WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

MINUTES February 16, 2021

Chairperson Napolitani called the regular meeting of the Warren County (Pequest River) Municipal Utilities Authority to order at 7:57 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, Chairperson
Everdina O'Connor, Vice Chairman
Chad Chamberlain, Secretary
Sidney Deutsch
Drew Kiszonak
Donald Niece
Robert Nyland
Robert Piazza
Morris Scott, Jr.

Also, in attendance were, Stephen Donati, P.E., Authority Engineer; Brian Tipton, Esq., Authority Legal Counsel (via conference call); Kim Francisco, Authority Chief Financial Officer; Kevin Shoudt, Authority Consultant; and Susan Wright, Administrative Assistant.

Chairperson Napolitani read the Introductory Statement.

MINUTES

Mr. Scott moved, and Mr. Kiszonak seconded to approve the minutes of the January 19, 2021 regular meeting, as presented. All in favor, motion carried.

Mr. Scott moved, and Mr. Kiszonak seconded to approve the minutes of the January 19, 2021 executive session, as presented. All in favor, motion carried

CORRESPONDENCE

Mr. Chamberlain recapped the correspondence listed below:

 Letter dated January 18, 2021 from Michele Potter, Manager, Office of Quality Assurance, NJDEP to John Wasser, Laboratory Manager, regarding March 2021 Non-Portable Water PT Study for Belvidere WWTF.

- Letter dated January 18, 2021 from Michele Potter, Manager, Office of Quality Assurance, NJDEP to John Wasser, Laboratory Manager, regarding March 2021 Non-Portable Water PT Study for Oxford WWTF.
- 3. Letter dated January19, 2021 from Ferriero Engineering, Inc. regarding an application by Jaindl Land Co., to the NJDEP for an amendment to the Upper Delaware Water Quality Management. (Original and attachments given to Steve Donati).
- 4. Memorandum dated January 25, 2021 to Kevin Shoudt from CP Engineer, Joseph Mikulka, Senior Regulatory Specialist, regarding the Delaware River Basin Commission Dockets for Wastewater Treatment Facility.
- 5. Letter dated January 26, 2021 from Suburban Consulting Engineers, Inc. regarding site improvements to 600 5th Street, Belvidere, NJ.
- 6. Letter dated January 28, 2021 from Township of White enclosing Ordinance No. 2021-04 to amend Chapter 160, Section 163, Article XXI CC- Community Commercial District of the Code of the Township of White to add a permitted use banquet halls.
- 7. Public Notice to the White Township Planning Board from Foul Rift Solar Farm, LLC for preliminary and final site approval to construct a photovoltaic grid supply solar farm on Block 21, Lot 11.03, commonly described as 46 Foul Rift Road in White Township.

EXECUTIVE SESSION

At approximately 8:02 pm, Ms. O'Connor moved, and Mr. Scott seconded to adopt Resolution #21-10, to enter into an executive session to discuss contract and general reporting matters. All in favor, motion carried.

At approximately 8:21 p.m., Mr. Scott moved, and Ms. O'Connor seconded to return to open session. All in favor, motion carried.

ENGINEER'S REPORT

Mr. Donati's report was included in the agenda packets.

Jaindl Development: Received documents from Ferriero Engineering on behalf of Jaindl, requesting comments on the proposed Water Quality Management Plan Amendment to extend the sewer service area of the Belvidere WWTF to include the Jaindl property. Mr. Donati advised that he will be sending an email advising them that the documents will not be reviewed until such time as the escrow account has been replenished.

600 5th Street, Belvidere: Mr. Donati spoke with the engineer from Suburban Consulting Engineers, Inc. regarding their letter dated January 26, 2021. It is a medical marijuana facility that will be relocating from Franklin, NJ (Sussex County) to Belvidere. It is very early in the process so they did not have much information. Mr. Donati suggested that the first step would

be to have them establish an escrow account with a minimum of \$3,000.00 to pay for documentation, etc.

Mr. Donati gave a brief status report regarding the DRBC Annual Effluent Quality Reports for both plants.

Spill Prevention Control and Countermeasure Plan: Most of the requirements are procedural; however, one item that Mr. Donati and Mr. Shoudt are working on is providing containment of the two 275 gallon above ground storage tanks. The plan cannot be put in place until that has been completed. They are working on determining the most cost-efficient way to proceed with that requirement.

Belvidere Pretreatment Tank Mechanical Screen: Mr. Donati provided the results of the bid opening on February 10, 2021. He advised that they found out there is an alternative screen being offered at approximately half the price of the specified screen, which is why there is a big disparity in the prices. The majority of the bids were with the specified screen; however, the two lowest bids were based on the alternative item. Mr. Donati spoke with Mr. Tipton and they have agreed to hold off on awarding the project until such time as they can look into the alternative screen and decide whether or not it is an equal quality item. If it is an acceptable screen, then the project can be awarded to the low bidder. If it is not, then Mr. Tipton will need to decide to either disqualify the two lowest bids as non-compliant, or send the project out for a re-bid.

