

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

FEBRUARY 1, 2023

The Annual Reorganization Meeting of The Southeast Morris County Municipal Utilities Authority ("SMCMUA") was held on Wednesday, February 1, 2023, at 6:00 PM prevailing time in the Board Room at the offices of SMCMUA at 19 Saddle Road, Cedar Knolls, New Jersey.

The Chairman called the meeting to order at 6:00 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: Chairman Rotando; Members Baldassari, Chumer, Huber, Kiracofe, Kissil, Marucci and Webster [Members Kiracofe and Kissil participated by telephone conference as permitted by the By Laws.]

ABSENT: None

Members Kiracofe and Kissil 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; Drew Saskowitz, Water Quality Superintendent; Sophia Dyer, PE, Principal Engineer; Dave Jones, Operations Manager; Alexis Bozza, Executive Administrative Assistant; and David J. Ruitenberg, Esq., General Counsel to the SMCMUA.

OATH OF OFFICE FOR REAPPOINTED MEMBER CHUMER

Mr. Ruitenberg administered the oath of office to Michael Chumer, PhD, who had been reappointed to SMCMUA's Board of Members.

ELECTION OF OFFICERS

Chairman Rotando stated it was the annual organizational meeting of The Southeast Morris County Municipal Utilities Authority. The next item on the agenda was the election of officers for the current year.

Chairman Rotando stated that the following officers were to be elected to hold office until the next annual meeting and selection of their successors: Chairman, Vice Chairman, Secretary, Assistant Secretary, Treasurer, and Assistant Treasurer.

Member Baldassari nominated Michael Chumer, PhD, for the office of Chairman. Member Huber seconded the nomination. There were no other nominations. Member Chumer was unanimously elected.

Chairman Rotando turned the meeting over to Chairman Chumer.

Chairman Chumer stated the next office to be filled was Vice Chairman. Member Baldassari nominated Nick Marucci for the office of Vice Chairman. Member Huber seconded the nomination. Member Marucci was unanimously elected.

Chairman Chumer stated the next office to be filled was Secretary. Member Baldassari nominated Member Kissil for the office of Secretary. Member Rotando seconded the nomination. Member Kissil was unanimously elected.

Chairman Chumer stated the next office to be filled was Treasurer. Member Baldassari nominated Charles Maggio for the office of Treasurer. Member Rotando seconded the nomination. Charles Maggio was unanimously elected.

Chairman Chumer stated the next office to be filled was Assistant Secretary. Member Baldassari nominated Alexis Bozza for the office of Assistant Secretary. Member Rotando seconded the nomination. Alexis Bozza was unanimously elected.

Chairman Chumer stated the next office to be filled was Assistant Treasurer. Member Baldassari nominated Laura Cummings for the office of Assistant Treasurer. Member Rotando seconded the nomination. Laura Cummings was unanimously elected.

#### REORGANIZATION RESOLUTIONS

Chairman Chumer stated the next item on the agenda was the consideration of the annual organization resolutions required by the Public Meetings Law and explained the resolutions.

##### 1. DESIGNATION OF OFFICIAL NEWSPAPER

Chairman Chumer stated that the Daily Record shall be designated as the Official Newspaper of SMC MUA for publication and notice requirements. Member Rotando offered the following Resolution:

#### RESOLUTION NO. 07-23

##### DESIGNATION OF OFFICIAL NEWSPAPER

"COPY ANNEXED"

Member Huber seconded the motion which was unanimously adopted.

2. DESIGNATION OF NEWSPAPERS TO RECEIVE NOTICES PURSUANT TO OPEN PUBLIC MEETINGS LAW

Chairman Chumer stated that the Daily Record, the Star Ledger and the Morris News Bee, and such other newspapers published within the territory served by SMCMUA as the Chairman may from time to time designate, shall be designated as the newspapers to receive notices pursuant to the provisions of the "Open Public Meetings Law". Member Huber offered the following Resolution:

RESOLUTION NO. 08-23

DESIGNATION OF NEWSPAPERS TO RECEIVE NOTICES PURSUANT TO OPEN PUBLIC MEETINGS LAW

"COPY ANNEXED"

Member Marucci seconded the motion which was unanimously adopted.

3. APPROVAL OF SCHEDULE OF MEETINGS

The Members reviewed a draft schedule of meetings for 2023. Member Webster offered the following Resolution:

RESOLUTION NO. 09-23

APPROVAL OF SCHEDULE OF MEETINGS

"COPY ANNEXED"

Member Huber seconded the motion which was unanimously adopted.

