schwab	Yes
Mr. Phil	Yes		

The special meeting minutes of August 1, 2012 were approved on a motion offered by Mr. Pucilowski, seconded by Mr. Hoyt. Roll call:

Mr. Bates	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Abstain	Mr. Rattner	Yes
Mr. Kieser	Yes	Mr. Schwab	Yes
Mr. Phil	Abstain		

The Expenditures/Treasurer's Reports of July and August were accepted on a motion offered by Mr. Pucilowski seconded by Mr. Kieser and the affirmative roll call vote of members present.

Commissioner Schwab mentioned that approval of the voucher from Jogi Construction is still pending subject to submittal of the maintenance bond and review of the engineer. Commissioner Schwab also stated that the list was amended due to the fact that charge for NJSHBP for the medical benefits was amended from \$16,680.30 to \$14,304.79 due to employee benefit changes. The Pending Vouchers as amended, were approved for payment on a motion offered by Mr. Schwab, seconded by Mr. Pucilowski and the affirmative roll call vote of members present.

<b>CONSTRUCTION ACCT</b>	
Jogi Construction	\$6,580.72
LTPA	\$615.00
<b>CONSTRUCTION TOTAL</b>	<b>\$7,195.72</b>
<b>ESCROW ACCT</b>	
LTPA	<b>\$1,000.00</b>
<b>OPERATING ACCOUNT</b>	
ADP	\$638.86
Alternative Auto	\$679.00
Nicholas Barbato	\$50.00
Campbell's Small Engine	\$61.54
Cintas Corp.	\$771.19
Cintas First Aid & Safety	\$87.38
Daily Record	\$134.48
Keith DeFazio	\$50.00
Deli Delicious	\$496.56
Federal Express	\$53.86
Fisher Scientific	\$246.98
Flowers by Trish	\$64.94
Grainger	\$368.83
Hach Company	\$735.00
Hess	\$2,045.64

Hess	\$155.94
J C P & L	\$7,835.86
Kemira	\$4,772.91
Knapp, Trimboli & Prusinowski	\$300.00
LTPA	\$3,120.00
MYB, Inc.	\$28.00
NJ American Water	\$334.77
NJSHBP	\$14,304.79
NJ Business & Industry Association	\$185.00
NJDEP	\$880.00
Northeast Industrial Tech, Inc.	\$6,651.03
Nusbaum Stein	\$1,440.00
Nusbaum Stein	\$1,500.00
One Call Concepts	\$22.42
PPL Energy Plus	\$15,984.46
Parkhurst Distributing	\$39.66
Patrick Pisano	\$50.00
Polydyne	\$2,052.00
Printwurks	\$311.62
QC Laboratories	\$1,932.00
Quill	\$279.67
Schilling, James	\$60.60
Schilling, James	\$148.00
Shell Fleet Plus	\$495.32
Soccio, Martha	\$60.60
Soccio, Martha	\$132.40
Spectraserv	\$12,852.00
State of New Jersey	\$146.16
Robert Still	\$60.60
Dave Stracco	\$60.60
US Bank	\$2,693.75
Verizon	\$644.44
Verizon Communication	\$50.74
Waste Management	\$305.13

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

- A. 06/19/2012 NJDEP – TWA for ITC
- B. 06/19/2012 NJDEP – Payment Request Approval
- C. 06/20/2012 NJEIT – Loan Disbursement #10
- D. 06/27/2012 LTPA – Contract 220
- E. 06/29/2012 EPA – Mount Olive Mews
- F. 07/02/2012 NJDEP – Contract 220 Change Order Approval
- G. 07/03/2012 NJDEP – Contract 225 Change Order Approval
- H. 07/10/2012 L. Kron, Esq. – June Pending Vouchers
- I. 07/10/2012 L. Kron, Esq. – Uniform Contract
- J. 07/11/2012 L. Kron, Esq. – U.V. Contract
- K. 07/12/2012 L. Kron, Esq. – Uniform Contract
- L. 07/12/2012 LTPA – Jacobs Engineering
- M. 07/12/2012 LTPA – Mount Olive Active Adult
- N. 07/12/2012 Co of Sussex – Adopted Resolution for Sewer Service Area Maps
- O. 07/17/2012 L. Kron, Esq. – Mount Olive Active Adult
- P. 07/18/12 NJDEP – Contract 235 Change Order Approval
- Q. 07/23/12 NJDEP – Requests for ADR

Chairman Rattner questioned the letter dated August 9, 2012 from Dykstra Walker regarding the TWA for Bouquet Roxbury Associates. Mr. Purcell stated that he reviewed the application and he has a comment letter regarding it, and it is in order.

