

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Chairman Rattner called the meeting to order at 7:35 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, Thomas Bruno, Michael Grogan, Brian McNeilly, Michael Pucilowski, Steven Rattner, Richard Schindelar, Joseph Schwab

MEMBERS ABSENT: James Benson, Andrew Cangiano, Melanie Michetti, John Sylvester

OTHERS PRESENT: Patrick Dwyer, Esq., John Scheri, PE, Marvin Joss, James Schilling, Peggy Gallos of AEA

Chairman Rattner opened the meeting to the public.

Seven residents from the West Brookwood Section of Byram were present to discuss an odor problem in their neighborhood. Yvonne Reeves introduced herself to the commissioners. She indicated that she lived about 800 feet from the MSA Plant. She noted that some of the residents present have been living in the neighborhood for up to 46 years. She explained about a foul odor that smelled like manure. The problem has been sporadic, but recently the odor problem had become more prevalent. Ms. Reeves also explained that at times the odor was so bad that outdoor parties or barbecues would have to be moved indoors. She and the neighbors believed the smell was intensifying over the years. She also explained about past complaints issued over the years and reasons that were given for the problem.

Ms. Reeves asked for the commissioners' help to resolve the problem and the concerns of the neighbors. She indicated that Mr. Schilling offered to come by and check the area when the odor is present. Chairman Rattner responded that no surrounding residents should have to put up with an odor problem from the plant. He recommended that the MSA Plant Personnel should come to the neighborhood and see if they can figure out where the smell is coming from and monitor the problem. He also recommended that the residents contact their local Health Department so they can also check out the problem.

Mr. Schilling told the residents and commissioners that he was employed by the MSA for over five years and this is the first formal odor complaint he has received. He explained the actions that have already been taken by the MSA to investigate the problem. He invited the residents to come to the plant anytime to check if the odor is coming from the plant. There was some discussion about contacting the NJDEP and checking the air quality. Mr. Schilling indicated that Sussex County has a task force that can come and take samples.

Mr. McNeilly suggested that the residents best point of contact is their Township Administrator. The Administrator can contact and bring in all the resources needed to investigate the problem and find out where the odor is actually coming from. The residents should present all the facts to the Byram Township Administrator and demand that some action should be taken to investigate the problem. He indicated that the Authority cannot take control of the problem if it is unsure that the odor is actually coming from the plant.

Mr. Schilling also said that the residents should call and make a "formal" complaint when the odor is present. Also, there is an after-hours emergency feature on the MSA phone system that can be utilized when called anytime to reach MSA staff 24 hours, seven days a week.

Chairman Rattner also suggested that the residents reach out to the Byram MSA Commissioner. The commissioners and residents thanked each other for their time and were hopeful the problem would be investigated and corrected. The Byram residents left the meeting at 8:00 PM.

Chairman Rattner introduced Peggy Gallos, Executive Director of the Association of Environmental Authorities (AEA). He explained that the AEA is an organization that supports wastewater facilities and lobbies on behalf of authorities to make sure that rules and regulations are actually in place to protect the environment and citizens. Ms. Gallos thanked the MSA for their continuing membership. She noted that the MSA was one of the founding authorities of the AEA. She indicated that Mr. Schilling and Mr. Scheri were both very involved with the AEA. She told the commissioners it is the 45th anniversary year for the AEA and she has been working on a report for the anniversary year. She reviewed some of the history of the AEA and explained why the organization was formed 45 years ago. Ms. Gallos indicated that the authorities still need to band together. She explained past and present issues for wastewater facilities. She discussed the diversion of funds and told the commissioners that AEA was able to get a cap on that issue for wastewater treatment facilities. She discussed the value of public agencies and privatization of facilities.

Ms. Gallos also discussed the upcoming conference in November and other events including the AEA's ethics session and the Environmental Professional Development Academy training program. Ms. Gallos also informed the commissioners that the AEA was looking for public speakers to give presentations on their areas of expertise and experiences if anyone was interested in donating their time. Ms. Gallos thanked the commissioners for their time and support.

Chairman Rattner closed the meeting to the public.

The meeting minutes of July 28, 2016 were approved on a motion offered by Mr. Bruno, seconded by Mr. Grogan. Roll Call:

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

The Expenditures/Treasurer's Report for August 1, 2016 was accepted on a motion offered by Mr. McNeilly, seconded by Mr. Schindelar and the affirmative roll call vote of members present.

