WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

MINUTES December 19, 2023

Chairwoman Napolitani called the regular meeting of the Warren County (Pequest River) Municipal Utilities Authority to order at 7:09 p.m. The meeting was held at the Authority's Administration Building located at 199 Foul Rift Road, Belvidere, New Jersey.

Roll Call:

Laurel Napolitani, Chairwoman Joseph Roth, Vice Chairman Gerald Norton, Secretary Anne Skoog Angelo Accetturo, Treasurer - Absent

Also, in attendance: Kim Francisco, Authority CFO; Brian Tipton, Esq., Authority Legal Counsel; John Inscho, Authority Executive Director; and Susan Wright, Administrative Assistant.

Chairwoman Napolitani read the Introductory Statement. This regular meeting has been properly noticed in accordance with New Jersey State Statutes.

MINUTES

Ms. Skoog moved, and Mr. Norton seconded to approve the minutes of the November 21, 2023 regular meeting, as presented. All in favor, except one abstention by Mr. Roth, motion passed.

CORRESPONDENCE

Mr. Norton recapped the correspondence listed below:

- 1. Notice of Public Hearing from Mark R. Peck, Esquire attorney for Belvidere Urban Renewal, LLC for an application for preliminary and final major site plan approval from the Town of Belvidere Planning Board, Warren County, scheduled for December 5, 2023.
- 2. A formal notification letter dated November 30, 2023 to WCPRMUA from Wetlands & Ecology, Inc., for an application for freshwater wetlands general permit 18 for property encompassing parts of Block 46, Lots 8, 10 & 48, in the Township of White, Warren County, N.J.
- 3. Letter dated December 14, 2023 to WCPRMUA from Sharon Cooper advising of her retirement from Public Entity Advocates as of December 31, 2023.

December 19, 2023

4. Notice of Public Hearing from Mark R. Peck, Esquire attorney for Belvidere Urban Renewal, LLC for an application for preliminary and final major site plan approval from the Town of Belvidere Planning Board, Warren County, rescheduled for January 2, 2024.

ENGINEER'S REPORT

Mr. Bean was not in attendance; however, his report was included in the agenda packets and reviewed. There were no questions or comments.

CFO'S REPORT

Mr. Francisco summarized his monthly financial report.

Chairwoman Napolitani asked for a motion to appoint Nisivoccia, LLP, as auditor for the Authority. Mr. Norton moved to adopt Resolution #23-40, and Mr. Roth seconded. All in favor, motion passed.

GENERAL COUNSEL'S REPORT

Mr. Tipton gave a brief explanation as to the Changes to the Policy Resolution and the Model Civil Rights Resolution included in the agenda packets, which is a requirement of NJUA JIF.

Mr. Norton moved to adopt Resolution #23-41 Adopting Changes to the Authority's Personnel Policy, and the Model Civil Rights Resolution #23-42. Mr. Roth seconded. All in favor, motion carried.

EXECUTIVE DIRECTOR

TELESCEPT . .

Mr. Inscho requested a motion authorizing the contract for laboratory services. Ms. Skoog moved to adopt Resolution #23-43, awarding the non-fair and open contract for the professional services of laboratory testing to Pace Analytical Services for one year. Mr. Roth seconded. All in favor, motion carried.

Mr. Inscho advised that the effluent pump at the Oxford plant needed to be replaced. We did have the backup pump, so it did not interrupt services.

He advised that last week (Thursday 12/14/23) Belvidere plant/office had no water and the well pump and pipe needed to be replaced.

Our new operator, B. Walters, started on Monday, December 18, 2023.

Belvidere Clarifier Skimmers – Mr. Inscho will be looking into having gear reduction valves installed on each unit. Also, there has been some issues with the old sprayers for the clarifiers, which cost \$69.00 per piece. The operators contacted a young guy who can print out the sprayer nozzles for about \$7.00 per piece.

December 19, 2023

Oxford – Mr. Inscho advised that there will be a new hook-up for the cannabis facility in the near future.

