

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

MAY 24, 2023

The Regular Meeting of The Southeast Morris County Municipal Utilities Authority ("SMCMUA") was rescheduled from May 18, 2023, to and held on May 24, 2023, at 7:00 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 7:00 PM and read the attached statement of Public Notice (Sunshine Law) and caused same to be entered into the minutes of the meeting.

ROLL CALL

PRESENT: Chairman Chumer; Members Huber, Kiracofe, Marucci, Rotando and Webster [Member Rotando participated by telephone conference as permitted by the By Laws.]

ABSENT: None

Member Rotando acknowledged that he could hear the Chairman and other participants.

Also present were the following: Charles Maggio, Chief Financial Officer; Drew Saskowitz, Water Quality Superintendent; Sophia Dyer, Principal Engineer; Nick Buono, IT Director; Dave Jones, Operations Manager; Celenia Mercado, Operations Risk Manager; Ana Adame, Public Relations and Communications Administrative Specialist; Alexis Bozza, Executive Administrative Assistant; and David J. Ruitenber, Esq., General Counsel to SMCMUA.

PUBLIC DISCUSSION

Chairman Chumer stated the next portion of the meeting was set aside for public discussion.

Albert Capuzzi of Morris Plains addressed the Board regarding SMCMUA performing a partial galvanized replacement of its leaking service line at 101 Glenbrook Road. He requested that SMCMUA replace the entire service line. SMCMUA's position is that the property owner is responsible to pay for their connecting pipe replacement which can include reimbursement to SMCMUA for the replacement over a defined term. Mr. Capuzzi stated it seems unfair and unjust to require him to replace his line when it is the Authority's line that is leaking. Mr. Capuzzi added that SMCMUA may be elevating the lead levels by doing partial work at his home. He applauded utilities who do full replacements and asked why SMCMUA cannot. He continued that the law gives the Authority the ability to cover the costs through the entire rate base adding that there are improvements that SMCMUA makes which only benefit certain customers, but SMCMUA still

spreads the cost access off ratepayer. He asked the Members to reconsider the decision to require the individual homeowner to pay for their portion of the main replacement.

He then asked the Authority to schedule a replacement of the water main on his street which has observed six separate issues/breaks on a 0.1-mile stretch from Stiles to Central Avenue.

Mr. Capuzzi also asked when SMCMUA learned he had a galvanized service. He added that he did not receive any notification about the galvanized service and wanted to know if there was any reason he was not notified. He continued to ask if SMCMUA planned to send notifications to he and his neighbors regarding the galvanized services.

Based on other work in the vicinity of his home in Morris Plains and SMCMUA's records, Mr. Capuzzi asked if it was expected to be a lead gooseneck on its side of the service. He asked if SMCMUA can provide a kit for the lead solder testing for indoor plumbing.

Lastly, Mr. Capuzzi asked what the PFAS levels at his home were and in the system. He also wanted to know what the PFAS plan for current NJ regulation is and proposed federal regulations

Chairman Chumer thanked Mr. Capuzzi for bringing the matters and questions to the attention of the Board to review and discuss.

No other members of the public were present. The Chairman then closed the public portion of the meeting.

MOTION APPROVING MINUTES OF APRIL 20, 2023

Copies of the minutes of the meeting held on April 20, 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 Marucci seconded the motion which was duly adopted by the Members.

RESOLUTION APPROVING CLOSED SESSION MINUTES OF APRIL 20, 2023

Copies of the closed session minutes of the meeting held on April 20, 2023, were distributed to the Members prior to the meeting for review and comment. Member Webster moved to approve the closed session minutes and offered the following resolution:

RESOLUTION NO. 46-23

RESOLUTION APPROVING CLOSED SESSION MINUTES OF APRIL 20, 2023

"COPY ANNEXED"

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

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

NOES: None

COMMUNICATIONS

- A. April 20, 2023 – Copy of letter to the Morristown Unitarian Universalist Fellowship

RESOLUTION – APPROVAL OF MAY 2023 LIST OF BILLS

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

RESOLUTION NO. 47-23

RESOLUTION AUTHORIZING PAYMENT OF LIST OF BILLS FOR MAY 2023

“COPY ANNEXED”

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

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

NOES: None

OTHER BUSINESS

- A. Report of the Technology and Risk Management Committee

The Members reviewed a report of the Technology and Risk Management Committee from a meeting held on April 20, 2023, which was distributed to the Members prior to the meeting for review and comment. Mr. Kiracofe provided a summary of the report for discussion.

- B. Resolution Authorizing the Award of a Contract for Occupational Health and Safety Training and Related Services

The Authority has a need for occupational health and safety training and related services. Proposals were requested from four companies where one submitted. The proposal has been reviewed by the Authority’s Operations Risk Manager as set forth in a memorandum dated April 28, 2023, a copy of which was provided to the Members for review. The Authority’s Operations Risk Manager recommended that a two-year contract be awarded to Tri-State Safety Solutions (Tri-State) for a total not to exceed contract value of \$30,000. Tri-State 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 Huber moved and offered the following resolution:

RESOLUTION NO. 48-23

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR OCCUPATIONAL HEALTH AND SAFETY TRAINING AND RELATED SERVICES

“COPY ANNEXED”

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

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

NOES: None

- C. Resolution Authorizing the Award of a Professional Service Contract for Engineering Services in connection with Capital Improvements at the Clyde Potts Reservoir Dam

The Authority has a need for professional engineering services in connection with capital improvements at the Clyde Potts Reservoir Dam. French & Parrello Associates (FPA) submitted a proposal dated April 10, 2023, for the providing of such services. The proposal has been reviewed by the Authority’s Engineering Manager as set forth in a memorandum dated April 11, 2023, a copy of which was provided to the Members for review. The Authority’s Engineering Manager recommended that a professional service contract be awarded to FPA for a total not to exceed contract value of \$130,640. The contract is being awarded without public bidding as a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law (NJSA 40A:11-1 et seq.). FPA 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 there are sufficient funds available in the 2023 Budget. Member Huber moved and offered the following resolution:

RESOLUTION NO. 49-23

RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE CONTRACT FOR ENGINEERING SERVICES IN CONNECTION WITH CAPITAL IMPROVEMENTS AT THE CLYDE POTTS RESERVOIR DAM

"COPY ANNEXED"

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

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

NOES: None

D. Resolution Authorizing the Award of a Contract for the Bradford Estates Water Main Replacement Project

The Authority has advertised for and solicited bids for the project entitled Bradford Estates Water Main Replacement. Bids were submitted by fifteen contractors and opened on April 21, 2023, in accordance with law. The lowest bid for the project was submitted by Reivax Contracting (Reivax) in the amount of \$899,588.50. The low bid submitted by Reivax was reviewed for completeness of submission and accuracy by the Engineering Manager where no material deficiencies were found. It was determined that Reivax is the lowest responsive and responsible bidder in accordance with the recommendation made by the Engineering Manager dated May 9, 2023, a copy of which was reviewed by the Members. The Treasurer certified that funds are available for this project. Member Webster moved and offered the following resolution:

RESOLUTION NO. 50-23

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE BRADFORD ESTATES WATER MAIN REPLACEMENT PROJECT

"COPY ANNEXED"

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

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

NOES: None

E. Resolution Authorizing Use of Vendors under the Hunterdon County Educational Services Commission

The Authority is a participant in a Cooperative Pricing Agreement with the Hunterdon County Educational Services Commission Cooperative Pricing System ("HCESCCPS") and wishes to purchase certain items from authorized vendors under the HCESCCPS during the 2023 budget year. The purchase of work, materials and supplies through Cooperative Pricing Councils, such as the HCESCCPS, is authorized without additional advertising by the participants under the Local Public Contracts Law, NJSA 40A:11-11(5). The Treasurer certified the availability of funds needed

to purchase from the authorized vendors in the 2023 Budget. Member Huber moved and offered the following resolution:

RESOLUTION NO. 51-23

RESOLUTION AUTHORIZING USE OF VENDORS UNDER THE HUNTERDON COUNTY
EDUCATIONAL SERVICES COMMISSION

“COPY ANNEXED”

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

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

NOES: None

F. Resolution Authorizing Use of Vendor under the North Jersey Wastewater Cooperative Pricing System

The Authority is a participant in a Cooperative Pricing Agreement with the North Jersey Wastewater Cooperative Pricing System ("NJWCPS") and wishes to purchase certain items from an authorized vendor under the NJWCPS during the 2023 budget year. As previously mentioned, the purchase of work, materials and supplies through Cooperative Pricing Councils, such as the NJWCPS, is authorized without additional advertising by the participants under the Local Public Contracts Law, N.J.S.A. 40A:11-11(5). The Treasurer certified the availability of funds needed to purchase from the authorized vendors in the 2023 Budget. Member Huber moved and offered the following resolution:

RESOLUTION NO. 52-23

RESOLUTION AUTHORIZING USE OF VENDOR UNDER THE NORTH JERSEY WASTEWATER
COOPERATIVE PRICING SYSTEM

“COPY ANNEXED”

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

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

NOES: None

G. Resolution Authorizing Closed Session Discussions

Chairman Chumer stated that the following items 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 moved the following resolution:

RESOLUTION NO. 53-23

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSIONS

“COPY ANNEXED”

Resolved that discussion of:

1. Status of Tax Appeals
2. Shared Services Agreement Negotiations
3. Personnel Matter

be held in closed session pursuant to subsections 7 and 8 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 Webster seconded the motion which was duly adopted by the following vote:

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

NOES: None

The Chairman moved into closed session.

