

MUSCONETCONG SEWERAGE AUTHORITY



Commissioners' Meeting
April 25, 2024

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY 110 CONTINENTAL DRIVE, BUDD LAKE, NJ 07828

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

Members Present: Erik Bradley, Andrew Cangiano, Michael Grogan, Melanie Michetti, Steven Rattner, Anthony Riccardi, Thomas Romano, Richard Schindelar, Joseph Schwab, Elmer Still, Jack Sylvester

Members Absent: Brian McNeilly

Others Present: Diane Alexander, Esq., Thomas Carroll – QPA, Jilliam Martucci – Office Manager, James Schilling – Executive Director, James Wancho – PE
*One Water Consulting, James Cosgrove

Others Absent:

Attendance Roll Call:

Mr. Bradley	Present	Mr. Riccardi	Present
Mr. Cangiano	Present	Mr. Romano	Present
Mr. Grogan	Present	Mr. Schindelar	Present
Mr. McNeilly	Absent	Mr. Schwab	Present
Mrs. Michetti	Present	Mr. Still	Present
Chairman Rattner	Present	Mr. Sylvester	Present

<u>Motion / Resolution</u>	<u>Bradley</u>	<u>Cangiano</u>	<u>Grogan</u>	<u>McNeilly</u>	<u>Michetti</u>	<u>Rattner</u>	<u>Riccardi</u>	<u>Romano</u>	<u>Schindelar</u>	<u>Schwab</u>	<u>Still</u>	<u>Sylvester</u>
Attendance	Present	Present	Present	Absent	Present	Present	Present	Present	Present	Present	Present	Present
Regular Meeting Minutes: 03.28.2024 ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Second Aye	Abstain	Aye	Aye	Motion Aye	Aye
2023 Financials ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Motion Yes	Second Yes	Yes	Yes	Yes
2024 Financials ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Motion Yes	Second Yes	Yes	Yes	Yes
Pending Vouchers April 18, 2024 ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Motion Yes	Second Yes	Yes	Yes	Yes
Correspondence ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Second Aye	Aye	Aye	Motion Aye	Aye	Aye
Directors Report, Maintenance & Repairs – 04/2024 Flow Data– March 2024 ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Aye	Aye	Second Aye	Aye	Aye	Motion Aye
Office Managers Report – 04/2024 ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Aye	Aye	Second Aye	Motion Aye	Aye	Aye
Engineers Report – 04/2024 ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Aye	Second Aye	Aye	Aye	Aye	Motion Aye
<u>New Business:</u>												
Resolution 24-21 ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Motion Yes	Second Yes	Yes	Yes	Yes
Resolution 24-22 ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Second Yes	Yes	Motion Yes	Yes	Yes	Yes
Resolution 24-23 ROLL CALL	Yes	Yes	Yes	Absent	Motion Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Yes
Resolution 24-24 ROLL CALL	Aye	Aye	Aye	Absent	Aye	Second Aye	Aye	Aye	Aye	Aye	Aye	Aye
Resolution 24-25 ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Motion Yes	Yes	Second Yes
Resolution 24-26 ROLL CALL	Yes	Yes	Yes	Absent	Motion Yes	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes
Resolution 24-27 ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Motion Yes	Second Yes	Yes	Yes
Resolution 24-28 ROLL CALL	Yes	Yes	Yes	Absent	Yes	Yes	Yes	Second Yes	Motion Yes	Yes	Yes	Yes
<u>Closed Session:</u>												
Close Session: 07:34 PM ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

<u>Motion / Resolution:</u>	<u>Bradley</u>	<u>Cangiano</u>	<u>Grogan</u>	<u>McNeilly</u>	<u>Michetti</u>	<u>Rattner</u>	<u>Riccardi</u>	<u>Romano</u>	<u>Schindelar</u>	<u>Schwab</u>	<u>Still</u>	<u>Sylvester</u>
Open Session: 08:02 PM ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Aye	Aye	Aye	Motion Aye	Aye	Second Aye
<u>Old Business:</u>												
Adjournment: 09:01 PM ALL IN FAVOR	Aye	Aye	Aye	Absent	Aye	Aye	Aye	Aye	Second Aye	Aye	Aye	Motion Aye

Chairman Rattner introduced James Cosgrove of One Water Consulting ahead of the presentation given in Closed Session.

*Resolution No. 24-25 was moved ahead on the agenda to appoint new counsel.

Resolution No. 24-25 was offered on a motion by Mr. Schwab seconded by Mr. Sylvester and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

*See attached resolution

Comments:

- None

Closed Session:

Resolution No. 24-23 was offered on a motion by Mrs. Michetti seconded by Mr. Riccardi. Chairman Rattner moved the meeting into Closed Session at 07:34pm for the purpose of discussing future Litigation, affirmative All-In-Favor vote of members present.

All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

*See attached resolution

Comments:

- Closed Session for the purpose of future permit litigation discussion.
- James Cosgrove of One Water Consulting offered a presentation to the MSA Board.

Open Session:

Motion made by Mr. Schwab, seconded by Mr. Sylvester at 08:02pm to move into open session, the all-in favor Vote of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Absent
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

*See attached resolution

Comments:

- None

Chairman Rattner opened and closed the meeting to the public.

The "Regular" meeting minutes of March 28, 2024, accepted on a motion offered by Mr. Still, seconded by Mr. Riccardi and the affirmative All in Favor vote of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Abstain
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

Comments:

- None

The Financial Reports for 2023 were accepted on a motion offered by Mr. Romano, seconded by Mr. Schindelar and the affirmative Roll Call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

Comments:

- None

Financial Reports – 2023

10:52 AM
04/16/24
Accrual Basis

Musconetcong Sewerage Authority Budget vs. Actual Expenditure Report January through December 2023

	Jan - Dec 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Net Position Utilized	0.00	119,889.00	-119,889.00	0.0%
Interest	10,582.93		0.02	100.0%
Trustee passdown	4,480,000.02	4,480,000.00		
Total Income	4,490,582.95	4,599,889.00	-109,306.05	97.6%
Gross Profit	4,490,582.95	4,599,889.00	-109,306.05	97.6%
Expense				
Personnel Services				
B-1 - Administrative-S&W	171,133.89	160,000.00	-8,600.11	95.1%
B-14 - Operating-S&W	632,756.81	668,000.00	-35,243.19	94.7%
Total Personnel Services	803,890.70	848,000.00	-44,109.30	94.8%
Employee Benefits				
B-9 - Pension	114,061.31	114,300.00	-238.69	99.8%
B-9 - Social Security	59,070.11	60,000.00	-929.89	98.5%
B-10 - Hosp	7,277.87			
Dental/Vision	218,816.70	226,200.00	-7,383.30	96.7%
B-10 - Hosp - Other				
Total B-10 - Hosp	226,094.57	226,200.00	-105.43	100.0%
B-11 - Disability Insurance	7,927.49	10,000.00	-2,072.51	79.3%
B-6 - Unemployment	5,672.78	7,000.00	-1,327.24	81.0%
Total Employee Benefits	412,828.24	417,500.00	-4,673.76	98.6%
Administration Expenses				
B-2 - Administrative-OE				
Influent Limit/PSS	-1,734.00			
B-2 - Administrative-OE - Other	50,001.57	49,100.00	901.57	101.8%
Total B-2 - Administrative-OE	48,267.57	49,100.00	-832.43	98.3%
Total Administration Expenses	48,267.57	49,100.00	-832.43	98.3%
Operations and Maintenance				
B-33 - IT & Cyber Security	1,002.10	35,000.00	2,870.87	108.2%
B-3 - Legal	37,670.87	35,000.00	-2,670.87	98.2%
B-4 - Audit	35,350.00	36,000.00	-650.00	98.2%
B-5 - Engineer				
NJ/PDES Permit	5,328.02			
B-5 - Engineer - Other	26,921.06	35,000.00	-8,078.94	76.9%
Total B-5 - Engineer	32,249.98	35,000.00	-2,750.02	92.1%
B-15 - Telephone	11,294.88	15,000.00	-3,705.02	75.3%
B-16 - Electric	469,902.84	600,000.00	-130,097.16	94.0%
B-17 - Propane/Fuel Oil	13,187.27	30,000.00	-16,812.73	43.7%
B-18 - Supplies/Chemicals	146,860.03	226,000.00	-79,139.97	65.1%
B-27 - Laboratory Supplies	6,320.54	8,000.00	-1,679.46	78.0%
B-13 - Office	25,775.71	30,000.00	-4,224.29	85.9%
B-31 - External Services	69,656.33	75,000.00	-5,343.67	92.9%
B-28 - Education/Training	13,631.00	15,000.00	-1,369.00	90.9%
B-25 - Laboratory Fees	34,493.66	35,000.00	-506.34	98.6%
B-19 - Maintenance/Repairs	199,593.47	200,000.00	-406.53	99.8%
B-20 - Insurance	143,057.00	143,400.00	-343.00	99.8%
B-24 - NJDEP Fees	19,863.75	26,000.00	-6,136.25	73.2%
B-12 - Trustee Admin Fee	2,560.00	15,000.00	-12,440.00	17.1%
B-23 - Permit Appl/Compliance Fees	31,208.08	31,500.00	-291.92	99.1%
B-21 - Equipment	61,958.46	70,000.00	-8,041.54	88.5%
B-26 - Sludge Disposal	979,133.30	1,030,370.00	-51,236.70	95.0%
B-22 - Contingency	0.00	25,000.00	25,000.00	0.0%
Total Operations and Maintenance	2,334,516.79	2,579,270.00	-244,753.21	90.5%
Debt Service				
Debt Svs - Principal Payment	54,814.51			
Debt Svs - Interest Payment	60,085.00			
Debt Service - Other	0.00	306,519.00	-306,519.00	0.0%
Total Debt Service	114,899.51	306,519.00	-191,619.00	37.5%
Reserves				

