

REGULAR MEETING/WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

JANUARY 30, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 1/30/2020. Copies of the recording are available at the office of the VTMUA.

1. Call to Order

Vice Chairman Thomas Buchney called the meeting to order at 7:12 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press by delivering to the press such notice and posting same at the municipal building and filed with the office of the VTMUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members

The following members were present:

Thomas Buchney

Kristin Wheaton

Paul Kearney

Dave McDermott

The following members were absent:

Angela Erichsen, Ed Seger and John Perry

5. Roll Call of Professionals

The following professionals were present: Executive Director Matthew Biagini, Chief Financial Officer, Donelle Bright, Attorney John J. Abromitis, Engineer Ceren Aralp, Auditor Robert McNinch.

6. Public Comment

Mr. Kearney moved to open the Regular Session at 7:15 p.m. seconded by Mr. McDermott and carried via unanimous vote.

Jessica Paladini asked about the presence of a secretary to the Board. She wished to address items discussed at the Vernon Town Council meeting. In response to Ms. Paladini, Mr. Abromitis confirmed he was Counsel. At this time, she raised the question regarding the Open Public Records Request ("OPRA") and stated the custodian has seven (7) days to provide the requested documents. She went over her options if the request is not fulfilled. She noted that attorney Richard Wenner emailed her copies of previous minutes. She stated that she has been requesting all of the 2018 Executive Session meeting minutes, the meeting recordings and the regular meeting minutes from February 2019 to the present of January 2020. She minutes were not posted to the MUA website after she left as secretary. Ms. Paladini further noted that she sent an email to the Executive Director requesting a status on the records request and was advised they should be provided by February 6th. She added the outstanding minutes had happened prior to his taking the position. She commented that as the OPRA custodian, he is responsible for complying with the request within seven days.

Ms. Paladini noted comments made by former Mayor Shortway with regards to the 2018 executive sessions of the MUA were defamatory. She commented former Mayor Shortway interfered, colluded and intimidated the MUA during her time as Recording Secretary to the Board. She commented Mayor Burrell was an honest man with integrity. She commended the former and current commissioners and professionals of the Board. She noted that the members of the Board who were on the Waste Water Feasibility Committee were creating a conflict of interest. Ms. Wheaton expressed disagreement with Ms. Paladini's comments regarding Mr. McDermott and Mr. Kearney. Ms. Paladini noted the Committee was created to dissolve the MUA.

Sally Rinker addressed the Board. She explained dissolving an authority is not simple with the interplay with Mountain Creek, the sewer obligations and debt. She expressed concerns about the process and pointed out the January 13, 2020 Town meeting agenda items of discussion listed on the MUA. She advised that Mr. Perry stated he did not know what was going to be discussed about this item at the Town Council meeting. Ms. Rinker informed the Town Council discussed dissolving the MUA. She expressed concern about the economic future of the Township of Vernon and connection with the MUA. She stated she wished to see a sub-committee of attorneys, engineers and financial people who understand the interplay between the MUA debt, the Mountain Creek agreement, the pros and cons and all facets of the MUA. She objected to the sub-committee that was selected.

There being no further comments to be heard, motion to close the meeting to the public was made by Mr. McDermott, seconded by Mr. Kearney and declared carried by Mr. Buchney with all in favor.

7. Consent Agenda

Resolution 20-01: Payment of December 2019 Bills

Motion to approve was made by Ms. Wheaton and seconded by Mr. Buchney.

Discussion: None

Roll Call Vote:

Ayes – Mr. Buchney, Mr. Wheaton, Paul Kearney, Dave McDermott

Nays - None

8. Other Resolutions

Resolution 20-02: To Adopt the Budget For 2020

Motion was made to open the meeting to the public for the purpose of discussing the budget by Mr. McDermott and seconded by Mr. Buchney.

No one wishing to be heard, motion was made to close the meeting to the public by Mr. McDermott and seconded by Mr. Buchney.

Motion was made to approve the Budget by Mr. McDermott and seconded by Mr. Buchney

Discussion: None

Roll Call Vote:

Ayes – Mr. Buchney, Ms. Wheaton, Mr. Kearney, Mr. McDermott

Nays-None

Resolution 20-03: Rate Increase For 2020

Motion was made to open the meeting to the public for the rate hearing by Mr. Buchney and seconded by Mr. McDermott.

Ms. Wheaton questioned Mr. Buchney whether there was a copy of the resolution. Ms. Donelle Bright, Chief Financial Officer informed the resolution was drafted but not distributed and follows the publication in the newspaper. She informed the EDU's are increasing to \$1,415.00 per EDU. Ms. Wheaton asked for clarification if that was a \$110.00 increase and Ms. Bright confirmed. In response to Mr. Buchney, Ms. Bright explained that this year there was significantly less being used than in the past as so much had been depleted; only \$40,000.00 was currently being used as opposed to \$100,000.00 in prior years. She expressed concern, noting she would like to have more available to aide with the significant debt increase in 2023.

In response to Mr. Buchney, Ms. Bright confirmed the Board could adopt the resolution without it being on an agenda and the adoption was imperative due to sewer bills being issued.

Motion to approve the resolution for the proposed 2020 rate schedule was made by Mr. Buchney and seconded by Mr. McDermott

Roll Call Vote:

Ayes - Mr. Buchney, Ms. Wheaton, Mr. Kearney, Mr. McDermott

Nays - None

9. Approval of Minutes NONE

10. Correspondence NONE

11. Auditor's Report—Discuss the Budget for 2020

Mr. McNinch stated adopting the 2020 Budget fulfilled the statutory obligation of the Board. This year the budget is for \$2.814 million, which is a 2.3 % increase over the 2019 budget. He explained that there is an escalating debt obligation. He informed the EDU base from 2018 to 2019 did not significantly increase. The firm advised in years prior the Board would need 50 additional EDUs added per year to create static rates.

12. Attorney's Report

None

13. Engineer's Report

A. Review of New Applications—Block 141.1, Lot 12, Thaiphoon Restaurant, 5 Church Street

Ms. Aralp informed this was the fourth resubmittal and stated that the original number of seats had been reduced from 88 seats to 65 seats. There has been a reduction in the EDU calculations to 9.25 EDUs. It is proposed to regrade the site to ensure the required coverage. There was a review of the revised drawings to regrade the sidewalk and install a grease trap. She recommended that inspection take place as soon as they are ready for construction. The EDU count is based a per seat calculation.

In response to Mr. Buchney, Ms. Aralp confirmed they are moving the kitchen from the basement

Motion was made to approve the accepted EDUs by Mr. Buchney and seconded by Mr. McDermott.

Roll Call Vote:

Ayes-Mr. Buchney, Ms. Wheaton, Mr. Kearney, Mr. McDermott

Nays-None

B. Old Business—None

14. Executive Director's Report

Mr. Biagini discussed that they have pricing proposal for the certified Qualified Purchasing Agent ("QPA") for 2020 from Thomas Carroll and from the Canning Group as the outside agency to be bidding on the award of the contract. Ms. Bright clarified that she had not worked with Mr. Carroll previously, as he had no access to prior purchase order approvals in MSI; she

has worked with Mr. Canning on the Township side. Mr. McNinch advised he had worked with them both. Mr. Buchney recommended continuing with the current QPA Mr. Carroll. Mr. Kearney stated outside of price preferential he had no comment. Ms. Wheaton asked for his name and for a vote on the acceptance of the QPA for the services for the upcoming year of 2020.

Mr. Buchney moved to continue with the current QPA and to select Mr. Carroll as the QPA for 2020 and was carried via unanimous vote.

15. Commissioners' Comments NONE

16. Chairman's Comments

Mr. Buchney informed he received Mr. Perry's resignation and commended Mr. Perry for his service to the MUA. He recommend that it might be best handled at the next meeting and review the responsibilities and select an appropriate person to fill the position. He explained that the position is appointed by the Town Council. Mayor Burrell was present at the meeting and confirmed same.

Mr. Kearney commented he was sorry to see Mr. Perry leave. He explained he was asked to be involved by serving on the Waste Water Feasibility Committee and was not aware of other people being asked to the committee. The MUA is a check and balance, acting independently of the Town. His did not wish to abolish the MUA, but rather listen to others regarding concerns. Mr. Kearney further suggested each commissioner have a part in the restructuring of the MUA.

Ms. Wheaton questioned why there was no current recording secretary, noting there is a need to keep up with the minutes, the MUA web site publications, distribution of materials and resolutions and stated that it should be a priority for the board. She requested that the Executive Director initiate the process. Ms. Wheaton noted she was unaware of prior OPRA requests by Ms. Paladini. Mr. Biagini informed he had gone through all the documents and papers in the MUA office. He commented that Mr. Wenner had been involved with the taking of the minutes and he has also reached out to him for same. Ms. Wheaton clarified that they had just learned of this request.

Ms. Wheaton noted her desire to have clear communication with the Township Council regarding the Waste Water Feasibility Committee and any appointments moving forward. She acknowledged many of the items brought up at the Council meeting were from prior years' shortcomings and stated that it is not representative of the current Board. She agreed with Mr. Kearney on having MUA specific issues addressed by the Board.

At this time Mayor Burrell requested Mr. Buchney that the floor be re-opened to the public.

Mr. Kearney moved to re-open to the public seconded by Mr. McDermott and carried via unanimous vote.

Mayor Burrell advised he did not believe the goal was or would be to disband the MUA. He noted he works closely with Mr. Shortway and has confidence in him and that they both wish to

move forward. Mayor Burrell informed of his commitment to the Township as Mayor that he would look into the Township sewers and asserted that economic development is vital. In order to form a solution, he has looked into prior agreements, had conversations with professionals, visited the assets and advised of his involvement with the North Jersey District Water Supply Commission. He expressed confidence that there will not be any conflict between Mr. Shortway and the MUA. Mayor Burrell acknowledged the Authority needs to be run in a more cost efficient manner. He discussed that he was not aware Mr. Shortway was going to form the commission, but he supported it. He confirmed that the Town Council and the Mayor will work together on the MUA.

Ms. Paladini came forward and asked about the open position for recording secretary. Mr. Buchney informed resumes could be sent to Mr. Biagini. In response to Ms. Paladini, Ms. Aralp provided the address of Thaiphoon.

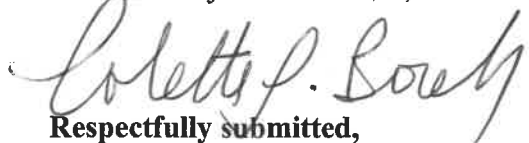
Ms. Margaret DiStasi addressed the Board, expressing her agreement with the comments previously stated by Mayor Burrell. She informed she would be keeping an open mind and noted she was asked to be on the Committee and requested a tour of the facilities.

17. Executive Session

- A. Motion to Enter Executive Session to Discuss Personnel was made by Ms. Wheaton, seconded by Mr. Buchney and carried via unanimous vote.
- B. Motion to Close the Executive Session and Return to the Regular Meeting was made by Ms. Wheaton, seconded by Mr. Buchney, and carried via unanimous vote.

18. Motion to Adjourn

Motion to adjourn was made, seconded and unanimously carried by Mr. Buchney at 9:12 p.m.



Respectfully submitted,

Colette J. Borell
MUA Recording Secretary

REGULAR MEETING/WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

FEBRUARY 20, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 2/20/2020. Copies of the recording are available at the office of the VTMUA.

1. Call to Order

Mr. Wenner called the meeting to order at 7:03 p.m. Motion was moved by Mr. McDermott and seconded by Mr. Kearney.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press by delivering to the press such notice and posting same at the municipal building and filed with the office of the VTMUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members

The following members were present:

Angela Erichsen

Dave McDermott

Paul Kearney

Kristin Wheaton (in at 7:23 p.m.)

Michael Furrey Alternate #1

Andrew Pitsker Alternate #2

The following members was absent:

Ed Seger

5. Roll Call of Professionals

The following professionals were present: Executive Director Mr. Biagini, Chief Financial Officer, Donelle Bright, Attorney Mr. Wenner and Engineer Ceren Aralp.

6. Public Comment

Mr. McDermott moved to open the meeting to the public, seconded by Mr. Kearney and carried via unanimous vote.

Kenneth Acheson, owner of the Mixing Bowl restaurant, addressed his concern about rising sewer costs. He clarified that it is only a small business and he cannot afford these fees. He informed two prospective buyers both backed out of the sale due to rising sewer fees.

Bijan Ginani, 322 Route 94, informed he owned a business in town and is in the construction phase. He expressed his opinion that sewer fees should not be charged during this time, as he is not using the sewer yet. He noted he spent \$30,000.00 for the system and put forth the suggestion that the by-laws should be changed to not permit charges until after a CO is issued. In response to Mr. Kearney, Mr. Furrey stated the Board would discuss this issue.

There being no further comments to be heard, motion to close the meeting to the public was made by Mr. McDermott, seconded by Mr. Kearney and declared carried by Mr. Wenner with all in favor.

7. Consent Agenda

- A. Resolution 20-04: Resolution Designating the Official Newspaper for 2020
- B. Resolution 20-05: Resolution Listing the Schedule of Meetings through December 2020
- C. Resolution 20-06: Resolution Establishing the Authority to Spend Funds and Sign Checks
- D. Resolution 20-07: Resolution Appointment for Professional Services - Auditor
- E. Resolution 20-08: Resolution Appointment for Professional Service - Engineer
- F. Resolution 20-09: Resolution Appointment for Professional Services - Attorney

Mr. Wenner read the title of the Consent Agenda with the resolutions and stated that they could be adopted by motion without discussion and that if any member of the board wishes to individually discuss the resolution it could be removed for discussion. Mr. Pitsker requested discussion for Resolution 20-06.

Motion to approve Resolutions 20-04, 05, 07, 08 and 09 minus Resolution 20-06 were moved by Mr. Furrey and seconded by Ms. Erichsen.

Discussion: None

Roll Call Vote:

Ayes – Ms. Erichsen, Mr. Kearney, Mr. McDermott and Mr. Pitsker

Nays – None

Abstains - None

The resolutions were adopted upon unanimous vote of the Board members authorized to vote.

Mr. Pitsker suggested a maximum of \$2,000.00 to any one business annually and that there should be an annual budget not to exceed a specific amount. He suggested there be a check and balance.

Ms. Bright advised the board that while in the past this resolution was passed authorizing her to sign checks with only one signature, no checks are sent with only one signature. She further explained that every check has two signatures, adding she would not be comfortable signing a check and just sending it out regardless of the amount. She explained that keeping a limit of spending per vendor would not allow emergency situations where the MUA may have to purchase thousands of dollars' worth of goods or services for a repair. She did not believe that it is the purview of the board to have a discussion on every single purchase, as it would inhibit daily operations.

Ms. Bright advised that the MUA is required by law to pay purchase orders once they are issued and goods and services are rendered. She added the MUA cannot simply purchase things as it has to encumber funds prior to purchase. She does not allow any goods and services to be purchased unless it is an emergency without having a purchase order. In response to Mr. Furrey, Ms. Bright explained that there is a procedure whereby there are three levels of signatures for the purchase order to be issued: the Executive Director, the Chairman of the Board, the Qualified Purchasing Agent and the CFO. She confirmed there are no electronic signatures on checks. Mr. Pitsker commented on the discretionary fund spending cap and Ms. Bright explained that her concern with a budgetary cap for a specific dollar amount would severely limit daily operations. She reiterated that she cannot issue payment without the approval of the board at a meeting. In response to Mr. Kearney, Ms. Bright suggested the board pass a resolution on an annual basis requiring at least two of the appointed individuals to sign the checks.

Motion to approve the amended Resolution 20-06, inclusive of adding that two signatures be required for all checks was made by Mr. Furrey and seconded by Mr. McDermott

Discussion: None

Roll Call Vote:

Ayes – Ms. Erichsen, Mr. Kearney, Mr. McDermott and Mr. Pitsker

Nays – None

Abstains - None

8. Other Resolutions

A. Resolution 20-10: Resolution Authorizing the Payment of Bills

Motion was made to approve Resolution 20-10 by Mr. Furrey and seconded by Mr. Kearney

Discussion: None

Roll Call Vote:

Ayes - Ms. Erichsen, Mr. Furrey, Mr. Kearney and Mr. McDermott

Abstain - Andrew Pitsker

Nays - None

Resolution 20-10 was adopted upon unanimous vote of those members authorized to vote.

9. Approval of Minutes

Review and approval of the January 30, 2020 minutes was tabled until the next meeting.

10. Correspondence

Mr. Biagini discussed the numerous amount of calls and in person visits he received this week from sewer users about the rate increase, noting the majority of them were from the condominiums.

11. Auditor's Report - None

12. Attorney's Report

Mr. Wenner advised that he had no report other than to update the board that the bank amended plan for the Mountain Creek bankruptcy is scheduled for a hearing and anticipated approval on February 24, 2020.

13. Engineer's Report

A. Old Business

Ms. Aralp provided the update that there was one change in use application that came in for 529 Route 515 for a physical therapy office. She advised that the previous space use was allocated to 4.5 EDUs based on retail office space and stated since the use is still under the same classification she did not see any changes to the EDUs.

14. Executive Director's Report

Mr. Biagini informed he discovered four locations that were not hooked up to the system. Three of them are not paying a sewer bill. One location, 393 Route 94, was paying 0.2 EDUs, but it has now been adjusted to reflect 0.75 EDUs. The building at 391 Route 94 is not hooked up and not paying a fee. The Faline building is neither hooked up nor paying fees. The building on the corner of Route 515 and Route 94 is also neither hooked up nor paying fees. He stated according to the by-laws, even if not hooked up, the sewer charge must be paid as the sewer line is in front of the facility. He asked the Commissioners the process to rectify this problem. Mr. McDermott weighed in that notice should be sent to each property owner via certified mail stating the rules, what the property owner's obligation is and a timeline to contact the board. In response to Mr. Furrey, Mr. Biagini noted the by-laws stipulated that if there were lateral pipes within a certain distance in front of the building, there must be a hook up.

In response to Mr. Furrey, Ms. Aralp informed she did not have a map within the sewer service area with a list of all connected properties. Mr. Furrey said that this is information that the MUA has to have for future expansions and that no decisions can be made without this information for potential customers to hook up to the system. Mr. McDermott stated that other users were forced to hook up and Mr. Furrey emphasized the importance of working towards clarifying the information to be fair and balanced to all users and ratepayers. He requested Ms. Aralp to begin her investigation on the data and lack of information.

15. Commissioners' Comments

Ms. Erichsen concurred it was critical to get the information required to clear up the billing and connection discrepancy, that it has to be fair and balanced for all users and volunteered for a committee.

In response to Mr. Furrey, Mr. Kearney commented numerous topics were discussed and they were still in the primary stages of getting the mission statement finalized. He added it was the committee's objective to do the best for Vernon tax and rate payers. He emphasized as the matter develops, he will share all findings with the Board.

Mr. Furrey explained he has an extensive knowledge of the history of the Vernon system and with the water/wastewater business. He noted a key component of the improvement for the MUA is the Asset Management Plan ("AMP"). Ms. Aralp informed the draft plan had been submitted but was not finalized due to delays regarding the approval process with the force main evaluation. She explained the recommendation to hire the contractors has been done to establish the work and the plan itself with capital improvements has been done with all the assets being listed. Ms. Aralp confirmed the research had not been completed on the force main, as they are waiting for a contractor to complete or whether the Board wanted her firm to gain access and include in the AMP project plan.

Mr. Kearney expressed his opinion the board had complete understanding of the facets and direction the Authority moving forward. He emphasized the need for the MUA to meet more often, as not all the areas are covered and action accomplished in just one meeting. Mr. Wenner provided the opinion that the schedules are set by virtue of a resolution to be adopted for the meeting schedule; and work sessions could be a part of the meetings moving forward. He said typically work session meetings were conducted as a catch all to discuss items that come up and are more informal.

Mr. Pitsker stated the MUA is a business and should be operated in such a manner. He felt it would be beneficial to schedule these works sessions. In response to Mr. Pitsker, Ms. Aralp noted the number of users is defined in the billing system.

After some discussion, motion to hold work session meetings the first Thursday of the month moving forward was made by Mr. Furrey and seconded by Mr. Kearney

Roll Call Vote:

Ayes – Mr. Furrey, Mr. Kearney, Mr. McDermott, Ms. Wheaton, Ms. Erichsen and Mr. Pitsker

Abstains - None

Nays - None

Mr. Kearney commented the advertisement and posting of the job description for the Executive Director as per the agreement in 2019 was not clear and asked for clarification. He said there was also discussion about advertising for the recording secretary; Mr. Wenner advised speaking with Ms. Bright regarding this process. Mr. Biagini said that there were no job specifications found for the recording secretary position, however, there was a resolution passed in 2019 that could be revised for use. In response to Mr. Furrey, Mr. Wenner commented the positions could

be advertised on the Vernon Township website and other venues, i.e. New Jersey League of Municipalities and Association for Environmental Authorities. He said he did receive a resume for the position.

Mr. Furrey, Mr. McDermott and Ms. Erichsen offered to volunteer for the Interview Committee (one member being an alternate if another was not available for interviews).

16. Chairman's Comments

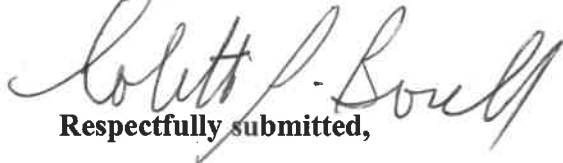
None

17. Executive Session

In response to Mr. Kearney, Mr. Biagini explained that the sewer charges are based on EDUs and not usage; he added many condominiums are often vacant and charged fees throughout the year. With regard to the case of Mr. Gianini's, he stated that he has been renovating the building for over a year. He said there should be consistency in the user fees.

18. Motion to Adjourn

Motion to adjourn was made by Mr. Kearny, seconded by Mr. Furrey and unanimously carried at 7:50 p.m.



Respectfully submitted,

Colette J. Borell
MUA Recording Secretary

REGULAR MEETING / WORK SESSION AGENDA

VERNON TOWNSHIP

MUNICIPAL UTILITIES AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

MARCH 4, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 3/4/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened at 7:13 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Oath of Office

Vernon Township Mayor Howard Burrell administered the oath of office to Michael Furrey who was appointed voting member, Dave McDermott who was appointed voting member from alternate, Kristin Wheaton was appointed voting member from alternate and Andrew Pitsker who was appointed alternate voting member.

Mayor Burrell discussed the MUA, its background, addressed the planned future improvements to be implemented going forward and lauded the new commission boards' efforts towards this goal. Michael Furrey came forward, credited former Vernon Township Mayor Harry Shortway's assistance on providing MUA background information and commented on the enormous years' long task to straighten out the MUA. Mr. Furrey discussed the selection of Chairman and Vice Chairman of the MUA. At this time Ms. Wheaton nominated Michael Furrey as Chairman, which was seconded by Mr. McDermott and carried upon the unanimous vote. At this time Mr. Furrey nominated Paul Kearney as Vice Chairman, which was seconded by Mr. McDermott and carried upon the unanimous vote.

Mr. Furrey discussed the board roles, attendance of professionals at MUA meetings and stated every decision made by the board to be submitted to Mr. Biagini to implement. Mr. Kearney commented on the cost, requirements for the professionals to attend each meeting and suggested they participate on an as needed basis for input needed from them. Mr. Pitsker agreed, commented on the cost of the professionals who attend each meeting and noted the importance of expense control. Mr. Biagini asked if there is a legal requirement for the MUA to have an attorney attend each meeting. Ms. Wheaton commented the engineer should be at the meeting whenever an applicant is in the audience. Mr. Furrey commented the attorney should attend

actual meetings in the event a legal opinion is required while workshop meetings can be attended on an as needed basis with the engineer to participate whenever an applicant is present.

At this time roll call was taken:

The following members were present:

Michael Furrey

Paul Kearney

Dave McDermott

Kristin Wheaton

Angela Erichsen

Andrew Pitsker

The following Professionals were present: Executive Director Matthew Biagini. Mr. Furrey stated Attorney Richard Wenner and Engineer Ceren Aralp would not be in attendance tonight.

5. Open Meeting to the Public

Mr. Kearney motioned to open the meeting to the public which was seconded by Mr. Pitsker and carried upon the unanimous vote.

Mr. Harry Shortway came forward, identified himself as President, Vernon Town Council and expressed thanks to the MUA board for taking on the challenge of improving the MUA.

Mr. Kearney motioned to close the meeting to the public which was seconded by Ms. Wheaton and carried via unanimous vote.

Mr. Biagini stated the draft of the asset management plan is available. Ms. Wheaton commented Ms. Aralp can post it for distribution to the board members. Mr. Biagini stated the air release valves within the system need to be reviewed as part of the AMP. He advised the valves need to be assessed, tested and replaced if necessary as it has been at least twelve years since it was done. He said a contractor can be engaged to perform the evaluation. Mr. Furrey stated the inspection of the force main has to be done once the AMP is approved. Mr. Biagini concurred and advised the force main will need to be televised going down the railroad. He advised the railroad will need to be notified prior to digging inspection of the force main. Ms. Wheaton asked if the force main needs to be visually inspected. Mr. Furrey advised Sand Hill down to the Hardyston pump station was the original force main, was the weakest link in the system, inspection was attempted and when it was entered, it was flooded. Mr. Biagini advised that particular section of the force main needs to be televised with removal of one of the section elbow and commented the NJDEP will mandate this for all wastewater collection systems five years from now. He stated it should not hold up the plan.

Mr. Furrey commented the sewer service area map requires a critical decision on whether all customers are on it. Mr. Biagini explained the map layout with customers', pump stations', lift stations' locations and Sussex County Municipal Utilities Authority pump station. Mr. Furrey commented all customers' lots and blocks should be entered on the map together with the sewer service area. Mr. Biagini advised Ms. Aralp can input this information and explained the proposed areas for expansion. Mr. Furrey commented when he was on the Sussex County Wastewater Management Committee the maps were updated every four to five years, noted this map was not done in 2012 and the SSA map should be clearly delineated. Mr. Biagini and Mr. Furrey concurred the map needs to be redone and updated by Mott McDonald. Mr. Pitsker asked if expansion details need to be entered. Mr. Furrey advised it was not critical at this time to do

the expansion detail on the map. Mr. Biagini advised the map needs to be divided to show the delineation of service areas, pump stations and lift stations.

Sub-Committee Charters

Mr. Furrey discussed the charters and who will serve on the seven subcommittees. He suggested assigning two people to serve on each subcommittee.

Transfer Station Subcommittee

Mr. Furrey spoke about the background of the transfer station. He advised when a septic company has to do pump outs there are three only facilities for disposal: the Sussex County Municipal Utilities Authority, a facility in New York State and the Passaic Valley Sewage Commission in Newark. He said the idea was floated to build a transfer station for Vernon to handle the discharges. He stated Dave Bauer of Earth Care reviewed the feasibility of it and discussed also with Vernon Township engineer Corey Stoner who will prepare a feasibility study for it with a final report issued within a month to the mayor. Mr. Stoner advised it was doable. Mr. Furrey stated there are two proposed locations to build it: one by pump station #2 off of Sand Hill Road or pump station #3 located off of route 94.

He commented while he served on the Vernon Environmental Commission there was discussion on establishing a mandatory septic cleaning ordinance, discussed a cost analysis and hiring an engineer to do the feasibility study. Mr. Kearney commented if the town establishes a mandatory septic cleaning ordinance it should be applied to all residents with a septic. Mr. Furrey concurred, advised it was presented to the Land Use Board which opposed it, there are compliance issues that could arise and advised he researched other communities such as West Milford and Jefferson. Mr. Biagini agreed, noting ordinance would place a burden on the Building Department for enforcement and noted that a permit is required to dump sewage. Mr. Kearney concurred noting there are vendors cleared through the town to handle the disposal. He commented the haulers regardless if there is an ordinance in place or not, there is enough material coming in to cover the 200,000 required gallons as they collect from other sources. Mr. Furrey advised the transfer station can be done without the ordinance. Ms. Wheaton and Mr. McDermott volunteered to serve on the committee.