FINANCE

Mr. Norton moved that Resolution #23-44 be approved to pay all bills from the Operating Funds (Certificate No. OP 448: \$52,276.67). Mr. Roth seconded. All in favor, motion passed.

Mr. Roth moved that Resolution #23-45 (Certificate No. Cl 453: \$23,345.79) be approved to pay all bills from the Capital Improvement Funds, as presented. Mr. Norton seconded. All in favor, motion passed.

AUTHORITY CHAIRWOMAN

Chairwoman Napolitani summarized her year in review memorandum, which was provided within the agenda packets.

Chairwoman Napolitani went over the prior discussion with the Board regarding the increases in salaries. She provided a list of the increases for the operators, as well as Mr. Inscho and Ms. Wright. She advised that she would like to pass this resolution for increases starting in January 2024. Mr. Roth moved to authorize the increases/adjustments in salaries starting January 1, 2024. Mr. Norton seconded. All in favor, motion passed.

<u>UNFINISHED BUSINESS</u>

There was no unfinished business.

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public present.

As there was no more business to come before the Authority, Mr. Norton moved for the meeting to be adjourned. The meeting was adjourned at 7:27 p.m.

Susan Wright
Susan Wright

Administrative Assistant

RESOLUTION NO. 23-40

RESOLUTION AUTHORIZING THE APPOINTMENT FOR NISIVOCCIA LLP AS AUDITOR FOR THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY FOR FISCAL YEAR 2023

WHEREAS, the Warren County (Pequest River) Municipal Utilities Authority (Authority) requires the services of an auditor for FY2024.

WHEREAS, the services of a certified auditor are "Professional Services" and may be retained without competitive bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq; and

WHEREAS, the Authority solicited proposals for auditing services from Nisivoccia and Company, LLP; and

WHEREAS, the Authority has determined it to be in the best interest of this public entity to appoint Nisivoccia, LLP (Auditor) as its auditor for the period commencing January 1, 2024 through the later of December 31, 2024 or the next reorganizational meeting of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Warren County (Pequest River) Municipal Utilities Authority, County of Warren, State of New Jersey, as follows:

- 1. Nisivoccia, LLP, Mount Arlington Corporate Center, 200 Valley Road, Suite 300, Mt. Arlington, N.J. 07856-1320 is hereby appointed as the Authority Auditor for the period of January 1, 2024 through December 31, 2024, or through the next reorganizational meeting of the Authority, whichever is later, to provide auditing services pursuant to the terms and conditions in the proposal previously submitted to the Authority. Nothing herein shall supersede the right of the Authority or Auditor to terminate the Agreement prior to the aforesaid dates(s) in accordance with the terms of such formal agreement as may be entered into between the parties to retain Auditor.
- 2. The appropriate officers of the Authority are hereby authorized and directed to take all steps necessary to affect the terms and conditions of this Resolution.
- 3. It is hereby directed that a notice of award of this appointment be published once in the official newspaper of the Authority within ten days of the date hereof.
- 4. This Resolution shall take effect immediately.

CERTIFICATION

I, GERALD NORTON, SECRETARY OF THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY; DO CERTIFY THE FORE GOING TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY A MAJORITY OF ALL MEMBERS OF THE AUTHORITY AT A MEETING OF THE AUTHORITY HELD ON DECEMBER 19, 2023.

Gerald Norton, Secretary

DATED: December 19, 2023

RESOLUTION NO: 23 - 41

RESOLUTION ADOPTING CHANGES TO THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITY AUTHORITY PERSONNEL POLICY MANUAL AS REQUIRED BY THE MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

WHEREAS, the Warren County Municipal Utility Authority is a member of the Municipal Excess Liability Joint Insurance Fund ("MEL");

WHEREAS, the MEL requires its members to update their respective employee handbooks and/or personnel policy manuals from time to time to address changes in the law;

WHEREAS, the MEL has made recommendations for changes to its members in a March 13, 2023 memo;

NOW, THEREFORE, BE IT RESOLVED, by the Warren County Municipal Utility Authority adopts all the changes recommended by the MEL to its Personnel Policy Manual and will incorporate same.

