

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

OCTOBER 21, 2021

Due to the current COVID-19 State of Emergency and in compliance with N.J.S.A. 10:4-8, et seq., the Authority conducted its regularly scheduled Board Meeting on October 21, 2021 with some of the Members and staff participating by way of teleconference.

The Chairman called the meeting to order at 7:00 PM and began the meeting with the Statement of Public Notice (Sunshine Law), attached and caused same to be entered into the minutes of the meeting.

ROLL CALL

PRESENT: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster [Members Kissil and Marucci participated by telephone conference as permitted by the By Laws.]

ABSENT: Chairman Huber and Member Schimpf

All Members in the meeting acknowledged that they could hear the Chairman and other participants.

Also present were the following: Laura Cummings, PE, Executive Director; Charles Maggio, Chief Financial Officer; Jeff Elam, PE, Chief Engineer; Drew Saskowitz, Water Quality Superintendent; Alexis Bozza, Executive Administrative Assistant; David J. Ruitenberg, Esq, Special Counsel; and Sidney D. Weiss, Esq., General Counsel to the Authority.

PUBLIC DISCUSSION

Vice Chairman Rotando stated the next portion of the meeting was set aside for public discussion and asked if any members of the public were present and would like to address the Board, to please state their full name for the record. No one responded. He then closed the public portion of the meeting.

MOTION APPROVING MINUTES OF SEPTEMBER 23, 2021

Copies of the minutes of the meeting held on September 23, 2021, were distributed to the Members prior to the meeting for review and comment. Member Webster moved that the minutes be adopted as presented. Member Baldassari seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

RESOLUTION APPROVING CLOSED SESSION MINUTES OF SEPTEMBER 23, 2021

Copies of the minutes of the closed session meeting held on September 23, 2021, were distributed to the Members prior to the meeting for review and comment. Member Baldassari moved to approve the minutes and offered the following resolution:

RESOLUTION NO. 108-21

RESOLUTION APPROVING CLOSED SESSION MINUTES OF SEPTEMBER 23, 2021

"COPY ANNEXED"

Member Webster seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

RESOLUTION – APPROVAL OF OCTOBER 2021 LIST OF BILLS

Copies of the bill list for October 2021 were distributed to the Members prior to the meeting for comment and approval. Member Baldassari moved to approve the list of bills and offered the following resolution:

RESOLUTION NO. 109-21

RESOLUTION AUTHORIZING PAYMENT OF LIST OF BILLS FOR OCTOBER 2021

"COPY ANNEXED"

Member Webster seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

OTHER BUSINESS

A. Report of the Engineering Committee

Vice Chairman Rotando referred the Members to the brief summary report previously provided on the Engineering Committee meeting held on September 22, 2021 and requested that the Chief Engineer expand on the report. Mr. Elam reported that during that meeting, the current version of the Capital Improvement Program (CIP) was reviewed in detail. Mr. Elam went over the key points.

B. Report of the Finance Committee

Member Baldassari reported that a Finance Committee meeting was held on September 28, 2021 to review the first draft of the 2022 Budget and the resultant proposed and projected rate increases. In addition, a second draft of the CIP was presented along with revised rate projections where the revised CIP was based on discussions with Sophia Dyer, Principal Engineer, and Drew Saskowitz, Water Quality Superintendent. A final revised CIP would be prepared upon the review by Jeff Elam, Chief Engineer.

As initially proposed and projected, the range of annual capital expenses over the 2022 to 2027 Budget period was \$10,224,400 to \$13,528,301 driving an annual residential rate increase ranging between 11.5 to 17%. Staff will work to refine these expenses to present a revised CIP and 2022 Budget resulting in a revised range of capital expenses over the budget period of \$9.5 to \$11.5 million reducing the project residential rate increase range from 13% to 9%.

One customer account appeal was also reviewed where no further adjustments were found to be warranted and where the customer could be offered a payment plan for the balance owed.

C. Report of the Emergency Response and IT Committees

Member Webster reported that a meeting was held on September 23, 2021, with the IT and Emergency Response Committees together. Nick Buono, IT Director, and Laura Cummings, Executive Director, led the discussion for the review of the IT and Operations Risk proposed capital expenditures for the first draft of the 2022 Budget. As initially proposed, the range of annual capital expenses for IT over the 2022 to 2027 Budget period was \$360,000 to \$1,585,000 where annual expenditures for Operations Risk ranged between \$12,000 to \$75,000.

D. Resolution Introducing Budget for 2022

Following discussion on the reports of the Committees, the Board reviewed the proposed 2022 Budget. Mr. Maggio stated that minor revisions were made to the draft report previously provided to the Members which he then explained. The Executive Director and Chief Financial Officer gave a brief PowerPoint presentation regarding the proposed Budget. Member Baldassari offered the following resolution:

RESOLUTION NO. 110-21

RESOLUTION INTRODUCING BUDGET FOR 2022

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

E. Resolution Authorizing the Transfer of Funds between Capital Budget Appropriations

The Members reviewed a memorandum from the Chief Financial Officer dated October 12, 2021. An analysis of the status of the capital budget resulted in the need for a transfer of funds to certain accounts for 2021 capital expenditures. Member Baldassari noted that it was previously recommended by Nisivoccia that these transfers be done by Board Resolution. Member Webster offered the following resolution:

RESOLUTION NO. 111-21

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN CAPITAL BUDGET APPROPRIATIONS

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

- F. Resolution Authorizing Change Order with Reivax Contracting for On-Call Water Main and Appurtenances Repair, Installation, Testing and Startup