Sewer Service Area Map Subcommittee

Mr. Furrey advised this is for the updating to the map and there was a meeting Vernon township had with the NJDEP to expedite the approval of the map. He advised the NJDEP will look at the map, this is all the mapping that needs to be done, looking at customers, where the sewer area can expand and stated he will serve on it. Mr. Kearney volunteered to serve on the committee.

Pump Station #2 Subcommittee

Mr. Furrey advised this is a critical pump station as it serves the town, is failing, undersized and in order to be funded through the state there has to be a project in place. Ms. Wheaton noted the AMP is required in order to obtain project funding. Mr. Biagini noted the MUA cannot fund the project and the funding must originate from the town. Mr. Furrey stated Donelle Bright completed the application to obtain the funding for the AMP. Mr. Biagini noted there can be no expansion with the AMP. Mr. Furrey said Ms. Aralp advised that Dewberry the engineering consultant for Mountain Creek did a design map approximately ten years ago. He said it is an involved process and volunteered to serve on the subcommittee. Ms. Wheaton volunteered to serve on the subcommittee.

By-Law / Personnel Subcommittee

Mr. Furrey stated he discussed with Mr. Pitsker. Mr. Pitsker advised he volunteered to serve on it. He stated it involves managing the by-laws, job descriptions, advertisements for each jobs posted. Mr. McDermott volunteered to serve on the subcommittee.

Feasibility Subcommittee

Mr. Furrey advised it will not be addressed at this time and stated it was for dissolution of the MUA. Mr. Biagini noted the conversations on dissolving the MUA are drifting away. Mr. Biagini volunteered to serve on the subcommittee and Mr. McDermott volunteered to serve on the subcommittee.

Water Supply Subcommittee

Mr. Furrey stated this has to do on the clean water side. Mr. Biagini advised SUEZ has to do work at Mountain Creek's South Lodge, has a call into SUEZ to schedule a meeting between him, SUEZ, Mayor Burrell and Administrator Charles Voelker on the upgrades to the pumps and the electrical. He stated the cost could run \$1.8 to \$2 million. Mr. Furrey commented the water supply wells are down by Town Center. Mr. Biagini commented the submersible pumps need to be upgraded since they are at 400 gallons per minutes. He advised he spoke with SUEZ engineer Emad Sidhom today to set up a date to talk on preliminary work. Mr. Furrey volunteered to serve on the subcommittee. Ms. Wheaton also volunteered to be on the sub-committee.

Financing Sub-Committee

Mr. Furrey advised this has to do securing financing i.e. bonds, environmental infrastructure loans and coming up with money to accomplish the projects. Mr. Pitsker volunteered to serve on the sub-committee with Mr. Furrey likewise volunteering.

Newsletter Subcommittee

Mr. Pitsker advised there has not been a quarterly newsletter since 2016 and discussed with Mr. Biagini. He stated Mr. Biagini suggested cost controls postings and inserting a frequently asked questions document on the web site to answer questions posed by the public. Mr. Pitsker asked for suggestions on other subjects the board would to see posted. He said he would like to design it for ease of use with the focus on communication, cooperation and collaboration.

6. Commissioners' Comments

Mr. Pitsker commented about the 2019 costs. Mr. Furrey stated the January minutes were approved at the February meeting and asked if all minutes were posted. Mr. Biagini advised Susan Girardi prepared the minutes, had them posted on the web site and the outside web contractor posts the minutes. Ms. Wheaton commented about issues with the MUA email. Mr. Biagini advised he would check into it. Mr. Furrey stated all expenses and costs spent will be tracked and monitored.

7. Chairman's Comments

Mr. Biagini discussed the cost expended for the Chief Financial Officer. Mr. Furrey advised this money includes services covered in the Interlocal Agreement, costs the MUA \$32,000.00 annually and goes on the town's budget. He advised he discussed the position with Donelle Bright. Mr. Biagini stated it could be put out to bid and it is a part time position. Mr. Pitsker asked how much time would be needed as it would be a part time position, the responsibilities

would cover more than tracking money and whether 15 or 20 hours a week would be sufficient. Mr. Kearney commented if somebody came from the private section there might be a longer learning curve to the position.

Adjournment

Motion to adjourn was made by Mr. McDermott seconded by Ms. Wheaton which was declared carried by Mr. Furrey at 9:04 p.m. upon the affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Erichsen, Ms. Wheaton and Mr. Kearney.

Respectfully submitted,
Colette J. Borell
MUA Recording Secretary
Minutes approved: January 7, 2021

Regular Session Meeting Minutes – Thursday May 21 2020 8:00 PM - 9:00 PM (EDT)

Minutes documented & written by Colette J. Borell

Recording on file in the MUA Office

- Call to Order – Meeting was called to order at 8:00 p.m.
 - Meeting being held by GoToMeeting process and is recorded as so.
- Presentation / Agenda by PowerPoint
 - This is the third remote meeting
- Statement of Compliance – Read by Michael Furrey, Chairman
- Salute to the Flag – ALL
- Roll Call of Members
 - Commissioner Kristin Wheaton – Present
 - Commissioner Paul Kearney – Present
 - Commissioner Dave McDermott – Present for Roll Call but arrived following Public Comments
 - Commissioner Angela Erichsen – Not Present
 - Colette Borell / Recording Secretary - Present
 - Commissioner Andrew Pitsker - Present
 - Chairperson / Commissioner Michael Furrey – Present
- Chairman Comments – This is a Regular Session. The first order of business:
 - I want to welcome everyone to the MUA meeting May 21, 2020. This the regular meeting of the Vernon Town MUA. Absent is Angela Erickson. Following the agenda, the first agenda item is the charter that was put up on the web site and that charter with the subcommittee is on the web site. The next agenda is the asset management plan.
- Public Comments - Motion to open to the public by Michael. Anybody from the public who would like to speak, just state your name and what you would like to speak. My screen is showing 8 people on the call. If you click on the people thing on the toolbar.
 - Commissioner Comment – Kristin some people have called in
 - Chairman Comment – If no one wants to speak
 - Public Comment - Martin O'Donnell. I just want to say everyone is doing a good job for this volunteer job.
 - Public Comments - Chairman closes the meeting to the public. If no one wants to chat I will close the meeting to the public.
- Sewer Service Area and the Asset Management Plan - The next item on the Agenda is the sewer service area. The original map submitted to the NJ DEP at a meeting. It has been over 2 years and as a point of reference we have to get a sewer service map, we have a meeting next Friday, May 29 with Ceran and the Mayor to talk about the map and we found out right now the person is Paul Benuro who will be reviewing the map. They are looking for any documentation from the county on sewer septic failure systems. Does anyone have any information on this? The nitrate dilution model is based on lot size and

apparently they are looking for information on it. Kristin you may have some information on that.

- Kristin - Is the septic system failure rate is based on the data that we have?
- Michael - my understanding that it is the county who would have that information not the township. This is information that the NJDEP requires. Ceran has to get most of that information from the county.
- Dave - back in 2017 they did a study of all the septic systems that were going bad down on route 94 and it created a lot of stir but it was before Mountain Creek. The report said that if you had a chipped cover it would fail and it should be in the 2017 MUA archives. It stirred up a hornet's nest because these people were afraid that they would be forced to hook up.
- Andy - would it be in the records in the office.
- Michael – the old study in the MUA records.
- Dave - Harry Shortway was in the transition in 2017.
- Michael - we will research that and check into it.
- Donelle - we had some research
- Michael - Asset Management Plan hard copies: Paul Kearney needs a copy. Under the Asset Management Plan there is an evaluation of the true force main that was described in a 3 page technical memo Ceran said that the cost was \$35,000.00. Ceran checked with the NJ DEP with the Asset Management Plan on the grant and she is checking into moving forward on it. The complete Asset Management Plan should be covered under the grant program.
- Kristin - what I saw was that if it was under the grant it would be \$100,000.00
- Michael - I believe the total grant towards it is from \$40,000.00 up to \$100,000.00 for an Asset Management Plan. She got it approved for the NJDEP to move forward.
- Kristin - what mike explained is that we are approved for up to \$100,000.00 for a grant and that \$40,000.00 has been applied to the asset management plan.
- Michael - Donelle do you have to get something to get approval.
- Donelle - since it is an additional piece we do not have to get approval. One more question did we get a firm proposal as to what the \$35,000.00
- Michael - Ceran did send the technical memo on the additional cost of the asset management plan. My understanding that it was sent out. Action - Colette to check on the whereabouts of Ceran's technical memo on the force main asset management.
- Pump Station #2 Update - Funding Source and RFQ. Michael and Andy met with Mayor Burrell and Joe Hession from Mountain Creek, Scott, Mario from Dewberry was the engineer. We met yesterday in the parking lot on the upgrades. The site plan was not correct and was updated 14 years ago. We discussed the possibility of the capability of the transfer station. Andy what was your take on it.
 - Michael - Pump Station #2: RFQ I want to discuss about the upgrade, sewer system upgrade and would like everyone's thought on this.

- Kristin - this would be a competitive engineering bid on this?
- Michael - yes this would be a pre-qual encompassing an engineering RFQ on this. Looking for volunteers to help write RFQ.
- Kristin – This makes sense. Yes I can draft this up for you.
- Donelle - yes if you can follow up on that that would be great and we can discuss it at the next meeting.
- Feasibility Committee –
 - Michael - I know that Paul Kearney and Dave McDermott were to be there however Dave was not there and the meeting was cancelled. An attempt was made to call him but the call went to voice mail.
 - Paul - they were asking for a nitrate treatment study. I do not believe we should provide the model since we are contracted to the Sussex County Sewer Authority for sewer treatment only.
 - Michael - the question for the feasibility study is that we will meet one more time.
- Town Council Liaison -
 - Action – Colette to follow up with the town council to see if they are interested in being involved in the feasibility study.
- Establishing a Finance Committee (2 members) – MUA / Utility
- Purchase Needs
 - Pumps
 - Generators for Lift Stations
 - Safety Review
- Commissioners Comments –
- Motion made to Resolution of Approval of Administrative Assistant
 - All in Favor - Aye
- Chairman’s Comments -
 - Motion to Adjourn
 - Motion by Michael Furrey, Paul Kearney first, Kristin Wheaton second. All in favor
 - . All in Favor - Aye
 - Meeting closed at 9:07 p.m.

Vernon Township Municipal Utilities Authority - 21 Church Street – Vernon, NJ 07462
973.764.4055, Ext 2288

REGULAR MEETING/WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

JUNE 4, 2020, Time: 8:00 P.M.

These minutes are a synopsis of the meeting that took place on 6/4/2020. Copies of the recording are available at the office of the VTMUA.

1. Executive Session at 7:00 p.m. (Closed to the Public)

Chairman Furrey called the meeting to order at 7:15 p.m. and advised the executive session would begin to discuss personnel and the Interlocal Agreements with the Township of Vernon. Motion was made to open the Executive Session at 7:15 p.m. by Mr. Kearny, seconded by Mr. McDermott and carried via unanimous vote.

2. Call to Order

Mr. Kearney motioned to close executive session and Mr. McDermott seconded the motion at 8:13 p.m. which was carried by unanimous vote.

3. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the VTMUA as well as posted on the website.

4. Salute to the Flag

5. Roll Call of Members and Professionals

The following were present:

Michael Furrey
Paul Kearney
Dave McDermott
Kristin Wheaton
Andrew Pitsker

The following members were absent:
Angela Erichsen

Professionals: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary

Mr. Furrey welcomed Donelle Bright as the new Administrator and Chief Financial Officer of the VTMUA.

6. Open Meeting to the Public

At this time Mr. Furrey referred to the work session item A.

7. Work Session

A. Sewer Service Area and the Asset Management Plan

Mr. Furrey stated he will split out the sewer service area and provided the update that they are working with the NJDEP to get the sewer service area map approved. There was a meeting with the Township and the VTMUA to talk about the sewer service area map; the MUA asked Cory Stoner, P.E., to help expedite matters. Mr. Furrey noted that Ceren Aralp sent a map that is easier to read and shows the current sewer and potential expansion areas. Mr. Furrey reached out to Jim McDonald of the County health department to request a more recent letter regarding failed septic systems. He added they are going to ask the NJDEP to accept the dilution model that the County had already provided. In response to Mr. Furrey, Mr. Pitsker acknowledged the importance of having the Township and VTMUA aligned. He noted that Cory Stoner's input was a benefit. Mr. Furrey stated that Ceren will be at the next meeting to provide updates on handling the evaluations and specifications. With respect to the Asset Management Plan, Mr. Furrey stated that Ceren was authorized to complete the remaining assessment of the two force mains. He advised that the evaluation estimate is approximately \$30,000.00 and is covered under the NJIB AMP. Ms. Bright clarified that the MUA pays the engineer and the Township will reimburse the MUA as they are reimbursed from NJIB up to \$100,000.00.

B. Pump Station #2 Update - Funding Source and RFQ

Mr. Furrey stated the draft Request for Qualifications ("RFQ") was completed by Ms. Wheaton and distributed to all board members for review. Ms. Wheaton commented on the draft RFQ and clarified the terms and conditions for the design and permitting for pump station #2. She advised there would be solicitations for price proposals, rate sheets, staff qualifications, organizational status, and scopes of work. She stated that the idea and expectation is to have this firm on board by September 2020. Mr. Furrey inquired about their qualifications and experience with the Infrastructure Bank and Ms. Wheaton confirmed that this was included. Mr. Pitsker and Ms. Bright commented on the transmittal of the RFQ to the bidders list and the posting of the RFQ. Ms. Bright confirmed that the qualified purchasing agent ("QPA") will be reviewing the RFQ once everything will be finalized and confirmed that it will be posted on the League of Municipalities website. Ms. Wheaton confirmed the scope of work would include pump station #2, rehabilitation of the force main and the possible sewer service area expansion. Mr. Furrey requested the board review it and provide comments at the next meeting.

C. Feasibility Committee Update - MUA Utility

Mr. Furrey stated the company Wind River attended the meeting about the transfer station. Mr. McDermott confirmed the Committee was compiling a report for review for July. Mr. McDermott advised Wind River was amenable to entering into a partnership. Mr. Furrey stated there may be a possibility that Wind River may finance part of the transfer station and asked Mr. McDermott to keep the board updated on the progress of the meeting and report. Mr. Furrey discussed the residential sewer pumping ordinance, which would offer residents discounts to encourage more frequent pumping of their septic; this could be a part of the transfer station model for the Township. Mr. Furrey opened the discussion on whether there should be a required ordinance establishing a schedule for pumping of the septic systems. Both he and Mr. Kearney commented on the problems associated with neighboring lake communities with lack of frequency of the pump outs.

D. Township Council Liaison

Mr. Furrey advised that there had been discussion as to having a liaison with the Town Council with the ultimate goal of having both the Town Council and the MUA moving in the same direction. Ms. Bright confirmed that she would follow up with the Town Council

8. Approval of the Bills

Mr. Pitsker inquired as to the completion of the bankruptcy work and Ms. Bright confirmed with the bankruptcy attorney that the work was finished with no additional billing anticipated after the audit. She confirmed that a contract for a regular retainer was in place for the MUA attorney Mr. Wenner for 2020. Mr. McDermott made a motion to approve the bills list, which was seconded by Ms. Wheaton, and carried upon unanimous vote.

9. Approval of Minutes

Ms. Wheaton commented that she did not see the Executive Session meeting minutes and spoke on the minutes from 2019 that were not available. Ms. Bright commented that she spoke with Mr. Wenner on the updating of the older minutes in 2019 and that these minutes will be addressed. She confirmed that they are not required to have recordings but were required to have minutes. Mr. Pitsker commented on the agendas and minutes that were not posted to the MUA website. Ms. Wheaton clarified that she was reviewing her records and did not have any on whether a November 2019 meeting was held. Mr. Furrey asked the board to review their records for any information on these meeting minutes and this problem will be corrected moving forward. Mr. Furrey moved to table the discussion on the review of the meeting minutes to the next meeting.

10. Consent Agenda

A. Resolution Authorizing Employment of Administrator

Motion to approve was made by Mr. McDermott, seconded by Mr. Kearney and moved as carried via aye vote of Mr. Furrey, Mr. Kearney, Mr. McDermott, Ms. Wheaton, and Mr. Pitsker; with no nay votes or abstentions.

11. Purchase Needs

A. Pump Station #1 Repair

Mr. Furrey commented the pump station repair was done and a bill was submitted and sent to the Township to get processed.

B. Generators for Lift Stations

Mr. Furrey discussed getting a smaller generator for the lift station and that they were seeking to obtain a mobile model that is more effective to get into the lift station. He requested Ms. Bright to discuss this procurement with Jack Grosser.

C. Safety Review

Mr. Furrey commented the MUA will start making a list of items that have to be addressed and will need to be reviewed and identify the items which will fall under the purview of Mr. Grosser as the licensed operator of record. He requested follow up with Mr. Grosser to obtain feedback, identifying items on what needs to be done and provide him with a copy of the safety. Mr. Pitsker commented it is important to prioritize the most important items respect to safety. Mr. Furrey concurred, stating the railings are the most important items to be addressed. Mr. Pitsker commented the railings and the trip hazards need to be addressed and should be prioritized. Mr. Furrey agreed and noted the MUA will need to follow up on the PEOSHA review.

12. Commissioner's Comments

Mr. Pitsker requested additional bills list back up to educate the board on what was being spent. Ms. Wheaton commented that the bills' list for this meeting was sufficient and adequate. Mr. Pitsker inquired as to the status of the MUA budget. Ms. Bright commented that financials were sent out at the first meeting in May and can provide the quarterly financials. She stated they are within legal requirements for the budget and the accounting system is structured to not allow expenses over budget.

Mr. McDermott offered comments on the review of his records regarding the 2019 meeting minutes; he noted there was a November 2019 meeting. Ms. Wheaton concurred. Mr. Kearney advised that to his recollection there was a period of time in between recording secretaries which could explain the gap for the missing minutes. Mr. McDermott commented about properties that are not hooked up and the matter went back to September 2019 meeting. Discussions were held and registered letters were to have been sent to the property owners for hook up and are supposed to be connected. Mr. McDermott queried if this was ever followed up and was done.

Mr. Furrey asked for Mr. McDermott to email the board members with that information and also requested Ms. Bright to follow up with Ceren to determine what properties were paying sewer rates but were not physically connected. Ms. Wheaton noted that at least one person joined the meeting after the meeting was opened to the public session and suggested re-opening it to the public. Mr. Furrey agreed and asked for further comments. Mr. Kearney had one further comment with respect to updating the November 2019 meeting by contacting John Perry. Mr. Furrey confirmed that he will follow up with Mr. Perry.

There being no further comments by the commissioners, a motion to re-open to the public was made by Mr. Kearney, seconded by Mr. Pitsker with all members voting in favor.

At this time Mr. Furrey re-opened the regular session to the public with the statement of their name and where they were from.

Jessica Paladini came forward and commented on the status of the OPRA requests and expressed concern regarding the minutes on the MUA website. Mr. Furrey confirmed that the MUA now has a recording secretary who is Ms. Borell. In response to Ms. Paladini, Mr. Furrey confirmed e-votes were not conducted.

Seeing no one else from the public wanting to speak a motion to close the meeting to public was made by Mr. McDermott, seconded by Ms. Wheaton with all members voting in favor.

13. Chairman's Comments

None

14. Adjournment

There being no further items of business to be conducted on the agenda, a motion for Adjournment was made by Mr. McDermott, seconded by Mr. Pitsker with all members voting in favor. The Regular Session Workshop Meeting of the Vernon Township Municipal Utility Authority was adjourned at 9:12 p.m.



Respectfully submitted,

Colette J. Borell

MUA Recording Secretary

Minutes approved: July 30, 2020

REGULAR MEETING MINUTES
VERNON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
21 CHURCH STREET, VERNON, NJ 07462
JUNE 18, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 6/18/2020. Copies of the recording are available at the office of the VTMUA.

1. Call to Order

The regular meeting of the VTMUA was convened remotely June 18, 2020 via Zoom and called to order by Chairman Michael Furrey at 7:01 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the VTMUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following were present:

Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker

The following members were absent:

Angela Erichsen

Professionals: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary; Ceren Aralp, Engineer; and Robert McNinch, Auditor.

5. Open Meeting to the Public

Mr. Furrey motioned to open the meeting to the public, which was seconded by Mr. Kearney and unanimously carried.

No one wishing to be heard, Mr. Furrey motioned to close the meeting to the public. Mr. McDermott seconded the motion, which was carried via unanimous vote.

6. Work Session

A. Sewer Service Area and the Asset Management Plan

Sewer Service Area - Ms. Aralp stated that the wastewater management plan is still pending with the New Jersey Department of Environmental Protection (the "NJDEP"), with two outstanding items: the first is the updated letter from the Sussex County Health Department; and the second is the nitrate dilution model. She is working with the NJDEP on providing the updates they needed and will set up another meeting with them. She advised the NJDEP switched the reviewers to expedite the process. Mr. Kearney questioned the nitrate dilution model request as the system provides transmission to a sewerage treatment plant. He believed this model should fall on the County; Ms. Wheaton concurred. Ms. Aralp clarified the County has an application with an already completed dilution model. The County needs to include the expansion request of the Township. She further explained the MUA wanted to complete their review as soon as possible, so it fell under the MUA purview.

Asset Management Plan - Ms. Aralp said the asset management plan was completed with just the two force mains remaining at pump station #2 and pump station #3 remaining to be assessed further as these are critical infrastructure. She is working on the evaluation and how to move forward with CCTV footage, which will include replacements of air release valves. She confirmed she would have the RFP to Ms. Bright within a few weeks for approval before sending to contractors. Mr. Pitsker asked Ms. Aralp for a project timeline / flowchart checklist for review. In response to Mr. Pitsker, Ms. Aralp advised she would provide a checklist and timeline to the Board. Mr. Furrey advised the board that the updated letter and documentation from 2016 was requested from the county and advised that he will follow up with the township engineer Corey L. Stoner.

B. Pump Station #2 Update - Funding Source and RFQ

Funding Source - Mr. Furrey stated pump station #2 is the most pressing item for the system and the RFP covered all the scopes of work for the upgrade, any kind of necessary rehabilitation of the force mains and that it will be considerable work to be taken on by the MUA. He advised it involves approving the AMP, which coincides with funding approval from NJIB. He suggested finalizing the RFQ for a special engineer by August 1, 2020. Ms. Wheaton stated that the transfer station conversion potential should be included in the scope of the RFQ. In response to Ms. Wheaton, Mr. Pitsker and Mr. Furrey both concurred the transfer station expansion should be included in the RFQs for special engineer. Mr. Pitsker commented that the prior engineering reports that are available should be provided.

REQ – Ms. Bright stated that the board does not have to wait until the next meeting to approve the RFQ. Mr. Furrey asked Ms. Bright to proceed with the necessary revisions and circulate the RFQ. In response to Mr. Furrey, Ms. Bright stated she would finalize the RFQ and send to all commissioners prior to posting. Ms. Wheaton asked if by moving it sooner this would be a submission of the asset management plan without the force main evaluation. In response to Ms. Wheaton, Ms. Bright advised, in order for NJIB to take into consideration paying for Pump Station #2, the project would need inclusion in the asset management plan. Ms. Bright confirmed the application has been started; however, it requires additional information completed by the engineer. Ms. Aralp advised that she would assemble a summary and recommendation of steps to be taken.

C. Feasibility Committee Update – MUA / Utility

Mr. Kearney explained Wastewater Feasibility Committee summary will be presented to the Council and then made public. Mr. McDermott commented the general consensus by the Committee is that the MUA is doing a good job. Mr. Kearney added all members worked together, showing much can be accomplished in Vernon by working together. Mr. Furrey noted this was positive news.

D. Township Council Liaison

No comments were provided at this time.

7. Approval of Bills

Mr. Furrey made a motion to approve the bills list, which was seconded by Mr. McDermott and carried upon unanimous vote.

8. Approval of Minutes

Ms. Bright stated that the minutes are pending finalization for the May 21, 2020 meeting and that there was no roll call and or a motion at that meeting to approve the minutes from the April 16, 2020 and the April 30, 2020 meetings. She advised the commissioners that all minutes to be posted on the website must be approved by the board. She requested that three motions be taken for each one of the meetings.

A. April 16, 2020 Regular Meeting

Mr. Pitsker made a motion to approve the minutes, which was seconded by Mr. McDermott and carried upon unanimous vote.

B. April 30, 2020 Regular Meeting

Mr. McDermott made a motion to approve the minutes, which was seconded by Mr. Pitsker and carried upon unanimous vote with the exception of Ms. Wheaton who abstained.

C. May 21, 2020 Executive Session

D. May 21, 2020 Regular Meeting and Executive Session

Ms. Wheaton made a motion to approve both sets of minutes, which was seconded by Mr. McDermott and carried upon unanimous vote.

In response to Mr. Pitsker, Ms. Bright informed the 2019 minutes were outstanding due to staff turnover and during the period of time when there was no Executive Director. Mr. Furrey confirmed that he reached out former MUA Executive Director John Perry about the November 2019 meeting and a response from him was pending. Mr. McDermott, Mr. Kearney, and Ms. Wheaton expressed concern over outstanding minutes. Ms. Bright advised she has contacted Mr. Wenner regarding his law firm's notes of the meetings.

9. Consent Agenda

A. Resolution for Review of Audit

Ms. Bright updated the Finance Committee met to review the audit and went over the findings and the recommendations as well as the corrective action plan. She did not include the whole audit in the meeting packet due to the length; however, she reminded she sent the audit document separately to the Board with hard copies to be provided under separate cover once the office is opened.

B. Resolution for Corrective Action Plan

Mr. McNinch commented 2019 was a good year for the authority, ending in assets of \$6.3 million with liabilities of \$6.1 million leaving the authority with a net worth of \$240,000.00. This was an increase of \$107,000.00. The most important item was that the MUA received outstanding cash from Mountain Creek, enabling it to meet obligations. He stated the three findings were fixable and the authority is working to resolve same; he noted they were due to changes in the records during the year and the change in the accounting software. Mr. McNinch lauded Ms. Bright and her team for working in getting the information needed for the audit during the quarantine.

Ms. Wheaton questioned regarding the dates in the corrective action plan. Mr. McNinch responded that he believed the process has been started with the authority catching up on the minutes; the discrepancy is more of a conversion issue and from a clerical and administrative end these things are now being centralized. Ms. Bright concurred that they are working on getting the copies of last year's contracts and are working on the minutes and concurred with Mr. McNinch that the accounting change in the middle of the year will not be repeated. She added they are moving forward with the contracts for this year and are up to date.

Motion to approve Resolution the Review of Audit was made by Ms. Wheaton, seconded by Mr. McDermott and approved via the affirmative votes of Mr. Furrey, Mr. Kearney, Mr. McDermott, Ms. Wheaton and Mr. Pitsker; with no nays or abstentions.

Motion to approve Resolution for Corrective Action was made by Mr. Pitsker, seconded by Mr. McDermott and approved via the affirmative votes of Mr. Furrey, Mr. Kearney, Mr. McDermott, Ms. Wheaton and Mr. Pitsker; with no nays or abstentions.

Ms. Bright advised the board that the group audit affidavit will need to be signed by all the commissioners and to contact the office regarding same.

10. Purchase Needs

Mr. Furrey asked Ms. Bright discussing the Sentinel system implementation and whether board approval was required to initiate the purchase of the system. In response to Mr. Furrey, Ms. Bright advised Board approval is not required to move forward on the Sentinel systems, as it is within the bid threshold. She advised that there is enough money in the capital budget. Ms. Bright advised the current bid threshold is \$44,000.00. Mr. Furrey requested Ms. Bright gather quotes so the Board can address this at the next meeting. At this point Mr. Furrey asked to table discussions on generator information and repairs for the next meeting.

11. Commissioners' Comments

Ms. Wheaton asked whether any of the commissioners had heard from Angela Erichsen. In response to Ms. Wheaton, Ms. Bright confirmed she would reach out to the Township for the contact information for Ms. Erichsen. Ms. Wheaton asked about the town council liaison. Mr. Furrey responded that he contacted the Mayor and Business Administrator with the MUA request for a liaison. Ms. Bright advised she would follow up with the town council on the status of the request.