TREASURER'S REPORT- AUGUST 1, 2016
OPERATING ACCOUNT

Balance as of July 1, 2016:		<u>\$ 776,972.36</u>
Receipts (July):		
	Hospitalization	3,111.62
	TD Bank Interest	1,943.69
	NJ Dept. of Treasury (NJDEP) refund	3,830.00
	Municipal Revenue	370,998.21
		<u>\$ 1,156,855.88</u>
Total Disbursements for July:		<u>\$ 262,096.79</u>
Balance as of August 1, 2016:		<u>\$ 894,759.09</u>

RENEWAL & REPLACEMENT ACCOUNT

Balance as of July 1, 2016:		<u>\$ 575,290.59</u>
Receipts:		0.00
Disbursements:	Nusbaum Stein (UV bids)	<u>132.00</u>
Balance as of August 1, 2016:		<u>\$ 575,158.59</u>

ESCROW ACCOUNT

Balance as of July 1, 2016:		<u>\$ 4,034.14</u>
Receipts:		0.00
Disbursements:	Nusbaum Stein (Progressive Properties)	<u>242.00</u>
Balance as of August 1, 2016:		<u>\$ 3,792.14</u>

CAPITAL IMPROVEMENT/RESERVE FOR RETIREMENT ACCOUNT

Balance as of July 1, 2016:		<u>\$ 1,020,000.00</u>
Receipts:	Transfer from Operating - Headworks Invoice Correction	157.26
Disbursements:		0.00
Balance as of August 1, 2016:		<u>\$ 1,091,587.93</u>

ANALYSIS OF BALANCES:

Capital Improvement	\$ 1,046,587.93
Reserve for Retirement	\$ 45,000.00

EXPENDITURES REPORT - 2016 BUDGET

8/1/16

	2016	YEAR-TO-DATE		%
	<u>BUDGET</u>	<u>EXPENDITURES</u>	<u>BALANCE</u>	<u>REMAINING</u>
Admin - Salaries and Wages	\$160,000.00	\$92,611.77	\$67,388.23	42.12%
Trustee Admin Fees	\$20,000.00	\$18,196.72	\$1,803.28	9.02%
Administrative - Other Expenses	\$35,000.00	\$20,479.54	\$14,520.46	41.49%
Legal	\$25,000.00	\$18,491.60	\$6,508.40	26.03%
Audit	\$10,000.00	\$0.00	\$10,000.00	100.00%
Engineer	\$20,000.00	\$7,282.23	\$12,717.77	63.59%
Pension	\$86,000.00	\$84,371.00	\$1,629.00	1.89%
Social Security	\$65,000.00	\$38,061.32	\$26,938.68	41.44%
Unemployment	\$7,000.00	\$5,371.61	\$1,628.39	23.26%
Hospitalization	\$219,260.00	\$134,059.24	\$85,200.76	38.86%
Disability Insurance	\$10,000.00	\$4,918.45	\$5,081.55	50.82%

Operating - Salaries and Wages	\$666,640.00	\$393,160.78	\$273,479.22	41.02%
Reserve for Future Retirement	\$5,000.00	\$0.00	\$5,000.00	100.00%
Telephone	\$20,000.00	\$9,258.17	\$10,741.83	53.71%
Electric	\$530,000.00	\$192,251.98	\$337,748.02	63.73%
Propane/Fuel Oil/ Gasoline	\$40,000.00	\$5,791.85	\$34,208.15	85.52%
Supplies/Chemicals	\$160,000.00	\$80,523.97	\$79,476.03	49.67%
Laboratory Supplies	\$10,000.00	\$3,334.38	\$6,665.62	66.66%
Office	\$20,000.00	\$16,935.79	\$3,064.21	15.32%
External Services	\$70,000.00	\$24,448.87	\$45,551.13	65.07%
Education/Training	\$20,000.00	\$7,505.36	\$12,494.64	62.47%
Laboratory Fees	\$30,000.00	\$7,218.30	\$22,781.70	75.94%
Maintenance/Repairs	\$150,000.00	\$43,703.68	\$106,296.32	70.86%
Insurance	\$110,000.00	\$93,674.95	\$16,325.05	14.84%
NJDEP Fees	\$25,000.00	\$18,413.05	\$6,586.95	26.35%
Permit/Compliance Fees	\$25,000.00	\$3,201.36	\$21,798.64	87.19%
Equipment	\$60,000.00	\$23,011.74	\$36,988.26	61.65%
Sludge Removal	\$700,000.00	\$333,903.00	\$366,097.00	52.30%
Contingency	\$25,000.00	\$0.00	\$25,000.00	100.00%
Capital Improvement	\$200,000.00	\$150,000.00	\$50,000.00	25.00%
Renewal and Replacement	\$200,000.00	\$100,000.00	\$100,000.00	50.00%
TOTAL	\$3,723,900.00	\$1,930,180.71	\$1,793,719.29	48.17%

