

REGULAR MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

Chairman Rattner called the meeting to order at 7:30 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, David Hoyt, Michael Grogan, John Keiser, Melanie Michetti, Michael Pucilowski, Steven Rattner, Joseph Schwab, Edward Schwartz

MEMBERS ABSENT: Daren Phil, John Sylvester

OTHERS PRESENT: Larry Kron, Esq., Lee Purcell, PE, Fenton Purcell, PE, James Schilling, Marvin Joss, QPA

Chairman Rattner open and closed the meeting to the public.

The meeting minutes of February 6, 2013 were approved on a motion offered by Mr. Bates, seconded by Mr. Keiser. Roll Call:

Mr. Bates	Yes	Mrs. Michetti	Yes
Mr. Benson	Yes	Mr. Pucilowski	Abstained
Mr. Hoyt	Abstained	Mr. Rattner	Yes
Mr. Grogan	Yes	Mr. Schwab	Yes
Mr. Keiser	Yes	Mr. Schwartz	Abstained

The meeting minutes of February 28, 2013 were approved on a motion offered by Mr. Pucilowski, seconded by Mr. Schwab. Roll Call:

Mr. Bates	Yes	Mrs. Michetti	Yes
Mr. Benson	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Abstained	Mr. Rattner	Yes
Mr. Grogan	Yes	Mr. Schwab	Yes
Mr. Keiser	Yes	Mr. Schwartz	Abstained

The Expenditures/Treasurer's Report was accepted on a motion offered by Mr. Schwab seconded by Mr. Schwartz and the affirmative roll call vote of members present.

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

CONSTRUCTION ACCOUNT	
LTPA	\$1,355.05
OPERATING ACCOUNT	
ADP (3/1 to 3/15)	\$797.27
Accurate Waste Removal	\$1,134.00
AmeriGas	\$2,740.10
Cintas First Aid	\$226.07
Cintas Corp.	\$467.28
Cit-e-net	\$1,500.00
Deli Delicious	\$100.25
EM Electrical	\$149.00
Family Ford	\$1,823.81
Federal Express	\$63.53
Fisher Scientific	\$55.72
Grainger	\$117.63
Hach	\$1,578.57
Hess	\$3,381.14
JCP&L	\$10,365.77
J.W. Topping & Associates	\$1,081.00
Keller Welding	\$435.00
Kemira	\$9,749.11
Kurt's Locksmith Service	\$327.12
LTPA	\$5,270.00
Lowe's	\$102.38
NJSHBP	\$16,140.45
New Jersey American Water	\$527.12
Netcong Hardware	\$5.39

North Jersey NJWEA	\$63.00
Nussbaum Stein	\$1,980.00
One Call	\$18.24
PERS	\$84,699.00
PPL Energy	\$24,797.16
Passaic Valley Sewerage	\$18,088.40
Polydyne	\$2,052.00
QC Labs	\$1,445.00
James Schilling	\$211.40
Shell Fleet Plus	\$755.09
Spectraserve	\$14,124.44
Staples	\$69.01
David Stracco	\$170.00
Treasurer, State of New Jersey	\$855.00
Unum Life Insurance	\$1,388.90
Verizon	\$654.23
Verizon Communications	\$50.74
Water Environment Federation	\$79.00
Waste Management	\$460.74

The correspondence received regarding the proposed amendment to the Sussex County Water Quality Management Plan was discussed. Mr. Keiser questioned the correspondence from LTPA regarding the 2013 reappointment and asked if a contract had been prepared with the resolution. Mr. Kron responded that a contract had been prepared and will be signed. The following correspondence for the month of March was received and filed on a motion offered by Mr. Pucilowski, seconded by Mr. Schwab and the affirmative vote of members present.