WARREN COUNTY (PEQUEST RIVER) MUNICPAL UTILITIES AUTHORITY

DATE: December 19, 2023

Laurel Napolitani, Chairwoman

CERTIFICATION

I, Gerald Norton, Secretary of the Warren County (Pequest River) Municipal Utilities Authority, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Authority at a meeting held on December 19, 2023.

Dated: December 19, 2023

r:______

Perald Norton, Secretary

RESOLUTION #23-44

MODEL CIVIL RIGHTS RESOLUTION

A Resolution to affirm the Warren County (Pequest River) Municipal Authority's Civil Rights Policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors and members of the public that come into contact with municipal employees, officials and volunteers;

WHEREFORE, it is the policy of the Warren County (Pequest River) Municipal Authority to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to, the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREFORE, the governing body of the Warren County (Pequest River) Municipal Utilities Authority has determined that certain procedures need to be established to accomplish this policy.

NOW THEREFORE BE IT ADOPTED by the Warren County (Pequest River) Municipal Utilities Authority that:

- Section 1: No official, employee, appointee or volunteer of the Warren County (Pequest River) Municipal Utilities Authority by whatever title known, or any entity that is in any way a part of the Warren County (Pequest River) Municipal Utilities Authority, shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination harassment or a violation of any person's constitutional rights while such official, employee, appointee, volunteer, or entity is engaged in or acting on behalf of the Warren County (Pequest River) Municipal Utilities Authority's business or using the facilities or property of the Warren County (Pequest River) Municipal Utilities Authority.
- Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to, any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Warren County (Pequest River) Municipal Utilities Authority to provide services that otherwise could be performed by the Warren County (Pequest River) Municipal Utilities Authority.
- Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.
- **Section 4:** The Board of Commissioners shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Board of Commissioners shall establish written procedures that require all officials, employees, appointees and volunteers of the Warren County (Pequest River) Municipal Utilities Authority, as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Board of Commissioners shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Board of Commissioners shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated with the Warren County (Pequest River) Municipal Utilities Authority. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Warren County (Pequest River) Municipal Utilities Authority's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Warren County (Pequest River) Municipal Utilities Authority in order for the public to be made aware of this policy and the Warren County (Pequest River) Municipal Utilities Authority's commitment to the implementation and enforcement of this policy.

Gerald Norton, Secretary

Moved by: Mr. Norton

Seconded by: Mr. Pollo

Yes _____

No ____

Abstain ____

Absent ____

RESOLUTION: 23-43

AUTHORIZING THE ADOPTION OF A NON-FAIR AND OPEN CONTRACT FOR LABORATORY SERVICES

WHEREAS, there exists a need for Certified laboratory testing services to the Warren County (Pequest River) Municipal Utilities Authority, (hereinafter the "Authority"); and

WHEREAS, the Authority's Chairwoman has determined and certified in writing that the value of the contract will exceed or is reasonably likely to exceed \$17,500; and

WHEREAS, Pace Analytical Services, LLC, a corporation of the State of New Jersey, having offices at 812 Silvia Street, Ewing, NJ, (hereafter, "Contractor") has submitted a contract dated December 19, 2023, indicating it will provide the required services at a sum not to exceed \$30,000.00; and

WHEREAS, Contractor has completed and submitted a Business Entity Disclosure Certification, which is made a part hereof, that the business entity has not made a contribution that would bar the award of this contract, and the business entity will continue to report to the Election Law Enforcement Commission any contribution that would violate the Pay-To-Play Law (N.J.S.A. 19:44A-20.4 et seq.) during the term of this contract, and has listed political contributions made during the past twelve months as set forth is said certification; and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) Provides that this contract might be awarded without competitive bidding as a "professional service", and further requires that the resolution authorizing the award of contracts for professional services without competitive bid must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Warren County (Pequest River) Municipal Utilities Authority as follows:

- 1. The Chairwoman and Secretary of said Authority are hereby authorized and directed to execute a certain agreement dated December 19, 2023, between the Authority and Pace Analytical Services, LLC, a corporation of the State of New Jersey, having offices at 812 Silvia Street, Ewing, NJ.
- 2. The contract is awarded without competitive bidding as a "Professional Service" because certified laboratory services are exempt from bidding under N.J.S.A. 40A:11-5(1)(a)(i); the Authority has had a positive experience history with this Contractor, and the Contractor has the required licenses, skills, personnel and experience to adequately provide the professional services required by the Authority in this regard.

