

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

JULY 20, 2023

The Regular Meeting of The Southeast Morris County Municipal Utilities Authority (“SMCMUA” or the “Authority”) was held on July 20, 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.

OATH OF OFFICE FOR APPOINTED MEMBER LOUGHMAN

Mr. Ruitenbergh administered the oath of office to Matthew Loughman who had been appointed by the Township of Morris to SMCMUA’s Board of Members.

ROLL CALL

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

ABSENT: None

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

PUBLIC COMMENT

Chairman Chumer stated the next portion of the meeting was set aside for public comment. No one from the public was present. The Chairman then closed the public portion of the meeting.

MOTION APPROVING MINUTES OF JUNE 15, 2023

Copies of the minutes of the meeting held on June 15, 2023, were distributed to the Members prior to the meeting for review and comment. Member Rotando moved that the minutes be adopted as presented. Member Kiracofe seconded the motion which was duly adopted by the Members.

RESOLUTION APPROVING CLOSED SESSION MINUTES OF JUNE 15, 2023

Copies of the closed session minutes of the meeting held on June 15, 2023, were distributed to the Members prior to the meeting for review and comment. Member Rotando moved to approve the closed session minutes and offered the following resolution:

RESOLUTION NO. 69-23

RESOLUTION APPROVING CLOSED SESSION MINUTES OF JUNE 15, 2023

“COPY ANNEXED”

Member Kiracofe seconded the motion which was duly adopted by the Members.

RESOLUTION – APPROVAL OF JULY 2023 LIST OF BILLS

Copies of the bill list for July 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. 70-23

RESOLUTION AUTHORIZING PAYMENT OF LIST OF BILLS FOR JULY 2023

“COPY ANNEXED”

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

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

NOES: None

OTHER BUSINESS

A. Reports of the Engineering Committee

The Members reviewed a report of the Engineering Committee from meetings held on June 15 and July 6, 2023, which were distributed to the Members prior to the meeting for review and comment. Mr. Marucci provided a summary of the reports for discussion.

B. Resolution Authorizing Transfer of Funds between Operating Budget Appropriations

The Authority’s Chief Financial Officer/Treasurer advised that there are certain budget line items in the 2022 Operating Budget that require additional funding and requested that such balances be transferred from other budget line items with a balance to those requiring additional funds to

balance. It was determined that such transfers are in the best interest of the Authority and the Water System. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 71-23

RESOLUTION AUTHORIZING TRANSFER OF FUNDS BETWEEN OPERATING BUDGET
APPROPRIATIONS

“COPY ANNEXED”

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

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

NOES: None

C. Resolution Authorizing Use of Vendors Under New Jersey Cooperative Purchasing
Program

The Members reviewed a memorandum from the Chief Financial Officer requesting authorization to purchase certain items from authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP during the 2023 budget year. The purchases of goods and services by local contracting units through the State agency without advertising is authorized under Section 12 of the Local Public Contracts Law, N.J.S.A. 40A:11-12. The Treasurer certified the availability of funds in the 2023 Budget. Member Webster moved and offered the following resolution:

RESOLUTION NO. 72-23

RESOLUTION AUTHORIZING USE OF VENDORS UNDER NEW JERSEY COOPERATIVE PURCHASING
PROGRAM

“COPY ANNEXED”

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

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

NOES: None

D. Resolution Authorizing Contract Extension for Large Meter Replacement Project

The Authority entered into a contract dated October 26, 2021, with Robert Griggs Plumbing and Heating, Inc. (“Griggs”), for the large meter replacement project, which contract was duly awarded and approved by resolution dated September 23, 2021 (the “Contract”). The Contract

was for an initial term of one year with an option to renew by the Authority for up to two additional years under certain conditions as permitted by N.J.S.A. 40A:11-4.2 of the Local Public Contracts Law. The Authority extended the contract for a period of one year by resolution dated August 18, 2022. The Operations Manager recommended that the Contract be extended for an additional period of one year. The Members of the Authority found, based upon a memorandum of the Operations Manager dated June 27, 2023, a copy of which was reviewed by the Members, that the services under the Contract are being performed by Griggs in an effective and efficient manner. The extension will be on the same terms and conditions, including price, as set forth in the existing Contract. The maximum cost to the Authority is \$296,050.00 covering a one-year period. The Treasurer certified that there are sufficient funds available in the 2023 Budget for the portion to be expended in 2023; the portion to be expended in 2024 is subject to funds being available in the 2024 Budget. Member Kiracofe moved and offered the following resolution:

RESOLUTION NO. 73-23

RESOLUTION AUTHORIZING CONTRACT EXTENSION FOR LARGE METER REPLACEMENT PROJECT

“COPY ANNEXED”

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

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

NOES: None

E. Resolution Authorizing Change Order No. 2 for Excavation Spoils Removal

The Authority entered into a two-year contract with Caravella Demolition, Inc., dated December 15, 2021, for excavation spoils removal at a maximum annual cost of \$101,025.00 (“Contract”). On October 20, 2022, Change Order No. 1 was authorized in the amount of \$20,205.00 for a revised annual contract total of \$121,230.00 for the first year. The Operations Manager advised by memorandum dated June 9, 2023, that a second Change Order for additional services is needed for the second year. The overall increase will not exceed \$20,205.00, as more particularly set forth in the memorandum, a copy of which was reviewed by the Members. The Members determined that the services to be performed are necessary and reasonable; and will benefit the Water System. Funds are available and were certified by the Treasurer. Member Huber moved and offered the following resolution:

RESOLUTION NO. 74-23

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR EXCAVATION SPOILS REMOVAL

“COPY ANNEXED”

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

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

NOES: None

F. Resolution Authorizing Contract Renewal with Horizon Blue Cross Blue Shield of New Jersey for Dental Insurance Coverage

There exists a need for renewal of the Authority's policy for dental insurance coverage. Horizon Blue Cross Blue Shield of New Jersey (Horizon), the Authority's current dental insurance provider, has agreed to provide a one-year contract renewal with no increase in price. The renewal rates and tiers of coverage are summarized in a memorandum from the Human Resources Manager dated July 20, 2023, a copy of which was reviewed by the Members. It was recommended that the Authority accept the renewal submitted by Horizon Blue Cross Blue Shield of New Jersey at a maximum cost to the Authority of \$37,500.00 for coverage beginning on August 1, 2023, through July 31, 2024. The Treasurer certified that there are sufficient funds available in the 2023 Budget for the portion to be expended in 2023; the portion to be expended in 2024 is subject to funds being available in the 2024 Budget. Member Webster moved and offered the following resolution:

RESOLUTION NO. 75-23

RESOLUTION AUTHORIZING CONTRACT RENEWAL WITH HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR DENTAL INSURANCE COVERAGE

“COPY ANNEXED”

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

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

NOES: None

G. Resolution Approving the Relinquishment of Abandoned Easement and Water Facilities in Morris Township

The Authority currently holds an easement across: Block 7501, Lots 29 and 30; Block 7504, Lot 1; and Block 7601, Lots 15, 16, 17, 18, 19, 23, 24 and 25, on the Tax Maps of the Township of Morris, previously filed in the Morris County Clerk's Office (the "Easement"). The Easement and water facilities therein were formerly used in connection with the Authority's Easley Tank but have not been used for such purposes for many years and are no longer used or needed by the Authority for either the operation or maintenance of its water system. The Local Lands and Building Law at N.J.S.A. 40A:12-13(b)(4) authorizes the Authority to extinguish and abandon an easement and to execute a deed confirming same provided that such action has been authorized by Resolution. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 76-23

RESOLUTION APPROVING THE RELINQUISHMENT OF ABANDONED EASEMENT AND WATER FACILITIES IN MORRIS TOWNSHIP

“COPY ANNEXED”

Member Huber seconded the motion which was duly adopted by the Members.