4. ESTABLISHMENT OF COMMITTEES

Chairman Chumer stated that the By-Laws of SMCMUA provide for the appointment of special committees and in accordance with the past practice has prepared a resolution establishing these committees. The Members reviewed the list of committees as designated by the Chairman. Member Webster offered the following Resolution:

RESOLUTION NO. 10-23

ESTABLISHMENT OF COMMITTEES

"COPY ANNEXED"

Member Kissil seconded the motion which was unanimously adopted.

## 5. APPROVE BANKING RESOLUTIONS

The Members reviewed a memorandum from the Chief Financial Officer dated January 23, 2023, where Depository and Signing Resolutions and/or Authorizations for use of TD Bank, Santander Bank and Provident Bank as institutions for banking purposes are required for the year 2023. A resolution is also required in order to authorize signature cards with the appropriate Authority officers. Member Huber offered the following Resolution:

### RESOLUTION NO. 11-23

#### APPROVE BANKING RESOLUTIONS

"COPY ANNEXED"

Member Baldassari seconded the motion which was unanimously adopted.

### PUBLIC DISCUSSION

Chairman Chumer 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. No one was present. The Chairman then closed the public portion of the meeting.

### MOTION APPROVING MINUTES OF JANUARY 19, 2023

Copies of the minutes of the meeting held on January 19, 2023, were distributed to the members prior to the meeting for review and comment. Member Huber moved that the minutes be adopted as presented. Member Rotando seconded the motion which was duly adopted by the remaining members.

### RESOLUTION – APPROVAL OF FEBRUARY LIST OF BILLS

Copies of the bill list for February 2023 were distributed to the members prior to the meeting for comment and approval. Member Rotando moved to approve the list of bills and offered the following resolution:

### RESOLUTION NO. 12-23

#### RESOLUTION AUTHORIZING PAYMENT OF LIST OF BILLS FOR FEBRUARY 2023

"COPY ANNEXED"

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

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

NOES: None

OTHER BUSINESS

A. Report of the Finance Committee

The Members reviewed a report of the Finance Committee from a meeting held on January 19, 2023, which was distributed to the Members prior to the meeting for review and comment. Mr. Baldassari provided a summary of the report for discussion.

B. Resolution Approving 2023 Investment Program

Copies of the 2023 Investment Program prepared by the Chief Financial Officer dated January 23, 2023, were distributed to the members prior to the meeting for review and comment. Member Baldassari offered the following resolution:

RESOLUTION NO. 13-23

RESOLUTION APPROVING 2023 INVESTMENT PROGRAM

"COPY ANNEXED"

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

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

NOES: None

C. Resolution Authorizing Transfer of Funds between Operating Budget Appropriations

The Members reviewed a memorandum from the Chief Financial Officer/Treasurer dated January 23, 2023, advising that a certain budget line item in the Operating Budget required additional funding. The memo also requested that the needed funds be transferred from a sufficiently funded budget line item. It was determined that such transfers are in the best interest of SMCMUA and the Water System. Member Baldassari offered the following resolution:

RESOLUTION NO. 14-23

RESOLUTION AUTHORIZING TRANSFER OF FUNDS BETWEEN OPERATING BUDGET  
APPROPRIATIONS

"COPY ANNEXED"

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

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

NOES: None

D. Resolution Rejecting Bid for Heavy Duty Fleet Vehicle

The Members reviewed a memorandum from the Operations Manager dated January 25, 2023. SMCMUA had advertised and received bids for a heavy duty utility vehicle. One bid was received from Gabrielli Kenilworth of NJ, LLC ("Gabrielli") in the total amount not to exceed \$303,880.46. However, the low bid submitted by Gabrielli substantially exceeds SMCMUA's appropriation for the provision of this item. Pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-13.2b), SMCMUA may reject bids for the reason set forth above, which was recommended. Member Baldassari offered the following resolution:

RESOLUTION NO. 15-23

RESOLUTION REJECTING BID FOR HEAVY DUTY FLEET VEHICLE

"COPY ANNEXED"

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

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

NOES: None

E. Resolution Authorizing Extension of Contract for Underground Utility  
Location Services

The Members reviewed a memorandum from the Operations Manager dated January 26, 2023. SMCMUA has entered into a contract dated April 1, 2022, with USIC Locating Services, LLC, ("USIC") for Underground Facilities Location Services, which was duly awarded and approved by resolution dated February 17, 2022 (the "Contract"). The Contract was for an initial term of one year with an option to renew

by SMCMUA for one or two additional years under certain conditions as permitted by N.J.S.A. 40A:11-15 of the Local Public Contracts Law. The Operations Manager recommended that the Contract be extended for a period of one year. The extension will be on the same terms and conditions, with a 7.5% increase in charges, set forth in the existing Contract. The maximum cost to SMCMUA shall not exceed \$161,250.00 covering a one-year period. The Treasurer certified that there are sufficient funds available in the 2023 budget. Member Huber offered the following resolution:

RESOLUTION NO. 16-23

RESOLUTION AUTHORIZING EXTENSION OF CONTRACT FOR UNDERGROUND UTILITY LOCATION SERVICES

"COPY ANNEXED"

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

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

NOES: None

F. Resolution Appointing Redactor Pursuant to Daniel's Law

The State of New Jersey adopted Daniel's Law (P.L. 2021, c. 371) in order to protect the personal information of active or retired judges, prosecutors, law enforcement officers, and their immediate family members. The effective implementation of Daniel's Law requires SMCMUA to appoint a Redactor to redact said personal information from SMCMUA's government records before making such records available to the public. It was recommended that Charles Maggio be appointed Redactor. It was further recommended that Laura Cummings be appointed Alternate Redactor in Mr. Maggio's absence or other inability to serve. Member Baldassari offered the following resolution:

RESOLUTION NO. 17-23

RESOLUTION APPOINTING REDACTOR PURSUANT TO DANIEL'S LAW

"COPY ANNEXED"

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

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

NOES: None

REPORTS

A. Finance Division

1. I-Bank Meeting Update Report

ADJOURNMENT

There being no further business, Member Baldassari moved that the meeting be adjourned, and Member Huber seconded the motion. The meeting adjourned at 6:47 PM.

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
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 an initial 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, 2022, and by subsequently posting and delivering copies of the Revised Annual Notice on March 14, 2022.
2. By delivering to, for filing, copies of the initial 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, 2022, and copies of the Revised Annual Notice on March 14, 2022.
3. By delivering to, for filing, copies of the initial Annual Notice with the Daily Record, the Newark Star Ledger, and the Morris News Bee on February 3, 2022, and copies of the Revised Annual Notice on March 14, 2022.



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

Resolution No. 07-23

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

BE IT RESOLVED that the Daily Record be designated as the Official Newspaper of The Southeast Morris County Municipal Utilities Authority for publication and notice requirements.

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

Board Members

**Morristown:**  
Max Huber  
Donald Kissil

**Morris Township:**  
Dennis Baldassari  
Michael Chumer, PhD

**Morris Plains:**  
Ralph R. Rotando  
Patricia Webster

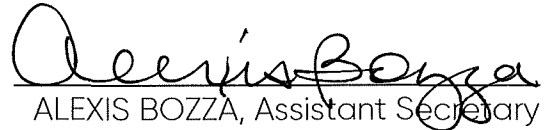
**Hanover Township:**  
Nathan Kiracofe, EIT  
Nicola Marucci, PE

Executive Director: Laura Cummings, PE

Chief Financial Officer: Charles Maggio, CMFO, QPA

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on February 1, 2023, at a meeting duly convened of SMCMUA.

  
ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023



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Resolution No. 08-23

RESOLUTION DESIGNATING NEWSPAPERS TO RECEIVE NOTICES  
PURSUANT TO OPEN PUBLIC MEETINGS LAW

BE IT RESOLVED that the Daily Record, the Star Ledger and the Morris News Bee and such other newspapers published within the territory served by the Authority as the Chairman may from time to time designate, be designated as the newspapers to receive notices pursuant to the provisions of the "Open Public Meetings Law", P.L. 1975, c. 231.

ATTEST:

  
ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

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Donald Kissil

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Michael Chumer, PhD

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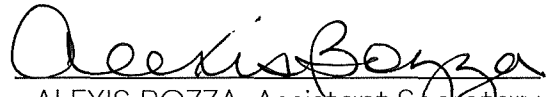
Hanover Township:  
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Resolution No. 09-23

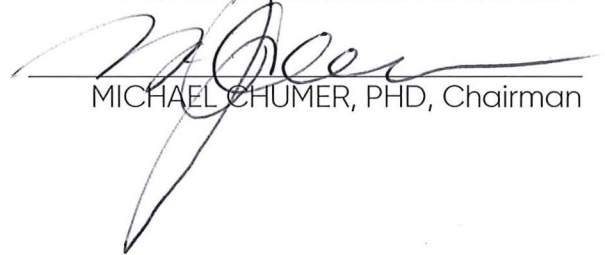
RESOLUTION APPROVING SCHEDULE OF MEETINGS FOR 2023

BE IT RESOLVED that the schedule of regular meetings presented to the Members and annexed hereto, be approved; and the Secretary be authorized and directed to post, file and deliver notice of such schedule as required by and pursuant to the provisions of the Open Public Meetings Law.

