

**REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY**

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

**MEMBERS PRESENT:** Donald Bates, James Benson, Thomas Bruno (arrived 7:34 pm), Andrew Cangiano, Michael Grogan, Brian McNeilly, Melanie Michetti, Michael Pucilowski, Steven Rattner, Richard Schindelar, Joseph Schwab, John Sylvester

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Patrick Dwyer Esq., John Scheri PE, Marvin Joss QPA, James Schilling MSA Director, Susan Grebe Admin Asst.

Chairman Rattner opened and closed the meeting to the public.

The meeting minutes of December 15, 2016 were approved on a motion offered by Mr. Sylvester, seconded by Mr. Pucilowski. Roll Call:

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

The Expenditures/Treasurer's Report for January 1, 2017 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- JANUARY 1, 2017**  
OPERATING ACCOUNT

<b>Balance as of December 1, 2016:</b>		<b>\$ 1,639,513.76</b>
<b>Receipts (December):</b>		
	Hospitalization	3,111.62
	Municipal Revenue	174,253.29
		<b>\$ 1,816,878.67</b>
<b>Total Disbursements for December:</b>		<b>\$ 297,828.74</b>
<b>Balance as of January 1, 2017:</b>		<b>\$ 1,519,049.93</b>

RENEWAL & REPLACEMENT ACCOUNT

<b>Balance as of December 1, 2016:</b>		<b>\$ 586,576.07</b>
<b>Receipts:</b>	4th Quarter Transfer from Operating	50,000.00
<b>Disbursements:</b>		0.00
<b>Balance as of January 1, 2017:</b>		<b>\$ 636,576.07</b>

**ESCROW ACCOUNT**

<b>Balance as of December 1, 2016:</b>		<b>\$ 4,803.54</b>
<b>Receipts:</b>	MF Est. LLC (RD Management WQMP)	2,400.00
<b>Disbursements:</b>	Nusbaum Stein (Stanhope-Byram Allocation Agreement)	677.60
<b>Balance as of January 1, 2017:</b>		<b>\$ 6,525.94</b>

CAPITAL IMPROVEMENT/RESERVE FOR RETIREMENT ACCOUNT

<b>Balance as of December 1, 2016:</b>		<b>\$ 1,111,864.85</b>
<b>Receipts:</b>	4th Quarter Transfer from Operating	25,000.00
<b>Disbursements:</b>	Mott MacDonald (Headworks)	792.00
<b>Balance as of January 1, 2017:</b>		<b>\$ 1,136,072.85</b>

ANALYSIS OF BALANCES:

Capital Improvement	\$ 1,086,072.85
Reserve for Retirement	\$ 50,000.00

**EXPENDITURES REPORT - 2016 BUDGET**

1/1/17

	2016	YEAR-TO-DATE		%
	BUDGET	EXPENDITURES	BALANCE	REMAINING
Admin - Salaries and Wages	\$160,000.00	\$156,302.98	\$3,697.02	2.31%
Trustee Admin Fees	\$20,000.00	\$18,196.72	\$1,803.28	9.02%
Administrative - Other Expenses	\$35,000.00	\$24,815.69	\$10,184.31	29.10%
Legal	\$25,000.00	\$21,907.40	\$3,092.60	12.37%
Audit	\$10,000.00	\$0.00	\$10,000.00	100.00%
Engineer	\$20,000.00	\$8,715.08	\$11,284.92	56.42%
Pension	\$86,000.00	\$81,313.24	\$4,686.76	5.45%
Social Security	\$65,000.00	\$64,521.22	\$478.78	0.74%
Unemployment	\$7,000.00	\$5,448.24	\$1,551.76	22.17%
Hospitalization	\$219,260.00	\$202,599.86	\$16,660.14	7.60%
Disability Insurance	\$10,000.00	\$4,983.65	\$5,016.35	50.16%
Operating - Salaries and Wages	\$666,640.00	\$664,936.38	\$1,703.62	0.26%
Reserve for Future Retirement	\$5,000.00	\$0.00	\$5,000.00	100.00%
Telephone	\$20,000.00	\$12,495.47	\$7,504.53	37.52%
Electric	\$530,000.00	\$342,654.31	\$187,345.69	35.35%
Propane/Fuel Oil/ Gasoline	\$40,000.00	\$10,850.33	\$29,149.67	72.87%
Supplies/Chemicals	\$160,000.00	\$143,930.50	\$16,069.50	10.04%
Laboratory Supplies	\$10,000.00	\$8,494.85	\$1,505.15	15.05%
Office	\$20,000.00	\$19,983.60	\$16.40	0.08%
External Services	\$70,000.00	\$46,900.68	\$23,099.32	33.00%
Education/Training	\$20,000.00	\$16,386.38	\$3,613.62	18.07%
Laboratory Fees	\$30,000.00	\$17,857.00	\$12,143.00	40.48%
Maintenance/Repairs	\$150,000.00	\$115,148.34	\$34,851.66	23.23%
Insurance	\$110,000.00	\$93,674.95	\$16,325.05	14.84%
NJDEP Fees	\$25,000.00	\$20,652.05	\$4,347.95	17.39%
Permit/Compliance Fees	\$25,000.00	\$13,795.48	\$11,204.52	44.82%
Equipment	\$60,000.00	\$23,011.74	\$36,988.26	61.65%
Sludge Removal	\$700,000.00	\$545,698.00	\$154,302.00	22.04%
Contingency	\$25,000.00	\$0.00	\$25,000.00	100.00%
Capital Improvement	\$200,000.00	\$200,000.00	\$0.00	0.00%
Renewal and Replacement	\$200,000.00	\$200,000.00	\$0.00	0.00%
<b>TOTAL</b>	<b>\$3,723,900.00</b>	<b>\$3,085,274.14</b>	<b>\$638,625.86</b>	<b>17.15%</b>

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

CAPITAL IMPROVEMENT ACCOUNT	
Mott MacDonald	\$540.00
ESCROW ACCOUNT	
Nusbaum Stein	\$308.00
RENEWAL & REPLACEMENT ACCOUNT	
PCS Pump	\$15,200.00
OPERATING ACCOUNT	
ADP	\$1,062.13
American Wear	\$910.92
AmeriGas Propane	\$2,326.97
Atlantic Tomorrow	\$17.36
Vincent Barbato	\$689.90
Blue Diamond Disposal	\$567.10
Cintas First Aid	\$74.46
Cleary Giacobbe	\$52.20
Robert Colabella (work boot reimbursement)	\$119.52
Constellation New Energy	\$22,698.02
Coyne Chemical	\$9,146.63
Daily Record	\$128.52
Keith DeFazio (dental reimbursement)	\$110.20
eMaint Enterprises	\$3,060.00
Eurofins QC Labs	\$679.00
Fisher Scientific	\$1,373.67
Frank's Trattoria	\$378.00
Grainger	\$678.15
Susan Grebe (mileage, eye & petty cash reimb)	\$191.97
Hach	\$16.27
Hayes Pump	\$1,216.51
JCP&L	\$19,598.10

J.W. Topping	\$950.00
Lackawanna Computer Repair	\$5,269.88
MSA Payroll 12/30/16	\$31,860.86
MSA Payroll 1/13/17	\$33,168.85
MSA Payroll 1/27/17	\$37,949.51
McMaster-Carr	\$6,092.50
Morristown Lumber	\$1,130.00
Mott MacDonald	\$350.00
NJEIT (loan payment S340 384-06)	\$19,144.63
NJEIT (loan payment S340 384-07)	\$10,039.22
NJEIT (loan payment S340 384-08)	\$24,619.91
NJSHBP	\$17,063.32
NJ American Water	\$1,528.39
NJ Utilities Authorities JIF	\$40,524.63
Napa Auto Parts	\$140.00
Netcong Hardware	\$13.82
The New Jersey Herald	\$23.10
Nusbaum Stein	\$2,041.60
One Call	\$40.00
Pan Metro	\$600.00
Passaic Valley Sewerage Commission	\$55,800.00
Patrick Pisano (dental reimb)	\$726.24
Pump Services	\$8,890.00
R-D Trucking	\$26,880.00
Randolph Township	\$1,100.00
James Schilling (tolls & eye reimb)	\$98.30
Shell Fleet	\$161.03
Star Ledger	\$196.95
State Chemical Solutions	\$278.30
Robert Still (work boot & dental reimb)	\$876.24
TD Bank	\$63,060.68
Treasurer, State of NJ	\$150.00
Unum Life Insurance	\$1,452.15
USA Blue Book	\$170.39
Verizon	\$1,476.12
Verizon Wireless	\$415.95
Zep	\$197.14
WEF	\$386.00