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

- A. 7/12/12 LTPA – Req. for MSA Endorsement – ITC Active Adult Comm. TWA
- B. 7/20/12 NJDEP – Payment Requisition – Final
- C. 7/23/12 NJDEP – Infrastructure Financing Program - Project #S340384-07
- D. 7/24/12 NJDEP – Byram Twp. WMP Amendment
- E. 7/24/12 NJ Env. Infrastructure Trust Loan Disbursement Request
- F. 7/25/12 NJ Env. Infrastructure Trust 2010B Financing Project #S340 384-07 (PF)
- G. 7/30/12 L. Kron Esq. – Request for Alternate Dispute Resolution

H. 8/3/12	LTPA – Contract No. 220 Closeout
I. 8/6/12	L. Kron, Esq. – Notice to Bidders Contract SA-13
J. 8/6/12	L. Kron, Esq. – Notice to Bidders Contract P-13
K. 8/6/12	NJDEP – TWA Approval – ITC Active Adult Community
L. 8/9/12	Dykstra Walker – TWA Bouquet Roxbury Associates
M. 8/13/12	EcolSciences – KPM Exceptional, LLC Appl. for General Permit #6A
N. 8/17/12	LTPA – TWA Approval Permit Appl. – Bouquet Roxbury Associates

Mr. Schilling indicated that flow readings for the month of August will be available early September. 236,000 gallons of sludge were transported and disposed as of August 20<sup>th</sup>. Compared to January to July of last year the Authority has \$98,000.00 in savings so far. July 2012 was only 357,000 gallons versus July 2011 which was 635,000. That means that 278,000 gallons less sludge went out of the plant, which is a savings of about \$21,000.00. The question was raised that the thickener is working and the predicted numbers are coming about. Mr. Purcell indicated that is true and the operation is working correctly. Mr. Schilling also indicated that they have been including the rainfall every month because this was somewhat of a drought season this year and it is good information to include.

Concerning Waste Management, Mr. Schilling stated that he had a third dumpster picked up at Plant No. 3 that was in a location the Authority was not using. As he indicated earlier, the MSA was supposed to be getting it for free, but that was not the case. The dumpster was removed, which is a savings of \$160.00 a month.

The security gate project is well underway and should be completed by the end of this month.

Both equalization tanks have been cleaned out. A few months ago he started alerting the commissioners that this needed to be done. He had gotten a price from CFM to do the job for \$28,000.00 on a change order request and those two tanks have been done, plus four others which should be about \$3,000.00 when the work is completed. Mr. Schilling also reported that he got a free odor control system installed around the tanks and it is still on a trial basis. The equipment was given to the MSA at no charge.

Mr. Schilling is still working on the goals and objectives for 2012 including solutions for the computers as well as back ups for security systems and he has been meeting with various vendors. He also indicated that he will be reducing the overtime hours starting on September 1<sup>st</sup> from 6 hours to 5 hours. He also indicated that the bids were received for the uniforms and the UV lamps and bid amounts were proper based on the technical specifications. Chairman Rattner questioned about the new NJDEP regulations for underground storage tank certificates and does it have an affect on the Authority. Mr. Schilling indicated that he was referring to the SRA regulations and the Authority is in compliance. Commissioner Schwab questioned about the flow rating for the past month and that Roxbury's flow was estimated for the whole month of July and why. Mr. Schilling answered that there was a complex problem with the meter, which has been resolved.

The Repair & Maintenance Report was accepted on a motion offered by Mr. Bates, seconded by Mr. Mr. Pucilowski and the affirmative vote of members present.

