

**WARREN COUNTY (PEQUEST RIVER)
MUNICIPAL UTILITIES AUTHORITY
REORGANIZATION MEETING
MINUTES
FEBRUARY 16, 2021**

Chairman Niece called the reorganization meeting of the Warren County (Pequest River) Municipal Utilities Authority to order at 7:40 P.M. The meeting was held at the Authority's Administration building located at 199 Foul Rift Road, Belvidere, New Jersey.

Roll Call:

Donald Niece, Chairman
Everdina O'Connor, Vice Chairperson
Chad Chamberlain, Secretary
Robert Piazza, Treasurer
Sidney Deutsch
Drew Kiszonak
Lauren Napolitani
Robert Nyland
Morris Scott, Jr.

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

Chairman Niece led everyone in the Pledge of Allegiance and then read the Introductory Statement.

REPORTS OF COMMITTEES

Finance Committee: Mr. Piazza thanked Mr. Francisco and his staff for all of their hard work this year and he also thanked Mr. Shoudt for his input in getting the budget together for this year. Mr. Piazza stated the Authority is more than solvent and he is very comfortable with our financial position.

Personnel Committee: Chairman Niece, who chairs the committee, stated that we are fully staffed and after many years have prepared employees' evaluations. The Personnel Committee is in the process of reviewing the Personnel Manual.

Mr. Kiszonak inquired about whether the employee evaluations were reviewed. Chairman Niece advised that the Committee did not review the evaluations as he questioned whether much would be gained from it, as there has not been any type of evaluations in nine or ten years and the current evaluations were essentially base line for next year, and that no one received a bad evaluation. Mr. Kiszonak advised that he would like to see them. Ms. O'Connor asked if they

were at the Authority's Administration office and Mr. Shoudt advised that they were not because he does not have a cabinet with a lock to secure them. Chairman Niece advised Mr. Shoudt to get the cabinet rekeyed and then to bring the employee files back to the office so that they are available to someone other than himself. Ms. Napolitani suggested that the personnel records should only be available to Mr. Shoudt and the Chairperson. It was further discussed that a Personnel Committee meeting will be scheduled so that the current evaluations can be reviewed.

ELECTION OF OFFICERS

Chairman Niece turned the meeting over to Mr. Tipton to conduct the Election of Officers. Mr. Tipton opened the nominations for Chairperson.

Mr. Chamberlain made a motion to nominate Laurel Napolitani for the position of Chairperson. Mr. Scott seconded. Mr. Tipton asked if there were any other nominations. Mr. Piazza made a motion to maintain the same slate of officers for this year. Mr. Deutsch seconded. There were no further nominations. Mr. Piazza moved that the nominations be closed. Mr. Scott seconded. Mr. Tipton suggested to vote by secret ballot. Ms. Wright tallied the votes; the results were five (5) for Ms. Napolitani and four (4) to maintain the current slate. The meeting was then turned over to Chairperson Napolitani.

Chairperson Napolitani opened the nominations for Vice Chairperson.

Mr. Chamberlain nominated Ms. O'Connor for Vice Chairperson. Mr. Scott seconded. There were no further nominations for Vice Chairperson, so Mr. Scott moved to close the nominations. Mr. Niece seconded. The motion passed. Roll call for Ms. O'Connor as Vice Chairperson was as follows:

Mr. Chamberlain	Yes	Ms. O'Connor	Abstain
Mr. Deutsch	Yes	Mr. Piazza	Yes
Mr. Kiszonak	Yes	Mr. Scott	Yes
Mr. Nyland	Yes	Mr. Niece	Yes
Chairperson Napolitani	Yes		

Chairperson Napolitani opened nominations for Secretary.

Ms. O'Connor nominated Chad Chamberlain for Secretary. Mr. Morris seconded. Chairperson Napolitani asked if there were any other nominations for Secretary. There were no further nominations, so Mr. Scott moved to close the nominations. Mr. Piazza seconded. The motion passed. Roll call for Mr. Chamberlain as Secretary were as follows:

Mr. Chamberlain	Abstain	Ms. O'Connor	Yes
Mr. Deutsch	Yes	Mr. Piazza	Yes
Mr. Kiszonak	Yes	Mr. Scott	Yes
Mr. Nyland	Yes	Mr. Niece	Yes
Chairperson Napolitani	Yes		

Chairperson Napolitani opened nominations for Treasurer.