[CLOSED SESSION MEETING TO FOLLOW]

[RESUMPTION OF PUBLIC MEETING]

H. Resolution Authorizing the Execution of a Shared Services Agreement with the Borough of Morris Plains

The Borough of Morris Plains (the Borough) is currently prepared to award a contract in the amount of \$310,000.00 for the partial re-surfacing of Glenbrook Road and to supplement the funding of same with \$249,770.00 of grant funds obtained by the Borough from the New Jersey Department of Transportation (“NJDOT”). The Authority is currently intending to replace the

water main and service lines it operates within the Glenbrook Road right-of-way and has requested that the Borough delay proceeding with the award and the carrying out of the Borough's Glenbrook Road Project in order to permit the Authority to first carry out its intended water line replacement project. Both the Borough and the Authority agree that it is in their mutual best interest to permit the Authority's Water Line Replacement Project to proceed prior to the Borough's Glenbrook Road Resurfacing Project if adequate assurances of timing, coordination and indemnification can be agreed upon. SMCMUA and Morris Plains have arranged to enter into a proposed shared services agreement, a copy of which was reviewed by the Members, and reviewed and substantially approved by General Counsel. Member Huber moved and offered the following resolution:

RESOLUTION NO. 54-23

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF MORRIS PLAINS

"COPY ANNEXED"

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

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

NOES: None

I. Resolution Approving Release and Severance Agreement

The Members of the Board have determined it to be in the best interests of the Authority to authorize the execution of a proposed Release and Severance Agreement with Laura Cummings and to, in accordance with same, accept Ms. Cummings's resignation from the position of Executive Director to the Authority and to authorize such severance payment as agreed upon. The Treasurer certified that funds are available in the 2023 Budget. Member Huber moved and offered the following resolution:

RESOLUTION NO. 55-23

RESOLUTION APPROVING RELEASE AND SEVERANCE AGREEMENT

"COPY ANNEXED"

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

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

NOES: None

J. Resolution Appointing Acting Executive Director

The Members of the Board have determined it to be appropriate to designate a current member of the Authority's senior management team to serve as Acting Executive Director following recent personnel changes in order that such person serve in said capacity until such time as a permanent Executive Director may be either confirmed or appointed. The Chairman has consulted with the Authority Administration's senior management team and received that team's recommendation concerning same. The Board is in concurrence with said recommendation to designate Andrew Saskowitz to be the Acting Executive Director and Water Quality Superintendent of the Authority effective May 18, 2023, and that he serve in such dual capacity until such time as a permanent Executive Director may be either confirmed or otherwise appointed. Member Webster moved and offered the following resolution:

RESOLUTION NO. 56-23

RESOLUTION APPOINTING ACTING EXECUTIVE DIRECTOR

"COPY ANNEXED"

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

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

NOES: None

K. Resolution Authorizing Chief Financial Officer and/or Acting Executive Director to Execute Certain Contracts and Purchases for Goods and Services; and Certain Other Agreements Approved by the Chairman Delegating Authority to the Chief Financial Officer and/or Acting Executive Director to Approve and Sign Contracts

The Authority's by-laws permit the Members to authorize any officer, officers, agent or agents to execute contracts in the name of and on behalf of the Authority. The Members have determined it to be appropriate to authorize the Acting Executive Director or, in his absence or incapacity, the Chief Financial Officer to approve and execute certain contracts for the purchase of goods and/or services that do not exceed the sum of \$17,500; or which are procured pursuant to a fair and open process through cooperative purchasing programs approved by the State of New Jersey and do not exceed said amount; and other agreements or obligations approved by the Authority Board that do not exceed a total value or expense to the Authority of \$25,000. Member Webster moved and offered the following resolution:

RESOLUTION NO. 57-23

RESOLUTION AUTHORIZING CHIEF FINANCIAL OFFICER AND/OR ACTING EXECUTIVE DIRECTOR TO EXECUTE CERTAIN CONTRACTS AND PURCHASES FOR GOODS AND SERVICES; AND CERTAIN OTHER AGREEMENTS APPROVED BY THE CHAIRMAN DELEGATING AUTHORITY TO THE CHIEF FINANCIAL OFFICER AND/OR ACTING EXECUTIVE DIRECTOR TO APPROVE AND SIGN CONTRACTS

“COPY ANNEXED”

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

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

NOES: None

SUCH OTHER MATTERS TO LEGALLY COME BEFORE THE BOARD

1. 35 S. Jefferson, Whippany, NJ

Mr. Ruitenbergh recalled that Trevor Patterson from Newmark has been assisting the Authority with its search for a headquarters building in the event it is decided to not make improvements at 19 Saddle Road. Mr. Patterson has requested interest by the Authority on meeting with the owners of 35 South Jefferson Road. The owners would like to meet to discuss a possible price reduction, in addition to a possible lease with a right of first refusal. Mr. Ruitenbergh has informed Mr. Patterson that the Authority was going through an alternative analysis. Member Rotando stated he does not think the property is a match. Member Marucci stated that the Authority is not ready yet adding it has only just begun the alternative analysis process. Member Huber stated the Authority should exhaust every possibility first. Chairman Chumer concluded that the Members have determined that the Authority is not at that point. Mr. Ruitenbergh stated he would advise Mr. Patterson that the Members are not prepared to proceed at this point.

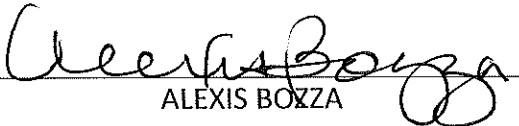
REPORTS

- A. Engineering Division – April 2023
- B. Finance Division – April 2023
 1. Human Resources – April 2023
- C. Information Technology – April 2023
- D. Operations Division – April 2023
- E. Operations Risk Management Division – April 2023
- F. Water Quality Division – April 2023

ADJOURNMENT

There being no further business, Member Webster moved that the meeting be adjourned. Member Huber seconded the motion which was duly adopted by the Members. The meeting adjourned at 8:18 PM.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA
Assistant Secretary

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 SMCMUA's regular meetings on the Bulletin Board at SMCMUA'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, 2023; and
2. By providing copies of the Annual Notice to 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, 2023; and
3. By providing copies of the Annual Notice for publication to the Daily Record, the Newark Star Ledger, and the Morris News Bee on February 3, 2023; and
4. Because this regular meeting was re-scheduled from the intended date of May 18, 2023, Notice of this new date and time was published as required by the Open Public Meetings Act.



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

Resolution No. 46-23

RESOLUTION APPROVING CLOSED SESSION MINUTES

RESOLVED that the attached minutes of the Closed Session Meeting held on April 20, 2023, 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


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

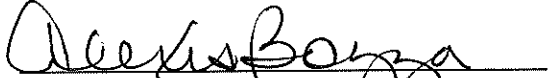
Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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Resolution No. 47-23

RESOLUTION AUTHORIZING PAYMENT OF MAY 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 | \$ | 376,409.77 |
| Total Operating Fund Checks and Wire Transfers | \$ | 505,907.94 |


CAPITAL FUND

| | | |
|--|-----------|---------------------|
| Total Capital Fund Expenditures | \$ | <u>219,120.10</u> |
| TOTAL OF MAY 2023 LIST OF BILLS | \$ | 1,101,437.81 |

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

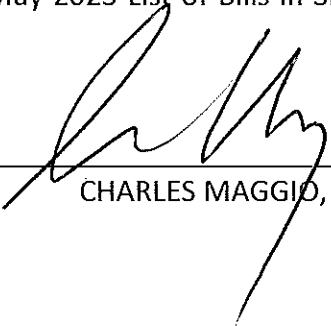
Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available (\$1,101,437.81) for payment of the resolution entitled Resolution Authorizing Payment of May 2023 List of Bills in SMCMUA's 2023 Budget.

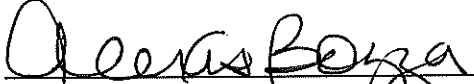


CHARLES MAGGIO, Treasurer

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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Resolution No. 48-23

RESOLUTION AUTHORIZING CONTRACT FOR OCCUPATIONAL HEALTH
AND SAFETY TRAINING AND RELATED SERVICES

WHEREAS, the Authority has a need for occupational health and safety training and related services; and

WHEREAS, proposals were requested from four companies where one submitted a proposal; and

WHEREAS, the proposal has been reviewed by the Authority’s Operations Risk Manager as set forth in a memorandum dated April 28, 2023, a copy of which memorandum is annexed hereto; and

WHEREAS, the Authority’s Operations Risk Manager has recommended that a two-year contract be awarded to Tri-State Safety Solutions (Tri-State) for its low responsive proposal for a total not to exceed contract value of \$30,000.00; and

WHEREAS, Tri-State 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:

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

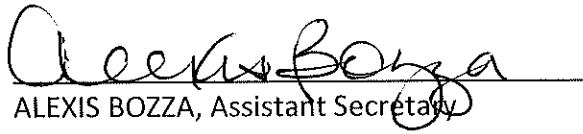
Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

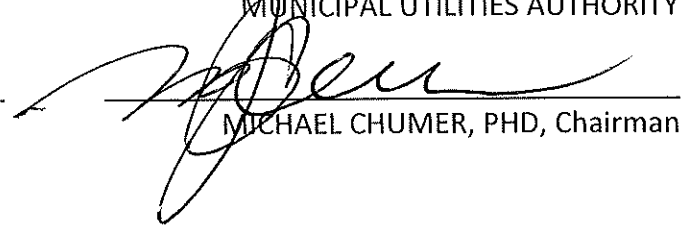
Chief Financial Officer: Charles Maggio, CMFO, QPA

1. That a two-year contract be awarded to Tri-State Safety Solutions for its low cost and responsive proposal in the amount of \$30,000.00 in connection with occupational health and safety training and related services.
2. That the appropriate officers of the Authority be and they are hereby authorized and directed to execute a contract with regard to said project on behalf of the Authority in the manner provided by law.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023



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MEMORANDUM

TO: SMCMUA Board

FROM: Celenia Mercado, Operations Risk Manager *CFM*

RE: Occupational Health and Safety Training and Related Services
Recommendation of Award

DATE: April 28, 2023

CC: Andrew Saskowitz, Water Quality Superintendent
Charles Maggio, C.M.F.O., Q.P.A., Chief Financial Officer
Alexis Bozza, Executive Administrative Assistant

On March 15, 2023, four (4) training providers were issued Requests for Proposals for Occupational Health and Safety Training and Related Services. One (1) proposal was received on April 26, 2023, from Tri-State Safety Solutions. The proposed professional services will be provided on a time-and-material contract basis.

