



REORGANIZATION MEETING OF THE MUSCONETCONG SEWERAGE AUTHORITY

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

Members Present: Andrew Cangiano, Michael Grogan, John Hemmendinger, Brian McNeilly, Melanie Michetti, Steven Rattner, Anthony Riccardi, Thomas Romano, Joseph Schwab, Elmer Still, Jack Sylvester

Members Absent: Richard Schindelar

Others Present: Diane Alexander, Esq., James Cosgrove, Jilliam Martucci – Office Manager, James Schilling – Executive Director, James Wancho - PE

Others Absent: Thomas Carroll – QPA

- Oaths of Office were moved up on the agenda.
 - Re-Appointing Mr. Grogan as Commissioner for the Borough of Netcong
 - Re-Appointing Mr. Romano as Commissioner for the Borough of Stanhope
 - Appointing Mr. Hemmendinger as Commissioner for the Township of Mount Olive

Attendance Roll Call:

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

2025 Annual Reorganization Meeting
Date/Time Call to Order: February 27, 2025 @ 7:30 PM
Others Present: Diane Alexander, Thomas Carroll, Jilliam Martucci, James Schilling, James Wancho

Motion / Resolution	Cangiano	Grogan	Hemmendinger	McNeilly	Michetti	Rattner	Riccardi	Romano	Schindelar	Schwab	Still	Sylvester
Attendance:	Present	Present	Present	Absent	Present	Present	Present	Present	Absent	Present	Present	Present
Oath of Office: Re-Appointing Commissioner Grogan for Borough of Netcong				Arrived 7:32pm								
Oath of Office: Re-Appointing Commissioner Romano for Borough of Stanhope												
Oath of Office: Appointing Commissioner <u>Hemmendinger</u> for Township of Mt. Olive												
Nomination for Chairman Current: Steven Rattner – All in Favor Change(s): None	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Second Aye	Absent	Aye	Aye	Motion Aye
Nomination for Vice Chairman Current: Jack Sylvester – All in Favor Change(s): None	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Motion Aye	Absent	Aye	Second Aye	Aye
Nomination for Secretary-Treasurer Current: Joseph Schwab – All in Favor Change(s): None	Aye	Aye	Aye	Aye	Second Aye	Aye	Aye	Motion Aye	Absent	Aye	Aye	Aye
Nomination for Asst Secretary-Treasurer Current: Thomas Romano – All in Favor Change(s): None	Second Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Absent	Motion Aye	Aye	Aye
Appointment of Finance/Audit Committee Current: Romano, Rattner, Schwab – All in Favor Change(s): None	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Motion Aye	Absent	Second Aye	Aye	Aye
Appointment of Engineering Operations, Maintenance & Safety Committee Grogan, Michetti, Riccardi, Schindelar - All in Favor Change(s): None	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Motion Aye	Absent	Second Aye	Aye	Aye
Appointment of Personnel Committee Sylvester (Chair), McNeilly, Cangiano – All in Favor Change(s): Remove Erik Bradley	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Motion Aye	Absent	Second Aye	Aye	Aye
Appointment of Purchasing Commissioner Elmer Still – All in Favor Change(s): None	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Motion Aye	Absent	Second Aye	Aye	Aye