Correspondence received from Vincent M. Montanino, RMA regarding the revised scope of services to prepare the 2016 Audit under his new firm name was briefly discussed. It was decided that the rates should be revised to reflect the rates originally submitted with the Mr. Montanino's 2016 Contract Agreement for auditor services. Chairman Rattner noted that the rates for the 2017 Audit services included only a slight increase.

Chairman Rattner discussed the correspondence received from the Highlands Council regarding consent to the NJ Foreign Trade Zone Venture Water Quality Management Plan Amendment. He explained the location for the project and noted that the MSA has not received a formal request for consent endorsement for the project. He further explained about the project and the future sewer service area in Mount Olive Township. The project will be getting water from the Raritan River. He questioned how the project will be getting the water from that well to the project.

Chairman Rattner also so asked about the JIF correspondence regarding storage tanks. Mr. Schilling explained that the certificate renewal is standard only for the Authority's underground storage tanks. The MSA gets the certification every year.

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

- A. 12/15/16 Borough of Netcong - Consent Resolution for Byram-Stanhope Sewer Allocation Agreement
- B. 12/16/16 Letter to DCA Transmitting MSA 2017 Adopted Budget
- C. 12/20/16 Vinny Montanino, RMA - Announcement VM Associates Merger with Ferraioli, Wielkocz, Cerullo & Cuva
- D. 12/20/16 Highlands Planning Council - R.D. Management WQMP Amendment
- E. 12/21/16 Borough of Mount Arlington - Consent Resolution for Byram-Stanhope Sewer Allocation Agreement
- F. 12/29/16 Commissioner Jim Benson - JIF Correspondence Regarding UST Certificates of Insurance
- G. 12/29/16 Mount Olive Township - Consent Resolution for Byram-Stanhope Sewer Allocation Agreement
- H. 12/30/16 Borough of Hopatcong - Consent Resolution for Byram-Stanhope Sewer Allocation Agreement

- I. 1/11/17 NJ Contract Compliance & Audit Unit - Designation of Public Agency Compliance Officer
- J. 1/16/17 John Scheri, PE. - R.D. Management WQMP Amendment
- K. 1/17/17 Parsippany-Troy Hills Sewer Utility - Acceptance of Sludge for Emergency Purposes
- L. 1/18/17 Highlands Planning Council - NJ Foreign Trade Zone Venture, LLC WQMP Amendment
- M. 1/18/17 Vincent M. Montanino, RMA - Merger with Ferraioli, Wielkotz, Cerullo & Cuva, PA Revised letter Relative to Scope of Services for 2016 Audit
- N. 1/18/17 Vincent M. Montanino, RMA - Scope of Services for 2017 Audit
- O. 1/25/17 Roxbury Township - Consent Resolution for Byram-Stanhope Sewer Allocation Agreement

Mr. Schilling indicated that he had a few updates since he had submitted his report and asked if the commissioners had any questions regarding his report.

Mr. Schilling mentioned that the NJWEA Conference will be held a week earlier this year. The conference will be held May 8th through May 12th. He also informed the commissioners that the recent NJWEA publication had an article regarding the MSA and the NJDEP Environmental Stewardship Award.

Mr. Schilling also informed the commissioners that the MSA 2017 Adopted Budget was now posted on the MSA website.

Mr. Schilling reported that he had completed the 2016 DRBC Annual Effluent Report. In the past a resolution was passed to authorize him to submit the report. He also reminded the commissioners that the Authority has submitted an application to the DRBC to renew the docket to reflect the current permit. The due date to submit the Annual Effluent report was discussed. Mr. Dwyer noted that he believed it was January 31st. It was decided that Mr. Schilling should submit the report by January 31st.