Mr. Purcell reported that Sussex County Wastewater Plan Amendment has been reviewed carefully and that the MSA had passed a resolution sometime ago endorsing the plan amendment for Byram. Mr. Kron had made a very specific analysis of that because Byram is looking for an additional 92,000 gallons. In this amendment the State says that the MSA has the capacity to accept it, and therefore, the NJDEP approved it. Mr. Kron indicated that the MSA addressed that when the first plan was received. At that time he spoke to Eric Snyder and he agreed that Byram would have to obtain gallonage from one of the existing municipalities if they wanted to expand in that area. The MSA stated specifically in a resolution, which was approved, that the total capacity allocated to Byram Township is 100,000 gallons per day and Byram can negotiate with a municipality which has capacity available pursuant to an existing service contract. Mr. Kron also indicated that if Byram were to get additional gallons, the MSA would have to amend the service agreement with Byram to provide for it.

Mr. Purcell reported that a TWA application has been completed by Bouquet Roxbury Associates Development in the Township of Roxbury. They are proposing a development of buildings that will discharge to the MSA. He reviewed the plan and finds it acceptable. The flow of the proposed development is 2,025 gallons per day. He recommends that the MSA endorse the project by resolution.

Mr. Purcell also reported on a needs survey that the NJDEP is requiring for projects projected over the next 20 years. He has prepared a list of projects that he believes the MSA will be needing over the period of 20 years and dollar amounts have been assigned for the construction and engineering services. Projected projects were discussed. Mr. Purcell also indicated that Mr. Schilling is reviewing the list and may be adding to it. He will finalize the list for review and approval at the next meeting.

Mr. Purcell also stated that the NJDEP just issued their priority notification for priority lists for 2013. They are going to use the formula of 75 percent with zero interest and a 25 percent bond market rate, which is the same as they had this year. Each of the member municipalities should get a copy of this notification and if they have any needs they should recognize this and try to get on the list.

LTPA has certified that The Engineer's Report was accepted on a motion offered by Mr. Hoyt, seconded by Mr. Schwab and the affirmative vote of members present.

The hiring of a qualified purchasing agent was discussed and tabled until the next meeting for Commissioner Sylvester's input.

**Res. No. 12-30 Designating Susan Grebe to Utilize the Petty Cash Fund In an Amount Not to Exceed \$150.00** was moved by Mr. Pucilowski, seconded by Mr. Kieser and the affirmative roll call vote of members present.

**RESOLUTION NO. 12-30**

**Resolution of the Musconetcong Sewerage Authority  
Designating Susan Grebe to Utilize the Petty Cash Fund  
In an Amount Not to Exceed \$150.00**

BE IT RESOLVED by the Commissioners of the Musconetcong Sewerage Authority that Susan Grebe is hereby appointed as Custodian of the Petty Cash Fund which fund shall be in an amount not to exceed One Hundred Fifty (\$150.00) Dollars.

Discussion regarding Morris County's request for consent of the Waste Water Quality Management Plan Amendment: Chairman Rattner forwarded Mr. Purcell's comments to Morris County and indicated the minor adjustments that need to be made. Mr. Kron suggested that a resolution could be passed subject to those corrections. A letter will be sent out the Morris County member municipalities stating Mr. Purcell's corrections with the resolution.

The bids for the Soda Ash Contract SA-13 and the Polymer Contract P-13 were discussed. It was decided that bids would be received on October 17, 2012.

**Res. No. 12-31 Authorizing the Director to Receive Sealed Proposals for Contract SA-13, for Light Soda Ash as Described in the Technical Specifications on October 17, 2012 at 10:00 AM in the Office of the Authority's Water Pollution Control Facility** was moved by Mr. Schwab, seconded by Mr. Phil and the affirmative roll call vote of members present.

**RESOLUTION NO. 12-31**

**Resolution of the Musconetcong Sewerage Authority  
Authorizing the Director to Receive Sealed Proposals for  
Contract SA-13, for Light Soda Ash  
as Described in the Technical Specifications on  
October 17, 2012 at 10:00 a.m. in the Office of the Authority's  
Water Pollution Control Facility**

WHEREAS, a need exists for the Light Soda Ash as described in the Technical Specifications as detailed in Contract SA-13; and

WHEREAS, funds are available for said Contract.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Director is hereby authorized to receive sealed proposals for Contract SA-13, Light Soda Ash as described in the Technical Specifications on October 17, 2012 at 10:00 a.m. at the office of the Authority's Water Pollution Control Facility, located at 110 Continental Drive, Budd Lake, New Jersey. At that time and place, the sealed bids will be opened publicly and read aloud. Copies of the Contract Specifications are on file at the Office of the Authority at the Water Pollution Control Facility located in Budd Lake, New Jersey. The Contract Specifications may be obtained by contacting the Authority's Office at 973-347-1525.