- 3. A Notice of this resolution shall be published in the official newspaper as required by law within ten days of its passage.
- 4. One copy of this Resolution, and the contract itself, shall be made available at the Authority offices for public inspection.
- 5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
- 6. This Resolution memorializes the action taken by the Authority at its meeting on December 19, 2023.

CERTIFICATION

I, Gerald Norton, Secretary of the Warren County (Pequest River) Municipal Utilities Authority, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Authority at a meeting held on December 19, 2023,

Date: December 19, 2023

CERTIFICATION

I, Laurel Napolitani, Chairwoman of the Authority, do this date certify that the contract mentioned herein exceeds, or is reasonably likely to exceed the sum of \$17,500.00 during its term.

Dated: December 19, 2023

RESOLUTION RE:

EXPENDITURES FROM THE OPERATING FUND DURING THE MONTHS OF NOVEMBER & DECEMBER, 2023

I HEREBY CERTIFY, that the bills listed on the attached Resolution of December 19, 2023, regarding payment of bills from the Operating Fund were for the operating expenses and were in accordance with the Authority's 2023 budget.

Gerald Norton, Secretary

Certificate No. OP 448

Dated: December 19, 2023

Moved by: Mr. Norton

Seconded by: Mr. Roth

Yes 4

No ____
Abstain ___
Absent 1

APPROVAL OF BILLS TO BE PAID FROM THE OPERATING FUND

Meeting: December 19, 2023

BE IT RESOLVED, that the following bills are approved by the Authority for payment from the Operating Fund in accordance with the Authority's Bond Resolution:

Vendor Invoices: Date:

 Check #21838-21845:
 11/28/23
 \$1,310.32

 Check #21846-21875:
 12/18/23
 \$50,966.35

Total: \$52,276.67

PENTAMATION DATE: 11/28/2023 TIME: 10:14:44

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PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD: 11/23 378.79 21.00 51.00 44.85 60.00 176.85 36.79 4.09 293.15 46.33 156.85 203.18 36.50 9.95 19.90 66.35 151.12 -----DESCRIPTION-----MOBILE PHONES & OCC S.WATER STREET PUMP 8499052660035827 8499052660035830 8499052650021506 FLOW METER 309373198 309801924 310260175 4295 4316 4320 4333 MUNICIPAL UTILITY AUTHORITY CHECK REGISTER 5070 5076 5076 5076 5076 5029 5029 5029 5029 5071 5076 5076 5076 5076 ACCT ELIZABETHTOWN GAS VERIZON WIRELESS ---VENDOR----BRIGHTSPEED BRIGHTSPEED BRIGHTSPEED CRS, LLC CRS, LLC CRS, LLC CRS, LLC COMCAST COMCAST JCP&L FUND - MUA01 - MUN UTILITY AUTH GEN FUND 2140 460 935 239 239 239 273 273 DATE ISSUED 10101 11/28/23 10101 11/28/23 10101 11/28/23 TOTAL CHECK 10101 11/28/23 10101 11/28/23 10101 11/28/23 10101 CHECK 11/28/23 10101 11/28/23 10101 11/28/23 TOTAL CHECK 11/28/23 11/28/23 11/28/23 CHECK NUMBER CASH ACCT 10101 10101 10101 10101