- H. Resolution Authorizing Award of a Professional Service Agreement for Engineering Services in connection with Baird Place Tank Lead Abatement Consulting Support

The Authority requested a proposal from Langan Engineering (Langan) for professional engineering services in connection with Baird Place Tank lead abatement consulting support and related matters. The proposal dated June 30, 2023, in the not to exceed amount of \$40,200.00, was reviewed by the Engineering Manager as set forth in a memorandum dated July 7, 2023, a copy of which was reviewed by the Members. This Contract is being awarded without public bidding as a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and in compliance with N.J.S.A. 19:44A-20.5 (Pay-to-Play Law). Langan 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 sufficient funds are available in the 2023 Budget. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 77-23

RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE AGREEMENT FOR ENGINEERING SERVICES IN CONNECTION WITH BAIRD PLACE TANK LEAD ABATEMENT CONSULTING SUPPORT

“COPY ANNEXED”

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

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

NOES: None

- I. Resolution Approving Cross-Connection Control by Containment Program

The Authority’s Engineering Division has prepared a proposed Cross-Connection Control by Containment Program (the “Program”). The objective of the Program is to administer the use of backflow prevention devices within the Authority’s public water supply system to protect the

public potable water supply by containing within the customer's private water system such contaminants or pollutants that could backflow into the Authority's water system. Enforcement of this program is necessary pursuant to: the Municipal and Counties Utilities Authority Law (N.J.S.A. 40:14B et seq.); the Rules and Regulations of the Authority; the Federal Safe Drinking Water Act of 1974; the New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A-1 et. seq.); and the regulations promulgated pursuant thereto (N.J.A.C. 7:10- 10 et. seq.) which grants water purveyors the primary responsibility for preventing water from unapproved sources, or any other harmful substances, from entering the public potable water system. The Members determined that the Program is in the best interest of the Authority and its customers. Member Webster moved and offered the following resolution:

RESOLUTION NO. 78-23

RESOLUTION APPROVING CROSS-CONNECTION CONTROL BY CONTAINMENT PROGRAM

"COPY ANNEXED"

Member Marucci seconded the motion which was duly adopted by the Members.

J. Resolution Approving Revised Practice and Procedure Language

The Authority wished to revise and update its practice and procedure for emergency purchases and contracts where a copy of the proposed revisions prepared by General Counsel was reviewed by the Members. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 79-23

RESOLUTION APPROVING REVISED PRACTICE AND PROCEDURE LANGUAGE

"COPY ANNEXED"

Member Huber seconded the motion which was duly adopted by the Members.

SUCH OTHER MATTERS TO LEGALLY COME BEFORE THE BOARD

Following a call received by the Mayor of Morris Plains, Mr. Rotando requested to discuss the notice of lead or galvanized service line material that was recently sent to property owners. He provided a brief background on a prior meeting between Authority staff and the Creating Municipalities on lead service lines. Mr. Saskowitz added that the Authority has been sending similar notices to customers where lead or galvanized service had been identified for the past couple of years. He continued that the notice recently received by the Mayor of Morris Plains followed the template prescribed by the State where the only allowable alteration was to add pictures, which was done. Mr. Rotando recalled the prior meeting with the Creating Municipalities where the Authority stated it did not have the inventory of all lead service lines within its service area. He added that the Authority still does not have a full inventory. That said, the Authority is collecting service line material data as its staff enters customer premises for

service calls. The Mayor of Morris Plains received a notice after his meter was recently changed and the service line material data was confirmed and added to the inventory list. Mr. Rotando stated that Mr. Saskowitz and Ms. Dyer have suggested that a letter be sent to the Mayors of the Creating Municipalities explaining that when the Authority observes lead service lines, the data will be added to the developing inventory list, and the customer will receive the required notification. The Authority is required to send this notice when we discover lead services within 30 days of discovery. Mr. Saskowitz added that the Authority is currently meeting the requirement. He continued that, if the Authority does not meet the requirement, it may receive a notice of non-compliance where the Department of Environmental Protection may issue a fine for the violation.

Chairman Chumer recalled a previous meeting he had with the Mayor and Business Administrator for Morris Township where they proposed having its engineers, inspectors or plumbing officials aid in the collection of service line material data. Ms. Dyer stated that the Authority has a program currently in progress with its GIS consultant to build a survey 1-2-3 platform and database which will be used by Authority staff during service calls. She continued that, at the same time, the link could be sent to the Creating Municipalities that are willing to assist in collecting this data using their phone or tablets to enter and validate that material evaluation. Mr. Saskowitz stated that the Authority is also developing a template for its website with instructions for customers to identify the service line material in their homes and how to submit that information to SMCMUA as another source.

In conclusion, the Board agreed with the preparation and distribution of a letter to the Mayors of the Creating Municipalities explaining the notifications being to their residents upon discovery of lead service lines. Mr. Saskowitz added that he would draft the letter. In addition, he stated that the Authority would re-send a similar letter prior to the distribution of the required annual notification to customers with confirmed lead service lines.

REPORTS

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

CONTINUATION OF OTHER BUSINESS

A. Resolution Authorizing Closed Session Discussion

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

RESOLUTION NO. 80-23

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSION

"COPY ANNEXED"

Resolved that the discussion of matters falling within attorney-client privilege be held in closed session pursuant to subsection 7 of Section 12b of the Open Public Meetings Act (NJSA 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.

Member Rotando seconded the motion which was duly adopted by the Members.

The Chairman moved into closed session.


[CLOSED SESSION MEETING TO FOLLOW]

[RESUMPTION OF PUBLIC MEETING]

ADJOURNMENT

There being no further business, Member Huber moved that the meeting be adjourned. Member Loughman seconded the motion which was duly adopted by the Members. The meeting adjourned at 9:45 PM.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA
Assistant Secretary

Statement of Public Notice

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.



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

Resolution No. 69-23

RESOLUTION APPROVING CLOSED SESSION MINUTES

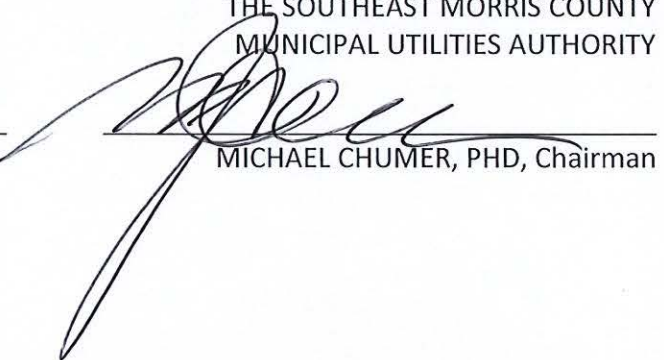
RESOLVED that the attached minutes of the Closed Session Meeting held on June 15, 2023, be and the same are hereby approved but withheld from public inspection and insertion in the regular Minute Book pending release for public disclosure pursuant to the provisions of the Open Public Meetings Act; and

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: July 20, 2023

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

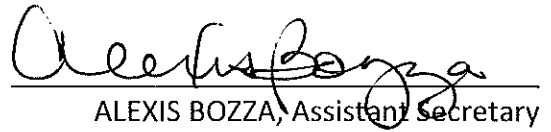
Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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Resolution No. 70-23

RESOLUTION AUTHORIZING PAYMENT OF JULY 2023 LIST OF BILLS

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

OPERATING FUND

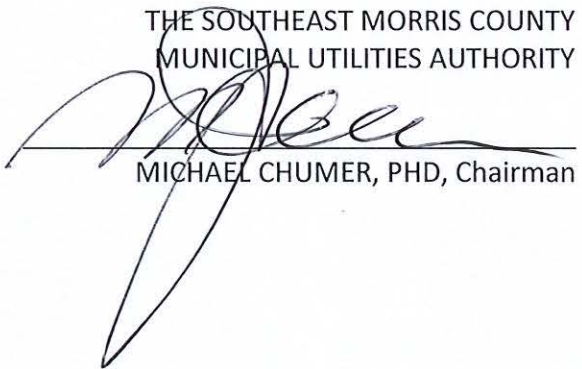
Total Salary and Wages	\$	614,012.26
Total Operating Fund Checks and Wire Transfers	\$	864,851.36

CAPITAL FUND

Total Capital Fund Expenditures	\$	<u>415,986.19</u>
TOTAL OF JULY 2023 LIST OF BILLS	\$	1,894,849.81

ATTEST:


 ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
 MUNICIPAL UTILITIES AUTHORITY

 MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

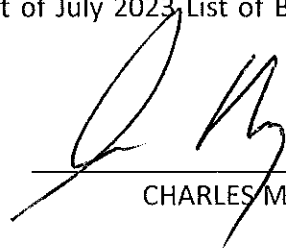
Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

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 (\$1,894,849.81) for payment of the resolution entitled Resolution Authorizing Payment of July 2023 List of Bills in SMCMUA's 2023 Budget.