**Res. No. 12-31 Authorizing the Director to Receive Sealed Proposals for Contract P-13, for ZETAG 8818 Cationic Emulsion Polymer or Equivalent as Described in the Technical Specifications on October 17, 2012 at 10:30 AM in the Office of the Authority's Water Pollution Control Facility** was moved by Mr. Schwab, seconded by Mr. Phil and the affirmative roll call vote of members present.

**RESOLUTION NO. 12-32**

**Resolution of the Musconetcong Sewerage Authority  
Authorizing the Director to Receive Sealed Proposals for  
Contract P-13, for ZETAG 8818 Cationic Emulsion Polymer or  
Equivalent as Described in the Technical Specifications on  
October 17, 2012 at 10:30 a.m. in the Office of the Authority's  
Water Pollution Control Facility**

WHEREAS, a need exists for the ZETAG 8818 Cationic Emulsion Polymer or Equivalent as described in the Technical Specifications as detailed in Contract P-13; and

WHEREAS, funds are available for said Contract.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Director is hereby authorized to receive sealed proposals for Contract P-13, ZETAG 8818 Cationic Emulsion Polymer or Equivalent as described in the Technical Specifications on October 17, 2012 at 10:30 a.m. at the office of the Authority's Water Pollution Control Facility, located at 110 Continental Drive, Budd Lake, New Jersey. At that time and place, the sealed bids will be opened publicly and read aloud.

Copies of the Contract Specifications are on file at the Office of the Authority at the Water Pollution Control Facility located in Budd Lake, New Jersey. The Contract Specifications may be obtained by contacting the Authority's Office at 973-347-1525.

The proposal received for the UV Supply Lamps Contract UV-12 was discussed. Mr. Kron said that only one bid for \$28,857.50 was received. The bid did not contain the Business Registration Certificate which is a requirement, however, the law was changed and that was a mandatory requirement up until about 2 years ago. It has since been amended so the Business Registration Certificate is not mandatory to award the bid as long as the contractor can provide that. Also, the bidder has over 50 employees and will need to provide the Division of Public Contracts Equal Opportunity Employment Compliance form filled out.

Res. No. 12-33 Awarding Contract UV-12 to Supply Lamps, Quartz Sleeves, O-Rings and Ballasts for Trojan UV 3000 Plus System to Fleet Pump & Service Group, Inc. was moved by Mr. Keiser, seconded by Mr. Bates and the affirmative roll call vote of members present.

#### RESOLUTION NO. 12-33

##### Resolution of the Musconetcong Sewerage Authority Awarding Contract UV-12 to Supply Lamps, Quartz Sleeves, O-Rings and Ballasts for Trojan UV 3000 Plus System to Fleet Pump & Service Group, Inc.

WHEREAS, on August 21, 2012, the Musconetcong Sewerage Authority received bids for Contract UV-12 to Supply Lamps, Quartz Sleeves, O-Rings and Ballasts for Trojan UV 3000 Plus System in accordance with Notice to Bidders; and

WHEREAS, the following bid was received:

	<u>Contractor</u>	<u>Bid Price</u>
1.	Fleet Pump & Service Group, Inc. 100 Calvert Street; PO Box 616 Harrison, NJ 10528; and	\$28,857.50