Mr. Piazza inquired as to how much the screens themselves cost. Mr. Donati advised that the specified screen is approximately \$110,000.00 and the alternative screen is around \$70,000.00.

Mr. Shoudt inquired about the lowest bidder's screen, which is more of a vertical unit, and questioned whether we would have to go back to the State for approval on that unit. Mr. Donati did agree that with that particular unit, he would most likely need to get State approval, and therefore, the lowest bid would probably be eliminated.

Interceptor System Program: Mr. Donati advised the Board that there were two bidders, one of which was below the estimate and the other which was high. He recommended that the base bid and the County sewer line alternate be awarded to the low bidder. Mr. Nyland moved to adopt Resolution #21-11 Awarding Contract 20-03 for the Collection System CCTV Inspection Services (which will include the County line alternate) to North American Pipeline Services, LLC, Mr. Scott seconded. The motion passed unanimously on a roll call vote.

Mr. Donati gave a brief status report regarding the Oxford UV.

Oxford Paving Project: Mr. Donati advised that all the drawings and specifications are ready for bid and he met at the site with the operators. Mr. Scott moved to authorize advertisement to bid the project. Mr. Niece seconded. All in favor, motion carried.

Mr. Niece inquired about the industrial painting of the clarifiers at the Belvidere plant, which needs to be done in fair weather. Mr. Donati agreed that this project should be done between May and September. Mr. Niece moved to authorize CP Engineers to proceed with the Belvidere

Clarifier project. Mr. Scott seconded. All in favor, motion carried.

CFO'S REPORT

Mr. Francisco summarized the monthly financial report. Our first debt service payment for the year has been paid.

Most of the first quarter payments for sewer treatment charges have been received. Ms. Wright advised that she spoke with Warren County and was advised that payment would be received within the week. She also advised that she has left two messages with White Township and has not received a call back as of the meeting date.

Mr. Francisco advised that he has twice requested that Jaindl replenish the escrow account. To date, they have not responded. He further advised that Mr. Carney will reach out to Jaindl and Mr. Donati will contact their engineer.

Mr. Francisco presented the annual Cash Management Plan.

Mr. Nyland moved to adopt Resolution #21-12, adopting the annual Cash Management Plan for 2021. Mr. Scott seconded. The motion passed unanimously on a roll call vote.

Mr. Francisco advised that the 2020 taxes to the IRS, the W2s and 1099s have all been paid and distributed on time.

GENERAL COUNSEL'S REPORT

Mr. Tipton presented Resolution #21-13, authorizing the award of a non-fair and open contract for professional consulting services to Kevin Shoudt & Associates, LLC for 2021. Mr. Niece moved to approve said Resolution. Mr. Scott seconded. The motion passed. Roll call was as follows:

Mr. Chamberlain	Yes	Ms. O'Connor	No
Mr. Deutsch	Yes	Mr. Piazza	Abstain
Mr. Kiszonak	No	Mr. Scott	Yes
Mr. Niece	Yes	Chairperson Napolitani	No
Mr Nyland	Yes	-	

Chairperson Napolitani introduced a resolution for the appointment of the Authority's Public Agency Compliance Officer for 2021.

Mr. Niece moved to adopt Resolution #21-14, authorizing the appointment of Mr. Shoudt as the Authority's Public Agency Compliance Officer (PACO) for 2021. Mr. Scott seconded. The motion passed unanimously on a roll call vote.

AUTHORITY CONSULTANT

Mr. Shoudt distributed his report prior to the meeting.

Belvidere: Mr. Shoudt advised that he revised the scope of work for the lights that need to be replaced and he is awaiting quotes.

Oxford: Mr. Shoudt advised that he did look into the price for a spare pump for the influent pump station. Received a quote of \$8,600.00 for a new pump and approximately \$4,000.00 for a remanufactured pump. The Board had a brief discussion regarding how many pumps are actually necessary. The Board decided that it is not necessary to have a fourth pump.

General Business. The operators were transporting an old snow blower (which was over 25 years old) between both plants and unfortunately during the snow storm, it broke. A replacement snow blower was purchased for Belvidere, a new one for Oxford.

Mr. Should advised that he will be providing both plants, as well as the administration building, new compliant posters.

Mr. Piazza questioned Mr. Shoudt about the numerous invoices from Bill Hodge Electrical. Mr. Shoudt advised that he is looking into other electricians as he is not satisfied with the invoices. He has repeatedly requested that the hourly rate, as well as labor hours, be incorporated on their invoices. He has also requested that the operators contact him before calling Bill Hodge Electrical to come out to the plants.