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Accrual Basis

Musconetcong Sewerage Authority Budget vs. Actual Expenditure Report January through December 2023

	Jan - Dec 23	Budget	\$ Over Budget	% of Budget
B-29 - Capital Improvement	0.00	200,000.00	-200,000.00	0.0%
B-30 - Renewal & Replacement	83,658.00	200,000.00	-116,342.00	41.8%
Total Reserves	83,658.00	400,000.00	-316,342.00	26.9%
Misc. Income	-187,302.50			
Pension Reimbursement	-22,652.12			
Union Dues	-175.50			
Total Expense	3,587,929.09	4,600,369.00	-1,012,459.91	78.0%
Net Ordinary Income	902,653.86	-500.00	903,153.86	-180,630.8%
Other Income/Expense				
Other Income	19,686.40			
Short Term Disability Reimburse				
Total Other Income	19,686.40			
Net Other Income	19,686.40			
Net Income	922,340.26	-500.00	922,840.26	-184,468.1%

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Musconetcong Sewerage Authority
Balance Sheet
As of December 31, 2023

	Dec 31, 23
ASSETS	
Current Assets	
Checking/Savings	
CI 6556 - Capital Improvement TD - 6556	368.31
OA 8169 - Operating Acct TD - 8169	1,071,512.01
PR 3717 - Payroll Account TD - 3717	50,483.95
CI 5030 - "CLOSED" Capital Account - 5030	328,697.40
Es 3226 - Escrow Account TD Bank - 3226	10,539.11
RR 1360 - Renewal & Replacement TD -1360	785,316.65
Petty Cash	278.74
Total Checking/Savings	2,247,196.17
Accounts Receivable	
1200 - Accounts Receivable	-0.02
Total Accounts Receivable	-0.02
Other Current Assets	
NJIB Note Receivable	3,090,435.00
Prepaid Expenses	179.99
Total Other Current Assets	3,090,614.99
Total Current Assets	5,337,811.14
Fixed Assets	
Construction in Progress	1,609,092.35
Accumulated Depreciation	-39,721,047.17
Capital Assets, Depreciated	61,481,592.62
Land	565,700.00
Total Fixed Assets	23,875,337.80
Other Assets	
Def. Pension Outflows	329,952.00
Total Other Assets	329,952.00
TOTAL ASSETS	29,543,100.94
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 - Accounts Payable	200,560.89
Total Accounts Payable	200,560.89
Other Current Liabilities	
NJIB Note Payable	9,239,577.00
Accrued Payroll Liabilities	
Garnishment	302.14
VALIC	310.00
PERS - Contributions	160,317.11
PERS - Loans	148,057.09
PERS - Insurance	16,596.76
Union Dues	-1,191.91
Accrued Payroll Liabilities - Other	-48,448.76
Total Accrued Payroll Liabilities	275,942.43

Musconetcong Sewerage Authority
Balance Sheet
As of December 31, 2023

	Dec 31, 23
Escrow Deposits Payable	
30 Continental Drive - J Sassan	2,511.25
Matrix Mount Olive	-183.50
271 KH - 271 Kings Hwy - Adler WH	2,036.25
40 - Bank Street Crown Walk Urban Re	1,825.00
34 - Bnk Street Urban Renewal LLC	12.50
QC - QuickChek Roxbury	210.00
Waterloo Valley Road Sewer Ext.	100.75
Villages at Roxbury	965.00
Crownpoint Multifamily Project	904.25
Escrow Deposits Payable - Other	5,548.49
Total Escrow Deposits Payable	13,929.99
Due to Municipalities	-215,991.00
Compensated Absences Payable	61,681.72
Accrued Interest Payable	58,090.70
Accounts Payable - Pension	-218,858.84
Accrued Liabilities	47,771.98
Total Other Current Liabilities	9,262,343.68
Total Current Liabilities	9,462,904.57
Long Term Liabilities	
Net Pension Liability	1,394,376.00
Loans Payable	2,145,402.38
Def. Inflows of Resources	
Unamort Gain on Refunding 2007	10,200.00
Def. Pension Inflows	991,342.00
Total Def. Inflows of Resources	1,001,542.00
Total Long Term Liabilities	4,541,320.38
Total Liabilities	14,004,224.95
Equity	
Net Investment in Capital Asset	22,689,413.56
Restricted	
Current Debt Service	29,252.00
Future Retirement Reserve	50,000.00
B-29 Capital Improvements	
PS Controls 1-5	12,287.50
365 PPE - Contract 365 Plant Process Eval	12,852.35
360 - Contract 360 HVAC & Roofs	
360 BR - Contract 360 HVAC/Roofs - BR	840,159.83
360 Leg - Contract 360 HVAC/Roofs - Legal	3,684.40
360 IB - Contract 360 HVAC/Roofs-NJIBank	6,269.74
360 PSS - Contract 360 HVAC Roofs PSS	32,403.21
Total 360 - Contract 360 HVAC & Roofs	882,517.18
Contract 295 - Tertiary Tmt	
295 PSS - Contract 295 TT - PS&S	1.25
295 IHC - Contract 295 TT - IHC	922.35
295 - Misc (Permit, Legal)	104.00
Total Contract 295 - Tertiary Tmt	1,027.60
Contract 300 Influent Screening	
300 PSS - Contract 300 Infl Scr - PSS	1,267.77
300 Cop - Contract 300 Infl Scr - Coppola	304.05
300 - Misc (Permit, Legal)	825.02
Total Contract 300 Influent Screening	2,396.84

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Cash Basis

Musconetcong Sewerage Authority
Balance Sheet
As of December 31, 2023

	Dec 31, 23
350 · Contract 350 - PCSIU	241.25
325 · Contract 325 - SC 3&4	11,694.10
330 · Contract 330 GT 1	9,776.65
310 · Contract 310 Phase III Air Perm Telecommunications Project	1,460.92
305 · Contract 305 NJB Application	4,760.00
285 · Contract 285 - SC #1 & 2	48.82
270 · Contract 270 Thickeners	93,801.49
280 · Contract 280 PC #2	8,843.08
B-29 Capital Improvements - Other	21,342.49
	<u>-433,817.77</u>
Total B-29 Capital Improvements	629,232.50
B-30 Renewal and Replacement	
335 · Contract 335 - 19 Pumps	29,033.67
B-30 Renewal and Replacement - Other	534,975.60
	<u>564,009.27</u>
Total B-30 Renewal and Replacement	564,009.27
Operations	50,000.00
Total Restricted	<u>1,322,493.77</u>
Unrestricted	
Designated	-107,978.00
Undesignated	835,952.10
	<u>727,974.10</u>
Total Unrestricted	727,974.10
3000 · Opening Bal Equity	-7,507,976.57
32000 · Retained Earnings	-2,529,002.76
Net Income	835,973.89
	<u>15,538,875.99</u>
Total Equity	15,538,875.99
TOTAL LIABILITIES & EQUITY	<u><u>29,543,100.94</u></u>