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

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Donald Kissil

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Michael Chumer, PhD

Morris Plains:  
Ralph R. Rotando  
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-  [smcmua.org](http://smcmua.org)

ANNUAL NOTICE

SCHEDULE OF MEETINGS

Pursuant to P.L. 1975, c. 231, Section 13, known as the "Open Public Meetings Act", The Southeast Morris County Municipal Utilities Authority gives notice that it will hold regular meetings on the dates listed.

2023

February		16
March	2	16
April	13	20
May	4	18
June	1	15
July	6	20
August	3	24
September	7	21
October	5	26
November	2	16
December	7	21

2024

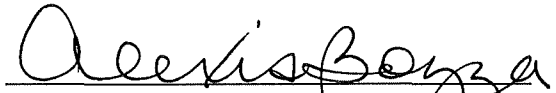
January	4	18
February	1 (Organization Meeting) (6:00 PM)	

All meetings will be held at SMCMUA's offices, 19 Saddle Road, Cedar Knolls (Hanover Township), New Jersey 07927, at 7:00 PM, except as indicated above or unless notice is given to the contrary.

Dated: February 1, 2023

CERTIFICATION

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ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023





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Resolution No. 10-23

RESOLUTION ESTABLISHING COMMITTEES FOR 2023

BE IT RESOLVED that pursuant to the By-Laws of SMCMUA, there be established the following special committees, each to consist of three members to be appointed by the Chairman of SMCMUA.

- Engineering Committee
- Finance Committee
- Personnel Committee
- Technology and Risk Committee

The Chairman appointed the following members to these Committees:

ENGINEERING COMMITTEE

- Nick Marucci, PE, Chair
- Dennis Baldassari
- Ralph Rotando

FINANCE COMMITTEE:

- Dennis Baldassari, Chair
- Ralph Rotando
- Don Kissil

PERSONNEL COMMITTEE

- Max Huber, Chair
- Patricia Webster
- Nick Marucci

**Board Members**

**Morristown:**  
Max Huber  
Donald Kissil

**Morris Township:**  
Dennis Baldassari  
Michael Chumer, PhD

**Morris Plains:**  
Ralph R. Rotando  
Patricia Webster

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**Executive Director:** Laura Cummings, PE

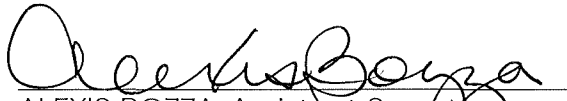
**Chief Financial Officer:** Charles Maggio, CMFO, QPA

TECHNOLOGY AND RISK MANAGEMENT COMMITTEE

Nathan Kiracofe, Chair  
Patricia Webster  
Max Huber

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

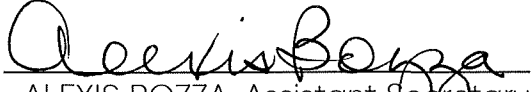
  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

CERTIFICATION

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ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023



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Resolution No. 11-23

RESOLUTION APPROVING BANKING RESOLUTIONS

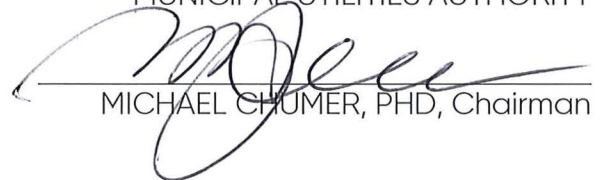
RESOLVED, that the attached Depository and Signing Resolutions and/or Authorizations for TD Bank, Provident Bank and Santander Bank, be and the same are hereby approved and adopted.

AND BE IT FURTHER RESOLVED that the appropriate officers of SMCMUA be and are hereby authorized and directed to execute and deliver any and all documents implementing the above authorization.

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

Board Members

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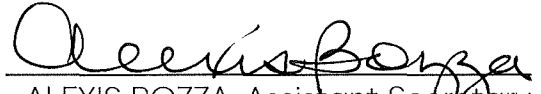
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Executive Director: Laura Cummings, PE

Chief Financial Officer: Charles Maggio, CMFO, QPA

CERTIFICATION

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ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023



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Resolution No. 12-23

RESOLUTION AUTHORIZING PAYMENT OF FEBRUARY 2023 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	\$	184,120.24
Total Operating Fund Checks and Wire Transfers	\$	408,710.97


CAPITAL FUND

Total Capital Fund Expenditures	\$	<u>86,466.01</u>
TOTAL OF FEBRUARY 2023 LIST OF BILLS	\$	679,297.22

ATTEST:

  
ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

Board Members

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Max Huber  
Donald Kissil

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Nicola Marucci, PE

Executive Director: Laura Cummings, PE

Chief Financial Officer: Charles Maggio, CMFO, QPA

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available (\$679,297.22) for payment of the resolution entitled Resolution Authorizing Payment of February 2023 List of Bills in SMCMUA's 2023 Budget.