Motion / Resolution	Cangiano	Grogan	Hemmendinger	McNeilly	Michetti	Rattner	Riccardi	Romano	Schindelar	Schwab	Still	Sylvester
RESOLUTIONS 25-07 through 25-16 ROLL CALL UNDER ONE VOTE												
Resolution # 25-07: Affirmative Action Officer – Jilliam Martucci	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution # 25-08: PACO – James Schilling	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution # 25-09: JIF Fund Commissioner – James Schilling	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution # 25-10: UST Operator – James Schilling	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution # 25-11: Check signing & Initiation Wire Transfers 2025	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution # 25-12: QPA – Thomas Carroll	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution # 25-13: Custodian of Records – Jilliam Martucci	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution 25-14: Official Depositories – TD Bank	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution 25-15: Official Newspapers	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
Resolution 25-16: Plant Physician	Yes	Yes	Yes	Second Yes	Yes	Yes	Yes	Yes	Absent	Yes	Motion Yes	Yes
PROFESSIONAL APPOINTMENTS RESOLUTION 25-17 ROLL CALL UNDER ONE VOTE												
Appointment of Labor Counsel Sys 2025 -Cleary, Giacobbe, Alfieri & Jacobs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Appointment of Bond Counsel 2025 -Hawkins, Delafield & Wood	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Appointment of Legal Counsel 2025 -Maraziti, Falcon LLP	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Appointment of Environmental Consulting Sys 2025 – One Water Consulting	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Appointment of Engineering Services 2025 -Paulus, Sokolowski & Sartor, LLC	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Appointment of Risk Management Sys 2025 -PIA – Professional Insurance Associates	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Appointment of Auditing & Accounting Sys 2025 -Wielkotz & Company	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Resolution 25-18: Defense & Indemnification of MSA Members & Employees - ROLL CALL -	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Motion Yes	Absent	Second Yes	Yes	Yes
Adjournment – 07:44 PM	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Second Aye	Absent	Aye	Aye	Motion Aye

- Diane Alexander, Esq. opened the floor for nominations for Chairman.
 - Motion made by Mr. Sylvester and seconded by Mr. Riccardi nominating Steven Rattner as Chairman for 2025.
 - Ms. Alexander, Esq closed the nominations.

Steven Rattner as Chairman was carried by the All-In-Favor vote of members present.

All In Favor:

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

Chairman Rattner opened the floor for nominations for Vice Chairman.

- Motion offered by Mr. Romano seconded by Mr. Still nominating John Sylvester as Vice Chairman for 2025.
- Chairman Rattner closed the nominations.

John Sylvester as Vice Chairman was carried by the unanimous All-In-Favor vote of members present.

All In Favor:

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

- Chairman Rattner opened the floor for nominations for Secretary-Treasurer
 - Motion offered by Mr. Romano seconded by Mrs. Michetti nominating Joseph Schwab as Secretary-Treasurer for 2025.
 - Chairman Rattner closed the nominations.

- Joseph Schwab as Secretary-Treasurer was carried by unanimous All-In-Favor vote of members present.

All In Favor:

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

- Chairman Rattner opened the floor for nominations for Assistant Secretary-Treasurer
 - Motion offered by Mr. Schwab, seconded by Mr. Cangiano nominating Thomas Romano as Assistant Secretary-Treasurer for 2025.
 - Chairman Rattner closed the nominations.

Thomas Romano as Assistant Secretary-Treasurer was carried by the unanimous All-In-Favor vote of members present.

All In Favor:

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

- Motion offered by Mr. Romano seconded by Mr. Schwab for the following Committees to remain the same for 2025.
*Only change: Remove Erik Bradley from the Personnel Committee.

All In Favor:

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

<u>Finance/Audit Committee</u>	Thomas Romano, Steven Rattner, Joseph Schwab
<u>Engineering, Operations, Maintenance & Safety Committee</u>	Michael Grogan, Richard Schindelar, Melanie Michetti, Elmer Still
<u>Personnel Committee</u>	John Sylvester (Chair), Brian McNeilly, Andrew Cangiano
<u>Purchasing Commissioner</u>	Elmer Still

*Resolutions 25-07 through 25-16 related to Appointments for 2025 were offered through one vote:

A motion was made by Mr. Still to approve Resolutions 25-07 through 25-16. The motion was seconded by Mr. McNeilly

Roll Call:

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

*See attached resolutions

Resolution 25-17 related to Professional Appointments for 2025 was offered on a motion made by Mr. Romano and was seconded by Mr. Schwab

Roll Call:

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

*See attached resolutions

Resolution 25-18 was offered on a motion made by Mr. Sylvester and was seconded by Mr. Riccardi

Roll Call:

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

*See attached resolutions

Adjournment:

Motion made by Mr. Sylvester seconded by Mr. Romano and the all-in favor Vote of members present, Chairman Rattner adjourned the meeting at 07:44pm. All In Favor:

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

Respectfully Submitted:
Jilliam Martucci, Office Manager

RESOLUTION 25-07

**RESOLUTION TO APPOINT AN
AFFIRMATIVE ACTION COMPLIANCE OFFICER**

WHEREAS, the Musconetcong Sewerage Authority (the "Authority") obtains Property & Casualty insurance coverages through its membership in the New Jersey Joint Insurance Fund (hereinafter, the "NJUA" or "JIF"); and

WHEREAS, the JIF offers incentives for members who comply with certain underwriting requirements; and

WHEREAS, one of the JIF's requirements is to appoint an Affirmative Action Compliance officer; and

WHEREAS, the Musconetcong Sewerage Authority desires to appoint Jilliam Martucci as its Affirmative Action Compliance Officer.

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

1. Jilliam Martucci is hereby appointed to serve as the Authority's Affirmative Action Compliance Officer, effective immediately, and is directed to forward a copy of this Resolution to the JIF.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

Musconetcong Sewerage Authority

ATTEST:

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-08

RESOLUTION TO APPOINT A PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, the New Jersey Administrative Code, N.J.A.C. 17:27-3.3, requires that every public agency appoint a Public Agency Compliance Officer ("PACO") for the purpose of ensuring the agency's compliance with those rules providing for equal opportunity in the performance of contracts, and to perform any liaison and assistance functions as may be requested by the NJ Division of Purchase and Property Contract Compliance Audit Unit, EEO Monitoring Program (the "Unit") and to fulfill the requirements and be responsible for coordination of all elements of the Socially and Economically Disadvantaged Business Utilization Plan (SED Plan) as part of requirements of the NJDEP and NJ Environmental Infrastructure Trust Program, as warranted.

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

1. James Schilling is hereby appointed to serve as the Authority's Public Agency Compliance Officer ("PACO"), effective immediately, for the purpose of ensuring the agency's compliance with those rules providing for equal opportunity in the performance of contracts, and to perform any liaison and assistance functions as may be requested by the NJ Division of Purchase and Property Contract Compliance Audit Unit, EEO Monitoring Program (the "Unit") and to fulfill the requirements and be responsible for coordination of all elements of the Socially and Economically Disadvantaged Business Utilization Plan (SED Plan) as part of the requirements for the NJDEP and NJ Environmental Infrastructure Trust Program, as warranted.
2. James Schilling is hereby authorized and directed to file a Designation of Public Agency Compliance Officer form with the NJ Division of Purchase and Property Contract Compliance Audit Unit, EEO Monitoring Program, which filing shall include a copy of this Resolution.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

Musconetcong Sewerage Authority

ATTEST:

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-09

**RESOLUTION APPOINTING
NEW JERSEY UTILITY AUTHORITIES
JOINT INSURANCE FUND COMMISSIONER**

WHEREAS, Public Law 1983, c.372 (N.J.S.A. 40A:10-36 *et seq.*) permits municipalities to join together to form a joint insurance fund; and

WHEREAS, the New Jersey Utility Authorities Joint Insurance Fund is duly constituted as a Municipal Self-Insurance Fund; and

WHEREAS, the Musconetcong Sewerage Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund, and

WHEREAS, N.J.S.A. 40A:10-36 *et seq.*, as well as, Article III, Paragraph 1(a) of the Bylaws of the New Jersey Utility Authorities Joint Insurance Fund provide that, in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund. Each member shall select either a member of its governing body or one of its employees; and

WHEREAS, pursuant to Article III, Paragraph 2(c) of the By-Laws, Commissioners who are employees of the appointing utility authority shall hold office at the pleasure of the utility authority and can be removed by the utility authority at any time without cause.