FINANCE

Mr. Piazza moved that Resolution #21-15 (Certificate No. 414: \$70,984.08) be approved to pay all bills from the Operating Fund, as presented. Mr. Scott seconded. The motion passed unanimously on a roll call vote.

Mr. Piazza moved that Resolution #21-16 (Certificate No. 420: \$30,860.70) be approved to pay all bills from the Capital Improvements Fund as presented. Mr. Kiszonak seconded. The motion passed unanimously on roll call vote.

Mr. Piazza moved that Resolution #21-17 (Certificate No. 013: \$168.00) be approved to pay all bills from the Escrow Fund as presented. Mr. Kiszonak seconded. The motion passed unanimously on roll call vote.

UNFINISHED BUSINESS

Mr. Nyland requested that a computer back-up drive be looked into. Chairperson Napolitani advised Mr. Francisco that within the Executive Session, discussion regarding the system that Mr. Shoudt is using for data entry on a laptop will need to be used at both plants as well and therefore, new computers will need to be purchased. She asked Mr. Francisco whether or not there would be a financial issue with such purchases. Mr. Francisco advised that there is no

financial issue. It was further discussed that by the next monthly meeting the issue of a back-up cloud service will be known, as well as whether the Oxford plant will need a new computer. A limit of \$100.00 was set for a portable back-up drive if necessary.

NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public comment.

As there was no more business to come before the Authority, Mr. Niece moved, and Mr. Scott seconded that the meeting be adjourned. All in favor, motion carried. The meeting was adjourned at 9:15 p.m.

Susan Wright
Susan Wright

Administrative Assistant

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

- 1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
- 2. The General nature of the subject matter to be discussed is as follows:

Contract Negotiations

- 3. It is anticipated at this time that the above subject matter will be made public when appropriate.
- 4. This Resolution shall take effect immediately.

WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

rel Napolitani. Chairperson

Chad Chamberlain, Secretary

DATED: February 16, 2021

RESOLUTION RE:

AWARDING WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY CONTRACT NO. 20-03 FOR COLLECTION SYSTEM CCTV INSPECTION SERVICES TO NORTH AMERICAN PIPELINE SERVICES LLC.

WHEREAS, it is necessary for the Warren County (Pequest River) Municipal Utilities Authority (Authority) to properly operate and maintain their wastewater collection system; and

WHEREAS, the Authority has prepared and Operations & Maintenance (O&M) Manual for its wastewater collection system in accordance with NJDEP requirements which requires that the Authority owned manholes be inspected and documented every three (3) years and that the Authority owned interceptor sewers be inspected and documented every ten (10) years; and

WHEREAS, bid documents entitled "Collection System CCTV Inspection: Contract No. 20-03", have been prepared by the Authority's Consulting Engineer and approved by the Authority's staff; and

WHEREAS, the Authority legally advertised for bids in accordance with N.J.S.A. 40A:11-23; and

WHEREAS, sealed bids were received and opened by the Authority on February 10, 2021 in accordance with the Contract Documents and Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq.; and

WHEREAS, the bids were reviewed by the Authority's staff and Consulting Engineer who have recommended award North American Pipeline Services LLC., as the lowest responsive and responsible bidder, for a bid price of \$156,110.00; and

WHEREAS, the Authority's has certified that funds for said contract services are available.

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

- 1. That Contract No. 20-03 be awarded to North American Pipeline Services LLC., as the lowest responsive and responsible bidder, contingent upon concurrence of General Counsel.
- 2. That, as conditioned above, the Authority's Consulting Engineer is hereby authorized and directed to award, on behalf of the Authority, Contract No. 20-03 to North American Pipeline Services LLC., at a Total Contract Price of \$156,110.00.

WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

Bv: /

onald Niece, Chairman

CERTIFICATION

I, Chad Chamberlain, Secretary of the Warren County (Pequest River) Municipal Utilities Authority, do certify the foregoing to be a true copy of a memorializing resolution adopted by a majority of all members of the Authority at a regular meeting of the Authority held on February 16, 2021.

Chad Chamberlain, Secretary

RESOLUTION 21-12

RESOLUTION ADOPTING AN AMENDED CASH MANAGEMENT PLAN

WHEREAS, N.J.A.C. 5:31-3.1 requires the Warren County (Pequest River) Municipal Utilities Authority (hereafter the "Authority") to adopt a Cash Management Plan which designates authorized depositories and sets forth the Authority's investment policy; and

NOW, THEREFORE, BE IT RESOLVED, on this 16th day of February 2021, by the Warren County (Pequest River) Municipal Utilities Authority that the attached amended Cash Management Plan shall be the Cash Management Plan of the Warren County (Pequest River) Municipal Utilities Authority.

