

FEBRUARY 07,2023

This meeting was called to order at 6:00 PM by Vice-Chairman Cardenas.

Pledge of Allegiance/Salute to the Flag

The Open Public Meetings Act was read. Included in this statement was that this meeting was posted on the Authority website, the Authority bulletin board and a copy sent to Town Hall.

Roll Call:

Jorge Cardenas	Vice-Chairman
Ray Spellmeyer	Secretary
Domenic Manderano	Treasurer
Tim Stamm	Board Member

Excused: Fred Vogel-Chairman

Also Present: Brian Bigler, Executive Director; John Napolitano, Counsel; W. Katchen, accountant. G. Beckmeyer, for Beckmeyer Engineering; Mary Baumann; Court Reporter.

A motion was made by R. Spellmeyer; second by J. Cardenas, to approve the minutes of the January 10, 2023, meeting of the Authority. Minutes approved as presented. All in favor 4-0-0.

At this time, the Executive Director turned over the meeting to Authority Counsel for nominations of officers for the 2023 year. Nominations are Chairman: F. Vogel; Vice Chairman: J. Cardenas; Secretary: R. Spellmeyer; Treasurer: D. Manderano; Assistant Secretary: T. Stamm.

The slate was approved on a motion by R. Spellmeyer, second by J. Cardenas. All in favor: 4-0-0.

At this time, Authority Counsel called on Authority Accountant William Katchen to present the calculations and for the Connection and User Fees for 2023.

**SEE STENOGRAPHER'S MINUTES**

The Consent Agenda was moved on a motion by D. Manderano, second by J. Cardenas and is as follows:

**RESOLUTION 2023-02-07A**  
**SECAUCUS MUNICIPAL UTILITIES AUTHORITY**  
Hudson County, New Jersey

**REGARDING PROFESSIONAL ORGANIZATIONS**

**WHEREAS**, the SECAUCUS MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, the Authority has previously participated in educational seminars and programs offered under the auspices of such professional organizations as the Association of Environmental Authorities; the New Jersey Water Environmental Association; the Water Environment Federation; the New Jersey Utility Authorities Joint Insurance Fund; etc.; and

**WHEREAS**, the taxpayers of Secaucus have benefited by the Authority’s participation in such professional programs by way of reduced insurance rates; enhanced safety programs resulting in reductions in lost time accidents; stricter regulatory compliance resulting in reduced permit fees; joint water quality studies reducing the Authority’s cost for the same to a small fraction of what they would otherwise would have been, etc.

**NOW, THEREFORE, BE IT RESOLVED**, that the Authority is authorized to continue its participation in the Association of Environmental Authorities, the New Jersey Water Environmental Association, the Harbor Discharge Group; the New Jersey Utilities Authorities Joint Insurance Fund; and similar such professional organizations which reduce costs to Secaucus taxpayers by way of various shared services, educational programs, and peer review.

**BE IT FURTHER RESOLVED**, that the Authority hereby authorizes and encourages the participation of its Commissioners, staff and employees in appropriate programs offered by such organizations.

**RESOLUTION 2023-02-07B**  
**SECAUCUS MUNICIPAL UTILITIES AUTHORITY**  
Hudson County, New Jersey

**REGARDING OFFICIAL NEWSPAPERS**

**WHEREAS**, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, N.J.S.A. 10:4-8 requires that the Authority designate a newspaper to receive public notices that has the greatest likelihood of informing the public within the Authority’s service area of meetings.

**NOW, THEREFORE, BE IT RESOLVED**, that the Authority designates the Jersey Journal as its official newspaper to receive public notices and The Star Ledger as secondary.