Service Scope

The scope of services includes the delivery of occupational safety and health training to SMCMUA employees and related consulting services as needed. This will involve a customized training curriculum and classroom delivery of various initial and refresher level courses to comply with relevant standards, policies, and procedures.

Proposal Review and Recommendation for Award

The Operations Risk Management Division recommends that Tri-State Safety Solutions be awarded the contract for Occupational Health and Safety Training and Related Services for a period of two years, with a time-and-material budget not to exceed \$30,000. Sufficient funds are available in the 2023 budget for the portion of

the contract to be expended in that year, with funding for 2024 subject to budget allocation. Table 1 provides a summary of the accounts to be charged for this contract.

Table 1
Account Allocation

| Description | Budget Account No. | Budget Account Name | Year | Total |
|--|--------------------|----------------------|------|----------|
| Occupational Health and Safety Training & Related Services | 02-40-525-624 | HSS: Safety Training | 2023 | \$15,000 |
| Occupational Health and Safety Training & Related Services | 02-40-525-624 | HSS: Safety Training | 2024 | 15,000 |
| Total | | | | \$30,000 |

Tri-State Safety Solutions has established a proven track record of providing the requested health and safety training and onsite safety consulting services for the SMCMUA in the previous years. Anthony Morreale, Co-Owner and Senior Instructor, has demonstrated extensive knowledge and technical experience in the field, making him an ideal choice for this service. His hands-on experience and knowledge in the field separate him from the typical training providers and have earned him the esteem of SMCMUA employees.

TREASURER'S CERTIFICATION

I hereby certify that sufficient funds are available for a contract with Tri-State Safety Solutions for occupational health and safety training and related services as follows:

1. In 2023, funds are available in the amount of \$15,000.00; and
2. In 2024, funds will be available in the amount of \$15,000.00; subject to the approval of the 2024 Budget.

The total maximum amount of this contract will not exceed \$30,000.00. The services will be charged to Account No. 02-40-525-624.

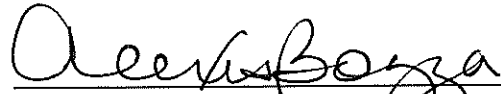


CHARLES MAGGIO, Treasurer

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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

Resolution No. 49-23

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE CONTRACT
FOR ENGINEERING SERVICES IN CONNECTION WITH
CAPITAL IMPROVEMENTS AT THE CLYDE POTTS RESERVOIR DAM

WHEREAS, the Authority has a need for professional engineering services in connection with capital improvements at the Clyde Potts Reservoir Dam; and

WHEREAS, French & Parrello Associates has submitted a proposal dated April 10, 2023, for the providing of such services at an estimated maximum amount of \$130,640.00; a copy of which proposal is annexed hereto as Exhibit "A"; and

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

WHEREAS, French & Parrello Associates 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, the Treasurer has certified that there are sufficient funds available in the 2023 Budget; and

WHEREAS, the Local Public Contracts Law (NJSA 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;

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

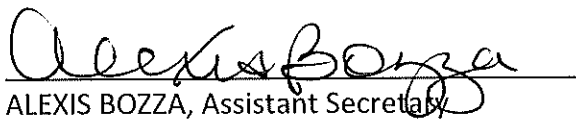
Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA

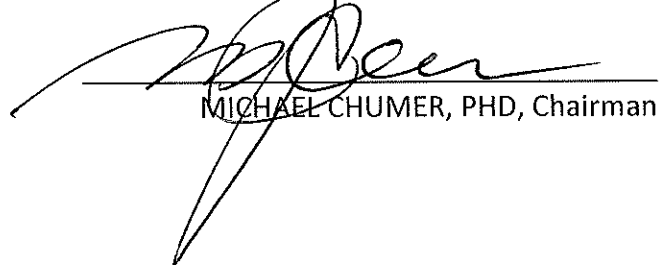
NOW THEREFORE BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

1. That a professional service contract be awarded to French & Parrello Associates for professional engineering services in connection with capital improvements at the Clyde Potts Reservoir Dam in the not to exceed amount of \$130,640.00;
2. The Acting Executive Director be and is hereby authorized and directed to execute a Professional Service Contract on behalf of the Authority.
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 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


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023



1800 Route 34, Suite 101
Wall Township, New Jersey 07719
T: 732.312.9800
F: 732.312.9801
fpaengineers.com

April 10, 2023
Sent via email: sdyer@smcmua.org

Sophia Dyer, PE
The Southeast Morris County
Municipal Utilities Authority
19 Saddle Road
Cedar Knolls, NJ 07927

Re: Proposal for 2023 Dam Safety Projects
Clyde Potts Reservoir Dam, NJ Dam File No. 25-104
Township of Mendham, Morris County, New Jersey
FPA No. 7875.010P2

Dear Ms. Dyer:

French & Parrello Associates, PA (FPA) is pleased to present this Technical and Cost proposal to The Southeast Morris County Municipal Utilities Authority (SMCMUA) for engineering services associated with support in conducting the 2023 Dam Safety Projects for the Clyde Potts Reservoir Dam.

PROJECT UNDERSTANDING

The Clyde Potts Reservoir Dam is a large, high hazard dam. The New Jersey Dam Safety Standards, NJAC 7:20 require an annual safety inspection for large dams. Additionally, the NJDEP requires periodic exercise of the dam's Emergency Action Plan. The SMCMUA also desires that their operations staff receives training in the operation and maintenance of the dam. FPA is providing this proposal to complete these tasks as requested by the Authority.

PROJECT TEAM

The project team for this assignment will consist of FPA personnel who are experienced with dam engineering and construction. John Ritchey, PE will lead the effort on these tasks. Mr. Ritchey has over 37 years of dam safety experience and was involved in the design and construction of the rehabilitation of the Clyde Potts Dam.



SCOPE OF SERVICES

TASK 1 – FORMAL INSPECTION WITH UNDERWATER INSPECTION

Task 1.1 – Formal Inspection

A Formal Dam Inspection will be conducted of the Clyde Potts Reservoir Dam. Per the New Jersey Dam Safety Standards (N.J.A.C. 7:20), “Formal Inspection” is defined as follows:

The visual inspection of a dam by a qualified, New Jersey licensed professional engineer to detect any signs of deterioration in material, developing weaknesses or unsafe hydraulic or structural behavior; to reevaluate the safety and integrity of the dam and appurtenant structures to determine if the structure meets current design criteria, including a review of the records on project design, construction and performance. For Class I and Class II dams, the availability of a Department approved Emergency Action Plan (EAP) should be confirmed and its adequacy determined. All addresses, e-mail, and phone numbers contained within the EAP must be verified, such that it is known whether they are current. (Inspection reports will be deemed incomplete without this information.) For all dams, the availability of a Department approved Operation and Maintenance (O&M) Manual should be confirmed and its adequacy determined. All instrumentation data should be reviewed and evaluated.

Clyde Potts Reservoir dam is classified as a high hazard – large dam. Formal inspections of large dams (>70’ in height or >10,000 ac-ft storage) are required every three (3) years per the New Jersey Dam Safety Standards. To complete the formal inspection FPA shall complete the following:

- Interface with the SMCMUA and NJDEP Dam Safety to assess the availability of existing inspection reports, previous design and construction documents, instrumentation data, EAP and O&M Manuals and to coordinate our field inspections and the operation of valves, gates and other equipment.
- The visual inspection of the dam by a qualified, New Jersey licensed professional engineer to detect any signs of deterioration in material, developing weaknesses or unsafe hydraulic or structural behavior. The visual inspection of the dam will be in accordance with the NJDEP Bureau of Dam Safety (Bureau) guidelines to identify any deficiencies. The inspection will focus on the condition of the dam, the appurtenant structures/features, spillways and downstream channel (deterioration, structural distress, dislocation, evidence of animal burrows, erosion, scour, excessive seepage, etc.). The inspection will be documented with recorded notes, field sketches and photographs. Bureau standards require that the inspection of a large dam be attended by a professional engineer assigned from the Department. FPA will coordinate with the Bureau and SMCMUA in scheduling the inspection.
- Evaluation of the operation of all valves, gates, electronic and mechanical equipment as appropriate.
- FPA will review all available records on the project design, construction and performance including previous inspection reports and instrumentation data (when available). FPA will perform these reviews giving full consideration to current dam safety criteria and design practices. If the current dam is found to be deficient with respect to any dam safety design criteria, FPA will identify the deficiency and make recommendations for further detailed evaluation.
- Completion of the Visual Inspection Checklist.
- The adequacy of the Emergency Action Plan will be determined. All addresses, e-mail, and phone numbers contained within the Emergency Action Plan will be verified, such that it is known whether they are



current. Any necessary updates to contacts identified within the Emergency Action Plans will be made by FPA and submitted to the Bureau for approval with the Final Inspection Reports.