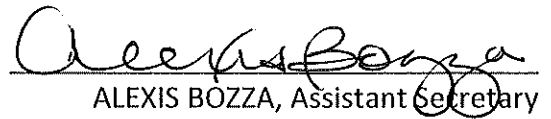


CHARLES MAGGIO, Treasurer

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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Resolution No. 71-23

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN
 2022 OPERATING BUDGET APPROPRIATIONS

WHEREAS, the Authority's Chief Financial Officer/Treasurer has advised that there are certain budget line items in the 2022 Operating Budget that require additional funding; and

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

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

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the following transfers within the Operating Budget totaling \$81,346.34 are hereby approved:

		<u>Budget Transfers</u>	
<u>Budget Line Item</u>	<u>Title</u>		<u>Amount</u>
Transfer To:			
02-30-400-501	FINAN: Salary & Wages		\$40,740.92
02-30-400-800	FINAN: Temporary Staff		\$6,639.42
02-20-400-609	STATUT: P.E.R.S.		\$33,966.00
		Total	\$81,346.34
Transfer From:			
02-10-400-501	ADMIN: Salary & Wages		\$47,380.34
02-20-400-608	STATUT: Medical Insurance - Active		\$33,966.00
		Total	\$81,346.34

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE


Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

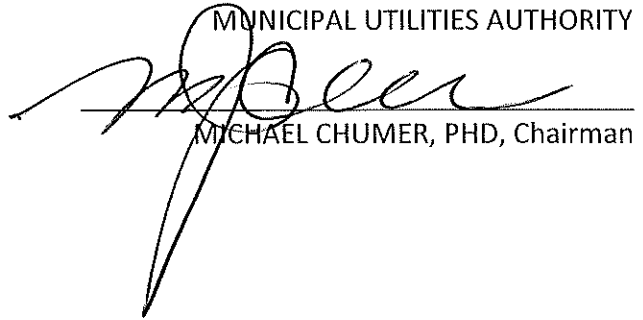
Chief Financial Officer: Charles Maggio, CMFO, QPA

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

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

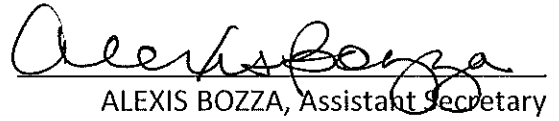

ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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Resolution No. 72-23

RESOLUTION AUTHORIZING USE OF VENDORS UNDER THE
STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Authority wishes to purchase the items listed in Exhibit "A" from authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP during the 2023 budget year; and

WHEREAS, the purchases of goods and services by local contracting units through the State agency without advertising is authorized under Section 12 of the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the vendors have been awarded New Jersey State Contracts by the Division of Purchase and Property in the Department of Treasury; and

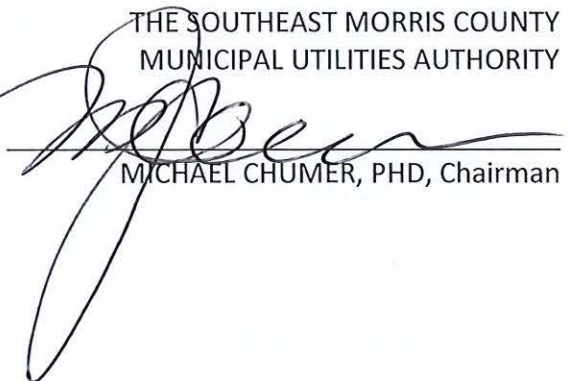
WHEREAS, the contract costs are estimated not to exceed the amounts stated; and

WHEREAS, the Treasurer of the Authority 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: July 20, 2023

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
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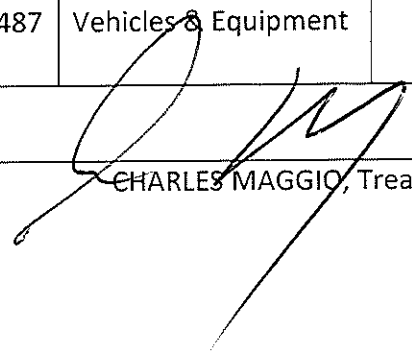
Exhibit "A"

CONTRACT	VENDOR	ITEMS	AMOUNT
T2100	Nielson Ford	Vehicles & Equipment	\$222,089.00
T2959	Route 23 Automall	Vehicles & Equipment	\$66,060.00

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 State of New Jersey Cooperative Purchasing Program 1-NJCP in 2023. The costs are estimated not to exceed the amounts stated:

CONTRACT	VENDOR	ITEMS	CONTRACT EXP DATE	BUDGET ACCT #	ACCOUNT NAME	AMOUNT REQUESTED
T2100	Nielson Ford	Utility Body Trucks (3)	12/31/23	02-00-500-487	Vehicles & Equipment	\$222,089.00
T2959	Route 23 Automall	Utility Truck	12/31/23	02-00-500-487	Vehicles & Equipment	\$66,060.00

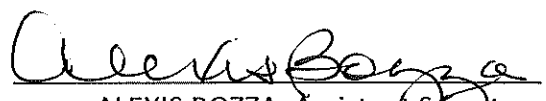


CHARLES MAGGIO, Treasurer

Dated: July 20, 2023

CERTIFICATION

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ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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

Resolution No. 73-23

RESOLUTION AUTHORIZING CONTRACT EXTENSION FOR
LARGE METER REPLACEMENT PROJECT

WHEREAS, the Authority entered into a contract dated October 26, 2021, with Robert Griggs Plumbing and Heating, Inc. ("Griggs"), for the large meter replacement project, which contract was duly awarded and approved by resolution dated September 23, 2021 (the "Contract"); and

WHEREAS, the Contract was for an initial term of one year with an option to renew by the Authority for up to two additional years under certain conditions as permitted by N.J.S.A. 40A:11-4.2 of the Local Public Contracts Law; and

WHEREAS, the Authority extended the contract for a period of one year by resolution dated August 18, 2022; and

WHEREAS, the Authority's Operations Manager has recommended that the Contract be extended for an additional period of one year; and

WHEREAS, the Members of the Authority hereby find, based upon a memorandum of the Operations Manager dated June 27, 2023, a copy of which is annexed hereto, that the services under the Contract are being performed by Griggs in an effective and efficient manner; and

WHEREAS, the extension will be on the same terms and conditions, including price, as set forth in the existing Contract; and

WHEREAS, the maximum cost to the Authority is \$296,050.00 covering a one year period; and

WHEREAS, the Treasurer has certified that there are sufficient funds available in the 2023 Budget for the portion to be expended in 2023; the portion to be expended in 2024 is subject to funds being available in the 2024 Budget; and

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

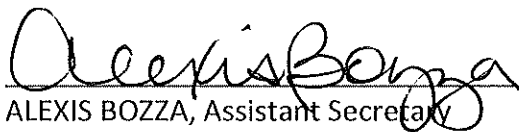
Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA

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

1. The term of the Contract dated October 26, 2021, between the Authority and Robert Griggs Plumbing and Heating, Inc., be and the same is hereby extended for an additional period of one year as provided in the Contract and permitted by the Local Public Contracts Law, N.J.S.A. 40A:11-4.2;
2. The extension shall be on the same terms and conditions, including price, as set forth in the existing Contract, which Contract was initially awarded by the Authority by resolution duly adopted on October 23, 2021, and extended by resolution duly adopted on August 18, 2022;
3. The Acting Executive Director or Chief Financial Officer and Secretary or Assistant Secretary be and they are hereby authorized and directed to execute and deliver the extension agreement or other document as may be required, and approved by the General Counsel, in order to effectuate the intent of this resolution.

