

REORGANIZATION MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Chairman Rattner called the meeting to order at 6:30 PM. Following salute to colors, announcement was made that adequate notice of this meeting had been provided for as defined by the "Open Public Meetings Act".

MEMBERS PRESENT: Donald Bates, James Benson, Michael Grogan, John Keiser, Melanie Michetti, Daren Phil, Michael Pucilowski, Steven Rattner, Joseph Schwab, John Sylvester

MEMBERS ABSENT: David Hoyt, Edward Schwartz

OTHERS PRESENT: Larry Kron, Esq., Lee Purcell, P.E., James Schilling

MSA Attorney Larry Kron swore in the following Commissioners:

James Benson (Stanhope)
Michael Pucilowski (Mount Olive)
Joseph Schwab (Roxbury)

MSA Attorney Larry Kron swore in Michael Grogan to fill the unexpired term of Netcong Commissioner Patrick Kunkel until January 31, 2015.

Chairman Rattner opened the floor to nominations for Chairman. Motion made by Mr. Schwab, seconded by Mr. Benson nominating Steven Rattner as Chairman. Motion to close nominations offered by Mrs. Michetti, seconded by Mr. Sylvester and the affirmative roll call vote of members present. Motion made by Mr. Pucilowski, seconded by Mr. Schwab to approve the nomination of Steven Rattner as Chairman. Steven Rattner as Chairman was carried by the unanimous roll call vote of members present.

Motion offered by Mr. Bates, seconded by Mr. Schwab nominating John Sylvester as Vice-Chairman. Motion to close nomination by Mr. Benson seconded by Mr. Pucilowski and the affirmative roll call vote of members present. Motion made by Mr. Pucilowski, seconded by Mr. Bates to approve the nomination of John Sylvester as Vice-Chairman. John Sylvester as Vice-Chairman was carried by the unanimous roll call vote of members present.

Motion offered by Mr. Pucilowski, seconded by Mrs. Michetti nominating Joseph Schwab as Secretary-Treasurer. Motion to close nominations by Mr. Sylvester, seconded by Mr. Pucilowski and the affirmative roll call vote of members present. Motion made by Mr. Pucilowski, second by Mr. Bates to approve the nomination of Joseph Schwab as Secretary-Treasurer. Joseph Schwab as Secretary-Treasurer was carried by the unanimous roll call vote of members present.

Motion offered by Mr. Schwab, seconded by Mrs. Michetti nominating James Benson as Assistant Secretary-Treasurer. Motion to close nominations by Mr. Sylvester seconded by Mr. Pucilowski and the affirmative roll call vote of members present. Motion made by Mr. Pucilowski, second by Mr. Bates to approve the nomination of James Benson as Assistant Secretary-Treasurer. James Benson as Assistant Secretary-Treasurer was carried by the unanimous roll call vote of members present.

The commissioners discussed the various committee appointments for 2013. Chairman Rattner explained the need for a Finance/Audit Committee. It was agreed that a Finance and Audit Committee should be created. The Engineering Committee, and Operations, Maintenance and Safety Committee responsibilities and duties were discussed. It was decided to combine the Operations, Maintenance and Safety Committee with the Engineering Committee. The responsibilities of the Insurance Commissioner were also discussed and the Insurance Commissioner would be required to attend the monthly JIF meetings. The Purchasing Agent responsibilities were also discussed briefly. The Personnel Committee was evaluated and revised. The commissioners decided that Mr. Schwartz could also be a member of the Personnel Committee.

Motion by Mr. Benson, seconded by Mr. Pucilowski and carried by the unanimous roll call vote of members present, approving the following appointments by Chairman Rattner:

Finance/Audit Committee	James Benson, Steven Rattner, Joseph Schwab
Insurance Commissioner	James Benson
Operations, Maintenance & Safety Committee	Michael Grogan, John Kieser, Melanie Michetti, Michael Pucilowski
Personnel Committee	Daren Phil, John Sylvester, Edward Schwartz
Purchasing Agent Commissioner	Donald Bates

Chairman Rattner discussed the resolutions to be approved for the professional services. Mr. Kron indicated that he will be drafting contract agreements for each of the professionals to sign after the resolutions have been approved. Chairman Rattner also discussed insurance coverage for each of the professionals and explained some of the requirements to the commissioners. The commissioners discussed what they knew to be appropriate for insurance coverage for professional contracts.

Mr. Pucilowski left the meeting at 7:23 PM.

Res. No. 13-01 Authorizing the Award of a Contract for Professional Services to Lee T. Purcell Associates for Engineering Services as a Non-Fair and Open Contract Pursuant To the Provisions of N.J.S.A. 19:44A-20.4 or 20.5 and without Public Advertising as a Professional Service, was moved by Mr. Sylvester, seconded by Mr. Kieser and the affirmative roll call vote of members present.