**Resolution No. 17-07 Authorizing MSA Director James Schilling to Submit the Annual Effluent Monitoring Report to the DRBC**, was moved by Mr. Pucilowski, seconded by Mr. Schwab and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-07  
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 2016 to the Delaware River Basin Commission; and

BE IT FURTHER RESOLVED, that the Annual Effluent Monitoring Report submitted to the DRBC shall accurately reflect the results of MSA's effluent monitoring for the parameters set forth in its Docket for calendar year 2016.

Chairman Rattner asked Mr. Schilling to send the commissioners a copy of the report so they can review it, and to highlight the inconsistencies.

Mr. Schilling discussed the request to have an emergency facility in place to receive sludge from the MSA during emergency conditions. He was asked to follow-up with SCMUA. He contacted SCMUA and talked with the engineer on staff. SCMUA's position is that the MSA generates more sludge than they do and they would not be able to handle the Authority's sludge in an emergency situation. Mr. Schilling did get a commitment from Parsippany-Troy Hills Sewer Utility to take sludge in an emergency. The MSA had used Parsippany-Troy Hills during Hurricane Sandy. A resolution would be on the Reorganization Meeting Agenda naming Parsippany-Troy Hills Sewer Utility as the MSA's emergency sludge facility.

Mr. Schilling also reported that he enrolled the MSA into the EPA on-line reporting system for the annual filing report.

Lastly, Mr. Schilling reported he had received a phone call from, Steven Hunkley, the owner of Accurate Waste Systems. Accurate Waste is moving from Lake Hopatcong to Mount Olive, behind the Lowe's on International Drive. Mr. Dwyer indicated that he represented Accurate Waste Systems and recused himself from the discussion. Mr. Schilling explained that they would like to dispose of 100 to 200 thousand gallons of gray water per week. They offered to install all necessary systems and

appurtenances required. Mr. Schilling clearly explained to Mr. Hunkley the requirements with the member towns and the MSA's position as wholesaler. He invited Mr. Hunkley to attend the public portion of the MSA's meeting. Mr. McNeilly questioned about gray water and if it was coming from a sink, a toilet or a process. Chairman Rattner noted that gray water is water that is in the first stage of treatment. He further explained some of the processes that required gray water treatment, including irrigation.

Mr. Schilling announced that Mr. Joss would be retiring and his last day working for the MSA would be March 31st. Mr. Joss indicated that he was very happy working with the MSA and thanked the commissioners for the opportunity.

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

Mr. Scheri reported Mott MacDonald reviewed the correspondence and information submitted for the RD Management Water Quality Management Plan Amendment. The WQMP amendment was included in the MSA's future sewer service area mapping. He recommended that the MSA consent to the amendment.

Mr. Schwab asked about visits scheduled for the Engineering Committee with other local authorities to observe their headworks screening facilities. Mr. Scheri had discussed visits with the Hanover SA, Kearny MUA and the Borough of Caldwell. All of those facilities have similar setups to the MSA. He advised that the Committee needs to schedule some dates. Mr. Schilling would work on scheduling the visits to the other authorities with the Engineering Committee.

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

Resolution No. 17-01 Awarding Contract No. P-17 to Polydyne Inc. for a Two Year Term, was moved by Mr. Schindelar, seconded by Mr. Bruno and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-01**

**Resolution of the Musconetcong Sewerage Authority  
Awarding Contract No. P-17 to Polydyne Inc. for Zetag 8818  
Cationic Emulsion Polymer or Approved Equivalent for a  
Term of Two (2) Years Beginning January 1, 2017**

WHEREAS, on December 13, 2016, the Musconetcong Sewerage Authority received the following bids for approximately fifty (50) drums of approximately 440 net pounds each of Zetag 8818 Cationic Emulsion Polymer or approved equivalent for terms of one (1) and two (2) years, respectively, beginning January 1, 2017:

<u>Contractor</u>	<u>Bid Amount 1/1/17 to 12/31/17</u>	<u>Bid Amount 1/1/18 to 12/31/18</u>
Polydyne Inc. 1 Chemical Plant Road Riceboro, GA 31323	\$0.838 lb	\$0.868 lb
Coyne Chemical Co. 3015 State Road Croydon, PA 19021	\$1.0847 lb	\$1.0847 lb.