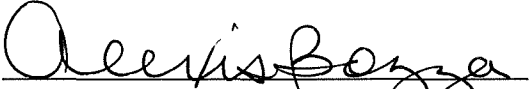


CHARLES MAGGIO, Treasurer

Dated: February 1, 2023

CERTIFICATION

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ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023





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Resolution No. 13-23

RESOLUTION APPROVING 2023 INVESTMENT PROGRAM

WHEREAS, the Chief Financial Officer has submitted his recommendations for SMCMUA’s 2023 Investment Program as set forth in a memorandum dated January 23, 2023, a copy of which is annexed hereto as Exhibit "A"; and


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

1. The 2023 Investment Program recommended by the Chief Financial Officer as set forth in the attached memorandum dated January 23, 2023, be and the same is hereby adopted and approved.
2. The Chief Financial Officer is hereby authorized and directed to use the financial institutions set forth in the attached memorandum for investment purposes and to take all appropriate actions with respect thereto.

ATTEST:

  
ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

Board Members

Morristown:  
Max Huber  
Donald Kissil

Morris Township:  
Dennis Baldassari  
Michael Chumer, PhD

Morris Plains:  
Ralph R. Rotando  
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Hanover Township:  
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Executive Director: Laura Cummings, PE

Chief Financial Officer: Charles Maggio, CMFO, QPA

MEMORANDUM

TO: SMCMUA Board

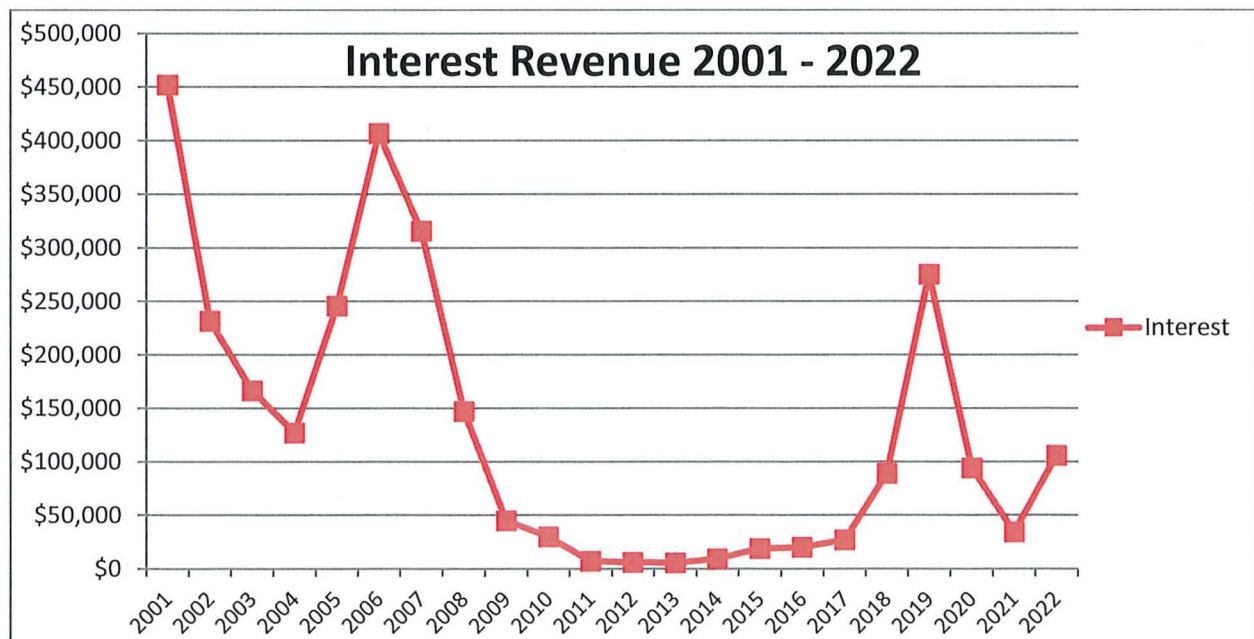
FROM: Charles Maggio, CMFO, QPA, Chief Financial Officer *CM*

DATE: January 23, 2023

RE: Investment Program 2023

In 2022, the General Fund monies were kept in the TD Bank General Fund, Provident Bank Money Market Fund, Santander Bank and the New Jersey Cash Management Fund. The yields on these slowly increased as the year went on. Provident Bank stayed steady throughout the year with a .25% interest rate and Santander Bank maintained an interest rate of .1% throughout the year. The New Jersey Cash Management Fund has varying returns and began the year very low but increased to approximately .33% by the end of the year. We currently have the most money on deposit at Provident Bank outside of our TD Bank accounts.