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023



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MEMORANDUM

TO: SMCMUA Board

FROM: Dave Jones, Operations Manager *DJ*

RE: Large Meter Replacement Project

DATE: June 27, 2023

CC: Drew Saskowitz, Acting Executive Director
Charles Maggio, CMFO, QPA, Chief Financial Officer
Alexis Bozza, Executive Administrative Assistant

On October 23, 2021, per Resolution No. 105-21, the Board authorized the award of a contract for the above referenced services to Robert Griggs Plumbing and Heating, Inc. ("Griggs"). A contract was entered into on October 26, 2021, for an initial term of one year with options to renew for one two-year or two one-year extensions under certain conditions as permitted by N.J.S.A. 40A:11-15 of the Local Public Contracts Law.

The Contract was extended by Resolution No. 94-22 on August 18, 2022, for a period of one year at the same terms and conditions, including price, as set forth in the Contract.

Griggs has requested that the Contract be extended for an additional period of one year on the same terms and conditions, including price.

The services that have been provided by Griggs under the Contract have been performed in an effective and efficient manner. It is recommended that the Contract be extended for an additional period of one year in the maximum amount of \$296,050.00 as provided in the Contract and permitted by the Local Public Contracts Law (N.J.S.A. 40A:11-15).

The Treasurer has certified that sufficient funds are available in the 2023 Budget for the portion of the Contract to be expended in 2023; the portion to be expended in 2024 will be subject to funds being allocated in the 2024 Budget. Table 1 provides a summary of the accounts to be charged for this Contract.

Table 1
Account Allocation

Amount	Account	2023	2024
\$296,050	02-00-500-492: 2020 Meters & Services – Meter Management Project	\$62,000	\$234,050

TREASURER'S CERTIFICATION

I hereby certify funds are available for payment of a contract extension with Robert Griggs Plumbing and Heating, Inc., for the large meter replacement project. The total maximum amount of this contract will not exceed \$296,050.00. This item will be charged to Account No. 02-00-500-492 (2020 Meters & Services - Meter Mgmt. Project) as follows:

1. In 2023, funds are available in the amount of \$62,000.00; and
2. In 2024, funds will be available in the amount of \$234,050.00 subject to the approval of the 2024 Budget.

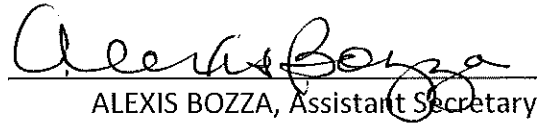


CHARLES MAGGIO, Treasurer

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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Resolution No. 74-23

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR EXCAVATION SPOILS REMOVAL

WHEREAS, the Authority entered into a two year contract with Caravella Demolition, Inc., dated December 15, 2021 for excavation spoils removal at a maximum annual cost of \$101,025.00 ("Contract"); and

WHEREAS, on October 20, 2022, Change Order No. 1 was authorized in the amount of \$20,205.00 for a revised annual contract total of \$121,230.00 for the first year; and

WHEREAS, the Operations Manager has advised by memorandum dated June 9, 2023, that a second Change Order for additional services is needed for the second year; and

WHEREAS, the overall increase will not exceed \$20,205.00, as more particularly set forth in the memorandum and the proposed change order, copies of which are annexed hereto; and

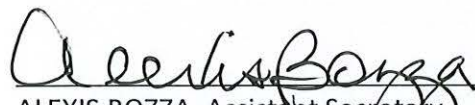
WHEREAS, the Authority has determined that the services to be performed are necessary and reasonable; and will benefit the Water System; and

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

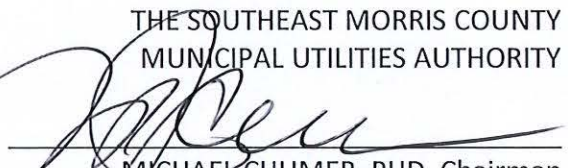
NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

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

ATTEST:


ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Engineer: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA



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MEMORANDUM

TO: SMCMUA Board

FROM: Dave Jones, Operations Manager *DJ*

RE: Excavation Spoils Removal Contract Increase Request

DATE: June 9, 2023

CC: Charles Maggio, CMFO, QPA, Chief Financial Officer
Alexis Bozza, QPA, Executive Administrative Assistant

Under resolution 125-21, dated November 18, 2021, SMCMUA approved Excavation Spoils Removal to be performed by Caravella Demolition, Inc. Due to main break activity, higher fuel costs, and an increase to the fees the disposal sites charge, the Operations Manager is asking for a 20% increase to this contract amount.

The original amount of the awarded contract is \$101,025.00 for each year of a 2-year contract. The additional \$20,205 will bring the new total to \$121,230 for 2023.

The Treasurer has certified that sufficient funds are available in the Budget. These items will be charged to Operating Budget No. 02-60-400-692 (T&D: Concrete Repairs, Pavement Restoration, and Spoils Removal).

Regards,

David Jones
Operations Manager

CONTRACT CHANGE ORDER

CONTRACTOR: Caravella Demolition Inc. 40 DeForest Avenue East Hanover, NJ 07936	CHANGE ORDER No. ¹ PROJECT: Excavation Spoils Removal PROJECT No. C-452021
OWNER: The Southeast Morris County Municipal Utilities Authority 19 Saddle Road Cedar Knolls, NJ 07927	ENGINEER: N/A
DATE OF ISSUE: July 20, 2023	EFFECTIVE DATE: July 20, 2023
<p>The Contractor is hereby directed to make the following changes in the Contract Documents.</p> <p>Description:</p> <p>The scope of work includes providing containers to be filled with spoils at the Authority's site and removal of the containers upon notice from the Authority. Disposal of all spoils in an environmentally safe manner in accordance with all Federal, State and local laws is the responsibility of the Contractor.</p> <p>Reason for Change Order:</p> <p>Due to main break activity, higher fuel costs, and an increase to the fees the disposal sites charge.</p> <p>Attachments: <i>(List documents supporting change and justifying cost and time)</i></p> <p>Memo from Operations Manager dated June 9, 2023</p>	
CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ 101,025.00 (per year)	Original Contract Times: <i>(calendar days or dates)</i>
Net changes from previous C. O.'s No. ¹ to ¹ \$ 20,205 (for year one only)	Net changes from previous C. O.'s No. ____ to ____ <i>(calendar days)</i>
Contract Price Prior to this Change Order: \$ 101,025.00 (for year two)	Contract Times prior to this Change Order: <i>(calendar days or dates)</i>
Net Increase (decrease) of this Change Order: \$ 20,205.00	Net Increase (decrease) of this Change Order: <i>(calendar days)</i>
Contract Price with all Approved Change Orders: \$ 121,230.00 (for year two)	Contract Times with all Approved Change Orders: <i>(calendar days or dates)</i>
RECOMMENDED: (Engineer) By: N/A Date:	APPROVED: (Owner) By: Date:
ACCEPTED: (Contractor) By: Date:	REVIEWED: (Funding Agency) By: Date:

TREASURER'S CERTIFICATION

I hereby certify funds are available in the 2023 Budget in the amount of \$20,205.00 for payment of a second change order with Caravella Demolition, Inc., for excavation spoils removal. This item will be charged to Account No. 02-60-400-692 (T&D: Concrete Repairs, Pavement Restoration, and Spoils Removal).