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

1. Fleet Pump & Service Group, Inc., (hereinafter "Fleet") submitted the lowest bid for the contract, which bid is in the amount of \$28,857.50;
2. The bid of Fleet complied with the following requirements of the Notice to Bidders:
  - a. Ownership Statement P.L. 1997c.33;
  - b. Non-Collusion Affidavit;
  - c. Affirmative Action Questionnaire;
  - d. Mandatory Affirmative Action Letter;
  - e. Contractor's Certification and Disclosure of Political Contributions; and
3. The Bid of Fleet did not contain The Business Registration Certification as required in the Notice to Bidders (Paragraph K on Page 28 of Notice to Bidders). The Business Registration Certification had been a mandatory requirement pursuant to N.J.S.A. 40A:11-23.2(f). However, the mandatory requirement of the Business Registration Certification was deleted by amendment, P.L. 2009, c.315. Thus, it is no longer considered a mandatory requirement that renders a bid proposal unresponsive and not curable by the governing body. N.J.S.A. 52:32-44(b) further provides that "A contractor shall provide the contracting agency with the business registration of the contractor, and that of any named subcontractor prior to the time a contract, purchase order or other contracting document is awarded or authorized." Since the bid of Fleet was the only bid received by the Musconetcong Sewerage Authority, and since the bid was within the amount estimated by the Authority, and since it is in the best interest of the Authority to accept the bid, the Commissioners hereby waive the requirement that Fleet submit a Business Registration Certification with the bid, provided that Fleet provides to the Musconetcong Sewerage Authority proof of its Business Registration Certification no later than Wednesday, August 29, 2012; and
4. The Treasurer of the Musconetcong Sewerage Authority has certified that funds are available;
5. The Commissioners of the Authority believe that it is in the best interest of the Authority to accept the bid of Fleet to supply Lamps, Quartz Sleeves, O-Rings and Ballasts for Trojan UV 3000 Plus System in the amount of \$28,857.50 conditioned upon its providing proof of its Business Registration Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract UV-12 to supply Lamps, Quartz Sleeves, O-Rings and Ballasts for Trojan UV 3000 Plus System is hereby awarded to Fleet in the amount of \$28,857.50, conditioned upon Fleet providing its Business Registration Certification; and be it

FURTHER RESOLVED, that the amount of the Contract shall not exceed \$28,857.50 without further approval from the Musconetcong Sewerage Authority, and the Musconetcong Sewerage Authority shall not be liable to pay any amount over and above \$28,857.50 without prior written approval; and be it FURTHER RESOLVED, that Steven Rattner as Chairman is hereby authorized to execute the Contract with Fleet on behalf of the Musconetcong Sewerage Authority upon proof of its Business Registration Certification.

The Uniform Supply bids were discussed. There were two bidders. The low bidder left out his Business Registration Certificate and his bid is \$2,000.00 less than the second bidder, so that can be waived as long as the bidder can supply a copy of his Business Registration Certificate.

Res. No. 12-34 Awarding Contract USLS-12 to Provide Uniform Supply and Laundry Service at the Facility to Cintas Corporation was moved by Mr. Hoyt, seconded by Mr. Bates and the affirmative roll call vote of members present.

#### RESOLUTION NO. 12-34

##### Resolution of the Musconetcong Sewerage Authority Awarding Contract USLS-12 to Provide Uniform Supply and Laundry Service at the Facility to Cintas Corporation

WHEREAS, on August 21, 2012, the Musconetcong Sewerage Authority received bids for Contract USLS-12 to Provide Uniform Supply and Laundry Service at the Facility in accordance with Notice to Bidders; and

WHEREAS, the following bids were received:

	<u>Contractor</u>	<u>Bid Price</u>
1.	Cintas Corporation 164 E. Main Street Emmaus, PA 18049	\$18,223.92
2.	American Wear, Inc. 261 North 18 <sup>th</sup> Street East Orange, NJ 07017; and	\$20,131.80

