

February 06, 2024

Minutes of a meeting of the Secaucus Municipal Utilities Authority held on Tuesday, February 06, 2024 at 6:00 PM in Conference Room, 1100 Koelle Boulevard, Secaucus, New Jersey 07094. The meeting was called to order at 6:00 PM by Chairman Raymond Spellmeyer.

Pledge of Allegiance/Salute to the Flag
The Open Public Meetings Act was read.

Roll Call:	Raymond Spellmeyer	Chairman
	Domenic Manderano	Treasurer
	Brian Beckmeyer	Board Member
	Maurice Andreula	Board Member

Excused: Tim Stamm, Asst. Secretary

Also Present: Brian Bigler, Executive Director; John Napolitano, Counsel; Glenn Beckmeyer, William Katchen, Authority Accountant; Mary Baumann, Court Reporter; Katherine Acevedo, QPA.

A motion was made by D. Manderano; second by B. Beckmeyer, to approve the minutes of the January 16, 2024 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 2024 year. Nominations are Chairman: R. Spellmeyer; Vice Chairman: D. Manderano; Secretary: B. Beckmeyer; Treasurer: M. Andreula; Assistant Secretary: T. Stamm

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

The Voucher List was moved on a motion by R. Spellmeyer, seconded by D. Manderano. The total amount of this voucher list is \$181,428.49. Voucher List was approved by roll call vote: M. Andreula: Aye; B. Beckmeyer: Abstained on line 5 Aye; D. Manderano: Aye; R. Spellmeyer: Aye; Voucher List approved 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 2024.

SEE STENOGRAPHER'S MINUTES

The Consent Agenda was moved on a motion by B. Beckmeyer, second by R. Spellmeyer and is as follows:

RESOLUTION 2024-02-6A (1)
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 2024**

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 2024.

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 2024 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 2022
- Debt Service and payments to the Reserve for
Repair and Replacement Fund for 2022

- 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
2024

Operating maintenance, administration And capital additions expenses, 2021	\$4,832,427
Debt Service and payments to Reserve for Repair and Replacement, 2021	<u>118,520</u>

Total flow in units of 100 Cu. Ft	4,950,947
	<u>1,330,303</u>
User Fee	\$ <u>3.72</u>

RESOLUTION 2024-02-6A (2)
SECAUCUS MUNICIPAL UTILITIES AUTHORITY
Hudson County, New Jersey

Resolution Determining Connection Charges
For Connections Made or to be Made in 2024

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 2024.

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 2024 is hereby set at \$9,621 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, 2022

Property, Plant & Equipment, December 31, 2022	60,736,258	
Prior Years' Adjustments	-5,347,251	
Net Property Plant & Equipment	<u>55,389,007</u>	55,389,007
Prior Years' Adjustments		
Bond Discounts & Funds	1,775,098	
Prior Years' Debt Issued	-42,305,251	
2021 NJEIT A/R	<u>-</u>	-42,305,251
Prior Years' Grants Received	-10,030,624	
Latest Year's Grants Received	-	
		<u>-10,030,624</u>
Total SMUA Net Investment		4,828,230
Cumulative Debt Service, 12/31/2021		82,263,591
Debt Service, December 31, 2022		<u>102,770</u>
Total Cumulative Debt Service		82,366,361
Total Recoverable Costs		87,194,591
Equivalent Residential Units (ERU's):		
Average Flow per Authority Engineer, 12/31/2022	2,718,800	
Divided by Flow per ERU	<u>300</u>	
		<u>9,063</u>
Connection Charge per ERU (R/U)		<u><u>\$9,621</u></u>

RESOLUTION 2024-02-6B
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.

Date: 02/06/2024

RESOLUTION 2024-02-6C
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.

Date: 02/06/2024

RESOLUTION 2024-02-6D
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 2024-02-6E
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 6, 2024 through to the February 2025 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.

Date: 02/06/2024

RESOLUTION 2024-02-6F
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.

Date: 02/06/2024

RESOLUTION 2024-02-6G
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 06, 2024 through to the February 2025 reorganization meeting.

Date: 02/06/2024

RESOLUTION 2024-02-6H
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 06, 2024 until the next reorganization meeting in February 2025.

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.

Date: 02/06/2024

RESOLUTION 2024-02-6I
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 06, 2024 through to the February 2025 reorganization meeting.
- 2) That Brian Bigler is hereby appointed as Alternate.

Date: 02/06/2024

RESOLUTION 2024-02-6J
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 2024-02-6K
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 2023 (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 2024.

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.