The Financial Reports for 2024 were accepted on a motion offered by Mr. Romano, seconded by Mr. Schindelar and the affirmative Roll Call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

Comments:

- None

Financial Reports – 2024

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04/16/24

Musconetcong Sewerage Authority Budget vs. Actual Expenditure Report January through March 2024

Accrual Basis	Jan - Mar 24	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Net Position Utilized	0.00	126,593.00	-126,593.00	0.0%
Interest	39,621.98	4,715,000.00	-3,552,063.25	24.7%
Trustee passdown	1,162,636.75	-	-	-
Total Income	1,202,457.83	4,841,593.00	-3,639,135.17	24.6%
Gross Profit	1,202,457.83	4,841,593.00	-3,639,135.17	24.6%
Expense				
Personnel Services				
B-1 - Administrative-S&W	54,652.07	185,000.00	-130,347.93	29.5%
B-14 - Operating-S&W	164,632.75	688,000.00	-503,367.25	24.6%
Total Personnel Services	219,284.82	853,000.00	-633,715.18	25.7%
Employee Benefits				
B-9 - Pension	115,201.00	120,000.00	-4,799.00	96.0%
B-8 - Social Security	18,011.71	68,000.00	-49,988.29	24.3%
B-10 - Hosp				
Dental/Vision	1,419.88	-	-	-
B-10 - Hosp - Other	59,012.43	230,000.00	-170,987.57	25.7%
Total B-10 - Hosp	60,432.31	230,000.00	-169,567.69	29.3%
B-11 - Disability Insurance	1,705.37	19,000.00	-8,294.63	17.1%
B-5 - Unemployment	2,813.14	7,000.00	-4,086.86	41.6%
Total Employee Benefits	196,263.53	433,000.00	-236,736.47	45.3%
Administration Expenses				
B-2 - Administrative-OE	9,944.79	40,000.00	-30,055.21	24.9%
Total Administration Expenses	9,944.79	40,000.00	-30,055.21	24.9%
Operations and Maintenance				
B-33 - IT & Cyber Security	9,087.30	27,000.00	-17,912.70	33.7%
B-3 - Legal	6,320.70	35,000.00	-28,679.30	18.1%
B-4 - Audit	0.00	20,000.00	-20,000.00	0.0%
B-5 - Engineer				
NJDEP Permit	370.00	-	-	-
B-5 - Engineer - Other	5,275.50	38,000.00	-29,724.50	15.1%
Total B-5 - Engineer	5,645.50	38,000.00	-29,354.50	16.1%
B-15 - Telephone	2,395.67	15,000.00	-12,604.33	16.0%
B-16 - Electric	93,892.60	550,000.00	-456,307.40	17.0%
B-17 - Propane/Fuel Oil	622.11	15,000.00	-14,377.89	5.5%
B-18 - Supplies/Chemicals	37,966.79	225,000.00	-187,033.21	16.8%
B-27 - Laboratory Supplies	543.98	8,000.00	-7,456.02	6.8%
B-13 - Office	2,515.78	30,000.00	-27,484.22	7.7%
B-31 - External Services	27,511.35	75,000.00	-47,488.65	36.7%
B-26 - Education/Training	3,876.61	18,000.00	-14,123.39	21.5%
B-25 - Laboratory Fees	2,527.00	20,000.00	-17,473.00	12.6%
B-19 - Maintenance/Repairs	60,662.08	200,000.00	-139,337.92	30.3%
B-20 - Insurance	83,411.00	145,000.00	-61,589.00	57.5%
B-24 - NJDEP Fees	2,880.00	28,000.00	-25,120.00	11.6%
B-12 - Trustee Admin Fee	1,280.04	10,000.00	-8,719.96	12.9%
B-23 - Permit Appl/Compliance Fees	9,009.10	40,000.00	-30,990.90	22.5%
B-21 - Equipment	2,516.00	70,000.00	-67,484.00	3.6%
B-28 - Sludge Disposal	159,612.00	1,095,370.00	-935,758.00	14.6%
B-22 - Contingency	0.00	25,000.00	-25,000.00	0.0%
Total Operations and Maintenance	512,014.31	2,683,370.00	-2,171,355.69	19.1%
Debt Service				
Debt Svs - Principal Payment	18,271.83	-	-	-
Debt Svs - Interest Payment	6,517.50	-	-	-
Debt Service - Other	0.00	357,223.00	-357,223.00	0.0%
Total Debt Service	24,789.33	357,223.00	-330,433.67	7.5%
Reserves				
B-32 - Reserve for Debt Service	0.00	75,000.00	-75,000.00	0.0%
B-29 - Capital Improvement	0.00	200,000.00	-200,000.00	0.0%
B-30 - Renewal & Replacement	0.00	200,000.00	-200,000.00	0.0%

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Musconetcong Sewerage Authority Budget vs. Actual Expenditure Report January through March 2024

Accrual Basis	Jan - Mar 24	Budget	\$ Over Budget	% of Budget
Total Reserves	0.00	475,000.00	-475,000.00	0.0%
Pension Reimbursement	-5,628.44	-	-	-
Union Dues	-156.00	-	-	-
Total Expense	958,514.14	4,841,593.00	-3,883,078.86	19.8%
Net Ordinary Income	243,943.69	0.00	243,943.69	100.0%
Other Income/Expense				
Other Income				
Short Term Disability Reimburse	1,499.42	-	-	-
Total Other Income	1,499.42	-	-	-
Net Other Income	1,499.42	-	-	-
Net Income	245,443.11	0.00	245,443.11	100.0%

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Musconetcong Sewerage Authority
Balance Sheet
As of March 31, 2024

	Mar 31, 24
ASSETS	
Current Assets	
Checking/Savings	
CI 6556 - Capital Improvement TD - 6556	529,062.76
OA 8169 - Operating Acct TD - 8169	1,427,283.09
PR 3717 - Payroll Account TD - 3717	8,529.36
CI 6030 - *CLOSED* Capital Account - 6030	328,697.40
Es 3226 - Escrow Account TD Bank - 3226	15,532.27
RR 1360 - Renewal & Replacement TD -1360	782,406.65
Petty Cash	381.30
Total Checking/Savings	3,092,892.83
Accounts Receivable	
1200 - Accounts Receivable	-0.02
Total Accounts Receivable	-0.02
Other Current Assets	
NJIB Note Receivable	3,090,435.00
Prepaid Expenses	179.99
Total Other Current Assets	3,090,614.99
Total Current Assets	6,183,507.80
Fixed Assets	
Construction in Progress	1,609,092.35
Accumulated Depreciation	-39,721,047.17
Capital Assets, Depreciated	61,481,592.62
Land	505,700.00
Total Fixed Assets	23,875,337.80
Other Assets	
Def. Pension Outflows	329,952.00
Total Other Assets	329,952.00
TOTAL ASSETS	30,388,797.60
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 - Accounts Payable	-45,458.98
Total Accounts Payable	-45,458.98
Other Current Liabilities	
NJIB Note Payable	10,677,931.00
Accrued Payroll Liabilities	
Garnishment	302.14
VALIC	310.00
PERS - Contributions	171,855.67
PERS - Loans	154,507.97
PERS - Insurance	17,325.52
Union Dues	-1,035.91
Accrued Payroll Liabilities - Other	-48,448.76
Total Accrued Payroll Liabilities	294,814.63