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

6. Cintas Corporation (hereinafter "Cintas") submitted the lowest bid for the contract, which bid is in the amount of \$18,223.92 for a term of three (3) years commencing on December 21, 2012, and ending on December 20, 2015;
7. The bid of Cintas complied with the following requirements of the Notice to Bidders:
  - a. Ownership Statement P.L. 1997c.33;
  - b. Non-Collusion Affidavit;
  - c. Affirmative Action Questionnaire;
  - d. Mandatory Affirmative Action Letter;
  - e. Contractor's Certification and Disclosure of Political Contributions; and
8. The Bid of Cintas did not contain the Business Registration Certification as required in the Notice to Bidders (Paragraph K on Page 25 of Notice to Bidders). The Business Registration Certification had been a mandatory requirement pursuant to N.J.S.A. 40A:11-23.2(f). However, the mandatory requirement of the Business Registration Certification was deleted by amendment, P.L. 2009, c.315. Thus, it is no longer considered a mandatory requirement that renders a bid proposal unresponsive and not curable by the governing body. N.J.S.A. 52:32-44(b) further provides that "A contractor shall provide the contracting agency with the business registration of the contractor, and that of any named subcontractor prior to the time a contract, purchase order or other contracting document is awarded or authorized." Since the bid of Cintas was the lowest bid received by the Musconetcong Sewerage Authority, and it is in the best interest of the Authority to accept the low bid of Cintas, the Commissioners hereby waive the requirement that Cintas submit a Business Registration Certification with the bid, provided that Cintas provides to the Musconetcong Sewerage Authority proof of its Business Registration Certification no later than Wednesday, August 29, 2012; and
9. The Treasurer of the Musconetcong Sewerage Authority has certified that funds are available;
10. The Commissioners of the Authority believe that it is in the best interest of the Authority to accept the bid of Cintas to provide Uniform Supply and Laundry Service at the Facility in the amount of \$18,223.92 for a term of three (3) years conditioned upon its providing proof of its Business Registration Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract USLS-12 to provide Uniform Supply and Laundry Service at the Facility for a three (3) year term commencing December 21, 2012 to December 20, 2015, is hereby awarded to Cintas in the amount of \$18,223.92, conditioned upon Cintas providing proof of its Business Registration Certification; and be it

FURTHER RESOLVED, that the Secretary is hereby authorized and directed to return the bid bond of American Wear, Inc.; and be it

FURTHER RESOLVED, that the amount of the Contract shall not exceed \$18,223.92 without further approval from the Musconetcong Sewerage Authority, and the Musconetcong Sewerage Authority shall not be liable to pay any amount over and above \$18,223.92 without prior written approval; and be it FURTHER RESOLVED, that Steven Rattner as Chairman is hereby authorized to execute the Contract with Cintas on behalf of the Musconetcong Sewerage Authority upon proof of the Business Registration Certification of Cintas.

**Res. No. 12-35 Endorsing the New Jersey Treatment Works approval (TWA-1) Permit Application for the Sanitary Sewer Extension to Serve the Bouquet Associates Development Located at Block 9501, Lot 1, Township of Roxbury** was moved by Mr. Schwab, seconded by Mr. Pucilowski and the affirmative roll call vote of members present.

**RESOLUTION NO. 12-35**

**Resolution of the Musconetcong Sewerage Authority  
Endorsing the New Jersey Treatment Works approval (TWA-1)  
Permit Application for the Sanitary Sewer Extension to Serve  
The Bouquet Roxbury Associates Development  
Located at Block 9501, Lot 1  
Township of Roxbury, Morris County, New Jersey**

WHEREAS, Bouquet Roxbury Associates Development has made a request to the Musconetcong Sewerage Authority for a sanitary sewer extension to serve a project located at Block 9501, Lot 1 in the Township of Roxbury, Morris County, New Jersey; and

WHEREAS, the project consists of the following:

- a) Proposed mixed use light industrial complex consisting of two (2) self storage buildings and six (6) manufacturing buildings;
- b) 4,190 l.f. of 8-inch diameter PVC gravity sewer piping;
- c) 17 standard sewer manholes;
- d) 19 drop sewer manholes; and
- e) connection to the existing sanitary sewer manhole on Railroad avenue in the Borough of Netcong, New Jersey

WHEREAS, the daily sewage flow from the project is calculated to be 2,025 gallons per day (GPD); and

WHEREAS, Lee T. Purcell Associates, Consulting Engineer for the Musconetcong Sewerage Authority have reviewed the following documents prepared by the Dykstra Walker Design Group:

- a) NJDEP Treatment Works Approval (TWA-1) Permit Application (4 pages).
- b) NJDEP Engineer's Report for Domestic Treatment Works Approval Applications - Form WQM-006.
- c) NJDEP Statements of Consent - Form WQM-003.
- d) Estimate of Construction Cost for Sanitary Sewer Extension dated August 8, 2012.
- e) Resolutions from both the Township of Roxbury and the Borough of Netcong consenting to the project.
- f) Sanitary sewer construction specifications dated August 8, 2012 consisting of 32 pages.
- g) Sanitary sewer construction plans consisting of seven (7) sheets entitled, "Sewer Extension Plans, Block 9501, Lot 1 Old Traveled Road and NJSH Route 46, Township of Roxbury, Morris County, New Jersey".