Mr. Scott nominated Robert Piazza for Treasurer. Ms. O'Connor seconded. Hearing no other nominations, Mr. Scott moved to close the nominations. Mr. Deutsch seconded. The motion passed. Roll call for Mr. Piazza as Treasurer were as follows:

Mr. Chamberlain	Yes	Ms. O'Connor	Yes
Mr. Deutsch	Yes	Mr. Piazza	Abstain
Mr. Kiszonak	Yes	Mr. Scott	Yes
Mr. Nyland	Yes	Mr. Niece	Yes
Chairperson Napolitani	Yes		

APPOINTMENT OF OFFICERS

General Counsel: Chairperson Napolitani inquired if there were any proposals submitted for general counsel. Ms. Wright advised that there were no new proposals submitted. Chairperson Napolitani presented a resolution to award a non-fair and open contract for professional services to Florio Perrucci Steinhardt Cappelli Tipton and Taylor LLC, for legal services for the upcoming year. The rates are \$170.00 per hour, blended rate, for any attorney in the firm, and \$75.00 per hour for paralegals.

Mr. Scott moved to adopt Resolution #21-06, awarding a non-fair and open contract for professional services to Florio Perrucci Steinhardt Cappelli Tipton & Taylor, LLC, for legal services from February 16, 2021 to February 15, 2022. Mr. Chamberlain seconded. The motion passed unanimously on a roll call vote.

Consulting Engineer: Chairperson Napolitani inquired if there were any proposals submitted for general counsel. Ms. Wright advised that there were no new proposals submitted. Chairperson Napolitani presented a resolution authorizing the award of a non-fair and open contract for professional engineering consulting services to CP Engineers, LLC for the upcoming year. Various rates are in the agreement.

Mr. Scott moved to adopt Resolution #21-07, awarding a non-fair and open contract for professional engineering consulting services to CP Engineers, LLC, from February 16, 2021 to February 15, 2022. Mr. Piazza seconded. The motion passed unanimously on a roll call vote.

Mr. Donati thanked the Board.

APPOINTMENT OF COMMITTEES:

Finance Committee: Mr. Piazza will remain as Chair, Mr. Scott and Mr. Deutsch will remain on the committee. Chairperson Napolitani asked Mr. Niece if he would go back on the Finance Committee and Mr. Chamberlain to serve on the Personnel Committee replacing Mr. Niece. Both

Mr. Niece and Mr. Chamberlain agreed to do so.

Personnel Committee: Chairperson Napolitani will Chair. Ms. O'Connor, Mr. Kiszonak and Mr. Chamberlain to serve on the Personnel Committee.

Capital Improvements Committee: This Committee was introduced last year to help plan for the general needs of both plants, but primarily the equipment. Chairperson Napolitani advised that they did meet one time in the past year and that Mr. Shoudt and Mr. Donati did provide the Committee with a chart of renewals and replacements of the equipment. Chairperson Napolitani advised that the annual inspection report has not been done since 2011 and recommends that the Committee revisit the same. Chairperson Napolitani also expressed that she feels that some of the Operators should be incorporated within this Committee, and expressed that she would like these meetings conducted during working hours so that the Operators can provide their input. Chairperson Napolitani and Mr. Kiszonak will remain on the Committee. Mr. Nyland will be unable to continue as he cannot meet during working hours. Mr. Scott volunteered to serve on the Committee, and Ms. O'Connor advised that she would be willing to serve as a substitute, if one is needed.

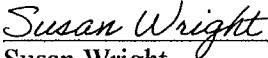
Chairperson Napolitani introduced resolutions to establish a schedule of meeting dates and designation of the official newspapers

Mr. Kiszonak moved, and Mr. Scott seconded to adopt Resolutions #21-08 and #21-09, establishing the schedule of meeting dates for 2021, and for designation of the Authority's official newspapers. All in favor, motion passed.

All regular meetings will be held on the third Tuesday of the month, and will start at 7:30 p.m., with the exception of the December 2021 and February 2022 regular meetings, which will immediately follow the Annual Rate Hearing and Reorganization Meeting that will start at 7:30 p.m.

The Board designated the *Star Ledger* as the Authority's official newspaper, and with *The Express Times*, as the two newspapers to receive notices of meetings.

Mr. Scott moved, and Ms. O'Connor seconded that the Reorganization Meeting be adjourned. All in favor, motion carried. The meeting was adjourned at 7:57 p.m.