Musconetcong Sewerage Authority
Balance Sheet
As of March 31, 2024

	Mar 31, 24
Escrow Deposits Payable	
30 Continental Drive - J Sassan	2,511.26
Matrix Mount Olive	6,485.70
271 KH - 271 Kings Hwy - Adler WH	2,036.25
40 - Bank Street Crown Walk Urban Re	1,825.00
34 - Bnk Street Urban Renewal LLC	12.50
QC - QuickChek Roxbury	210.00
Waterloo Valley Road Sewer Ext.	100.75
Villages at Roxbury	965.00
Crownpoint Multifamily Project	904.25
Escrow Deposits Payable - Other	5,548.49
Total Escrow Deposits Payable	20,599.19
Due to Municipalities	-215,991.00
Compensated Absenses Payable	61,681.72
Accrued Interest Payable	58,990.70
Accounts Payable - Pension	-249,883.88
Accrued Liabilities	47,771.68
Total Other Current Liabilities	10,695,214.04
Total Current Liabilities	10,649,755.06
Long Term Liabilities	
Net Pension Liability	1,394,376.00
Loans Payable	2,145,402.38
Def. Inflows of Resources	
Unamort Gain on Refunding 2007	10,200.00
Def. Pension Inflows	991,342.00
Total Def. Inflows of Resources	1,001,542.00
Total Long Term Liabilities	4,541,320.38
Total Liabilities	15,191,075.44
Equity	
Net Investment in Capital Asset	22,689,413.56
Restricted	
Current Debt Service	29,252.00
Future Retirement Reserve	50,000.00
B-29 Capital Improvements	
PS Controls 1-5	8,696.55
365 PPE - Contract 365 Plant Process Eval	12,852.35
360 - Contract 360 HVAC & Roofs	
360 BR - Contract 360 HVAC/Roofs - BR	199,212.94
360 Leg - Contract 360 HVAC/Roofs - Legal	6,521.97
360 IB - Contract 360 HVAC/Roofs-NJIBank	5,654.74
360 PSS - Contract 360 HVAC Roofs PSS	2,402.76
Total 360 - Contract 360 HVAC & Roofs	213,792.41
Contract 295 - Tertiary Tmt	
295 PSS - Contract 295 TT - PS&S	1.25
295 IHC - Contract 295 TT - IHC	922.35
295 - Misc (Permit, Legal)	104.00
Total Contract 295 - Tertiary Tmt	1,027.60
Contract 300 Influent Screening	
300 PSS - Contract 300 Infl Scr - PSS	1,267.77
300 Cop - Contract 300 Infl Scr - Coppola	304.05
300 - Misc (Permit, Legal)	825.02
Total Contract 300 Influent Screening	2,396.84

Musconetcong Sewerage Authority
Balance Sheet
 As of March 31, 2024

	Mar 31, 24
350 · Contract 350 - PCSIU	241.25
325 · Contract 325 - SC 3&4	11,694.10
330 · Contract 330 GT 1	9,776.65
310 · Contract 310 Phase III Air Perm Telecommunications Project	1,460.92 4,760.00
305 · Contract 305 NJIB Application	48.82
285 · Contract 285 - SC #1 & 2	93,801.49
270 · Contract 270 Thickeners	8,843.08
280 · Contract 280 PC #2	21,342.49
B-29 Capital Improvements - Other	-463,817.77
Total B-29 Capital Improvements	-73,083.22
B-30 Renewal and Replacement	
335 · Contract 335 - 19 Pumps	29,033.67
B-30 Renewal and Replacement - Other	534,975.60
Total B-30 Renewal and Replacement	564,009.27
Operations	50,000.00
Total Restricted	620,178.05
Unrestricted	
Designated	-107,978.00
Undesignated	835,952.10
Total Unrestricted	727,974.10
3000 · Opening Bal Equity	-7,507,976.57
32000 · Retained Earnings	-1,693,028.87
Net Income	361,161.89
Total Equity	15,197,722.16
TOTAL LIABILITIES & EQUITY	30,388,797.60

The **Pending Vouchers** for April 18, 2024, were approved for payment on a motion offered by Mr. Romano, seconded by Mr. Schindelar and the affirmative Roll Call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

Comments:

- None

Musconetcong Sewerage Authority
Through April 18, 2024

	Name	Memo	Split	Amount
OPERATING:	Alfred DeFelle	2024 NJWEA Conference Stipend	B-28 - Education/Train	700.00
	American Wear	Uniform Service03.26.24-04.16.24	B-31 - External Service	650.20
	Anthony Riccardi	2024 NJWEA Conference Stipend	B-2 - Administrative-OI	700.00
	ATS Environmental Services	Invoice GS2024156PP	B-31 - External Service	282.02
	Barbato, Nicholas	Mileage Reimbursement	B-2 - Administrative-OI	105.73
	Blue Diamond Disposal, Inc.	Invoice 774944 - Monthly Trash Servi	B-31 - External Service	469.00
	Business Machine Technologie	Invoice 2369298, 2369297, 2369296	B-33 - IT & Cyber Secu	1,002.10
	Business Machine Technologie	Invoice 2370239, 2370238, 2370240	B-33 - IT & Cyber Secu	1,002.10
	Business Machine Technologie	Invoice 2369988, 2369987, 2369999	B-33 - IT & Cyber Secu	1,002.10
	Business Machine Technologie	Invoice 2370350, 2370150	B-33 - IT & Cyber Secu	819.69
	Cintas First Aid & Safety	Invoice # 92695939450 AED Lease & 4	B-31 - External Service	281.18
	City Fire Equipment	Invoice 12696699 - 2024 Annual Mail	B-31 - External Service	1,131.75
	Domah Directory, LLC	Inw 78384-6 - Annual Website Domal	B-33 - IT & Cyber Secu	289.00
	Fisher Scientific	Invoice 1098217, 0978387, 0941960	B-27 - Laboratory Supp	540.95
	Garden State Laboratories, Inc	Invoice 568789 - 03.07.24-03.28.24	B-25 - Laboratory Fees	330.00
	GenServe LLC / R&J Control, In	Invoice 042079-IN, 0421442-IN	B-19 - Maintenance/Re	8,510.30
	JCP&L	Invoice 95019783658 - 12.29.23-02.	B-16 - Electric	1,440.40
	JEM Industrial Services, Inc.	Invoice 2573	B-18 - Supplies/Cheml	4,156.26
	Jilliam Martucci	Dental, Mileage, USPS Reimburseme	B-10, B-2	796.81
	Joseph Schwab	2024 NJWEA Annual conference	B-2 - Administrative-OI	700.00
	JW Topping & Assoc.	Travel Accident Policy 03.10.24-03.0	B-20 - Insurance	1,000.00
	Law Offices of Patrick J. Dwyer,	Invoice 1172 Legal Svcs 03/2024	B-3 - Legal	209.00
	Longo Electrical-Mechanical, In	Invoice 73429	B-18 - Supplies/Cheml	1,421.50
	McMaster-Carr Supply Co.	Invoice 24163408	B-27 - Laboratory Supp	1,375.23
	Michael Grogan	2024 NJWEA Conference Stipend	B-2 - Administrative-OI	700.00
	Mount Olive Bagels	Invoice 600436 - Engineer Committe	B-2 - Administrative-OI	89.35
	Netcong Hardware Co.	March/April 2024	B-18 - Supplies/Cheml	192.28
	Niuseme Oliveira Cleaning Cor	Invoice 2308 (12/2023, Jan-Apr 2024	B-31 - External Service	1,500.00
	NJ Advance Media (Star Ledger)	Invoice # 10640344 - 03/2024 Meetin	B-2 - Administrative-OI	127.52
	NJWEA	Invoice E12016, E12113, E12012, E1	B-26 - Education/Train	5,712.00
	One Call Concepts, Inc.	Invoice 4035447	B-2 - Administrative-OI	65.78
	One Water Consulting, LLC	Invoice 1531	B-23 - Permit Appl/Cor	1,106.25
	Parkhurst Distributing Co., Inc.	Invoice 295063	B-19 - Maintenance/Re	493.77
	Passaic Valley Sewerage Comr	Invoice 523170 - Liquid Waste Accep	B-26 - Sludge Disposal	33,618.00
	PMZ Landscaping	Invoice # 2375	B-31 - External Service	2,375.00
	Pro Circuit Electrical Contracti	Invoice 24-0011-0003	B-19 - Maintenance/Re	18,508.00
	PS&S	Invoice # 167418 - General Engineer	B-5 - Engineer	998.75
	R-D Trucking	Invoice 4771 - Sludge Hauling - 03.01	B-26 - Sludge Disposal	45,360.00
	Reiner Pump Systems, Inc.	Invoice # KCP379-2NJ	B-21 - Equipment	1,114.35
	RingCentral	Invoice CD_00077501 - Service 03.	B-15 - Telephone	317.15
	Schilling, James	Mileage - 2024 NJWEA Conference Si	-SPLIT-	788.57
	Sisco Material Handling Equip	Invoice - INV-052327	B-31 - External Service	5,483.00
	Sotenis LLC	Invoice 132578555	B-18 - Supplies/Cheml	2,605.50
	Steven Rattner	2024 NJWEA Conference Stipend	B-2 - Administrative-OI	700.00
	Thomas Romano	2024 NJWEA Conference Stipend	B-2 - Administrative-OI	700.00