CERTIFICATION

I,	, Secretary of the Warren County (Pequest River)
Municipal Utilities Authority, d	lo certify the foregoing to be a true copy of a resolution
adopted by a majority of all m	nembers of the Authority at a regular meeting of the
Authority held on February 16	5, 2021.
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Moved by: Mr. Niece
Seconded by: Mr. Stott
Yes
No
Abstain
Absent

CASH MANAGEMENT PLAN

The following Plan constitutes the Cash Management and Investment policy of the Warren County (Pequest River) Municipal Utilities Authority (herein referred to as the Authority).

I. Cash Management and Investment Objectives

The objectives are:

- 1. Preservation of capital.
- 2. Adequate safekeeping of assets.
- 3. Maintenance of liquidity to meet operating needs.
- 4. Diversification of the Authority's portfolio to minimize risks associated with individual investments.
- 5. Maximization of total return, consistent with risk levels specified herein.
- 6. Investment of assets in accordance with State and Federal Laws and Regulations.
- 7. Accurate and timely reporting of interest earnings.
- 8. Stability in the value of the Authority's economic surplus.

II. Permissible Investments

A. Investments shall be limited by the express authority of the Local Fiscal Affair Law, N.J.S.A. 40A:5-15.1 and except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- 1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- 2. Government money market mutual funds;
- 3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- Bonds or other obligations of the Local Unit or bonds or other obligations
 of school districts of which the Local Unit is a part or within which the
 school district is located;
- 5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- 6. Local government investment pools;
- 7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C. 52: 18A-90.4); or

- 8. Agreements for the repurchase of fully collateralized securities if:
 - a. the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection;
 - b. the custody of collateral is transferred to a third party;
 - c. the maturity of the agreement is not more than 30 days;
 - d. the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C. 17:9-41); and
 - e. a master repurchase agreement providing for the custody and security of collateral is executed.
- B. Not withstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

III. Authorized Depositories

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan: IRCO Credit Union, First Bank, First Hope Bank, Investors Bank, Lakeland Bank, Public Financial Management (PFM), PNC Bank, Provident Bank, Fulton Bank of NJ, Santander Bank, TD Bank, Unity Bank, and Valley National Bank.

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official.

IV. Authority for Investment Management

The "Designated Official" is directed to make authorized investments which shall be consistent with this plan and all appropriate regulatory constraints.

The following institutions are hereby designated as the firms with whom the "Designated Official" of the Authority referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments of otherwise providing for Deposits: IRCO Credit Union, First Bank, First Hope Bank, Investors Bank, Lakeland Bank, Public Financial Management (PFM), PNC Bank, Provident Bank, Fulton Bank of NJ, Santander Bank, TD Bank, Unity Bank, and Valley National Bank.

The institution shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the "Designated Official."

V. Audit

This Plan, and all matters pertaining to the implementation of it, shall be subject to the Authority's annual audit. The Authority reserves the right to audit more frequently.

VI. Safekeeping Custody Payment and Acknowledgment of Receipt of Plan

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Authority, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Authority to assure that there is no unauthorized use of the funds or the Permitted Investments or deposits. The purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Authority or by a third party custodian prior to or upon the release of the Authority's payment.

To assure that all parties with whom the Authority deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official.

VII. Reporting for Asset Manager (if applicable)

The asset manager will submit written statements describing the proposed investment strategy for achieving the objectives identified herein. The asset manager shall also submit revisions to strategy when justified as a result of changing market conditions or other factors. Such statements shall be provided to the "Designated Official". The asset manager shall provide the "Designated Official" with a copy of the institution's annual National Association of Security Dealers' audit.

VIII. Reporting Requirements to Authority Commissioners

At each scheduled meeting during which this Plan is in effect, the "Designated Official" hereof shall supply to the Commissioners of the Authority a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- 1. The name of any institution holding funds of the Authority as a Deposit or a Permitted Investment.
- 2. The amount of securities or deposits purchased or sold during the immediately preceding month.
- 3. The class or type of securities purchased or Deposits made.

- 4. The book value of such Deposits or Permitted Investments.
- 5. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- 6. The fees incurred to undertake such Deposits or Permitted Investments.
- 7. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- 8. All other information which may be deemed reasonable from time to time by the Commissioners of the Authority.

IX. Cash Flow Projections

Asset management decisions shall be guided by cash flow factors reviewed by the Commissioners and the "Designated Official."

X. Cash Management

All monies shall be deposited within forty-eight (48) hours in accordance with N.J.S.A. 40A:5-15.

The "Designated Official" shall minimize the possibility of idle cash accumulating in accounts by assuring that all amounts in excess of negotiated compensating balances are kept in interest bearing accounts or promptly credited into the investment portfolio.

The method of calculating banking fees and compensation balances shall be disclosed to the Commissioners at least annually.

Cash may be withdrawn from investment pools under the discretion of the asset manager only to funds operations.