- The adequacy of the O&M Manual will be determined. Any available instrumentation data will be reviewed and evaluated.
- Submission of Draft Report to the SMCMUA and modification of report per comments by the SMCMUA.
- Submission of Final Report to the Bureau.

Task 1.2 – Underwater Inspection

FPA will subcontract with Coastal Engineering, LLC to perform an underwater inspection of the upstream face of the dam embankment, the exterior of the intake tower, the interior of the two wet wells, and confined space inspection of the interior of the two dry wells including the four valves. Inspection of the valves will include installation of a temporary bulkhead on the 18" LLO and operation of the four valves. The work shall be performed in accordance with OSHA regulations for non-decompression diving using commercially trained and qualified diving personnel, diving life support and equipment as required. The inspection shall include all underwater areas accessible by the diver. The inspection shall include measurements and location of defects and video recording. The diver will prepare a report with a summary of findings, photos and repair recommendations.

TASK 2– OPERATION AND MAINTENANCE AUDIT AND REVISIONS

FPA will complete an audit of the Authority's operation and maintenance practices regarding the Clyde Potts Reservoir Dam. Our objective will be primarily focused on assessing whether the Operations and Maintenance (O&M) Program is meeting the Authority's dam safety objectives.

Task 2.1 – Plan Review/Audit

We will review the existing Operation and Maintenance Manual to obtain an understanding of the expectations of the original plan. We will further obtain an understanding of the Authority's annual maintenance program by interviewing SMCMUA staff as necessary. We will determine from the review and interviews if the existing manual addresses all operational aspects of the dam. We will gain an understanding of whether SMCMUA staff maintains the structures in accordance with the frequencies specified in the Manual and whether maintenance activities are adequately documented.

Task 2.2 – Operation and Maintenance Manual Update

Based on the findings of the audit, FPA will revise the Operation and Maintenance Plan to update procedures, guidance, and standard forms for the normal operation, maintenance, monitoring, and inspection of the dam and to ensure adherence to operating procedures over long periods of time and during changes in operating personnel. The instructions will permit personnel, knowledgeable in reservoir operations but unfamiliar with the conditions at a particular dam, to operate the dam and reservoir at times when regular operating personnel cannot perform their normal duties. FPA will prepare an electronic version of the revised O&M Manual. We will deliver a draft revised O&M Manual to the Authority for review and comment and will address any comments by the Authority to prepare a final deliverable.



TASK 3 – HYDROLOGIC AND HYDRAULIC EVALUATION

A 2016 hydrologic and hydraulic analysis of the dam utilized updated rainfall and hydrologic methodology to evaluate the dam under the current NJDEP spillway capacity requirements. This study found that the Clyde Potts Reservoir Dam is not capable of passing the updated Probable Maximum Precipitation (PMP) storm event, which would result in an overtopping of the dam. Subsequently, the 2017 Formal Inspection Report by Civil Dynamics recommended the development of a long-term plan to address the inadequate spillway capacity.

Since the 2016 study, the NJDEP has engaged in a statewide study to reevaluate the PMP rainfall. This study may produce higher or lower rainfall amounts and could have a significant impact on the recommended planning for the dam. In the 2020, Formal Inspection Report by French and Parrello Associates, it was recommended (and discussed with NJDEP) that any further consideration to the spillway capacity issue be delayed until the findings of the NJDEP reevaluation become available. NJDEP has completed the statewide study.

Task 3.1 – Reevaluation of Hydrology and Hydraulics at Dam (Spillway Capacity)

FPA will utilize the updated rainfall amounts for the PMP and complete a hydrologic and hydraulic model of the watershed and the dam to determine if the dam in its current configuration can safely pass the PMP storm event.

The H&H analysis will be performed using the Army Corps of Engineers (USACE) HEC-HMS computer program to determine the inflow to the impoundment. For rainfall runoff calculations, the Natural Resources Conservation Service (NRCS) dimensionless unit hydrograph method will be utilized, which is based on physical site characteristics. Curve Numbers and Lag Times will be determined for each of the sub basins within the watershed for the impoundment. We will use the NJDEP's updated precipitation estimates to develop the Probable Maximum Flood (PMF). FPA will determine the inflow for the full PMF and route the event through the existing dam to determine the peak water surface elevation. The drainage basin will be examined by experienced project team members to gather supplemental data or corroborate existing data, as deemed appropriate. This reconnaissance will evaluate:

- Hydrologic parameters within the watershed affecting infiltration and runoff including:
 - a. Drainage area size;
 - b. Rainfall and runoff data;
 - c. Drainage Basin characteristics;
 - d. Soils and geologic engineering criteria;
 - e. Reservoir inflow hydrographs;
- Hydraulic conditions affecting spillway performance including:
 - a. Reservoir area-capacity-elevation data;
 - b. Spillway elevation-discharge data; and
 - c. Reservoir Flood Routings
- Dimensions of hydraulic components at the dam;

FPA will provide mapping of the drainage basin featuring limits of the drainage basin sub-areas, soil types and classifications, land uses cover, and assumed runoff paths from the most hydraulically distant points. The maps will be in an ArcView compatible format including CADD (.dwg and .dxf formats) and ArcView shape (.shp) format.



The files will be georeferenced utilizing the NJ State plane coordinates in North America Datum 1983 (NAD83). The base map shall be the 1995 orthophotos 1:12000 JPEG or more current acceptable to the Authority.

Based upon the findings of the evaluation, FPA will make a recommendation for the next steps that the Authority should consider regarding the spillway capacity issue. This recommendation may include no action, modification of the dam, or consideration to a site specific PMP study.

Task 3.2 – Reevaluation of Dam Breach and Updated Inundation Maps

FPA will complete a dam breach analysis and hydraulic routing of breach flows utilizing computer modeling programs best suited for the optimal results based upon flood plain characteristics. Typical modeling programs include the US Army Corp of Engineer’s HEC-1, HEC-HMS and HEC-RAS programs. Either an unsteady HEC-RAS or a 2-D HEC-RAS model will be completed. Modeling procedures will be coordinated with NJDEP Bureau of Dam Safety prior to initiation of the evaluation.

Dam breach inundation maps will be developed in accordance with NJDEP requirements. The mapping will include inundation limits for the Sunny Day dam failure and the Spillway Design Flood (Probable Maximum Flood) with failure events.

In developing our fee estimate for the preparation of new inundation maps based on new breach analyses we have assumed that available LIDAR data will be sufficient for downstream routing and existing survey information available for the dam will be sufficient for embankment geometry. Our Fee Proposal does not include field or aerial surveying. FPA has in-house surveying capability and we will provide a proposal for these services if required.

TASK 4 – SAFETY UPGRADES/TOWER IMPROVEMENTS

Recent inspection of the dam has identified various issues regarding the safety and condition of the intake tower structure. It has been recommended that the access hatches be replaced with new, locking hatches and that safety railing be incorporated to protect personnel. Additionally, the underwater inspection performed by JMT dated August 2019 recommended that a spalled construction joint located 16 foot below the top of the intake structure be repaired on both the interior and exterior faces of the structure. The underwater inspection recommended the installation of a trash rack on the intake of the 18” low level outlet pipe and also recommended that abandoned bubbler tubing that is located directly upstream of the structure be removed to eliminate the risk of obstructing the sluice gates. It is recommended that the active bubbler tubing be reconfigured to prevent potential obstruction of the gates.

Task 4.1 – Data Collection and Site Visit

FPA will obtain and review available information regarding the intake tower design and construction as available to aid in the design of the improvements. We will obtain and review past inspections of the structure. Our engineers will visit the site to gather information, dimensions and details of the structure as necessary.

Task 4.2 – Access Hatch with Safety Railing Design

FPA will identify and design replacement hatches to replace the four existing access hatches on the intake structure and the two existing fish screen hatches. Safety railing around the intake tower will be designed for



replacement. Access hatches and safety rails will be designed to meet all requirements per OSHA and relevant IBC criteria.

Task 4.3 –Concrete Repair

FPA will investigate and determine an appropriate repair of the identified concrete deterioration throughout the intake structure including the deteriorated construction joint located approximately 16 feet below the top of the intake structure, and all deterioration located on the interior and exterior surfaces of the structure.

Task 4.4 –Gate and Valve Improvements

FPA will investigate and design the installation of valve stems, stem guides and operators for the four valves (two 12” and two 18”) located in the dry wells of the intake tower. We will specify the cleaning and painting of the exposed piping and valve housings in the dry wells. We will specify the cleaning and painting of the operators for the six sluice gate operators.

Task 4.5 – 18” LLO Trash Rack Design

FPA will design an appropriate trash rack for installation on the inlet end of the 18” low level outlet pipe. The rack will be designed to be structurally stable under anticipated loadings conditions.

Task 4.6 – Removal of Abandoned Bubbler Tubing and Reconfiguration of Active Bubbler Tubing

FPA will provide specifications for identifying active and abandoned bubbler tubing. The specifications will include the removal of abandoned tubing. Various details as necessary will be provided for the reconfiguration and anchoring of the remaining active bubbler tubing in a manner which will not have the potential for entanglement with the sluice gates.