**RESOLUTION 2023-02-07C**  
**SECAUCUS MUNICIPAL UTILITIES AUTHORITY**  
Hudson County, New Jersey

**REGARDING INDEMNIFICATION OF AUTHORITY MEMBERS AND EMPLOYEES**

**WHEREAS**, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body, duly formed under the Sewerage Authorities Laws, constituting Chapter 138 of the Laws of New Jersey of 1946, as amended (Chapter 14A of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, the affairs of the Authority may, from time to time, result in litigation by or against the Authority; and

**WHEREAS**, parties opposing the Authority in litigation may file claims as part of the litigation against past, present or future members of the Authority and/or employees of the Authority having managerial responsibilities; and

**WHEREAS**, the potential for such claims may discourage qualified, civic-minded persons from serving as a member of the Authority or from accepting employment from the Authority in any capacity involving managerial responsibility; and

**WHEREAS**, it is in the best interest of the Authority to encourage qualified, civic-minded persons to accept or continue membership on the Authority and to accept employment from the Authority in capacities involving managerial responsibilities without fear of risk from claims regarding their good-faith performance of the duties of a member of the Authority or their good faith performance as such employees of the Authority; and

**NOW, THEREFORE, BE IT RESOLVED** by the Authority that the indemnification and defense of its past, present and future members and/or employees having managerial responsibilities shall be provided in accordance with the following terms and provisions:

The Authority shall defend and indemnify any past, present or future member of the Authority and/or past, present or future employees having managerial responsibilities (hereinafter jointly and severally referred to as the “Official”) for claims arising from an act or omission of such Official within the scope of the performance of such individual’s duties as an Authority member or employee. Except as may be hereinafter provided, the defense and indemnification shall be with respect to all civil actions and with respect to all regulatory and administrative proceedings regardless of the nature of the regulatory or administrative proceeding. The defense and indemnification shall not encompass any criminal actions brought by or on behalf of the State of New Jersey or the United States of America. An Official shall not be entitled to a defense or indemnification from the Authority unless:

- (a) Promptly and in no event later than fifteen calendar days after the time the Official is served

with the summons, complaint, process, notice or pleading, the Official delivers the original or an exact copy to the Authority and requests that the Authority provide the defense, unless counsel for the Authority has already accepted service on behalf of the Official.

(b) The Official cooperates in the preparation and presentation of the defense with the legal counsel approved or selected by the Authority to defend the case. In determining whether to approve counsel, the Authority shall consider such factors as may be relevant, including but not limited to the need for the use of counsel other than the Authority's general or special counsel, the extent to which counsel may duplicate work of or need to obtain knowledge already possessed by other counsel, and the fees and rates of counsel.

(c) The Official agrees that the Authority and its counsel shall have the exclusive control over the handling of the action, including but not limited to decisions regarding tactics, strategy, settlement, appeal and the timing thereof. The Official may, however, appeal any adverse determination against him or her with the prosecution of any such appeal and the costs and fees thereof to be borne at that time by such Official unless the Authority agrees at that time to provide for such appeal; provided, however, that the costs and fees of any such appeal if the appeal is successful will be finally borne by the Authority or the official as may be determined by the court at the conclusion of the action if the parties fail to agree among themselves with respect thereto.

The foregoing right of indemnification shall not be exclusive of any other rights to which any such Official may be entitled as a matter of law or which may be lawfully granted to such Official; and the right to indemnification hereby granted by this Authority shall be in addition to and not in restriction or limitation of any other privilege or power which this Authority may lawfully exercise with respect to the indemnification or reimbursement of an Authority member and/or employee; except that in no event shall an Authority member and/or employee receive compensation in excess of the full amount of a claim.

Defense of any Official in an action, suit or proceeding shall be furnished by this Authority through its counsel or such other counsel as approved by the Authority in advance of final determination of such action, suit or proceeding as authorized by the governing body of this Authority in a specific case and shall include the prosecution of appeals upon the terms and provisions set forth herein.

Outside the scope of coverage of this Indemnification provision is conduct resulting in the payment by the Authority of punitive damages or exemplary damages or damages arising from the commission of a criminal offense by such an individual, as well as when the act or omission which caused the damages was the result of actual fraud, actual malice, willful misconduct or an intention wrong of such individual, or in the event of a claim against such an individual by the Authority. In the event that the claim asserted against the Official is one which is for or may relate to any conduct which may fall outside the scope of coverage under this Indemnification provision, the defense of the Official shall be furnished only upon receipt of a written agreement by or on behalf of such Official, as approved by legal counsel to the Authority, to repay such amount in the event of an ultimate determination that the conduct of the Official was such as to fall outside the scope of coverage under this Indemnification provision. The Authority may, in its sole discretion, require the Official to furnish suitable security for the agreement of the Official to repay such amount. The initial decision as to whether the conduct in question may fall outside the scope of coverage of this Indemnification provision shall be made by the Authority in consultation with its legal counsel. The final decision as to whether the conduct in question falls within the scope of coverage of this Indemnification provision shall be made by judicial determination only after the final conclusion of all actions, proceedings and appeals and only if the Authority and the affected Official fail to agree with respect thereto.