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

ESCROW	
Mott MacDonald	\$483.00
Nusbaum Stein	\$72.60
CAPITAL IMPROVEMENT	
Mott MacDonald	\$5,980.94
RENEWAL & REPLACEMENT	
A.C. Schultes	\$1,149.40
Fleet Pump & Service Group	\$37,433.12
OPERATING ACCOUNT	
ADP	\$593.78
Applied Analytics	\$5,116.00
Blue Diamond	\$283.55
Cintas Corp.	\$463.72
Cintas First Aid	\$111.29
Coburn Chemicals	\$1,576.75
Constellation New Energy	\$14,519.56
Coyne Chemical	\$8,987.22
Keith DeFazio (license renewal reimb)	\$50.00
Eurofins QC Labs	\$845.50
Fisher Scientific	\$992.60
Grainger	\$45.76
Susan Grebe (mileage reimb)	\$46.87
Hach	\$440.34
JCP&L	\$10,481.50
Kenvil Power	\$87.47
Lowes	\$600.43
MSA Payroll 8/12/16	\$31,544.35
MSA Payroll 8/26/16	\$32,005.09
McMaster Carr	\$95.07
Mott MacDonald	\$10,964.65
NJSHBP	\$17,784.61
NJ American Water	\$615.99
New Jersey Herald	\$31.20
NJ Water Environment Assoc. Registrar	\$152.00
Napa Auto Parts	\$107.01
Nusbaum Stein	\$715.00
One Call	\$35.00
Passaic Valley Sewerage Commission	\$28,080.00
R-D Trucking	\$19,600.00
Reuter & Hanney	\$855.00
James Schilling	\$198.71
Shell Fleet	\$240.78
David Stracco	\$129.95
Staples	\$456.60
Terex Services	\$2,500.00
Treasurer, State of NJ	\$50.00
Trend Landscaping	\$13,200.00

Verizon	\$739.71
Verizon Wireless	\$225.18
WEF	\$268.00

Chairman Rattner congratulated Mr. Schilling and the MSA Staff for receiving the Certificate of Environmental Stewardship. He asked that the MSA Attorney prepare a cover memo to include with a copy of the letter received from NJDEP Compliance and Enforcement along with a copy of the Certificate to send out to the member towns, counties and different water associations, indicating that the Certificate of Stewardship shows that the MSA is running the plant according to NJDEP regulations and standards, and is also very concerned and conscientious of the environment.

The uniform bid submitted by Cintas was briefly discussed by Mr. Dwyer and Mr. Schilling. The deficient bid documents have still not been submitted by Cintas. Mr. Schilling indicated that the difference in the two bids received was about \$25.00 weekly. A time frame to receive the documents was discussed. If the documents are not received, the Cintas bid will have to be rejected for insufficient documentation. Mr. Schilling will contact Cintas.

Mr. Schindelar asked about the increase in flow for the Mariners Pointe TWA modification and how it will affect Hopatcong's allocation and sewerage costs. The modification will actually decrease the allocated flow by 900 gpd. Mr. Schilling discussed his concerns of future projects' allocations in all of the seven member towns and wanted to know if allocations were being tracked by each of the member towns. Chairman Rattner explained EDU's and how the MSA bills each of the member towns and assigns allocations. The commissioners discussed future allocations and projected usages.

Mr. Joss left the meeting at 8:40 PM.