12. Chairman's Comments

In response to Ms. Wheaton, Mr. Furrey informed he reached out to the Mayor and the Business Administrator with the request for a Council Liaison.

13. Executive Session (Closed to the Public)

Motion to enter into Executive Session to discuss contract negotiations was made by Mr. Pitsker, seconded by Mr. Kearney and carried upon unanimous vote.

14. Adjournment

Motion to adjourn was made by Mr. McDermott, seconded by Ms. Wheaton with all members voting in favor. The Regular Session Meeting of the Vernon Township Municipal Utility Authority was adjourned at 9:15 p.m.



Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved November 5, 2020

REGULAR MEETING WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITIES AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

JULY 2, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 7/2/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority.

1. Call to Order

Chairman Furrey called the meeting to order remotely at 7:05 p.m. via Zoom.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following were present:

Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker

Mr. Furrey announced that member Angela Erichsen has resigned from the MUA.

Professionals: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary, Ceren Aralp, Engineer and Richard Wenner, Attorney.

5. Executive Session (Closed to the Public)

At this time, Mr. Furrey referred to **Item No. 6.**

Ms. Wheaton moved to go into executive session for the purposes of discussing Interlocal Agreements and personnel. Mr. McDermott seconded the motion which was carried upon unanimous vote. After a short break the MUA went into executive session. Ms. Wheaton motioned to close executive session, which was seconded by Mr. Pitsker and carried via unanimous vote.

Mr. McDermott motioned to return to public session, seconded by Ms. Wheaton and carried via unanimous vote.

6. Open Meeting to the Public

Motion was made by Mr. Furrey to open the meeting to the public; it was seconded by Mr. McDermott and carried via unanimous vote.

Peg Distasi questioned the status of sewer capabilities at the Baldwin property, noting Council President Harry Shortway's request to include in the trail system. In response to Ms. Distasi, Mr. Furrey explained and Mr. McDermott concurred this was a Township Council matter. Mr. Furrey informed the Board would look into this matter.

No further members of the public came forward. Ms. Wheaton motioned to close the meeting to the public; it was seconded by Mr. McDermott and carried via unanimous vote.

7. Work Session

a. Sewer Service Area and the Asset Management Plan

Ms. Aralp updated the Board that she will reach out to the NJDEP regarding the nitrate dilution model request. The Board also needs to provide same with the updated letter from the Sussex County Health Department. She said they have not heard back from the NJDEP. Mr. Furrey informed that James McDonald, County Health Officer, was not aware of why the NJDEP would request this since this was for an expansion of the sewers into septic areas. Ms. Aralp confirmed the nitrate dilution model was related to the County buildout project with the NJDEP. In response to Mr. Furrey, Ms. Aralp explained she would have a better idea of what is needed following the NJDEP. In response to Mr. Pitsker, Ms. Aralp advised the delay was most likely due to work volume at the NJDEP.

Ms. Aralp informed the schedule had been circulated for review along with the force main proposal. She advised that the goal was to finalize the RFP and send it out next week. Ms. Bright informed she sent the RFP to Mr. Wenner and would distribute once it has been reviewed. Mr. Furrey noted that he would provide contractors. He informed there were significant issues with the force main by pump station #1 including poor drainage and the exposed gravity line.

b. Pump Station #2 Update - Funding Source and RFQ

In response to Mr. Furrey, Ms. Bright explained funding for drinking water systems usually offer large portions of debt forgiveness; with a sewer system IBank offers reduced

interest rates and no interest for certain percentages of principal. She noted the application process began, but couldn't be submitted without additional information. In response to Mr. Pitsker, Ms. Bright informed she did not have documentation on the costs for pump station #2 and requested Ms. Aralp to provide an estimate for the record. Mr. Furrey stated that the Dewberry engineering firm did a conceptual design for Mountain Creek and if a copy of that design could be obtained it would be beneficial to have.

Ms. Bright stated all commissioners should have a copy of the RFQ and that it was provided to Mr. Wenner. Mr. Wenner advised that his comments were noted on the draft with one question raised on the liability. He suggested the RFQ require the firms to provide a business continuity plan, which is imperative in light of COVID-19. Mr. Wenner confirmed he would provide language for such inclusion.

c. Town Council Liaison

In response to Mr. Furrey, Ms. Bright advised she notified the Town Council that Angela Erichsen had resigned from the Board. In response to Mr. Furrey, Ms. Wheaton expressed her understanding that the appointing body would decide if Mr. Pitsker could move up to the voting member seat.

d. Purchasing Needs

i. Sentinel Systems

Mr. Furrey explained Sentinel monitors entry into the building and can monitor alarms. He stated that he and Mr. Kearney put together a list on what it would cost per system and that they are looking to install it in all three pump stations. He advised that one of the advantages with the sentinel system is that it can communicate to those in the field and the office. Ms. Bright informed she has sent out requests for quotes to multiple vendors and expressed confidence that they could cover all eight stations in the budget. Mr. Pitsker and Ms. Wheaton both concurred the systems would be a benefit to the system overall with regards to safety and recordkeeping.

ii. Pump Stations 1 & 2 as per Engineer

Ms. Bright stated that Ms. Aralp had already spoken to the update.

iii. Generators for Lift Stations

Ms. Bright stated Jack Grosser had researched the portable generator and the company quoted over \$3,000.00. Ms. Bright confirmed she would circulate the quote to the commissioners.

e. Safety Review

Ms. Bright stated that she had not heard back from Mr. Grosser on the safety review and noted Mr. Grosser advised he had been performing a great deal of work at the request of Ms. Aralp.

8. Finance Report (Delinquencies and Current Billing)

Ms. Bright informed the Board that every quarter a report is run on the accounts that are delinquent and noted that there is one outstanding large account overdue for Minerals in the amount of \$80,000.00. She advised that she will reach out to them with the hope that the late payment is an oversight. She updated the board that one annual bill is now sent out and not the quarterly bills that were sent out previously.

Ms. Bright also explained she is gathering the necessary information for Acme and the other stores in the sewer service area to ensure that all is up to date for the engineer to explain to them exactly why they are being charged the EDU's for the property. Ms. Aralp updated the board that in the beginning the account holders had to submit an EDU estimate and at the time the property was not occupied. She explained some of the stores have changed hands over time and some converted from retail to restaurants, with each being individually reviewed at the time.

9. Commissioners' Comments


Ms. Wheaton thanked Ms. Bright and Ms. Borell for getting caught up on the outstanding issues and asked about the status of the OPRA requests. Ms. Bright informed meeting minutes are only able to be provided under OPRA if they are approved by the Board; the 2019 minutes are a work in progress. She advised that there are 250 emails under legal review. Mr. McDermott commented the wastewater management feasibility committee is on track.

10. Chairman's Comments

None. At this time, Mr. Furrey referred to **Item No. 5.**

11. Adjournment

Motion for Adjournment at 9:45 p.m. was made by Mr. Pitsker, seconded by Mr. McDermott with all members voting in favor.


Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved September 17, 2020

REGULAR MEETING / WORKSHOP SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITIES AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

JULY 30, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 7/30/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened on July 30, 2020 remotely via Zoom and called to order by Chairman Michael Furrey at 7:05 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell Recording Secretary, and Attorney Richard Wenner.

5. Open Meeting to the Public

Mr. Kearney motioned to open the meeting to the public, which was seconded by Mr. McDermott and carried via unanimous vote.

No one wishing to be heard, Mr. McDermott moved to close the meeting to the public, which was seconded by Ms. Wheaton and carried via unanimous vote.

Ms. Wheaton asked about concluding the public session that had not closed in the last meeting and the voting of the two resolutions on the agenda. In response to Ms. Wheaton, Mr. Wenner stated the last MUA meeting, upon properly closing to the public and upon trying to resume open session, there were technical problems and the Board was unable to resume the open session. No actions were taken at that time.

6. Resolution #20-29: Executive Session (Closed to the Public)

At this time Mr. Furrey requested to move the Executive Session to the end of the meeting.

7. Resolutions

A. Resolution #20-30: Establishing Interlocal Services Agreement with the Township of Vernon for the Services of Financial Administration

Mr. Pitsker asked about the list with respect to the financials and whether everything was covered on the checklist and also asked what is covered by the Administrator and the Administrator Assistant. In response to Mr. Pitsker, Ms. Bright confirmed all prior responsibilities through the two prior agreements were incorporated into this agreement. She further explained the agreement will include members of the Finance, Tax Collection and MUA administrative departments. Ms. Bright stated that all vendor records are stored and managed by the Finance department to maintain compliance. She clarified that Ms. Borell initiates the process for a new vendor by obtaining a W-9; it is processed in the Finance department.

Motion to approve the resolution was made by Ms. Wheaton, seconded by Mr. McDermott and declared carried via unanimous vote by Mr. Furrey, Mr. Kearney, Mr. McDermott, Ms. Wheaton and Mr. Pitsker.

B. Resolution #20-31: Establishing Interlocal Services Agreement with the Township of Vernon for the Services of Department of Public Works Employees to Manage and Maintain the Vernon Sewer Collection System

Mr. Furrey read the title of the Resolution #20-31 and asked the Board for comments are on it.

Mr. Pitsker asked if there was review on the agreements done by the Mayor and the Business Administrator. In response to Mr. Pitsker, Mr. Furrey advised that these two agreements would go before the Vernon Town Council. Ms. Bright confirmed Administration received copies of the interlocal agreements; she did not receive any comments and advised she believed that they were comfortable and happy with the agreement. Mr. Pitsker asked if the Mayor and Business Administrator discussed this with the union. Mr. Furrey advised the only dialog was with the Mayor and the Business Administrator. Mr. Furrey and Mr. Kearney both stated the agreement expired at year-end and would be reviewed further at that time.

Motion to approve was made by Mr. Pitsker, seconded by Mr. McDermott and declared carried via unanimous vote by Mr. Furrey, Mr. Kearney, Mr. McDermott, Ms. Wheaton and Mr. Pitsker.

Mr. Furrey advised these resolutions will be brought up to be reviewed for adoption on the 8/10/20 Council meeting. Mr. Wenner advised that the town will consider the agreements as presented by the MUA at tonight's vote and the Board will await further action.

8. Approval of Minutes:

A. June 4, 2020 Regular Meeting

Mr. McDermott made a motion to approve the minutes, which was seconded by Mr. Pitsker and carried upon unanimous vote.

B. July 16, 2020 Regular Meeting

Mr. McDermott made a motion to approve the minutes, which was seconded by Mr. Kearney and carried upon unanimous vote.

9. Work Session

A. Old Business:

1. Pump Station 2 Update: NJIB

Ms. Bright said that the Infrastructure Bank ("the IBank") sent her an update with instructions and there were three people assigned to review the application. She advised that there are no instructions at this time.

2. RFQ for Engineering Services

Ms. Bright advised that there were quite a few firms who responded and had sent in packets, the QPA is handling the receipt of proposals and she will circulate them after the deadline of 08/21/20. Ms. Wheaton asked that the review of the RFQ be done together by the MUA. In response to Ms. Wheaton, Mr. Furrey stated that they will dedicate one entire workshop meeting to review all of the proposals. Ms. Wheaton asked if it should be done in a closed session to which Mr. Wenner advised this should be done in an open session.

B. New Business

None at this time.

10. Administrative Update

Ms. Bright informed Howard Lazier is the new Licensed Operator of Record ("the LOR") and he is currently reviewing the safety report with staff. He will provide updates as to vendors to be contacted for specific items to be addressed. North Jersey Pump will take care of the Sentinel system revamp and a purchase order is in place. Nothing could be found on the former Director's computer for the Sentinels with respect to existing programs tracking to track the data. She commented that she and Mr. Lazier would discuss and agree on the exact data to be collected. Ms. Bright informed she contacted vendors for the force main work (air release valve replacement after CCTV footage and pumping of the line) and is awaiting replies. She informed

the letter was created by the County Board of Health and was elevated up through the County Administrator and attorney for review.

11. Commissioners' Comments

Mr. Pitsker asked about the vendors for the force main e-valve. In response to Mr. Pitsker, Ms. Bright confirmed Ms. Aralp provided her with contacts for the vendors for the force main work. She advised that only one vendor responded so far that they could do the CCTV portion of the work. Mr. Pitsker and Ms. Bright asked about the meeting minutes in the past and when to discuss them. In response to Mr. Pitsker and Ms. Bright, Mr. Wenner advised the Board would adopt minutes for meetings without notes or recordings via the doctrine of necessity. Mr. Kearney asked how many different meetings were missing. In response to Mr. Kearney, Ms. Bright informed meetings for June 2019, July 2019 and August 2019 had neither recordings nor agendas. Mr. Kearney stated that he will review his box of records for any information. Mr. McDermott stated that he had the agendas for November 2019 and December 2019 and believes that there was a meeting held in August 2019. Mr. Furrey asked Mr. Kearney, Mr. McDermott and Ms. Wheaton to respond to Ms. Borell's request to review their records and provide whatever documentation that could be found regarding all missing meeting minutes. Mr. Kearney asked about discussing the 2013 and 2015 SCMUA flow data information. In response to Mr. Kearney, Mr. Furrey advised discussion of SCMUA would take place during the executive session.

12. Chairman's Comments

Mr. Furrey informed the Board received a response from the NJDEP with regulatory guidance provided to complete compliance for the sewer service area mapping. Mr. Furrey requested Ms. Bright follow up with Ms. Aralp to get a level of effort and timeline on the letter.

Mr. Kearney moved to go into executive session for the purposes of discussing contractual matters and potential litigation. Mr. McDermott seconded the motion which was carried upon unanimous vote. After a short break the MUA went into executive session.

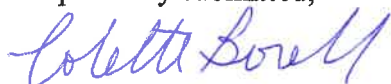
Mr. McDermott motioned to return to open session at 8:32 p.m. Ms. Wheaton seconded the motion, which was carried via unanimous vote.

Mr. Pitsker advised there is a conflict on the MUA meeting dates with the town council meeting on 10/15/20; Mr. Furrey confirmed it was rescheduled to 10/22/20.

13. Adjournment

Motion to adjourn was made at 8:36 p.m. by Mr. McDermott, seconded by Mr. Pitsker, and declared carried via unanimous vote.

Respectfully submitted,



Colette J. Borell

MUA Recording Secretary

Minutes approved: November 5, 2020

REGULAR MEETING – WORKSHOP SESSION MINUTES

7/30/20

REGULAR MEETING/WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

JULY 16, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 6/4/2020. Copies of the recording are available at the office of the VTMUA.

1. Call to Order

The regular meeting of the Vernon Township Municipal Utilities Authority (MUA) was convened at 7:15 p.m., July 16, 2020 remotely via Zoom.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Chairman Michael Furrey

Paul Kearney

Dave McDermott

Kristin Wheaton

Andrew Pitsker

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary, Engineer Ceren Aralp and Attorney Richard Wenner.

5. Open Meeting to the Public

Ms. Wheaton moved to open the meeting to the public.

Mr. Pitsker seconded the motion

All were in favor

The meeting was opened to the public.

Ryan Devez came forward. He stated he bought the property located at 324 Route 94, also known as Brookside Florist in August 2016. He stated he is currently being billed 1 EDU and needs help with the hookup due to a bedrock situation. He requested removal from the quarterly fees until the connection is complete. He further advised during the connection attempt they hit bedrock in the driveway; and the owner at the time was advised it was impossible to connect. Mr. Furrey recommended to Mr. Devez that it would best for him to hire an engineer. Mr. Devez advised that he went through the MUA meeting records and his property was referenced in three separate meetings in December 2015 through to June 2016 prior to his taking ownership. He stated that the Board specifically discussed the hardship case of his property; he noted Mr. Thomas McClachrie mentioned the hookups could not be done due to bedrock there and Executive Director John Scerbo advised that the florist should never be hooked up. Mr. Kearney advised the current Board members were not present at that time. Mr. Furrey suggested the hiring of an engineer and the Board could make a determination after notification that the property could never physically be hooked up to the sewer. In response to Mr. Furrey, Ms. Aralp confirmed that the owner at the time stated it was more costly to connect due to the bedrock issue. She said there was an agreement between the owner and the MUA that there was an allowance for them to stay where they were and it would be revisited in the future. Mr. Furrey advised Mr. Devez that the MUA would look at the history and try to get some background on what happened. Mr. Devez said he will provide Ms. Bright with that information. Mr. Devez said he contacted former Executive Director Matthew Biagini, who inspected the property and advised in March 2020 that he would bring it to the Board's attention. Mr. Wenner advised that the Board could relax rules and regulations via resolution, but the resolution would need to be in the best interest of the MUA and not necessarily in the best interest of the rate payer.

There being no further comments to be heard, motion to close the meeting to the public was made by Mr. Furrey, seconded by Mr. Pitsker and declared carried by Mr. Furrey with all in favor.

At this time Mr. Furrey referred to the discussion of the appointments of Jean Murphy and Mr. Pitsker to the MUA and Vernon Town Council respectively and addressed potential conflicts of interest in serving both positions on the Board and Council. Mr. Wenner advised that the MUA Board has two member openings and, historically, the Board has moved alternates up to the vacancy of the regular board member. He memorialized his opinion in the July 15, 2020 email to Mr. Furrey, Mr. Pitsker, the Township Attorney Josh Zielinski and Ms. Bright, and is summarized as follows:

“The statutory framework under which the MUA was created is. NJSA 40:14B-1. The language Andy sent was from NJSA 40:14A-1 which deals with sewerage authorities. Regardless, the language from both is substantially similar. The statutes list various interests which, if held by the member, would disqualify the member from serving. The statutes then state that the holding of office or employment in a county or local government unit IS NOT such an interest which would disqualify the member from serving. The statutes further state that the governing body can appoint one or more of its own (members, not a member) to serve on the Authority. Therefore, it is my opinion that a) the language Andy sent, while inapplicable to the MUA as it deals with sewerage authorities, is

not in conflict with the opinion I gave and b) that there is no conflict in Andy serving on the MUA and also on the Council nor is it a conflict for Jean to serve on both.”

Mr. Wenner stated that the MUA can make a motion to include the copy of Mr. Wenner’s email in the minutes.

Mr. McDermott moved to include the copy of the email in the minutes and seconded by Mr. Pitsker.

Mr. Pitsker asked Mr. Wenner if the copy of the email was shared by Mr. Zielinski with the Vernon Township Town Council.

In response to Ms. Bright, Mr. Kearney and Mr. Furrey confirmed a letter should be sent to the Vernon Township Council on the positions, requesting clarification.

There being no further comments to be heard, motion to include the emails in the minutes was made by Mr. Kearney, seconded by Mr. Pitsker and declared carried by Mr. Furrey with all in favor.

6. Resolutions

A. Resolution #20-27 Approval of Bills

At this time Mr. McDermott questioned if the MUA was still paying for the legal fees for the bankruptcy. Ms. Bright confirmed there would be no further billing from Norris McLaughlin going forward. Mr. Furrey followed up with the comment that legal work must be approved by Ms. Bright.

There being no further questions on the bills list to be heard, motion to pass the resolution was made by Mr. McDermott, seconded by Mr. Pitsker and declared carried by Mr. Furrey with all in favor.

7. Work Session

A. Sewer Service Area and the Asset Management Plan

Ms. Aralp informed the Board of the conference with NJDEP regarding the sewer service area (“SSA”). The reviewer advised that the MUA needs to update the HUC analysis table and there was no need for a nitrate dilution model. The MUA may have to do a build-out analysis and she hoped the information for the current area and remainder of the Township was on file with the Land Use Board. The bigger issue is the habitat map and the NJDEP is suggesting these areas be removed from the sewer service area and the property owners be notified. Ms. Aralp advised this needs further discussion and the area largely encompassed the Legends golf course and Sand Hill Rd. In response to Mr. Furrey, Ms. Aralp explained that the HUC analysis table can be used to update the state’s nitrate dilution model. In response to Mr. Furrey, Ms. Bright confirmed she would check with the Township Engineer regarding the build-out information for Ms. Aralp and would also touch base with with Jim McDonald.

Mr. Furrey advised that when dealing with the NJDEP it is critical to document everything; he added that Michelle Putnam is the Assistant Commissioner and contact for government affairs. Mr. Pitsker asked about establishing timelines and costs for the project and Ms. Aralp confirmed she would email same. In response to Mr. Pitsker, Ms. Aralp explained the NJDEP asked about the existing habitat and existing amendments are at the request of the NJDEP. Mr. Furrey stated that these are environmentally sensitive areas and that the Legends area was one of the maps that was added in 2015. Ms. Aralp confirmed same, noting there are other lots that were close to pump station #2. Mr. Furrey stated Legends has a private failed sewer plant and is already in the SSA; he confirmed these areas would be removed from the SSA. Ms. Bright clarified they were being asked to remove the areas in question from the map, but they could be added at a later time at the expense of future developers. She stated she has already checked with Land Use and there doesn't seem to be approved development, but she will get confirmation. Ms. Wheaton concurred that those who have to amend the SSA could face problems.

At this point Mr. Furrey asked for any other questions from the board to which there were none.

With respect to the Asset Management Plan, Ms. Aralp stated the RFP was provided. Ms. Aralp clarified that Mott McDonald does not contract out work as detailed in the RFP, as it is an insurance liability issue. She advised she could provide contractors. She stated that she would have to do the analysis and build on the proposal and costs to stay under the \$100k threshold. In response to Ms. Wheaton, Ms. Aralp confirmed surveyor work could be contracted, but not installation of permanent equipment. Ms. Bright stated that she will get the RFP out for quotes. In response to Ms. Wheaton, Ms. Aralp stated it was best to put the jobs together due to coordination. In response to Mr. Furrey, Ms. Aralp confirmed these jobs would require shut down of pump station #3. Mr. Furrey asked Ms. Aralp if she had a chance to look at pump station #1's erosion of the pipe line and she advised that she would take a look at a time that works for the operators.

B. Pump Station #2 Update - Funding Source

Ms. Bright stated the application was ranked this morning with details requiring review. It does not state when it will be done and an update will be provided.

C. Purchase Needs

1. Sentinel Systems

Ms. Bright stated she reached out for quotes on the sentinel systems and discovered they were already in place on all the pump and lift stations. She advised she has no data and spoke with one of the vendors and that minimal data was being transmitted. She has reached out for quotes from vendors.

Mr. Kearney questioned why the system was not set up correctly to monitor remote facilities other than alarms and Ms. Wheaton stated that she will hold off commenting until all the quotes are in. Mr. Furrey stated that the positive is that the MUA already has the system set up and it should not cost more to expand. Mr. Furrey asked Ms. Bright when this system was purchased and to share that information with the MUA. Mr. Pitsker stated that he sees the bills every

month and Ms. Bright confirmed that it does take data as the vendor explained, but it does not feedback to a central system. Ms. Wheaton stated that the board was looking for a tool to notify of alarms.

Ms. Aralp responded the flow data could be recorded from the past 12 to 18 months for each pump station and Mr. Furrey concurred that it can collect wet wells, pump information, voltage clogs, etc... There are 12 inputs that can be monitored and collected into a cell phone. It can log when a person enters that building.

2. Generators for Lift Stations

Ms. Bright obtained a second quote from Home Depot, but it is not in stock and may have to go with the original vendor quote. Mr. Pitsker suggested installing a radio-frequency identification (RFID) chip. He explained the chip can track the generator via GPS. Ms. Bright thanked Mr. Pitsker for looking into a vendor for the RFID chip.

3. Safety Review

Ms. Bright updated that Mr. Grosser had provided items to her this afternoon and Mr. Furrey asked her for a summary and timeline for the Board.

8. Commissioners' Comments

Mr. Pitsker commented on the good solutions that are coming together with greatly improved communication and stated the safety issues are critical to address. He also questioned the status of the outstanding meeting minutes. Ms. Bright stated that the June 4, 2020 draft is done and needs to be reviewed and updated the MUA that the priority now are the 2019 outstanding minutes that need to be completed. Mr. McDermott commented that everything looks good. Mr. Kearney followed up that he had no comments. Ms. Wheaton also commented on the outstanding minutes and the status of the outstanding OPRA requests. Ms. Bright updated that the OPRA requests are under review and that documents were uploaded to Drop Box for one OPRA request regarding recordings.

9. Chairman's Comments

Mr. Furrey commented that the team is working well and stated the sub-committees will be reviewing their volunteer appointments. He stated, moving forward, the meeting agendas will address sub-committees for updates and reports back to the MUA during the regularly scheduled meetings.

10. Executive Session (Closed to the Public)

Mr. Pitsker moved to go into executive session at 9:05 p.m. for the purposes of contract discussions.

Mr. McDermott seconded the motion, which was carried via unanimous vote.

After a short break, the MUA went into executive session.

Mr. Furrey moved to close executive session at 9:30 p.m.

Mr. Pitsker seconded the motion and carried via unanimous vote.

Mr. Furrey moved to return to public session at 9:35 p.m.

Mr. Kearney seconded the motion and carried via unanimous vote.

11. Adjournment

There being no further items of business to be conducted on the agenda, a motion for Adjournment was made by Mr. McDermott, seconded by Mr. Pitsker with all members voting in favor. The Regular Session Workshop Meeting of the Vernon Township Municipal Utility Authority was adjourned at 9:40 p.m.



Respectfully submitted,

Colette J. Borell

MUA Recording Secretary

Minutes approved: July 30, 2020

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITIES AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

August 20, 2020, Time: 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 8/20/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened on August 20, 2020 remotely via Zoom and called to order by Chairman Michael Furrey at 7:05 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Paul Kearney
Dave McDermott
Kristin Wheaton
Andrew Pitsker

Professionals: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Howard Lazier, MUA Licensed Operator of Record.

5. Open Meeting to the Public

Mr. Furrey motioned to open the meeting to the public which was seconded by Mr. Pitsker and unanimously carried.

No one wishing to be heard, Mr. McDermott motioned to close the meeting to the public which was seconded by Mr. Pitsker and unanimously carried.

6. Resolutions

A. Resolution #20-32: Approval of Bills

At this time Mr. Furrey questioned the invoice for electrical repairs. Ms. Bright explained that the purchase order was set up pursuant to a request by the former MUA licensed operator of record and that he had advised Ms. Bright that it concerned a clogged pump. Mr. Kearney commented that sometimes when the waste removal (grinder) pumps get clogged an electrician would be called in and stated that whenever a contractor is called in for repairs to be done, they should provide details on the work that was performed. In response to Mr. Kearney, Mr. Furrey concurred, stating it was critical to keep good records of all MUA equipment and maintenance. Mr. Lazier advised that he was informed that the pump was throwing a bad voltage, which led to pulling the pump and why the electrician was called in. Mr. Pitsker asked about the workman's compensation insurance payment installments for the year 2020 and whether it has been finished. In response to Mr. Pitsker, Ms. Bright confirmed the insurance 2020 billing has been concluded.

Motion to approve was made by Mr. McDermott, seconded by Ms. Wheaton and declared carried by Mr. Furrey with all in favor.

7. Approval of Minutes

Ms. Bright explained the July 18, 2019, August 15, 2019 and November 7, 2019 meetings the board did not have recordings nor any notes and advised pursuant to legal counsel, the outstanding minutes should be set up with comments that the minutes were not available due to these missing recordings. She stated the outstanding minutes and agendas were assembled based on existing information.

A. July 18, 2019

Motion to approve was made by Mr. McDermott, seconded by Ms. Wheaton and declared carried by Mr. Furrey with affirmative votes of Mr. McDermott, Ms. Wheaton and Mr. Kearney.

B. August 15, 2019

Mr. Furrey moved to table the discussion on the review of the meeting minutes to the next meeting.

C. November 7, 2019

Mr. Furrey moved to table the discussion on the review of the meeting minutes to the next meeting.

D. January 30, 2020

Mr. Furrey moved to table the discussion on the review of the meeting minutes to the next meeting.