In the event of a conflict of interest between the Authority and the Official to be defended which precludes the defense of the Official by the counsel representing the Authority as determined by the Authority in consultation with its counsel, the counsel representing the Authority shall not represent the Official and separate counsel approved by the Authority shall be retained for the Official.

## **RESOLUTION 2023-02-07D**

SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**Resolution Authorizing the Authority to Continue as a Member of the North Jersey  
Wastewater Cooperative Pricing System**

**WHEREAS**, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, the Authority desires to become a member of the North Jersey Wastewater Cooperative Pricing System (“NJWCPS”), effective for the period of February 2, 2021 through to the February 2022 reorganization meeting and, each renewal, thereafter of the system, unless Authority elects to formally withdraw from the system.

**NOW THEREFORE BE IT RESOLVED** by the members of the board of the Secaucus Municipal Utilities Authority that the Executive Director is hereby authorized and empowered to take whatever action is necessary and execute any documents that may be required, on behalf of the Authority, after consultation with legal counsel, to effectuate the purposes of this Resolution.

**RESOLUTION 2023-02-07E**  
SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**DESIGNATING BRIAN BIGLER AUTHORIZED REPRESENTATIVE OF THE  
AUTHORITY**

**WHEREAS**, the SECAUCUS MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, the Authority recognizes the need to designate an authorized representative of the Authority to approve and certify various documents which pertain to the execution of ordinary Authority business, such as the approval of permits and applications to the NJDEP, the transfer of Authority funds and the execution of contractors approved by the resolution of the Board, and the direction of work performed by the various firms doing business with the Authority.

**NOW, THEREFORE BE IT RESOLVED** that BRIAN BIGLER, Executive Director, is designated as the authorized representative of the Authority for the purposes herein stated.

**RESOLUTION 2023-02-07F**  
SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**REGARDING NJUA-JIF FUND COMMISSIONER**

**WHEREAS**, the Secaucus Municipal Utilities Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund (“The Fund”); and

**WHEREAS**, by virtue of the conditions of membership contained in the by-laws of The Fund, the Secaucus Municipal Utilities Authority must appoint a Fund Commissioner.

**NOW, THEREFORE, BE IT RESOLVED** by the Secaucus Municipal Utilities Authority as follows:

- 1) That Brian Bigler is hereby appointed as Fund Commissioner, for the period of February 07, 2023 through to the February 2024 reorganization meeting.

**RESOLUTION 2023-02-07G**  
SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**REGARDING APPOINTMENT OF PACO OFFICER**

**WHEREAS**, the Commissioners of the Secaucus Municipal Utilities Authority wants to appoint a Public Agency Compliance Officer as required by the Department of Treasury, Affirmative Action Office.

**NOW, THEREFORE, BE IT RESOLVED**, that Laurie Purcell is hereby appointed the Public Agency Compliance Officer for the SMUA with regard to Affirmative Action matters to begin February 07, 2023 until the next reorganization meeting in February 2024.

**BE IT FURTHER RESOLVED**, that a copy of this resolution designating the appointee be sent to the Affirmative Action Office of the Department of Treasury.

**RESOLUTION 2023-02-07H**  
SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**REGARDING NJUA-JIF SAFETY DELEGATE**

**WHEREAS**, the Secaucus Municipal Utilities Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund (“The Fund”); and

**WHEREAS**, by virtue of the conditions of membership contained in the by-laws of The Fund, the Secaucus Municipal Utilities Authority must appoint a Safety Delegate to work with the Fund's Safety Services.

**NOW, THEREFORE, BE IT RESOLVED** by the Secaucus Municipal Utilities Authority as follows:

- 1) That Joseph Marchese is hereby appointed as the Authority's Safety Delegate, for the period of February 07, 2023 through to the February 2024 reorganization meeting.
- 2) That Brian Bigler is hereby appointed as Alternate.