Task 4.7 – Preparation of Plans and Specifications

FPA will prepare bid-ready plans and specifications necessary to accomplish the work identified in this task. Plans prepared by FPA will be signed and sealed by a Professional Engineer licensed in the State of New Jersey. The Contract Drawings will be developed using AutoCAD. FPA will prepare construction specifications for the project. The specifications will address the construction materials, allowable tolerances, applicable methods of placement, fabrication or construction, and quality control and quality assurance aspects of the work to be completed. Measurement and Payment items of the Specification will be based on unit price and lump sum pricing terms, as appropriate.

Measurement and payment items of the specification sections shall be based on the contractor performing the work on a unit price and lump sum basis as appropriate. An engineer’s cost estimate and construction schedule shall be provided along with the plans and specifications.

Copies of the construction Plans, Technical Specifications and Final Design Report shall be submitted for review to the Authority at approximately 65%, and 100% completion. After addressing comments from the pre-final submission, the final contract documents shall be provided to the Authority.



Task 4.8 – Permitting/Approval

All work associated with the tower improvements will be under the jurisdiction of the NJDEP Bureau of Dam Safety. FPA will pursue authorization from the Bureau to proceed with the work. FPA will provide the Bureau with the plans and specifications as prepared in Task 5.5 above for review. Authorization from the Bureau will likely be in the form of an acknowledgement letter, however, FPA will prepare a permit application for submission to the Bureau if required by the Bureau.

Task 5 – OBSERVATION WELL MAINTENANCE

Task 5.1 – Preparation of Specification

FPA will prepare specifications for the redevelopment of observation wells P-4 and P-7. We will assist the Authority in identifying contractors capable of performing the well maintenance. It is assumed that the SMCMUA will bid the project or contract directly with a contractor to complete the work and that FPA is not providing any bid services under this scope of services.

Task 5.2 – Contractor Oversight and Report

FPA will provide on-site observation of the contractor's activities to assure conformance with the project specification. We will prepare a final report documenting the contractor's operations and report on any findings from the operation.

Task 6 – ALLOWANCE

FPA will perform if and where dam safety services based on our current fee schedule on a time and material basis as requested the Authority.

SCHEDULE & FEE

Assuming a June 1, 2023 start date, we propose to proceed immediately with Tasks 1 through 4. We anticipate that Task 1 Formal Dam Safety and Underwater Inspection can be completed within four months with a final deliverable of the report to the NJDEP by October 15, 2023. The O&M Audit/Revisions can run concurrently with the inspection task with the delivery of an updated O&M to the Authority by October 15, 2023. Additionally, the Hydrologic and Hydraulic Reevaluation and Intake Tower Improvements also can be advanced concurrently with Tasks 1 and 2. We anticipate that we can deliver a final H&H report and Intake Tower Improvement Plans to the Authority for review by November 30th with delivery of the H&H report, updated inundation mapping, and tower improvement plans to the NJDEP upon acceptance of the report by the Authority. We will prepare the well maintenance specification and submit it to the Authority by July 15, 2023. FPA will work with the Authority and the selected contractor to advance the maintenance work in a timely manner.



We propose to perform the above Scope of Services for Tasks 1 through 4 for a **Lump Sum Fee of \$120,640.00**. The Lump Sum Fee includes all reimbursable expenses including travel and reproduction. We propose to perform the above Scope of Services for Task 5 as a **Time and Material, Not to Exceed Fee of \$5,000.00**. A breakdown of the fees are provided by Task below:

| | |
|---|---------------------|
| Task 1 2023 Formal Dam Safety and Underwater Inspection | \$28,295.00 |
| Task 2 O&M Audit/Revisions | \$8,075.00 |
| Task 3 Hydrologic and Hydraulic Reevaluation | \$36,420.00 |
| Task 4 Intake Tower Improvements | <u>\$47,850.00</u> |
| Lump Sum Total | \$120,640.00 |
| | |
| Task 5 Observation Well Maintenance | <u>\$5,000.00</u> |
| Time and Material, Not to Exceed Total | \$5,000.00 |
| | |
| Task 6 Allowance | <u>\$5,000.00</u> |
| Time and Material Total | \$5,000.00 |

This fee is for the specific scope of services detailed in the Scope of Services Section of this Proposal. The fee for additional work or for work requested beyond the scope of services included herein will be based on our standard hourly rates and fees attached (2023 Schedule of Fees attached). Additional work will only be performed upon written consent of SMCMUA. This consent will include a written description of the additional scope of work, a clear budget and an estimated schedule for completion.

Man-hours, dollar amounts per task/phase, subcontractors'/consultant costs, permits included and their respective fee are included on the attached sheets.

CLOSING

We are prepared to start this scope upon your authorization. With the completion of the task associated with this proposal, we would anticipate future work as follows:

- Stilling Basin Sediment Removal and Chute Spillway Improvements.
- Safety Upgrades and Improvements to the Intake Tower.
- Future work as dictated by the findings of the Hydrologic and Hydraulic Evaluation.
- Monitoring Survey (survey to establish baseline for future monitoring).
- Internal drainage rehabilitation.



We thank you for the opportunity to submit this proposal and look forward to being of service to the SMCMUA on this project.

Respectfully submitted;

FRENCH & PARRELLO ASSOCIATES, PA

A handwritten signature in blue ink that reads "John C. Ritchey". The signature is written in a cursive style.

John C. Ritchey, PE
Project Consultant



2023 Schedule of Fees

| | |
|--|--------------|
| Senior Project Consultant | \$240.00/hr. |
| Project Consultant..... | \$215.00/hr. |
| Senior Project Manager | \$200.00/hr. |
| Project Manager..... | \$185.00/hr. |
| Senior Engineer | \$175.00/hr. |
| Project Engineer..... | \$150.00/hr. |
| Senior Staff Engineer..... | \$125.00/hr. |
| Staff Engineer | \$110.00/hr. |
| Licensed Site Remediation Professional (LSRP)..... | \$200.00/hr. |
| Professional Geologist..... | \$150.00/hr. |
| Senior Environmental Specialist..... | \$150.00/hr. |
| Senior Environmental Scientist..... | \$145.00/hr. |
| Environmental Project Coordinator..... | \$140.00/hr. |
| Environmental Engineer..... | \$120.00/hr. |
| Environmental Scientist | \$115.00/hr. |
| Environmental Permitting Assistant | \$105.00/hr. |
| Environmental Technician | \$100.00/hr. |
| Licensed Landscape Architect..... | \$170.00/hr. |
| Landscape Designer | \$115.00/hr. |
| Professional Planner..... | \$150.00/hr. |
| Professional Land Surveyor..... | \$200.00/hr. |
| Senior Designer | \$145.00/hr. |
| Designer | \$130.00/hr. |
| Senior Drafter | \$115.00/hr. |
| Drafter | \$105.00/hr. |
| Technical Coordinator | \$95.00/hr. |
| Survey Party Chief | \$140.00/hr. |
| Senior Survey Technician | \$125.00/hr. |
| Survey Technician..... | \$105.00/hr. |
| Survey Field Crew (two person)..... | \$245.00/hr. |
| Survey Field Crew Robotic (1 person)..... | \$205.00/hr. |
| Lab Supervisor | \$120.00/hr. |
| Resident Engineer | \$135.00/hr. |
| Senior Field Representative | \$100.00/hr. |
| Field Representative..... | \$95.00/hr. |
| Field Technician..... | \$85.00/hr. |
| Staff Professional | \$70.00/hr. |
| Technical Assistant | \$85.00/hr. |
| Administrative Services..... | \$70.00/hr. |

Project: Capital Improvements at Clyde Potts Reservoir Dam (2023)
Professional Services Fees

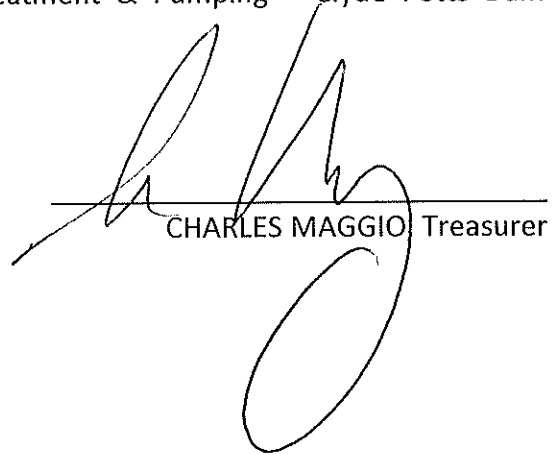


PROPOSAL NO: 7875.PR10P2
DATE: April 3, 2023
CONSULTANT: French & Parrello Associates
CLIENT: The Southeast Morris County MUA

