

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Chairman Rattner called the meeting to order at 7:33 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:** James Benson, Thomas Bruno, Andrew Cangiano, Michael Grogan, Melanie Michetti, Michael Pucilowski, Steven Rattner, Richard Schindelar, Joseph Schwab, John Sylvester
- MEMBERS ABSENT:** Donald Bates, Brian McNeilly
- OTHERS PRESENT:** Patrick Dwyer, Esq., John Scheri, PE, Marvin Joss, James Schilling

Chairman Rattner opened and closed the meeting to the public.

The meeting minutes of August 25, 2016 were approved on a motion offered by Mr. Schwab, seconded by Mr. Bruno. Roll Call:

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

Mr. Schwab and Mr. Schilling discussed the need for a budget transfer for engineering and legal expenses. Mr. Schilling explained that he was advised by the MSA Auditor that a budget transfer cannot be done until November. Chairman Rattner explained about transferring line items and sub-accounts, and noted that only certain expense accounts require State approval.

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

TREASURER'S REPORT- SEPTEMBER 1, 2016
OPERATING ACCOUNT

Balance as of August 1, 2016:		<u>\$894,759.09</u>
Receipts (August):		
Hospitalization	3,111.62	
Municipal Revenue	719,001.80	
		<u>\$ 1,616,872.51</u>
Disbursements (August):		
NJSHBP (August health ins)	\$17,784.61	
Administrative Salaries	\$5,790.11	
Plant Salaries	\$24,900.76	
Unemployment	\$38.56	
Social Security	\$2,370.73	
Administrative Salaries	\$5,790.11	
Plant Salaries	\$25,351.52	
Unemployment	\$13.86	
Social Security	\$2,405.21	
ADP	\$593.78	
Applied Analytics	\$5,116.00	
Blue Diamond Disposal	\$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 reimb)	\$50.00	
Eurofins QC	\$845.50	
Fisher Scientific	\$992.60	
Grainger	\$45.76	
Susan Grebe (mileage reimb)	\$46.87	
Hach Co.	\$440.34	
JCP&L	\$10,481.50	

Kenvil Power Mower	\$87.47
Lowe's	\$600.43
McMaster-Carr	\$95.07
Mott MacDonald	\$10,964.65
NJ American Water	\$615.99
New Jersey Herald	\$31.20
NJ Water Env. Registrar	\$152.00
Napa of Stanhope	\$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 (mileage & license)	\$198.71
Shell Fleet	\$240.78
David Stracco (work boots)	\$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

Total Disbursements for August: \$ 208,947.66
Balance as of September 1, 2016: \$ 1,407,924.85

RENEWAL & REPLACEMENT ACCOUNT

Balance as of August 1, 2016: \$ 575,158.59
Receipts: 0.00
Disbursements: Fleet Pump (UV Contract) 37,433.12
A.C. Schultes (retainage) 1,149.40
Balance as of September 1, 2016: \$ 536,576.07

ESCROW ACCOUNT

Balance as of August 1, 2016: \$ 3,792.14
Receipts: Atkins/Hopatcong 1,000.00
Progressive Properties 217.00
Disbursements: Mott MacDonald (Progressive Properties) 483.00
Nusbaum Stein (Progressive Properties) 72.60
Balance as of September 1, 2016: \$ 4,453.54

CAPITAL IMPROVEMENT/RESERVE FOR RETIREMENT ACCOUNT

Balance as of August 1, 2016: \$ 1,091,587.93
Receipts: 0.00
Disbursements: Mott MacDonald (headworks project) 5,980.94
Balance as of September 1, 2016: \$ 1,085,606.99

ANALYSIS OF BALANCES:

Capital Improvement \$ 1,040,606.99
Reserve for Retirement \$ 45,000.00

EXPENDITURES REPORT - 2016 BUDGET

8/1/16

	2016	YEAR-TO-DATE		%
	BUDGET	EXPENDITURES	BALANCE	REMAINING
Admin - Salaries and Wages	\$160,000.00	\$109,982.10	\$50,017.90	31.26%
Trustee Admin Fees	\$20,000.00	\$18,196.72	\$1,803.28	9.02%
Administrative - Other Expenses	\$35,000.00	\$21,450.10	\$13,549.90	38.71%
Legal	\$25,000.00	\$19,206.60	\$5,793.40	23.17%
Audit	\$10,000.00	\$0.00	\$10,000.00	100.00%
Engineer	\$20,000.00	\$18,246.88	\$1,753.12	8.77%
Pension	\$86,000.00	\$84,371.00	\$1,629.00	1.89%
Social Security	\$65,000.00	\$45,217.09	\$19,782.91	30.44%
Unemployment	\$7,000.00	\$5,426.72	\$1,573.28	22.48%
Hospitalization	\$219,260.00	\$129,391.81	\$89,868.19	40.99%
Disability Insurance	\$10,000.00	\$4,918.45	\$5,081.55	50.82%
Operating - Salaries and Wages	\$666,640.00	\$468,432.72	\$198,207.28	29.73%
Reserve for Future Retirement	\$5,000.00	\$0.00	\$5,000.00	100.00%
Telephone	\$20,000.00	\$10,223.06	\$9,776.94	48.88%

Electric	\$530,000.00	\$217,253.04	\$312,746.96	59.01%
Propane/Fuel Oil/ Gasoline	\$40,000.00	\$6,032.63	\$33,967.37	84.92%
Supplies/Chemicals	\$160,000.00	\$96,634.42	\$63,365.58	39.60%
Laboratory Supplies	\$10,000.00	\$4,767.32	\$5,232.68	52.33%
Office	\$20,000.00	\$17,392.39	\$2,607.61	13.04%
External Services	\$70,000.00	\$29,167.13	\$40,832.87	58.33%
Education/Training	\$20,000.00	\$7,760.36	\$12,239.64	61.20%
Laboratory Fees	\$30,000.00	\$8,063.80	\$21,936.20	73.12%
Maintenance/Repairs	\$150,000.00	\$57,650.18	\$92,349.82	61.57%
Insurance	\$110,000.00	\$93,674.95	\$16,325.05	14.84%
NJDEP Fees	\$25,000.00	\$18,613.05	\$6,386.95	25.55%
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	\$381,583.00	\$318,417.00	45.49%
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	\$2,149,868.62	\$1,574,031.38	42.27%

Mr. Schwab discussed an error in the total of the pending voucher list, which was amended earlier in the evening. Also the MSA 9/23/16 payroll was not indicated as pre-paid on the list. The pending vouchers, as amended, for the month of September were approved for payment on a motion offered by Mr. Schwab, seconded by Mr. Pucilowski and the affirmative roll call vote of members present.

CAPITAL IMPROVEMENT	
Mott MacDonald	\$1,242.99
ESCROW	
Mott MacDonald	\$898.20
Nusbaum Stein	\$409.20
OPERATING ACCOUNT	
ADP	\$609.61
ATS Environmental Services	\$1,395.00
Allied Oil	\$1,699.43
Atlantic Tomorrow	\$435.49
Bendelin	\$397.00
Cintas Corp.	\$467.42
Cintas First Aid	\$115.69
Coburn Chemicals	\$1,636.25
Constellation New Energy	\$15,783.72
Coyne Chemical	\$4,689.04
Eurofins QC Labs	\$1,514.00
Fisher Scientific	\$37.40
Susan Grebe (disability reimbursement & petty cash)	\$135.02
JCP&L	\$9,910.16
Lakeland Services	\$283.75
Lowe's	\$418.13
MSA Payroll 9/9/16	\$31,636.48
MSA Payroll 9/23/16	\$34,602.49
Mott MacDonald	\$3,302.00
NJSHBP	\$17,784.61
NJ American Water	\$629.33
Nusbaum Stein	\$2,355.80
One Call	\$42.50
Pegasus Electric Motors	\$255.00
R-D Trucking	\$16,205.00
Reuter & Hanney	\$30.00
Roxbury Township Water Dept.	\$134.94
James Schilling (mileage reimbursement)	\$241.02
Shell Fleet	\$300.16
David Stracco (dental reimb)	\$352.00
Staples	\$967.43
Treasurer, State of NJ (Fire Code Enforcement fee)	\$199.00
Trend Landscaping	\$5,460.00
USA Bluebook	\$1,451.29
US Postal Service	\$274.50
Verizon Wireless	\$225.18

Mr. Dwyer discussed the correspondence received from the NJDEP dated 9/1/16 and 9/20/16. He explained that the pending litigation will be placed on the inactive list for another six months because the NJDEP is promulgating new rules that will address total nitrate. Also, a phone conference call was cancelled due to the same reason and there has been no movement by the NJDEP on the potential nitrate limits.