SMCMUA realized approximately \$105,973 in total interest income in 2022 as compared to \$34,315 in 2021.



GENERAL CAPITAL FUND AND GENERAL REVENUE TRUST FUND:

Based on the steady and/or increasing yields at all three of our banks and the NJ Cash Management Fund, the General Fund monies were left in their respective depositories in 2022. The balances as of December 31, 2022, were:

Santander Bank	\$1,144,749
TD Bank General Fund Checking	\$10,075,847
Provident Bank Money Market	\$7,261,119
New Jersey Cash Management Fund	\$5,241,272
<hr/> Total General Fund	<hr/> \$23,722,987

A transfer from the TD Bank Wire Account and TD Bank ACH/Credit Card Account to the TD Bank General Capital Account in the total amount of \$7,000,000 will take place in February. This will fund a majority of SMCMUA's 2023 Capital Program. Any balance currently in the TD General Capital Fund account will remain to fund the remainder of the 2023 Capital program and any projects from previous year's capital programs that are still incomplete. If it is deemed necessary to move additional monies into the TD Bank General Capital Account later in the year, an updated Investment Program will be presented at a future board meeting.

After these transfers are made there will be sufficient monies in the Operating accounts to cover current expenses and maintain a cash working capital fund of 1/12<sup>th</sup> of the 2023 Operating Budget or \$1,761,975.

OPERATING FUND:

At this time, all bank accounts for payroll, payroll expenses, deposits and operating expenses are with TD Bank. The balances above required minimums in these accounts are accounted for in the compensated balances calculation which offset all bank fees charged for transactional purposes.

CONCLUSION:

Local Government Agencies are limited as to the investment instruments and terms. All investments must be covered by Governmental Unit Deposit Protection Act or GUDPA insurance and must have terms of 1 year and under. GUDPA protects the deposits of public funds in excess of the FDIC insured limit. This extra "insurance" cost brings the interest rates for government instruments below those seen advertised for the general public and other business investors.

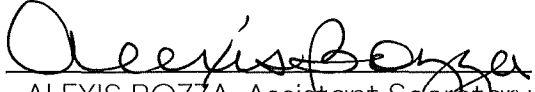
Provident Bank is currently paying the highest defined interest rate (.25%) and has the highest balance on deposit next to TD bank, so it is my recommendation that all balances remain in banks where they are currently deposited. We will continue to monitor interest rates throughout 2023 and make recommendations for transfers to the board as we see necessary.

For 2023, the following institutions will be used for investment and banking purposes:

TD Bank  
Provident Bank  
Santander Bank  
New Jersey Cash Management Fund

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on February 1, 2023, at a meeting duly convened of SMCMUA.

  
ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023



- 19 Saddle Road  
Cedar Knolls, NJ 07927
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Resolution No. 14-23

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN  
2023 OPERATING BUDGET APPROPRIATIONS

WHEREAS, SMCMUA's Chief Financial Officer/Treasurer has advised that there are certain budget line items in the 2023 Operating 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 SMCMUA and the Water System;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the following transfers within the Operating Budget totaling \$17,500.00 are hereby approved:

<u>Line Item</u>	<u>Title</u>	<u>Budget Transfers</u>	<u>Amount</u>
Transfer To:			
02-30-400-501	FINAN: Salary & Wages		\$17,500.00
		Total	<u>\$17,500.00</u>
Transfer From:			
02-30-400-800	FINAN: Temporary Staff		\$17,500.00
		Total	<u>\$17,500.00</u>

**Board Members**

**Morristown:**  
Max Huber  
Donald Kissil

**Morris Township:**  
Dennis Baldassari  
Michael Chumer, PhD

**Morris Plains:**  
Ralph R. Rotando  
Patricia Webster

**Hanover Township:**  
Nathan Kiracofe, EIT  
Nicola Marucci, PE

**Executive Director:** Laura Cummings, PE

**Chief Financial Officer:** Charles Maggio, CMFO, QPA

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

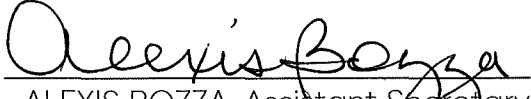
  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on February 1, 2023, at a meeting duly convened of SMCMUA.