The Authority entered into a contract with Reivax dated April 1, 2021 for on-call water main and appurtenances repair, installation, testing and startup services at a maximum cost to the Authority of \$332,251.00 ("Contract"). The Members reviewed a memorandum from the Chief Engineer dated October 14, 2021 advising that a change order for additional services was needed. The overall increase will not exceed \$66,450.20, as more particularly set forth in the memorandum and the proposed change order, copies of which were reviewed. It was determined that the services to be performed are necessary and reasonable; and will benefit the Water System. The Treasurer certified that funds are available. Member Baldassari offered the following resolution:

RESOLUTION NO. 112-21

RESOLUTION AUTHORIZING CHANGE ORDER WITH REIVAX CONTRACTING FOR ON-CALL WATER MAIN AND APPURTENANCES REPAIR, INSTALLATION, TESTING AND STARTUP

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

- G. Resolution Authorizing Portable Pump Rental Services

Mr. Saskowitz reported that, on July 17, 2021, Mountain Way Booster Pump #2 failed leaving Pump #1 as the only source of water supply for the entire 737' gradient. On August 12, 2021, Pump #1 failed to operate shortly after startup due to overheating in the high ambient temperature. In order to supply water to the 737' gradient, a contractor was called in to install two new fire hydrants on site and an emergency portable gas-powered pump was needed to pump water from the 568' gradient into the 737' gradient utilizing the two new hydrants. A Purchase Order for a 30-day rental of the pump had been previously established in the amount of \$14,682.50 with Simmons Transport as a contingent plan for the 568' gradient supply emergency, where this pump rental was put into service at Mountain Way Booster Station while awaiting the pump repair. On October 8, 2021, the repaired Pump #2 was successfully installed. However, the total rental time required for the pump exceeded the originally anticipated time period by an additional month for a

revised total cost of \$26,682.50. The Treasurer certified that funds are available in the 2021 Budget. Member Webster offered the following resolution:

RESOLUTION NO. 113-21

RESOLUTION AUTHORIZING PORTABLE PUMP RENTAL SERVICES

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

H. Resolution Amending Agreement with Genova Burns LLC for Special Labor Counsel and Human Resources Services

The Members reviewed a memorandum from the Executive Director dated October 14, 2021. Genova Burns was requested to submit a supplemental proposal for the existing Professional Services Agreement in anticipation of additional labor counsel expenses related to responding to various matters including a pending termination arbitration. Per the attached letter from Jennifer Roselle, Esq., dated September 22, 2021, the additional expenses are estimated not to exceed \$25,000. The requested increase to the contract would amend the total maximum not to exceed contract amount to \$123,000. The Treasurer has certified that funds are available in the 2021 Operating. Member Baldassari offered the following resolution:

RESOLUTION NO. 114-21

RESOLUTION AMENDING AGREEMENT WITH GENOVA BURNS LLC FOR SPECIAL LABOR COUNSEL AND HUMAN RESOURCES SERVICES

"COPY ANNEXED"

Member Webster seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

I. Resolution Authorizing Execution of a Renewal Cooperative Pricing Agreement with the Morris County Cooperative Pricing Council

The Members reviewed a memorandum from the Executive Administrative Assistant dated October 14, 2021. Pursuant to the provisions of N.J.S.A. 40A:11-11(5) of the Local Public Contracts Law, the Authority is authorized to enter into cooperative pricing agreements with other public bodies located within the County of Morris or adjoining counties for the purpose of purchasing work, materials and supplies. The Authority previously entered into an agreement with the Morris County Cooperative Pricing Council ("MCCPC") by the Township of Randolph as Lead Agency in accordance with the above statute. The purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process. It is recommended that the Authority renew the agreement as provided by law, on the terms set forth in the Proposed Renewal Agreement, a copy of which attached to the memorandum. Member Baldassari offered the following resolution:

RESOLUTION NO. 115-21

RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

J. Resolution Authorizing Use of Vendor under the Morris County Cooperative Pricing Council

The Authority is a participant in a Cooperative Pricing Agreement with the MCCPC. The Members reviewed a memorandum from the Chief Financial Officer dated October 12, 2021, requesting authorization to purchase certain items from an authorized vendor under the MCCPC during the 2021 budget year. The purchase of work, materials and supplies through Cooperative Pricing Councils, such as the MCCPC, is authorized without additional advertising by the participants under Section 11 (5) of the Local Public Contracts Law, N.J.S.A. 40A:11-11(5). The Treasurer certified that funds are available. Member Chumer offered the following resolution:

RESOLUTION NO. 116-21

RESOLUTION AUTHORIZING USE OF VENDOR UNDER THE MORRIS COUNTY
COOPERATIVE PRICING COUNCIL

"COPY ANNEXED"

Member Webster seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

K. Resolution Authorizing Agreement with Engineering Resource Group as an Extraordinary Unspecifiable Service

The Members reviewed a memorandum from the HR Generalist dated October 13, 2021. Engineering Resource Group ("ERG") is a multidisciplinary search firm with strong experience in engineering, technology, finance, consulting, and construction leadership assignments. The Authority requires a strategic partner and intellectual asset in recruiting professionals specific to the needs of SMCMUA. The cost to the Authority for the provision of services by ERG is estimated not to exceed \$55,000.00. The nature of the services to be performed by ERG are specialized and qualitative requiring expertise, expert training and proven reputation in connection with the recruiting of industry professionals. Mr. Weiss stated that funds are available and have been certified by the Treasurer. Member Baldassari offered the following resolution:

RESOLUTION NO. 117-21

RESOLUTION AUTHORIZING AGREEMENT WITH ENGINEERING RESOURCE GROUP AS
AN EXTRAORDINARY UNSPECIFIABLE SERVICE

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

L. Resolution Awarding Contract for Plumbing Services in connection with Full Line Service Connection Replacement and Meter Removal