**RESOLUTION 2023-02-07I**  
SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**REGARDING OFFICIAL DEPOSITORIES**

**WHEREAS**, the Secaucus Municipal Utilities Authority (hereinafter "Authority") is a public body duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, the Authority is required by law to designate those New Jersey institutions which will be depositories of its funds for the ensuing year.

**NOW, THEREFORE, BE IT RESOLVED** that the Authority designate US Bank and TD Bank of New Jersey as its official depositories, and Executive Director, Brian Bigler to act as agent for the Authority;

**BE IT FURTHER RESOLVED**, that the Authority designates the following signatories with respect to accounts of such depositories:

- 1: US Bank:
2. TD Bank

**RESOLUTION 2023-02-07J (a)**  
SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
Hudson County, New Jersey

**Resolution Determining User Charge Formula  
For Properties Exempt from ad valorem Taxes  
And User Charge to be in effect for 2023**

**WHEREAS**, the Secaucus Municipal Utilities Authority (the “SMUA”), a public body corporate and politic and a political subdivision of the State of New Jersey existing under and by virtue of the Municipal Utilities authorities Law, N.J.S.A. 40:14B-1, et seq., is the owner and operator of the wastewater treatment facilities for the Town of Secaucus (the “Town”); and

**WHEREAS**, pursuant to the Service Contract between the SMUA and the Town, dated as of March 1, 1979, as amended and supplemented (the “Service Contract”), the SMUA may charge and collect Service Charges for the connection to and use of said sewage treatment system, where required or pursuant to law, and the same, to the extent collected, shall be a credit against the Annual Service Charges otherwise payable by the Town to the SMUA under the Service Contract; and

**WHEREAS**, to pay the Annual service Charges to the SMUA required by the Service Contract, the Town has applied revenues from ad valorem taxes on property in the Town to said purposes; and

**WHEREAS**, Town officials have requested that the SMUA continue to refrain from assessing direct user charges for the use of its system, except with respect to properties exempt from ad valorem taxes, so that said properties shall bear a fair share of the cost of the use of said system, in accordance with applicable law and regulations; and

**WHEREAS**, applicable regulations of the United States Environmental Protection Agency require that, where user charges for sewage treatment system built in whole or in part with Federal funds are derived through imposition of ad valorem taxes, provision be made for imposing similarly calculated charges for the use of said system on properties exempt from such taxes; and

**WHEREAS**, N.J.S.A. 40:14B-22 and 40:14B-23 provide that the imposition of user charges or connection charges by an authority shall be the subject of public notice and a public hearing; and

**WHEREAS**, the SMUA desires to implement the statutory procedure for imposition of user charges to properties exempt from ad valorem property taxes, both as to implementation of a general formula and specifically for such use during 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SECAUCUS MUNICIPAL UTILITIES AUTHORITY, as follows:**

1. There is hereby imposed a User Charge for the use of the sewage treatment system of the SMUA by any property which is exempt from ad valorem property taxes, in whole or in part, which User Charge shall be computed by drawing from the annual audited financial statements of the SMUA for the preceding year the total amount expended or set aside by the SMUA in said year for the following purposes, being the basis for computation of Annual Service Charges pursuant to the Service Contract:

“(a) operating, maintenance and administrative expenses of the Authority.

(b) Debt service requirements on ...any obligations of the Authority (whether bonds, bond anticipation bonds, or notes)...

(c) Other payments of amounts (including amounts necessary to meet the Authority’s rate covenant contained in Section 6.01 of the Trust Agreement and amounts required to be paid by the Authority to any bond issuer, or issuer of a surety bond to secure a Debt Service Reserve Fund) required by the terms of any bond resolution adopted by the Authority pursuant to resolution adopted by the Authority under which any of the obligations described in part (b)...are issued, provided, however, that no more than 1/5 of the amount due to any reserve fund established under the Trust Reserve Fund and amounts required to be insured, or issuer of a surety bond to secure a Debt Service Reserve Fund, shall be included in the Annual Service



Charge in each year.” And by dividing said amount, by the total amount of treated sewage flow to the sewage treatment facility for the preceding year, determined and certified in writing by the Consulting Engineer to the SMUA and expressed in “Billing Units” as hereinafter defined.