| TASK | DESCRIPTION | Project Consultant | Sr. Project Manager | Project Engineer | Sr. Staff Engineer | SR. Designer | Admin. | Expenses | TOTAL Hours | TOTAL Cost |
|------|---|--------------------|---------------------|------------------|--------------------|--------------|-----------|--------------|-------------|--------------|
| | Hourly Rates | \$ 215.00 | \$ 200.00 | \$ 150.00 | \$ 125.00 | \$ 110.00 | \$ 70.00 | | | |
| 1 | Formal Inspection with Underwater Inspection of Tower | | | | | | | | | |
| | 1.1 Formal Inspection | 7 | | 7 | 35 | | 2 | | 51 | \$ 7,070.00 |
| | 1.2 Underwater Inspection w/ report | | 2 | | 1 | | | \$ 20,700.00 | 3 | \$ 21,225.00 |
| | Task 1 Total Hours: | 7 | 2 | 7 | 36 | 0 | 2 | | 54 | |
| | Task 1 Subtotal Cost: | \$ 1,505.00 | \$ 400.00 | \$ 1,050.00 | \$ 4,500.00 | \$ - | \$ 140.00 | \$ 20,700.00 | | \$ 28,295.00 |
| 2 | O&M Audit/Revisions | | | | | | | | | |
| | 2.1 Plan Review/Interviews | 2 | | 16 | | | | | 18 | \$ 2,830.00 |
| | 2.2 O&M Revision | 3 | 2 | 8 | 24 | | | | 37 | \$ 5,245.00 |
| | Task 2 Total Hours: | 5 | 2 | 24 | 24 | 0 | 0 | | 55 | |
| | Task 2 Subtotal Cost: | \$ 1,075.00 | \$ 400.00 | \$ 3,600.00 | \$ 3,000.00 | \$ - | \$ - | \$ - | | \$ 8,075.00 |
| 3 | Hydrologic and Hydraulic Evaluation | | | | | | | | | |
| | 3.1 Reevaluation of H&H | 4 | 4 | 12 | 60 | | 2 | | 82 | \$ 11,100.00 |
| | 3.2 Dam Breach Analysis and Inundation Maps | 12 | 8 | 40 | 120 | | 2 | | 182 | \$ 25,320.00 |
| | Task 3 Total Hours: | 16 | 12 | 52 | 180 | 0 | 4 | | 264 | |
| | Task 3 Subtotal Cost: | \$ 3,440.00 | \$ 2,400.00 | \$ 7,800.00 | \$ 22,500.00 | \$ - | \$ 280.00 | \$ - | | \$ 36,420.00 |
| 4 | Safety Upgrades/Tower Improvments | | | | | | | | | |
| | 4.1 Data Collection and Site Visit | 4 | 8 | 8 | 4 | | | | | \$ 4,160.00 |
| | 4.2 Access Hatch and Safety Railing Design | 6 | | 16 | 4 | 24 | | | | \$ 6,830.00 |
| | 4.3 Concrete Repair | 12 | | 32 | 6 | 40 | | | | \$ 12,530.00 |
| | 4.4 Gate and Valve improvements | | 8 | 16 | 4 | 16 | | | | \$ 6,260.00 |
| | 4.5 18" LLO Trash Rack Design | 8 | 8 | 16 | 4 | 16 | | | | \$ 7,980.00 |
| | 4.6 Removal of Abandoned Bubbler Tubing | 2 | | | 4 | | | | | \$ 930.00 |
| | 4.7 Plans And Specifications | 12 | 8 | | 8 | | 8 | | | \$ 5,740.00 |
| | 4.8 Permitting and Approval | 8 | 6 | | 4 | | | | | \$ 3,420.00 |
| | Task 4 Total Hours: | 52 | 38 | 88 | 38 | 96 | 8 | | 320 | |
| | Task 4 Subtotal Cost: | \$ 11,180.00 | \$ 7,600.00 | \$ 13,200.00 | \$ 4,750.00 | \$ 10,560.00 | \$ 560.00 | \$ - | | \$ 47,850.00 |
| 5 | Improvement of Monitoring of Observation Wells | | | | | | | | | |
| | 5.1 Specificalton Preparation | 2 | 2 | 4 | | | | | 8 | \$ 1,430.00 |
| | 5.2 Construction Oversight and Report | 2 | 1 | | 20 | | 2 | | 25 | \$ 3,270.00 |
| | Direct (mileage) | | | | | | | \$ 300.00 | | |
| | Task 5 Total Hours: | 4 | 3 | 4 | 20 | 0 | 2 | | 33 | |
| | Task 5 Subtotal Cost: | \$ 860.00 | \$ 600.00 | \$ 600.00 | \$ 2,500.00 | \$ - | \$ 140.00 | \$ 300.00 | | \$ 5,000.00 |

TREASURER'S CERTIFICATION

I certify that there are sufficient funds available (\$130,640.00) for payment of a professional service contract with French & Parrello Associates for professional engineering services in connection with capital improvements at the Clyde Potts Reservoir Dam. This item will be charged to Account No. 02-00-500-497 (Treatment & Pumping – Clyde Potts Dam Reservoir Improvements).




CHARLES MAGGIO Treasurer

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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

Resolution No. 50-23

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
THE BRADFORD ESTATES WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Authority has advertised for and solicited bids for the project entitled Bradford Estates Water Main Replacement; and

WHEREAS, bids were submitted by fifteen contractors and opened on April 21, 2023, in accordance with law; and

WHEREAS, the lowest bid for the project was submitted by Reivax Contracting in the amount of \$899,588.50; and

WHEREAS, the low bid submitted by Reivax Contracting was reviewed for completeness of submission and accuracy by the Engineering Manager; and

WHEREAS, no material deficiencies were found by the Engineering Manager in her review of the bid package submitted by Reivax Contracting; and

WHEREAS, the Members of the Authority have determined that Reivax Contracting is the lowest responsive and responsible bidder in accordance with the recommendation made by the Engineering Manager dated May 9, 2023 attached as Exhibit "A", and in accordance with the provisions of the Local Public Contracts Law (NJSA 40:11-1 et seq.); and

WHEREAS, the Treasurer has certified that funds are available for this project.

NOW THEREFORE BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority, that the contract for the project entitled Bradford Estates Water Main Replacement be and the same is hereby awarded to Reivax Contracting in accordance with its bid submitted on April 21, 2023, in the amount of \$899,588.50; and

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA


BE IT FURTHER RESOLVED that the appropriate officers of the Authority be and they are hereby authorized and directed to execute appropriate contracts with regard to said project on behalf of the Authority in the manner prescribed by law.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



ALEXIS BOZZA, Assistant Secretary



MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023



MEMORANDUM

TO: SMCMUA Board

FROM: Sophia (Heng) Dyer, PE, Engineering Manager

RE: Recommendation of Award
Bradford Estates Water Main Replacement

DATE: May 9, 2023

CC: Andrew Saskowitz, LOR, Functional Appointee of Operations
Charles Maggio, CMFO, QPA, Chief Financial Officer
Alexis Bozza, QPA, Executive Administrative Assistant

Fifteen (15) bids were received on April 21, 2023, for Bradford Estates Water Main Replacement project.

Project Scope

The Bradford Estates Water Main Replacement Project includes replacing approximately 4,600 linear feet of 8-inch ductile iron pipe, associated service lines, hydrants and appurtenances on Colonel Evans Drive and Lord William Penn Drive in Morris Township.

Project Drivers

Existing condition of 8-inch cast iron pipe is beyond useful life.

Proposal Review and Recommendation for Award

Table 1 provides a comparison of the received bids.

**Table 1
Proposal Summary**

| Company | Total |
|---|----------------|
| REIVAX CONTRACTING CORP. | \$899,588.50 |
| PM Construction Corp. | \$1,104,990.00 |
| JVS Industrial & Commercial Contractors, Inc. | \$1,184,500.83 |
| Grade Construction | \$1,194,145.32 |
| DUMOR Contracting Inc. | \$1,244,429.00 |
| MSP Construction Corp. | \$1,247,351.00 |
| Shauger Property Services, Inc. | \$1,430,560.00 |
| Underground Utilities, Corp. | \$1,439,300.00 |
| Kolpeksa Land Imp Corp. | \$1,456,789.00 |
| John Garcia Construction Co. Inc. | \$1,528,322.20 |
| Regal Utility Services Inc. | \$1,603,819.26 |
| SPINIELLO Companies | \$1,923,300.00 |
| Pact One LLC | \$2,290,600.00 |
| Colonnelli Brothers, Inc. | \$2,385,200.00 |
| IEW Construction Group | \$3,550,200.00 |

The bid submitted by REIVAX CONTRACTING CORP was the lowest and most responsive to the requested scope of services at a total cost of \$899,588.50. Based on review of the bids, it is recommended that a contract be awarded to REIVAX CONTRACTING CORP.


The Treasurer has certified that sufficient funds previously raised in 2022 capital budget. Table 2 provides a summary of the accounts to be charged for this Contract.

**Table 2
Account Allocation**

| Description | Amount | Account | Year |
|-------------------------------------|---------------|----------------|-------------|
| Main Rehabilitation and Replacement | \$899,588.50 | 02-00-500-499 | 2022 |

TREASURER'S CERTIFICATION

I hereby certify that sufficient funds are available in the amount of \$899,588.50 for a contract with Reivax Contracting Corp. for the Bradford Estates Water Main Replacement project. The contract will be charged to Account No. 02-00-500-499 (Main Rehabilitation and Replacement).