The Authority has a need for plumbing services in connection with full line service connection replacement and meter removal. Requests for proposals were submitted to two companies. Griggs Plumbing and Heating, LLC ("Griggs") submitted the lowest responsive and responsible proposal for a not to exceed amount of \$42,525. The contract is awarded without public bidding as being less than the bidding threshold provided in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.). Griggs has completed and submitted Business Entity Disclosure Certifications which certify that they have not made any reportable contributions to any political or candidate committee in the Township of Hanover, Borough of Morris Plains, Town of Morristown and the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract. The Treasurer certified that funds are available. Member Baldassari offered the following resolution:

RESOLUTION NO. 118-21

RESOLUTION AWARDING CONTRACT FOR PLUMBING SERVICES IN CONNECTION WITH FULL LINE SERVICE CONNECTION REPLACEMENT AND METER REMOVAL

"COPY ANNEXED"

Member Chumer seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

M. Report of the Personnel Committee

Member Chumer reported that the Personnel Committee met where he directed the Members to the monthly report of the HR Generalist where offboarding and terminations were covered. Mr. Chumer addressed some of the items that the Personnel Committee was looking at, which involved part of the offboarding process, plus an understanding of reasons why staff leave the Authority. He pointed out that, in two months, there were four resignations. He reported that he and Member Rotando participated in the HR Generalist's exit interview with the Director of Operations. Member Chumer stated that notes were taken during the exit interview which will be combined in an effort to identify trends that can relate offboarding to onboarding. He added that what may be found in the offboarding process could be applied to the onboarding process when new employees are being brought in. The Personnel Committee is collecting data. Member Chumer

stated that the Committee feels that data collection is important because whatever is learned can help recruit and bring in personnel to be part of the Authority. In conclusion, the Personnel Committee will combine its notes, look at the trends and items to be considered, and will report back to the entire Board based on that to give an understanding of its findings where the goal of retention may be achieved moving forward.

REPORTS

- A. General Administration Division – September 2021
- B. Billing and Customer Service Division – September 2021
- C. Engineering Division – September 2021
- D. Finance Division – September 2021
- E. Human Resources Division – September 2021
- F. Information Technology Division – September 2021
- G. Operations Division – September 2021
- H. Operations Risk Management Division – September 2021
 - 1. Health and Safety Committee Meeting Minutes
- I. Water Quality Division – September 2021

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSION

Vice Chairman Rotando stated that the following item on the agenda may be excluded from the portion of the meeting open to the public pursuant to the exceptions set forth in the Open Public Meetings Act. He then offered the following motion:

RESOLUTION NO. 119-21

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSION

“COPY ANNEXED”

Resolved that discussion of:

- 1. Pending Litigation with Edwin Minchin III

be held in closed session pursuant to subsection 7 of Section 12b of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.); and

Be it further resolved that since the discussion is to be conducted in closed session as permitted by the Act, and may involve questions of attorney/client privilege, it is not known at this time when, or if, the contents of the discussion may be disclosed.

Member Baldassari seconded the motion which was duly adopted by the following vote:

YEAS: Vice Chairman Rotando; Members Baldassari, Chumer, Kissil, Marucci and Webster

NOES: None

ADJOURNMENT

There being no further business, Member Chumer moved that the meeting be adjourned. Member Webster seconded the motion. The meeting adjourned at 8:15 PM.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

Alexis Bozza Digitally signed by Alexis Bozza
Date: 2022.01.14 15:46:22 -05'00'

ALEXIS BOZZA
Assistant Secretary

SUNSHINE LAW STATEMENT

Adequate notice of this meeting has been provided in accordance with the provisions of the "Open Public Meetings Act", in the following manner:

1. By posting a copy of the Annual Notice of the Authority's regular meetings (upon which this meeting is listed) on the Bulletin Board at the Authority's offices at 19 Saddle Road, Cedar Knolls, New Jersey, and by delivering copies of such notice for posting at similar public places in the municipal buildings of the Town of Morristown, the Townships of Hanover and Morris and the Borough of Morris Plains on February 3, 2021.

2. By delivering to, for filing, copies of the Annual Notice with the clerks of the Townships of Chatham, Harding, Mendham, Randolph and Parsippany-Troy Hills, the Boroughs of Florham Park, Madison and Wharton, and the County of Morris on February 3, 2021.

3. By delivering to, for filing, copies of the Annual Notice with the Daily Record, the Newark Star Ledger, and the Morris News Bee on February 3, 2021.



19 Saddle Road
 Cedar Knolls, NJ 07927
 (973) 326-6880
 (973) 326-6864
 customerservice@smcmua.org
 smcmua.org

Resolution No. 108-21

RESOLUTION APPROVING CLOSED SESSION MINUTES


RESOLVED that the attached minutes of the Closed Session Meeting held on September 23, 2021, be and the same are hereby approved but withheld from public inspection and insertion in the regular Minute Book pending release for public disclosure pursuant to the provisions of the Open Public Meetings Act; and

BE IT FURTHER RESOLVED that the minutes be inserted in the Closed Session Minute Book of the Authority pending such disclosure.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
 MUNICIPAL UTILITIES AUTHORITY


 ALEXIS BOZZA, Assistant Secretary


 RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

Board Members

Morristown:
 Max Huber
 Donald Kissil

Morris Township:
 Dennis Baldassari
 Michael Chumer, Ph.D.

Morris Plains:
 Ralph R. Rotando
 Patricia Webster

Hanover Township:
 Nicola Marucci, P.E.
 Adolf Schimpf, Ph.D.