2. The resulting charge per Billing Unit shall be multiplied by the total water consumption for each property. Said charges shall be estimated and billed to the property owner by the SMUA annually and may be adjusted annually at the option of the property owner or of the SMUA, based on relevant and cogent proof of actual water consumption.

3. The SMUA may require relevant and cogent proof of water consumption by submission of water bills, and in the absence of submission of same may charge and collect such charges as it may deem reasonable, based on the flow determined in accordance with Table A (attached), whichever shall produce the greater charge.

4. The user charge for 2023 for properties exempt for ad valorem taxes, or paying reduced amounts of such taxes by reason of the abatement thereof, shall be as follows:

- Operating maintenance and administration  
Expense 2021
- Debt Service and payments to the Reserve for  
Repair and Replacement Fund for 2021
  
- Total flow in units of 100 cubic feet
- User charge per 100 cubic feet of water consumption

5. The user charge shall be revised annually, as soon as may be practicable after the necessary figures are made available by the auditors and engineers to the Authority.

SMUA  
USER FEE CALCULATION  
2023

Operating maintenance, administration And capital additions expenses, 2021	\$3,956,203
Debt Service and payments to Reserve for Repair and Replacement, 2021	<u>117,336</u>
	4,073,539
Total flow in units of 100 Cu. Ft	<u>1,442,481</u>
User Fee	<u>\$ 2.82</u>

**RESOLUTION 2023-02-07J (b)**  
**SECAUCUS MUNICIPAL UTILITIES AUTHORITY**  
Hudson County, New Jersey

Resolution Determining Connection Charges  
For Connections Made or to be Made in 2023

WHEREAS, the Secaucus Municipal Utilities Authority (the “SMUA”), a public body corporate and politic and a political subdivision of the State of New Jersey existing under and by virtue of the Municipal Utilities Authority’s Law, N.J.S.A.40:14B-1, et seq., is the owner and operator of sewage treatment facilities for the Town of Secaucus (the “Town”); and

WHEREAS, Chapters 118 and 526 of the New Jersey Laws of 1985, amending and supplementing the Municipal Utilities Authorities Law, and in particular N.J.S.A 40:14B-22 and 23 (hereinafter referred to as “Chapters 118 and 526”), sets forth a basis for computation of a charge for connection to a sewage treatment system so that said charges may represent a fair payment towards the cost of said system; and

WHEREAS, N.J.S.A. 40:14B-22 and 40:14B-23 provide that the imposition of user charges and/or connection charges by an authority shall be the subject of public notice and a public hearing; and

WHEREAS, a proper statutory notice given on December 18, 2002 under hand of Brian Bigler, Executive Director of the Secaucus Municipal Utilities Authority, pursuant to which notice the Secaucus Municipal Utilities Authority is holding the instant public hearing to consider relevant testimony to be presented and to be made a part of the record thereof; and

WHEREAS, the Secaucus Municipal Utilities Authority intends to utilize the Connection Fee Formula and the “Gallons per unit” Table used on previous years to determine a Connection Charge based on historical data from 1996 and earlier, said Formula and Table to be as set forth in and attached to this Resolution, in accordance with Chapter 526; and

WHEREAS, the Secaucus Municipal Utilities Authority desires to set the specific connection charge per Equivalent Residential Unit for connection made or to be made in the calendar year 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SECAUCUS MUNICIPAL UTILITIES AUTHORITY, as follows:

1. Subject to Secaucus Municipal Utilities Authority’s response to relevant testimony presented at the instant meeting, the connection charge per Equivalent Residential Unit (ERU) for connection to the sewage treatment system of the Secaucus Municipal Utilities Authority made and to be made during the calendar year 2023 is hereby set at \$8,803 per ERU.
2. The basis for computation of said charge is set forth on the attached Formula, “Gallons per Unit” table, related Calculation Sheet.
3. This Resolution shall take effect immediately.

SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
ANNUAL CALCULATION OF CONNECTION CHARGE  
DECEMBERS 31, 2021

Property, Plant & Equipment, December 31, 2021	60,161,333	
Prior Years' Adjustments	-5,347,251	
Net Property Plant & Equipment	54,814,082	54,814,082
Prior Years' Adjustments		
Bond Discounts & Funds	1,775,098	
Prior Years' Debt Issued	-42,305,251	
2020 NJEIT A/R	-	
	-42,305,251	-42,305,251
Prior Years' Grants Received	-10,030,624	
Latest Year's Grants Received	-	
		-10,030,624
Total SMUA Net Investment		4,253,305
Cumulative Debt Service, 12/31/2020		82,162,005
Debt Service, December 31, 2021		101,586
Total Cumulative Debt Service		82,263,591
Total Recoverable Costs		86,278,056
Equivalent Residential Units (ERU's):		
Average Flow per Authority Engineer, 12/31/2021	2,948,400	
Divided by Flow per ERU	300	
	9,828	9,828
Connection Charge per ERU (R/U)		\$8,803

**RESOLUTION 2023-02-07K**  
**SECAUCUS MUNICIPAL UTILITIES AUTHORITY**  
Hudson County, New Jersey

**APPROVING A SAFETY AWARENESS DAY**

**WHEREAS**, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

**WHEREAS**, the Staff of the Authority has completed another full year without a time loss accident; and

**WHEREAS**, the Authority facilities are manned twenty-four hours per day, three hundred and sixty-five days per year equating a total number of days without a time loss accident of 1,782 {shift days worked (3/1) without a time loss accident}; and

**WHEREAS**, the Board Members wish to commend the accomplishment of this zero time loss accidents reported achievement.

**NOW, THEREFORE BE IT RESOLVED**, that each full-time member of the Authority staff who has worked the full year of 2022 (or at a minimum, 85% of scheduled workdays if on State Disability) shall be entitled to a Safety Awareness Day. This day will be taken at the employee’s request provided that a seven-day written notice has been received, reviewed and approved by Management. This Safety Awareness Day must be used in calendar year 2023.

**BE IT FURTHER RESOLVED** that this commendation of a Safety Awareness Day is presented at the discretion of the Authority Board Members and is not to be considered a mandatory obligation.

The Consent Agenda was approved as presented by roll call vote. T. Stamm: Aye; D. Manderano: Aye; R. Spellmeyer: Aye; J. Cardenas: Aye. Motion carries 4-0-0

The voucher list was moved on a motion by R. Spellmeyer, second by J. Cardenas. The total amount of this voucher list is \$456,920.78 This was approved by roll call vote: T. Stamm, Aye; D. Manderano, Aye; R. Spellmeyer, Aye; J. Cardenas, Aye. Voucher list approved 4-0-0.

The following reports were accepted as presented:

**Report of the Executive Director  
January 2023 {submitted February 1, 2023}  
For the Authority meeting of February 7, 2023**

Due to the COVID-19 virus crisis, while restrictions have been relaxed staff is being diligent in maintaining a safe work site.

- We continue to monitor the sewers in low lying areas for cleaning & inspection. Staff will perform any assistance, required by DPW & continued working with them on storm sewer issues. This included assistance to remedy flooding situation on Meadowland Parkway by NJDOT yard.
- SCADA: Engineered Solutions has disabled the Microsoft auto-update feature. This was causing problems with SCADA.
- Received the delivery of one of the emergency generators for PS#2. Still awaiting delivery for PS#3 unit. Moving forward with pad construction, surveys and fence relocation.
- Continued meeting with Authority Regulatory Engineers to address permit issues that may be imposed in the permit renewal. That is the permitted effluent discharge to Mill Creek and permit cycle is every five (5) years. NJDEP is seeking to impose effluent limits on copper, zinc has been removed. We are adamantly opposed to the inclusion of such limits based upon surface water quality standards and are not site specific.
- Met with the Authority Engineer and Langan to discuss Equinix NY 3 on Jefferson Ave. Also discussed dewatering needs for the 600 Jefferson Ave. That contractor sent over 1256 pages of data to review.
- Authority adopted the 2023 Budget. There is a new system that DCA utilizes FAST. We had some difficulty with this new program, but the 2023 budget has been posted.
- Files 2021 Audit with DCA. No comments.
- Staff will not send out the jet truck in sub-freezing weather.