NOW THEREFORE BE IT RESOLVED by the Musconetcong Sewerage Authority, that James Schilling is hereby appointed to serve as Fund Commissioner to the New Jersey Utility Authorities Joint Insurance Fund, effective immediately, until such time as he is replaced by the MSA or until the Authority's 2025 reorganization, whichever occurs first.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

ATTEST:

Musconetcong Sewerage Authority

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-10

**RESOLUTION DESIGNATING
LICENSED UNDERGROUND STORAGE ("UST") OPERATOR**

WHEREAS, the Musconetcong Sewerage Authority ("MSA") owns and operates three (3) Underground Storage Tanks ("USTs") on the premises of its sewerage treatment facility; and

WHEREAS, the New Jersey Department of Environmental Protections ("NJDEP") requires that each facility having a UST appoint a licensed UST operator; and

WHEREAS, James Schilling, Executive Director of MSA, has obtained UST Operators Licenses Class A, B, and C from the NJDEP.

NOW THEREFORE BE IT RESOLVED, that James Schilling is hereby appointed as the MSA Licensed UST Operator.

NOW THEREFORE BE IT FURTHER RESOLVED, that James Schilling shall maintain in good standing his UST Operator's Licenses during this appointment, and shall notify MSA if any such licenses shall be suspended, terminated or not renewed. As compensation for said appointment, James Schilling shall receive an annual incentive bonus for 2025 in the amount of Two Thousand (\$2,000) dollars payable within the first 90 days of the beginning of each year. Said incentive bonus shall be separate and apart from his annual salary and shall not be included in the calculation of pension and benefits.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

ATTEST:

Musconetcong Sewerage Authority

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-11

**RESOLUTION OF THE MUSCONETCONG SEWERAGE AUTHORITY
DESIGNATING THOSE INDIVIDUALS WHO ARE AUTHORIZED TO SIGN
CHECKS AND THOSE INDIVIDUALS AUTHORIZED TO INITIATE AND
AUTHORIZE WIRE TRANSFERS**

WHEREAS, pursuant to N.J.A.C. 5:31-4.2, the Musconetcong Sewerage Authority (the "Authority") shall, at each organization meeting, designate by Resolution the individuals whose signatures shall appear on checks drawn upon the treasury of the Authority, and the individuals who shall initiate and authorize transactions utilizing standard electronic funds transfer technologies.

NOW, THEREFORE, BE IT RESOLVED by Musconetcong Sewerage Authority that the payment of claims by check drawn on the Authority, shall be signed by any two of the following officers of the Authority: Chairman, Vice Chairman, Secretary-Treasurer, or Assistant Secretary-Treasurer, until the date of the next reorganizational meeting.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Musconetcong Sewerage Authority that, until the date of the next reorganizational meeting, the following officers of the MSA are authorized to initiate and authorize wire transfers for the payment of all claims utilizing standard electronic funds transfer technologies: Chairman, Vice Chairman, Secretary-Treasurer, or Assistant Secretary-Treasurer. The Executive Director is authorized to initiate and authorize wire transfers for the limited purpose of the payment of monthly bills only.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

ATTEST:	Musconetcong Sewerage Authority
_____	_____
Joseph Schwab, Secretary-Treasurer	Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-12

**RESOLUTION DESIGNATING MSA
QUALIFIED PURCHASING AGENT**

WHEREAS, consistent with the New Jersey Local Public Contracts Law, the Musconetcong Sewerage Authority ("MSA") desires to avail itself of the elevated bid threshold applicable to contracts awarded by a qualified purchasing agent through the appointment of a "Purchasing agent" with the authority, responsibility, and accountability for the purchasing activity of the MSA, and who possesses a qualified purchasing agent certificate.