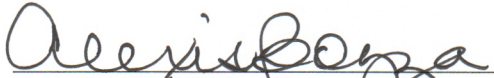
Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



19 Saddle Road
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(973) 326-6864
customerservice@smcmua.org
smcmua.org

Resolution No. 109-21

RESOLUTION AUTHORIZING PAYMENT OF OCTOBER 2021 LIST OF BILLS

BE IT RESOLVED that authorization is hereby granted to make payment of the following list of bills:

OPERATING FUND

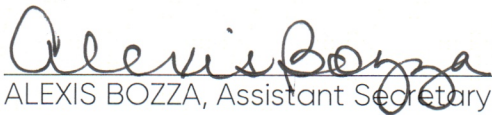
Total Salary and Wages	\$	629,225.91
Total Operating Fund Checks and Wire Transfers	\$	385,542.67


CAPITAL FUND

Total Capital Fund Expenditures	\$	<u>429,059.94</u>
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TOTAL OF OCTOBER 2021 LIST OF BILLS	\$	1,541,756.06
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ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.


Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available (\$1,541,756.06) for payment of the resolution entitled Resolution Authorizing Payment of October 2021 List of Bills in the Authority's 2021 Budget.



CHARLES MAGGIO, Treasurer

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021

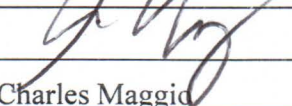
2022 (2022-2023) PREPARER'S CERTIFICATION

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY BUDGET

FISCAL YEAR: FROM: January 1, 2022 **TO:** December 31, 2022

It is hereby certified that the Authority Budget, including both the Annual Budget and the Capital Budget/Program annexed hereto, represents the members of the governing body's resolve with respect to statute in that: all estimates of revenue are reasonable, accurate and correctly stated; all items of appropriation are properly set forth; and in itemization, form and content, the budget will permit the exercise of the comptroller function within the Authority.

It is further certified that all proposed budgeted amounts and totals are correct. Also, I hereby provide reasonable assurance that all assertions contained herein are accurate and all required schedules are completed and attached.

Preparer's Signature:			
Name:	Charles Maggio		
Title:	Chief Financial Officer		
Address:	19 Saddle Rd Cedar Knolls, NJ 07927		
Phone Number:	973-294-1305	Fax Number:	973-326-6808
E-mail address	cmaggio@smcmua.org		

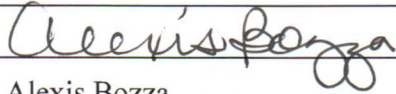
2022 (2022-2023) APPROVAL CERTIFICATION

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY BUDGET

FISCAL YEAR: **FROM:** January 1, 2022 **TO:** December 31, 2022

It is hereby certified that the Authority Budget, including all schedules appended hereto, are a true copy of the Annual Budget and Capital Budget/Program approved by resolution by the governing body of the Southeast Morris County Municipal Utilities Authority, at an open public meeting held pursuant to N.J.A.C. 5:31-2.3, on the 21st day of October , 2021.

It is further certified that the recorded vote appearing in the resolution represents not less than a majority of the full membership of the governing body thereof.

Officer's Signature:			
Name:	Alexis Bozza		
Title:	Assistant Secretary		
Address:	19 Saddle Rd Cedar Knolls, NJ 07927		
Phone Number:	973-326-9521	Fax Number:	973-326-6808
E-mail address	abozza@smcmua.org		

2022 (2022-2023) AUTHORITY BUDGET RESOLUTION THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

FISCAL YEAR: FROM: January 1, 2022 **TO:** December 31, 2022

WHEREAS, the Annual Budget and Capital Budget for The Southeast Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2022 and ending, December 31, 2022 has been presented before the governing body of the Southeast Morris County Municipal Utilities Authority at its open public meeting of October 21, 2021; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$18,610,603 Total Appropriations, including any Accumulated Deficit if any, of \$19,433,200 and Total Unrestricted Net Position utilized of \$822,597; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$6,640,301 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$6,640,301; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Southeast Morris County Municipal Utilities Authority, at an open public meeting held on October 21, 2021 that the Annual Budget, including all related schedules, and the Capital Budget/Program of The Southeast Morris County Municipal Utilities Authority for the fiscal year beginning, January 1, 2022 and ending, December 31, 2022 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of The Southeast Morris County Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 16, 2021.



(Secretary's Signature)

10/21/2021

(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Baldassari, Dennis	X			
Chumer, Michael	X			
Huber, Max			X	
Kissil, Donald	X			
Marucci, Nicola	X			
Rotando, Ralph	X			
Schimpf, Adolf	X			
Webster, Patricia	X			



19 Saddle Road
Cedar Knolls, NJ 07927
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customerservice@smcmua.org
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Resolution No. 111-21

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN
CAPITAL BUDGET APPROPRIATIONS

WHEREAS, the Authority's Chief Financial Officer/Treasurer has advised that there are certain budget line items in the Capital Budget that require additional funding; and

WHEREAS, the Chief Financial Officer/Treasurer has requested that such balances be transferred from the various budget line items with balances to those requiring additional funds to balance; and

WHEREAS, it appears that such transfers are in the best interest of the Authority and the Water System; and

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the following transfers within the Capital Budget totaling \$206,499.92 are hereby approved:

Budget Transfers for Capital Budget

<u>Budget Line Item</u>	<u>Title</u>	<u>Amount</u>
Transfer To:		
02-00-500-476	2020 Facility Improvements HQ Upgrade	\$83,259.92
02-00-500-478	2020 T&D- WSIP Water System Improvement	\$9,600.00
02-00-500-494	T&P Wells Pumps Motors Etc	\$113,640.00
	Total	<u>\$206,499.92</u>
Transfer From:		
02-00-500-999	Future Capital Projects	\$203,499.92
02-00-500-464	2019 Transmission & Distro- Water Mains	3,000.00
	Total	<u>\$206,499.92</u>