The WQMP Amendments received from Gregory Ploussas, PE for R.D. Management and the NJ Foreign Trade Zone were briefly discussed. Mr. Scheri explained that no action is required on the MSA's part until after the applicant's Water Quality Management Plan (WQMP) Amendment application to the NJDEP is approved and a TWA is submitted.

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

- A. 9/1/16 Joan Scatton, Deputy Attorney General - NJDEP vs MSA Phone Conference
- B. 9/8/16 Patrick Dwyer, Esq. to Cintas Corp. regarding Uniform Contract Bid
- C. 9/15/16 Gregory Ploussas, PE - WQMP Amendment for R.D. Management, Block 102, Lot 2, Mount Olive Township
- D. 9/20/16 Joan Scatton, Deputy Attorney General - NJDEP vs MSA
- E. 9/15/16 Gregory Ploussas, PE - WQMP Amendment for NJ Foreign Trade Zone, Block 106, Lot 2, Mount Olive Township

Mr. Schilling asked if the commissioners had reviewed his monthly report and if anyone had any questions. Chairman Rattner asked about the problems with the lab testing company the MSA was using. Mr. Schilling explained that the company, QC Labs, was purchased by a global company, Eurofins, and the acquisition process seems to have caused problems with getting test results in a timely manner so that he can submit his reports to the State on time, which in turn could make the MSA responsible to pay fines for non-compliance. Chairman Rattner suggested that the bid specs for the next lab contract should indicate that the lab company should be responsible to pay any fines due to late test result submittals on their part. Mr. Schilling talked about the expense of being fined and the responsibility of being compliant with the state regulations. He also discussed the MSA's contract with QC Eurofins and how certain tests are quantified.

Mr. Cangiano asked Mr. Schilling about Mount Arlington's flow meter. Mr. Schilling explained that the meter had failed. The staff found a meter reading of 5.22 inches of head when it was actually 3 inches of head, which is a big difference in flow. Roxbury's and Netcong's flow were recalculated and adjusted to match the August data. He said the gallonage report of September 16th shows the dates of estimated readings with the corrected flows.

Mr. Pucilowski inquired about the public meeting held on September 19th regarding the Lake Hopatcong drawdown that Mr. Schilling had attended. Mr. Schilling listed the various agencies, groups, and residents present and summarized some of the speeches given by people that were present and the issues discussed. He also noted that Chairman Rattner and Mr. Schindelar were present. He felt that most everybody present was in favor of the pilot except for a few people that believed nature should take its course. There were differing opinions about the 60 inch drawdown. He explained about the residents that live on the lake who are unable to use the lake during the full boating season because of the drawdown, and the environmental balance that was needed. Mr. Schindelar added that the NJDEP is only proposing to reduce the drawdown from ice-out until April 30th, which is a critical time for the lake when it can handle holding back some water and the river can still flow okay. There was some discussion about the relationship of the MSA with the drawdown. Mr. Schilling and the commissioners also discussed the affects of the drawdown on the MSA and the river. Mr. Schilling further discussed past dilutions models and cfs measurements. He explained the original dilution model that the NJPDES Permit effluent limits are based on is 4.2 cfs. He believed that the NJDEP is trying to strike a balance to make life on the lake better for everyone involved.

Mr. Schilling asked Chairman Rattner for his input on the public meeting. Chairman Rattner explained some past problems with lowering the lake. He explained that he did not have any issues with 8 cfs. At the public meeting he talked about the MSA's policies and did not take a position for the MSA. He further explained some temperature concerns for the river to the commissioners. He surmised that as far as the lake level is concerned, the MSA does not have any issues with the drawdown cfs. If the lake is not drained it could be beneficial to the MSA, although there is a chance that the river flow may affect the MSA. He noted that this is only a trial and 8 cfs should not cause any problems for the MSA. Chairman Rattner and Mr. Schilling further discussed some of the speeches and concerns talked about at the public meeting. Chairman Rattner suggested that the MSA should take an official position concerning the drawdown. Mr. Schilling asked about the Lake Musconetcong Regional Planning Board concerns and why they were not present at the meeting. Chairman Rattner discussed some of the issues for Lake Musconetcong and explained that Lake Musconetcong Regional Planning Board is doing some trials and testing regarding the problems with the lake. They are collecting documentation at this time.