NOW THEREFORE BE IT RESOLVED, that Thomas Carroll is hereby designated as the MSA Qualified Purchasing Agent.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

Musconetcong Sewerage Authority

ATTEST:

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-13

**RESOLUTION DESIGNATING MSA
CUSTODIAN OF RECORDS**

WHEREAS, recent amendments to public records laws in New Jersey commonly known as the Open Public Records Act, N.J.S.A. 47:1A-1 *et seq.* (the "Act") require public agencies to make government records readily accessible for inspection, copying or examination by the citizens of this State, with certain exceptions; and

WHEREAS, pursuant to the Act, a public agency must officially designate a custodian of government records by formal action of its governing body; and

WHEREAS, consistent with the Open Public Meetings Act ("OPRA"), which requires that all public agencies appoint a Records Custodian to release government records to the public, the Musconetcong Sewerage Authority ("MSA") desires to appoint JILLIAM MARTUCCI as the Custodian of the Authority's Government Records, as that term is defined in the Act.

NOW THEREFORE BE IT RESOLVED, by the Musconetcong Sewerage Authority that JILLIAM MARTUCCI is hereby designated as the MSA Records Custodian.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

Musconetcong Sewerage Authority

ATTEST:

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-14

RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES

WHEREAS, the Musconetcong Sewerage Authority (hereinafter "Authority") proposes to designate official depositories for the funds of the Authority.

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

1. The following are designated as the official depositories of the Authority and are directed to honor all withdrawals made by check or withdrawal document signed by the Chairman, Vice Chairman, Secretary-Treasurer, or Assistant Secretary-Treasurer or, in the case of the payment of monthly bills only, the Executive Director, by direction of the Authority:

TD BANK NA

2. The Authority hereby authorizes the execution and delivery of such authorization and forms as may be required by TD Bank, N.A. providing for deposits and payments as well as the filing of authenticated signatures of Authority officers as official signatures.

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

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

Musconetcong Sewerage Authority

ATTEST:

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-15

**RESOLUTION DESIGNATING
OFFICIAL NEWSPAPERS**

NOW THEREFORE BE IT RESOLVED that, pursuant to the Open Public Meetings Act, N.J.S.A.10:4-8(d), which requires that all public bodies designate two newspapers to receive advance notice of Public Meetings, the Musconetcong Sewerage Authority ("MSA") hereby designates as the newspapers to receive all notices of meetings as required by the Open Public Meetings Act: a) the Daily Record, the official newspaper of the MSA, and b) the New Jersey Herald, the secondary official newspaper of the MSA; both newspapers having the greatest likelihood of informing the public within the area of jurisdiction of the MSA of the meetings of the MSA. The Daily Record and New Jersey Herald shall also receive public notices issued by the MSA.

NOW THEREFORE BE IT FURTHER RESOLVED that MSA hereby designates the Star Ledger as the newspaper to receive all requests for proposals, notices of bids and addenda issued by the MSA.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

Musconetcong Sewerage Authority

ATTEST:

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-16

**RESOLUTION DESIGNATING
PLANT PHYSICIAN**

WHEREAS, the Musconetcong Sewerage Authority ("MSA") finds that it is necessary and desirable to designate a physician for the provision of medical care in the event of injury or need for emergency services.

NOW THEREFORE BE IT RESOLVED, that Atlantic Health Urgent Care Express, located at 501 Route 10, Ledgewood, New Jersey, is hereby designated as the MSA Plant Physician.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

ATTEST:

Musconetcong Sewerage Authority

Joseph Schwab, Secretary-Treasurer

Steven Rattner, Chairman

Dated: February 27, 2025

RESOLUTION 25-17 AUTHORIZING EXECUTION OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS the Musconetcong Sewerage Authority ("MSA") pursuant to N.J.S.A. 40:14A-1 et seq and N.J.S.A. 40A:11-5(i)(a)(i) is authorized to retain such professional service providers as it may require without bidding, and

WHEREAS the services to be rendered are to be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study, within the definition of a professional service pursuant to N.J.S.A. 40A:11-5; and

WHEREAS MSA desires to appoint the following professional consultants and advisers to provide Professional Services to MSA for a term of one year:

- a. Attorney Services: Maraziti Falcon, LLP, pursuant to proposal dated February 7, 2025;
- b. Labor Counsel Legal Services: Cleary Giacobbe Alferi Jacobs, LLC, pursuant to proposal dated February 4, 2025;
- c. Bond Counsel Services: Hawkins Delafield & Wood, LLP, pursuant to proposal dated February 3, 2025;
- d. Accounting Services: Wellnitz & Company, LLC, pursuant to proposal dated January 8, 2025;
- e. Environmental Consulting Services: One Water Consulting, LLC, pursuant to proposal dated February 4, 2025;
- f. Risk Management Services: Professional Insurance Associates, pursuant to proposal dated January 15, 2025;
- g. Engineering Consulting Services: Paulus Sokolowski & Sartor, LLC, pursuant to proposal dated February 7, 2025; and

WHEREAS the above-named professionals have submitted Business Entity Disclosure Certifications certifying that the entity has not made any reportable contributions in the previous year to any candidate committee of a candidate for, or holder of, an elective office of that MSA's member municipalities, or of that county in which the MSA is located, or of another public entity within that county, or of a legislative district in which the MSA is located, and the contract will prohibit any reportable contributions through the term of the contract; and

WHEREAS funds are available therefore at the line item for professional fees; and

WHEREAS Commencement, continuation, and completion of professional services shall be subject to the continuing availability of funds and MSA may terminate said professional services for MSA's convenience and without cause.

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

1. MSA does hereby appoint the following firms to provide professional services in accordance with the terms set forth in the proposals on file at the Administrative Offices of the Authority:
 - a. Attorney Services (Not to exceed \$45,000): Maraziti Falcon, LLP, pursuant to proposal dated February 7, 2025;
 - b. Labor Counsel Legal Services (Not to exceed \$17,500): Cleary Giacobbe Alferi Jacobs, LLC, pursuant to proposal dated February 4, 2025;
 - c. Bond Counsel Services (Not to exceed \$17,500): Hawkins Delafield & Wood, LLP, pursuant to proposal dated February 3, 2025;
 - d. Accounting Services (Not to exceed \$20,000): Wellnitz & Company, LLC, pursuant to proposal dated January 8, 2025;
 - e. Environmental Consulting Services (Not to exceed \$17,500): One Water Consulting, LLC, pursuant to proposal dated February 4, 2025;
 - f. Risk Management Services (Not to exceed \$17,500): Professional Insurance Associates, pursuant to proposal dated January 15, 2025;
 - g. Engineering Consulting Services (Not to exceed \$40,000): Paulus Sokolowski & Sartor, LLC, pursuant to proposal dated February 7, 2025; and
2. The Executive Director is authorized and directed to execute agreements for the provisions of such services on terms and conditions acceptable to MSA.
3. This contract is awarded without competitive bidding as a "Professional Service" pursuant to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5 and the contract for said services will not allow political contributions pursuant to the applicable provisions of N.J.S.A. 19:44A-20 et seq.
4. Within ten days of adoption of this Resolution, notice of the nature, duration and amount of the contract shall be published once in the newspaper of general circulation and a copy of this resolution and the agreements shall be on file and available in the offices of MSA.
5. This Resolution shall take effect immediately.

Certification of Funds

I, James Schilline, Executive Director, do hereby certify that sufficient funds are available in the 2025 budget from the line item for professional fees through the end of the fiscal year and that a separate certification of funds will be provided upon final adoption of the 2026 budget for the services to be provided in this Resolution in the amounts not to exceed as stated herein.

/s/ James Schilline
Executive Director
Musconetcong Sewerage Authority
Dated: February 11, 2025

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

ATTEST:

Musconetcong Sewerage Authority

Joseph Schwab, Secretary-Treasurer Steven Rathner, Chairman

Dated: February 27, 2025

RESOLUTION NO. 25-18

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Musconetcong Sewerage Authority in the Counties of Morris and Sussex in the State of New Jersey on this 27th day of February, 2025 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Musconetcong Sewerage Authority at its regular meeting held on February 27, 2025.

ATTEST:

Musconetcong Sewerage Authority

Joseph Schwab, Secretary-Treasurer Steven Rathner, Chairman

Dated: February 27, 2025