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

AND BE IT FURTHER RESOLVED that the Chief Financial Officer/Treasurer be and is hereby authorized and directed to take whatever actions are necessary or convenient to effectuate the provisions of this Resolution and the transfers hereby approved.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



ALEXIS BOZZA, Assistant Secretary

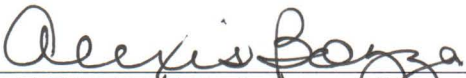


RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
(973) 326-6864
customerservice@smcmua.org
smcmua.org

Resolution No. 112-21

RESOLUTION AUTHORIZING CHANGE ORDER FOR ON-CALL WATER MAIN AND APPURTENANCES REPAIR, INSTALLATION, TESTING AND STARTUP

WHEREAS, the Authority entered into a contract with Reivax dated April 1, 2021 for on-call water main and appurtenances repair, installation, testing and startup services at a maximum cost to the Authority of \$332,251.00 ("Contract"); and

WHEREAS, the Chief Engineer has advised by memorandum dated October 14, 2021, that a Change Order for additional services is needed; and

WHEREAS, the overall increase will not exceed \$66,450.20, as more particularly set forth in the memorandum and the proposed change order, copies of which are annexed hereto; and

WHEREAS, the Authority has determined that the services to be performed are necessary and reasonable; and will benefit the Water System; and


WHEREAS, funds are available and have been certified by the Treasurer;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

1. The proposed changed order annexed hereto be and the same is hereby approved.
2. The Executive Director or the Chief Engineer be and are hereby authorized to execute and deliver the said change order for the Authority.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.



MEMORANDUM

TO: SMCMUA Board

FROM: Jeff Elam, PE, Chief Engineer

RE: On-Call Water Main and Appurtenances Repair,
Installation, Testing and Startup

DATE: October 14, 2021

CC: Laura Cummings, PE, Executive Director
Basil D'Armiento, Director of Operations
Charles Maggio, CMFO, QPA, Chief Financial Officer
Alexis Bozza, QPA, Executive Administrative Assistant

The Board awarded a one-year contract on April 1, 2021, to Reivax Contracting Corporation for the above referenced services including emergency services, leak repair, system maintenance, hydrant and valve repair, etc., in the not to exceed amount of \$332,251.00.

Currently, the Operations section has expended \$248,510.51 on leak repair and valve/hydrant replacements. This amount is higher than anticipated due to the following factors:

- Excessive number of leak repairs which occurred last winter.
- Catchup on the replacement of old and unserviceable hydrants.
- Three leaks occurred on Harter Road within one week, which in turn caused major damage to the road pavement. This necessitated an extensive repair by the contractor. The Authority is still negotiating the final cost with the contractor.

Since the beginning of the year, the Authority has logged 75 leak/water main break repairs of which the contractor was called in to address 11 of these. The repairs that the contractor performed were mostly difficult in nature requiring equipment and skilled labor that the Authority does not possess.

With the upcoming cold weather, additional leaks will undoubtedly develop. It is recommended that additional funds be appropriated to this contract. As such, it is recommended that a change order in the amount of \$66,450.20 (this amount is 20% of the contract) be added to the contract. The new contract amount will be \$398,701.20.

The change order amount should be charged to account number 02-00-500-464 Main Rehabilitation and Replacement. The Treasurer has certified that funds are available.

CONTRACT CHANGE ORDER

CONTRACTOR: Reivax Contracting Corp. 68 Finderne Avenue Bridgewater, NJ 08807	CHANGE ORDER No. 1 PROJECT: On-Call Water Main and Appurtenances PROJECT No. Repair, Installation, Testing and Startup
OWNER: SMCMAA 19 Saddle Road Cedar Knolls, NJ 07927	ENGINEER: SMCMAA 19 Saddle Road Cedar Knolls, NJ 07927
DATE OF ISSUE: 10/21/2021	EFFECTIVE DATE: 10/21/2021
<p>The Contractor is hereby directed to make the following changes in the Contract Documents.</p> <p>Description: On-call water main and appurtenances repair, installation, testing and startup services including emergency services, leak repair, system maintenance, hydrant and valve repair, etc.</p> <p>Reason for Change Order: Experienced an unanticipated excessive number of leak repairs, extensive repairs from a leak on Harter Road, etc., expending a majority of the contract leaving minimal funds available for expected repairs that will be required for the upcoming cold weather months.</p> <p>Attachments: <i>(List documents supporting change and justifying cost and time)</i> Memo from Chief Engineer dated October 14, 2021</p>	
CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ 332,251.00	Original Contract Times: <i>(calendar days or dates)</i> 04/01/2021 - 03/31/2022
Net changes from previous C. O.'s No. ____ to ____ \$ -	Net changes from previous C. O.'s No. ____ to ____ <i>(calendar days)</i> -
Contract Price Prior to this Change Order: \$ 332,251.00	Contract Times prior to this Change Order: <i>(calendar days or dates)</i> 04/01/2021 - 03/31/2022
Net Increase (decrease) of this Change Order: \$ 66,450.20	Net Increase (decrease) of this Change Order: <i>(calendar days)</i> -
Contract Price with all Approved Change Orders: \$ 398,701.20	Contract Times with all Approved Change Orders: <i>(calendar days or dates)</i> 04/01/2021 - 03/31/2022
RECOMMENDED: (Engineer) By: Date:	APPROVED: (Owner) By: Date:
ACCEPTED: (Contractor) By: Date:	REVIEWED: (Funding Agency) By: Date:

TREASURER'S CERTIFICATION

I hereby certify funds are available in the amount of \$66,450.20 for payment of a change order with Reivax Contracting for on-call water main and appurtenances repair, installation, testing and startup services. This item will be charged to Account No. 02-00-500-464 (Main Rehabilitation and Replacement).