8. Consent Agenda

A. Resolution #20-33: Amending Resolution 20-31 Establishing Interlocal Services Agreement with the Township of Vernon for the Services of Department of Public Works Employees to Manage and Maintain the Vernon Sewer Collection System

Ms. Bright advised the Interlocal Services Agreement had been submitted to the Vernon Town Council, who requested a clause be inserted regarding responsibility for the maintenance of the township's sewer easements. She confirmed the language was added in addition to verbiage for conducting grease trap maintenance twice yearly. Mr. Lazier confirmed that the Department of Public Works would be able to make certain repairs to broken sewer lines and maintain and clean them to bring the maintenance costs down. Mr. Pitsker asked whether Vernon Township Business Administrator Charles Voelker distributed this to the DPW's union; Ms. Bright could not speak to same. Mr. Pitsker asked about documentation and safety reports. Mr. Furrey clarified all safety responsibilities not covered in this agreement will be covered under the requirements of the NJDEP for a C-2 Licensed Operator of Record.

Motion to approve Resolution #20-33 was made by Mr. McDermott and seconded by Mr. Kearney. It was declared unanimously carried upon the affirmative votes of Mr. Furrey, Ms. Wheaton, Mr. McDermott, Mr. Pitsker and Mr. Kearney.

B. Resolution 20-34: Authorizing Employment Agreement with Howard Lazier for the Services of Licensed Operator

Ms. Bright explained she consulted with Mr. Wenner on the drafting of the agreement and advised everything that was discussed by the Board is contained herein. Ms. Wheaton asked if it should stipulate that it is a C-2 license. In response to Ms. Wheaton, Ms. Bright confirmed she will amend the agreement to include the language specifying a C-2 licensed operator.

Motion to approve Resolution #20-34 was made by Ms. Wheaton and seconded by Mr. McDermott. It was declared unanimously carried upon the affirmative votes of Mr. Furrey, Ms. Wheaton, Mr. McDermott, Mr. Pitsker and Mr. Kearney.

9. Work Session

A. Old Business

1. Pump Station 2 Update

Mr. Furrey advised the transfer station sub-committee comprised of Ms. Wheaton and Mr. McDermott will possibly be integrated into the pump station #2 upgrade. He advised that there is a private company interested in helping fund the transfer station. Ms. Bright confirmed same, noting she was setting up a meeting with the township, Mountain Creek and the other business to discuss moving forward. Ms. Wheaton volunteered to serve on the pump station #2 sub-committee as the replacement member for Ms. Erichsen.

Mr. Furrey stated that he asked for a level of effort from MUA engineer Ceren Aralp to expedite a response from the NJDEP on all the requirements needed. Ms. Bright confirmed she reached out to Ms. Aralp on the status and asked the board if they made a decision on removing certain areas from the Sewer Service Area. She advised that this was due to the NJDEP request to remove certain environmentally sensitive areas, specifically lots by Black Creek off of Sandhill Road. Mr. Furrey said that the MUA needs information from Ms. Aralp on what it would cost to address the NJDEP's concerns before the board can make a final decision on the SSA map. He advised Paul DeMuro, the reviewer at the NJDEP, is putting together the application on this with the state. Ms. Bright clarified that the nitrate dilution model is not required by the NJDEP but they do need the updated huc analysis for the entire township. She advised Ms. Aralp had asked the township engineer for this information. Mr. Pitsker commented Paul DeMauro provided a checklist of what needs to be done with the SSA map. Mr. Furrey advised that it will be incorporated in the sub-committee charter.

2. RFQ for Engineering Services

Mr. Furrey stated the RFQ was posted and answers would be due the next day. Ms. Bright informed the funding application is still in review. Mr. Furrey advised they are waiting on the funding and finding a firm that will do the design. He stated he has not received Dewberry's engineering plans and asked Ms. Bright to gain access to the old engineering plans.

B. New Business: Subcommittees

By-Law and Personnel Sub-Committee

Mr. Pitsker commented the by-laws and the policies will be updated. He discussed changes on the website and suggested the board include a comparison of rates of other towns inclusive of Sussex County Municipal Utilities Authority. He commented on the social media policy and will consult with Mr. Wenner on comparing the policy to other towns. Mr. Furrey asked whether any changes made to the by-laws would require a resolution to be adopted. In response to Mr. Furrey, Ms. Bright confirmed any by-laws would need to be changed via resolution.

Water Supply Sub-Committee

Mr. Furrey informed that a meeting was held with the ACME plaza property managers and advised another meeting with the township will take place regarding providing water to town center. Ms. Bright stated IBank funding for clean water would have greater debt forgiveness for versus wastewater. Mr. Furry advised ACME has its own well and stated SUEZ provided him with contact information for the new business manager and engineer Tony Vincente with John Hildebrant of SUEZ also being involved in some way on the project. Mr. Furrey advised qualifying for NJIB would entail having a project ready to go with a water storage facility, installing drinking water supply lines and upgrades to well pumps. He stated that a public / private partnership with SUEZ would complicate this endeavor as these partnerships did not tend to fund through the IBank, however if the township pursued its own water supply the funding would be available. He noted municipalities that sell water can attract business and generate profits to help stabilize rates for its stakeholders. Ms. Bright commented that after consultation

with the township engineer on the issue of the township drilling its own wells as a water utility, that it would require a regulatory filing with the New Jersey Board of Public Utilities for approval and the subsequent mandatory water testing and permitting for compliance.

Finance Charter

Mr. Pitsker discussed the procedures for improvements, new agreements being developed and organizational changes with anticipated estimated cost savings of approximately \$70,000.00 to \$80,000.00 in expenses annually together with controls in day to day operations via the Sentinel system. Ms. Bright stated that she spoke with the township's attorney with respect to the Sussex County Municipal Utilities Authority and the township will be taking the lead on this matter. Mr. Furrey stated former MUA commissioner Thomas McClachrie did a detailed comparison with other towns on the EDU rates and meters for billing and will search for the document and share it with the Board. Mr. Pitsker commented that the flat rates should be reduced in the future and to increase the user base.

10. Administrative Update

None at this time.

11. Commissioners' Comments

Mr. Kearney asked about the status about the application for the Veterans for Foreign Wars (the "VFW") building. Mr. McDermott informed the VFW building is not open however all mark outs are ready to go and the VFW is waiting for permits from the building department. Mr. Pitsker asked if there should be a wastewater commission report to be incorporated into the minutes. Mr. Furrey advised to table the discussion on this for the next meeting.

12. Chairman's Comments

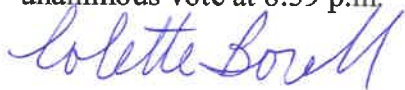
Mr. Furrey asked when the RFQ for engineers were due in. In response to Mr. Furrey, Ms. Bright stated she received four RFQ responses to date that all were due in by August 21st. Ms. Bright commented that the Board has the authority to hire an engineer for special projects as set forth in the RFQ scope of work.

13. Executive Session (Closed to the Public)

At this time Mr. Furry stated that there would be no Executive Session.

14. Adjournment

Motion to adjourn was made by Mr. McDermott and seconded by Mr. Pitsker and carried upon unanimous vote at 8:39 p.m.



Respectfully submitted,

Colette J. Borell

MUA Recording Secretary

Minutes approved: November 5, 2020

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

SEPTEMBER 3, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 9/3/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened at 7:01 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker
Jean Murphy

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Attorney Richard Wenner.

At this time Mr. Furrey welcomed Ms. Murphy to the MUA board.

5. Open Meeting to the Public

Mr. Kearney motioned to open the meeting to the public, which was seconded by Mr. McDermott and declared carried via unanimous vote.

Seeing that no members of the public come forward, Mr. Pitsker motioned to close the meeting to the public, seconded by Mr. Kearney and carried upon unanimous vote.

6. Approval of Minutes:

a. August 15, 2019: Regular Meeting

Mr. McDermott motioned to approve the minutes, which was seconded by Mr. Kearney and carried upon unanimous vote.

b. November 7, 2019: Regular Meeting

Mr. Furrey made a motion to approve the minutes, which was seconded by Mr. Pitsker and carried upon unanimous vote.

c. December 19, 2019: Regular Meeting

Ms. Wheaton made a motion to approve the minutes, which was seconded by Mr. McDermott and carried upon unanimous vote.

d. January 30, 2020: Regular Meeting

Ms. Wheaton made a motion to approve the minutes, which was seconded by Mr. Kearney and carried upon unanimous vote.

e. February 20, 2020: Regular Meeting

Mr. Pitsker made a motion to approve the minutes, which was seconded by Mr. McDermott and carried upon unanimous vote.

7. Work Session

a. RFQ for Engineering Services

Mr. Furrey stated several proposals were received. Ms. Wheaton explained the evaluations, advised there is a lot to review with an evaluation matrix table assembled to rate and rank them according to the criteria for the RFQ. She advised the need to have conversations to discuss the pros and cons of each firm. Mr. Furrey commented Ms. Wheaton's scoring was excellent and transparent and suggested the only criteria not included was doing an interview process with the engineers. Ms. Wheaton concurred since the people at the firms were not known to the MUA and to use the evaluation matrix as a screening tool to narrow down the candidates. Mr. Kearney agreed with the recommendation and on using a scoring matrix which was likewise utilized at his company. Mr. Pitsker agreed and stated upon review of Van Cleef Engineering Associates, LLC's RFQ that it appeared this firm had more service offerings a.k.a. infrastructure and suggested adding an additional column to the matrix for this as a foundation of the criteria. Mr. Furrey updated Ms. Murphy on the RFQ background and the five engineering firms that

responded back. Mr. Furrey asked Ms. Wheaton about the interview process with discussion with Mr. Pitsker and Mr. Kearney about participating on the interviews. Ms. Wheaton to clarify asked if a sub-committee should be formed to interview the firms. Mr. Furrey agreed it could be a two person sub-committee to include Ms. Bright. Mr. Furrey asked the board to provide input / feedback on what Ms. Wheaton circulated, review the copies of the proposal, do all of the scoring and submit to Ms. Bright in a reasonable amount of time by October 11 to provide Ms. Bright enough time to collate all the evaluations. Ms. Bright advised if any actions need to be taken before then, the evaluations for the top candidates should be discussed and reviewed before September 11. Mr. Kearney concurred with her recommendation. Mr. Furrey commented it should be done for possible action by October. Ms. Murphy asked if they had considered what other municipalities have done in terms with working with other firms. Mr. Pitsker advised he did some preliminary research on the Ridgewood Water process and services offered. Ms. Bright stated she sent everything on the RFQ's over to Ms. Murphy and will provide hard copies to everyone who wishes one. Mr. Kearney and Ms. Wheaton asked for hard copies of the RFQs. Mr. Furrey asked for the evaluations be returned back to Ms. Bright and Ms. Borell and to be prepared to have a discussion on them at the September 17 meeting with action to be taken at the October 1 meeting. Mr. Pitsker said it will be necessary to present the findings from these two interviews to the sub-committee. Mr. Furrey stated the MUA engineer Ceren Aralp of Mott McDonald does not need to be interviewed as the firm is already known to the MUA. Ms. Wheaton stated that the short list selected to pick two maybe three firms to interview including Mott McDonald. She commented an even evaluation should be done for each incumbent with the evaluations to come through Ms. Bright at the end of next week. She suggested once they are narrowed down to two or three firms, then a date can be scheduled for the interviews. Mr. Furrey agreed and stated the order on how this will proceed will be as follows: evaluate all five firms; submit the evaluations to Ms. Bright; decide now whether to interview the top three or top two firms. Mr. Pitsker suggested to have the evaluations done and submitted to Ms. Bright by September 11 for review and discussion at the September 17 meeting. Mr. Wenner advised a special meeting could be advertised with the board making the final decision on the interview process with a subcommittee formed to narrow down applicants for the meeting on September 17 and schedule the top two to three firms' interview. He advised the sub-committee will be authorized to determine who to interview at the September 17 meeting. He stated all board members will be part of the interview process and make the final decision at the October 1st meeting. Ms. Wheaton volunteered on the sub-committee along with Mr. Pitsker. Ms. Wheaton commented there may be enough time for the firms' to respond by the September 17 board meeting. Mr. Wenner stated the firms can be given advance notice now to present their proposals on September 17 meeting with determination to be finalized at the October 1st meeting. Mr. Furrey stated if Ms. Bright notifies all five firms tomorrow on the presentation deadline by September 17 it will be more reasonable time to give the firms to be fully prepared. Ms. Bright agreed with Mr. Furrey's recommendation. Mr. Pitsker asked if this would set the MUA back on its project plans. Ms. Bright stated it does set the MUA back slightly however noted she still has not heard back from IBank yet on funding and cannot move forward until she receives notification from IBank. Mr. Furrey commented it is an aggressive time schedule for interviews to decide by October 1 however there is a need to be reasonable on the time schedule without having a special board meeting and will stay with the schedule as it stands now. Ms. Wheaton stated she will add the weighting factor to the array of services criteria and will do the revisions to factor that change in.

b. Subcommittee Reports
i. Transfer Station Subcommittee

Ms. Bright stated Mr. Pitsker and Mr. McDermott were at the meeting with her, met with Dave Bauer Vice President of Wind River, Joe Hession, CEO of Mountain Creek and the township and the meeting was very productive. She said there was an action to do list prepared with Mr. Bauer to obtain numbers and Mr. Hession to obtain engineering reports on pump station #2 from Mountain Creek. She stated she reached out to the MUA's and the township's legal counsel on who this works. She commented she has a telephone call scheduled with the township's bond counsel on the IBank funding. Mr. McDermott commented the meeting was very positive and Mr. Hession made observations that it would be to Mountain Creek's benefit to make the transfer station and would simplify the decision making process and there is adequate allocation with the legal counsels to draft the agreement. Ms. Murphy asked the township funding for the transfer station. Ms. Bright clarified the transfer station would be part of the pump station #2 rehabilitation and that Mountain Creek will be repaying the township back on this. She clarified it is not going to be that much higher financing as Mountain Creek is responsible for the cost. Mr. Furrey confirmed it is the township who will be borrowing the money, once the engineer is hired they will be able to provide a financial estimate as to what the transfer station will cost in relation to the pump station #2 and all these designs will have the costs will come out. He updated the original design done by Dewberry for Mountain Creek approximately twenty years ago was on the other side of Sandhill Road near the overflow parking lot not where it exists now and did not include the transfer station. Ms. Bright commented she did ask at the meeting about the specific infrastructure cost and noted Mr. McDermott's clarified that all that was needed to be done to make it into a transfer station was to create the area where the tractor trailer trucks could pull up to obtain the material. Ms. Murphy asked if it was the original size of pump station #2. Mr. Furrey stated it will have to be a larger size pump station compared to what is currently there which is undersized. He commented the cost was is in the estimate of \$5 million. Mr. Pitsker stated from his conversation with Mr. Hession regarding pump station #2 there might not be as much work perceived needed to be done. He clarified the transfer station must have the material flow downhill, have a grinder ahead of it, and comes through the process. Mr. Pitsker said the town owns the assets with Mountain Creek, commented the meeting as a positive one with everybody on the same page. Ms. Bright concurred it was a collaborative effort to move forward at the meeting with Mr. Hession stating he was willing to put more into it, pay for it and ultimately it will benefit the ratepayers and the taxpayers by creating a revenue stream on either side whether through the MUA or the township to offset the massive financial burden imposed by the Sussex County Municipal Utilities Authority's ("SCMUA") bills. Ms. Wheaton asked about the role of Wind River (formerly known as Earth Care) in this project. Ms. Murphy stated Wind River had indicated during the previous Wastewater Committee meetings that they would be interested in developing and building the plant with the town having the flow and they had the need for it. Mr. Furrey advised the force main pipe that runs along the railroad tracks is feeding the Black Creek pump station would be the same force main pipe serving pump station #2 and is now undergoing an evaluation on its integrity as part of the asset management plan and process. He said if Wind River was interested in building their own transfer station they would have to apply for and pay for their own connection fee which may limit them due to it being too cost prohibitive for them to even consider it. Ms. Murphy asked if there are no connection fees for

this project would somebody still have to pay the county, who would pay the county and if Vernon took out the financing who would be responsible for the connection fees to the county. Mr. Furrey stated if Mountain Creek built the transfer station themselves as part of the new pump station #2 they would have to pay the connection fee. He suggested a report can be assembled on their findings for presentation to the town. Ms. Bright explained she will be speaking with bond counsel tomorrow to come up with some findings to present to the board for a course of action. She said they are looking to explore the options to reduce the massive financial burden on the ratepayers and the township taxpayers. Mr. Pitsker asked what needs to be done to address to SCMUA the connections fees. Mr. Furrey stated once the engineer is retained it will be part of their evaluation to provide the real numbers. Ms. Wheaton asked if the discussion was held with SCMUA about the transfer station. Mr. Furrey stated no discussion has been held with SCMUA yet. Ms. Murphy commented there were initial conversations with SCMUA during the Wastewater Committee previous meetings when Earth Care was looking at taking it on at these meetings that took place with Dave Bauer, Town Council President Harry Shortway and herself. Ms. Wheaton asked if SCMUA may be concerned about septic coming into their plant in terms of the waste treatment train process as opposed to placing all of the wastewater coming into their plant and there may be concern with the equalization of the flow coming in for treatment. Mr. Furrey stated to his knowledge they use equalization systems prior to the flow material coming in. He commented prior to the design of the pump station there were must be discussions with the engineer and SCMUA and once the engineer is selected the conversation can be initiated. Mr. Furrey suggested all board members tour the SCMUA to gain a better understanding on how it all works and learn and see the equalization system process. Ms. Murphy stated during the SCMUA tour in 2016 it was explained then how the separation process worked.

ii. Sewer Service Area Subcommittee

Mr. Furrey stated there is no update on the sub-committee however noted they are waiting for an estimate of cost from Mott McDonald to address all the open items that are required to complete the sewer service area submission to the New Jersey Department of Environmental Protection (the "NJDEP"). He advised a letter was already submitted to the Sussex County Health Department. Ms. Bright updated she asked Mott McDonald's engineer Ceren Aralp for a timeline to include costs, for Mott McDonald to handle the rest of the submission and stated that to date has not received anything back. She said she asked Ms. Aralp to identify those three areas of environmental concern on the sewer service area map for the board to review and agree to remove those three areas and has not heard back yet. Mr. Furrey asked what these three areas of concern were. Ms. Bright advised the first area is at looking at a map of Sandhill Road at the intersection of Route 94 and Sand Hill it is the area behind Mountain Creek's parking lot, the second area is the corner by a portion of the golf course and the third area is by the Black Creek development at the back end of that development closest to Route 94 and behind pump station #2 off of Sandhill Road. Mr. Furrey stated the NJDEP expressed to the board if there was a proposed map that if those areas were taken out the proposed map it would possibly expedite the process to get an improved sewer service area map. Ms. Bright commented in discussion with Paul DeMuro of the NJDEP he explained when it was originally approved it was anticipated that there would be additional development in those areas however the NJDEP is now taking a renewed look at these areas now due to their concerns for these environmentally sensitive locations. Ms. Bright advised if these three areas are left in the sewer service area for

development and expansion it would necessitate additional permitting as it stands and could take another two years to approve. Mr. Furrey commented a request can be directed to Ms. Aralp to redo the map, identify those particular areas and remove those three areas. Ms. Murphy asked about the area behind where the two lots in the parking areas of concern were. Ms. Bright clarified the areas are towards the railroad tracks. Mr. Furrey concurred they were towards the railroad tracks not towards McAfee. Mr. Furrey stated it would be prudent for the board to have Ms. Aralp identify those areas on the updated map for the board to review at their next meeting to speed up the process to get the sewer service area map approved. Mr. Pitsker commented he doubted these areas would ever be a functioning area where a sewer system could be in place and did not understand why those areas were there since they cannot be built on. Mr. Furrey agreed with Mr. Pitsker's comments and stated it was necessary for the board to see the map to see where these areas are to decide what to present to the NJDEP. Mr. McDermott stated if these areas cannot be built on then they should be removed to help move the project forward. Ms. Bright commented it is more so the area under Black Creek due to the potential development expansion possibility there. Mr. Furrey stated Ms. Aralp will be directed to remove those areas for the map. Mr. Kearney said if it involves the loss of potential hook up the decision should be carefully thought out.

iii. Pump Station 2 Subcommittee

Mr. Furrey commented there were no further comments on the sub-committee and noted that they have started the process for the funding for the IBank. Ms. Bright updated there were was no action to date on the IBank funding. Mr. Pitsker asked about the safety report. Ms. Bright updated she spoke with Ms. Aralp about the areas of concern, the railings had already been installed and approved several years ago when OSHA came out however they are not now up to code and will be addressed by Howard Lazier. She said E&M Electric came out and updated all the labeling on the electrical boxes at all the pump stations and lift stations for compliance. She noted the big items left on the safety list were the railings and also pointed out the safety harnesses are transported from pump station to pump station during the rounds. Mr. Pitsker asked Ms. Bright to publish an update on these findings and what was done. Mr. Furrey agreed with the request.

iv. Bylaws/Personnel Subcommittee

Mr. Pitsker discussed the review of the by-laws and the definition of hardship with grammatical edits and advised that he will re-circulate the updated reports to the board. Ms. Bright added the part-time position was posted with two applications received for it and it has been weeks since it was first posted. She clarified the posting is on the MUA website, on the League of Municipalities website however is not on Indeed and advised it is their decision if they wish to better advertise it. Ms. Wheaton suggested interviewing the first two applicants and decide how to proceed from there. Mr. Furrey asked Mr. Pitsker and Mr. McDermott to review the two applications received and proceed from there.

v. Water Supply Subcommittee

Mr. Furrey stated Ms. Wheaton and himself are on it and said that Ms. Bright organized a meeting with the Mayor, Business Administrator and Vernon Township engineer Corey Stoney who distributed several documents for the water supply issues along with the SUEZ documents. Mr. Furrey stated if the MUA can increase the water supply in various parts of the township it would increase the wastewater flows. Ms. Bright stated the meeting was very productive and Mr. Stoney shared great maps and discussed how to bring water to town center by working with SUEZ. She said it was decided to work with SUEZ to increase the allocation amounts in order to bring the water into town center and advised there would be all the necessary upgrades to the infrastructure which are substantial. She commented on the positive outcome of the IBank having debt forgiveness with water funding as opposed to sewer and explained the existing franchise area with SUEZ would have to be addressed with the whole idea of bringing both water and sewer to Town Center to help out and bring good businesses in to improve the area. Mr. Furrey said that Ms. Bright will perform due diligence to do the IBank funding, continue the discussion with SUEZ and explained that Phase 1 was with CVS, Phase 2 was Main Street and Phase 3 would be Main Street down to ACME. Mr. Furrey commented the next logical steps is to initiate the discussion with SUEZ, that a Zoom meeting has been set up for September 18 with SUEZ and two to three of their engineers and their regional manager and noted there is a lot to digest, is extremely complicated with the next order of business to be to sit down with SUEZ to discuss what kind of infrastructure upgrades are needed. Ms. Murphy asked if this was the same development that was proposed over the past several years. Mr. Furrey confirmed it was and stated that there are no water supply lines along Route 515 which would need to be done with the loop around Town Center. He advised that Buck Seifert and Jost provided the estimates to SUEZ which are in the proposal for SUEZ that was circulated by Ms. Borell. Mr. Furrey stated Phase 2 is done and May 2018 was the last correspondence to the Township discussing the water upgrades. Mr. Kearney asked about debt forgiveness and whether that applied to both private and public entities. Mr. Furrey stated when this was looked at prior as a potential public / private partnership they were not able to access the IBank infrastructure money needed to be obtain in order to qualify for debt forgiveness. He clarified it is easier for a public utility to obtain the funding and qualify for debt forgiveness. Ms. Bright clarified that assuming there is a SUEZ franchise area for the MUA to take on as a public utility the only way was for the MUA to develop the upgrades that entitled it for the debt forgiveness as a public utility which the MUA is. She stated there are three scenarios to get it as a private franchise area: the IBank says they will pay for it; they say no, no debt forgiveness; they advise it can be split into portioned areas. She explained it is exploratory and the board will want to see what their options are. Ms. Murphy asked what exactly what Town Center properties are covered. Mr. Furrey advised that the map that Mr. Stoney had available would be enormously helpful for the board to see exactly what the water supply area covers and that Ms. Bright will share the map with the board. Ms. Murphy commented some of this information is already available and with speaking with a lot of contractors in town there is a lot of ledge rock in the area and asked if there were any other reports that Mr. Stoney had which could be distributed.

vi. Finance Subcommittee

Mr. Pitsker discussed that Ms. Bright had shared the spreadsheet with him on the labor savings on the Department of Public Works costs that the Business Administrator provided. Ms. Bright advised that the next set of numbers will be provided by Mr. Volker. Mr. Pitsker commented

that the two reports on the charter have been provided and that the numbers on the charter should be updated at year end. Mr. Furrey concurred on the posting of the charters with an eye towards transparency for the benefit of the ratepayers and the township's residents. Ms. Bright advised estimates for the costs savings will be updated at the end of the fiscal year and Mr. Kearney concurred he agreed likewise.

8. Administrative Update

Ms. Bright updated the safety review was previously covered and the OPRA request made by Ryan Devez has been completed. She stated the Sentinel system and pump station #2 was not set up correctly with no alarms. Mr. Kearney asked if there were any records of people answering the alarms and was there overtime paid. Ms. Bright updated the Finance Department has only time cards submitted and weekly documentation reports and they do not know with the only documentation available are the weekly documentation reports. She commented that the positive aspect is that Ray Cornetto completed the Sentinel system set up and will give Ms. Bright and Ms. Bright access to the system on line to the sentinel system. Mr. Kearney asked for confirmation that the MUA was paying somebody else reports to run the system. Mr. Furrey updated the Sentinel system was installed several years ago and once Mr. Cornetto completes the report the MUA will have a clear understanding of the background. Mr. Kearney asked if it is known factually if the system was never set up and Mr. Furrey confirmed Mr. Cornetto's opinion that it was never set up properly and possibly dis-mantled after it was installed. Mr. Furrey stated the Sentinel system was not monitoring pumping, clogs and all that information and advised it is completed the MUA will have a much better understanding they system works. He said once it was set up there were over 150 emails received. Mr. Furrey said Mr. Cornetto will give a detailed report of what he did along with several observations he noted. He stated one of the observations which was a significant leak at one of the lift stations that has been going on for a while and was not being addressed which will be addressed. He noted the MUA will gather all the facts before drawing any conclusions.

9. Commissioners' Comments

Mr. Pitsker welcomed Ms. Murphy to the board and stated the MUA is headed in the right direction with addressing the correction of the Sentinel system among other items. Ms. Wheaton welcomed Ms. Murphy to the board and asked Ms. Bright about the large outstanding account payment that is due and owing. Ms. Bright stated the outstanding delinquent list is run once the quarter is finished. Ms. Wheaton commented about bringing more revenue into the MUA via a municipal garbage / recycling collection as a source of revenue to help offset the debts in the sewerage area. Ms. Bright advised that she has had conversations about garbage service which is doable and that the MUA is a standard utility and confirmed that a lot of townships have a garbage service. Ms. Bright confirmed she did research last year and will pull the research on what other towns are doing and review it. She stated it would require partnering with a private sanitation company and advised that the focus is to bring the cost to below what the property owner is currently paying while generating revenue. Mr. Furrey agreed to continue to explore this as a venue for additional income. Ms. Murphy commented that the lake area residential areas would come into issue. Mr. McDermott advised that he spoke with Dean of the VFW and asked him what they needed to get hooked up and then COVID intervened. He said that their

engineer advised them that they needed a grease trap drawing and once obtained it would be ready to go. He said they did submit the drawing and requested an update on their application. Mr. Kearney stated that it was necessary to get the drawing and submit the application. Mr. Furrey asked Mr. McDermott for the VFW to resubmit the map to facilitate it as there is a good possibility that the MUA does not have that drawing and requested he send it to Ms. Bright as soon as possible. Mr. Kearney stated the VFW should consult with the Sussex County Board of Health with respect to the application. Mr. Kearney asked about ACME and the other three property owners who had issues with connections. Ms. Bright answered the OPRA records of Mr. Ryan Devez who owned Brookside Florist were reviewed and noted the prior property owner was paying fees and would pay the 1 EDU and the record showed the board agreed that he not be forced to pay up. Ms. Bright stated she did not see anything that he was not responsible for not paying fees. She said she advised Mr. Devez that the board strongly recommends that he hire an engineer to review. She stated regarding the ACME store there was a meeting held with the managers of the shopping center and their concerns about the charges and the effects of COVID and a full breakdown of the setup of the EDU's was provided to them. Mr. Kearney asked about the Green Team building property. Ms. Bright advised she will look into it and update the board.