- A. 3/1/13 L. Kron, Esq. – Service Contracts/Sale of Gallonage
- B. 3/4/13 L. Kron, Esq. – Handrail Repairs Contract w/LTPA for Design & Bid Periods
- C. 3/7/13 NJDEP – NJEIT Project No. S340384-08 Final Loan Decrease
- D. 3/8/13 LTPA – 2013 Reappointment of LTPA
- E. 3/11/13 County of Sussex – Proposed Amendment to Sussex County WQMP
- F. 3/18/13 NJDEP – Annual Fee Report and Assessment of Fees
- G. 3/18/13 L. Kron, Esq. – Alternate Professional Engineering Services
- H. 3/18/13 L. Kron, Esq. – Risk Management Consulting Services
- I. 3/20/13 LTPA – Consulting Engineers Certificate for US Bank

Mr. Schilling asked if the commissioners had reviewed his monthly report and if anyone had any questions. Mr. Schwab asked about the sludge thickener and if it has been repaired. Mr. Schilling responded he was in the process of soliciting quotes and explained that one of the sludge thickeners has been off-line since before he was employed at the MSA. Mr. Schilling estimated that the repairs should be completed by the end of April. The new sign-in procedures were briefly discussed.

Mr. Schilling also reported on Pump Station No. 2 in Roxbury Township and that it was the only MSA pump station without security. He explained the importance of having security around a pump station for safety and security reasons. He said that beer cans were recently discovered on-site and the crane hoist had been disconnected. Mrs. Michetti suggested that Mr. Schilling write a letter to the Roxbury Township Engineer regarding the situation. Mr. Kron said the MSA should submit an application to Roxbury Township to put a security fence around the pump station. The situation was discussed by the commissioners further. It was decided that the Roxbury police should also be notified.

The Repairs and Maintenance Report was accepted on a motion offered by Mr. Pucilowski, seconded by Mr. Hoyt and the affirmative vote of members present.

Mr. Keiser asked if the contract with LTPA included that plans and specifications prepared by LTPA would be under the ownership of the MSA. Mr. Kron said he would review it.

Lee Purcell, P.E. reported there is still no new progress on the request for appeal process/stay.

Mr. Purcell reported that a final inspection was conducted by the NJDEP for the loan application contracts 220, 230 and 240 on March 12th. The contract loan application is now successfully closed out. The MSA received two letters indicating that the State de-obligated funds from the loan that the MSA did not need to expend which included \$45,922.00 in funds and \$26,398.00 from the trust share. The trust share will be burned off the loan payment due in August. Chairman Rattner said that there is an additional \$388,000.00 left in the priority construction projects account. The additional money is left because the planning and design costs were far lower than the allowance permitted by the State. He noted that Mr. Purcell suggested the money should be transferred into the renewal and replacement account if possible. Mr. Rattner said he discussed it with the MSA accountant who is reviewing the matter.

Mr. Purcell also reported on the status of the water service for Pump Station No. 6 and the emergency handrail repairs.

Mr. Purcell also reported on the Phase 2 of the handrail repairs and that a proposal from LTPA has been submitted. He also reported on the interceptor sewer repairs needed and the proposal that LTPA had submitted for that work.

Mr. Purcell reported on the Asset Management Program. LTPA met with Mr. Schilling to discuss the program for the MSA. Fenton Purcell, P.E. explained that the NJDEP wants all utilities to develop an Asset Management Plan. He researched the program and discussed the data that he had reviewed. Mr. Purcell also stated that this program would help in acquiring additional funding in the future.

Chairman Rattner asked Mr. Schilling to outline the two proposals submitted by LTPA for the Phase 2 handrail repairs and the interceptor sewer repairs needed. Mr. Schilling reiterated that the handrail repairs had been discussed at previous meetings and the nine emergency handrail repairs were almost completed. He said that the Engineering, Operations, Maintenance and Safety Committee had two recent meetings to discuss the emergency handrail work and had approved the \$8,000.00 proposal fee from LTPA to complete the construction inspection of the emergency handrail work. Mr. Pucilowski added that the \$8,000.00 proposal fee would also cover inspection and guidance for repairs that can be completed by the MSA staff. The commissioners discussed the work that could be completed by the staff and what would be required. Chairman Rattner explained that there were basically three types of work required; the emergency repairs, repairs that needed to be completed by a contractor, and basic repairs that could be completed by the staff. Mr. Purcell said that LTPA would make sure the proper materials would be used and the work would be done correctly to the plans and specifications he prepares. Mr. Schilling further explained how the work is anticipated to be accomplished and inspected by LTPA. He also said that this work is the recommendation of the Engineering, Operations, Maintenance and Safety Committee at their recent meeting. The commissioners further discussed the proposal fee and how the work would be accomplished. Mrs. Michetti said that photos should be taken as the work progresses to assist with inspection issues that could arise.