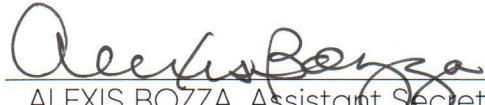


CHARLES MAGGIO, Treasurer

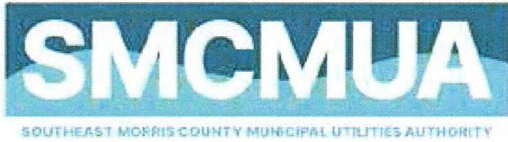
Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



- 19 Saddle Road
Cedar Knolls, NJ 07927
- (973) 326-6880
- (973) 326-6864
- customerservice@smcmua.org
- smcmua.org

Resolution No. 113-21

RESOLUTION AUTHORIZING PORTABLE PUMP RENTAL SERVICES

WHEREAS, on July 17, 2021, the Authority authorized the services of Simmons Transport to provide a portable gas-powered pump rental for one month in the amount of \$14,682.50 at the Authority’s Mount Way Booster Pump Station while repairs were pending; which amount is below the threshold for public bidding under the Local Public Contracts Law; and

WHEREAS, subsequently, repairs were delayed causing a need to extend the rental term of the pump; and

WHEREAS, the services are determined to be in the best interest of the Authority and the Water System; and

WHEREAS, the total not to exceed amount of all services to be provided from Simmons Transport shall not exceed \$26,682.50; and

WHEREAS, Simmons Transport has completed and submitted Business Entity Disclosure Certifications which certify that they have not made any reportable contributions to any political or candidate committee in the Township of Hanover, Borough of Morris Plains, Town of Morristown and the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions; and

WHEREAS, the Treasurer has certified that funds are available; and

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

1. The officers and staff of the Authority are hereby authorized and directed to execute and deliver such documents and take such action as shall be necessary or convenient to effectuate and implement the services of Simmons Transport which is hereby approved and ratified.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



ALEXIS BOZZA, Assistant Secretary



RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the amount of \$26,682.50 for payment to Simmons Transport to provide a portable gas-powered pump rental at the Mountain Way Booster Pumping Station. These services will be charged to 2021 Operating Account No. 02-50-400-691 (Operations - Administrative: Equipment Rentals).



CHARLES MAGGIO, Treasurer

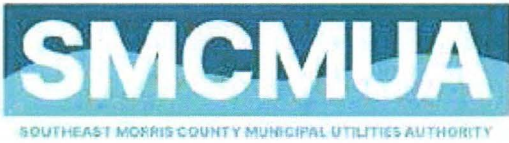
Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



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Resolution No. 114-21

RESOLUTION AMENDING AGREEMENT WITH GENOVA BURNS LLC
FOR SPECIAL LABOR COUNSEL AND HUMAN RESOURCES SERVICES

WHEREAS, the Authority has a need for special labor counsel and human resources services; and

WHEREAS, Genova Burns, L.L.C. ("GB") agreed to the providing of such services at a maximum amount of \$40,000; and

WHEREAS, the Authority entered into an agreement with GB dated January 1, 2021 (the "Agreement"); and

WHEREAS, on March 18, 2021, the Members authorized an amendment to increase the total maximum not-to-exceed amount of the Agreement by \$33,000 to cover the cost of additional unanticipated services in connection with human resource matters; and

WHEREAS, on June 17, 2021, the Members authorized an additional amendment to increase the total maximum not-to-exceed amount of the Agreement by \$25,000 to cover the cost of additional unanticipated services in connection with human resource matters; and

WHEREAS, additional unanticipated services in the amount of \$25,000 are necessary to cover the cost of additional labor counsel services; and

WHEREAS, this Contract is being amended without public bidding as a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and in compliance with N.J.S.A. 19:44A-20.5 (Pay-to-Play Law); and

WHEREAS, GB has completed and submitted Business Entity Disclosure Certifications which certify that they have not made any reportable contributions to any political or candidate committee in the Township of Hanover, Borough of Morris Plains, Town of Morristown and the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
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Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

WHEREAS, the Treasurer has determined and certified in writing that the value of the Contract will exceed \$17,500; and

WHEREAS, funds are available and have been certified by the Treasurer of the Authority; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the awarding of professional service contracts be printed once in a newspaper authorized by law to publish the Authority's legal advertisement;

NOW THEREFORE, BE IT RESOLVED, by The Southeast Morris County Municipal Utilities Authority as follows:

1. The Agreement with Genova Burns, L.L.C. for special labor counsel and human resources services, and other assigned matters, dated January 1, 2021 be amended to reflect a total maximum not-to-exceed amount of \$123,000.
2. That the Executive Director be and is hereby authorized and directed to execute an amendatory contract with regard to said project on behalf of the Authority in the manner provided by law.
3. This contract is awarded without competitive bidding as a "Professional Service Contract" in accordance with the Local Public Contracts Law because the services to be rendered are professional services as therein defined; and
4. Copies of this Resolution and the contract herein approved shall be filed in the office of the Secretary of the Authority and in the respective offices of the Clerks of the Township of Hanover, the Township of Morris, the Town of Morristown and the Borough of Morris Plains, and notice of the award shall be printed once in the Daily Record in accordance with the Local Public Contracts Law.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

TREASURER'S CERTIFICATION

I hereby certify funds are available in the amount of \$25,000 for payment of an amended agreement with Genova Burns, L.L.C., for special labor counsel and human resources services. The total maximum amount of agreement contract will not exceed \$123,000. This item will be charged to Account No. 02-10-400-607 (Operating Costs – General Administration: Professional Services – Personnel).