**CONNECTIONS:**

**ALL ITEMS REMAIN OPEN.**

- Received preliminary information from a contractor working for NJDOT about demolishing the existing building at 25 Meadowland Parkway and constructing a new facility. This has been approved.

- Received preliminary information for 25 Enterprise Avenue change in use. Sent information about the cost associated with this change in use. Awaiting connection fee.
- Authority Counsel has been in contact with the attorney for 246-248 County Ave. The property owner upgraded the existing site to include a restaurant and does not agree with the connection fee assessed. No further action to report.
- The application for a proposed hotel at 655 Plaza Drive has expired. Notified applicant.
- Received additional information about the conversion of a warehouse at 600 Jefferson Ave, to another data recovery center. Note, while discussions have been preliminary,
- Still in contact with Rent the Runway (RTR). The issue of amount of flow has not yet been resolved.
- Received an application for another data center located at 2 Emerson Lane. Under review.
- Received an application for 300 Castle Road. This applicant received zoning approval, but never contacted the SMUA (even though applicant was notified by Zoning Official when that application was approved). Applicant contacted SMUA last week because Town will not grant any permits. No additional flow.
- Received an application for 1001 Riverside Station. The applicant is converting retail space to a restaurant with 32 seats. Spoke to the applicant last week and informed him of the quantity of a connection fee. He is to send plans (as all we had were from the Zoning Official).

**OPERATIONS REPORT –January 2023  
Submitted January 31, 2023**

**KOELLE BOULEVARD FACILITY**

- 1) The estimated average daily flow for the month was 2.8882 MGD. The estimated total flow for the month was 87.7894 MG.
- 2) Routine maintenance and grounds keeping were performed.

- 3) Maintenance performed on pumps in PS#1.
- 4) New lights around the plant

#### **PUMP STATION # 1 Village Place**

- 1) The estimated average daily flow was 1.085 MGD.
- 2) All pumps cleaned and maintained on a regular basis.
- 3) Routine maintenance and grounds keeping were performed.
- 4) Removed pump and took it for service.

#### **PUMP STATION # 2 Paterson Plank Road and Turnpike Exit**

- 1) The estimated average daily flow was 60691 gallons per day.
- 2) Routine maintenance and grounds keeping were performed.

#### **PUMP STATION # 3 Henry Street**

- 1) The estimated average daily flow was 82342 gallons per day.
- 2) Routine maintenance and grounds keeping were performed.

#### **PUMP STATION # 4 New County Road and Seaview Drive**

- 1) Routine maintenance was performed.
- 2) Station checked daily.

#### **PUMP STATION: Wilroy – Secaucus Road**

- 1) This station is not in service.

#### **PUMP STATION # 5 Castle Road**

- 1) Routine Maintenance and grounds keeping were performed.
- 2) Average daily flow: 12325 pd

#### **PUMP STATION #7 - Exchange Junction**

- 1) Routine Maintenance and grounds keeping were performed.
- 2) Station checked daily.

Respectfully submitted.

Joe Marchese, Plant Manager

#### **COLLECTION SYSTEM:**

- 1) Feet jettted: 4700 feet jettted.
- 2) DPW 2 men for storm drains cleanings # of hours total 27 hours.
- 3) Jet truck out for servive.

**CCTV:**

Camera 494

Respectfully Submitted,

Anthony Smentkowski, Maintenance Foreman, CCTV Operator.