Res. No. 13-10 Authorizing the Award of a Contract for Professional Services to Lee T. Purcell Associates for Design Period Services, Bid Period Services and Part-Time Resident Engineering for Inspection During Construction for Handrail Repairs to the Sewage Facilities of the Musconetcong Sewerage Authority Without Public Advertising as a Professional Service was moved by Mr. Pucilowski, seconded by Mrs. Michetti and the affirmative roll call vote of members present.

RESOLUTION NO. 13-10

Resolution of the Musconetcong Sewerage Authority Authorizing the Award of a Contract for Professional Services to Lee T. Purcell Associates for Design Period Services, Bid Period Services and Part-Time Resident Engineering for Inspection During Construction for Handrail Repairs to the Sewage Facilities of the Musconetcong Sewerage Authority Without Public Advertising as a Professional Service

WHEREAS, the Musconetcong Sewerage Authority (hereinafter "MSA") is desirous of awarding a Contract for Professional Services to Lee T. Purcell Associates for engineering services to provide Design Period Services, Bid Period Services and Part-Time Resident Engineering for Inspection during construction for the handrail repairs to the sewage facilities of the MSA; and

WHEREAS, N.J.S.A. 40A:11-5 permits the award of a Contract without public advertising for bid and bidding of professional services; and

WHEREAS, the MSA is desirous of employing Lee T. Purcell Associates to render professional services for the Design Period, Bid Period and Part-Time Resident Engineering for Inspection during the construction of handrail repairs to the sewage facilities of the MSA; and

WHEREAS, the MSA has previously awarded a non-fair and open contract to Lee T. Purcell Associates to provide engineering services to the MSA; and

WHEREAS, the Secretary/Treasurer of the MSA has certified that funds are available in the budget of the MSA.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Musconetcong Sewerage Authority that a Contract is awarded to Lee T. Purcell Associates for engineering services to provide Design Period Services, Bid Period Services and Part-Time Resident Engineering for Inspection during the construction of handrail repairs to the sewage facilities of the MSA in a fixed fee amount as follows:

<u>Design Period Services</u> – Preparation of Plans for Public Bidding, Preparation of Specifications for Public Bidding, Preparation of Pre-Bid Construction Cost Estimates, and Prepare SOP for in-house crack repairs	\$	15,000.00
<u>Bid Period Services</u> – Engineering Services during Bid Period	\$	2,000.00

<u>Part-Time Resident Engineering and Inspection</u>	
<u>During Construction</u>	\$ 8,000.00
TOTAL SUM:	\$ 25,000.00

The amount will not exceed the bid without further authorization of the MSA; and it is
FURTHER RESOLVED, that the Engineer will bill monthly for these services upon completion; and be it

FURTHER RESOLVED, that Steven Rattner, as Chairman of the MSA is hereby authorized to sign the Agreement between Lee T. Purcell Associates and the MSA; and be it

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

Mr. Schilling reported that the Engineering, Operations, Maintenance and Safety Committee met and discussed the sewer interceptor repairs needed and LTPA's proposal for the work. He said that the Engineering, Operations, Maintenance and Safety Committee would like to break-out the interceptor work over a three or four year period. There was discussion that some of the design work may not have been done under the change order for Contract 240. The Engineering, Operations, Maintenance and Safety Committee is recommending that the interceptor repairs be completed under bid for the entire project. Mr. Bates asked how many repairs needed to be made. Mr. Purcell stated that there are 21 repairs needed in total. The commissioners discussed the various repairs needed. There was also discussion about the member towns and contractors notifying the MSA before they do any work on the interceptor and how that should be accomplished. The decision was made to develop a fee schedule and application that would have to be submitted to the MSA before connections are made to the interceptor. Also, the member towns would have to be notified of the new procedure required and would need to adopt this request. The commissioners discussed the total cost and funding for the project. Mr. Schwab expressed concern regarding availability of funds for the project. The time frame and bidding for the project was also discussed. LTPA's proposal submitted for the project was discussed.