XI. Authorized Signatories and Verification

- A. All checks require two (2) signatures. Those being any two of the following positions:
 - 1. Treasurer
 - 2. Chairperson
 - 3. Chief Financial Officer
- B. The "Designated Official" is authorized to effect electronic fund transfer to investment accounts. Verification is required by any one (1) of the following positions:
 - 1. Chairperson
 - 2. Chief Financial Officer

The Commissioners shall, by resolution, memorialize such authorities annually.

XII. Deviations/Amendments

Any recommendation regarding a deviation or amendment to the Cash Management Plan (to the extent permitted by law then in effect), must be approved by two-thirds (2/3) vote of the Commissioners.

XIII. Term of Plan

This Plan shall be in effect from February 19, 2019 and shall remain in effect until amended by resolution of the Board or superseded by a subsequent plan adopted annually at the Board reorganization meeting. Attached to this Plan is a resolution of the Commissioners of the Authority approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Commissioners, the "Designated Official" is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

XIV. Definitions

- A. Designated Official shall mean the Chief Financial Officer.
- B. Finance Committee shall be appointed by the Chairman annually and shall mean an Advisory Committee comprised of at least two (2) Commissioners in addition to the Treasurer.
- C. Government Money Market Mutual Fund. An investment company or investment trust:
 - 1. which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
 - 2. the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. ser. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and

3. which has:

a. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or b. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the Investment

Advisors Act of 1940, 15 U.S.C. sec.80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

D. Local Government Investment Pool. An investment pool:

1. which is managed in accordance with 17 C.F.R. sec. 270.2a-7;

2. which is rated in the highest category by a nationally recognized statistical rating organization;

3. which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270a-7 and repurchase agreements that are collateralized by such U.S. Government securities;

- 4. which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B -1 et seq.) By the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- 5. which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- 6. which purchases and redeems investments directly from the issuer, government money market fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

NEW JERSEY STATUTES ANNOTATED TITLE 40A. MUNICIPALITIES AND COUNTIES CHAPTER 5. LOCAL FISCAL AFFAIRS LAW

40A:5-15.1. Securities which may be purchased by local units

- a. When authorized by a cash management plan approved pursuant to N.J.S.40A:5-14, any local unit may use moneys which may be in hand for the purchase of the following types of securities which, if suitable for registry, may be registered in the name of the local unit:
 - (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 - (2) Government money market mutual funds;
 - (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 - (4) Bonds or other obligations of the local unit or bonds or other obligations of school districts of which the local unit is a part or within which the school district is located;
 - (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by local units;
 - (6) Local government investment pools;
 - (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L.1977, c. 281 (C.52:18A-90.4); or
 - (8) Agreements for the repurchase of fully collateralized securities, if:
 - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a.;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in section 1 of P.L.1970, c. 236 (C.17:9-41); and
 - (e) a master repurchase agreement providing for the custody and security of collateral is executed.
- b. Any investment instruments in which the security is not physically held by the local unit shall be covered by a third party custodial agreement which shall provide for the designation of such investments in the name of the local unit and prevent unauthorized use of such investments.

- c. Purchase of investment securities shall be executed by the "delivery versus payment" method to ensure that securities are either received by the local unit or a third party custodian prior to or upon the release of the local unit's funds.
- d. Any investments not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash Management Fund, shall be purchased and redeemed through the use of a national or State bank located within this State or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L.1967, c. 93 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

e. For the purposes of this section:

- (1) a "government money market mutual fund" means an investment company or investment trust:
 - (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. § 80a-1
 - et seq., and operated in accordance with 17 C.F.R. s. 270.2a-7;
 - (b) the portfolio of which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. s. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities in which direct investment may be made pursuant to paragraphs (1) and (3) of subsection a. of this section; and
 - (c) which is rated by a nationally recognized statistical rating organization.
- (2) a "local government investment pool" means an investment pool:
 - (a) which is managed in accordance with 17 C.F.R. s. 270.2a-7;
 - (b) which is rated in the highest category by a nationally recognized statistical rating organization;
 - (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. s. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities in which direct investment may be made pursuant to paragraphs (1) and (3) of subsection a. of this section;

- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- which purchases and redeems investments directly from the issuer, (f) government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section (C.49:3-56) and has at least \$25 million 9 of P.L.1967, c. 93 in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.
- f. Investments in, or deposits or purchases of financial instruments made pursuant to this section shall not be subject to the requirements of the "Local Public Contracts Law," P.L.1971, c. 198 (C.40A:11-1 et seq.).

RESOLUTION #21-/3: AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL CONSULTING SERVICES, FOR 2020-2021

WHEREAS, there exists a need for professional consulting services relative to oversight and management of the business and supervision of the operations of the Warren County (Pequest River) Municipal Utilities Authority (Authority), as set forth in detail in the attached Agreement between this Authority and Kevin Shoudt & Associates, L.L.C. (Contractor); and

WHEREAS, the Authority desires to contract for services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the terms of this Agreement reflect approved monthly fees for a defined scope of services, and based thereon the Authority has determined that the annual cost for the services is \$65,000.00, which value will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is from March 1, 2021 to February 28, 2022; and

WHEREAS, Contractor has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the County of Warren, New Jersey, in the previous one year, and that the contract will prohibit the Contractor from making any reportable contributions through the term of the contract; and

WHEREAS, there are funds available for this Contract.