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	Name	Memo	Split	Amount
	Tritec Office Equipment	Invoice 85010	B-13 - Office	67.87
	Tritec Office Equipment	Invoice 1084	B-13 - Office	59.00
	USA Bluebook	Invoice INV00309986	B-19 - Maintenance/Re	213.74
	USALCO	Invoice 910096018	B-18 - Supplies/Cheml	11,360.04
	Water Environment Federation	Invoice 362084 S. Rattner, Invoice 3f	-SPLIT-	224.00
			TOTAL:	163,405.24
CAPITAL:	Badger Roofing	C360 Pay App 6	B-29: C360 BR	98,018.62
			TOTAL:	98,018.62
ESCROW:	Law Offices of Patrick J. Dwyer,	Invoice 1171 Esc: Matrix	Matrix Mount Olive	1,485.00
	PS&S	Invoice # 167416 - Matrix - Through 0	Matrix Mount Olive	1,523.55
			TOTAL:	3,008.55
RENEWAL & REPLACEMENT:			TOTAL:	0.00
PAYROLL:	MSA Payroll	Processing Date: 03.29.2024	B-1, B-14	30,726.08
	MSA Payroll	Processing Date: 04.12.2024	B-1, B-14	34,731.25
			TOTAL:	65,457.33
MANUAL CHECKS & ONLINE PYMTS:	Altice	Payment ID 922386305	B-15 - Telephone	315.00
	American Water	Confirmation # 1385222869 - 003.0	B-31 - External Service	2,408.04
	Direct Energy	Confirmation # 2748806	B-16 - Electric	695.95
	Direct Energy	Confirmation # 2760292, 2760293, 2	B-16 - Electric	26,167.04
	JCP&L	Confirmation # 105193769	B-16 - Electric	9,191.61
	Lowe's	Reference # 2711376109	B-19 - Maintenance/Re	605.82
	NJ Division of Pensions & Bene	Reference # 08772389 - 03/2024 Es	Accounts Payable - Pe	6,003.26
	NUSHBP	Reference # 10100807 - 04.01.24-04	B-10 - Hosp	22,261.77
	Primepoint	Invoice 609875 - 03.29.2024 Payroll	B-31 - External Service	31.88
	Primepoint	Invoice 611736 - 04.12.2024 Payroll	B-31 - External Service	45.50
	Shell Fleet	Confirmation # 816904122024 - 03.1	B-17 - Propane/Fuel OI	265.32
	UNUM	Billing # 00590889-0001 - Coverage I	B-11 - Disability Insura	1,708.33
	Vaic	Confirmation # 325323	Accrued Payroll Liab	535.00
	Vaic	Confirmation # 6049886	Accrued Payroll Liab	535.00
	Verizon Wireless	03.02.24-04.01.24 - Meter Chamber	B-15 - Telephone	249.47
			TOTAL:	71,108.99

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The following **correspondence** for April 2024 was received and filed on a motion offered by Mr. Schwab, seconded by Mr. Riccardi and the affirmative all in favor vote of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

• **Correspondence:**

- A. NJIB: Construction Loan Accrued Interest Statement as of 03.03.2024.
- B. State of NJ, DEP: Payment Requisition No. S340384-10-SC-03, NJEIT \$325,456.00
- C. *Mott MacDonald: Borough of Hopatcong GAS Unit Temporary Backwash Tanks, April 2024

Comments:

- Mrs. Michetti advised The Board that she received the backwash procedure and wastewater discharge protocol for the treatment facility being installed, she will forward to Mr. Schilling and expects it to be on the agenda for the May meeting.
- Mr. Schindelar advised The Board that the Hopatcong Engineer also sent over a letter of protocol for what the process will be.
- Mr. Schilling advised that he received a phone call from Ms. Rosenwinkle at the DEP inquiring about where the MSA stands on the matter.
- There was further discussion among The Board pertaining to the backwash discharge and how it may be handled as well as how to protect the MSA from receiving PFOS/PFAS water. It was stated that the discharge would adhere to the same standards as drinking water.
- Mr. Schindelar asked that a straw pole be conducted among The Board to determine the support to discharge the backwash. Straw pole resulted in 8 members of the MSA Board in favor, and 3 members of the MSA Board not in favor.
- Mr. Wancho, PE stated that there is no reason why the MSA cannot set the criteria of what the MSA will allow, this can be part of the TWA. Ms. Alexander, Esq. added that the MSA can issue a permit – not a formal permit, a simple letter that specifies when sampling will be conducted and that there will not be a discharge unless within certain limits.
- Mrs. Michetti read aloud to The Board an excerpt detailing the proposed procedure submitted by Roxbury’s Engineer.

Monthly Reports:

The Director's Report, Maintenance & Repairs Report for the month of April 2024 and Flow Data for the month of March 2024 were accepted on a motion offered by Mr. Sylvester and seconded by Mr. Schindelar and the affirmative all-in favor vote of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

Director’s Report, Maintenance & Repairs Report, Flow Data Comments:

- Mr. Schilling asked The Board to consider allowing the vendor that is handling the basket replacement work at PS#2, previously approved by Resolution 24-18 at the 02.22.2024 Board Meeting, to also perform the piping replacement work. In doing so, the MSA will save approximately \$6,000.00. Mr. Schwab advised The Board that we have the funds as part of the Capital Plan.
- There was a motion offered to award Municipal Maintenance the contract to replace piping, base elbows, fittings and valves at Pump Station 2, not to exceed \$38,400.00.

A motion to amend previously passed Resolution 24-18 was offered by Mr. Schindelar seconded by Mr. Riccardi and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

Director's Report, Maintenance & Repairs Report, Flow Data Comments Continued:

- There was discussion among The Board regarding the high flows over the last several months.
- Chairman Rattner inquired about the vacant position at the MSA. Mr. Schilling advised that we are utilizing 16 hours of overtime verses 80 hours of straight time.

The Office Manager's Report for the month of April 2024 were accepted on a motion offered by Mr. Schwab and seconded by Mr. Schindelar and the affirmative all-in favor vote of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

Office Manager's Report Comments:

- Ms. Martucci advised The Board that we are in the process of meeting Advanced Level (formerly Tier Three) for the Mel/JIF Cyber Security Compliance. She is working closely with BMT, the MSA IT and Cyber Security vendor to meet all criteria to ensure the highest level of cyber security compliance.

The Engineer's Report for the month of April 2024 was accepted on a motion offered by Mr. Sylvester, seconded by Mr. Romano and the affirmative all-in favor of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

Engineer's Report Comments:

- Mr. Wancho, PE updated The Board that Contract 360 is expected to conclude by the end of May.

New Business:

Resolution No. 24-21 was offered on a motion by Mr. Romano seconded by Mr. Schindelar and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

*See attached resolution

Comments:

- None

Resolution No. 24-22 was offered on a motion by Mr. Schindelar seconded by Mr. Riccardi and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

*See attached resolution

Comments:

- None

Resolution No. 24-24 was offered on a motion by Mr. Schindelar seconded by Mr. Riccardi and the affirmative all-in favor vote of members present. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

*See attached resolution

Comments:

- None

Resolution No. 24-26 was offered on a motion by Mrs. Michetti seconded by Mr. Schindelar and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

*See attached resolution

Comments:

- None

Resolution No. 24-27 was offered on a motion by Mr. Schindelar seconded by Mr. Schwab and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

*See attached resolution

Comments:

- None

Resolution No. 24-28 was offered on a motion by Mr. Schindelar seconded by Mr. Romano and the affirmative roll call vote of members present. Roll Call Vote:

Mr. Bradley	Yes	Mr. Riccardi	Yes
Mr. Cangiano	Yes	Mr. Romano	Yes
Mr. Grogan	Yes	Mr. Schindelar	Yes
Mr. McNeilly	Absent	Mr. Schwab	Yes
Mrs. Michetti	Yes	Mr. Still	Yes
Chairman Rattner	Yes	Mr. Sylvester	Yes

*See attached resolution

Comments:

- None

Old Business:

- Chairman Rattner inquired about the summons received for 9 Bradley Road, Ms. Alexander, Esq. responded that she responded and that the MSA is not named, nothing further is needed.