  
ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023





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Resolution No. 15-23

RESOLUTION REJECTING BID FOR HEAVY DUTY UTILITY VEHICLE

WHEREAS, SMCMUA has advertised and received bids, pursuant to a fair and open process, for a heavy duty utility vehicle on January 25, 2023; and

WHEREAS, one bid was received from Gabrielli Kenilworth of NJ, LLC ("Gabrielli") in the total amount not to exceed \$303,880.46; and

WHEREAS, the low bid submitted by Gabrielli substantially exceeds SMCMUA's appropriation for the provision of this item; and

WHEREAS, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-13.2b), SMCMUA may reject bids for the reason set forth above.

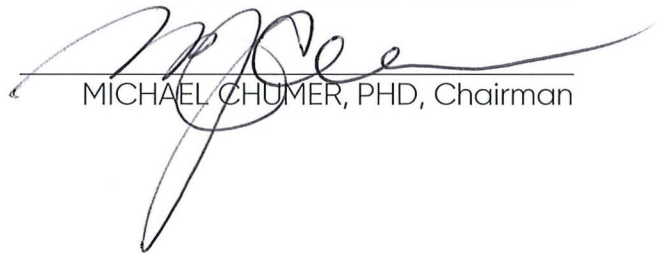
NOW THEREFORE BE IT RESOLVED, by The Southeast Morris County Municipal Utilities Authority as follows:

1. That the bid submitted on January 25, 2023, for a heavy duty utility vehicle by Gabrielli Kenilworth of NJ, LLC, is hereby rejected.

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

Board Members

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Nathan Kiracofe, EIT  
Nicola Marucci, PE

Executive Director: Laura Cummings, PE

Chief Financial Officer: Charles Maggio, CMFO, QPA

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on February 1, 2023, at a meeting duly convened of SMCMUA.

  
ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023



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Resolution No. 16-23

RESOLUTION AUTHORIZING EXTENSION OF CONTRACT FOR UNDERGROUND FACILITIES LOCATION SERVICES

WHEREAS, SMCMUA has entered into a contract dated April 1, 2022, with USIC Locating Services, LLC, (the "Contractor") for Underground Facilities Location Services, which was duly awarded and approved by resolution dated February 17, 2022 (the "Contract"); and

WHEREAS, the Contract was for an initial term of one year with an option to renew by SMCMUA for one or two additional years under certain conditions as permitted by N.J.S.A. 40A:11-15 of the Local Public Contracts Law; and

WHEREAS, the Operations Manager has recommended that the Contract be extended for a period of one year; and

WHEREAS, the Members of SMCMUA hereby find, based upon the memorandum of the Operations Manager dated January 26, 2023, a copy of which is annexed hereto, that the services are being performed by the Contractor under the Contract in an effective and efficient manner; and

WHEREAS, the extension will be on the same terms and conditions, with modifications to the schedule of charges, set forth in the existing Contract; and

WHEREAS, the maximum cost to SMCMUA shall not exceed \$161,250.00 covering a one-year period; and

WHEREAS, the Treasurer has certified that there are sufficient funds available in the 2023 budget; and

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

1. The term of the Contract dated April 1, 2022, between SMCMUA and USIC Locating Services, LLC, be and the same is hereby extended for a period of one year in an amount not to exceed \$161,250.00 per year as provided in the Contract and permitted by the Local Public Contracts Law (N.J.S.A. 40A:11-15);

**Board Members**

**Morristown:**  
Max Huber  
Donald Kissil

**Morris Township:**  
Dennis Baldassari  
Michael Chumer, PhD

**Morris Plains:**  
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Patricia Webster

**Hanover Township:**  
Nathan Kiracofe, EIT  
Nicola Marucci, PE


**Executive Director:** Laura Cummings, PE

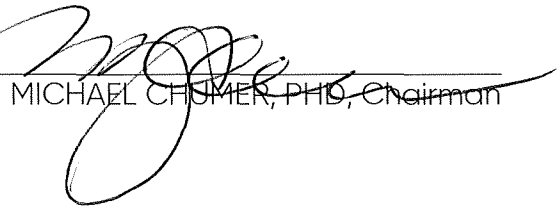
**Chief Financial Officer:** Charles Maggio, CMFO, QPA

2. The extension shall be on the same terms and conditions, with modifications to the schedule of charges, set forth in the original Contract, which Contract was awarded by SMCMUA by resolution duly adopted on February 17, 2022;
3. The Chairman or Vice Chairman and Secretary or Assistant Secretary be and they are hereby authorized and directed to execute and deliver an extension agreement or other document as may be required, and approved by the General Counsel, in order to effectuate the intent of this resolution.