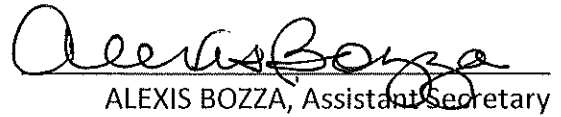


CHARLES MAGGIO, Treasurer

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



- 19 Saddle Road
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Resolution No. 75-23

RESOLUTION AUTHORIZING CONTRACT RENEWAL WITH
HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY FOR
DENTAL INSURANCE COVERAGE FROM AUGUST 1, 2023, THROUGH JULY 31, 2024

WHEREAS, there exists a need for renewal of the Authority's policy for dental insurance coverage; and

WHEREAS, Horizon Blue Cross Blue Shield of New Jersey (Horizon), the Authority's current dental insurance provider, has agreed to provide a one-year contract renewal with no increase in price; and

WHEREAS, the renewal rates and tiers of coverage are summarized in a memorandum from the Human Resources Manager dated July 20, 2023, a copy of which is annexed as Exhibit "A"; and

WHEREAS, the Human Resources Manager has recommended, in her aforementioned memorandum dated July 20, 2023, that the Authority accept the renewal submitted by Horizon Blue Cross Blue Shield of New Jersey at a maximum cost to the Authority of \$37,500.00 for coverage beginning on August 1, 2023, through July 31, 2024; and

WHEREAS, contracts for insurance may be awarded without competitive bidding within the exception to the Local Public Contracts Law, specifically set forth in N.J.S.A. 40A:11-5(m); and

WHEREAS, the Acting Executive Director has, upon advice of counsel, certified that the award meets the statute and regulations governing the award of such contracts, a copy of which Certification is annexed as Exhibit "B"; and

WHEREAS, the Treasurer has certified that there are sufficient funds available in the 2023 Budget for the portion to be expended in 2023; the portion to be expended in 2024 is subject to funds being available in the 2024 Budget; and

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

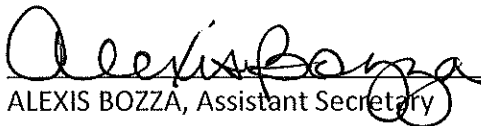
Chief Financial Officer: Charles Maggio, CMFO, QPA

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution awarding contracts of this nature must be available for public inspection and that notice of the award be published in a newspaper authorized to publish the Authority's legal advertisements.

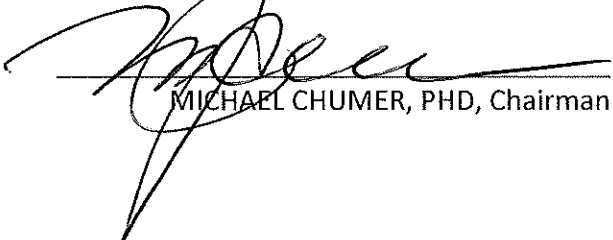
NOW THEREFORE BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

1. That the proposed renewal submitted by Horizon Blue Cross Blue Shield of New Jersey for dental insurance coverage be and the same is hereby approved and accepted at an annual premium of \$37,500.00.
2. The Acting Executive Director or Chief Financial Officer and Secretary or Assistant Secretary be and they are hereby authorized to execute and deliver a contract renewal for such services with Horizon Blue Cross Blue Shield of New Jersey.
3. The above contract is being renewed without competitive bidding pursuant to the provisions of N.J.S.A. 40A:11-5(m) for the reasons set forth in annexed Certification of the Acting Executive Director.
4. Copies of this Resolution and the Proposal herein approved shall be filed in the office of the Secretary of the Authority and in the respective offices of the Clerks of the Township of Hanover, the Township of Morris, the Town of Morristown and the Borough of Morris Plains, and notice of the awards shall be published 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: July 20, 2023



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MEMORANDUM

TO: SMCMUA Board

FROM: Heather Brandao, Human Resources Manager Digitally signed by
Heather Brandao
Date: 2023.06.30
10:42:52 -04'00'

RE: Recommendation for Award: Employee Dental Plan

DATE: July 20, 2023

CC: Andrew Saskowitz, Acting Executive Director
Charles Maggio, CMFO, QPA, Chief Financial Officer

Horizon Dental (Horizon) is the current employee dental plan carrier for the SMCMUA. Horizon’s current contract expires on July 31st, 2023. One Digital, a partner of Willis Towers Watson, has received notice from Horizon Dental that our rates will remain the same for the next policy year.

Based on there being no increase in premium, I am recommending the award of the contract to Horizon Dental for a one-year term extending the current contract through July 31, 2024. The Treasurer has certified funds are/ will be available in the 2023 Operating budget and the 2024 Operating budget, pending its approval, in account 02-20-400-605 STATUT: Dental Benefits. The estimated cost for the one (1) year contract is outlined below.

Dental Plan Proposal Comparison

Plan	Annual Premium based on Current Enrollment
Current Horizon Contract	\$37,500.00
Renewal Horizon Contract	\$37,500.00, \$0 more than the current premium

CERTIFICATION

TO: SMCMUA Board Members
FROM: Drew Saskowitz, Acting Executive Director
SUBJECT: Dental Insurance Coverage
DATE: July 20, 2023

This is to request your approval of the annexed resolution authorizing the contract renewal for insurance coverage to be executed as stated therein:

Carrier: Horizon Blue Cross Blue Shield of New Jersey
Cost: Not to exceed \$37,500.00 per year of contract extension
Period: August 1, 2023, through July 31, 2024
Purpose: Policies for employee dental coverage.

The contract for insurance coverage is requested to be renewed without competitive bids pursuant to Section 40A:11-5(m) of the Local Public Contracts Law as an Extraordinary Unspecifiable Service.

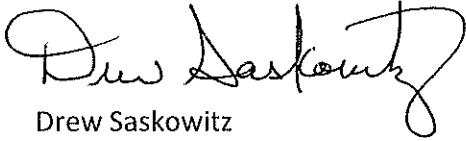
I do hereby certify as follows:

1. A renewal summary of Employee Dental Insurance Coverage was prepared by the Authority's Human Resources Manager for the period of August 1, 2023, through July 31, 2024, which is attached hereto. The rates for renewal reflect no increase over the previous rates.
2. The contract renewal can be made pursuant to the exception set forth in 40A:11-5(m) of the Local Public Contracts Law.
3. The services are specialized and qualitative in nature requiring expertise, extensive training and proven reputation because they involve complex insurance evaluation and underwriting concepts and because they are within the specific exception under the aforesaid section of the Local Public Contracts Law.

4. The services cannot be described by written specifications because of the complexities described above and because no such specifications are required under the exceptions set forth in the Local Public Contracts Law.

5. I have reviewed the rules and regulations of the Division of Local Government Services applicable to the Local Public Contracts Law with the General Counsel and certify that the proposed renewal may be authorized within the exception set forth in N.J.S.A. 40A:11-5(m).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Drew Saskowitz". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

Drew Saskowitz
Acting Executive Director

TREASURER'S CERTIFICATION

I hereby certify funds for payment of a contract with Horizon Blue Cross Blue Shield of New Jersey for dental insurance coverage from August 1, 2023, through July 31, 2024, as follows:

1. In 2023, funds are available in the amount of \$15,625.00; and
2. In 2024, funds will be available in the amount of \$21,875.00 subject to the approval of the 2024 Budget.

The total maximum amount of this contract will not exceed \$37,500.00. This item will be charged to Account No. 02-20-400-605 (Statutory/Benefits: Dental Benefits).



CHARLES MAGGIO, Treasurer

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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Resolution No. 76-23

RESOLUTION AUTHORIZING THE ABANDONMENT OF AN EASEMENT ACROSS CERTAIN BLOCKS AND LOTS ON THE TAX MAPS OF THE TOWNSHIP OF MORRIS

WHEREAS, The Southeast Morris County Municipal Utilities Authority (the "Authority") currently holds an easement across: Block 7501, Lots 29 and 30; Block 7504, Lot 1; and Block 7601, Lots 15, 16, 17, 18, 19, 23, 24 and 25, on the Tax Maps of the Township of Morris, previously filed in the Morris County Clerk's Office (the "Easement"); and

WHEREAS, the Easement and water facilities therein were formerly used in connection with the Authority's Easley Tank but have not been used for such purposes for many years and are no longer used or needed by the Authority for either the operation or maintenance of its water system; and

WHEREAS, the Local Lands and Building Law at N.J.S.A. 40A:12-13(b)(4) authorizes the Authority to extinguish and abandon an easement and to execute a deed confirming same provided that such action has been authorized by Resolution.