10. Chairman's Comments

Mr. Furrey welcomed Ms. Murphy to the MUA and commented that all members on the MUA team have made tremendous progress and other than that

11. Adjournment

Motion to adjourn was made by Mr. McDermott, seconded by Mr. Kearney and declared carried by Mr. Furrey at 9:29 p.m.

Respectfully submitted,

Colette J. Borell
VTMUA Recording Secretary

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITIES AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

SEPTEMBER 17, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 9/17/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA) was convened on September 17, 2020 remotely via Zoom and called to order by Chairman Michael Furrey at 7:06 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Chairman Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker
Jean Murphy

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Attorney Richard Wenner. Mr. Wenner entered the meeting at 7:16 p.m.

5. Open Meeting to the Public

Mr. Kearney motioned to open the meeting to the public, which was seconded by Mr. McDermott and declared carried by Mr. Furrey.

Ms. Jessica Paladini came forward and asked if the public comment period was going to be opened up again at the end of the meeting and if this was the only public session. Mr. Furrey advised that if it is necessary it will be re-opened up to the public at the end of the meeting prior to adjournment.

Seeing no further members of the public come forward Mr. Pitsker motioned to close the meeting to the public, seconded by Mr. McDermott and carried upon unanimous vote.

6. Approval of the Bills

Mr. Pitsker asked if the Sentinel system is up and running. In response to Mr. Pitsker, Ms. Bright advised the Sentinel system is active and is checked daily. She updated there will be more invoices for additional services to be rendered on the relocation of the boxes because they need to be heated and will be moved before the cold weather sets in. Mr. Furrey commented that Ray Cornetto of North Jersey Pump and Controls, LLC performed the work and detailed the summary of work in his invoice and gave a list of items that remain to be done. In response to Mr. Furrey, Ms. Bright confirmed Mr. Cornetto provided an update on the items for the lift stations and what needs to be done in preparation for the colder weather operations.

Mr. McDermott moved to approve the bills, which was seconded by Mr. Pitsker and carried upon unanimous vote.

7. Approval of Minutes:

a. July 2, 2020 Regular Meeting

Mr. Kearney motioned to approve the minutes, which was seconded by Mr. McDermott and carried upon unanimous vote.

8. Work Session

a. RFQ Responses for Engineering Services

Ms. Bright explained Ms. Wheaton's RFQ proposal spreadsheet scoring and said that all of the boards' comments were incorporated in one tally up spreadsheet of all their scores. Ms. Wheaton advised the scoring included the firms' experience and reputation in wastewater collection conveyance, with the NJDEP and wastewater permitting, the New Jersey Water Bank or their predecessor, the New Jersey Infrastructure Bank, their price proposal and any other factors that may have presented themselves during the MUA review of their proposals. She noted the commissioners' final individual scorings were submitted to Ms. Bright by 9/11/20.

Ms. Wheaton advised through this screening process a selection was made for Van Cleef Engineering Associates, LLC and Dewberry Engineers Inc. as the top ranked engineering firms, with Mott McDonald ranking third. She advised the Board that in tonight's meeting they should confirm which firms to invite for interviews on 10/1/20.

Mr. Furrey commented the top three firms will be focus of the short list for consideration and presentation. He raised the issue of the potential conflict of interest with Dewberry with respect to the firm's work on behalf of Mountain Creek. Mr. Furrey asked Mr. Wenner about a potential conflict with respect to this. In response to Mr. Furrey Mr. Wenner commented that a concern could arise if there was an application that a general engineering firm appointed to do work for the MUA was also representing another client, i.e. Mountain Creek, on work performed on the same project, i.e. pump station #2. He commented that Dewberry on their end did not see a conflict, however in terms of the work on pump station #2 for both clients there may be an issue with the scales being tipped towards the ultimate party who will be paying the invoices. He advised the work should be rendered free and unfettered from outside influences with a fair and balanced approach, especially with Mountain Creek being a significant customer of the MUA. At this time Mr. Wenner asked Ms. Wheaton to provide an engineer's opinion on this. Ms. Wheaton commented each firm was requested to issue conflict of interest statements and present their procedures and policies which required the firm to offer their clients unbiased information. She advised Dewberry did have a policy with the inclusion of a fire wall to ensure the parties are aware of the potential conflict of interest and their satisfaction of their resolution of these issues. Ms. Murphy commented that Dewberry did perform work for the winter activity center however it is unrelated to the pump station and the sewer. She noted Dewberry's involvement with Mountain Creek is directly connected to the Pump Station #2 project. Mr. Furrey stated that Dewberry has previous experience with the design of the system, which is a benefit however the question of the conflict should be resolved. Mr. Pitsker asked if a dialog with Joe Hession was held. In response to Mr. Pitsker, Mr. Furrey informed Mountain Creek was looking at a conflict from their angle as well. Mr. Furrey advised he was satisfied with the legal opinion on the conflict of interests.

Ms. Wheaton advised the Board that the firms should be presented with questions formulated by the MUA at this meeting and then the firms can build their answers into their presentation and therefore expedite the question and answer period. Mr. Pitsker proposed interviewing Van Cleef, Dewberry and Mott McDonald in that order. Ms. Murphy stated her sole concern was with the potential conflict of interests. Mr. McDermott and Mr. Kearney commented about the turn around time of work response from Mott. Ms. Wheaton commented she was unaware Mott had the Sussex County Municipal Utilities Authority as a client. She noted there are conflicts with the firms in a variety of areas and suggested negotiating a contract with the firm that is not conflicted. Ms. Murphy concurred that often the same firm would be engaged in work for everyone. Mr. Furrey suggested a five-minute presentation followed by a Q&A session for each firm, totaling 30 minutes and advised the board that the next meeting will be devoted entirely to the firms' presentations. Ms. Wheaton commented that she did not believe five minutes would be sufficient time for their presentations. Ms. Murphy added that there may be items that are specific to the MUA needs that they can speak to. Mr. Kearney concurred that that should be part of their presentation.

Ms. Wheaton clarified the five individual proposed questions to be asked of the firms as follows:
Question #1 – "Discuss project examples that relate directly to the scope of work described in the RFQ."

Question #2 – "Elaborate on your experience and lessons learned in working with NJIB."

Question #3 – "Correlate the personnel shown in your project staffing chart to the rates in your price proposal."

Question #4 – “What are some important considerations for the implementation of a septic transfer station in association with the pump station rebuild.”

Question #5 – “While the RFQ is focused on wastewater engineering services, the MUA is now also evaluating the procurement and expansion of water supply through infrastructure currently owned and operated by SUEZ. In your presentation please address your firm’s capabilities to assist the MUA in this regard and whether any conflict’s of interest exist for your firm.”

Mr. Pitsker asked whether any of these firms are full service provider firms who can sub-contract out additional work, i.e. inspection services or other specialty work. In response to Mr. Pitsker, Mr. Furrey commented while some engineering firms have good relationships with contractors, the larger engineering firms tend to shy away from contractors and that it depends on the firm however noted it would be beneficial if the firm has a contractor who can handle special work. Mr. Pitsker commented that the force main issue is dragging. Mr. Furrey informed they would expedite to complete it with the current engineer at this time. Ms. Bright confirmed that the firms will be notified for the meeting by October 1, 2020. Mr. Furrey asked for copies of the firms’ presentations ahead of the meeting. Ms. Murphy asked if the firms should be asked about any companies they would recommend working with. Mr. Furrey advised that it would depend on what the project is and clarified it is the force main project as the current priority.

Mr. Furrey commented that there will be re-scoring on all the firms by the Board with their updated opinions with a final determination to be selected. Mr. Pitsker advised that he set up a price table for all the firms and would circulate to the MUA for review.

9. Administrative Update

Ms. Bright informed the safety review was reviewed with Ceren, who provided the drawings on file for the pit in case it needs railings installed based on the specifications provided by Howard Lazier. She advised that a couple of the vendors turned down the offer of quoting on the force main specs however one did response with respect to the mechanical portion of the CCTV. She advised that a meeting is scheduled with the town and SUEZ representatives about the water connection and she would provide an update. She updated Mountain Creek sent the original review plan for pump station #2.

She discussed the map for the NJDEP and and the discussion held with Paul DeMuro regarding the three specific areas they want removed from the sewer service area map. She advised she received the maps from Ms. Aralp and said she was not comfortable with the maps because NJDEP asked for the removal of these certain areas within the map as follows:
One area is to the left off of Sand Hill Road by the railroad tracks which is in the existing sewer service area and the NJDEP wants it removed due to the bobcat and rattlesnack encroachment as threatened and endangered species designation. She noted the second area is over by the Black Creek Development and the other area is over by the golf course and Dale Kelly’s farm. She said that the NJDEP wants all of the following areas removed from the sewer service area: all of the Legends property where McAfee and Route 94 meet and portions in the Town Center behind the former Rite-Aid, including vacant lots as well as areas already approved in the condos. Ms. Wheaton commented that the existing sewer service area has already been approved and noted it is inconsistent with the original plan.

Mr. Furrey stated these areas that were deemed environmentally sensitive were previously noted, however at no time was there a request regarding the removal of the areas within the Town Center. He commented that the three maps need to be reviewed carefully to determine if the MUA is in agreement with removing these areas requested by the NJDEP. Mr. Furrey stated he was not in agreement with removing certain areas especially anything in Town Center especially the areas that are already developed as well as the Legends areas. Mr. Kearney commented plans were made based on these parcels already approved and noted what if these parcels had been developed already. He commented now the NJDEP wants to change the existing area and it does not make sense. Ms. Bright stated when she and Ms. Aralp spoke with Paul DeMuro at the end of July there was no discussion about the other parcels.

Mr. Furrey commented approval of the sewer service area was given to the Sussex County Water Quality Management Group by the NJDEP in 2012 and it was endorsed by the freeholders. Ms. Bright advised that she does have an updated list of all the lots and blocks in the areas and commented the NJDEP is inconsistent with their decision now that they are asking to remove large portions of the sewer service area. Mr. Furrey stated the 2015 map for Mr. Kelly's farm was the last to be added to the sewer service area to which Ms. Murphy noted that Mr. Kelly added himself to the map with the NJDEP. Ms. Bright advised the only remaining item other than the SSA areas is the HUC analysis which Ms. Aralp is still working based on all the HUCs in town. Ms. Bright noted she did not see anything in the HUC analysis requiring the removal of these areas. Mr. Furrey advised this is a land use issue and that an opinion from Mr. Wenner and Ms. Aralp will be needed. He noted that the sewer service area sub-committee members will be asked to weigh in on this decision to try to come to some kind of conclusion.

Ms. Bright informed there is one large current account currently outstanding in the vicinity of \$135,000.00 for quarters 1-3. Mr. Furrey requested Mr. Wenner's review and opinion on direction.

Motion was made by Ms. Wheaton to open the meeting to the public; which was seconded by Mr. McDermott and carried via unanimous vote.

Ms. Jessica Paladini came forward and asked why there are properties still not hooked up to the sewer system and if there was a list of properties not hooked up. Mr. Furrey stated it was being looked into. Ms. Bright advised that she is confirming the total with engineer Ms. Aralp. Ms. Paladini asked why the side of Route 94 opposite to Taco Bell is not hooked up. Mr. Furrey updated that the MUA is aware of it and is under investigation to be part of the evaluation of the potential expansion of the sewer service area. Mr. Kearney explained he had understood it was cost prohibitive at the time of the initial installation.

Mr. Pitsker motioned to close the meeting to the public, which was seconded by Mr. Kearney and carried via unanimous vote.

10. Commissioners' Comments

Mr. Pitsker commented the NJDEP is dragging the sewer service area map issue out and linked the delay to the IBank funding requirement. Ms. Wheaton asked whether the interviews for

engineers need to be conducted remotely; Mr. Furrey confirmed same. Mr. McDermott stated he and Ms. Bright searched the files for the VFW map that was attached to their application from 2019. Ms. Bright confirmed that the records show the application document; however, the design was missing and advised Steve Wenzel of the VFW. Mr. Kearney commented outgoing MUA members have traditionally been given a plaque after departing the board for their volunteer efforts and asked if this policy could be reinstated. Mr. Kearney advised the nominees would be John Perry, Angela Erichsen, and Thomas Buchney. Ms. Bright confirmed to follow up on same.

11. Chairman's Comments

Mr. Furrrey asked about the status of the applications, resumes and interviews for the part time sewer positions. In response to Mr. Furrey, Ms. Bright advised a third application and resume had been received for the part time sewer employees and she and Mr. Lazier will conduct the interviews. Mr. Furrey commented that there was an operations manual which he wanted to have updated since it was done in 2012 and noted it is required by the NJDEP for compliance. He requested Ms. Bright and Mr. Lazier review and update with the addition of the Sentinel tracking and maintainance system and distribute the final copy to the Board for their review. Mr. Pitsker asked if the board could obtain a demonstration of how the Sentinel system operates. In response to Mr. Pitsker, Ms. Bright stated that she would provide a screen shot of the operating system to the Board. Mr. Furrey brought up the conversation he had with Ms. Murphy about the sewer service system and potential conflicts of interest between Agra Environmental and the MUA. He discussed the operation of the system in partnership with SUEZ when it was sold to the MUA and the business relationship of Agra running the system during this period. He advised that the SUEZ relationship ended in 2016 and he joined the MUA in 2020. Mr. Furrey asked Mr. Wenner for an opinion to be rendered about any conflicts of interest with respect to this matter. Mr. Wenner confirmed he would review and advise the Board of his determination.

12. Adjournment

Motion to adjourn was made by Mr. McDermott, seconded by Mr. Kearney and declared carried by Mr. Furrey at 8:37 p.m.



Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved November 5, 2020

REGULAR MEETING / WORK SESSION AGENDA

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

OCTOBER 1, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 10/1/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA) was convened on October 1, 2020 remotely via Zoom and called to order by Chairman Michael Furrey at 7:23 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Dave McDermott
Kristin Wheaton
Andrew Pitsker
Jean Murphy

Absent was Paul Kearney.

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary, Howard Lazier, MUA Licensed Operator of Record, Engineer Ceren Aralp and Attorney Richard Wenner, Dewberry Principal Engineer Steven Benosky, Project Manager, Dewberry Associate Engineer Patrick Radabaugh, Wastewater Engineering Subject Matter Expert and Licensed Professional Engineer Michael G. Vreeland, Branch Manager, Van Cleef Engineering Associates, LLC.

5. Open Meeting to the Public

Mr. Pitsker motioned to open the meeting to the public, seconded by Mr. McDermott and declared carried by Mr. Furrey, Ms. Wheaton, Mr. Kearney and Ms. Murphy.

Seeing no members of the public coming forward Mr. Pitsker motioned to close the meeting to the public, seconded by Mr. McDermott and declared carried by Mr. Furrey, Ms. Wheaton, Mr. Kearney and Ms. Murphy.

6. Approval of Minutes

a. June 18, 2020 Regular Meeting

Ms. Wheaton motioned to table the approval of the minutes to the next meeting, seconded by Mr. Pitsker and declared carried by Mr. Furrey, Mr. McDermott, Mr. Kearney and Ms. Murphy.

b. July 30, 2020 Regular Meeting

Ms. Wheaton motioned to table the approval of the minutes to the next meeting, seconded by Mr. Pitsker and declared carried by Mr. Furrey, Mr. McDermott, Mr. Kearney and Ms. Murphy.

7. Resolutions:

a. Resolution 20-36: Review of EDU Allocation for 515 Route 515

At this time Ms. Murphy stated that it was part of the Luke Oil property. Ms. Bright commented that all EDU's have to be removed for the property. Ms. Murphy asked about the lot and block number for the property and whether the house is connected to the sewer and that the actual address was 541 route 515. Mr. Wenner advised that the connection at the property exists. Ms. Bright advised that the old block is 144.01 Lot 6 and was closed out by the construction building after its demolition and is next to the old Luke Oil building. Ms. Bright advised the board that she will investigate the address and block and lot of the property with respect to the removal of EDU's and at the next meeting she will assemble two resolutions.

Mr. Pitsker motioned to pass the resolution for the review of EDU allocation for 515 Route 515, seconded by Mr. Kearney, and declared carried by Mr. Furrey, Ms. Wheaton, Mr. McDermott, Mr. Pitsker and Ms. Murphy.

8. Work Session

a. RFQ Responses for Engineering Services

i. Van Cleef Presentation

Mr. Vreeland provided his presentation with an update on his background in the water and wastewater municipal utility services. He discussed his thirty-seven years' background in the water and wastewater industry and specifically spoke to his knowledge about pump station #2. He stated that his experience involved Tewksberry, Clinton, Montville, Hopewell Township and

is the Hardyston Township Municipal Utilities Authority appointed Engineer and the Borough of Franklin's appointed Water and Sewer Engineer. He discussed his experience in force main rehabilitation, specifically cleaning and re-lining. Mr. Vreeland outlined his educational qualifications including the obtainment of an MBA and his experience with NJEIT and with the IBank system. He commented on the IBank process and coordinating with the legal funding team with the IBank and provided background on the firm's twelve offices with their two hundred employees and water and wastewater engineering services as the focus of the firm. Mr. Vreeland discussed the septic transfer station research conducted and that the lift stations are typically installed at a wastewater treatment plant and that a pre-cursor for conditioning needs to be implemented and can be a costly capital improvement. He stated that he reviewed SCMUA's annual audit of the facilities and their anticipated costs of \$880,000.00 per year. The anticipated is in excess of 1,400 gallons per year. He commented that the pump station is located approximately five miles from the facility. He commented that the SCMUA has rules and regulations and that access to the site could be tricky to the access and could trigger issues. He touched on the provision of water service to the town center and working with SUEZ and his background with the Allendale and Ridgewood bulk water supply agreements. He said that it is cheaper to produce the water rather than sell the water and that this is an issue with the Allendale system. Mr. Pitsker asked Mr. Vreeland if he knew if there were any other municipalities that were using a transfer station as a collection system point at a pump station. He asked about their capabilities as a full service management provider for the system. Ms. Wheaton asked Mr. Vreeland if he could provide a staffing chart for their team. She asked him about the pumping system to which he explained that there are several companies that can provide a light biological treatment to treat odors.

ii. Dewberry Presentation

James Schappell, Patrick Radabaugh, Mario Iannelli and Steven Benosky of the team were in attendance. Mr. Benosky stated that he is the Senior Associate water resources manager for Dewberry and that Dewberry's work is similar to that done previously for the MUA for pump station #2. The Dewberry presentation showed a larger pump station larger than the MUA's. Mr. Benosky commented about the force main analysis and design of the air release valves that allowed the pumping system optimization. He provided a photo of a smaller pump station similar to the pump station #2 project. He advised that they performed work for the town of Randolph on their pump station and for the town of Parsippany Troy Hills. James Schappell commented on his experience on working for the municipality in Sussex County and the firm's involvement in the process with identifying candidates for the funding and the complex environmental assessments associated with funding with NJEIT. He noted some of the lessons learned on the take away and the need for timing on the grant funding application and associated complexities with the application process. Mr. Benosky provided the staff organization chart structure, proposed staff rates inclusive of all other staff anticipated to work on the projects and commented that about 80% of the work is conducted at the project engineer level or below. He discussed some of the septic transfer key issues, lessons learned and the technology outlines for the following issues: site screening; "muffin monster" heavy object traps, pumps; odor control; wet well with holding tanks installation; and water control maintenance and treatment with an eye towards expected revenue and capital costs. Mr. Benosky next spoke on water supply assistance, the firms' experts with experience and the challenge with addressing water supply in the New Jersey Highlands and the firm's team up with a local expert geologist named Matt

Mulhill. He raised the issue of their work with SUEZ which is primarily in New York State and not in this area. He advised stated that should any conflicts should arise with SUEZ that the firm would turn down any work for SUEZ that came up. Mr. Pitsker asked Mr. Benosky if there were any transfer stations in this area that Dewberry installed. Mr. Benosky advised most of the firm's transfer station experience is not in New Jersey but rather in Maryland, Virginia and out west and is specifically associated with treatment plants and not locally to stand alone pump stations. Mr. Pitsker asked if this was related to the challenges of getting it done in New Jersey with respect to their regulations. Mr. Benosky advised that the hurdle on this is making sure the revenue model works versus a capital expense required in addition with the pump station and noted that frequently the revenue model does not work. Mr. Pitsker asked about the firm's fresh water supply background. Mr. Benosky replied it was mostly well work done in Rockaway Township, in Morris County. Ms. Wheaton asked about their work done to date on the pumping station with Mountain Creek and whether there is any potential conflict. Mr. Benosky said Dewberry is currently not working with Mountain Creek and advised that in the event this work arose that there are three conflict of interest strategies that the firm would suggest to be employed to create a firewall. Ms. Wheaton asked Mr. Benosky about the wells and the water supply issue in the Highlands area and the need for installing wells there and whether it has to be strictly restricted to the Town Center area. Mr. Benosky spoke to the firm's experience on the wells over at Mountain Creek and the increase in capacity there and noted that it would be a long process to develop.

iii. Mott MacDonald Presentation

Ms. Aralp provided the firm presentation, focusing on the over 160 pump station rehabs completed, force main rehabilitation and commented on the firm's projects. She noted the firm work on the IBank funding, the bank complexities and application process and provided the firm's staffing charter and rates and discussed the septic receiving station. She commented about the water supply system and the key issues and their experience with the Edison facility. She addressed Mott McDonald's work with SUEZ and the possible conflict of interest with their work for the MUA together with the SCMUA work possible conflict. Mr. Pitsker asked Ms. Aralp about the timeline of getting the sewer service area mapped out. She responded that it has been the history of the delays with the NJDEP and the departmental changes within the NJDEP with respect to the approval process.

Ms. Wheaton advised the engineering firms that the board will convene to consider their proposals this evening in Executive Session and they can expect to hear from the MUA with respect to a determination on the selection of the firm for the proposal award.

At this time Ms. Murphy asked about revising Resolution 20-36: Review of EDU Allocation for 515 Route 515 to include the lot and block numbers of the property on it.

Mr. Pitsker moved to rescind the resolution for the EDU allocation for 515 Route 515, seconded by Mr. Kearney, and declared carried by Mr. Furrey, Ms. Wheaton, Mr. McDermott, Mr. Pitsker and Ms. Murphy.

b. Subcommittee Reports

i. Transfer Station Subcommittee

Ms. Wheaton and Mr. McDermott stated that they were both on the subcommittee and that they wanted to have an engineer on board prior to proceeding. Ms. Bright discussed that Mountain Creek's engineer provided assessments which will be discussed tonight in the Executive closed session.

ii. Sewer Service Area Subcommittee

Mr. Furrey discussed the request by the NJDEP to take out the Town Center parcels. Ms. Bright advised that Ms. Aralp, Mayor Burrell and herself spoke with Paul DeMauro of the NJDEP and discussed the concerns of the MUA on the three plus year delay on the delineations, especially with the Legends area and the property owners. She stated that she has not heard back to date on the IBank funding, on the application submitted and that no letter of intent can be filed until it has been reviewed by the NJDEP. Mr. Furrey discussed the challenges on the NJDEP communications, the hurdles to municipal funding and stated the need to elevate the issue to a higher government level if no responses are forthcoming and proposed requesting the Mayor's involvement in motivating a response from the NJDEP. He discussed the MUA's position of not removing any properties from the sewer service area map (the "SSA"). Ms. Bright commented that the state of New Jersey contacted the NJDEP about including these environmentally sensitive areas in the SSA and said that the areas in Legends was a big one that will need to be addressed by the MUA. She said that the property owners will have to be notified if the MUA determines that the property can be removed from the SSA. She said the property owners will be provided the option to request to the NJDEP that their area not be removed and advised they can request an amendment to the SSA map. Ms. Aralp advised that Legends has its own SSA and any changes to the SSA will have to be notified to Legends and said she will provide the updated SSA map with Ms. Bright for distribution to the board. Mr. Furrey stated that the board will review the SSA map at the next meeting.

iii. Pump Station 2 Subcommittee

No comments.

iv. Bylaws/Personnel Subcommittee

No comments.

v. Water Supply Subcommittee

Mr. Furrey discussed funding sources on the water supply side. Ms. Bright commented that questions were provided to SUEZ's engineer Tony Vincente and there was discussion about the IBank funding and franchise areas and that some projects are approved easily and other projects are not. Mr. Furrey commented that SUEZ at the meeting stated they would be willing to pay for the pipe to run along Route 515 and for the board to hold a follow up meeting with SUEZ, that a certain amount of money will need to be spent to bring water to the Town Center and to make this an agenda item for the next meeting.

vi. Finance Subcommittee

Ms. Bright discussed the packet on the unpaid account balances that was circulated to the board and stated that there is one large delinquent account outstanding, with the reports to be run for the numbers for the quarter. She said this one account entity has not paid any of their sewer fees for the year and she discussed it with the Township Mayor, Township Business Administrator, Township Code Officer MUA attorney Mr. Wenner and the Township Town Council about the ordinance enforcement of unpaid township taxes or sewer fees on properties. She said that for this ordinance can be enforced and that she was assured by the Township that that no permits will be issued to the delinquent account holder and permits will be revoked until the current financial obligations to the MUA are met. Mr. Furrey asked Mr. Wenner about the procedures on unpaid sewer liens. Mr. Wenner advised that the property can be sold for a tax lien with the collection of accrued interest set by the tax collector and then the municipality can foreclose on the lien after six months. He stated that an accelerated tax sale can be done once the year is past. Ms. Bright concurred that once the year is past the accelerated tax sale could be conducted and that consultation with the tax assessor would be necessary to determine the process. Mr. Kearney and Ms. Wheaton concurred on putting the tax liens on delinquent properties. Mr. Pitsker stated that one full year should pass before the accelerated tax sale. Ms. Bright advised that she will speak with the tax assessor about the accelerated tax sale process. Mr. Furrey proposed notifying the township of the delinquent accounts and the mailing of warning notice letters to the delinquent account owners. Ms. Murphy commented that it is important to verify the shut off directives from the state executive office. Mr. Furrey agreed that it will be confirmed. Mr. Pitsker commented that it is important that the township building department be notified about the permits status procedure for the delinquent accounts. Mr. Wenner advised that with the issuance of permits when there were unpaid sewer charges owed to the MUA it is a process that should be implemented by the township. Ms. Bright advised that the township was advised of existing state law and that the township has an ordinance that speaks to this. She stated that the township can verify the account standing with the MUA before action is taken on the permits.

9. Administrative Update

Ms. Bright commented on Mr. Lazier's recommendations on the safety equipment at one of the lift stations and their work on merging together the two standard operating procedure (the "SOP") manuals on file to streamline them with no duplication and which will be provided to the by-laws and regulations sub-committee. Mr. Lazier commented that he did not want to put a new pole in, wants to use the existing two poles to attach to the harness and noted that he wants to use a lighter lid at the top of the vault as the current lid had come down on one of the workers recently. Mr. Furrey commented on the importance to resolve the safety issues for the workman in the field. Ms. Bright discussed the force main e-valves and the need to set up a call with one of the vendors to obtain a more accurate quote and answer their question on the scope of the project on the two portions of the RFP. She stated she asked for a list of the properties from the engineer and the need to obtain a full comprehensive list of them. She talked about the former Faline Building, Brookside Florist and Green Realty and commented that she will be obtaining for more information to ensure that what properties need to be hooked up are hooked up. She updated that the Department of Public Works (the "DPW") agreement was not approved at

Monday night's Town Council meeting and that business administration that it needs to be reviewed by the union. She advised that the sentinel system is now fully functioning and the monthly flows will be run monthly based on that information.