NOW THEREFORE, BE IT RESOLVED that:

- 1. The Warren County (Pequest River) Municipal Utilities Authority authorizes its Chairman and Secretary to enter into a contract with Kevin Shoudt & Associates, L.L.C. as described herein.
- 2. The contract is awarded without competitive bidding as a "Professional Service" because professional engineering services are exempt from bidding under N.J.S.A. 40A:11-1(6)(a).
- 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.

CERTIFICATION

I, Chad Chamberlain, 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 February 16, 2021.

BY:

Chad Chamberlain, Secretary

CERTIFICATION

I, Donald Niece, Chairman 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.

BY: Lawel Capalitante
Donald Niece, Chairman

Dated: February 16, 2021

RESOLUTION 21 - 14

RESOLUTION AUTHORIZING THE APPOINTMENT OF A PUBLIC AGENCY COMPLIANCE OFFICER TO THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY.

WHEREAS, the Affirmative Action Office of the New Jersey Department of the Treasury has revised the obligations of the public contracting process set forth in N.J.A.C. 17:27 et seq., pursuant to P.L. 1975, C. 127; and

WHEREAS, the requirements require the designation of a "Public Agency Compliance Officer" (PACO) to represent the Warren County (Pequest River) Municipal Utilities Authority (WC(PR)MUA).

WHEREAS, the PACO is to be appointed annually; and

WHEREAS, the WC(PR)MUA desires to appoint Kevin Shoudt as the PACO for the WC(PR)MUA.

NOW, THEREFORE, BE IT RESOLVED by the WC(PR)MUA in the County of Warren, State of New Jersey, that:

- 1. Kevin Shoudt will represent the WC(PR)MUA as the PACO through the year 2021.
- 2. One copy of this Resolution shall be made available at the Authority's offices for public inspection.

CERTIFICATION

I, <u>Chad Chamberlaud</u> , SEC (PEQUEST RIVER) MUNICIPAL UTILITIES FOREGOING TO BE A TRUE COPY OF A RE MAJORITY OF ALL MEMBERS OF THE AU	AUTHORITY, DO CERTIFY ESOLUTION ADOPTED BY A	THE A
AUTHORITY HELD ON FEBRUARY 18, 2020		71 1111
Dated: February 16,2021	Chad Chambertain	Secretary
Moved by: 14r. Niece Seconded by: Mr. Scott Yes 5		

No <u>3</u> Abstain <u>1</u> Absent &

RESOLUTION RE:

EXPENDITURES FROM THE OPERATING FUND DURING THE MONTHS OF JANUARY & FEBRUARY 2021.

I HEREBY CERTIFY, that the bills listed on the attached Resolution of February 16, 2021, regarding payment of bills from the Operating Fund were for the operating expenses and were in accordance with the Authority's 2021 budget.

Chad Chamberlain, Secretary

Certificate No. OP 414

Dated: February 16, 2021

Moved by: Mr. Piazza

Seconded by: Mr. Scott

Yes <u>9</u>

No 🗵

Abstain Ø

Absent Ø

APPROVAL OF BILLS TO BE PAID FROM THE OPERATING FUND

Meeting: February 16, 2021

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 #20142-20153:

01/29/21

\$3,120.89

02/16/21

\$67,863.19

Total \$70,984.08

Check #20157-20195:

2500

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PENTAMATION DATE: 01/29/2021 TIME: 09:00:47

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD:

1/21

9.95 36.42 19.90 66.27 41.40 248.55 289.95 27.07 3.10 254.53 748.00 AMOUNT GEN ADMIN LEGAL SERV --DESCRIPTION-PROPANE BELVIDERE PROPANE BELVIDERE 8499052660035827 8499052660035835 4071655675 4071037099 4068931806 4070338887 4069663414 4068932072 4070339217 4071037435 4071055937 0309801924 0309373198 0310260175 FLOW METER 5070 5076 5076 5076 5076 ACCT 5070 5027 5071 5021 FLORIO PERRUCCI STEINHARD CORPORATION CORPORATION CORPORATION CORPORATION CORPORATION CORPORATION CORPORATION CORPORATION NJ ADVANCE MEDIA --VENDOR-CENTURYLINK CENTURYLINK CENTURYLINK AMERIGAS AMERIGAS COMCAST CINTAS CINTAS CINTAS CINTAS CINTAS CINTAS CINTAS CINTAS CINTAS JCP&L FUND - MUA01 - MUN UTILITY AUTH GEN FUND 1370 2339 273 539 935 56 DATE ISSUED 101 01/29/21 101 01/29/21 101 01/29/21 TOTAL CHECK 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 01/29/21 TOTAL CHECK CHECK 10101 10101 TOTAL (CHECK NUMBER CASH ACCT 10101 10101 10101 10101 10101 10101 10101 10101