Adjournment:

Motion made by Mr. Sylvester, seconded by Mr. Schindelar at 09:01pm and the all-in favor Vote of members present, Chairman Rattner adjourned the meeting at 09:01pm. All In Favor:

Mr. Bradley	Aye	Mr. Riccardi	Aye
Mr. Cangiano	Aye	Mr. Romano	Aye
Mr. Grogan	Aye	Mr. Schindelar	Aye
Mr. McNeilly	Absent	Mr. Schwab	Aye
Mrs. Michetti	Aye	Mr. Still	Aye
Chairman Rattner	Aye	Mr. Sylvester	Aye

Respectfully Submitted:
Jilliam Martucci – Office Manager

RESOLUTION NO. 24-21

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PROCUREMENT OF AN AERATOR THROUGH THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM (NJWCPS)

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Passaic Valley Sewerage Commission (PVSC), hereinafter referred to as the "Lead Agency" has established a Cooperative Pricing System and has offered voluntary participation in the North Jersey Wastewater Cooperative Pricing System (NJWCPS), for the purchase of goods and services; and

WHEREAS, as the Lead Agency, the Passaic Valley Sewerage Commission will be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey; and

WHEREAS, the Musconetcong Sewerage Authority (the "Authority") requires a mixer to replace the existing mixer at the Musconetcong Wastewater Treatment Plant (Aerator 4-C for Plant 2); and

WHEREAS, the Authority, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program and other approved Cooperative Purchasing Programs for any State or Cooperative Purchasing contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and/or by the approve the Cooperative Purchasing Program; and

WHEREAS, G.M.H. Associates of America, Inc., has been awarded a contract by NJWCPS to furnish and install said equipment; and

WHEREAS, the Authority desires to award a contract to G.M.H. Associates of America, Inc., having a business address of 5 Chelton Way, Building 15, Trenton, New Jersey, 08638, through the North Jersey Wastewater

Cooperative Pricing System (NJWCPS), for procurement and installation of a DBS Mixer to replace an existing Mixer at the Musconetcong Wastewater Treatment Plant, as more particularly described in the quotation on file with the Authority, dated April 10, 2024, in an amount not to exceed \$69,995.90 without further Board authorization; and

WHEREAS, funds are available for this purpose at line item B-30 Renewal & Replacement.

NOW, THEREFORE, BE IT RESOLVED by the Musconetcong Sewerage Authority in the Counties of Morris and Sussex in the State of New Jersey on this 25th day of April 2024 as follows:

1. That the Executive Director is hereby authorized and directed to execute a NJWCPS Cooperative Pricing Contract, on file, for the procurement and installation of a DBS Mixer, as more particularly described in the quotation dated April 10, 2024, with G.M.H. Associates of America, Inc., having a business address of 5 Chelton Way, Building 15, Trenton, New Jersey, 08638, through the North Jersey Wastewater Cooperative Pricing System (NJWCPS), in an amount not to exceed \$69,995.90 without further authorization of the MSA Board.
2. The Executive Director, staff and consultants are authorized and directed to take all actions reasonable and necessary in the implementation of the contract awarded herein and this Resolution shall take effect immediately.

Certification of Funds

I, James Schilling, Executive Director, do hereby certify that sufficient funds are available in the 2024 budget from the line item for B-30, Renewal & Replacement.

/s/James Schilling
Executive Director
Musconetcong Sewerage Authority
Dated: April 17, 2024

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

Musconetcong Sewerage Authority

ATTEST:


Joseph Schwab, Secretary-Treasurer


Steven Rattner, Chairman

Dated: April 25, 2024

RESOLUTION NO. 24-22

**RESOLUTION AUTHORIZING THE PROCUREMENT OF
VARIABLE FREQUENCY DRIVE (VFD'S) UNITS FROM
REINER PUMP SYSTEMS**

WHEREAS, the Musconetcong Sewerage Authority (MSA) owns and operates variable frequency drive units (VFD's) which are utilized to convey wastewater for treatment and to achieve compliance with the terms and conditions of its wastewater discharge permit; and

WHEREAS, the MSA solicited two competitive quotes, attached hereto and made a part hereof, for the procurement of such VFD's; and

WHEREAS, Reiner Pump Systems quote was most advantageous to MSA's needs; and

WHEREAS, the MSA desires to authorize the procurement of such VFD's as more specifically set forth in the competitive quote, dated March 19, 2024, submitted by Reiner Pump Systems, located at 53 US Highway 206, Stanhope, New Jersey 07874, in an amount not to exceed \$10,053.00; and

WHEREAS, funds are available in the line item B-21, Equipment.

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority, as follows:

1. The Authority hereby authorizes the Executive Director to execute a purchase order for the procurement of VFD's, as more specifically set forth in the competitive quote, dated March 19, 2024, submitted by Reiner Pump Systems, located at 53 US Highway 206, Stanhope, New Jersey 07874, in an amount not to exceed \$10,053.00

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2. The MSA's staff and consultants are hereby authorized and directed to take all other actions necessary or desirable to fully effectuate the terms and conditions of this Resolution.
 3. This Resolution shall take effect immediately.

Certification of Funds
I, James Schilling, Executive Director do hereby certify that sufficient funds are available in the 2024 budget from the line item for B-21, Equipment.

/s/James Schilling
Executive Director
Musconetcong Sewerage Authority
Dated: April 17, 2024

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

ATTEST: Musconetcong Sewerage Authority


Joseph Schwab, Secretary-Treasurer


Steven Rattner, Chairman

Dated: April 25, 2024

RESOLUTION NO. 24-23

RESOLUTION AUTHORIZING CLOSED SESSION PURSUANT TO THE OPEN PUBLIC MEETINGS ACT TO DISCUSS ISSUES REGARDING ATTORNEY CLIENT PRIVILEGE WITH REGARD TO THE MSA NJPDES PERMIT AND DISCUSSION OF PENDING OR THREATENED LITIGATION IN THE MATTER OF MUSCONETCONG SEWERAGE AUTHORITY V. NJDEP, OAL DKT. NO. ELU 05549-13 AND EER 05944-21

BE IT RESOLVED by the Musconetcong Sewerage Authority ("Authority") on this 25th day of April 2024, as follows:

1. In accordance with the Open Public Meetings Act, the Authority shall adjourn to executive session in accordance with N.J.S.A. 10:4-12(b)(7), in order to provide legal advice regarding NJPDES Permitting issues and regulations, which are communications subject to Attorney Client Privilege and to discuss pending or threatened litigation in the matter of Musconetcong Sewerage Authority v. NJDEP, OAL Dkt. no. ELU 05549-13 and EER 05944-21.
2. The minutes of the Closed Session relating to attorney client privilege will be released to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
3. The minutes of the executive session discussing pending or threatened litigation, to the extent not subject to attorney client privilege, shall be available to the public upon: the issuance of an unappealable Order of a Court of competent jurisdiction; upon settlement of all issues in the matter; or the failure to institute litigation after the passage of reasonable time.
4. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

Musconetcong Sewerage Authority

ATTEST:



Joseph Schwab, Secretary-Treasurer



Steven Rattner, Chairman

Dated: April 25, 2024

RESOLUTION NO. 24-24

**RESOLUTION TO AUTHORIZE THE DEFENSE AND INDEMNIFICATION
OF THE MEMBERS AND EMPLOYEES OF THE
MUSCONETCONG SEWERAGE AUTHORITY**

WHEREAS, there exists a need to protect the past and present members and employees of the Musconetcong Sewerage Authority ("MSA") from the monetary costs of fines, penalties, damages, settlements, costs and legal fees associated with the defense of any civil or criminal actions which may be brought from this day forward against the MSA, or any such members or employees, as the result of any action(s) or omission(s) relating to the duties of such member or employee to the MSA; and

WHEREAS, the MSA desires to provide such protection for its past and present members and employees from the financial consequences of any such civil or criminal action to the extent permitted by law and, therefore, provided that such alleged action or omission does not constitute actual fraud, actual malice, willful misconduct or an intentional wrong in the judgment of the MSA;

NOW, THEREFORE, BE IT RESOLVED by the Musconetcong Sewerage Authority in the Counties of Morris and Sussex in the State of New Jersey on this 25th day of April, 2024 as follows:

1. The MSA shall, to the extent permitted by law, provide a defense and indemnification to the past and present members and employees of the MSA and, therefore, shall pay or otherwise reimburse the past and present members and employees of the MSA for all fines, penalties, damages, costs and legal fees associated with any civil or criminal action which may be brought after the adoption of this Resolution against such members or employees based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority.