Susan Wright
Administrative Assistant

RESOLUTION: 21-06

**AUTHORIZING THE ADOPTION OF A
NON-FAIR AND OPEN CONTRACT FOR
PROFESSIONAL SERVICES WITH
FLORIO PERRUCCI STEINHARDT
CAPPELLI TIPTON & TAYLOR, LLC FOR
LEGAL SERVICES FOR THE WARREN
COUNTY (PEQUEST RIVER) MUNICIPAL
UTILITIES AUTHORITY**

WHEREAS, there exists a need for legal advice and professional legal services to the Warren County (Pequest River) Municipal Utilities Authority, (hereinafter the "Authority"), 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 an approved hourly billing rate of \$170.00 for all attorneys and \$75.00 for all paralegal services to be provided by Florio Perrucci Steinhardt & Cappelli Tipton & Taylor, LLC, and based thereon the Authority has determined and certified in writing that the value of the acquisition will exceed or is reasonably likely to exceed \$17,500; and

WHEREAS, the anticipated term of this contract is from February 16, 2021 to February 15, 2022; and

WHEREAS, the firm has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any unauthorized reportable contributions to an unauthorized recipient in the previous one year, and the Contractor will be prohibited from making any contribution in contravention of N.J.S.A. 19:44A-20.4 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 Florio Perrucci Steinhardt & Cappelli as described herein.

2. The contract is awarded without competitive bidding as a "Professional Service" because professional legal services are exempt from bidding under N.J.S.A. 40A:11-1(6)(a).

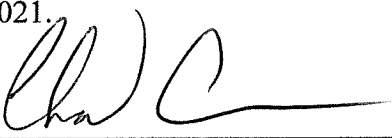
3. A Notice of this resolution shall be published in the official newspaper as required by law within ten days of its passage.

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

DATE: February 16, 2021

RESOLUTION #21-07

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING CONSULTING SERVICES, FOR 2021

WHEREAS, the Warren County (Pequest River) Municipal Utilities Authority (AUTHORITY), has the need for Professional Engineering Consulting Services, on an as needed basis for various tasks, as set forth in detail in the attached Agreement between this Authority and CP Engineers, LLC. (CP); 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 hourly billing rates for a defined scope of services to be provided by the Engineer, and based thereon the Authority's Chairman has determined and certified in writing that the value of the acquisition will exceed or is reasonably likely to exceed \$17,500; and

WHEREAS, the anticipated term of this contract is from February 16, 2021 to February 15, 2022; and

WHEREAS, CP 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 CP Engineers, LLC. 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 newspapers 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: 
Donald Niece, Chairman

Dated: February 16, 2021

RESOLUTION #21-08

**RESOLUTION OF MEMBERS OF THE WARREN COUNTY (PEQUEST RIVER)
MUNICIPAL UTILITIES AUTHORITY ADOPTED AT A MEETING ASSEMBLED ON
FEBRUARY 16, 2021 ESTABLISHING THE SCHEDULE OF REGULAR MEETINGS
OF THE AUTHORITY PURSUANT TO THE PROVISIONS OF N.J.S.A. 10:4-18.**

WHEREAS, pursuant to N.J.S.A. 10:4-18, the Authority is required to establish a schedule of its regular meetings to be conducted during the year succeeding its annual reorganizational meeting, together with the location of such meetings, and to the extent known, the time and date thereof, and,

WHEREAS, the reorganizational meeting of the Authority is being conducted on February 16, 2021 and it has been determined that all subsequent meetings to be conducted by it during the remainder of the current year, and prior to the next reorganizational meeting of the Authority on February 15, 2022, be conducted on the third Tuesday of each and every month hereafter, which will take place at the Authority's Administration Building located at 199 Foul Rift Road, Belvidere, New Jersey.

NOW, THEREFORE, IT IS RESOLVED by the WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY, pursuant to the revisions embodied under N.J.S.A. 10.4-18, that the regular meetings of the Authority hereinafter conducted by it subsequent to its reorganizational meeting of February 16, 2021, be conducted at 7:30 P.M, with the exception of the December 2021 and February 2022 regular meetings, which will immediately follow the Annual Rate Hearing and Reorganization Meeting to be held at 7:30 p.m. (as noted below). All meetings will be held at the Authority's Administration Building at 199 Foul Rift Road, Belvidere, New Jersey on the dates hereinafter mentioned:

Tuesday, March 16, 2021	7:30 p.m.	
Tuesday, April 20, 2021	7:30 p.m.	
Tuesday, May 18, 2021	7:30 p.m.	
Tuesday, June 15, 2021	7:30 p.m.	
Tuesday, July 20, 2021	7:30 p.m.	
Tuesday, August 17, 2021	7:30 p.m.	
Tuesday, September 21, 2021	7:30 p.m.	
Tuesday, October 19, 2021	7:30 p.m.	
Tuesday, November 16, 2021	7:30 p.m.	
Tuesday, December 21, 2021	7:30 p.m.	Annual Rate Hearing/Regular Meeting
Tuesday, January 18, 2022	7:30 p.m.	
Tuesday, February 15, 2022	7:30 p.m.	Reorganization Meeting/Regular Meeting

FURTHER RESOLVED, that no later than February 24, 2021 the Secretary of the Authority mail:

(1) Copies of this resolution, certified by the Secretary under seal of the Authority, to the Star Ledger, designated as the official newspaper of the Authority, and the Express-Times and to such other media as the Secretary might deem appropriate.