CHARLES MAGGIO, Treasurer

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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- smcmua.org

Resolution No. 51-23

RESOLUTION AUTHORIZING USE OF VENDOR UNDER THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM

WHEREAS, SMCMUA is a participant in a Cooperative Pricing Agreement with the Hunterdon County Educational Services Commission Cooperative Pricing System ("HCESCCPS"); and

WHEREAS, SMCMUA wishes to purchase the items listed in Exhibit "A" from authorized vendors under the HCESCCPS during the 2023 budget year; and

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

WHEREAS, the vendors listed in Exhibit "A" attached hereto have been awarded contracts by the HCESCCPS for and including the budget year 2023; and

WHEREAS, the costs are estimated not to exceed the amounts stated; and

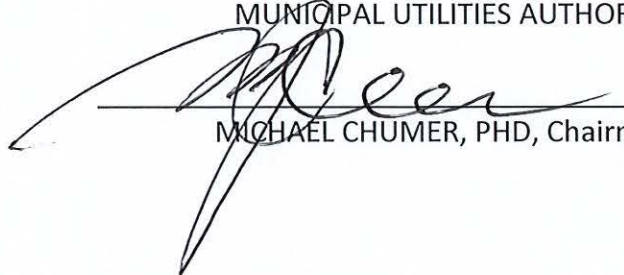
WHEREAS, the Treasurer has certified the availability of funds in the 2023 Budget;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the vendors listed in Exhibit "A" be authorized for use for the budget year 2023.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA

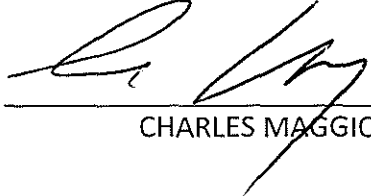
Exhibit "A"

| CONTRACT | VENDOR | ITEMS | AMOUNT |
|-----------------|-----------------------|--|---------------|
| HSESC-SER-23-06 | Powerco Inc. | Facility Grounds Equipment | \$100,989.18 |
| HSESC-SER-20F | Northeastern Interior | General Construction Repairs & Carpentry Service | \$30,000.00 |

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the 2023 Budget to purchase work, materials and supplies from the vendors listed below through the Hunterdon County Educational Services Commission Cooperative Pricing System in 2023. The costs are estimated not to exceed the amounts stated:

| CONTRACT | VENDOR | ITEMS | CONTRACT EXP DATE | BUDGET ACCT # | ACCOUNT NAME | AMOUNT BUDGETED | AMOUNT REQUESTED |
|-----------------|-----------------------|--|-------------------|---------------|----------------------|-----------------|------------------|
| HSESC-SER-23-06 | Powerco Inc. | Facility Grounds Equipment | 03/31/24 | 02-00-500-487 | Vehicles & Equipment | \$260,000.00 | \$100,989.18 |
| HSESC-SER-20F | Northeastern Interior | General Construction Repairs & Carpentry Service | 11/02/23 | 02-50-400-641 | Facility Maintenance | \$134,800.00 | \$30,000.00 |

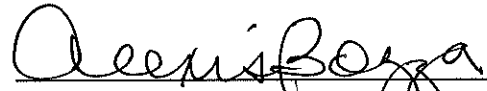


 CHARLES MAGGIO, Treasurer

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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Resolution No. 52-23

RESOLUTION AUTHORIZING USE OF VENDOR UNDER THE
NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM

WHEREAS, SMCMUA is a participant in a Cooperative Pricing Agreement with the North Jersey Wastewater Cooperative Pricing System ("NJWCPS"); and

WHEREAS, SMCMUA wishes to purchase the item listed in Exhibit "A" from an authorized vendor under the NJWCPS during the 2023 budget year; and

WHEREAS, the purchase of work, materials and supplies through Cooperative Pricing Councils, such as the NJWCPS, is authorized without additional advertising by the participants under 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 NJWCPS for and including the budget year 2023; and

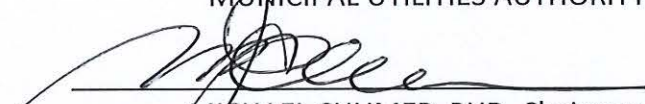
WHEREAS, the cost is estimated not to exceed the amounts stated; and

WHEREAS, the Treasurer has certified the availability of funds in the 2023 Budget;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the vendors listed in Exhibit "A" be authorized for use for the budget year 2023.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA

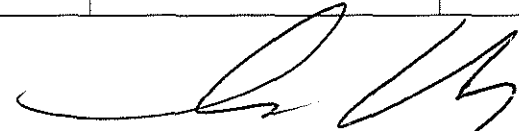
Exhibit "A"

| CONTRACT | VENDOR | ITEMS | AMOUNT |
|----------|-----------------------|--|-------------|
| B345-2 | Office Concepts Group | Furnish & Deliver Janitorial & Office Supplies and Equipment | \$16,977.00 |

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the 2023 Budget to purchase work, materials and supplies from the vendor listed below through the North Jersey Wastewater Cooperative Pricing System in 2023. The cost is estimated not to exceed the amount stated:

| CONTRACT | VENDOR | ITEMS | CONTRACT EXP DATE | BUDGET ACCT # | ACCOUNT NAME | AMOUNT BUDGETED | AMOUNT REQUESTED |
|----------|-----------------------------|--|----------------------|-------------------|----------------------|--------------------|---------------------|
| B345-2 | Office Concepts Group | Furnish & Deliver Janitorial & Office Supplies and Equipment | 12/31/23 | 02-50- 400-641 | Facility Maintenance | \$87,073.45 | \$16,977.00 |




CHARLES MAGGIO, Treasurer

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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

Resolution No. 53-23

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSIONS

RESOLVED that the following discussions of:

1. Status of Tax Appeals
2. Shares Services Agreement Negotiations; and
3. Personnel Matters

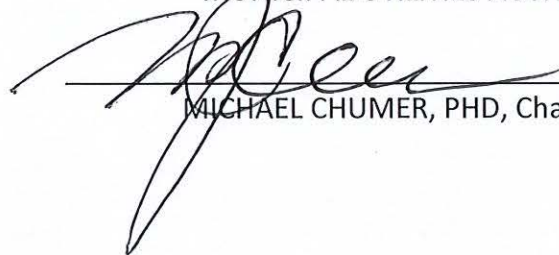
be held in closed session pursuant to subsections 7 and 8 of Section 12b of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.); and

BE IT FURTHER RESOLVED that since the discussions are 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 discussions may be disclosed.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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- (973) 326-6880
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- smcmua.org

Resolution No. 54-23

RESOLUTION AUTHORIZING THE ADOPTION OF A SHARED SERVICES AGREEMENT
BETWEEN THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
AND THE BOROUGH OF MORRIS PLAINS

WHEREAS, SMCMUA operates a regional water system serving customers in Morristown, Morris Township, Morris Plains and Hanover Township with some service in Mendham Township and Harding Township, and to certain customers and municipalities outside its District in Morris County, New Jersey; and

WHEREAS, the Borough is currently prepared to award a contract in the amount of \$310,000.00 for the partial re-surfacing of Glenbrook Road and to supplement the funding of same with \$249,770.00 of grant funds obtained by the Borough from the New Jersey Department of Transportation (“NJDOT”); and

WHEREAS, the Authority is currently intending to replace the water main and service lines it operates within the Glenbrook Avenue right-of-way and has requested that the Borough delay proceeding with the award and the carrying out of the Borough’s Glenbrook Road Project in order to permit the Authority to first carry out its intended water line replacement project; and

WHEREAS, both the Borough and the Authority agree that it is in their mutual best interest to permit the Authority’s Water Line Replacement Project to proceed prior to the Borough’s Glenbrook Road Resurfacing Project if adequate assurances of timing, coordination and indemnification can be agreed upon.

WHEREAS, SMCMUA and Morris Plains have arranged to enter into a proposed shared services agreement, a copy of which is annexed hereto as Exhibit “A” (the “Agreement”); and

WHEREAS, the Agreement has been reviewed and approved by General Counsel;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that an agreement substantially in the form as that annexed hereto as Exhibit “A” be and the same is hereby approved; and

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

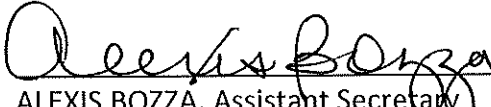
Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

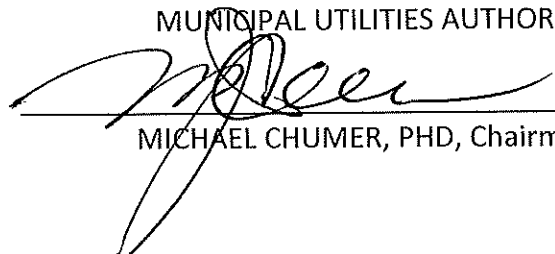
Chief Financial Officer: Charles Maggio, CMFO, QPA

BE IT FURTHER RESOLVED, that the Chairman or Vice Chairman and Secretary or Assistant Secretary be and they are hereby authorized and directed to execute said form of Agreement on behalf of SMCMUA.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

SHARED SERVICES AGREEMENT

THIS AGREEMENT, is made this _____ day of _____, 2023, by and between **The Southeast Morris County Municipal Utilities Authority**, having an address at 19 Saddle Road, Cedar Knolls, New Jersey 07927 (hereinafter the "Authority") and the **Borough of Morris Plains**, having an address of 531 Speedwell Avenue, Morris Plains, New Jersey 07950 (hereinafter the "Borough"); and

WHEREAS, the Authority operates a regional water system serving customers in Morristown, Morris Township, Morris Plains and Hanover Township with some service in Mendham Township and Harding Township, and to certain customers and municipalities outside its District in Morris County, New Jersey; and

WHEREAS, the Borough is currently prepared to award a contract in the amount of \$310,000.00 for the partial re-surfacing of Glenbrook Road and to supplement the funding of same with \$249,770.00 of grant funds obtained by the Borough from the New Jersey Department of Transportation ("NJDOT"); and

WHEREAS, the Authority is currently intending to replace the water main and service lines it operates within the Glenbrook Avenue and Glenbrook Extension right-of-way and has requested that the Borough delay proceeding with the award and the carrying out of the Borough's Glenbrook Road Project in order to permit the Authority to first carry out its intended water line replacement project; and

WHEREAS, both the Borough and the Authority agree that it is in their mutual best interest to permit the Authority's Water Line Replacement Project to proceed prior to the Borough's Glenbrook Road Resurfacing Project if adequate assurances of timing, coordination and indemnification can be agreed upon; and

WHEREAS, the governing bodies of the Authority and the Borough have adopted resolutions pursuant to N.J.S.A. 40A:65-1, et seq., the Uniform Shared Services and Consolidation Act, authorizing the adoption of this agreement.