2. In any case where the MSA provides a defense to a member or employee, it is authorized and directed to make direct payments to counsel or reimburse the member or employee for the costs associated with his or her defense upon the approval by the MSA of proper vouchers submitted therefore, but in no case shall the MSA be authorized to pay or reimburse for legal fees and expenses exceeding those customarily charged for legal services in the defense of such actions.

3. For the purposes of this Resolution, the term "member" shall include any and all persons appointed by the governing bodies of the constituent municipalities pursuant to N.J.S.A. 40:14A-4.

4. Any person seeking the provision of a defense and indemnification under the policy enunciated in this Resolution shall give prompt notice to the MSA of the pendency of any such civil or criminal action for which payment or reimbursement is sought, at which time the MSA shall by Resolution implement the provisions set forth herein.

5. It is within the sole discretion of the MSA, in any action where the provision of such a defense and indemnification is sought by a member or employee, to:

- a. Provide a defense by an attorney chosen by the MSA;
- b. Provide a defense by an attorney of the member or employee's choosing; or
- c. Assert the MSA's right under any appropriate insurance policy which requires the insurer to defend and indemnify.

6. Notwithstanding the foregoing, the MSA may refuse to provide for the defense or to indemnify any past or present member or employee of the MSA in any action referred to above or recover any amounts paid on behalf of such member or employee for such defense if in its sole discretion it has reason to conclude that the act or omission was:

- a. Not within the scope of such member or employee duties or was carried out in an individual capacity;
- b. The subject matter of any action brought by the MSA against the member or employee;
- c. A violation of the Local Government Ethics Law (P. L. 1991, c. 29); or
- d. Due to actual fraud, actual malice, willful misconduct or an intentional wrong.

7. Nothing in this Resolution shall require the MSA to pay for punitive or exemplary damages resulting from the commission of a crime, actual fraud, actual malice, willful misconduct or an intentional wrong. However, the MSA may indemnify an official or employee for punitive or exemplary damages provided the Board determines the acts complained of did not constitute a crime, actual fraud, actual malice, willful misconduct or an intentional wrong. Such a determination shall be made by Resolution of the Board.

8. In the event a contested matter, to which this Resolution is applicable, is resolved by way of settlement, the MSA may take into account the facts, circumstances, and allegations which led to the settlement in its determination of whether it may, subject only to the provisions of paragraph 6, indemnify such past and/or present member(s) and/or employee(s) against whom such settled claims had been made.

9. It is the intention of this Resolution to set forth the policy of the MSA with respect to the defense and indemnification of persons associated with the MSA in the management of its affairs and business to the maximum extent permitted by law, and if any provision hereof or the application hereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this Resolution and to this end the provisions hereof are declared to be severable.

10. The policy set forth in this Resolution is prospective and shall take effect immediately, but shall automatically expire unless re-authorized at each annual reorganization meeting of the Authority.

11. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

ATTEST: Musconetcong Sewerage Authority


Joseph Schwab, Secretary-Treasurer


Steven Rattner, Chairman

Dated: April 25, 2024

RESOLUTION NO. 24-25

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES AS GENERAL COUNSEL TO MARAZITI FALCON, LLP FOR 2024

WHEREAS, the Musconetcong Sewerage Authority ("MSA" or the "Authority"), pursuant to N.J.S.A. 40A:11-1 et seq., is authorized to retain such professionals and advisors as it may require without public bidding therefore, provided that the services to be rendered are to be performed by persons authorized by law to practice a recognized profession within the definition of a professional service pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, MSA has a need for professional legal services as general counsel for 2024 and desires to award the same as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Maraziti Falcon, LLP has submitted a proposal dated October 11, 2023 ("Proposal") to provide these services, which Proposal is on file at the offices of the Authority; and

WHEREAS, Maraziti Falcon, LLP has many years of experience serving sewerage authorities as general counsel and MSA deems it in MSA's best interest to engage Maraziti Falcon, LLP for such purposes; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding, provided that notice

of the nature, duration, service and amount of contract is published, and that the Resolution and contract are kept on file and available for public inspection; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of the work will exceed \$17,500 and

WHEREAS, Maraziti Falcon, LLP has submitted a Business Entity Disclosure Certification, and the contract for said services will not allow political contributions pursuant to the applicable provisions of N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, Maraziti Falcon, LLP has provided a billing rate for its services as set forth in its Proposal and commencement, continuation, and completion of professional services shall be subject to the continuing availability of funds and MSA may terminate said professional services upon notice to Maraziti Falcon, LLP for MSA's convenience and without cause; and

WHEREAS, the Treasurer has certified that funds are available in the budget at line item B-3 - Legal

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority, as follows:

1. MSA does hereby appoint Maraziti Falcon, LLP to provide professional services in accordance with the terms set forth in the Proposal dated October 11, 2023, in an amount not to exceed \$25,000.00 without further authorization from the Authority.

2. The Chairperson is authorized to execute a contract for the provision of such services, which contract shall not allow political contributions pursuant to the applicable provisions of N.J.S.A. 19:44A-20 et seq.

2. The Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

4. Within ten days of adoption of this Resolution, notice of the nature, duration and amount of the contract shall be published once in the newspaper of general circulation and a copy of this resolution and the agreements shall be on file and available for public inspection in the offices of the Authority as required by N.J.S.A. 40A-11.5.

5. This Resolution shall take effect immediately.

Certification of Funds

I, James Schilling, Executive Director, do hereby certify that sufficient funds are available in the 2024 budget from the line item for professional fees through the end of the fiscal year.

/s/ James Schilling
Executive Director
Musconetcong Sewerage Authority
Dated:

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

ATTEST: Musconetcong Sewerage Authority

 
Joseph Schwab, Secretary-Treasurer Steven Rattner, Chairman

Dated: April 25, 2024

RESOLUTION 24-26

**RESOLUTION AUTHORIZING ADDITIONAL WORK AND AMENDING
PROFESSIONAL SERVICES CONTRACT WITH PS&S RELEVANT TO
CONTRACT 360 – HVAC ROOF REPLACEMENT PROJECT**

WHEREAS, the Musconetcong Sewerage Authority ("MSA") adopted Resolution 22-30, on April 28, 2022, authorizing the execution of a contract for the provision of Architectural and Engineering Services regarding the MSA Building Roofs and Service Building HVAC Replacement Project, MSA Contract 360, pursuant to a proposal, dated April 19, 2022, to provide such services, which proposal was submitted by Paulus, Sokolowski & Sartor, LLC, ("PS&S") whose business address is located at 3 Mountain Road, P.O. Box 4039, Warren, New Jersey, 07059; and

WHEREAS, MSA authorized PS&S to undertake such services as set forth in the PS&S Proposal dated April 19, 2022, in an amount not to exceed \$230,300.00 without prior authorization; and

WHEREAS, MSA has received a proposal from James R. Wancho, P.E., PS&S, dated March 18, 2024, revised April 19, 2024, entitled "MSA Contract 360- HVAC/Roof Replacement Project Additional Professional Services Proposal" attached hereto and made a part hereof, for the performance of additional professional engineering services, as set forth therein, in an amount not to exceed \$59,184.00 without further Board authorization; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq.) authorizes contracts for the provision of "Professional Services," which may be awarded without public advertising and competitive bidding, provided a notice is published in the official newspaper stating the nature, duration, service and amount of contract, and that the Resolution and contract are available for public inspection at the offices of the MSA.

WHEREAS funds are available for these purposes at line-item B-29, Capital.