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

1. The findings set forth in the foregoing preamble are hereby incorporated as if fully restated.
2. The Chairman is hereby authorized and directed to execute a Deed extinguishing and terminating the Authority Easement(s) across: Block 7501, Lots 29 and 30; Block 7504, Lot 1; and Block 7601, Lots 15, 16, 17, 18, 19, 23, 24 and 25, on the Tax Maps of the Township of Morris, the form and substance of which shall be subject to the review and approval of the Authority's General Counsel.

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

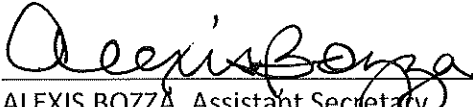
Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

Chief Financial Officer: Charles Maggio, CMFO, QPA


3. Such executed Deed abandoning the Authority's Easement(s) shall be filed in the Office of the Morris County Clerk.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



ALEXIS BOZZA, Assistant Secretary



MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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Resolution No. 77-23

RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT WITH LANGAN ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH BAIRD PLACE TANK LEAD ABATEMENT CONSULTING SUPPORT

WHEREAS, the Authority requested a proposal from Langan Engineering (Langan) for professional engineering services in connection with Baird Place Tank lead abatement consulting support and related matters; and

WHEREAS, the proposal dated June 30, 2023, in the not to exceed amount of \$40,200.00, was reviewed by the Engineering Manager as set forth in a memorandum dated July 7, 2023, a copy of which is annexed hereto; 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 (N.J.S.A. 40A:11-1 et seq.) and in compliance with N.J.S.A. 19:44A-20.5 (Pay-to-Play Law); and

WHEREAS, Langan 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 sufficient funds are available in the 2023 Budget; and

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

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe, EIT
Nicola Marucci, PE

Acting Executive Director and Water Quality Superintendent: Drew Saskowitz

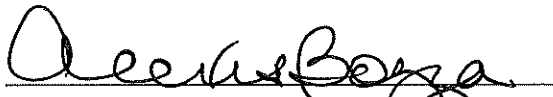
Chief Financial Officer: Charles Maggio, CMFO, QPA

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

1. That the proposal of Langan Engineering dated June 30, 2023, for professional engineering services in connection with Baird Place Tank lead abatement consulting support and related matters, be and the same is hereby accepted and approved at a total not-to-exceed maximum amount of \$40,200.00.
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 SMCMUA 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:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary



MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023



MEMORANDUM

TO: SMCMUA Board

FROM: Sophia (Heng) Dyer, P.E., Engineering Manager  Digitaly signed by Sophia Heng Dyer
Date: 2023.07.07 14:22:27 -0400

RE: Recommendation to Award – Professional Engineering Services with Langan Engineering

DATE: July 7, 2023

CC: Drew Saskowitz, Acting Executive Director

One (1) proposal for professional engineering services in connection with Baird Place Tank Lead Abatement Consulting Support was received from Langan Engineering. The proposal was solicited in accordance with the Local Public Contracts Law.

Langan Engineering has been requested to complete specific tasks as certified lead abatement monitoring specialist during the construction phase of the Baird Place Tank Improvements Project. The tasks include soil testing and air monitoring outside the containment area.

The Engineering Division requests to award Langan Engineering a contract for a not-to-exceed budget of \$40,200.

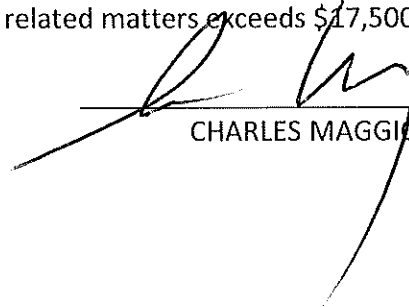
The Treasurer has certified sufficient funds are available in the Budget. Table 1 provides a summary of the account to be charged for this amendment.

Table 1
Account Allocation

Budget Year	Budget	Expenditure Account No.	Expenditure Account Name	Amount to Encumber
2023	Capital	02-00-500-495	Tank Improvement	\$40,200

CERTIFICATION OF VALUE IN EXCESS OF \$17,500 (PAY-TO-PLAY LAW)

The undersigned hereby certifies that the maximum amount of the contract to be awarded to Langan Engineering for professional engineering services in connection with Baird Place Tank lead abatement consulting support and related matters exceeds \$17,500.

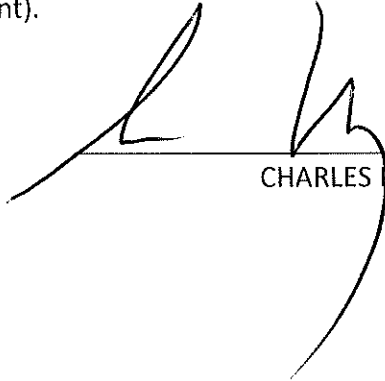


CHARLES MAGGIO, Treasurer

Dated: April 20, 2023

TREASURER'S CERTIFICATION

I hereby certify funds are available in the Budget for payment of a professional service contract with Langan Engineering for professional engineering services in connection with Baird Place Tank lead abatement consulting support and related matters. The total maximum amount of this contract will not exceed \$40,200.00. This item will be charged to Capital Account No. 02-00-500-495 (Tank Improvement).



CHARLES MAGGIO, Treasurer

Dated: July 20, 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 July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



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

Resolution No. 78-23

RESOLUTION APPROVING CROSS-CONNECTION CONTROL BY CONTAINMENT PROGRAM

WHEREAS, the Authority’s Engineering Division has prepared a proposed Cross-Connection Control by Containment Program (the “Program”), a copy of which is annexed hereto as Exhibit “A”; and

WHEREAS, the objective of the Program is to administer the use of backflow prevention devices within the Authority’s public water supply system to protect the public potable water supply by containing within the customer’s private water system such contaminants or pollutants that could backflow into the Authority’s water system; and

WHEREAS, enforcement of this program is necessary pursuant to: the Municipal and Counties Utilities Authority Law (N.J.S.A. 40:14B et seq.); the Rules and Regulations of the Authority; the Federal Safe Drinking Water Act of 1974; the New Jersey Safe Drinking Water Act (N.J.S.A. 58:12A-1 et. seq.); and the regulations promulgated pursuant thereto (N.J.A.C. 7:10- 10 et. seq.) which grants water purveyors the primary responsibility for preventing water from unapproved sources, or any other harmful substances, from entering the public potable water system; and


WHEREAS, the Members of the Authority have determined that the Program annexed hereto as Exhibit “A” is in the best interest of the Authority and its customers.

NOW, THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the Cross-Connection Control by Containment Program annexed hereto as Exhibit “A” be and is hereby approved and adopted, effective July 20, 2023.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


ALEXIS BOZZA, Assistant Secretary


MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

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

**Southeast Morris County Municipal Utilities Authority (SMCMUA)
Cross-Connection Control by Containment Program**

Part 1 - Purpose

- A. The purpose of this Cross Connection Control Program is to administer the use of backflow prevention devices within the Southeast Morris County Municipal Utilities Authority's ("SMCMUA's") public water supply system to protect the public potable water supply by containing within the customer's private water system such contaminants or pollutants that could backflow into the SMCMUA's water system. Nothing within this Cross Connection Control Program shall confer any rights upon any users of the SMCMUA's water system to use or install any private source of water or system that in the absolute discretion of the SMCMUA will endanger the public water supply, violate the Rules and Regulations of the SMCMUA or not be in the best interest of the SMCMUA or its customers.

- B. As per AWWA Manual M14, page 23, *'A cross-connection control program differs from a backflow prevention program in that cross-connection control provides protection in the plumbing system. Backflow prevention provides protection of the water supply distribution system and is generally installed on the service connection. ... cross-connection control protects the end user and backflow prevention protects the public supply.'* AWWA Manual M14, page 24, goes on to say that isolating a customer's plumbing from the public supply by installing a backflow preventer on the service line is known as containment. Therefore, this document is considered a Backflow Prevention Program or Cross-Connection Control by Containment Program.