Date: 02/06/2024

RESOLUTION # 2024-02-6L
SECAUCUS MUNICIPAL UTILITIES AUTHORITY
Hudson County, New Jersey

RESOLUTION AUTHORIZING CONTRACT WITH ENGINEERED SOLUTIONS CORPORATION

WHEREAS, the Secaucus Municipal Utilities Authority (the "Authority") is a public body, duly formed under the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1, et seq., and possesses the powers set forth therein; and

WHEREAS, Engineered Solutions Corporation provided a proposal to provide SCADA and Surveillance Systems Engineering Services to the Authority on January 18, 2024 in an amount not to exceed \$35,000; and

WHEREAS, the Authority has determined that it is in its best interest to accept this proposal and entered into a contract with Engineered Solutions Corporation as of February 1, 2024; and

WHEREAS, the New Jersey Local Public Contract Law (N.J.S.A. 40A:11-5) exempts the award of professional services from the requirements for public advertising and bidding; and

WHEREAS, in accordance with N.J.S.A. 5:30-5, et. seq. the Authority certifies the availability of funds for this contract.

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

1. The Authority hereby ratifies and approves the Contract between the Authority and Engineered Solutions Corporation effective February 1, 2024 through January 31, 2025.
2. The Executive Director shall take any actions and execute any documents necessary to effectuate the terms of this Resolution.

02/06/2024

The Consent Agenda was approved as presented by roll call vote. M. Andreula: Aye; B. Beckmeyer: Aye; D. Manderano: Aye; R. Spellmeyer: Aye. Motion carries 4-0-0

The following reports were accepted as presented:

**Report of the Executive Director
December 2023 {submitted January 2, 2024}
For the Authority meeting of January 9, 2023**

- We continue to monitor the sewers in low lying areas for cleaning & inspection.
- New emergency generator and pad completed. All inspections have occurred & we are waiting on PSEG to install the NG line prior to the setting of the generator.
- Continued meeting with Authority Regulatory Engineers to address permit issues that may be imposed in the permit renewal. The headworks analysis requirement has been answered and we do not have to proceed with this expensive project.
- We have initial data for the meeting regarding the flow from Toscana. We have also instructed that a flow and pH meter be installed at his cost.
- Kraft Industries repaired the generator at Xchange. The rental unit onsite for emergency operations has been returned.

CONNECTIONS:

ALL ITEMS REMAIN OPEN.

- 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. I have heard that the owner is selling this property (no confirmation).

OPERATIONS REPORT –January 2024

Submitted January 30, 2024

KOELLE BOULEVARD FACILITY

- 1) The estimated average daily flow for the month was 3.4093 MGD. The estimated total flow for the month was 100.6369 MG.
- 2) Routine maintenance and ground keeping were performed.
- 3) Maintenance performed on pumps in PS#1.

PUMP STATION # 1 Village Place

- 1) The estimated average daily flow was 1.225 MGD.
- 2) All pumps cleaned and maintained on a regular basis.
- 3) Routine maintenance and ground keeping were performed.

PUMP STATION # 2 Paterson Plank Road and Turnpike Exit

- 1) The estimated average daily flow was 83257 gallons per day.
- 2) Routine maintenance and ground keeping were performed.

PUMP STATION # 3 Henry Street

- 1) The estimated average daily flow was 106476 gallons per day.
- 2) Routine maintenance and ground keeping were performed.

PUMP STATION # 4 New County Road and Seaview Drive

- 1) Routine maintenance was performed.
- 2) The 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: 0 pd

PUMP STATION #7 - Exchange Junction

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

Respectfully submitted.

Joe Marchese, Plant Manager

COLLECTION SYSTEM:

- 1) Feet jetted: 5089 feet jetted.
- 2) Jet Truck went in for service.

CCTV:

Camera feet

Respectfully Submitted,

Anthony Smentkowski, Maintenance Foreman, CCTV Operator.

SECAUCUS MUNICIPAL UTILITIES AUTHORITY ENGINEERS REPORT FOR THE MONTH OF FEBRUARY 2024

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. 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. Reviewing pump information with new projected flows. Reviewed sanitary sewer lateral air testing on new connections at the site and information from RVE Engineers. Emergency Generator failed, looking into replacement options. Emergency generator to be repaired. Spoke with pump representative on new pump impeller. Emergency generator has been repaired. Contact Engineer concerning new flow and impeller sizing. Requesting additional information from pump supplier on existing pumps and possible replacement pumps.