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

- A. 8/1/16 Patrick Dwyer - Cintas Corp. Uniform Bid Contract Document Requirements
- B. 8/10/16 Bowman Consulting - TWA Modification for Mariners Pointe, Hopatcong
- C. 8/4/16 NJDEP Compliance & Enforcement - MSA Certificate of Environmental Stewardship
- D. 8/12/16 NJDEP - Lake Hopatcong Drawdown
- E. 8/16/16 NJDEP - TWA Permit for Railroad Avenue, Netcong
- F. 8/16/16 Lake Hopatcong Foundation - Morris County Historic Preservation Trust Fund 2016 Grants
- G. 8/22/16 Mott MacDonald - Mariner's Pointe TWA Permit Modification

Mr. Schilling asked if the commissioners had reviewed his monthly report and if anyone had any questions. Chairman Rattner asked Mr. Schilling how the Lake Hopatcong drawdown will affect the MSA, so that the Authority can respond properly at the public hearing in September. Mr. Schilling indicated that he was going to discuss all concerns of the drawdown.

Mr. Schilling reported that the Mount Olive meter chamber was off-line since the previous Friday. A technician was at the meter chamber that day. He was assured that a replacement meter would be installed on September 1st. The MSA will be estimating Mount Olive's flow until the replacement meter is installed.

Mr. Schilling reported that the magnesium hydroxide is providing nearly twice the alkalinity as soda ash. He explained that the biology was visibly healthier under the microscope using the magnesium hydroxide.

Mr. Schilling briefly discussed the NJDEP Certificate of Environmental Stewardship. He noted that there were other considerations that could also be utilized.

Mr. Schilling also reported that the Mount Olive Fire Marshall inspected the plant that day. There were a couple of minor issues which will be easily corrected.

Mr. Schilling reported that the old MSA office/service building accumulates water from the rain which has to be pumped out. He questioned the integrity of the building and noted some hazards. He opined that it may have been kept in place for Mount Arlington to come on line with the plant. He suggested that the MSA Engineer should inspect the building and possibly the building should be demolished.

Mr. Schilling also reported that the Engineering Committee met on August 15th to discuss the headworks project. The estimate for the project was considerably higher than the previous preliminary estimate received from LTPA. He included costs in the Budget for the commissioners' consideration and review if the Authority considers moving ahead with the 1.5 million dollar project.

Mr. Schilling discussed the correspondence received from Kerry Kirk Pflugh at the NJDEP regarding the Lake Hopatcong drawdown. The letter indicates that the NJDEP wants to reduce the drawdown. He has been corresponding with Ms. Pflugh regarding the matter for some time. He has concerns because the health and integrity of the Musconetcong River is at the forefront of all the decisions made by the NJDEP concerning the drawdown. He supports the efforts to strike a balance between recreational activity and structural integrity of the mariners. River studies have been done by Dr. Najarian that explain considerably lower cfs than what the NJDEP and the Lake Hopatcong Management Plan impacts would be.

Chairman Rattner explained some of the concerns to the commissioners regarding the flow, level and temperature of the lake. Mr. Schindelar explained that 77 degrees is the temperature when they will open up the dam to keep the 12 cfs going and only during the time frame from ice-out to the month of April. Apparently that temperature is being considered by the Fish and Wildlife Association. The issues with Lake Musconetcong were also discussed. Chairman Rattner maintained that the NJDEP must understand the MSA's concerns and what minimum water temperature should be allowed. Mr. Schilling said he would review the river studies by Dr. Najarian before attending the hearing on September 19th. Mr. Scheri recommended that Dr. Najarian prepare a statement for the Authority to present at the hearing.

The Directors Report, and Repairs and Maintenance Report, for the month of August were accepted on a motion offered by Mr. McNeilly, seconded by Mr. Schindelar and the affirmative vote of members present.

Mr. Scheri reported that he contacted Netcong and Byram to request copies of drawings that Mott MacDonald was looking for regarding the MSA interceptor plans as he had discussed last month. Mott MacDonald reviewed the Mariners Pointe TWA Modification. Mott MacDonald also met with the engineering committee to review projects.

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

Resolution No. 16-26 Endorsing a Modification to New Jersey Treatment Works Approval (TWA-1) For Permit Application for a Sewer Extension For Mariner's Pointe Development Located at Block 10712, Lots 38 and 48 in the Borough of Hopatcong , was moved by Mr. Schindelar, seconded by Mr. Pucilowski and the affirmative roll call vote of members present.