RESOLUTION NO. 13-01

Resolution of the Musconetcong Sewerage Authority Authorizing the Award of a Contract for Professional Services to Lee T. Purcell Associates for Engineering Services as a Non-Fair and Open Contract Pursuant To the Provisions of N.J.S.A. 19:44A-20.4 or 20.5 and without Public Advertising as a Professional Service

WHEREAS, the Musconetcong Sewerage Authority has a need to acquire professional engineering services for the period from February 6, 2013 through February 1, 2014 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the Secretary/Treasurer has determined and certified in writing that the value of the acquisition will exceed Seventeen Thousand Five Hundred (\$17,500.00) Dollars; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Lee T. Purcell Associates has submitted a proposal indicating that they will provide engineering services at the rate of:

- A. (\$) Dollars for:
 1. Maintenance and Updating of MSA files from 1965 to present;
 2. Receive, Review and Respond to General Correspondence, Phone Calls, and E-mails;
 3. Review monthly DMRs and SQAR Reports;
 4. Prepare for, attend and participate at all MSA Regular Meetings;
 5. Keep the Authority apprised:
 - o State and Federal Regulatory Changes
 - o Issues Affecting the Authority
 - o Potential Funding Sources available to the Authority, its Members and their respective communities.; and

B. Engineering Services billed at the rate on the attached Fee Schedule.

WHEREAS, Lee T. Purcell Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Hopatcong, Borough of Mount Arlington, Township of Mount Olive, Borough of Netcong, Township of Roxbury or Borough of Stanhope in the previous one (1) year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available in the annual budget of the Musconetcong Sewerage Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Chairman is hereby authorized to enter into a Contract with Lee T. Purcell Associates as described herein; and be it

FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and be it

FURTHER RESOLVED, that the Contract shall not exceed Three Thousand (\$3,000.00) Dollars without further authorization from the Commissioners of the Musconetcong Sewerage Authority; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is authorized to execute the Contract in the form attached hereto; and be it

FURTHER RESOLVED, that the Musconetcong Sewerage Authority publish in the official newspaper of publication a legal advertisement advising of the award as required by N.J.S.A. 40A:11-5.

Res. No. 13-02 Authorizing the Award of a Contract for Professional Services to Larry I. Kron, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron, as Legal Counsel as a Non-Fair and Open Contract Pursuant to the Provisions of N.J.S.A. 19:44A-20.4 or 20.5 and Without Public Advertising as a Professional Service, was moved by Mrs. Michetti, seconded by Mr. Schwab and the affirmative roll call vote of members present.

RESOLUTION NO. 13-02

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Larry I. Kron, Esq., of Nusbaum, Stein, Goldstein,
Bronstein & Kron, as Legal Counsel as a Non-Fair and Open
Contract Pursuant to the Provisions of
N.J.S.A. 19:44A-20.4 or 20.5 and Without Public
Advertising as a Professional Service**

WHEREAS, the Musconetcong Sewerage Authority has a need to acquire legal services for the period from February 6, 2013 through February 1, 2014 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the Secretary/Treasurer has determined and certified in writing that the value of the acquisition will exceed Seventeen Thousand Five Hundred (\$17,500.00) Dollars; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Larry I. Kron, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron has submitted a proposal indicating that they will provide legal services at the rate of:

A. Six Thousand (\$6,000.00) Dollars for attendance at twelve (12) regular meetings of the Authority; and

B. \$220.00 per hour for all other legal services; and

WHEREAS, Larry I. Kron, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Hopatcong, Borough of Mount Arlington, Township of Mount Olive, Borough of Netcong, Township of Roxbury or Borough of Stanhope in the previous one (1) year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Secretary/Treasurer of the Musconetcong Sewerage Authority has certified that funds are available in the annual budget of the Musconetcong Sewerage Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Chairman is hereby authorized to enter into a Contract with Larry I. Kron, Esq., of Nusbaum, Stein, Goldstein, Bronstein & Kron as described herein; and be it

FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is authorized to execute the Contract in the form attached hereto; and be it

FURTHER RESOLVED, that the Musconetcong Sewerage Authority publish in the official newspaper of publication a legal advertisement advising of the award as required by N.J.S.A. 40A:11-5.

Res. No. 13-03 Authorizing the Award of a Contract for Professional Services to Vincent M. Montanino of VM Associates, Inc. for Auditing Services as a Non-Fair and Open Contract Pursuant To N.J.S.A. 19:44A-20.4 or 20.5 and without Public Advertising as a Professional Service, was moved by Mrs. Michetti, seconded by Mr. Sylvester and the affirmative roll call vote of members present.