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

1. Polydyne Inc., submitted the lowest bid for the contract which bid is in the amount of \$0.838 per pound for Zetag 8818 Cationic Emulsion Polymer or Approved Equivalent for the period January 1, 2017 to December 31, 2017, and \$0.868 per pound for the period January 1, 2018 to December 31, 2018.
2. The bid of Polydyne Inc., is a conforming bid in that it complied with all of the requirements of the Notice to Bidders and specifically:
  - A. P.L. 1975, c 127 (N.J.A.C. 17:27) Affirmative Action Requirements;
  - B. Business Registration Act;
  - C. Non-Collusion – Anti-Kickback Requirements;
  - D. P.L. 1977, c33, Ownership Disclosure Requirements; and
  - E. Public Law 2005, Chapter 51 – Contractor Certification and Disclosure of Political Contributions.

3. The Commissioners believe that it is in the best interest of the Authority to accept the bid for two (2) years as the bid for the calendar year 2018 provides for no significant increase over the bid for the calendar year 2017, and would save the Authority the publishing fees and costs of re-advertising, and the possibility of an increase.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract P-17 for approximately fifty (50) drums of approximately 440 net pounds each of Zetag 8818 Cationic Emulsion Polymer or Approved Equivalent is hereby awarded to Polydyne Inc., on its bid of \$0.838 per pound for the period January 1, 2017 to December 31, 2017, and on its bid of \$0.868 per pound for the period January 1, 2018 to December 31, 2018.

Mr. Pucilowski explained to the commissioners that work boot reimbursements were negotiated in the Union Contract to be paid within five days of an employee's submittal of a purchase receipt for boots.

**Resolution No. 17-02 Amending Authorization for Payment of Certain Bills**, was moved by Mr. Pucilowski, seconded by Mr. Sylvester and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-02**  
**Resolution of the Musconetcong Sewerage Authority**  
**Amending Authorization for Payment of Certain Bills**

WHEREAS, Musconetcong Sewer Authority ("MSA") has a need to pay its financial obligations on a timely basis; and

WHEREAS, on occasion certain obligations which are necessary for the day-to-day operations of the MSA may become due and payable before they have been presented for approval to the Commissioners at a regular monthly meeting; and

WHEREAS, pursuant to the recently negotiated collective bargaining agreement reimbursement for the purchase of work boots by an employee shall be made within 5 business days of presentation of a receipt from an employee for such purchase; and

WHEREAS, the MSA now desires to authorize the payment of work boot reimbursement to be included in the list of payments which may be made upon the review and approval of two of the signatories needed for issuing a check;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that in the event any of the following obligations become due before they have been approved by the Commissioners at a meeting then payment of such bills may be authorized upon the approval of two of the signatories needed for issuing a check:

- a) Inter-government Payments
- b) Utilities
- c) Vehicle Fuel & Propane
- d) Telecommunications
- e) Postage
- f) Payroll
- g) Debt Service
- h) Insurance & Benefits
- i) Employee Reimbursement for the Purchase of Work Boots.

FURTHER RESOLVED that in the event any such bills and/or payments are paid that a report regarding the necessity for paying same shall be made to the Commissioners at the next regularly scheduled monthly meeting; and it is

FURTHER RESOLVED that the authorization granted herein may be revoked at any time; and it is

FURTHER RESOLVED, that the Director, accountants, bookkeepers and/or such employees as are responsible for maintaining the accounts shall take such steps necessary to effectuate the authority set forth herein.

**Resolution No. 17-03 for a Written Statement of Consent For a Proposed Amendment to the Upper Delaware Water Quality Management Plan to Include Property Owned by RD Management which is Within the Future Sewer Service Area of the MSA**, was moved by Mr. Bruno, seconded by Mr. Schwab and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-03**  
**Resolution of the Musconetcong Sewerage Authority Regarding**  
**a Request for Written Statement of Consent for a Proposed Amendment**  
**to the Upper Delaware Water Quality Management Plan (WQMP) to**  
**Include Property Owned by RD Management/Route 46 Which is Within the**  
**Future Sewer Service Area of the Musconetcong Sewerage Authority**

WHEREAS, the Musconetcong Sewerage Authority ("Authority") desires to provide for the orderly development of Wastewater Facilities within the Musconetcong River Drainage Basin; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment in conveyance facilities and wastewater treatment services areas, as well as related subjects, be in accordance with an approved WQM Plan ("Plan"); and