The MSA's official position to the drawdown was further discussed. Chairman Rattner suggested that Dr. Najarian could make some recommendations and prepare an official statement for the MSA. The commissioners discussed what should be considered in the official statement. Mr. Schwab suggested that a special commissioners' meeting should be held to discuss and approve the topics and any issues to be included in the MSA's official statement prepared by Dr. Najarian.

Lab assistance to the Lake Musconetcong Regional Planning Board was discussed. Mr. Schwab noted that the commissioners had briefly discussed giving lab assistance to the Lake Musconetcong Regional Planning Board last year. Chairman Rattner explained the situation with the trial tests being done on the lake. He also talked about some of the positive results from the trials. He noted that they are looking into using Rutgers, but if they were to utilize the MSA's lab they would pay for the expenses. Mr. Schwab asked if the MSA could perform the tests needed. Mr. Schilling noted that the MSA is not certified to do the tests required for Lake Musconetcong. He also indicated that he is not familiar with this type of testing. The commissioners discussed the matter and it was decided that the MSA did not have the resources to perform the testing required for the lake.

Mr. Schilling reported that the Mount Olive Fire Marshall did a surprise inspection of the plant on August 31st. A notice of order to correct was issued for three minor issues. Corrective measures were made immediately. A re-inspection was done on September 6th, and everything was found to be satisfactory.

Mr. Schilling also reported that he was looking into purchasing a new truck for the plant. He asked the commissioners what procedures should be followed and if capital funds should be used. He checked with the Morris County Coop and the State Contract. The State had a better deal. He can get the F250 Ford truck including the plow for \$34,482.00. He would like to have approval for purchase of the truck on the next month's meeting agenda for consideration. Funding was discussed. A resolution would be prepared for the October meeting. The truck that was being replaced could still be used at the plant for lighter duty until it stops working.

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

Mr. Scheri reported that he had the opportunity to go to and inspect all of the MSA's pumping stations. They are all well maintained and taken care of.

Mr. Scheri also reported that Mott MacDonald continues to work on the headworks project. Mott MacDonald has obtained additional information that was requested by the Engineering Committee and he will report on that information at the next Engineering Committee meeting.

Mr. Scheri also indicated that there were two reports attached to his Monthly Engineer's Report. One report was the inspection of the old abandoned Service Building. He recommended that the building should be scheduled for demolition. An environmental hazardous materials survey should be completed and is required to be done by the state and federal government regulations. The major concerns will probably be asbestos and lead paint. He provided a range of costs for a publically bid contract to demolish the building. Potential safety issues were discussed. Mr. Schilling explained that the MSA staff has to periodically go down into the lower section of the building to pump out rainwater, which is a risk.

Mr. Scheri also discussed the second report attached to his monthly report, which outlined GIS development for the MSA. He talked about the importance and advantages of GIS for the Authority.

The Engineer's Report for the month of September was accepted on a motion offered by Mr. Benson, seconded by Mrs. Michetti and the affirmative vote of members present.

The bids received by Cintas and American Wear were briefly discussed. Cintas was not responsive in providing required bid documents after numerous requests. Mr. Dwyer indicated that American Wear has provided all required documents and the wording in Item #3 in Resolution No. 16-27 should be amended to say the "missing items have been provided".

Resolution No. 16-27 Awarding Contract USLS-16 for Uniform Supply and Laundry Service to American Wear, Inc., as amended, was moved by Mr. Bruno, seconded by Mr. Benson and the affirmative roll call vote of members present.

RESOLUTION NO. 16-27
Resolution of the Musconetcong Sewerage Authority
Awarding Contract USLS-16 for Uniform Supply and Laundry Service
to American Wear, Inc.