20145 201145 201145 201145 201145 201145 201145 201145

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20148

20147

20149

20144 20144 20144

20142 20143 TOTAL FUND

TOTAL REPORT

357.42 334.88 692.30

0009832847 STAR LEDGE 0009832840 STAR LEDGE EASTON EXPRS LEGL NOT

5021

NJ ADVANCE MEDIA NJ ADVANCE MEDIA

1370

01/29/21 01/29/21 CHECK

10101

20150 20150

TOTAL

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5024

8.67

3,120.89

3,120.89

SOCOS

MOBILE PHONES &

5076

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THE COUNTY OF WARREN

SANICO INC

1825 1938

01/29/21 01/29/21 01/29/21

10101

20151

10101

20152

10101

20153

VERIZON WIRELESS

2140

PENTAMATION DATE: 02/10/2021 TIME: 15:28:30 FUND - MUA01 - MUN UTILITY AUTH GEN FUND

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD:

2/21

UTHORITY

									*						
AMOUNT	20.00 20.00 40.00	511.39	294.28 822.83 416.45 367.93 371.81 294.34	1,639.63	437.56	35.29 55.29 44.99 135.57	14 8 8 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	1,000.00	1,680.00 369.00 252.00 294.00 2,595.00	166.66	672.62	230.00	344.78	1,462.88	3.87 34.98 734.69 328.34 7,239.59
DESCRIPTION	INV. 137541051 INV. 137083799	HAY BAGS	201224 201229 210502 201201 210111 201216	201022	MISC. AUTO PARTS	0309480336 0309538602 0310189069	4072923898 4074627643 4073588200 407358666 4072224492 4074267682 4072204904	FINANCE SUPPORT	GEN AUTHORITY BUS PERMITS & APPROVALS AUTHORITY MEETINGS OPER CONSULT	MONTHLY STIPEND	GEN COUNSEL JAN	INV #17015	REIMB HEALTH	ULTRAVIOLET LAMP	100004582811 100005061898 100005205917 100004952337 100004188262
ACCT	5026 5026	5024	5 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	5024	5025	5076 5076 5076	5043 5043 5043 5043 5043 5043	5028	5545 5545 5545 5545	5011	5027	5024	5092	5024	5071 5071 5071 5071 5071
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Q	288	53	161 161 161 161 161	161	206	239 239 239	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	287	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	340	539	579	625	638	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
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0266

PENTAMATION DATE: 02/10/2021 TIME: 15:28:30 FUND - MUA01 - MUN UTILITY AUTH GEN FUND

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PAGE NUMBER: 2 VENCHK11 ACCOUNTING PERIOD: 2/21

> MUNICIPAL UTILIT CHECK REG

AMOUNT	10,307.28	5,416.66	166.66	3,731.40	166.66	15.56	165.00 265.00 300.50 323.50 10.50 910.50 2,950.50	333.32	38.75	3.49	166.66	291.66	484.03 109.46 147.73 741.22	1.43	5,600.00	291.66	139.95	4,994.80	3,924.48	18.36 31.78 50.14	260.62
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VENDOR	JCP&L	KEVIN SHOUDT & ASSOCIATES	KISZONAK, DREW	MAIN POOL & CHEMICAL CO.,	NAPOLITANI, LAUREL	NEW JERSEY AMERICAN WATER	NEW JERSEY ANALYTICAL LAB NEW JERSEY ANALYTICAL LAB	NIECE, DONALD L.	NJ ADVANCE MEDIA	NORTH EAST PARTS GROUP, L	NYLAND, ROBERT F.	O'CONNOR, EVERDINA A.	OFFICE CONCEPTS GROUP, IN OFFICE CONCEPTS GROUP, IN	ONE CALL CONCEPTS, INC.	PASSAIC VALLEY SEWERAGE C	PIAZZA, ROBERT	RD BOOTS	REP PUMP SERVICES, LLC	REP PUMP SERVICES, LLC	RIGO GENERAL HARDWARE RIGO GENERAL HARDWARE	SANICO INC.
Q	935	1030	1040	1215	1330	1340	133 134 134 134 134 134 134 134 134 134	1355	1370	1387	1395	1397	1420 1420 1420	1440	1520	1565	1728	1733	1733	1741	1825
T DATE ISSUED	02/16/21 CHECK	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21 02/16/21 02/16/21 02/16/21 02/16/21 02/16/21 02/16/21	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21	01 02/16/21 01 02/16/21 01 02/16/21 TOTAL CHECK	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21 02/16/21 CHECK	02/16/21
MBER CASH ACCT	10101 TOTAL	10101	10101	10101	10101	10101	10101 10101 10101 10101 10101 10101 10101 TOTAL	10101	10101	10101	10101	10101	10101 10101 10101 TOTAL	10101	10101	10101	10101	10101	10101	10101 10101 TOTAL	10101
CHECK NUMBER	20171	20172	20173	20174	20175	20176	20177 20177 20177 20177 20177 20177 20177	20178	20179	20180	20181	20182	20183 20183 20183	20184	20185	20186	20187	20188	20189	20190 20190	20191