- 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 requested further water bills and meter readings. Resent last request to facility manager. It has been published that Harmony will be permitted to sell for recreation purposes, the SMUA will be revisiting the generated sanitary flow under this allowance. Sent emails to management company for water records for past year. Received water bills and analyzing.

Requested and received facility map with water meter locations. Requested additional meter readings. Received and analyzed additional meter readings. Received new floor diagram with meter locations. Requested updated water reading record on January 31, 2024.

- 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. Received the boundary survey form the surveyor for Henry Street pump station, proceeding with the final design. Surveyor still working with the NJTA on final boundary survey. Received final surveys. Met with PSEG onsite for gas service location. Producing final site plans. Met with Persistent on construction and fence location. Waiting for PSEG project release. Received PSE&G Estimate. Waiting for PSE&G to send bill before work can start. Preparing to submit to building department for construction permits. Revised plans for new FEMA flood elevation for Building Department. Waiting on Construction Department permits. Concrete structure has been constructed and new generator placed. Waiting on PSE&G to install and have generated connected at Turnpike Pump Station. Henry Street Pump Station signed plans have been completed and require the contractor to submit to the Building Department. Gas line has been installed by PSE&G at both locations. Waiting on construction permit at Henry Street. Gas piping was approved by the Secaucus Plumbing inspector. Waiting on PSE&G meter install. The Turnpike Pump Station Generator has been commissioned and is operational. SMUA personnel were trained by Cooper. The concrete has been placed and forms removed at the Henry Street Pump Station. The site is extremely wet and underground utility installation has been delayed until site has dried out.

- Issues have occurred with the gear drive/drive unit in the sludge thickening tank. Looking into options to replace equipment. Produced letter naming repairs to tank mechanism as an emergency. Tank needs to be drained and cleaned for internal inspection. Tank has been cleaned and equipment inspected. Waiting on contractors’ costs. Received and approved proposal from Rapid Pump to repair/replace Tank Mechanisms. Rapid Awarded Project. Waiting on part delivery. Rapid has started repair work. Rapid has completed the work and unit is operational. This will be removed from the monthly report.

Zoning Certificate Notices for required SMUA Sewer Connection Application:

Address	Zoning Certificate	Request Dates		SMUA App.	SMUA Fee	Engineers Report
		1 st	2 nd			
Brianna Lane- B1 5.02, Lot 3.04 Building G, XChange	-	N/A	N/A			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
600 Meadowland Parkway (1125 Castle Road) Suite 22D	File # 21-479	N/A	N/A	No	No	Under Review
55 Hartz Lane	File # 15-498	N/A	N/A	Yes	Yes	Under Review
325 County Ave	-	N/A	N/A	Yes	Yes	Under Review
1 Mikasa Drive	File # 22-290	N/A	N/A	Yes		Under Review
10 Meadowland Parkway	File # 23-281	N/A	N/A	Yes		Under Review
1110 Farm Road	File # 23-135	N/A	N/A	Yes		Under Review
845 First Street				Yes	Yes	Under Review
831 First Street	File #23-168			Yes	No	Under Review

Beckmeyer Engineering, P.C.

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

Authority Engineer January 31, 2024

Legal: No Report

Public Comments: None

A motion was made at 6:10 by R. Spellmeyer, second by D. Manderano to close the open meeting and enter into Executive Session. All in Favor 4-0-0.. The following resolution was read:

RESOLUTION TO ENTER INTO EXECUTIVE SESSION

BE IT RESOLVED by the Board of Commissioners of the Secaucus Municipal Utilities Authority that the Board shall immediately hereafter enter Executive Session in accordance with the New Jersey Sunshine Law.

The purpose of this Executive Session is:

- 1) To discuss personnel matters

The matters discussed in Executive Session will be disclosed to the public at such time as action is taken by the Authority or if possible, prior to action be taken if the Authority feels that disclosure can be made without affecting the public interests of the individuals affected.

A motion was made at 6:25 pm by R. Spellmeyer, second by D. Manderano to close the executive session and reopen the public portion of the meeting. All in Favor 4-0-0.

Due to the fact that Steve Bronowich had an extended and unanticipated medical leave and had exhausted all of his accumulated leave, The Board approved an additional twenty day sick leave. This was moved on a motion by B. Beckmeyer, seconded by R. Spellmeyer. Roll call vote: Andreula, Aye; Beckmeyer, Aye; Manderano, Aye; Spellmeyer, Aye. Motion carries 4-0-0.

A motion was made at 6:35 pm by R. Spellmeyer, second by D. Manderano to adjourn the meeting. All in Favor 4-0-0.