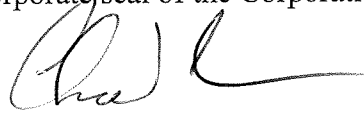
(2) To any persons who request copies of any regular meeting scheduled, or revision referred to in N.J.S.A. 10:4-18 and who, except for the news media, have paid the fee established by the Authority therefore, pursuant to N.J.S.A. 10:4-19.

(3) Prominently post in at least one public place reserved for such or similar announcements, a copy of the notice embodying the regular monthly meeting dates, together with the location and time thereof; and

(4) File copies of the aforesaid notice of the regular meetings, embodying the location and time thereof, with the Clerk of each of the municipalities encompassed within the jurisdiction of the Authority and with the Clerk of the Board of Commissioners of the County of Warren, together with the Clerk of the County of Warren.

I, Chad Chambers Secretary of the Warren County (Pequest River) Municipalities Utilities Authority, a public body corporate and politic, do hereby certify that the foregoing is a true and correct copy of the original resolution as recorded in the minute book of said corporation.

WITNESS, my hand and the corporate seal of the Corporation, this 17th day of February 2021.



Secretary

Moved by: Mr. Kiszonak

Seconded by: Mr. Scott

Yes: 9

No: 0

Abstain: 0

Absent: 0

RESOLUTION 21-09

RESOLUTION OF THE MEMBERS OF WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY ADOPTED AT A MEETING ASSEMBLED ON FEBRUARY 16, 2021, DESIGNATING, PURSUANT TO THE PROVISIONS OF N.J.S.A. 10:4-8.d, TWO NEWSPAPERS TO RECEIVE NOTICES OF THE REGULAR, SPECIAL, OR RESCHEDULED MEETINGS OF THE AUTHORITY, AND OF AN OFFICIAL NEWSPAPER.

WHEREAS, the Authority is, pursuant to N.J.S.A. 10:4-8.d of the "Open Public Meetings Act," required, among other things, to deliver to at least two newspapers within the area of jurisdiction of the Authority, one of which shall be its official newspaper upon designation by it, notices embodying the time, date, location, and to the extent known, the agenda of any regular, special or rescheduled meetings, which notices shall accurately state whether formal action may or may not be taken; and

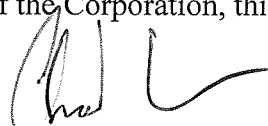
WHEREAS, the Authority is desirous of designating *The Express-Times (Warren County NJ Zone if time allows)* as its official newspaper, pursuant to N.J.S.A. 10:4-8.d, and *The Star-Ledger*, as the two newspapers to receive notices of its meetings herein before mentioned, because of the Authority's feeling that they have the greatest likelihood of informing the public within the area of the Authority's jurisdiction of such meetings.

NOW, THEREFORE, BE IT RESOLVED by the Warren County (Pequest River) Municipal Utilities Authority, pursuant to the provisions of N.J.S.A. 10:4-8.d, that *The Express-Times* be designated as the official newspaper of the Authority and that all notices giving the time, date, location, and, to the extent known, the agenda of any regular, special or rescheduled meetings, embodying whether formal action may or may not be taken, shall be given and/or delivered in the manner set forth in the aforesaid statute to *The Express Times* and *The Star-Ledger* to the end that the public shall be afforded every opportunity of being informed relative to such prospective meetings.

FURTHER RESOLVED, that the Secretary be and is hereby authorized to disseminate additional notice, of the afore-mentioned meetings to such other newspapers published in the State of New Jersey, but circulated, among other places, throughout the County of Warren, and to such other news media as the Secretary might deem appropriate.

I, Chad Chamberlain, Secretary of the Warren County (Pequest River) Municipal Utilities Authority, a public body corporate and politic, do hereby certify that the foregoing is a true and correct copy of the original Resolution as recorded in the minute book of said corporation.

WITNESS, my hand and the corporate seal of the Corporation, this 16th day of February, 2021.



Chad Chamberlain, Secretary