10. Commissioners' Comments

Mr. Pitsker advised that he contacted Green Realty's owner Chuck Nagi (spelling?) to discuss the history of the property and is awaiting a response. He asked if the MUA newsletter should be removed from the web site. Mr. Furrey asked to table the newsletter to the next meeting agenda. Mr. McDermott advised that he reached out to the VFW buildings manager and was advised that they will have a drawing sent to the MUA from their engineering firm.

11. Chairman's Comments

None.

Ms. Wheaton moved to enter closed session for the purpose of discussing personnel and contractual matters, seconded by Mr. McDermott and declared carried by Mr. Furrey, Mr. Pitsker, Mr. Kearney and Ms. Murphy.

12. Executive Session Resolution 20-37

Ms. Wheaton moved to close Executive session, seconded by Mr. McDermott and declared carried by Mr. Furrey, Mr. Pitsker, Mr. Kearney and Ms. Murphy.

13. Adjournment

Mr. McDermott moved to reconvene, seconded by Ms. Wheaton and declared carried by Mr. Furrey, Mr. Pitsker, Mr. Kearney and Ms. Murphy.

There being no further items of business to be conducted on the agenda, a motion for Adjournment was made by Mr. McDermott, seconded by Ms. Wheaton and declared carried by Mr. Furrey, Mr. Pitsker, Mr. Kearney and Ms. Murphy.

The Regular Session Workshop Meeting of the Vernon Township Municipal Utility Authority was adjourned at 10:22 p.m.



Respectfully submitted,
Colette J. Borell
MUA Recording Secretary
Minutes approved: December 3, 2020

SPECIAL MEETING MINUTES
VERNON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
21 CHURCH STREET, VERNON, NJ 07462
OCTOBER 8, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 10/8/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority.

1. Call to Order

The special meeting was convened at 7:04 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Chairman Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker
Jean Murphy

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Attorney Richard Wenner.

5. Open Meeting to the Public

Ms. Wheaton motioned to open the meeting to the public, which was seconded by Mr. Pitsker and declared carried by Mr. Furrey.

Seeing no members of the public come forward Mr. Pitsker motioned to close the meeting to the public, seconded by Mr. McDermott and carried upon unanimous vote.

Mr. Pitsker motioned to move to Executive Session for purposes of contract discussions, which was seconded by Ms. Wheaton and declared carried by Mr. Furrey.

6. Executive Session Resolution 20-38

Mr. McDermott moved to reconvene, seconded by Mr. Kearney, and declared carried by Mr. Furrey.

7. Resolutions:

A. Resolution 20-39: Authorizing the Award for Professional Services for Special Engineering Services

Mr. McDermott moved to pass the resolution for the award of the engineering agreement to Dewberry Engineering as the special engineer, seconded by Mr. Pitsker, and declared carried by Mr. Furrey upon the affirmative votes of Mr. Furrey, Mr. Kearney, Ms. Wheaton, Mr. McDermott and Mr. Pitsker.

8. Commissioners' Comments

Ms. Wheaton asked if the resolution required dates to confirm regarding the contract period coverage through the end of this year. She commented that the RFQ indicated the contract would extend through the end of next year. Mr. Wenner advised that the MUA is not a calendar year board and that it runs February through February and the proposal being awarded is based upon the project. Ms. Bright clarified that there is nothing in the RFQ that states a specific length of time and advised it was the sample contract in the RFQ that had the standard language. Ms. Bright asked if the resolution for the contract should be amended to run through the end of January so it will be reappointed at the time of the MUA reorganization. Mr. Furrey confirmed correct. Mr. Wenner asked for a motion to amend the appointment to have it run through January 31, 2021.

Ms. Wheaton moved to extend it, seconded by Mr. Pitsker, and declared carried by Mr. Furrey upon the affirmative votes of Mr. Furrey, Mr. Kearney, Ms. Wheaton, Mr. McDermott and Mr. Pitsker.

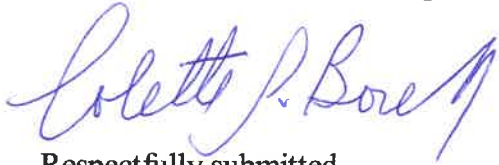
Mr. Pitsker thanked Ms. Wheaton and Ms. Bright for their contribution on assembling the criteria and coordination of the engineering firms' presentations and interviews. He noted that the quarterly report should be posted on the web site after review by the board to reflect the cost savings achieved and the board's updated organizational changes. Mr. McDermott thanked Ms. Wheaton and Ms. Bright likewise for their efforts on the RFQ.

9. Chairman's Comments

None

10. Adjournment

Motion for adjournment was made by Mr. McDermott, seconded by Mr. Kearney and carried upon unanimous vote at 8:21 p.m.



Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved December 3, 2020

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

OCTOBER 22, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 10/22/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened on October 22, 2020 remotely via Zoom and called to order by Chairman Michael Furrey at 7:01 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Kristin Wheaton
Paul Kearney
Dave McDermott
Andrew Pitsker
Jean Murphy

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Attorney Richard Wenner. Ms. Murphy stated that she will be leaving the meeting at 7:25 p.m.

5. Open Meeting to the Public

Mr. Pitsker motioned to open the meeting to the public, seconded by Mr. McDermott and declared carried by Mr. Furrey.

Seeing no members of the public come forward, Mr. Kearny motioned to close the meeting to the public, seconded by Mr. McDermott and carried upon the unanimous vote.

6. Approval of the Bills: Resolution 20-40

At this time Mr. Pitsker commented on having all the details on the bill receipts and recommended the elimination of the smaller receipts going forward with the dropping of the details on them. Mr. Kearney asked about the MUA USA Blue Book purchase for fifty boxes of rubber gloves. He questioned the monitor of the storage of these items and noted that the smaller items should be stored securely in a central location to ensure their security. Ms. Bright stated she will double check with MUA Licensed Operator of Record (the "LOR") Howard Lazier about keeping notes on the use and storage of the gloves. Ms. Wheaton commented on the Mott McDonald \$5,000.00 invoice for the asset management plan (the "AMP"), that it was her understanding that their contract was for time and materials and it looks like there was no backup provided for this charge and it appears to be a lump sum transaction. Ms. Bright advised that she will review the original agreements for the AMP and advised that she believed that this was how they were billing with it done hourly and this was a special task order. She said it should be on file in the office going back to 2018 and will double check on this invoice. She clarified that everything is done on paper with all original purchase orders, invoices and receipts disassembled and scanned individually into the system and noted that it is a labor intensive procedure. Mr. McDermott concurred on reducing the level of detail for review on these invoices and recommended a threshold for what the board will see on paper with anything beneath that level deemed acceptable. Mr. Furrey advised that as Chairman he signs off on all invoices, sees all levels of detail and notes any questionable charge. He commented that if the board wants to see the level of details, will provide it to the board, however noted that if it is not necessary the board may want to consider eliminating it to reduce the amount of labor that goes into it. He clarified that he has an application that provides notice on a requisition and purchase order, he signs in to the application, within the application are attachments with the details which he reviews and approves or disapproves after review. Mr. Pitsker recommended keeping the level of detail for a while longer. Mr. Furrey concurred and agreed to keep the level of detail for now with the re-visit of this review issue in 2021.

Mr. Kearney moved to approve the bills, seconded by Mr. McDermott and declared carried by Mr. Furrey upon the affirmative votes of Ms. Wheaton, Mr. Pitsker, Mr. Kearney, Mr. McDermott and Ms. Murphy.

7. Approval of the Minutes

- a. June 18, 2020 Regular Meeting
- b. August 20, 2020 Regular Meeting
- c. July 30, 2020 Regular Meeting
- d. September 17, 2020 Regular Meeting

Ms. Wheaton commented on the first set of minutes, the subsequent set of minutes and noted that in several places where there were comments made in the meetings that the text in the particular commissioner's comments shows that they do not specify the individual commissioner's comments. She requested that she would prefer to hold all these minutes due to the important discussions held during the past several months. Mr. Kearney concurred and agreed with her suggestion stating that it does not have to be verbatim but should reflect the individual commissioner's comments. Mr. Furrey agreed that a level of detail is in order with the commissioners' comments to ensure the capture of all their comments. Mr. Pitsker likewise agreed with Ms. Wheaton's recommendation and commented that as level of accuracy it is better to detail the comments. Mr. Furrey asked as clarification that these requests are for all these

meetings' recordings be reviewed again with edits / revisions made to the transcription. Ms. Wheaton affirmed and confirmed that is what the request is. Mr. Kearney agreed that the commissioners' comments should be detailed information as to what they are responding to. Mr. Furrey asked if all the minutes should be tabled to make these changes. Ms. Wheaton asked if there was anything critical in these minutes to act on. Ms. Bright confirmed that there were none. Mr. Furrey confirmed the board will table all these minutes for revisions to be edited to each transcription with the revised changed minutes presented for review at the next meeting.

Ms. Wheaton moved to table the discussion and review of the meeting minutes to the next meeting, seconded by Mr. Pitsker and declared carried by Mr. Furrey upon affirmative votes of Ms. Wheaton, Mr. Pitsker Mr. McDermott and Mr. Kearney.

8. Resolutions:

a. Resolution 20-41: Authorizing Employment Contract with Matthew Duffy as Part Time Sewer Repairer

Mr. Pitsker asked if Matthew Duffy accepted the position. Ms. Bright confirmed that both the individuals on tonight's two resolutions accepted the positions with a proposed start date of Monday, October 26. Mr. Pitsker asked if background checks were conducted. Ms. Bright confirmed that the background checks were done. Ms. Wheaton asked to confirm about the salary as set forth under the MUA By-Laws on page 145, item d "**any increase in compensation shall be determined at the sole discretion of commissioners**" and whether this needs language needs to be kept or is the Administrator in charge of personnel. Ms. Bright advised that the way this board runs as far as salaries go they need to be decided by the commissioners. Mr. Wenner confirmed that is correct and that Ms. Bright does not have the authority to approve salaries. He advised that is the way the MUA is set up by statute with the authority to approve salaries lying with the commissioners. He commented that Ms. Bright can make recommendations to the board saying an employee is going above and beyond the scope of job duties, that a salary increase in the amount of "X" is warranted and put it before the board for consideration.

Mr. Pitsker moved to approve the resolution, seconded by Mr. Kearney and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Pitsker, Ms. Murphy, Mr. Kearney, Mr. McDermott, and Ms. Wheaton.

b. Resolution 20-42: Authorizing Employment Contract with Zachary Von Oesen as Part Time Sewer Repairer

Ms. Bright explained this resolution is identical to Resolution 20-41.

Ms. Wheaton moved to pass the resolution, seconded by Mr. Pitsker and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Pitsker, Ms. Murphy, Mr. Kearney, Ms. Wheaton and Mr. McDermott.

c. Resolution 20-43: Review of EDU Allocation for Property Located at 515 Route 515

Mr. Furrey asked for an explanation about these two resolutions. Ms. Bright explained this property is different than the Shotmeyer property which was incorrectly identified at the last meeting. She clarified there was a fire at the 515 Route 515 building, was subsequently demolished in November 2019 because of the fire with a demolition permit issued and closed out. She confirmed the close out of the demolition permit with the Township's Construction

Department and confirmed with the Tax Assessor's office that the property was assessed without the building. She stated that the property owner is requesting that the 1 EDU for sewer billing be removed because there is no structure to actually connect sewer to. She stated that the following Resolution #20-44 is similar, had a small single family home adjacent to the gas station on the corner of Route 94 and Route 515 and was likewise demolished. She confirmed that she checked with the Township Construction Department on the issuance and close out of the demolition permit which was done in July 2019 and with the Tax Assessor's office to ensure the property was not assessed with the structure on it. She stated that this property owner is also requesting the same EDU removal from sewer billing from the property as there is likewise no structure there. Mr. Furrey asked if this was the Shotmeyer property. Ms. Bright confirmed it was. Mr. Kearney asked Mr. Wenner that he believed that Mr. Shotmeyer may still be a commissioner at his place of employment and whether he should abstain from voting on this resolution. Mr. Wenner advised that it is not necessary however it is best to abstain if there is a question of a conflict. Ms. Murphy commented that it might be their tenant who it might be paying the sewer bill. At this time Ms. Murphy stated that she was exiting this meeting and left the meeting at 7:25 p.m. Mr. Furrey asked Ms. Bright to follow up with Mayor Burrell about this property. Ms. Bright confirmed she would do so.

Mr. Pitsker moved to approve the resolution, seconded by Mr. McDermott and declared by Mr. Furrey upon affirmative votes of Mr. Pitsker, Mr. McDermott, Ms. Wheaton and Mr. Kearney.

d. Resolution 20-44: Review of EDU Allocation for Property Located at 541 Route 515

Mr. McDermott moved to approve the resolution, seconded by Ms. Wheaton and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. McDermott, Ms. Wheaton and Mr. Pitsker. Mr. Kearney abstained.

e. Resolution 20-45: Adopting Public Questions and Comments Policy During Virtual Meetings

Ms. Bright explained the Division of Local Government Services provided policies on set standards and policies to follow with respect to the on line meetings. She advised that she to ensure that the public has the opportunity to send emails or contact with Ms. Bright fifteen minutes before each meeting with questions. Mr. Pitsker confirmed that this is a state mandate. Ms. Bright advised that she needs to keep the screen up and recording in accordance with the guidelines. She commented that in the event the request is for a live meeting that the meeting could be set up in Walnut Ridge Elementary School for a shared service use to be streamed on line or via Zoom or via a hybrid virtual arrangement.

Mr. Furrey asked the commissioners about their preference for meetings via in person or Zoom. Mr. Pitsker commented that in his opinion the meetings should be held via Zoom until the end of the year and possibly until March 2021 due to COVID concerns. Ms. Wheaton, Mr. Kearney and Mr. McDermott agreed and confirmed with the recommendation. Mr. Furrey confirmed the meetings will be held via Zoom going forward.

Ms. Wheaton moved to approve the resolution, seconded by Mr. Pitsker and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. McDermott, Ms. Wheaton, Mr. Pitsker and Mr. Kearney.

f. Resolution 20-46: Budget Transfer

Mr. Furrey asked for an explanation of this resolution. Ms. Bright explained the MUA budgeting functions differently from the Township which has to wait until November in order to do transfer of funds between budget line items. She advised that this resolution essentially concerns moving money for DPW services over to regular administrative salaries wages line item for the two new employees along with social security and Medicare expenses which the board did not anticipate. She stated that the moving of the money will entail significant savings. Mr. Pitsker asked where the savings were being seen. Ms. Bright advised that the significant savings will on the DPW contract and once the two new employees are fully trained by the end of November that there should not be much of a DPW bill in December. She advised that they will be receiving confined space training on Friday. Mr. Pitsker asked whether the two new employees will be driving the truck or if it was handled by Howard Lazier. Ms. Bright confirmed they would be. Mr. Pitsker asked about the documentation for insurance. Ms. Bright confirmed it was in place.

Mr. Pitsker moved to approve the resolution, seconded by Mr. McDermott and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. McDermott, Ms. Wheaton, Mr. Pitsker and Mr. Kearney.

9. Administrative Update

Ms. Bright stated that the main item is the force main and will redo the request for proposal that was put out (the "RFP") for it. She commented that it was complicated and difficult for the vendors to quote on it, that it took a long time and there were some vendors that did not quote as everything had been put out as one RFP. She said it will be amended into three separate quotes with the pressure gauge installation on pump station #2 by itself, the CCT footage of the main by itself and the air release valve replacements by itself. She stated that the prior quotes came in above the bid threshold even though a quote was provided at under \$20,000.00 and it has been held up for months. She advised that she and Mr. Furrey met with Steven Benosky of Dewberry today and this will be their first project to get done. They discussed pump station #2 and the transfer station and are moving forward on that. She said she has a call into the IBank about them. Ms. Bright informed that the accounts receivable is a little bit higher than what they usually are due to two of the largest accounts having outstanding sewer balances. She spoke with the Township and the Construction Department and they confirmed that there will no longer be any permits issued to accounts with outstanding sewer balances. Ms. Wheaton asked if this includes connection fees. Ms. Bright replied that there are accounts that have hardships with their connection fees and the MUA has agreements with them and that this policy will not apply to them. Mr. Furrey asked if the MUA has to wait until January 2021 to hold a tax sale on the two outstanding delinquent accounts. She explained the tax sale for the sewer liens will be decided by the Town Council at their meeting on Monday, October 26 and any outstanding billing from 2019 will be on that tax sale. She advised that the MUA cannot go into tax sale until 2021. She said that the ACME plaza property management firm contacted her expressing his concern on the sewer bill and the water bills and she had advised him that the MUA does not handle the water rates. She advised that ACME had not paid any of their sewer bills for 2020 along with Minerals and Black Creek.

Ms. Bright discussed the issue with Green Realty and the matter of their connection to the sewer. She stated that it appears that it was the Board of Education that paid for the connection fees and were allotted the 4.5 EDU's. She noted that in 2012 former MUA Executive Director John Scerbo had sent around the notice to connect and the Board of Education never replied. She said

that they applied to reduce the EDU connection fee. She advised her concern was the recourse by the MUA if they do not want to hook up. Mr. Wenner advised that ultimately it would end up in court as to the connection. He commented that the MUA needs to get the flow and may need a court order to compel the property owner to connect. Ms. Bright noted that the files are being re-organized to consolidate all the records to show if there was a connection fee paid for the property. Ms. Bright shared her screen regarding the NJDEP meeting she attended and noted the existing lots that they wish to remove. She advised that the NJDEP planner Matt of the planning advocacy department came to town hall on to meet about the expansion of the sewer service area. Matt advised Ms. Bright for the MUA to keep the previous designated areas designated red on the map in the Town Center and that the NJDEP does not prefer to have portions of lots in these areas. She updated that after speaking with Paul DeMauro of the NJDEP that they wish to retain these corridors of large expanses of land to allow the endangered species room to roam. She said Legends has its own sewer service area (the "SSA") and that the NJDEP will most likely not grant the MUA the SSA for this area. She commented that their sewer treatment facilities is not adequate for future development. She said she advised Matt that the "Kelly Farm" will not be given up, that the Township passed resolutions granting the property owner's inclusion on the on the SSA. Ms. Wheaton commented on the clustering provision in the ordinance with respect to the future development. Mr. Furrey commented that Jessica Caldwell as the planner could weigh in on this. Ms. Wheaton asked about the planning issue on the delineation of the SSA for Legends. Ms. Bright explained that there were individual property owners who bought into the SSA and cannot be excluded from the SSA. Mr. Furrey asked for a current map from the NJDEP on the areas to be given up and stated that everything should be documented with the NJDEP. Ms. Bright commented that the town is expanding the bike pump track and town center with all of the out of towners and new residents moving in. She confirmed that she will be writing a letter to Mr. DeMauro explaining why the MUA wants to keep the properties that are in the current sewer service area.

10. Commissioners' Comments

Ms. Wheaton asked how the standard operating procedures are going with respect to the new employees. Ms. Bright advised that there is a standard operating procedures (the "SOP") book that MUA Licensed Operator of Record (the "LOR") Howard Lazier has and that the previous SOP manual prepared by Agra Environmental & Laboratory Services that was utilized at that time will updated and merged with the new SOP book. Ms. Wheaton asked about the Dewberry contract and the scope of work with respect to the force main assessment and who will be writing it. Mr. Wenner advised that the individual statement of work that goes along with Dewberry would set forth the scope and should be presented to the Board for consideration. Ms. Bright advised that three separate quotes will be solicited. Mr. Furrey confirmed that it was a very productive meeting with Dewberry and that all issues regarding hiring were resolved. He commended the board members for their contributions. He stated that the water supply issues are remaining to be addressed. Ms. Bright updated that she had not heard back from SUEZ yet regarding the water supply. Mr. Furrey asked Ms. Bright to follow up with SUEZ. Ms. Wheaton advised that the MUA should consult with the Township on the direction they wish to pursue on the water supply.

11. Chairman's Comments

Mr. Furrey agreed that it was a productive meeting with Dewberry and that they will be very helpful moving forward. He thanked everyone for their assistance and contributions. He noted the high level of engagement of the MUA board and that all issues with hiring have been

accomplished. He commented about Ms. Wheaton's question about water supply and that it is still being looked at with SUEZ. Ms. Bright responded that she had emailed SUEZ about the pumps and other requirements for upgrades and have not heard back from them yet. She noted that her call scheduled with the IBank tomorrow includes questions on water funding. She addressed Ms. Wheaton's question about creating a solid waste facility and advised she is conducting research into it with respect with what other municipalities do. Mr. Furrey asked Ms. Bright to follow up with SUEZ. Ms. Wheaton commented that a meeting may not be required at this point with SUEZ and that first it should be sorted out with the Township on what they plan to do first prior to proceeding with SUEZ. Mr. Furrey agreed with the recommendation and asked the Buck Seifert and Jost engineering report circulated by Ms. Borell be reviewed.

12. Resolution #20-47 Executive Session

Ms. Wheaton moved to go into executive session for the purposes of discussing potential litigation matter and contractual matters, seconded by Mr. Pitsker and declared carried via affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Wheaton and Mr. Kearney. Ms. Murphy was absent. After a short break the MUA went into executive session at 8:29 p.m.

Mr. McDermott moved to reconvene the regular session at 8:59 p.m., Ms. Wheaton seconded the motion, which was declared carried upon affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Wheaton and Mr. Kearney.

13. Adjournment

Motion to adjourn was made by Mr. Kearney, seconded by Mr. Pitsker which was declared carried by Mr. Furrey at 9:00 p.m. upon affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Wheaton and Mr. Kearney.



Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved December 3, 2020

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITIES AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

November 5, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 11/5/2020. Copies of the recording are available at the office of the (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened at 7:22 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Paul Kearney
Dave McDermott
Andrew Pitsker
Jean Murphy

The following individuals were absent:

Ms. Wheaton

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Attorney Richard Wenner.

5. Open Meeting to the Public

Mr. Kearney motioned to open the meeting to the public, which was seconded by Mr. McDermott and declared carried via unanimous vote.

Seeing no members of the public come forward Mr. McDermott motioned to close the meeting to the public, seconded by Ms. Murphy and carried upon unanimous vote.

6. Approval of Minutes:

Ms. Murphy stated that she would be abstaining from the voting of the first three sets of minutes.

a. June 18, 2020 Regular Meeting

Mr. Furrey motioned to approve, which was seconded by Mr. McDermott carried by all in favor vote with Ms. Murphy abstaining.

b. July 30, 2020 Regular Meeting

Mr. Furrey motioned to approve, which was seconded by Mr. Kearny carried by all in favor with Ms. Murphy abstaining.

c. August 20, 2020 Regular Meeting

Mr. Furrey motioned to approve, which seconded by Mr. McDermott carried by all in favor with Ms. Murphy abstaining.

d. September 17, 2020 Regular Meeting

Mr. Furrey motioned to approve, which was seconded by Mr. McDermott and carried via unanimous vote.

7. Resolutions:

a. Resolution 20-48: Review of Application for VFW, Block 405, Lot 7

Motion to approve was made by Mr. Kearney, which was seconded by Ms. Murphy, and declared carried by Mr. Furrey upon the affirmative votes of Mr. Furrey, Mr. Kearney, Mr. Pitsker, Ms. Murphy and Mr. McDermott.

8. Work Session

a. Subcommittee Reports

i. Transfer Station Subcommittee

Mr. Furrey stated that there were no updates.

ii. Sewer Service Area Subcommittee

Mr. Furrey stated the map needs to be redone by Mott McDonald; a request was submitted to Mott McDonald for its revision and advised that to date there have been no updates received from Mott McDonald. He advised that there is nothing to report and the matter is in Mott McDonald's hands and will provide a subsequent status follow up report to the board.

iii. Pump Station 2 Subcommittee

Mr. Furrey informed an email was sent to the board about the funding application which was related to the force main evaluation. He commented that no paperwork or correspondence was submitted to the NJDEP for the NJIB funding. He said he spoke with the technical reviewer for the IBank who advised that the last submission was a draft Asset Management Plan sent in January 2020 with a prior document submission sent in October 2018. Mr. Furrey stated that Mott McDonald had advised him that force main evaluation to be funded by the IBank was submitted and approved. Ms. Murphy asked for a copy of the email confirming the submittal sent by Mott McDonald. Mr. Furrey advised that according to the IBank there were no documents submitted. Ms. Murphy asked if the MUA was billed for the force main evaluation and stated that the proof of submittal to the NJDEP should be provided by Mott McDonald if they had advised that it had been submitted. Mr. Furrey commented that the force main evaluation document was in the RFP that was put out for bid by the contractors with all that work ongoing and still not completed and not approved for funding. He agreed with Ms. Murphy that it is possible that the problem resides on the NJDEP side and bears further investigation to be conducted towards a resolution. He said it should be funded by the IBank rather than being paid for by the MUA and the matter will be discussed at the next meeting.

iv. Bylaws / Personnel Subcommittee

Mr. Pitsker that the two standard operating procedure books will be reviewed and a new updated finished manual should be finished by year's end. He commented that the two new staff members began work last week and are receiving confined space training and that their uniforms have been ordered and both have steel-toed boots which will be replaced when needed for compliance. He advised that Ms. Bright is obtaining updated information on workplace worker's compensation and liability insurance.

v. Water Supply Subcommittee

Mr. Furrey stated that there is nothing to report.

vi. Finance Subcommittee

Mr. Pitsker stated that billing is due December 1, 2020 and the MUA is low on collections on account of Acme and Minerals and the need to review next year's budget at the next MUA meeting. He advised that Ms. Bright has advised that there is no estimated annual billing for SCMUA yet.

9. Administrative Update

Mr. Pitsker advised that there are no updates.

10. Commissioners' Comments

Mr. McDermott commented there was some confusion with the VFW which has been now resolved with the resolution passed tonight. He commented that there was a problem to hook up with regard to the drawing and advised that the location of the grease trap was changed at the request of the town; however, it is now marked out and they are ready to hook up. Mr. Kearney

commented that he was curious to see what was done by Mott McDonald on the NJIB funding and the services rendered on this application with documentation of the submittal circulated to the board. He stated that he was glad that the VFW connection matter was back on track and coming to a resolution on this issue. Ms. Murphy commented the VFW connection was initially approved by the MUA for 1 EDU and after review the MUA Commissioner changed the recommendation and she was satisfied with the resolution. Mr. Pitksker commented that he was glad to see the organization and cleanup of the MUA files and records. He stated that that the property owner of 99 Route 94 property contacted him about being hooked up and whether they can be connected. Mr. Furrey advised that it is not in the sewer service area currently only in proposed sewer service area map and they would have to run a line through the force main to hook up. He noted that if the sewer service area map is approved then a line could be extended so that this property may be expanded to include it.

Mr. Furrey commented that Ms. Bright has been unable to get the updated sewer service area maps from Mott McDonald and they will look to resolve it by bringing on another engineer to take it on. He stated that he will review his records for the correspondence between him and Mott McDonald with respect to the funding application.

Mr. Pitksker asked Mr. Wenner about requiring Green Realty to hook up. Mr. Wenner advised that there are rules and regulations regarding mandatory sewer connections and that there are rate payers paying sewer fees but they are not actually hooked up. Mr. Furrey concurred with Mr. Wenner's statement. Mr. Pitksker questioned if this was set forth in the MUA rules and regulations; Mr. Wenner confirmed same.

11. Chairman's Comments

Mr. Furrey asked Mr. Wenner about the requirement of entering closed session with respect to having a conversation about special counsel. Mr. Wenner agreed it would be required.

12. Executive Session Resolution 20-49

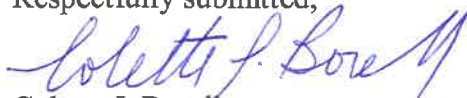
Ms. Murphy moved to enter executive session for the purposes of considering contractual matters regarding special litigation counsel and potential litigation. The motion was seconded by Mr. Pitksker and declared carried by Mr. Furrey upon the affirmative votes of Mr. Furrey, Mr. Kearney, Mr. Pitksker, Ms. Murphy and Mr. McDermott

Mr. Pitksker motioned to reconvene open session which was seconded by Mr. Kearney and declared carried by Mr. Furrey via unanimous vote.