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHOMER, PhD, Chairman

Dated: February 1, 2023



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MEMORANDUM

TO: SMCMUA Board  
FROM: Dave Jones, Operations Manager *DJ*  
RE: Underground Facilities Locations Services  
DATE: January 26, 2023  
CC: Laura Cummings, PE, Executive Director  
Charles Maggio, CMFO, QPA, Chief Financial Officer  
Alexis Bozza, Executive Administrative Assistant

On April 1, 2022, SMCMUA entered into an agreement for the above referenced services with USIC Locating Services, LLC ("USIC"), as authorized by Resolution No. 32-22, for a period of one year (the "Contract") at a not to exceed cost of \$150,000.

The Contract has an option to renew by SMCMUA for one or two additional years under certain conditions as permitted by NJSA 40A:11-15 of the Local Public Contracts Law. USIC has requested that the Contract be extended for a period of one year on the same terms and conditions, with a 7.5% increase, as set forth in the existing Contract. The rate breakdown is provided in Table 1 below.

Table 1  
Rates

Item No.	Description	Unit	Original Cost	Revised Cost
1	Locating and marking during normal business hours when the ticket takes 30-minutes or less	Each	\$24.00	\$25.80
2	Locating and marking during normal business hours when the ticket takes more than 30-minutes	¼ Hr.	\$15.00	\$16.13
3	Locating and marking Emergencies	Each	\$50.00	\$53.75
4	Carrying out Damage Investigations	Each	\$250.00	\$268.75

The services have been provided by USIC under this Contract have been performed in an effective and efficient manner. It is recommended that the Contract be extended for an additional period of one year at a total not to exceed cost of \$161,250.

The Treasurer has certified that sufficient funds are available in the 2023 Budget for this Contract. This Contract will be charged to Operating Account No. 02-60-400-633 (Transmission and Distribution: Mains and Valves Maintenance).

TREASURER'S CERTIFICATION

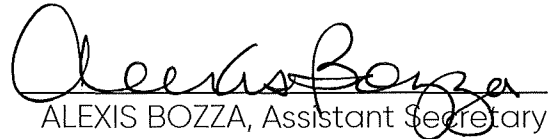
I hereby certify funds for payment of a contract with USIC Locating Services, LLC, for Underground Facilities Location Services are available in the 2023 Budget. The total maximum amount of this contract will not exceed \$161,250.00. This item will be charged to Account No. 02-60-400-633 (Transmission and Distribution: Mains and Valves Maintenance).

  
\_\_\_\_\_  
CHARLES MAGGIO, Treasurer

Dated: February 1, 2023

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on February 1, 2023, at a meeting duly convened of SMCMUA.

  
ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023





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Resolution No. 17-23

RESOLUTION APPOINTING REDACTOR PURSUANT TO DANIEL'S LAW

WHEREAS, the State of New Jersey adopted Daniel's Law (P.L. 2021, c. 371) in order to protect the personal information of active or retired judges, prosecutors, law enforcement officers, and their immediate family members; and

WHEREAS, the effective implementation of Daniel's Law requires The Southeast Morris County Municipal Utilities Authority ("SMCMUA") to appoint a Redactor to redact said personal information from SMCMUA's government records before making such records available to the public;


NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that Charles Maggio be and he is hereby appointed Redactor for SMCMUA pursuant to the provisions of Daniel's Law (P.L. 2021, c. 371) with all of the duties and responsibilities therein enumerated and provided by law; and

BE IT FURTHER RESOLVED that Laura Cummings be and she is hereby appointed Alternate Redactor with full power and authority to act in the capacity of the Redactor in Mr. Maggio's absence or other inability to serve.

ATTEST:

THE SOUTHEAST MORRIS COUNTY  
MUNICIPAL UTILITIES AUTHORITY

  
ALEXIS BOZZA, Assistant Secretary

  
MICHAEL CHUMER, PHD, Chairman

Dated: February 1, 2023

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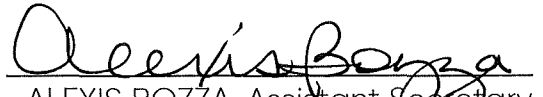
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ALEXIS BOZZA, Assistant Secretary

Dated: February 1, 2023