NOW, THEREFORE, BE IT RESOLVED by the Musconetcong Sewerage Authority as follows:

1. The Chairperson, or the Executive Director, of the Musconetcong Sewerage Authority is hereby authorized and directed to execute an amendment to the existing contract for Professional Architectural and Engineering Services for the MSA Building Roofs and Service Building Replacement Project, with the firm of Paulus, Sokolowski & Sartor, LLC, having an office at 3 Mountain Road, P.O. Box 4039, Warren, New Jersey, in accordance with the proposal for additional professional services dated March 18, 2024,

revised April 19, 2024, attached hereto and made a part of, in an amount not to exceed \$59,184.00 without prior authorization, for a new total contract amount for professional engineering services relevant to MSA Contract 360 of \$289,484.00, and conditioned upon the submission by PS&S of copies of its New Jersey Business Registration Certificate and Business Entity Disclosure Certification, insurance and any and all documents required by law or as may be required by MSA.

2. This contract is awarded without competitive bidding as a "Professional Service" pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5 and the contract for said services will not allow political contributions pursuant to the applicable provisions of N.J.S.A. 19:44A-20 et seq.
3. A notice of contract award shall be published in the official newspaper, stating the nature, duration, service and amount of the contract, and that the Resolution and contract are on file and available for public inspection at the MSA.
4. This Resolution shall take effect as provided by law.

Certification of Funds

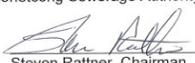
I, James Schilling, Executive Director, do hereby certify that sufficient funds are available in the 2024 budget line-item B-29, Capital.

/s/ James Schilling
Executive Director
Musconetcong Sewerage Authority
Dated: April 19, 2024

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

Musconetcong Sewerage Authority

ATTEST:  
Joseph Schwab, Secretary-Treasurer Steven Rattner, Chairman

Dated: April 25, 2024

RESOLUTION NO. 24-27

RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR THE MSA WWTP-HVAC AND ROOF REPAIRS PROJECT

WHEREAS, pursuant to Resolution No. 23-37, the Musconetcong Sewerage Authority (hereinafter the "Authority") authorized the award of the Authority's "MSA WWTP-HVAC and Roof Repairs Project - Contract 360" (the "Contract") to Badger Roofing Company, Inc., having a business address of 5 Smalley Avenue, Middlesex, NJ 08846 (hereinafter "Badger Roofing") in the bid amount of \$1,997,125.00; and

WHEREAS, after the full execution of the Contract and the issuance of the Performance Bond and certificates of insurance, the Notice to Proceed was issued to Badger Roofing on October 4, 2023, and also became effective October 4, 2023; and

WHEREAS, during the completion of the work, it was determined that an existing roof drain was in conflict with the HVAC roof top unit and needed to be relocated. Additionally, it was further determined that, due to previous roof leakage, electrical conduits and wiring had become corroded and have created a short in the lighting power supply that consistently trips the breaker when the lights are turned on, necessitating troubleshooting and repair of the Primary and Secondary PS lights at Plant #2, as more specifically set forth in correspondence dated April 2, 2024, by Sean Sauder, Project Manager, PS&S, and Contract Modification Proposal and Acceptance Form CM-001, by James Wancho, P.E., Vice President, PS&S; and

WHEREAS, the change referred to in the above referenced correspondence and CM-001 reflect a total increase in contract allowance value of not to exceed \$23,008.20

(approximately 1.15 %) of the original contract price, together with a zero-day time extension of the original contract award as follows:

Item #	Description	Cost
1	Allowance for Relocation of Roof Drain	\$8,600.78
2	Allowance for Troubleshooting and Repair of Lighting Issues	\$14,405.42
	Total Additional Change Order CM-001 Allowance	\$23,008.20

WHEREAS, in correspondence dated April 02, 2024 to the Authority's Executive Director, the Authority's Consulting Engineer, PS&S, recommends approval of Change Order No. 1 as presented by Badger Roofing in the amount of \$23,008.20 and no time extension; and

WHEREAS, the Authority has reviewed the Contract Change Order CM-001 attached hereto and made a part hereof, and is satisfied that it meets the requirements of N.J.A.C. 5:30-11.3, and

WHEREAS, the Executive Director has certified that funds are available therefore from line-item B-29, Capital.

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority, as follows:

1. Subject to receipt of New Jersey Department of Environmental Protection approval, the Authority hereby approves Change Order No. 1 for the additional allowance amounts of \$23,008.20.

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2. Upon receipt of New Jersey Department of Environmental Protection approval, the Executive Director is hereby authorized and directed to execute a Contract Change Order CM-001 substantially in the form as that attached hereto, in the foregoing amount and for a zero-day time extension.
3. The Authority's staff and consultants are authorized to take all actions necessary to effectuate this Resolution.
4. This Resolution shall take effect as provided by law.

Certification of Funds

I, James Schilling, Executive Director, do hereby certify that sufficient funds are available in the 2024 budget from the line-item B-29, Capital.

/s/ James Schilling
Executive Director
Musconetcong Sewerage Authority
Dated: April 19, 2024

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

ATTEST:

Musconetcong Sewerage Authority



 Joseph Schwab, Secretary-Treasurer Steven Rattner, Chairman

Dated: April 25, 2024

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RESOLUTION NO. 24-28

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES
CONTRACT WITH ONE WATER CONSULTING LLC FOR
WATER QUALITY MONITORING AND DYNAMIC MODELING

WHEREAS, the Musconetcong Sewerage Authority (MSA) is permitted to discharge highly treated wastewater to the Musconetcong River in accordance with the terms and conditions of a New Jersey Pollutant Discharge Elimination Permit (NJPDES Permit) issued by the New Jersey Department of Environmental Protection (NJDEP) and desires to procure the services of a professional engineer for the purposes of conducting a water quality study and dynamic model to evaluate the necessity of the proposed effluent limitations for nitrates contained in the NJPDES Permit issued to MSA; and

WHEREAS, the MSA, pursuant to N.J.S.A. 40A:11-1 et seq., is authorized to retain such professionals and advisors as it may require without public bidding therefore, provided that the services to be rendered are to be performed by persons authorized by law to practice a recognized profession within the definition of a professional service pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, MSA has received a proposal in the amount of \$83,200.00, from One Water Consulting, LLC, dated April 3, 2024, attached hereto, and made a part hereof, for the performance of said professional engineering services; and

WHEREAS, the Authority is desirous of procuring such services pursuant to a "non-fair and open" contract pursuant to the provisions of the "New Jersey Local Unit Pay-To-Play" Law, P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the contract to be awarded is subject to the following:

1. The required Business Entity Disclosure Certification form has been submitted and will be placed on file.
2. The required Political Contribution Disclosure form has been submitted and will be placed on file.
3. The contract will prohibit the vendor from making any reportable contributions through the term of the contract.

WHEREAS the necessary funds are available in the MSA budget line-item B-29, Capital.

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority, as follows:

1. The Musconetcong Sewerage Authority does hereby authorize the Director to execute a Contract between the MSA and One Water Consulting, LLC, whose business address is located at 101 Poor Farm Road, 2nd Floor, Princeton, NJ 08540, in the amount of \$83,200.00, without the need for further authorization, in accordance with the attached proposal dated April 3, 2024. Said contract shall not allow political contributions pursuant to the applicable provisions of N.J.S.A. 19:44A-20 et seq.
2. The foregoing services are "professional" services as defined in N.J.S.A. 40A:11-2(6) which are permitted to be contracted without public bidding as set forth in N.J.S.A. 40A:11-5(1) (a) and as a "non-fair and open" contract pursuant to the provisions of N.J.S.A. 19:44A-20-5.
3. The Business Registration Certificate, Business Entity Disclosure Certification and Political Contribution Disclosure be placed on file with this resolution.

4. Within ten days of adoption of this Resolution, notice of the nature, duration and amount of the contract shall be published once in the newspaper of general circulation and a copy of this resolution and the agreements shall be on file and available for public inspection in the offices of the Authority as required by N.J.S.A. 40A-11.5.

5. This Resolution shall take effect as provided by law.

Certification of Funds

I, James Schilling, Executive Director, do hereby certify that sufficient funds are available in the 2024 budget from line-item B-29 Capital.

/s/ James Schilling
Executive Director
Musconetcong Sewerage Authority
Dated: April 19, 2024

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on April 25, 2024.

Musconetcong Sewerage Authority

ATTEST:


Joseph Schwab, Secretary-Treasurer


Steven Rattner, Chairman

Dated: April 25, 2024