WHEREAS the project proposed by RD Management/Route 46 consists of the planned development of a portion of Block 102, Lot 2, in Mount Olive Township; and

WHEREAS, the project consist of a 22,000 s.f. retail building and 6,000 s.f. restaurant and will generate an estimated wastewater flow of 8,500 gallons per day; and

WHEREAS, the Applicant has obtained a favorable consistency determination from the NJ Highlands Council; and

WHEREAS, the proposed WQM Plan amendment was noticed in the New Jersey Register for the within application which was submitted by Gregory Ploussas, PE, PP, CME on November 22, 2016.

NOW, THEREFORE, BE IT RESOLVED,

1. The Musconetcong Sewerage Authority hereby consents to the amendment entitled Proposed Amendment to the Upper Delaware Water Quality Management Plan for RD Management/Route 46, portion of Block 102, Lot 2, Mount Olive Township, NJ, for the purpose of its incorporation into the Plan.
2. This consent shall be submitted to NJDEP in accordance with N.J.A.C. 7:15-3.5.

Resolution No. 17-04 Appointing the MSA Director as Public Agency Compliance Officer, was moved by Mr. Schwab, seconded by Mr. Schindelar and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-04**  
**Resolution of the Musconetcong Sewerage Authority**  
**Appointing a Public Agency Compliance Officer ("PACO")**

WHEREAS, the New Jersey Administrative Code at Section 17:27-3.3 requires every public agency to appoint a Public Agency Compliance Officer ("PACO") for the purpose of ensuring the agency's compliance with rules to provide equal employment opportunity in the performance of contracts, and to perform any other liaison and assistance functions as may be requested by the NJ Division of Purchase & Property Contract Compliance Audit Unit, EEO Monitoring Program (the "Unit").

WHEREAS, the Commissioners of the Musconetcong Sewerage Authority desire to make such appointment;

NOW BE IT RESOLVED AS FOLLOWS:

3. The Musconetcong Sewerage Authority hereby appoints James Schilling as its Public Agency Compliance Officer from the date hereof until its reorganization meeting in 2018.
4. James Schilling is hereby authorized to immediately complete and file a Designation of Public Agency Compliance Officer (PACO) form (copy attached) with the NJ Division of Purchase & Property Contract Compliance Audit Unit, EEO Monitoring Program (the "Unit").
5. A copy of this Resolution shall be served upon the Unit.

The commissioners briefly discussed Resolution No. 17-05. Mr. McNeilly thanked the commissioners and the municipalities for their prompt responses. Mr. Dwyer noted that Condition #3 of Resolution No. 17-05, indicating that the MSA shall modify the service agreements upon proof that the transfer transaction has closed, should be omitted. He had further reviewed the agreement between Byram and Stanhope and noted that the transaction does not get closed until the sewer service agreements are amended. He suggested that Condition #3 be omitted from the Resolution. The MSA will need to submit to Stanhope and Byram an amendment to their agreements.

Mr. McNeilly asked Mr. Dwyer what will be required of Stanhope and Byram after the transaction is approved and final. Mr. Dwyer advised that a brief rider to the service agreements for Stanhope and Byram should be prepared for signatures for the record. Mr. Dwyer would prepare the riders. A motion was made by Mr. McNeilly to amend the resolution as suggested by Mr. Dwyer, seconded by Mr. Sylvester and the affirmative roll call vote of members present.

Resolution No. 17-05 Consenting to the Transfer of Sewerage Allocation from the Borough of Stanhope to the Township of Byram in the Amount of 1,450 Gallons Per Day, as amended, was moved by Mr. McNeilly, seconded by Mr. Sylvester and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-05**  
**Resolution of the Musconetcong Sewerage Authority**  
**Consenting to the Transfer of Sewerage Allocation**  
**From the Borough of Stanhope to the Township of Byram**  
**In the Amount of 1,450 Gallons Per Day**

WHEREAS the Musconetcong Sewerage Authority ("MSA") is a regional sewer authority which serves the Borough of Stanhope, the Borough of Netcong, the Township of Roxbury, the Township of Mt. Olive, the Township of Byram, the Township of Mt. Arlington and the Borough of Hopatcong (the "Members"); and