WHEREAS, Lee T. Purcell Associates has submitted a report dated August 17, 2012, concluding that all supporting documentation for the project has been found satisfactory.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the above referenced Treatment Works Approval Permit Application (TWA-1) for sanitary sewer facilities to serve the Bouquet Roxbury Associates Development consisting of the following is hereby endorsed:

- a) Proposed mixed use light industrial complex consisting of two (2) self storage buildings and six (6) manufacturing buildings;
- b) 4,190 l.f. of 8-inch diameter PVC gravity sewer piping;
- c) 17 standard sewer manholes;
- d) 19 drop sewer manholes; and
- e) connection to the existing sanitary sewer manhole on Railroad avenue in the Borough of Netcong, New Jersey

FURTHER RESOLVED, that Steven Rattner, Chairman of the Musconetcong Sewerage Authority is hereby authorized to sign Section C of the original Statements of Consent (NJDEP Form WQM-003).

Other new business included discussion on putting together a package to solicit a new backup engineer to replace Michael J. Spillane, PE. Chairman Rattner also stated that it was now required by law to have a backup engineer to review projects that are ten million dollars or more and it is the most efficient way of reviewing a large project, so he is in the process of putting the specifications together for that. Other discussion took place regarding getting all consultants contracts in order for 2013.

Chairman Rattner also discussed contracts from the present consultants. He was not sure the MSA has contracts from them. He indicated that there is really no contract on file at the MSA and contracts have been done by resolutions. Mr. Kron stated that he had prepared a contract. The MSA should have a copy and he would be happy to forward another copy. Mr. Purcell also indicated that he had a contract similar to Mr. Kron's. Mr. Rattner indicated that no copies of contracts could be found on file. Mr. Kron indicated that the resolutions have attachments which include the billing rates. Mr. Keiser indicated that is not a contract and he is looking for a contract signed by the engineer. Mr. Kron indicated that he has sent a signed contract and he believed that Mr. Purcell has sent a similar contract. Mr. Purcell said there is a billing rate schedule and a definition of what is covered by the retainer. They also discussed that the auditor had a contract. Chairman Rattner indicated that they need to get the information tied down and make sure that it is in a format that makes the most sense. Mr. Kron indicated that Mr. Purcell's contract generally covers his attending meetings and whenever there are any other projects or additional work Mr. Purcell is going to review another resolution is prepared with a contract including the scope of work and a fee schedule. Mr. Schilling indicated that the resolution does point out an overview of Mr. Purcell attending meetings, assisting with e-mail and correspondence for the commissioners. Mr. Rattner said he had not seen that. It was noted that the resolution covers the work specifically. Mr. Kron said that whenever there is another project or more work, another resolution is prepared with a fee schedule and he mentioned the priority projects as an example. Chairman Rattner said they will have to review it further and see what should be put on the consulting contracts for next year.

Discussion took place regarding the Waste Water Quality Management Plan and what the decision should be when responding to Morris County. A response is required within 60 days. Mr. Schwab stated that he did not believe 60 days was a long enough time to review the plan and respond. Mr. Phil indicated that he would deny it because of the inaccuracies that were associated with the MSA's prior response. It was decided that a letter to the Morris County member municipalities would be sent with Mr. Purcell's comments to the WQMP.

Motion was offered by Mr. Pucilowski, seconded by Mr. Bates to approve the information that was forwarded from Morris County regarding the Waste Water Quality Management Plan subject to Mr. Purcell's review indicating the discrepancies that were found. Roll call:

Mr. Bates	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Yes	Mr. Rattner	Yes
Mr. Kieser	Yes	Mr. Schwab	No
Mr. Phil	No		

Motion made by Mr. Pucilowski, seconded by Mr. Kieser and the affirmative roll call vote of members present, Chairman Rattner adjourned the meeting at 9:06 PM.

Respectfully Submitted:

Susan Grebe,  
Administrative Assistant