RESOLUTION NO. 13-03

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Vincent M. Montanino of VM Associates, Inc.
for Auditing Services as a Non-Fair and Open
Contract Pursuant To N.J.S.A. 19:44A-20.4 or 20.5 and
without Public Advertising as a Professional Service**

WHEREAS, the Musconetcong Sewerage Authority has a need to acquire auditing services as a non-fair and open contract for the period from February 6, 2013 through February 1, 2014 pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Vincent M. Montanino of VM Associates, Inc., has submitted a proposal indicating that they will provide auditing services at the rate of Seven Thousand (\$7,000.00) Dollars; and

WHEREAS, Vincent M. Montanino of VM Associates, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Hopatcong, Borough of Mount Arlington, Township of Mount Olive, Borough of Netcong, Township of Roxbury or Borough of Stanhope in the previous one (1) year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available in the annual budget of the Musconetcong Sewerage Authority.
NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Chairman is hereby authorized to enter into a Contract with Vincent M. Montanino of VM Associates, Inc., as described herein; and be it

FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and be it

FURTHER RESOLVED, that the Contract shall not exceed Seven Thousand (\$7,000.00) Dollars without further authorization from the Commissioners of the Musconetcong Sewerage Authority; and be it

FURTHER RESOLVED, that this Resolution is subject to VM Associates, Inc., providing satisfactory proof of malpractice insurance; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is authorized to execute the Contract in the form attached hereto; and be it

FURTHER RESOLVED, that the Musconetcong Sewerage Authority publish in the official newspaper of publication a legal advertisement advising of the award as required by N.J.S.A. 40A:11-5.

Res. No. 13-04 Authorizing the Award of a Contract for Professional Services to Hawkins, Delafield & Wood, as Bond Counsel as a Non-Fair and Open Contract Pursuant to the Provisions of N.J.S.A. 19:44A-20.4 or 20.5 and without Public Advertising as a Professional Service, was moved by Mr. Sylvester, seconded by Mr. Schwab and the affirmative roll call vote of members present.

RESOLUTION NO. 13-04

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services to Hawkins, Delafield & Wood,
as Bond Counsel as a Non-Fair and Open
Contract Pursuant to the Provisions of
N.J.S.A. 19:44A-20.4 or 20.5 and without
Public Advertising as a Professional Service**

WHEREAS, the Musconetcong Sewerage Authority has a need to acquire general bond counsel advisory services for the period from February 6, 2013 through February 1, 2014 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Hawkins, Delafield and Wood have submitted a Schedule of Charges for General Bond Advisory Services which is attached hereto; and

WHEREAS, Hawkins, Delafield and Wood have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Hopatcong, Borough of Mount Arlington, Township of Mount Olive, Borough of Netcong, Township of Roxbury or Borough of Stanhope in the previous one (1) year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that the Chairman is hereby authorized to enter into a Contract with Hawkins, Delafield and Wood as described herein; and be it

FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and be it

FURTHER RESOLVED, that this Resolution is subject to Hawkins, Delafield and Wood providing satisfactory proof of malpractice insurance; and be it

FURTHER RESOLVED, that Steven Rattner as Chairman is authorized to execute the Contract in the form attached hereto; and be it

FURTHER RESOLVED, that the Musconetcong Sewerage Authority publish in the official newspaper of publication a legal advertisement advising of the award as required by N.J.S.A. 40A:11-5.

Chairman Rattner discussed the bank depositories and how it was decided that TD Bank and US Bank were the preferred banks at present. Laboratory services were discussed. Mr. Schilling had sent out three requests for proposals. Two of the companies could not meet the criteria for the services requested. Mr. Schilling explained some of the laboratory services that are required by the MSA. The lowest bid was received from the laboratory services company that the MSA presently uses. Laboratory services would be discussed further at the regular meeting. The risk management consultant was discussed briefly. It was decided to hold off on appointing a risk management consultant at this time. The commissioners also discussed obtaining a new labor attorney. It was decided that labor attorney services would not be needed in the immediate future and they would follow up after more discussion and research was accomplished.


The following one-year appointments were made by the MSA on a motion offered by Mrs. Michetti, seconded by Mr. Bates and carried by the unanimous roll call vote of members present.

DEPOSITORY	TD Bank, US Bank
PLANT PHYSICIAN	Medical Center at Budd Lake
OFFICIAL NEWSPAPER	Daily Record
OTHER NEWSPAPER	New Jersey Herald
NEWSPAPER FOR BIDS	Star-Ledger

Chairman Rattner opened and closed the meeting to the public.

Motion made by Mr. Sylvester, seconded by Mrs. Michetti and the affirmative roll call vote of members present, Chairman Rattner adjourned the meeting at 7:39 PM.

Respectfully Submitted:



Susan Grebe,
Administrative Assistant