CHARLES MAGGIO, Treasurer

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
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Resolution No. 115-21

RESOLUTION AUTHORIZING EXECUTION OF A RENEWAL COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Authority desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026.

BE IT RESOLVED, by the Members of The Southeast Morris County Municipal Utilities Authority as follows:

1. Execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2021, pursuant to N.J.S.A. 40A:11-11 (5) is hereby authorized. Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2021, through September 30, 2026.
2. The Authority's Assistant Secretary is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

4. All appropriate Authority officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

ATTEST:



ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



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- (973) 326-6880
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- smcmua.org

Resolution No. 116-21

RESOLUTION AUTHORIZING USE OF VENDOR UNDER THE
MORRIS COUNTY COOPERATIVE PRICING COUNCIL

WHEREAS, the Authority is a participant in a Cooperative Pricing Agreement with the Morris County Cooperative Pricing Council ("MCCPC"); and

WHEREAS, the Authority wishes to purchase the item listed in Exhibit "A" from an authorized vendor under the MCCPC during the 2021 budget year; and

WHEREAS, the purchase of work, materials and supplies through Cooperative Pricing Councils, such as the MCCPC, is authorized without additional advertising by the participants under Section 11 (5) of the Local Public Contracts Law, N.J.S.A. 40A:11-11(5); and

WHEREAS, the vendor listed in Exhibit "A" attached hereto has been awarded a contract by the MCCPC for and including the budget year 2021; and


WHEREAS, the cost is estimated not to exceed the amount stated; and

WHEREAS, the Treasurer of the Authority has certified the availability of funds in the 2021 Budget;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the vendor listed in Exhibit "A" be authorized for use for the budget year 2021.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

RALPH R. ROTANDO, Chairman

Dated: October 21, 2021

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

Exhibit "A"

CONTRACT	VENDOR	ITEMS	AMOUNT
15-C	DFFLM, LLC, T/A Ditschman/ Flemington Ford	Ford F-250 4X4 Pick Up Truck	\$29,515

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the 2021 Budget to purchase work, materials and supplies from the vendor listed below through the Morris County Cooperative Pricing Council in 2021. The cost is estimated not to exceed the amount stated:

CONTRACT	VENDOR	ITEMS	CONTRACT EXPIRATION DATE	BUDGET ACCT #	ACCOUNT NAME	AMOUNT BUDGETED FOR THIS EXPENDITURE	AMOUNT REQUESTED FOR THIS CONTRACT
#15-C	DFFLM, LLC, T/A Ditschman/ Flemington Ford	Ford F-250 4X4 Pick Up Truck	10/31/21	02-00-500-478	Vehicles & Equipment	\$52,552.71	\$29,515.00



CHARLES MAGGIO, Treasurer

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



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Resolution No. 117-21

RESOLUTION AUTHORIZING AGREEMENT WITH ENGINEERING RESOURCE GROUP AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE

WHEREAS, Engineering Resource Group ("ERG") is a multidisciplinary search firm with strong experience in engineering, technology, finance, consulting, and construction leadership assignments; and

WHEREAS, the Authority requires a strategic partner and intellectual asset in recruiting professionals specific to the needs of SMCMUA; and

WHEREAS, the cost to the Authority for the provision of services by ERG is estimated not to exceed \$55,000.00; and

WHEREAS, based on the Certification of Heather Brandao, the HR Generalist, dated October 13, 2021, the nature of the services to be performed by ERG are specialized and qualitative requiring expertise, expert training and proven reputation in connection with the recruiting of industry professionals; and

WHEREAS, N.J.S.A. 40A:11-5(1) authorizes the award of contracts for extraordinary, unspecifiable services without competitive bidding; and

WHEREAS, the award of a contract for extraordinary, unspecifiable services without competitive bidding in this instance is justified and required for good and sufficient reasons including the facts that the performance of the services to be provided cannot reasonably be described by specifications because special expertise (such as that possessed by ERG) is required; and

WHEREAS, the Local Public Contracts Law requires notice of the awarding of contracts for extraordinary, unspecifiable services to be printed once in a newspaper authorized by law to publish the Authority's legal advertisements and that the contract be filed for public inspection; and

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

WHEREAS, funds are available and have been certified by the Treasurer of the Authority;


NOW, THEREFORE, be it resolved by The Southeast Morris County Municipal Utilities Authority as follows:

1. An agreement with Engineering Resource Group by authorized in the not to exceed amount of \$55,000.00.
2. The Executive Director is hereby authorized and directed to execute an Agreement with Engineering Resource Group, the execution of such agreement by the Chairman to be conclusive evidence of such approval.
3. Notice of this resolution shall be published once in the Daily Record and copies of this resolution and the agreement herein authorized shall be filed for public inspection in compliance with the provisions of the Local Public Contracts Law.