PENTAMATION
DATE: 02/10/2021
TIME: 15:28:30

PAGE NUMBER: 3 VENCHK11 ACCOUNTING PERIOD: 2/21

5,985.00 46.78 1,000.00 726.01 67,863.19 AMOUNT -----DESCRIPTION-----PENALTY OXFORD WWTP DEC SLUDGE HAUL OFFICE SUPPLIES JUL 20 - JAN 21 MUNICIPAL UTILITY AUTHORITY CHECK REGISTER 5030 5049 ACCT 5079 5024 TREASURER, STATE OF NEW J STAPLES CREDIT PLAN SPECTRASERV INC WILSON PRODUCTS ---VENDOR----FUND - MUA01 - MUN UTILITY AUTH GEN FUND 2280 1880 1886 1993 DATE ISSUED ----02/16/21 02/16/21 02/16/21 02/16/21 CHECK NUMBER CASH ACCT 10101 10101 10101 10101 TOTAL FUND 20193 20194 20192 20195

67,863.19

TOTAL REPORT

RESOLUTION RE:

EXPENDITURES FROM THE CAPITAL IMPROVEMENTS FUND FOR THE MONTHS OF JANUARY & FEBRUARY 2021.

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

Lawl Apolitane Donald Nicce, Chairperson

Chad Chamberlain, Secretary

Certificate No. CI 420

Dated: February 16, 2021

Moved by: Mr. Piazza

Seconded by: Mr. Kiszonak

Yes 9

No Ø

Abstain Ø

Absent Ø

CAPITAL IMPROVEMENT BILLS LIST

Dated: February 16, 2021

1. CP Engineers, LLC
Engineering Services
Interceptor System
Oxford UV System
Belvidere WWTF PT Screen
Oxford WWTF Access Road

..... \$3,357.00

DeMaio Electrical Co.: Oxford WWTP UV Disinfect

.... \$27,503.70

Total

.... \$30,860.70

3

PENTAMATION DATE: 02/10/2021 TIME: 14:50:08

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD: 2/21

336.00 197.50 654.75 2,168.75 3,357.00 30,860.70 30,860.70 AMOUNT 27,503.70 ----DESCRIPTION-----OXFORD WWTP UV DISINFECT OXFORD WWTF ACCESS RD BELV WWTF PT SCREEN OXFORD UV SYSTEM INTERCEPTOR SYSTEM 19001 19002 19050 19001 DEMAIO ELECTRICAL COMPANY 19050 ACCT CP ENGINEERS NJ, LLC
CP ENGINEERS NJ, LLC
CP ENGINEERS NJ, LLC
CP ENGINEERS NJ, LLC --VENDOR----FUND - MUA01 - MUN UTILITY AUTH GEN FUND 320 DATE ISSUED 10101 02/12/21 10101 02/12/21 10101 02/12/21 10101 02/12/21 TOTAL CHECK 02/12/21 CHECK NUMBER CASH ACCT 10101 TOTAL REPORT TOTAL FUND 20154 20154 20154 20154 20155

RESOLUTION RE:

EXPENDITURES FROM THE ESCROW FUND FOR THE MONTHS OF JANUARY, 2021.

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

Laurel Napolitani
Laurel Napolitani

Chad Chamberlain, Secretary

Certificate No. ESC 013

Dated: February 16, 2021

Moved by: Mr. Piazza

Seconded by: Mr. Kiszonak

Yes 9

No Ø

Abstain Ø

Absent Ø

ESCROW FUND BILLS LIST

Dated: January 19, 2021

1. CP Engineers, LLC
Engineering Service
Jaindl Land Company
December, 2020
Jaindl Escrow Account:

...... \$168.00

Total

...... \$168.00

3

PENTAMATION DATE: 02/10/2021 TIME: 14:54:17

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD: 2/21

--VENDOR----

ACCT CP ENGINEERS NJ, LLC

293

DATE ISSUED ---02/15/21

CHECK NUMBER CASH ACCT

10101

20156

20500

-----DESCRIPTION-----

AMOUNT 168.00

ENGINEER ESCROW JAINDL

168.00

168.00

TOTAL REPORT

TOTAL FUND

FUND - MUA01 - MUN UTILITY AUTH GEN FUND