13. Adjournment

Motion to adjourn was made at at 8:59 p.m. by Mr. Pitksker, which was seconded by Mr. McDermott, and declared carried via unanimous vote.

Respectfully submitted,



Colette J. Borell

MUA Recording Secretary

Minutes approved: December 3, 2020

REGULAR MEETING / WORK SESSION MINUTES
VERNON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
21 CHURCH STREET, VERNON, NJ 07462
NOVEMBER 19, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 11/19/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened on at 7:07 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey

Paul Kearney

Dave McDermott

Kristin Wheaton – Arrived at 7:15 p.m.

Andrew Pitsker

Jean Murphy

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary and Howard Lazier, MUA Licensed Operator of Record. Mr. Furrey stated that Attorney Richard Wenner would not be in attendance tonight.

5. Open Meeting to the Public

Mr. Pitsker motioned to open the meeting to the public which was seconded by Mr. McDermott and carried via unanimous vote.

Ms. Bright stated no emails or phone calls were received for statements to be read into the record. Seeing no one wishing to be heard, Mr. Kearney motioned to close the meeting to the

public which was seconded by Mr. McDermott and carried via unanimous vote. Mr. Furrey noted for the record that Ms. Wheaton entered the meeting and abstained from the vote.

6. Approval of the Bills: Resolution 20-49

Mr. Pitsker asked about the number of cell phones owned by the MUA and the charges shown on the invoice for the phones. Ms. Bright advised that there are three cell phones and explained that there are seven lines in the blanket purchase order to encumber the funds prior to receiving the bill and it is for the draw down from the accounting system.

Motion to approve was made by Mr. Pitsker seconded by Mr. Kearney declared carried by Mr. Furrey with all in favor, none opposed with Ms. Wheaton abstaining.

7. Resolutions:

a. Resolution 20-50: Approval of EDU Allocation for Property Located at 2 Snowbird Unit 5, Block 529, Lot 44

Mr. Kearney asked about the EDU assessment, whether there were any records for it and how an error like this could have occurred. Ms. Bright advised that the last property assessment re-evaluation was about ten years ago, it could have been that the former owners may have not said anything about it assessed as a two bedroom and advised that she had no further information. Ms. Murphy responded she looked it up and it shows it was assessed as a one bedroom and advised that sometimes they are small unit lofts that are used as a bedroom. She said it was not necessarily a modification as a second bedroom in that condominium development as compared to current real estate assessment however if a bed was in the loft at the time of the original assessment it may have been assessed as a bedroom. She commented there was originally a list put out of how many bedrooms were in the units. Mr. Kearney asked if someone has a three bedroom home and decides not to use two of the bedrooms as bedrooms then do they have to pay for all of them. Ms. Bright advised that they do have to pay the assessed amount for all bedrooms in the home. Mr. McDermott asked about any specification or regulation in the By-Laws on how often the MUA must re-evaluate the EDU's for a property. Mr. Furrey advised that it should be in the MUA By-Laws however noted that he was not aware if it was done. Mr. McDermott advised that he and Mr. Pitsker reviewed the by-laws and did not find any reference to the re-evaluation of the EDU's. Ms. Bright advised attorney Richard Wenner will be consulted on any precedence or state statute to get an idea on what other MUA's policies for review by the By-Laws committee. She commented that the township is now doing the re-assessment of township properties and should address any issues that arise. Ms. Wheaton commented is burdensome for the MUA to undertake this evaluation. She said the burden should be on the user to change of use re-evaluation not on the MUA. Mr. Furrey agreed that a review of the state statutes with relevance to the change in EDU use with respect to the current real estate assessments would be in order.

Mr. Kearney moved to approve the resolution, which was seconded by Mr. Pitsker and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Kearney, Mr. Pitsker, Ms. Murphy, Ms. Wheaton and Mr. McDermott

b. Resolution 20-51: Approval of EDU Allocation for Property Located at 15 Church Street, Block 402, Lot 5

Ms. Bright advised that it is a renovation, not a change in the number of EDU's and remains at the current EDUs.

Mr. McDermott moved to approve the resolution, which was seconded by Ms. Wheaton and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Kearney, Mr. Pitsker, Ms. Murphy, Ms. Wheaton and Mr. McDermott

c. Resolution 20-52: Resolution Approving Work Order for Force Main Evaluation

Ms. Bright explained that with the force main evaluation was delayed due to the specifications language which was confusing and unclear to the vendors. She stated after consultation with Dewberry it will be split up for submission to the various vendors. She recommended to work with Dewberry on the forthcoming scope of work. Mr. Furrey concurred with her recommendations to retain Dewberry to do the project assessment. Ms. Murphy asked about the information received from Mott McDonald on their submittal to the NJDEP for the force main funding for the IBank. Mr. Furrey responded a copy of Mott McDonald's correspondence relating to the submission to the IBank was circulated along with what was covered in the Asset Management Plan; however any additional plans or documents relative to the funding were not circulated. Ms. Bright advised that she will circulate Mott McDonald's original proposal and plan to the Board. Mr. Furrey commented that the proposal was complicated in its scope of work and posed confusing details to the vendors for them to be able to provide accurate pricing. He discussed the pricing and the original cost of \$50,000.00 of the proposal. Mr. McDermott noted his records show that the NJDEP advised that there was no record of any application or approval has been made.

Mr. McDermott moved to approve the resolution, which was seconded by Mr. Pitsker and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Kearney, Mr. Pitsker, Ms. Murphy, Ms. Wheaton and Mr. McDermott.

d. Resolution 20-53: Resolution Appointing Special Counsel

Mr. Pitsker moved to approve the resolution, which was seconded by Mr. McDermott and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Kearney, Mr. Pitsker, Ms. Murphy, Ms. Wheaton and Mr. McDermott.

8. Administrative Update

a. LOR Update

Mr. Lazier advised that he conducted a site tour with Dewberry who provided the safety issues on the railings at the Black Creek station that need to be resolved. He explained the DPW offered assistance on Pump Station #3, the two new part time employee hires are still in training and should be able to be completely on their own by the end of November. Mr. Furrey asked for an update on the muffin monster machine at pump station #3. Mr. Lazier explained that the muffin monster repairs were conducted and it is more of a mechanical issue to be resolved. He

advised it jammed, with JEM Electric called in to resolve the problem. He stated it had been replaced and suggested that back up parts, specifically for the “teeth” would be a recommended order. He explained it was critical for the machine to operate to keep the flows continuing and the machine had been replaced about seven to ten years ago. Mr. Furrey asked Mr. Lazier about keeping backup parts in stock. Mr. Lazier concurred that it would be a good idea. Mr. Pitsker suggested ordering a backup order of “grinder teeth” for the machine. Mr. Kearney commented that it is standard practice that when the “teeth” run down one way they are reversed for extended use. He advised if it is a ten year old unit it might be appropriate to hold off if this is the first time that the teeth are reversed as the teeth do not wear down that quickly. Mr. McDermott commented it would be a good idea to keep the backup parts on hand for the teeth or any transfer switches if needed. Mr. Lazier advised it was typically not done on the big pump stations and usually done on the smaller lift stations. Mr. Furrey commented to be proactive to be ready for any situations that as a preventive measure the backup parts should be ordered. Mr. Kearney commented if the volumes are relatively close as time goes on there could be replacement / backup muffin monster teeth in the same size range in the event of any potential down time within the system, the need to obtain parts / pumps that are interchangeable throughout the system to make quick changes and to avert potential down times and avoid a large inventory with expensive parts. Mr. Furrey asked about the outstanding safety issues at the transfer station and the need for a portable generator. Mr. Lazier advised a new lid for the lift station at La Touquet was needed as well as the Black Creek railings. He commented it would be beneficial if the MUA had four portable generators for the lift stations at the condominiums. Mr. Pitsker suggested locking down the generators in a lock box as a security measure. Mr. Lazier commented having permanent generators would be preferable to portable generators and advised he will be evaluating the generators and provide a report on their recommendations. Mr. Furrey lauded the two new part sewer laborers and suggested additional training for them. Mr. Lazier concurred with Mr. Furrey’s comments and advised that he provided the training information to them, it is a long training process and it will be beneficial for them going forward.

b. Dewberry Sites Visit

Mr. Furrey commented he did not visit the sites with Dewberry. Ms. Bright stated she toured the sites with Steven Benosky of Dewberry along with Mr. Pitsker and noted they visited all the pump stations and lift stations. She advised Mr. Benosky noted the line going to pump station #1, looked at the erosion in the area and commented he was not concerned with it for immediate action. She noted it was a very thorough site visit and will be reaching out to a fabricator regarding the railings. She advised Mr. Benosky recommended the safety railings at the Black Creek lift station and he advised the pump station #2 and the transfer station work order will be submitted to the MUA next week and will be put on the MUA next meeting’s agenda for approval. Mr. Pitsker commented the line coming down to pump station #1 is a gravity fed main, twelve feet down and there were original concerns it would be an exposed pipe. He said Mr. Benosky advised a culvert drain pipe can be installed to cover the ditch which will resolve the issue. He advised discussion was held with Ceren Aralp regarding the standard air release valves in the force mains, Mr. Benosky examined the valves, expressed no concerns about them and advised they appeared to be clean with no issues with them. Mr. Lazier concurred with Mr. Benosky’s analysis and advised there are three air release valves that actually need maintenance. Mr. Pitsker discussed an issue with the controller at one of the lift stations, it has been ordered, suggested ordering another controller as a backup part as it was not a high priced item and was difficult to obtain. Mr. Lazier concurred with his suggestion. Mr. Pitsker discussed the handover of the Mott McDonald documents, materials to Dewberry, the CCTV inspection

equipment and asked if a particular vendor was selected for the CCTV. Ms. Bright updated this whole part of the force main evaluations has been broken down into three separate projects and will be reaching out to more vendors on the CCTV project. She stated she is seeking more clarifications on the work involved from Mr. Benosky to include in the quotes out to the vendors. Mr. Benosky explained the various requirements by the vendors to disassemble the CCTV, with some vendors typically doing only part of the work involved, i.e. the footage portion but not all of the work. Mr. Pitsker commented Wind River can also provide the service. Ms. Wheaton commented that basic CCTV inspections can be conducted but that the critical issue is if they can obtain the data for the asset management plan along with the need for the vendor to follow standard operating procedures. Ms. Wheaton said she provided comments on Mott McDonald's procurement documents, the need for the new vendors to follow NASCO criteria for rating and ranking defects. Mr. Pitsker commented there are variety of vendors including Wind River who have some municipality experience and background. Mr. Furrey concurred, commented Dewberry has done force main evaluations with other municipalities and has vendors who can supply this service.

c. PS2 / Transfer Station Update

Mr. Furrey stated there was a meeting held on Monday, November 16 with Dewberry, Vernon Township Mayor Burrell, Mountain Creek CEO Joe Hession, Mr. Hession's partner and General Counsel of Mountain Creek, Scott Baldassano and Ms. Bright. Ms. Bright advised the purpose of the meeting was regarding a proposal submitted to Dave Bauer Vice President of Wind River about a price per gallon. She advised once Mr. Bauer accepted it she met with Mountain Creek to ensure they were still on board with doing the transfer station at Pump Station #2. She commented now that Dewberry has been retained she wanted them to meet with Mountain Creek to move the matter forward. She advised the next step will be a meeting to be held with Wind River and Mountain Creek to settle the existing location, whether it will be moved across the street and the review of the truck sizes entering the area. Mr. Furrey asked if they spoke about moving of the area to another site adjacent to the parking lot by the present pump station. Ms. Bright confirmed correct. Ms. Wheaton asked about her standing on the Pump Station #2 site committee. Mr. Furrey confirmed both he and Ms. Wheaton were on the committee. Mr. Furrey updated a request to Dewberry to submit their proposal with pricing and advised Ms. Wheaton she will be included on the next site visit.

d. SSA / Expansion Map

Ms. Bright stated a request was submitted to Mott McDonald to remove the red areas from the map with a listing of the current lots and blocks so a revised submittal can be issued to the NJDEP. She advised the map was received today with the red areas removed however the current lots and blocks listing were not updated. She noted that the listing of the current blocks and lots to remain in the SSA is needed to submit the letter to the NJDEP. Mr. Pitsker requested a deadline inquiry be submitted to Mott McDonald for the information on the listing of blocks and lots by noon, Monday, November 23. Mr. Furrey concurred with his recommendation. Mr. McDermott asked for the name of the immediate supervisor of Ms. Aralp. Mr. Furrey advised it was John Rushky and will provide his contact information to Ms. Bright to follow up on the status of the map if no response is received by Monday. Ms. Bright commented the only potential problem with respect to the expansion map may be with Legends which has their own

sewer service area. Mr. Furrey stated once the updated map is received it can then be submitted to the NJDEP.

e. Safety Items Update

Mr. Furrey noted that these items were previously discussed.

f. Finance/Billing

Ms. Bright updated the largest delinquent sewer account remitted its past due payment in the amount of \$135,000.00 which makes them current through the third quarter. She commented she is not sure if their fourth quarter payment will be remitted, noted this account was advised no building or zoning permits would be issued until they came current with all past due amounts. She advised the remaining second largest delinquent account is the ACME supermarket who has not made any payments this year and is refusing to remit payment based on their dispute for the EDU's assigned. She advised ACME requested the board reduce their EDU's based on their water usage. Mr. Furrey asked if there were any other properties. Ms. Bright advised there are some properties in Black Creek who have not paid their bills. She noted due to the COVID pandemic Governor Murphy has instituted an Executive Order ruling for water utilities where for delinquent accounts interest cannot be charged and the properties cannot put out for tax sales. She commented her concerns this rule could also move to the sewer side where delinquent accounts would not be allowed to be shut off, no interest charged with no tax sales held. She noted the MUA could move to an accelerated tax sale at the beginning of the year. Mr. Furrey commented this is a country wide issue with utilities struggling to meet their obligations in dealing with these financial stimulus package bailouts.

9. Sub-Committees

Mr. Furrey suggested combining the transfer station and Pump Station #1 as one sub-committee and asked Ms. Murphy if she was interested in helping out with any sub-committee. He noted Ms. Wheaton and Mr. McDermott currently serve on the transfer station sub-committee. He said will need to combine the transfer station and the pump station #2 sub-committee together as one sub-committee with Ms. Wheaton and Mr. McDermott serving on it and remove himself from it. He advised Ms. Murphy there is the Sewer Service Area Map (the "SSAM") sub-committee, By-Laws and Personnel sub-committee, the Water Supply sub-committee and the Finance sub-committee. Ms. Murphy advised she is not interested in joining the By-Laws and Personnel subcommittee. Ms. Bright suggested a solid waste sub-committee could be formed. Mr. Furrey concurred this was worth looking into. Ms. Murphy advised she is not in favor of it, is a difficult task to undertake given the size of the township and the various lake communities have this already set up with their own trash removal. She commented these residential waste removal services are contracted out and included in their lake association dues. She asked why the MUA get involved in the business of these lake communities. Mr. Furrey clarified it would be for the purpose of gathering the information for the MUA if there is future interest. Ms. Murphy advised she would check into the carriers utilized by the lake communities, their policies in effect and noted that many township residents utilize the Sussex County Municipal Utilities Authority facilities for waste disposal. She stated if town wide trash pickup is implemented it adds to their taxes. Mr. Furrey stated Ms. Murphy's research will be reviewed and addressed at the next MUA meeting. Mr. Furrey talked about personnel now that the MUA has multiple part-

time employees. He discussed many changes were made within the MUA since February the policies should be reviewed now the MUA has expanded to from Executive Director to Administrator along with five new part time employees. He asked Mr. Pitsker and Mr. McDermott to review the personnel roles, responsibilities and provide their comments. Mr. McDermott commented on getting the task lists outlined. Mr. Furrey concurred on getting the part time operators up on board.

10. Commissioners' Comments

Mr. Pitsker commented on the site tour conducted with Dewberry, Mr. Lazier, Ms. Bright, the positive impression of the new team assembled, their cohesive nature and the challenges facing them. He raised the issue about communication with the residents of the Great Gorge area on the proper disposal of diapers, rubber gloves and wet wipes into the system. Mr. Kearney stated these are issues facing the sewer treatment industry and noted these backup problems should be communicated to the account users and the cost to the system and ultimately the customers in the future. Ms. Bright advised there is an area on the sewer bills to put out messages to the customers, suggested such notice be on the bill asking not to dispose of these items and there are costly repairs associated with their disposal. Mr. Pitsker concurred with her suggestion. Mr. McDermott asked if the VFW had the required permits to begin the excavation. Mr. Furrey advised the VFW has the permits to proceed, it is a matter of complying with those permits and suggested to follow up to make sure that the VFW has the guidance. He suggested following up with Robert Westenberger of the Building Department to assist with any questions. Ms. Bright confirmed Mr. Westenberger updated the VFW is in complete compliance, everything was approved prior to him and that their engineer will provide everything else that Ms. Aralp advised was required to bring the project out. She advised all was in order for approval by the Township.

11. Chairman's Comments

Mr. Furrey discussed his conversation with Mountain Creek and with Mayor Burrell on the outstanding work done by the current MUA group.

Mr. Furrey moved to go into Executive Session for the purpose of discussing contracts and declared carried by Mr. Furrey via affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Murphy, Ms. Wheaton and Mr. Kearney. After a short break the MUA went into Executive Session at 8:36 p.m.

12. Resolution 20-54 Executive Session

Motion to approve the resolution was made by Mr. Furrey, seconded by Mr. Pitsker and declared carried via unanimous vote by Mr. Furrey, Mr. Pitsker, Mr. McDermott, Mr. Kearney, Ms. Murphy and Ms. Wheaton.

Motion to adjourn Executive Session was made by Mr. Furrey, seconded by Ms. Wheaton and declared carried via unanimous vote by Mr. Furrey, Mr. Pitsker, Mr. McDermott, Mr. Kearney, Ms. Murphy and Ms. Wheaton.

13. Adjournment

Motion to adjourn was made by Mr. Kearney and seconded by Mr. McDermott and carried upon unanimous vote at 8:55 p.m.

Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved: January 7, 2021

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

DECEMBER 3, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 12/3/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened at 7:42 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey

Paul Kearney

Andrew Pitsker

Jean Murphy

The following individuals were absent:

Ms. Wheaton

Mr. McDermott

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary, Howard Lazier, Licensed Operator of Record, Attorney Richard Wenner and special engineer Steven Benosky, Dewberry engineering firm.

5. Open Meeting to the Public

Mr. Pitsker motioned to open the meeting to the public, which was seconded by Mr. Kearney and declared carried via unanimous vote.

Ms. Bright stated no emails were received to give a public statement. Seeing no members of the public come forward Mr. Pitsker motioned to close the meeting to the public, seconded by Mr. Kearney and carried upon unanimous vote.

6. Approval of Minutes:

a. October 1, 2020 Regular Meeting

Mr. Pitsker motioned to approve, which was seconded by Mr. Kearney and carried by all in favor. At this time, Mr. Kearney stated that he was not in attendance at this meeting. Ms. Bright noted Mr. Kearney's vote has been struck from the record.

b. October 8, 2020 Special Meeting

Mr. Kearney motioned to approve, which was seconded by Mr. Pitsker and carried via unanimous vote.

c. October 22, 2020 Regular Meeting

Mr. Pitsker commented on the length of the comments entered on item #6 Approval of the Bills: Resolution 20-40 and requested less verbiage in the dialog. Mr. Kearney agreed with Mr. Pitsker's comments. Ms. Murphy stated she left the meeting at 7:25 p.m.

Mr. Pitsker motioned to approve, which was seconded by Mr. Kearney and carried by all in favor with Ms. Murphy abstaining.

d. November 5, 2020 Regular Meeting

Mr. Pitsker motioned to approve, which was seconded by Ms. Murphy and carried via unanimous vote.

7. Resolutions:

a. Resolution 20-56: Authorizing Work Order for Pump Station #2 Replacement

Mr. Furrey asked Mr. Benosky to go over the engineering proposal and its highlights. Mr. Benosky stated it covers design services and is broken down into two parts: preliminary design along with environmental permitting and bid phase / award phase services and some construction phase services. He advised a preliminary design is working out the concepts to make sure everyone is on the same page, i.e. Mountain Creek, Vernon Township and Wind River to confirm the contributing flow calculations and hydraulic calculations to size the pumps. This takes into account the existing size, length and elevation of the force main. It would be a field survey, a wetland survey of that location, basic computations/analysis with borings taken to demonstrate that the location is not in the flood plain.

Mr. Benosky explained the wet-well would be a relatively deep structure at approximately twenty feet so the geo-technical information should be available for the contractor to have an idea when he is digging to do the excavation support. He advised if this was similar to pump station #1 with a small utility building, the building code would require a boring for that and this proposal has a provision for two borings. He commented this is based on the assumption the existing pump station and other building will be demolished, with an asbestos survey to be performed along with a demolition permit. He stated they are working out the final design in a more detailed fashion: the site plan, mechanical and electrical design; some structural

design; updating specifications and designs for bid. He discussed permitting and anticipates a treatment works approval will be required to be endorsed by the Sussex County Municipal Utilities Authority as a receiving entity.

Mr. Benosky added a soil conservation district permit for disturbance of greater than 5,000 square feet would be required. He advised wetlands and flood hazard permits may be needed which remains to be confirmed during the preliminary phase. He advised the next phase is the bid and award phase. He stated once the bids are received the engineer reviews the bids to make the recommendation for award. During the construction phase, Mr. Benosky noted Dewberry would attend the pre-construction meeting if needed. He stated for jobs of this size there are sometimes regular construction meetings. He said Dewberry would review the shop designs or drawings for the materials to be used submitted by the contractors. He noted the variable during the construction phase is the level of inspection on site by Dewberry the MUA may want, i.e. some clients prefer every day while others prefer less frequent visits. He stated the scope of work is set up for Dewberry to be at the site once weekly during the busy part of the project and is subject to change at the request of the MUA. He outlined the further scope of work to include review of contractor change orders, review of contractor invoices and recommendations on all reviews to the MUA.

Mr. Furrey stated this presentation covers everything and provides a good background for the project. He advised there was a meeting held today attended by Mayor Burrell, Business Administrator Charles Voelker, Ms. Bright, Mr. Pitsker, Joe Hession of Mountain Creek, Scott Baldassano of Mountain Creek, Steven Benosky of Dewberry and Dave Bower of Wind River. Mr. Furrey asked Mr. Benosky to detail the meeting. Mr. Benosky said they discussed where it would be most advantageous to locate the pump station on Mountain Creek property and updated there was a plan ten to fifteen years ago to site it across the street from the entrance road to the Black Creek Sanctuary. He informed Mountain Creek indicated that they prefer not to put it on that land, asked to relocate it to an undeveloped property about 100 feet north of the existing pump station with Wind River indicating their preference to locate the transfer station portion of it closer to the main road as that transfer is their mechanism to discharge into the sewer. Mr. Benosky informed one of the main goals of the meeting was to review those locations, all parties walked the sites and the meeting outcome was successfully accomplished.

Ms. Murphy asked for clarification where they wanted to move the transfer station portion. Mr. Benosky advised it was off Sand Hill Road between the crosswalk and the entrance to Black Creek Sanctuary. Mr. Pitsker commented Mr. Hession showed the area as a better solution due to a large berm at the area blocking the view of the pump station and transfer station, as well as the trucks entering and exiting the area. Mr. Benosky confirmed the location will be vetted, looking at the road access, the guard rail as well as any grading issues associated with the vehicle access by Wind River. Mr. Furrey commented this was doable at the site as a combination pump station/transfer station and lauded all of the team on the productive outcome of the meeting. Mr. Pitsker commented on the main from the sewer system leading from the top of the hill and it would be easier access than putting it in across the street. Mr. Benosky agreed, noting there would be less piping required. Mr. Pitsker stated Mr. Hession is looking for a good functioning set up with cost as a concern since Mountain Creek is paying for this. Mr. Pitsker asked Mr. Benosky if he had a concern about the grade coming from the top of the hill down. Mr. Benosky confirmed he did, advised he needs more information from Wind River's needs regarding truck access. He commented his concern is the hill to the right of the road with the guide rails there where there are grade issues.

Ms. Murphy asked about the status of the force main, checking the pipes with respect to the commitment to the transfer station as opposed to where it was originally proposed for relocation running along the railroad tracks. Mr. Furrey advised it is a different topic. Ms.

Bright advised request for quotes were sent out based on information supplied by Mr. Benosky. She said the quotes were split into three projects and is hoping to hear from the vendors soon. She advised the evaluation cost includes multiple days with the replacement of the ARV's. She said it is anticipated the cost will decrease by going out for three different quotes. She advised they will check with Wind River to have one of their trucks to be on standby rather than go through a vendor who would do the same service and charge more.

Mr. Furrey commented that the force main evaluation and pump station go hand in hand and are critical to be done at the right sequence. He asked Mr. Benosky for an estimated time frame to get the final design and permitting done. Mr. Benosky advised the permit needs to be sent to Trenton which could take three months, advised he will provide a design schedule with anticipated design milestones, permitting and construction duration. Mr. Pitsker asked about the total funds of \$200,000.00 approved on the resolution. Ms. Bright advised she did not include a certification of funds on the resolution due because she needed to check with the auditor first. She advised it will include an increase in cost to account for any engineering alterations. She clarified that it is not coming out of special engineering account number and is coming out of cash because it is a due payable from the Township and is a unique circumstance due to the relationship of the VTMUA and the Township. Mr. Pitsker commented the total amount of funds on the estimate is \$180,000.00. Mr. Furrey clarified the resolution states it is the amount not to exceed \$200,000.00.

Mr. Pitsker moved to approve the resolution, seconded by Ms. Murphy and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Pitsker, Ms. Murphy and Mr. Kearney.

8. Work Session

a. Subcommittee Reports

i. PS2 / Transfer Station Subcommittee.

Mr. Furrey stated the previous extensive conversations already covered pump station #2 and the transfer station and requested Mr. Benosky to update the MUA board on the project schedule so they can track it.

ii. Sewer Service Area Subcommittee.

Ms. Bright advised the letter was finalized for the NJDEP. She received the Mott McDonald spreadsheet listing all the blocks and lots the NJDEP requested for removal out of the ESA 25's which were requested by the MUA to remain in the ESA 25. She stated the Mott McDonald spreadsheet listed the old/prior blocks and lots which required updates to the new blocks and lots with remaining verification to several addresses by the tax assessor. She stated upon receipt of the verification from the tax assessor on this information the letter will be sent out to the NJDEP. She advised once all updates are completed she will circulate the revised map to the board together with a copy of the letter to the NJDEP. She stated the letter is asking the NJDEP for those blocks and lots in the existing MUA sewer service area deemed environmentally sensitive areas to remain in it which shows a break out of the blocks and lots type with certain areas identified as vacant or residential. She commented in the letter about the request by the Kelley Farm for inclusion in the existing sewer service area with the other areas split out by certain already developed areas in Town Center that the NJDEP wanted removed. She talked about the Black Creek Sanctuary area which was included in the MUA calculation for sewer allocation,

noting Mountain Creek has development plans in those areas. Mr. Furrey clarified Ms. Bright will be submitting the letter from the MUA to the NJDEP, with an excel spreadsheet with all blocks and lots detailing the environmentally sensitive areas together with an overall map clearly stating the MUA position in terms of a sewer service area map. He stated it will be circulated amongst all the MUA members once it is completed to be and recommended it be submitted to Dewberry for a final review before submission to the NJDEP. Mr. Kearney and Mr. Pitsker agreed with Mr. Furrey's recommendation. Mr. Furrey advised that the NJDEP will be put on notice that time of the essence and the importance of this project. Mr. Kearney agreed and noted there may be delays dealing with the NJDEP because of in house staff shortage due to the COVID pandemic with many of their employees working remotely.

iii. Solid Waste Subcommittee

Mr. Furrey stated he will table any discussion on solid waste to the next meeting.

iv. Bylaws / Personnel Subcommittee

Mr. Pitsker commented about including in the By-Laws a model of estimated costs of an actual hook up connection from the property building to the main line inclusive of all the steps in the process. Mr. Furrey agreed with his recommendation. Mr. Kearney commented the template should be clear, concise and easy to access. Mr. Furrey advised a typical water connection cost currently is roughly estimated from \$6,000.00 to \$16,000.00 and suggested obtaining additional information from Dewberry regarding connection fees. Mr. Pitsker commented there should be a checklist for review by the applicant. Mr. Furrey commented the model information can be obtained from Dewberry. Mr. Benosky confirmed he would follow up with the review of that information and provide it.

v. Water Supply Subcommittee

Ms. Bright advised she reached out to Vernon Town engineer Corey Stoner about the status of his contact by SUEZ and said she had not heard back from Tony Vincente of SUEZ. She advised she spoke with NJIB about how SUEZ can apply on their own as well, the MUA can put in an application at the same time if it is decided to do a joint financing where SUEZ puts the infrastructure in and the MUA pays for the rest. She stated SUEZ has the ability to go through NJIB for funds and advised that it is a requirement for the MUA to do and it is a DLGS requirement. She stated she was unaware if SUEZ had submitted any applications to NJIB for water. Mr. Furrey requested Ms. Bright to provide Mr. Benosky with all the information, background and stated the MUA will rely on Dewberry for guidance in the process.

vi. Finance Subcommittee

Ms. Bright advised Mr. Furrey, Mr. Pitsker and herself will meet separately on the proposed 2021 budget and at the next MUA meeting on December 17 it will be circulated for introduction. She noted it will be a good budget due to significant savings and not any large increases in the debt service to the Sussex County Municipal Utilities Authority. She advised there are time limitations between the introduction of the budget and the rate hearing to be held in January 2021 for the correct amount of time to adopt the budget by the end of the month.