WHEREAS the Members have entered into Service Agreements with the MSA which provide for, among other things, the amount of gallons per day ("gpd") each Member may discharge into MSA's facilities; and

WHEREAS the Borough of Stanhope presently has an allocation reservation in the amount of 541,000 gpd and the Township of Byram presently has an allocation reservation in the amount of 100,000 gpd; and

WHEREAS the Borough of Stanhope desires to sell and transfer 1,450 gpd to the Township of Byram, and the Township of Byram desires to purchase said gallonage from the Borough of Stanhope (the "Transfer"); and

WHEREAS the parties have entered into a written agreement for the Transfer; and

WHEREAS any transfer of allocation between Members requires the consent of the MSA and of all of the Members; and

WHEREAS the MSA has received Resolutions of Consent for the Transfer from all Member Municipalities as well as a copy of the agreement between Stanhope and Byram;

NOW, THEREFORE, BE IT RESOLVED,

1. The MSA hereby consents to the transfer of 1,450 gpd of sewer allocation reservation from the Borough of Stanhope to the Township of Byram.
2. This consent is contingent upon the Transfer having closed within 180 days of this date and proof having been forwarded to the MSA.

Mr. Schilling noted that the bid amount for Contract LS-17 for lab services was a little lower than what the MSA currently pays for lab services. He recommended that the contract be awarded to Eurofins QC Labs.

**Resolution No. 17-06 Awarding a Contract to Eurofins QC Laboratories for Permit Compliance Laboratory Services in Accordance with N.J.S.A. 40A:11-6.1**, was moved by Mr. Schwab, seconded by Mr. Schindelar and the affirmative roll call vote of members present.

**RESOLUTION NO. 17-06**  
**Resolution of the Musconetcong Sewerage Authority**  
**Awarding a Contract to Eurofins QC Laboratories for Permit**  
**Compliance Laboratory Services in Accordance**  
**with N.J.S.A. 40A:11-6.1**

WHEREAS, on January 18, 2017 the Musconetcong Sewerage Authority received bids for Contract LS-17 to Provide Laboratory Services as described in the Technical Specifications in accordance with Notice to Bidders; and

WHEREAS, the following bid was received:

	<u>Contractor</u>	<u>1 Year</u>	<u>2 Years</u>
1.	Eurofins QC, Inc. 1205 Industrial Highway Southampton, PA 18966-0514	\$12,186.00	\$12,186.00

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

1. Eurofins QC, Inc., (hereinafter "Eurofins") submitted the lowest bid for the contract, which bid is in the amount of \$12,186.00 for one (1) year and \$12,186.00 for two (2) years;
2. The bid of Eurofins complied with the following requirements of the Notice to Bidders:
  - a. P.L. 1975, c 127 (N.J.A.C. 17:27) Affirmative Action Requirements;
  - b. Business Registration Act;
  - c. Non-Collusion Affidavit;
  - d. Ownership Statement P.L. 1997c.33;
  - e. Public Law 2005, Chapter 51 – Contractor Certification and Disclosure of Political Contributions.
3. The Commissioners believe that it is in the best interest of the Authority to accept the bid for two (2) years as the bid for the calendar year 2018 provides for no increase over the bid for the calendar year 2017, and would save the Authority the publishing fees and costs of re-advertising, and the possibility of an increase.
4. The Treasurer of the Musconetcong Sewerage Authority has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that Contract LS-17 to supply Laboratory Services to the Musconetcong Sewerage Authority for a period of two (2) years beginning February 27, 2017 is hereby awarded to Eurofins QC in the amount of \$12,186.00 per year; and be it

FURTHER RESOLVED, that the amount of the Contract shall not exceed \$12,186.00 per year without further approval from the Musconetcong Sewerage Authority, and the Musconetcong Sewerage Authority shall not be liable to pay any amount over and above \$12,186.00 per year for two (2) years without prior written approval; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is hereby authorized to award the Contract to Eurofins on behalf of the Musconetcong Sewerage Authority.

Motion made by Mr. Grogan, seconded by Mr. Schindelar and the affirmative vote of members present, Chairman Rattner adjourned the meeting at 8:17 PM.

Respectfully Submitted:



Susan Grebe,  
Administrative Assistant