Part 2 - Authority

- A. The SMCMUA has the authority to place into effect this program pursuant to the Municipal and Counties Utilities Authority Law, N.J.S.A. 40:14B et seq., the Rules and Regulation of the SMCMUA, the Federal Safe Drinking Water Act of 1974, the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A-1et.seq., and the regulations promulgated pursuant thereto, N.J.A.C. 7:10- 10 et. seq., which grants water purveyors the primary responsibility for preventing water from unapproved sources, or any other harmful substances, from entering the public potable water system.

Part 3 - Responsibility

- A. The SMCMUA will operate and administer a Cross Connection Control by Containment Program which fulfills the requirements of the New Jersey Department of Environmental Protection ("NJDEP") and is approved by the NJDEP.

- B. SMCMUA shall determine when an approved backflow device is required by Federal, State, or local law or regulations, applicable plumbing codes, the SMCMUA's Rules and Regulations or for the protection of the public water supply system on any property that contains a connection to the SMCMUA's public water supply system.

- C. For any property requiring a backflow prevention device, the SMCMUA shall give written notice to the property owner that said property must comply with this program and install an approved Backflow Prevention Device. Failure to give this notice does not relieve the owner of said property from complying with this program and all Rules and Regulations of the SMCMUA.

Part 4 - Definitions

- A. Approved- Accepted by the SMCMUA as meeting an applicable specification stated in this regulation or as suitable for the proposed use.
- B. Backflow- means the undesirable reversal of flow in a potable water distribution system.
- C. Backflow Preventer- A device or means designed to prevent backflow or back-siphonage. For the purposes of this program the backflow preventor is typically a double check valve assembly or a reduced pressure zone assembly or such device that SMCMUA may designate for the purpose of preventing backflow.
- D. Cross-Connection- Any actual or potential connection between the public water supply and a source of contamination or pollution.
- E. Property Owner- is the owner of the property as shown on the municipal tax roles, the property owner under contract, a homeowner's association, a property management company or any entity ultimately responsible for the payment of fees, charges, fines, etc. for the property.
- F. Unapproved Water Supply means any source of water, other than the public water supply, on property where there is a connection to the public water supply.

Part 5 - Administration

- A. The SMCMUA will operate a Cross-Connection Control by Containment program, to include the keeping of necessary records, which fulfills the requirements of the NJDEP's Cross-Connection Regulations and is approved by the NJDEP.
- B. The Property Owner shall allow their property to be inspected and shall follow the provisions of the SMCMUA's program.
- C. Where the SMCMUA requires that the public supply be protected by backflow prevention, the Property Owner shall be responsible for water quality beyond the backflow prevention device. The Property Owner may utilize public health officials or private plumbers to assist in the survey of their facilities, the selection of proper fixture outlet devices and the proper installation of these devices.

Part 6 - Requirements

- A. SMCMUA
 - 1. On new installations, the SMCMUA will determine the type of backflow preventer that will be required.
 - 2. For premises existing prior to the start of this program, the SMCMUA will inform the Property Owner by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made.
 - 3. The SMCMUA will require all backflow preventers to be tested to insure satisfactory operation.

4. If the SMCMUA determines at any time that a serious threat to the public health exists, SMCMUA reserves the right to terminate service immediately. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails testing and cannot be repaired immediately.
5. The SMCMUA shall inform the Property Owner by letter, of any failure to comply. The SMCMUA will allow thirty (30) days for the correction. In the event the Property Owner fails to comply with the necessary correction, the SMCMUA will inform the Property Owner by letter, that the water service to the Property Owner's premises may be terminated within a period not to exceed five (5) days. In the event that the Property Owner informs the SMCMUA of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the SMCMUA, in SMCMUA's sole discretion, but in no case will exceed an additional fifteen (15) days.
6. Any Property Owner that fails to comply with the SMCMUA Cross Connection Control by Containment requirements shall be subject to fines and penalties as outlined in Part 11 of this document.

B. Property Owner

1. The Property Owner shall be responsible for the elimination or protection of all cross-connections on their premises.
2. The Property Owner, after having been informed by a letter from the SMCMUA, shall at their expense, install, maintain, and test, or have tested, all backflow preventers on their premises.
3. The Property Owner shall, at their expense, perform testing of backflow preventers on their premises. The Property Owner shall utilize a Certified Backflow Prevention Device Tester. The most current list of certified testers is available from the certifying agencies listed on the NJDEP Division of Water Supply and Geoscience website (https://www.nj.gov/dep/watersupply/dwc_physcon_certify.html).
4. The Property Owner shall correct any malfunction of the backflow preventer which is revealed by testing within the timeline outlined in Section A.5 above.
5. The Property Owner shall inform the SMCMUA of any proposed, modified or existing secondary water supply sources of which the Property Owner is aware but has not been found by the SMCMUA.
6. The Property Owner shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Property Owners who cannot shut down operation for testing of the device(s) must supply additional devices necessary to allow testing to take place.
7. The Property Owner shall install backflow preventers as per the device manufacturer's recommendations and as approved by the SMCMUA.
8. The Property Owner shall install only backflow preventers approved by the SMCMUA.
9. Any Property Owner having a private well or other private water source, must have an NJDEP Physical Connection Permit whether or not the well or source is physically connected to the SMCMUA's system. Permission to connect may be denied by the SMCMUA. The Property Owner will be required

to install a second backflow preventer at the service entrance from a private water source that is not physically connected to the SMCMUA's system.

10. In no case shall plumbing, including any private water source, be installed on SMCMUA's side of the backflow preventer.
11. The Property Owner shall be responsible for the payment of all fees for permits, device testing, retesting in the case that the device fails to operate correctly, and second reinspection for non-compliance with SMCMUA or NJDEP requirements.

Part 7 - Existing in-use backflow prevention devices

- A. Any existing backflow preventer shall be allowed by the SMCMUA to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer or result in an unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow preventer must be upgraded or must be installed if no backflow device was present.

Part 8 - Device Testing

- A. Backflow prevention devices that are part of an NJDEP Physical Connection Permit must be tested at the frequency required in the approved Physical Connection Permit.
- B. Backflow devices that are not part of an NJDEP Physical Connection Permit shall be tested and inspected at least annually as per the New Jersey Plumbing Code, Section 10.5.6, Testing and Maintenance of Backflow Prevention Assemblies.
- C. Backflow prevention devices will be tested more frequently than specified above, in cases where there is a history of test failures and the SMCMUA determines that due to the degree of hazard involved, additional testing is warranted.
- D. Any backflow preventer which fails during a test must be repaired or replaced. When repairs are necessary, upon completion of the repair the device will be re-tested at Property Owner's expense to insure correct operation. The Property Owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two (2) devices is an effective means of the Property Owner ensuring that uninterrupted water service during testing or repair of devices and is strongly recommended when the Property Owner desires such continuity.

Part 9 – Backflow Prevention Type and Location

- A. If the backflow device is not located on a metered service, it shall be the detector type. The detector bypass line must be provided with the same level of backflow prevention as the unmetered service line. Backflow devices located downstream of a meter shall not be required to have a detector assembly.
- B. Single-family and two-family residential dwellings shall not be required by SMCMUA to have backflow prevention devices on the domestic service line. If there is a fire service line associated with the dwelling, including a multi-use service line providing both domestic and fire service, the fire service or multi-use service shall have backflow prevention as required per SMCMUA and/or the fire subcode official.

- C. All fire service lines for any use shall have a reduced pressure zone (RPZ) backflow device unless a testable double check valve is otherwise approved by the fire subcode official.
- D. For domestic service lines, all multi-family residential buildings shall be protected with a testable double check valve assembly backflow preventer located directly downstream of the meter.
- E. For domestic service lines, all mixed-use, commercial, industrial, etc. buildings shall be protected with a reduced pressure zone (RPZ) backflow device located directly downstream of the meter unless otherwise approved by SMCMUA.
- F. The backflow prevention device shall be in a meter housing approved by the SMCMUA. An indoor or hot box installation is the preferred housing. Where necessary, installation in a vault will be considered. A backflow device with an atmospheric vent (RPZ) cannot be installed in a vault. ⁽¹⁾
- G. All backflow devices shall be installed per manufacturer's recommended installation requirements and State and local code requirements.