A motion was offered by Mr. Pucilowski to approve the proposal submitted for \$34,000.00 by LTPA to start work on preparing and designing the plans for the interceptor sewer project and not to go out to bid at this time, seconded by Mr. Hoyt. Mr. Kron will prepare Resolution No. 13-13 for the meeting on April 25, 2013 to approve the contract. Roll Call:

Mr. Bates	Yes	Mrs. Michetti	Yes
Mr. Benson	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Yes	Mr. Rattner	Yes
Mr. Grogan	Yes	Mr. Schwab	No
Mr. Keiser	Yes	Mr. Schwartz	Yes

The Engineer's Report was accepted on a motion offered by Mr. Pucilowski, seconded by Mr. Hoyt and the affirmative vote of members present.

Res. No. 13-11 Authorizing the Award of a Contract for Professional Services to CP Engineers, LLC for Engineering Services as Needed Without Public Advertising as a Professional Service was moved by Mr. Schwab, seconded by Mr. Kieser. Roll Call:

Mr. Bates	Yes	Mrs. Michetti	Yes
Mr. Benson	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Yes	Mr. Rattner	Yes
Mr. Grogan	Yes	Mr. Schwab	Yes
Mr. Keiser	Yes	Mr. Schwartz	Abstained

RESOLUTION NO. 13-11

Resolution of the Musconetcong Sewerage Authority Authorizing the Award of a Contract for Professional Services to CP Engineers, LLC for Engineering Services as Needed Without Public Advertising as a Professional Service

WHEREAS, the Musconetcong Sewerage Authority has a need to acquire alternate professional engineering services as needed by the Authority for the period from March 20, 2013 through February 1, 2014 as a professional service; and

WHEREAS, the Secretary/Treasurer has determined and certified in writing that funds are available; and

WHEREAS, the anticipated term of this contract is eleven (11) months; and

WHEREAS, CP Engineers, LLC, has submitted a proposal indicating that they will provide engineering services at the rate indicated on the attached Fee Schedule; and

WHEREAS, CP Engineers, LLC, 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 CP Engineers, LLC, 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. 13-12 Resolution of the Musconetcong Sewerage Authority Authorizing the Award of a Contract for Professional Services for Risk Management Consulting Services to Stanford Risk Management Services, Inc., 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. Benson, seconded by Mr. Bates. Roll Call:

Mr. Bates	Yes	Mrs. Michetti	Yes
Mr. Benson	Yes	Mr. Pucilowski	Yes
Mr. Hoyt	Yes	Mr. Rattner	Yes
Mr. Grogan	Yes	Mr. Schwab	Yes
Mr. Keiser	Yes	Mr. Schwartz	Abstained

RESOLUTION NO. 13-12

**Resolution of the Musconetcong Sewerage Authority
Authorizing the Award of a Contract for Professional
Services for Risk Management Consulting Services
to Stanford Risk Management Services, Inc., 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 Risk Management Services pursuant to N.J.S.A. 40A:11-5.m for the period from March 28, 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 eleven (11) months; and

WHEREAS, Stanford Risk Management Services, Inc., has submitted a proposal indicating that they will provide risk management services at the rate of six (6%) percent of the Authority's annual assessment as promulgated by the New Jersey Utility Municipal Joint Insurance Fund; and

WHEREAS, Stanford Risk Management Services, 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 him 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 Sanford Risk Management Services, 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 six (6%) percent of the Authority's annual assessment as promulgated by the New Jersey Utility Municipal Joint Insurance Fund; 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.

Mr. Schwartz suggested that the Engineering, Operations, Maintenance and Safety Committee meet and put together the fee schedule, application and MSA procedures for connections to the interceptor to the member towns, as previously discussed during the meeting, and submit the information to the towns. Mrs. Michetti said that the DCA would need to be contacted to verify if the procedures being considered will not conflict with other regulations and codes and can actually be put into affect. The commissioners discussed how to proceed. Mr. Keiser suggested that the MSA should have ownership of any plans or specifications. Mr. Kron said he would prepare a general contract. Mr. Schilling said he would set up a meeting for the Engineering, Operations, Maintenance and Safety Committee.

Motion made by Mr. Hoyt, seconded by Mr. Pucilowski and the affirmative roll call vote of members present, Chairman Rattner adjourned the meeting at 8:57 PM.

Respectfully Submitted:

A handwritten signature in cursive script, appearing to read "Susan Grebe".

Susan Grebe,
Administrative Assistant