ATTEST:



ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021



MEMORANDUM

TO: SMCMUA Board

FROM: Heather Brandao, HR Generalist

RE: Recruiter Engagement Services

DATE: October 13, 2021

CC: Laura Cummings, PE, Executive Director
Charles Maggio, CMFO, QPA, Chief Financial Officer
Alexis Bozza, QPA, Executive Administrative Assistant

This is to request your authorization to engage the above referenced services as follows:

Firm: Engineering Resource Group ("ERG")

Cost: 25% of the first year's base salary of candidates hired by SMCMUA
(Not to Exceed \$55,000)

Duration: One Year

Purpose: Recruiting of Engineering Professionals

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service [N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b)]. I do hereby certify to the following:

ERG is a multidisciplinary search firm with strong experience in engineering, technology, finance, consulting, and construction leadership assignments. ERG follows a carefully designed methodology focused on client communication and accountability to ensure the highest probability of success. In this manner, ERG will act as a strategic partner and intellectual asset in recruiting professionals specific to the needs of SMCMUA.

ERG possesses (i) a focused understanding of the industry specific needs of the SMCMUA, as well as (ii) the industry relationships needed to best meet those needs and advance the goals of the SMCMUA. Through ERG's database, research and referral gathering, it will begin an intense period of proactive recruiting for SMCMUA. ERG will carry out an in-depth screening process as it seeks to match opportunities with candidates that meet specific criteria. ERG will work closely with SMCMUA and candidates during the selection and offer phase. ERG will maintain its relationship with the successfully hired candidate during the transition period to combat counteroffers and ensure a successful start.

The need for industry specific recruiting expertise and ERG's proven reputation in this specialized field are critical to the needs of SMCMUA to secure essential professionals. It is the specialized needs of SMCMUA and the unique understanding needed by the consultant to meet those needs that underscore the subjective quality of the services to be provided. And it is this subjective dimension that makes the services to be provided extraordinary, unspecifiable and not suited to the objective comparison of bids.

No quotations were received by other vendors because ERG provides specialized services that directly relate to industry specific professionals required by SMCMUA.

The Treasurer has certified that funds of \$55,000 are available in Account No. 02-10-400-607 (Professional Services – Personnel).

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the 2021 Budget in the not to exceed amount of \$55,000.00 for payment of the resolution entitled Resolution Authorizing Award of Contract to Engineering Resource Group as an Extraordinary Unspecifiable Service. This item will be charged to Account No. 02-10-400-607 (Professional Services – Personnel).



CHARLES MAGGIO, Treasurer

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



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Resolution No. 118-21

RESOLUTION AWARDING CONTRACT FOR PLUMBING SERVICES IN CONNECTION WITH FULL LINE SERVICE CONNECTION REPLACEMENT AND METER REMOVAL

WHEREAS, the Authority has a need for plumbing services in connection with full line service connection replacement and meter removal; and

WHEREAS, requests for proposals were submitted to two companies; and

WHEREAS, Griggs Plumbing and Heating, LLC ("Griggs") submitted the lowest responsive and responsible proposal for a not to exceed amount of \$42,525.00; and

WHEREAS, the contract is awarded without public bidding as being less than the bidding threshold provided in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, Griggs has completed and submitted Business Entity Disclosure Certifications which certify that they have not made any reportable contributions to any political or candidate committee in the Township of Hanover, Borough of Morris Plains, Town of Morristown and the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Treasurer has determined and certified in writing that the value of the Contract will exceed \$17,500; and

WHEREAS, funds are available and have been certified by the Treasurer of the Authority; and

NOW THEREFORE, BE IT RESOLVED, by The Southeast Morris County Municipal Utilities Authority as follows:

1. A contract be awarded to Griggs Plumbing and Heating, LLC for the provision of plumbing services in connection with full line service connection replacement and meter removal in a total maximum not-to-exceed amount of \$42,525.00.

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

Executive Director: Laura Cummings, P.E.

Chief Engineer: John J. Elam, P.E.

Chief Financial Officer: Charles Maggio, C.M.F.O., Q.P.A.

2. The Executive Director be and is hereby authorized and directed to execute an agreement on behalf of the Authority in the manner provided by law.

ATTEST:



ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



RALPH R. ROTANDO, Vice Chairman

Dated: October 21, 2021

TREASURER'S CERTIFICATION

I hereby certify funds are available in the 2021 Budget in the amount of \$42,525.00 for payment of a contract with Griggs Plumbing and Heating, LLC for the provision of plumbing services in connection with full line service connection replacement and meter removal. This item will be charged to Account No. 02-00-500-464: Transmission and Distribution-Water Mains.



CHARLES MAGGIO, Treasurer

Dated: October 21, 2021

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021



19 Saddle Road
Cedar Knolls, NJ 07927

(973) 326-6880

(973) 326-6864

customerservice@smcmua.org

smcmua.org

Resolution No. 119-21

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSIONS

RESOLVED that the following discussion of:

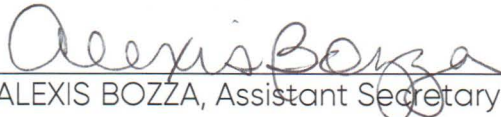
1. Pending Litigation with Edwin Minchin III

be held in closed session pursuant to subsection 7 of Section 12b of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.); and

BE IT FURTHER RESOLVED that since the discussion is to be conducted in closed session as permitted by the Act, and may involve questions of attorney/client privilege, it is not known at this time when, or if, the contents of the discussion may be disclosed.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


RALPH R. ROTANDO, Chairman

Dated: October 21, 2021

Board Members

Morristown:
Max Huber
Donald Kissil

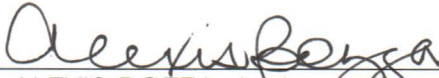
Morris Township:
Dennis Baldassari
Michael Chumer, Ph.D.

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nicola Marucci, P.E.
Adolf Schimpf, Ph.D.

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on October 21, 2021, at a meeting duly convened of said Authority.



ALEXIS BOZZA, Assistant Secretary

Dated: October 21, 2021