RESOLUTION NO. 16-26

**Resolution of the Musconetcong Sewerage Authority
Endorsing a Modification to New Jersey Treatment Works Approval (TWA-1)
For Permit Application for a Sewer Extension For
Mariner's Pointe Development Located at Block 10712,
Lots 38 and 48, Borough of Hopatcong, Sussex County, New Jersey**

WHEREAS, the Musconetcong Sewerage Authority (hereinafter "Authority") by Resolution No. 10-21 endorsed a Treatment Works Approval Permit Application (TWA-1) for sanitary sewer facilities to serve Mariner's Pointe Development located on Block 10712, Lots 38 and 48 in the Borough of Hopatcong, Sussex County, New Jersey, to service 21 (2) bedroom units and 14 (3) bedroom units with a flow of 8,925 gallons per day ("GPD"); and

WHEREAS the MSA did request a Grant Waiver from the USEPA for the proposed development by letter dated August 2, 2010; and

WHEREAS Mariner's Pointe Development has submitted revised plans for a modified development which will disturb fewer environmentally sensitive areas than the original application; and

WHEREAS, the revised plans are for a permit modification seeking:

1. 1,047 linear feet of 8 inch PVC (113 additional linear feet);
2. 792 linear feet of 1.5 inch force main and one pump station (87 additional linear feet);
3. Amending number of units to 9 (2) bedroom units and 26 (3) bedroom units;
4. Increasing flow to 9,825 GPD (increase of 900 GPD);
5. Limit of disturbance has been decreased from 4.5 acres to 4.38 acres; and

WHEREAS, the MSA can readily accept an additional 900 GPD without exceeding sewage flow allocations for the Borough of Hopatcong (0.580 MGD) and the MSA Water Pollution Control Plant (4.31 MGD); and

WHEREAS, Bowman Consulting has submitted the following documents for consideration by the MSA:

1. Form WQM-003;
2. Amended Preliminary and Final Site Plans for Mariners Pointe dated August 5, 2016

consisting of 19 sheets; and

WHEREAS, Mott MacDonald, LLC Consulting Engineers for the MSA have reviewed the documents submitted and prepared a report dated August 22, 2016 and have recommended that the MSA pass a Resolution Endorsing Section C of the Statement of Consent (WQM-003) for a flow increase from 8,925 GPD to 9,825 GPD.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the above referenced modification to Treatment Works Approval Permit Application (TWA-1) for sanitary sewer facilities to service 9 (2) bedroom units and 26 (3) bedroom units is hereby endorsed contingent upon the following:

1. Endorsement of NJDEP Form WQM-003 Statement of Consent by the Borough of Hopatcong and submittal of a copy of the Resolution authorizing same to the MSA;

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

Mr. Pucilowski briefly reiterated the complaints of the Byram residents earlier in the meeting. Initially, the residents indicated that the odor smelled like manure, which he believed would not be coming from the MSA's plant. They also complained about a smell from one side and then the other side. He indicated to Mr. Schilling that there are numerous concerns that need to be looked at. The Mount Olive meter chamber was mentioned. Mr. Schilling responded that he had a long conversation with one of the residents earlier that day. He had explained some possibilities related to the odors and the river bank levels. He reached out to the Byram Police Department to research past complaints and the lady he spoke to on the phone had no recollection of any complaints. He has never received a formal complaint. He reiterated that the residents complained the odor is intermittent. He further explained that the plant operates 24/7. Flows have come down over the past few years. Odor control systems were installed. The MSA gets high rankings for the facility. He and the staff went to every perimeter accessible both inside and outside of the plant and did not smell anything. He discussed some of the other surroundings of the neighborhood, including wetlands, which could be other influences for the odor problem. Mr. Schilling also indicated that all the residents in the Brookwood neighborhood have septic systems and if they are not pumped and maintained properly that could cause an odor.

Motion made by Mr. McNeilly, seconded by Mr. Schindelar and the affirmative vote of members present, Chairman Rattner adjourned the meeting at 9:15 PM.

Respectfully Submitted:



Susan Grebe,
Administrative Assistant