WHEREAS, on July 27, 2016, the Musconetcong Sewerage Authority received bids for Contract USLS-16 to provide Uniform Supply and Laundry Service in accordance with the Notice to Bidders; and WHEREAS, the following bids were received:

<u>Contractor</u>	<u>Bid Price</u>
1. Cintas 164 East Main Street Emmaus, PA 18049	\$124.03/week
2. American Wear, Inc. 261 North 18 th Street East Orange, NJ 07017	\$151.82/week

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

1. Cintas, (hereinafter "Cintas") submitted the lowest bid for the contract, which bid was in the amount of \$124.03/week. American Wear, Inc. submitted a bid for the amount of \$151.82/week.
2. The bid of Cintas did not comply with all of the requirements set forth in the Notice to Bidders. Request for submission of the missing information was not fully complied with and Cintas was unresponsive to the MSA despite several efforts to reach them.
3. The bid of American Wear, Inc. was more compliant. Missing items were requested and have been provided.
4. The Commissioners of the Authority believe that it is in the best interest of the Authority to accept the bid of American Wear, Inc. to provide Uniform Supply and Laundry Services as they have proven to be more responsive, easier to communicate with and more receptive to MSA's needs. In addition, Cintas' performance of similar services to MSA in the past have been at times less than satisfactory.
5. 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 USLS-16 for Uniform Laundry and Supply Service is hereby awarded to American Wear, Inc. in the amount of \$151.82, conditioned upon American Wear, Inc. providing a Certificate of Insurance and executing the Site Access Agreement; and be it

FURTHER RESOLVED, that the amount of the Contract shall not exceed \$23,683.92 without further approval from the Musconetcong Sewerage Authority, and the Musconetcong Sewerage Authority shall not be liable to pay any amount over and above \$23,683.92 without prior written approval; and be it

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

Chairman Rattner informed the commissioners that a Finance Committee meeting was held on September 6th. The budget for 2017 will be increased by 1.25%. Overall, this slight increase is due to salary related expenses, which includes social security, hospitalization, etc. Mr. Schwab also explained the increase was also to allow for sick-time buy-back which was negotiated in the Union Contract earlier in the year. Also, there is enough funds in the Reserve for Retirement Account presently to allow for three retirements. Mr. Schilling explained the 2017 Budget being proposed is essentially the same as the 2016 Budget with a 1.25% increase. The general consensus is the same as last year and a small increase each year would be better than a large increase every couple years. He also explained that some fixed costs are going up in 2017 and he is not aware of any expenses that are going to decrease. The Authority's expenses and refunds/credits to the seven member municipalities were discussed. A resolution to approve the 2017 Budget will be on the October meeting agenda.

Chairman Rattner also noted that Mount Arlington had requested a meeting with the Morris County Planning Director to discuss extending some sewer lines and adding new customers. Mr. Cangiano indicated that there is presently no work being done and any discussion is very premature at this time. The Borough was not aware that their consultant had contacted the County. Chairman Rattner asked that Mr. Cangiano keep the MSA up-to-date if any sewer extensions are going to be planned or constructed.

The Mount Olive meter chamber was briefly discussed regarding odor concerns. Mr. Schilling explained about the odor problem that has been evident for many years, which involves a low area where the sewerage sits. When the periodic flow goes through it can cause an odor. Chairman Rattner noted that the maintenance on the meter chamber should be more consistent, which should solve the odor problem. Mr. Pucilowski recommended that Mr. Schilling investigate the problem. Chairman Rattner asked that Mr. Schilling look into establishing an agreed maintenance plan for the meter chamber with Mount Olive to resolve the problem.

Mr. Schwab asked if a special meeting should be held to discuss the official statement that MSA is going to submit to the NJDEP regarding the Lake Hopatcong drawdown. Formal responses need to be submitted by October 19th. Mr. Schilling suggest that a meeting with the Regulatory Committee should be held ahead of time with Dr. Najarian to discuss the issues and concerns. Mr. Dwyer will arrange a conference call with Mr. Scheri, the Regulatory Committee and Dr. Najarian to discuss and prepare the official statement to be submitted. The conference call will be scheduled for September 30th at 10:00 PM. The special meeting will be held on October 13th at 7:00 PM so that the commissioners can discuss the submittal to the NJDEP.

Motion made by Mr. Grogan, seconded by Mr. Schwab and the affirmative vote of members present, Chairman Rattner adjourned the meeting at 9:34 PM.

Respectfully Submitted:



Susan Grebe,
Administrative Assistant