NOW, THEREFORE, the parties agree as follows:

1. **GENERAL SEQUENCING:** The Borough shall reject all bids currently being held by it for its Glenbrook Road Partial Re-Surfacing Project as permitted by N.J.S.A. 40A:11-13.2(d) in order to:
 - a. Permit the Authority to first carry out the Authority's contemplated Water Line Replacement Project within the Glenbrook Road and Extension right-of-way, and following the completion of such work;

- b. Permit the Borough and its contractor(s) to carry out the complete re-surfacing of Glenbrook Road and its Extension.

2. SPECIFIC TIMING: The Parties agree to proceed according to the following timetable:

- a. The Borough shall adopt a resolution rejecting all bids currently being held for the partial re-surfacing of Glenbrook Road at its May 18, 2023 Borough Council meeting or as soon thereafter as such action may be formally taken; and
- b. The Authority shall prepare designs and solicit bids for its Glenbrook Road and Extension Water Line Replacement Project in order that the Authority Project be carried out and completed no later than November 15, 2024; and
- c. The Borough shall revise its current Glenbrook Road Partial Re-surfacing Project in order that: (i) the re-designed Project include complete curb-to-curb resurfacing of Glenbrook Road and Extension so as to include all those areas of the roadway surface that are disturbed or otherwise impacted by the Authority's Project, (ii) the re-designed Borough Project be released for bidding no later than August 1, 2024, and awarded on or before November 23, 2024, but in no case later than the date required by the NJDOT Grant Conditions, and (iii) the re-designed Borough Project be carried out and completed no later than such time as may be permitted by NJDOT in order that such project remain eligible for the current NJDOT grant funding.

3. BREAKDOWN OF COSTS:

- a. The Authority shall be responsible for and pay all costs associated with its Glenbrook Road and Extension Water Line Replacement Project.
- b. The Borough shall apply the entirety of its NJDOT grant funding in the amount of \$249,770.00 to the completion of its redesigned Glenbrook Road and Extension Re-surfacing Project and also contribute an additional \$60,000.00 toward the completion of such Project.
- c. The following additional costs associated with the completion of the Borough Project shall be reimbursed to the Borough by the Authority: (i) such reasonable engineering costs as may be associated with the re-design and re-bid of the Borough's Project, and (ii) Additional Contractor costs in excess of those referred to in (b) above resulting from the re-scheduling and expanded scope of the Borough's Project.
- d. The following additional costs associated with the completion of the Borough Project shall NOT be reimbursed to the Borough by the Authority: (i) Additional Contractor costs resulting from unforeseen site conditions not directly related to

the Authority Project, and (ii) additional costs attributable to any misfeasance or nonfeasance by the Borough or its Engineer in the design or management of the Borough's Project.

4. NJDOT GRANT FUNDING: The parties agree as follows concerning the current NJDOT Grant Funding in the amount of \$249,770.00:

- a. The Borough shall take all necessary steps and exercise its best efforts to preserve the Borough Project's eligibility for the current NJDOT Grant Funds and shall immediately apprise the Authority of any communications or information indicating or providing notice of the potential loss of such funding; and
- b. The Authority shall reimburse to the Borough any portion or the entirety of such NJDOT Grant Funding as may be either lost or otherwise not released by NJDOT to the Borough as a result of the failure of the Authority and its contractor to timely carry out the Authority's obligations as set forth herein.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed by their respective officers as of the day and year first above written.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

By: _____

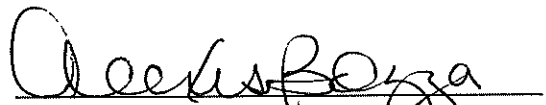
ATTEST:

BOROUGH OF MORRIS PLAINS

By: _____

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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Resolution No. 55-23

RESOLUTION APPROVING RELEASE AND SEVERANCE AGREEMENT

WHEREAS, the Members of the Board have determined it to be in the best interests of the Authority to authorize the execution of a Release and Severance Agreement with Laura Cummings and to, in accordance with same, accept Ms. Cummings’s resignation from the position of Executive Director to the Authority and to authorize such severance payment as set forth in said Agreement (the “Severance Payment”); and

WHEREAS, the Treasurer has certified that funds are available for payment of the Severance Payment.

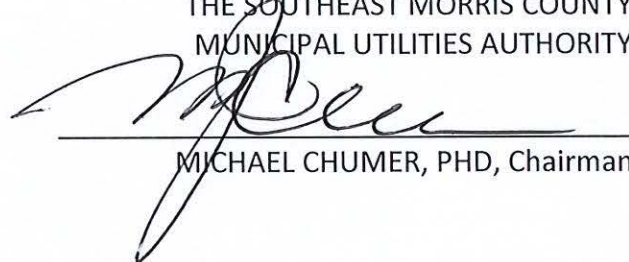
NOW THEREFORE, BE IT RESOLVED as follows:

1. The proposed Release and Settlement Agreement between the Authority and Laura Cummings, be and the same is hereby approved; with such changes or revisions, if any, as shall be approved by the Chairman with the advice of General Counsel. The execution of such Agreement by the Chairman with any such changes or revisions, if any, to be conclusive proof of such approval;
2. The Chairman or Vice Chairman and Secretary or Assistant Secretary be and are hereby authorized and directed to sign and execute the aforementioned Agreement on behalf of the Authority as herein approved in the manner provided by law.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

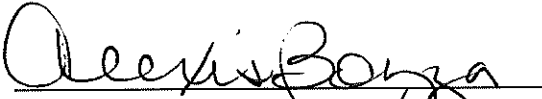
Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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customerservice@smcmua.org
smcmua.org

Resolution No. 56-23

RESOLUTION APPOINTING ACTING EXECUTIVE DIRECTOR

WHEREAS, the Authority has determined it to be appropriate to designate a current member of the Authority's senior management team to serve as Acting Executive Director following recent personnel changes in order that such person serve in said capacity until such time as a permanent Executive Director may be either confirmed or appointed; and

WHEREAS, the Authority has consulted with the Authority Administration's senior management team and received that team's recommendation concerning same; and

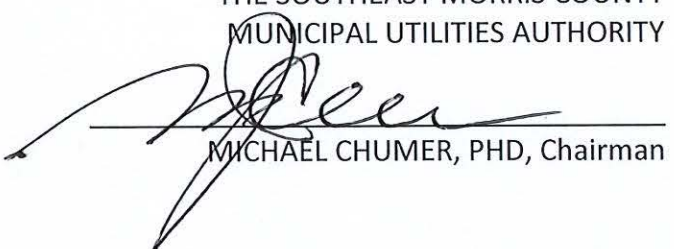
WHEREAS, the Authority is in concurrence with said recommendation.

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

1. That Andrew Saskowitz be hereby designated to be the Acting Executive Director and Water Quality Superintendent of the Authority effective May 18, 2023, and that he serve in such dual capacity until such time as a permanent Executive Director may be either confirmed or otherwise appointed.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 2023

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

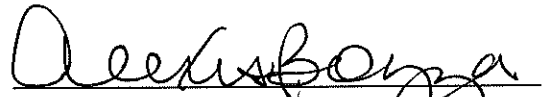
Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023



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

Resolution No. 57-23

RESOLUTION AUTHORIZING CHIEF FINANCIAL OFFICER AND/OR ACTING EXECUTIVE DIRECTOR TO EXECUTE CERTAIN CONTRACTS AND PURCHASES FOR GOODS AND SERVICES; AND CERTAIN OTHER AGREEMENTS APPROVED BY THE AUTHORITY BOARD

WHEREAS, the Authority’s by-laws permit the Members to authorize any officer, officers, agent or agents to execute contracts in the name of and on behalf of the Authority; and

WHEREAS, the Members have determined it to be appropriate to authorize the Acting Executive Director or ,in his absence or incapacity, the Chief Financial Officer to approve and execute certain contracts for the purchase of goods and/or services that do not exceed the sum of \$17,500; or which are procured pursuant to a fair and open process through cooperative purchasing programs approved by the State of New Jersey and do not exceed said amount; and other agreements or obligations approved by the Authority Board that do not exceed a total value or expense to the Authority of \$25,000.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Acting Executive Director or, in his absence or incapacity, the Chief Financial Officer be and hereby are authorized to approve and execute contracts and purchase orders for goods and/or services, including purchases procured through cooperative purchasing programs approved by the State of New Jersey, that do not exceed an annual expenditure of \$17,500 by the Authority; and such other agreements or obligations as may be approved by the Authority Board that do not exceed a total value or expense to the Authority of \$25,000; and
2. The execution of any such agreements by either the Acting Executive Director or Chief Financial Officer shall be conclusive proof of such approval by the Authority Board, provided that the Treasurer shall have first certified the availability of funds, as required by law, for such agreement or obligation.

Board Members

Morristown:
Max Huber
Donald Kissil

Morris Township:
Michael Chumer, PhD

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

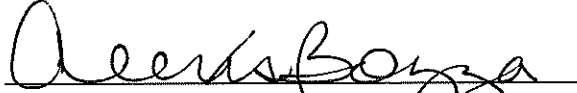
Acting Executive Director and Water Quality Superintendent: Drew Saskowitz


Chief Financial Officer: Charles Maggio, CMFO, QPA

AND BE IT FURTHER RESOLVED that this Resolution supplements and supersedes a prior resolution dated February 16, 2017, entitled "Resolution Authorizing Executive Director to Execute Certain Contracts and Purchases for Goods and Services; and Certain Other Agreements Approved by the Chairman".

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: May 24, 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 May 24, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: May 24, 2023