9. Administrative Update

Mr. Furrey stated at this time he will insert a licensed operator update in the administrative update. He asked Mr. Lazier to comment on the two new employees any further operations updates. Mr. Lazier advised both Matthew Duffy and Zachery Von Oesen are working on their own. He advised EM Electrical returned to finish the stickers and labels job at all the stations; however the incorrect stickers were brought again, so the job is not finished. He stated Mr. Schmick came in to try to fix the pump at the LaTouquet lift station, which could not be fixed. The wiring diagram available was originally drawn by SUEZ. Mr. Furrey stated the drawings from SUEZ from all the pump stations should be updated. Mr. Lazier clarified the pump does turn on and the drawing of the wiring on file was done by a SUEZ operator when he did the wiring and is probably correct but could not confirm.

Mr. Lazier advised the lid at the lift station will be measured tomorrow for the replacement lid to try to have RS Phillips Steel manufacture one. Ms. Bright advised she is researching vendors to manufacture the railings. Mr. Furrey asked about the availability of a full set of keys to the backup operator and the office. Ms. Bright confirmed a full set of keys had been made yesterday for the backup operator. Mr. Kearney asked if a master set of keys were made and Ms. Bright confirmed correct. Mr. Kearney asked if there were documentation sheets for the two new staff members on the training done by them for proof to the government. Mr. Lazier stated there were none. Mr. Kearney advised it would be a good procedure to have a checklist for all training conducted at each of the pump stations and lift stations to ensure the documentation is on hand for inspection. He clarified it is not a mandatory requirement however it is best practice procedure to incorporate into the MUA safety manual. Mr. Furrey agreed with his recommendation on the development of a training checklist and commented it will be required by NJDEP auditors when they conduct inspections. He lauded the quick transition into the training on the new staff members by Mr. Lazier with the expansion of the operation manual.

Mr. Pitsker asked about recommendations for 2021 training. Mr. Lazier stated the confined space training is the most important as it had been canceled twice. Mr. Furrey agreed, recommended the C-1 operator class, the introduction to water / wastewater courses and offered to provide the information to Mr. Lazier. Mr. Kearney asked about the cost reimbursement of the courses. Mr. Furrey advised the costs run between \$150.00 to \$200.00 for books, classes and the same amount to obtain the licenses. Ms. Murphy agreed the training is important for the positions they were hired for, the cost may be a strain for the employees and noted the Township pays for the courses for their employees. Mr. Kearney commented often courses / classes and the examination must be re-taken in the event the applicant does not pass them. Ms. Murphy stated for these courses the MUA may be pinching pennies. Ms. Bright commented for courses taken by employees for the Town, there is a requirement for the employees to stay for a certain time period. She suggested the MUA pay for one exam each so as to avoid multiple failed exams paid for by the MUA. Mr. Furrey and Mr. Kearney agreed on this fairness. Mr. Furrey commented the time frame from start to finish between taking the course and applying for the license can run up to six months. He stated the training follow up will be tabled to the next meeting. Mr. Kearney asked about the chemical bio-solids safety training and whether there is a requirement for it on the bio-side. Mr. Lazier confirmed the town does give the "right to know" classes. He suggested the two new employees take the course, let them be responsible for the exam and once they pass the exam the cost of the course will be reimbursed to them. Mr. Furrey agreed with the recommendation and commented that it is standard practice with most utilities.

10. Commissioners' Comments

Mr. Pitsker asked about the status on Green Realty's connection. Ms. Bright advised she has not heard back from them, they paid their connection fees and at this point there is nothing the MUA can do to force them to connect. Mr. Furrey asked what the recourse is. Mr. Wenner advised because the MUA has mandatory sewer connection requirement in the By-Laws rules and regulations it comes down to money and billing. He stated if they are paying a sewer charge there is not much that can be done by the MUA. Mr. Furrey asked if they are paying for the service, not physically connected what is the advantage to the business and whether the MUA can enforce the connection. Mr. Kearney asked if somebody pays the user fee does it matter if they are not hooked up, if they are paying the bill and not contributing to the flow. Mr. Pitsker commented it sets a precedent for all users charged a sewer fee on the line along route 94 and noted the impact on the county measurements of the nitrate levels. He pointed out these sewer services were built to be mandatory to protect the property from sewer run off from failed septic systems. Mr. Furrey agreed it is to reduce any environmental impact to the surrounding area. Mr. Pitsker asked about any enforcement on this requirement and the silence on it in the By-Laws. Mr. Wenner advised an injunctive relief court order would be required to be filed in municipal court to enforce it. Mr. Pitsker asked about the Acme supermarket outstanding sewer bill. Mr. Furrey advised he received confirmation a representative from Acme would be attending the next MUA meeting. Mr. Pitsker stated a resident from Pleasant Valley Lake contacted him about hooking up to the sewer service area. Ms. Murphy stated it was outside the sewer service area and the cost of a septic system out ways the cost of hook up to the sewer. Mr. Kearney asked about the VFW approval. Ms. Bright and Mr. Furrey confirmed all permits have been issued and the VFW can move forward.

11. Chairman's Comments

Mr. Furrey commented he spoke with Mayor Burrell who stated his appreciation of the contribution of the MUA team members towards moving the MUA in the right direction.

12. Adjournment

Motion to adjourn was made by Ms. Murphy seconded by Mr. Kearney which was declared carried by Mr. Furrey at 8:33 p.m. upon affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Wheaton and Mr. Kearney.

Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved January 7, 2021

REGULAR MEETING / WORK SESSION MINUTES

VERNON TOWNSHIP

MUNICIPAL UTILITY AUTHORITY

21 CHURCH STREET, VERNON, NJ 07462

DECEMBER 17, 2020 AT 7:00 P.M.

These minutes are a synopsis of the meeting that took place on 12/17/2020. Copies of the recording are available at the office of the Vernon Township Municipal Utilities Authority (the "MUA").

1. Call to Order

The regular meeting of the MUA was convened at 7:02 p.m.

2. Statement of Compliance

Pursuant to the Open Public Meetings Act, Chapter 213, PL 1975, adequate notice as defined in Section 3D of Chapter 231, PL 1975 of this regular meeting was provided to the public and the press on January 20, 2020 by delivering to the press such notice and posting same at the municipal building and filed with the office of the MUA as well as posted on the website.

3. Salute to the Flag

4. Roll Call of Members and Professionals

The following members were present:

Michael Furrey
Paul Kearney
Andrew Pitsker
Kristin Wheaton
Dave McDermott

The following individuals were absent:

Jean Murphy

The following Professionals were present: Donelle Bright, Administrator; Colette J. Borell, Recording Secretary; Robert McNinch, Auditor; Richard Wenner, Attorney; and Steven Benosky, Project Engineer Dewberry.

5. Open Meeting to the Public

Mr. Kearney motioned to open the meeting to the public, which was seconded by Mr. McDermott and carried upon the unanimous vote.

Ms. Bright stated no emails with comments nor were any phone calls received to give a public statement. Roy Pascal, managing partner of Vernon Valley Plaza at 530 County Route 515 and Pete Reeves the property manager came forward. Mr. Pascal expressed concerns relating to

sewer charges at the property and stated over time the charges have increased each quarter. He stated they have added new tenants, however, each time a new tenant comes in the sewer charges swell higher. He advised the plaza is currently at 15% vacancy, according to his math calculations he is being charged for 56. 3/4 EDU unit's for occupied spaces which he calculated to come out to 13.5 million gallons of sewer annually. He stated it appears to be large amount, advised he had no way to measure the usage as they are on an incoming well and said a water meter was installed on September 22, 2020. Weekly tracking of the average water usage that comes into the property shows to be been approximately 4100 gallons coming into the property daily. He said it has been 82 days since its installation up to last Monday. He advised it appears to be in the neighborhood of 12% of the total of being billed for what they are actually being used.

Mr. Pascal stated his company operates a number of other properties in New Jersey and Pennsylvania with this property having a sewer figure of about 80 cents per square foot for approximately \$72,000.00 to \$75,000.00 sewer charge a year. He said he is being charged four times more for sewer than those other properties. He advised he is in negotiations with Acme to renew their lease; however, talks are stalling due their request for relief of the 40% property tax increase assessment plus the high sewer charges. Mr. Furrey asked Mr. Pascal for a point of reference rate cost compared to other local properties. Mr. Pascal advised it is a unique scenario as this is the only property he owns which does not have municipal water but has municipal sewer. He drew parallels to other properties he owns where the sewer is \$200.00 a quarter however the water is \$1,900.00 a quarter in communities outside of Vernon.

Mr. Furrey asked for clarification on the unit cost comparison, i.e. is it about four times more the cost compared to other typical properties. Mr. Pascal explained it is ten times difference, he does not have a situation where the EDU mathematics are used as for this property. He stated the EDU's for the restaurants charged is in the neighborhood of half what is being used. Mr. Furrey advised all the engineering documentation on how EDU's were calculated was provided to him. Mr. Pascal agreed he had the information. Mr. Pascal said he met with Ms. Bright and Mayor Burrell about the tax assessment, sewer bills, the renewal of Acme's lease and it was before he received full documentation. He said the engineer put this information chart together however it does not represent reality of the water usage and the numbers he has now shows it is not fair, accurate and equitable. He stated if he is being billed for 37,000 gallons a day, is using 4,000 gallons a day and if he got a 75% reduction it would still be inequitable.

Mr. Furrey suggested hiring an independent engineering firm to look at it. He explained water and sewer charges are billed two ways, via metered flow or by EDU calculation. He advised the MUA when initially set up it was established to use the EDU formula because most of the sewer systems did not allow for meter billing and had to be done through the EDU calculation. He agreed the EDU rates are high, noted the MUA is working hard to reduce expenses, stabilize rates and wants to provide useable information for him to make a decision. Mr. Kearney asked if the MUA was set up utilizing the EDU formula, was it allowable via the By-Laws to change, circumvent or alter it according to certain properties and go by a different standard. Mr. Wenner confirmed within the regulations it is allowed for the MUA to "relax" the EDU calculation on a case by case basis; however, if every property owner was permitted to petition the MUA for reduction as usage does not accurately reflect the charge based on water meter flow, would not be in the best interest of the MUA. He advised EDU estimated calculations can show an approximation on the higher side. Mr. Kearney commented if property owners installed meters the meters would need to be checked and stated it is why water companies own the meters to monitor their usage. Mr. Furrey concurred the MUA would need to install meters on every system and currently does not have that ability.

Mr. Furrey advised an independent engineering analysis conducted to review the 56 EDU calculation would be amenable to review the calculations. Ms. Wheaton commented MUA engineering analysis was conducted based on NJDEP guidance and formulas to come up with the EDU's each customer is charged, noting it was looked at and double checked already. She commented it is unlikely a separate engineering analysis would show a different calculation as it is based on these formulas and would discourage it. Mr. Pascal said he has the chart designating what each tenant is charged, commented the scenario with most towns especially with Vernon where houses are the majority of accounts, noted the shopping center is an anomaly, these assignment codes cannot be equally applied from a residential three bedroom, one and a half bath home to an almost 100,000.00 square foot commercial shopping center and should be treated differently. He noted it is a real financial issue for this property, advised if it is not resolved ACME will leave, he will lose the remaining tenants and take his business out of Vernon. He expressed his willingness to work with the MUA.

Mr. Furrey advised the MUA will do everything it can do to work with Mr. Pascal to resolve commercial EDU calculation and do the best to stabilize the rates in the future. He emphasized its desire to retain the critical commercial properties in Vernon. Mr. Pascal commented his property tenants are holding on by a thread, will obtain engineering input and noted he is being charged for 12,000 feet of vacant unoccupied stores with some without toilets or sinks. Ms. Wheaton asked if he was being billed for vacant property. Mr. Pascal advised he was, noting it was on the chart and said there were mistakes on the engineering chart he was provided. Mr. Reeves asked why is it when one of their tenants vacant the property how is it the property is still being charged for the EDU's especially with the location without toilets with two stores without bathrooms. Mr. Wenner advised when EDU's were assigned application was made to the MUA for allocation if there vacant use, i.e. storefront upon receipt of documentation showing the property was not in use, the EDU charge can be revised and credited against the bill.

Mr. Pascal asked about the chart showing the 14 spaces he is charged for them. Ms. Bright advised these spaces were on file with Mott McDonald and confirmed he was currently charged for them. She advised Mr. Pascal to write a letter with the names of the actual locations in the plaza for review. Mr. Kearney asked if the size of the storefronts changed with adjustments in the square footage and noted it would affect the EDU allocation. Mr. Pascal advised some stores grew and shrank going from one store to two stores however the total square footage allotted to them did not change. He asked if there were other commercial property settings with issues like this in Vernon. Ms. Bright confirmed there were none. He requested an adjustment for the shopping center as the largest retail property in town based on EDU's out of equity. Mr. Furrey advised Mr. Pascal to provide additional tenant issues, provide the documentation and expressed the MUA's willingness to work towards a mutually beneficial solution. Mr. Pascal stated the sewer problem is specific to the property, if ACME withdraws there might not be a replacement supermarket willing to come in, noted the effect of the loss of the "generator" tenant pushing down to affect the remaining tenants such as the liquor store and other tenants who will leave the plaza.

Mr. Pitsker motioned to close the meeting to the public, seconded by Mr. McDermott and carried upon unanimous vote.

6. Approval of the Bills: Resolution 20-57

Ms. Wheaton asked about the bioxide invoice for odor control, is it done normally and how long this supply will last as it appears to be a considerable cost. Mr. Furrey explained pump station #1 was the only pump station using bioxide, is located down by the solar panels, the other pump

stations do not use it and it was in the original design. Ms. Bright explained the last purchase was in May 2020. Mr. Kearney stated pump station #1 is the furthest from residential areas, asked about price research into current bioxide costs, noted the standard is two year contracts with one year extension options based on usage which can run up to \$6,000.00 to \$7,000.00 a year and suggested it should go out to bid especially if it is bought twice a year. Mr. Furrey requested Mr. Benosky to perform an evaluation whether the bioxide treatment is necessary, the costs and obtaining alternative treatments in light of the distance pump station #1 is from residential dwellings.

Mr. Kearney asked about the locksmith costs and commented it appeared expensive. Ms. Bright explained there were multiple attempts to make copies of pump station #1's keys for several months; McAfee Hardware cut keys correctly a couple of times however they did not work and ultimately retained the locksmith. Mr. Furrey advised going forward Licensed Operator of Record Howard Lazier should meet the backup operator at the pump station sites to review and make arrangements for getting the keys done. Mr. Pitsker asked if the DPW is off the books for reporting hours for December. Ms. Bright advised one MUA staffer was out sick in December and a DPW staffer was requested to cover their work. Mr. Furrey clarified November should be the last bill received from the DPW. Mr. Kearney asked going forward since the MUA will not be using the DPW on a regular basis if access will be available to them. Ms. Bright advised in the 2021 budget there is a \$20,000.00 line item provision for a shared service coverage on a reimbursement basis in the event of time out for sick or an emergency if more than two MUA staffers are needed. Mr. Furrey commented moving forward there should be minimal time spent and billed by DPW for coverage and noted the DPW will be utilized on an as needed basis.

Mr. Pitsker moved to approve the bills, seconded by Mr. McDermott and declared carried by Mr. Furrey upon the affirmative votes of Mr. Furrey, Ms. Wheaton, Mr. Pitsker, Mr. McDermott and Mr. Kearney.

7. Resolutions:

a. Resolution 20-58: Approving Late Introduction of the 2021 Budget

Ms. Bright advised authority budgets are typically done in November but because of the way the MUA budget works as dependent upon SCMUA fees it is typically passed in December and adopted in January. Mr. McNinch advised this is not unusual and he works with a number of authorities who introduce their budgets in December to get a better idea on how the current year will end and what funds will be available the next year. He stated there is a statutory requirement to introduce the budget sixty days before the year end. He said this is a mechanism to memorialize and file with Trenton that the budget is being filed outside the sixty day window. He advised it is general housekeeping resolution for compliance with the Division of Local Government Services.

Mr. Pitsker moved to pass the resolution, seconded by Mr. McDermott and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. Kearney, Mr. McDermott and Ms. Wheaton.

b. Resolution 20-59: Resolution Introduction of the 2021 Budget

Ms. Bright provided figures for total anticipated revenues to be \$2,733,208.00 with total appropriations of \$2,820,642.00 and using \$87,444.00 of unrestricted net position to offset the budget so the MUA is not increasing rates. She noted in the financial committee meeting with Mr. Furrey, Mr. Pitsker and herself they want to keep rates as stable as possible keeping in mind 2023 is fast approaching. She noted the Authority is working diligently along with Dewberry to ensure a transfer station is in place, to be in a better financial place come 2023; however, if it does not go through, there is concern for rising rates over time.

Ms. Bright commented due to that possibility they will be using some of their unrestricted net position and will be using \$50,000.00 from the Sussex County Municipal Utilities Authority rate stabilization fund which is slightly more than was used last year. She noted it is significantly less than was used in prior years, i.e. 2018 and prior where at least \$100,000.00 was used from the rate stabilization fund with the aim to not use that much from the fund and be prepared for 2023.

Mr. Furrey commented the MUA does not want to raise rates at all, wants to do all that is possible to make the budget work and asked Ms. Bright to identify all the efforts made this year with no rate increase, reducing expenses and will request Mr. Lazier to quantify the reduction of costs and expenses. He stated the MUA will publicize this information to the public and the ratepayers. Mr. Pitsker asked what the actual cost savings were for 2020. Ms. Bright advised there was savings in the regular budget between 2020 and 2021 of \$84,177.00. Mr. Furrey asked if this savings percentage may change. Ms. Bright advised this is the budget bottom number difference, will not change and noted savings seen will go into the unrestricted net position which allows the MUA to use it this year. She pointed out the capital improvement fund has a lot of money set aside to address infrastructure necessary to put into the actual system. Mr. Furrey stated Mr. Lazier will be requested to review, identify capital improvements, set up a priority list and provide suggested improvements to the board.

Mr. Pitsker stated during the site tour with Dewberry antiquated maintenance items were reviewed, addressed i.e. the electrical panel which is out of date with difficulties obtaining replacement parts and noted cost reduction was a priority. Mr. Furrey asked Mr. Benosky's assistance in targeting any necessary priority capital improvements. Mr. Furrey stated the MUA should not be paying emergency service rates with the aim to be more proactive and stay ahead of any potential issues.

Mr. Furrey asked when the budget would be approved. Ms. Bright stated the final approval date for the budget to be adopted will be at the second MUA meeting in January on the 21st and a rate hearing will not be needed because the MUA will not be changing the rates. Mr. McNinch clarified from a budget standpoint the MUA did things between 2019 and 2020 resulting in cost savings achieved, gave the MUA to ability to do the rate stabilization and assuming the transfer station goes forward as expected, 2021 should be a great year with a good mechanism to provide the ratepayers some relief especially with the escalating 2023 debt service. He stated after the budget is introduced it will be submitted to the Department of Community Affairs, Division of Local Government Services for review and approval before any further adoption can be done. He commented this is the first time since the inception of the authority where there has not been a rate increase which benefits the ratepayers. He noted because of this the authority has positioned itself to provide rate relief to the ratepayers. Mr. Furrey lauded the MUA team to stabilize rates. Mr. Kearney agreed with Mr. Furrey. Mr. McDermott commented more has been accomplished due to the increase in the meetings. Mr. Kearney commented when he joined the authority there was little guidance nor leadership with direction and noted this year much was accomplished. Ms. Wheaton agreed and commented the board previously was more in reactive mode awaiting what administration was needed to resolve the critical rate and operations

issues. She credited the current leadership for the objectives set and followed through for these issues.

Ms. Wheaton moved to pass the resolution, seconded by Mr. McDermott and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. Kearney and Ms. Wheaton.

c. Resolution 20-60: Approving 2021 Meeting Dates

Mr. Kearney moved to pass the resolution, seconded by Mr. McDermott and declared carried by Mr. Furrey upon affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Mr. Kearney and Ms. Wheaton.

8. Administrative Update

a. LOR Update

Ms. Bright stated Mr. Lazier could not attend the meeting tonight and she would provide the LOR Updates.

b. PS2 / Transfer Station Update

Ms. Bright stated she updated H2 loans so Dewberry is on the pump station project, spoke with Piyush from NJIB/DEP earlier this week and updated items on the asset management plan in the system for Dewberry as well for the pump station #2. Ms. Bright asked if Mr. Benosky heard back from Dave Bower of Wind River. He confirmed he did not. He advised the pump station #2 site meeting conducted on 12.3.20 was progressive, noted the proposed transfer site for Wind River discharge trucks off of Sand Hill Road is being re-evaluated in terms of grading area and impact since it is on a hill. He stated he will be providing feedback after consulting with Mr. Bower on the size of their discharge trucks and the transfer station location.

Mr. Pitsker asked if there was additional dialog with Joe Hession of Mountain Creek on the location of the transfer station to an area with a more gradual approach. Mr. Benosky said he had not heard back yet from Mr. Hession. Mr. Pitsker asked for status on application paperwork for pump station #2 and whether Mr. Benosky has provided a timeline for getting it done. Ms. Bright advised all information was updated in H2Loans to which Mr. Benosky now has access to as he moves along in his planning and design of the station. Mr. Furrey asked Mr. Benosky for a supplement to the engineering proposal to incorporate a time schedule. Mr. Pitsker commented with 2023 coming up this is critical for sourcing of additional revenue. Mr. Benosky stated a bar chart schedule with outlines is being drafted and will be circulated. Mr. Furrey commented there were serious corrosion issues affecting the gravity main that comes down from Town Center into pump station #1 that need to be addressed. He asked for an update on the force main evaluation. Ms. Bright stated there were three quotes solicited, heard back from Ferraro Construction who will provide quotes on the pressure gauge, air release valve replacements along with a quote received from Rapid Pump for the ARVs only. Mr. Furrey asked Mr. Benosky if there would be weather issues affecting the evaluation. Mr. Benosky stated it would not impact it. Mr. Furrey emphasized the need to get the proposals and quotes routed through Dewberry to expedite the evaluation.

c. SSA/Expansion Map

Ms. Bright stated the sewer service expansion letter was sent out to the NJDEP via certified mail and email, has not heard back and anticipates their review of the blocks and lots will take some time. She commented it may take longer to hear back from the NJDEP due to most staffers working remotely. Mr. Benosky advised he was planning to reach out to the NJDEP next week for a status check. Mr. Furrey advised NJDEP Director Kerry Pflugh of the Office of Local Government Assistance is available for assistance to expedite the process. He requested Mr. Benosky to follow up with the NJDEP on a regular basis.

d. Safety Items Update

Ms. Bright advised two vendors came to Black Creek Sanctuary to provide quotes for safety railings, is awaiting the updated quote from second vendor which she expects to receive by Monday. She stated the new lid for La Touquet was cut with hardware to be installed. She commented Mr. Lazier was working on the capital list for specific items to be purchased which includes electrical items for the pump stations together with lists of specifications on the pumps and obtaining a smaller generator for mobility between lift stations.

Ms. Bright stated the full course confined space training for the two new MUA staffers will be done as soon as possible for them.

e. Finance/Billing

Ms. Bright stated the receivable is higher this year compared to prior years due to a third of it coming from two of the largest sewer payers. One payer which was on the meeting tonight has not paid their sewer bill this year at all, the other Minerals has not paid their fourth quarter bill to date and paid their delinquent bills after Township permit issuance was on hold pending receipt of past due amounts. She commented these two largest sewer payers account for about a third of total receivables. She stated she does not anticipate problems with Mountain Creek after speaking with them, they advised they are doing well and their 2021 sewer fees letter is scheduled to be sent out January 31, 2020. She noted cash flow is all right for now.

9. Sub-Committees

There were no comments.

10. Commissioners' Comments

Mr. Pitsker commented on the charters as a good direction to utilize to get the 2021 projects done and asked the board for one item to discuss at the next meeting. He lauded the efforts of Ms. Bright on the budget in light of the MUA down to five employees and keeping costs down. Mr. Kearney asked about the status of the inequities of the SCMUA billings. Mr. Furrey advised he spoke with the Mayor of the Borough of Sussex and his conversation with him, his willingness to work closely with the MUA to help resolve the issue. He asked Ms. Bright to set up a meeting with himself and Florio Steinhardt. Ms. Bright confirmed she would and advised she was still awaiting the completed paperwork from the Florio Perrucci Steinhardt Cappelli Tipton & Taylor LLC law firm. She advised she obtained copies from the SCMUA controller Tim Day of the comparison of town billings versus average gallons per day from 2011 forward.

Mr. Kearney asked about the status of finances due Mott McDonald and what documents are owed the MUA. Ms. Bright advised she spoke with Mott McDonald engineer Ceren Aralp about the turnover of engineering services to Dewberry requested the finalization of the asset

management plan for submittal to the MUA. She stated she will be reviewing all the remaining billing for accuracy prior to entry into the Edmunds system. Mr. Kearney asked if billing can be withheld pending receipt of all outstanding documents and services. She advised there are regulations to be followed for payment of outstanding invoices within a certain time period. Mr. Furrey commented all missing documentation needed should be requested from Mott McDonald. Ms. Benosky noted he has some PDFs of the system maps, was not aware if they were CAD or JAS based and stated the electronic versions of their files would be beneficial.

Mr. Kearney asked about scanning all the documents in the MUA office for archival in electronic format. Ms. Bright advised the files are in process of review, organization and consolidation to bring all records up to date. She agreed scanning is a good idea however prefers to wait pending to identify missing documents. Mr. Kearney asked about the status of the VFW connection. Mr. McDermott advised the VFW is hooked up and all is completed. Mr. Kearney asked about publishing the successful connection. Mr. Furrey agreed about communicating this accomplishment.

11. Chairman's Comments

Mr. Furrey commented he spoke with Mayor Burrell and Town Council President Harry Shortway who lauded all of the MUA team members and cited their outstanding contributions to the improvements to the authority. He advised he will be speaking at a Town Council meeting where he will present an update on the achievements of the authority.

12. Adjournment

Motion to adjourn was made by Mr. McDermott seconded by Ms. Wheaton which was declared carried by Mr. Furrey at 8:44 p.m. upon the affirmative votes of Mr. Furrey, Mr. Pitsker, Mr. McDermott, Ms. Wheaton and Mr. Kearney.

Respectfully submitted,
Colette J. Borell
MUA Recording Secretary

Minutes approved January 7, 2021