Part 10 - Records and Reports

- A. Records: The SMCMUA will initiate and maintain the following:
 - 1. Files on customer cross-connection tests and/or inspections.
 - 2. Files on physical connection permits.
 - 3. Copies of lists and summaries supplied to the NJDEP.
- B. Reports: The SMCMUA will submit an annual summary of cross-connection inspections to the NJDEP.

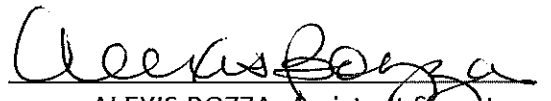
Part 11 - Fees and Charges

- A. All fees for backflow testing, inspection, re-testing and re-inspection will be borne by the Property Owner.
- B. Fee for administrative duties necessary to schedule testing and submit reports will be borne by the Property Owner.
- C. Penalties for non-compliance with the SMCMUA Cross-Connection Control by Containment Program shall be assessed as per the SMCMUA Fee Schedule.

⁽¹⁾ Per NJAC 7:10-10.4(c), an approved physical connection installation shall not be installed in a pit or vault. However, per the New Jersey Plumbing Code Section 10.5.5.a., backflow preventers having atmospheric vents shall not be installed in pits, vaults or similar potentially submerged locations. Therefore, where the location of the structure does not allow the backflow preventer to meet the maximum setback distance requirements established by SMCMUA, a hotbox shall be utilized. A vault shall only be considered in situations in which a hotbox is not feasible and the cross-connection hazard is low as determined by SMCMUA.

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
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Resolution No. 79-23


RESOLUTION APPROVING REVISED PRACTICE AND PROCEDURE
FOR EMERGENCY PURCHASES AND CONTRACTS

WHEREAS, the Authority wishes to revise and update its practice and procedure for emergency purchases and contracts; and


WHEREAS, a copy of the proposed revised practice and procedure is annexed hereto as Exhibit "A".

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the proposed revised Practice and Procedure for Emergency Purchases and Contracts annexed hereto as Exhibit "A" be and the same is hereby accepted and approved.

ATTEST:



ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023

Board Members

Morristown:
Max Huber

Morris Township:
Michael Chumer, PhD
Matthew Loughman

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, GPA

PRACTICE AND PROCEDURE FOR EMERGENCY PURCHASES AND CONTRACTS

1. In the event of an emergency affecting the public health, safety or welfare, requiring the immediate delivery of materials or supplies or performance of services, the Authority may contract for the providing of such materials, supplies or services at a cost in excess of the bidding threshold at the time provided pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "LPCL Bidding Threshold") , without public bidding, under the following procedure:
 - a. The precise nature of the emergency and the type of materials, supplies or services required to resolve the emergency shall have first been ascertained by the ~~Superintendent~~affected Division Manager or their designee ("Division Lead").
 - b. The ~~Superintendent~~Division Lead shall have contacted potential provider(s) of the needed materials, supplies or services to determine the costs of procuring same and their availability for immediate delivery or performance. Whenever practicable, at least three providers should be contacted by the Division Lead~~Superintendent~~.
 - c. Whenever practicable, the Executive Director or the Division Lead ~~Superintendent~~ should telephone the Chair~~man~~ or Vice Chair~~man~~ (or if they are not available, another Member of the Authority) and counsel to the Authority for advice and guidance.
 - d. A written requisition for the goods or services, describing the nature of the emergency, the time of its occurrence and the need for invoking emergency procedures, certified by the Division Lead~~Superintendent or such other employee as may be authorized to act in place of said Superintendent~~, shall be filed with the Executive Director.
 - e. The Executive Director shall then determine whether sufficient time exists in order to present the matter to a meeting of the Members before proceeding.
 - (1) If the nature of the emergency is such that sufficient time is not available, the Executive Director is authorized to award a contract for the immediate provision of such work, materials, supplies or services, notwithstanding the fact that the cost may exceed the LPCL Bidding Threshold. In making this determination the Executive Director shall take into account issues of price, availability, speed in resolving the

emergency, qualifications of the provider and such other relevant factors as may exist in each particular case.

- (2) If the Executive Director shall determine that sufficient time exists to present the matter to a meeting of the Members before proceeding, the Executive Director shall prepare and certify a written request for presentation at that meeting requesting that the award be made without competitive bidding as an emergency contract. The request shall contain the information hereinafter set forth in section 1f of this practice.
- f. In any event, the Executive Director shall prepare a report to the Members setting forth all relevant facts pertaining to the award or proposed award, including a description of the nature of the emergency and the type of emergency work, materials, supplies or services required to meet the emergency, the time of its occurrence, the need for invoking emergency procedures, the provider(s) contacted and the quotes (written or verbal) procured from such provider(s), and any other relevant facts which may exist under the circumstances. A copy of the written requisition referred to in section 1d shall be attached to the report. If Member approval or ratification is sought, the report shall contain an appropriate request to that effect.
2. Upon the furnishing of such work or labor, materials, supplies or services, in accordance with the terms of any contract or agreement authorized as herein provided, the contractor furnishing such work or labor, materials, supplies or services shall be entitled to be paid for same and the Authority shall be obligated for said payment. The Members shall take such action as shall be required to provide for the payment of the contract price.
3. The duties and responsibilities of the Executive Director under this practice shall be discharged, in the Executive Director's absence, by the ~~Director of Finance~~Treasurer as acting deputy-in-charge.

Requisition for Emergency Purchase of Goods for Services Without Public Bidding

To: Executive Director

1. On _____, 20___, an emergency, affecting the public health, safety and/or welfare and requiring immediate action occurred as follows:

2. The goods and/or services necessary to meet the emergency are:

3. The reasons for invoking emergency purchasing procedures are:

4. The [actual/estimated] cost of the goods and/or services is \$_____.

I certify the above statements to be true:

Superintendent

Dated: _____

The foregoing requisition is hereby:

Approved ()

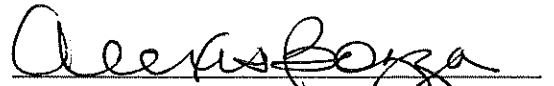
Denied ()

Action deferred pending presentation to Members ()

Executive Director

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on July 20, 2023, at a meeting duly convened of the Authority.


ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023



- 19 Saddle Road
Cedar Knolls, NJ 07927
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- customerservice@smcmua.org
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Resolution No. 80-23

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSION

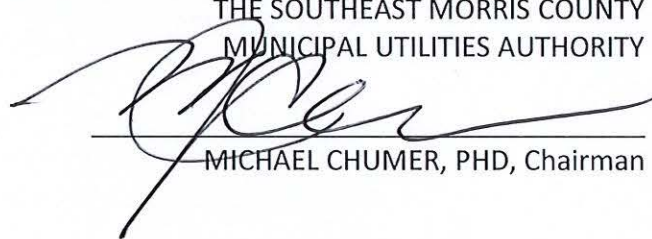
RESOLVED that the discussion of matters falling within attorney-client privilege be held in closed session pursuant to subsection 7 of Section 12b of the Open Public Meetings Act (NJSA 10:4-6 et seq.); and

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

ATTEST:



 ALEXIS BOZZA, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
 MUNICIPAL UTILITIES AUTHORITY


 MICHAEL CHUMER, PHD, Chairman

Dated: July 20, 2023

Board Members

Morristown:
Max Huber

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Patricia Webster

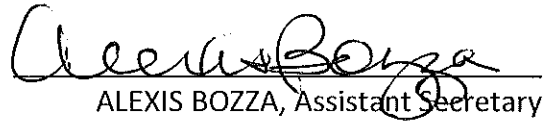
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CERTIFICATION

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ALEXIS BOZZA, Assistant Secretary

Dated: July 20, 2023