**SECAUCUS MUNICIPAL UTILITIES AUTHORITY  
ENGINEERS REPORT FOR THE MONTH OF JANUARY 2023**

The following is a list of the main activities as provided by this office to the Authority for the above-mentioned month:

- Received and started a review on a pump station flow meter report for the Exchange Place Pump Station (abridged). This report is supposed to analyze the existing flows of the pump station and the amount of unused capacity with regards to the remaining build out of the project. Analyzing data. Submitted new pump data and force main drawings to engineer to re-analyze flow and pump data. We calculated flows for all additional housing units compared to the amount of flow as reported on the NJDEP TWA. Additional questions on the housing unit quantities are being confirmed. It now appears the NJSEA has received a zoning application for a 24-story residential structure. Spoke with Secaucus Plumbing Official concerning the addition of a 25-story housing unit. It appears major revisions will be required within the SMUA Sanitary Sewer System. The SMUA received a zoning approval for this project. Information was submitted to the SMUA concerning existing and proposed units. Exchange Engineer submitted letter on Pump Station capacity and new proposed units. Analyzing proposed flows for proposed high rise to flows submitted on the TWA to NJDEP. Also analyzing future flows beyond the proposed high rise for probably pump/force-main upgrades at the Exchange Place Pump Station and down-stream at the Seaview Avenue Pump Station and the North End Pump Stations. Reviewing plans received on 25 story housing structure. Reviewing tower connection and existing system. To attend a meeting on 11/1/2022 for the sanitary and storm sewer connections at the site. Stopped by site to monitor progress.
  
- I will be meeting with the Facility manager for 600 Meadowlands Parkway (Harmony) on Friday 1/2/2021 to review the Suez water meters and to follow a domestic water supply line that does not follow the new water meter installed by the facility's management. The SMUA also requested additional Suez water bills for the facility as well as another visit to an adjoining unit to check the water supply piping. Continuing to email Facility



Manager for information from their plumber and also requested further water bills and meter readings. Resent last request to facility manager.

- Reviewing flows generated by “Rent the Runway” 100 Metro Way. The facility is replacing wash machines and appears to be discharging more than previously approved by SMUA. Reviewing supplemental information submitted.
- The emergency generator at the Turnpike Pump Station has failed. Researching a replacement. Also, researching a generator for the Henry Street Pump Station, which is of the same age. The Board will receive an engineer’s recommendation on this matter for review and approval. Emergency Generators have been ordered. Site work investigation has started and request for survey issued. Awarded survey work and designing structural pad. Met with contractor for site evaluation. Submitted information to surveyor to determine easement boundaries for generator placement and fence location.
- Started field work for lower level electric box replacement and waterproofing at 1100 Koelle Blvd. Brought in electrician to open all electrical boxes for inspection. Waiting on report. Report has been received and is being reviewed. Requested three (3) separate cost estimates to replace electric boxes from contractor.
- Preparing scope to empty and clean sludge holding tank. This was last done in 2010. Met with Spectra Serv to determine best course to accomplish cleaning.
- Contacted NJTA to notify of drainage issue at the Turnpike Pump Station. Discovered a potential issue of sanitary discharge at the Exit 17 Toll Plaza Building. Continuing dialogue with NJTA Engineer on these issues.

Zoning Certificate Notices for required SMUA Sewer Connection Application:

Address	Zoning Certificate	Request Dates		SMUA App.	SMUA Fee	Engineers Report
		1 <sup>st</sup>	2 <sup>nd</sup>			
600 Jefferson Ave and 755 Secaucus Road	File #22-024	3/16/22	N/A	Yes	No	Under Review
Brianna Lane- Bl 5.02, Lot 3.04 Building G, XChange	-	N/A	N/A			Under Review
2 Emerson- Coresite NY3	-	N/A	N/A	Yes		Under Review
100 Metro Way- Rent the Runway	-	N/A	N/A			Under review
700 Secaucus Road	File #22-407	11.17.22		No	No	Under Review

25 Meadowlands Parkway	-	N/A	N/A	Yes	Yes	Under Review
110B Meadowlands Parkway	File #22-363	N/A	N/A	No	No	1/5/2023
1001 River Side Station Blvd.	File #22-347	N/A	N/A	No	No	Under Review
300 Castle Road (Units 2 & 3)	File #22-347	N/A	N/A	No	No	1/5/2023
200 Mill Creek	File #22-355	N/A	N/A	No	No	Under Review

**Beckmeyer Engineering, P.C.**

**Glenn M. Beckmeyer, P.E.,P.P.,CME,CFM**

**Authority Engineer January 30, 2023**

Legal: No Report

Public Comments: None

A motion was made at 6:20 to adjourn the meeting by R. Spellmeyer, second by J. Cardenas.  
Approved 4-0-0.