21839

21838 21838 21838

21840

21841 21841 21841 21841

TOTAL FUND

1,310.32

BELV PHONE SYSTEM

5076

VOIP BILLING SERVICES

2145

11/28/23

10101

21844 21845

21843

21842

1,310.32

TOTAL REPORT

PENTAMATION DATE: 12/13/2023 TIME: 10:23:57 FUND - MUA01 - MUN UTILITY AUTH GEN FUND

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD: 12/23

PENTAMATION DATE: 12/13/2023 TIME: 10:23:57

PAGE NUMBER: 2 VENCHK11 ACCOUNTING PERIOD: 12/23

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

	AMOUNT	3,276.00	161.46	7.39 6.98 22.349 51.35 11.35	391.66	297.80	466.66	4,558.40	308.62	2,227.51	29.90	220.00	24.00	50,966.35	50,966.35
FUND - MUAO1 - MUN UTILITY AUTH GEN FUND	DESCRIPTION	SLUDGE DISPOSAL NOV	COPIER LEASE QRTLY	A229240 A229500 A229702 A229714 A230390	MONTHLY STIPEND	DUMPSTER FEE DEC	MONTHLY STIPEND .	NOV SLUDGE HAUL	MONTHLY FUEL	WATER QUALITY METER	FLAT SPRAY NOZZEL/FITTING	SERVICE CALL BELV	NOVEMBER BILLING		
	ACCT	5079	5026	5024 5024 5024 5024 5024	5011	5024	5011	5079	5070	5024	5024	5024	5024		
	VENDOR	PASSAIC VALLEY SEWERAGE C	RICOH USA, INC.	RIGO GENERAL HARDWARE RIGO GENERAL HARDWARE RIGO GENERAL HARDWARE RIGO GENERAL HARDWARE RIGO GENERAL HARDWARE	котн, зоѕерн Р.	SANICO INC.	SKOOG, ANNE MARIE	SPECTRASERV INC	THE COUNTY OF WARREN	USA BLUEBOOK	USA BLUEBOOK	WARREN HEATING & COOLING,	WILSON PRODUCTS		
		1520	840	1741 1741 1741 1741 1741	1767	1825	1864	1880	1938	2075	2075	2224	2280		
	DATE ISSUED	12/18/23	12/18/23	12/18/23 12/18/23 12/18/23 12/18/23 12/18/23	12/18/23	12/18/23	12/18/23	12/18/23	12/18/23	12/18/23	12/18/23	12/18/23	12/18/23		
	CHECK NUMBER CASH ACCT	10101	10101	10101 10101 10101 10101 10101 TOTAL 0	10101	10101	10101	10101	10101	10101	10101	10101	10101	FUND	TOTAL REPORT
	CHECK NUMI	21864	21865	21866 21866 21866 21866 21866	21867	21868	21869	21870	21871	21872	21873	21874	21875	TOTAL	TOTAL

RESOLUTION RE:

EXPENDITURES FROM THE CAPITAL IMPROVEMENTS FUND FOR THE MONTH OF NOVEMBER, 2023

I HEREBY CERTIFY that the bills listed for CAPITAL IMPROVEMENTS are in accordance with the Authority's budget.

Gerald Norton, Secretary

Certificate No. CI 453

Dated: December 19, 2023

Moved by: Mr. Roya

Seconded by: Mr. Norton

Yes H

No ____

Abstain ___

Absent 1

CAPITAL IMPROVEMENT BILLS LIST

Dated: December 19. 2023

Bryan Drilling Co., Inc. – Belvidere Well: \$11,558.28
Pumping Services, Inc. – S. Water St Pump #2: \$11,787.51

Total \$23,345.79

PENTAMATION DATE: 12/13/2023 TIME: 10:28:49

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD: 12/23

CHE

	AMOUNT	11,558.28	11,787.51	23,345.79	23,345.79
	DESCRIPTION	BELV WELL REPLACEMENT	S.WATER ST PUMP #2		
	ACCT	19001	19001		
	DATE ISSUEDVENDOR	BRYAN DRILLING CO., INC.	PUMPING SERVICES, INC.		
GEN FUN		185	1.590		
TILITY AUTH	DATE ISSUE	12/19/23	12/19/23		
FUND - MUA01 - MUN UTILITY AUTH GEN FUND	THECK NUMBER CASH ACCT	10101	10101	TOTAL FUND	TOTAL REPORT
FUNC	CHECK NO	21876	21877	ATOT	4T0T