# WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

# **MINUTES July 17, 2018**

Chairman Chamberlain called the regular meeting of the Warren County (Pequest River) Municipal Utilities Authority to order at 7:32 p.m. The meeting was held at the Authority's Administration building located at 199 Foul Rift Road, Belvidere, New Jersey.

# Roll Call:

Robert Nyland

Chad Chamberlain, Chairman	Donald Niece	Absent
Laurel Napolitani, Secretary	Everdina O'Connor	Absent
Robert Piazza, Treasurer	Morris Scott, Jr.	Absent
Sidney Deutsch		
Drew Kiszonak		

Also, in attendance were: Steve Donati, P.E., Authority Engineer; Brian Tipton, Esq., Authority Legal Counsel; Daniel Olshefski, Authority CFO; Kim Francisco, Authority Fiscal Officer; Billy J. Wauhop, Authority Consultant; and Patricia Kaspereen, Administrative Assistant.

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

# **MINUTES**

Ms. Napolitani moved, and Mr. Kiszonak seconded to approve the minutes of the June 19, 2018 regular meeting, as presented. The motion passed. Roll call was as follows:

Mr. Deutsch	Yes	Ms. O'Connor	Absent
Mr. Kiszonak	Yes	Mr. Piazza	Yes
Ms. Napolitani	Yes	Mr. Scott	Absent
Mr. Niece	Absent	Chairman Chamberlain	Abstain
Mr Nyland	$\mathbf{V}_{\mathbf{e}\mathbf{c}}$		

Mr. Nyland Yes

Mr. Kiszonak moved, and Mr. Piazza seconded to approve the minutes of the June 19, 2018 executive session, as presented. The motion passed. Roll call was as follows:

Mr. Deutsch	Yes	Ms. O'Connor	Absent
Mr. Kiszonak	Yes	Mr. Piazza	Yes
Ms. Napolitani	Yes	Mr. Scott	Absent

Mr. Niece Absent Chairman Chamberlain Abstain

Mr. Nyland Yes

# **CORRESPONDENCE**

Ms. Napolitani recapped the correspondence listed below:

- 1) A letter dated June 20, 2018, from Anthony Pilawski, Section Chief, Bureau of Pretreatment & Residuals, Water Pollution Management Element, Division of Water Quality, NJDEP to Permittees, enclosing a draft permit action related to the Belvidere Area WWTF and Oxford Area WWTF.
- A letter dated June 22, 2018, from Christopher Pessolano, QPA, Purchasing Department, County of Warren, to Warren County COOP Members, regarding the Annual County Auction. (Mr. Wauhop said the Authority had nothing for the auction.)
- 3) A letter dated June 25, 2018, from Chiman Antala, Project Management Specialist III, Division of Project Management, Team D, Department of Transportation, State of New Jersey, to Patricia Kaspereen, Administrative Assistant, enclosing a fully executed copy of the Utility Engineering & Construction Agreement with exhibits for the Rt. 31 Bridge over Furnace Brook project.
- 4) A letter dated June 26, 2018, from Finelli Consulting Engineers, Oxford Township Engineer, to Sheila Oberly, Oxford Township Clerk, regarding a sanitary sewer connection permit for property located at 47 Zulauf Lane. (This letter was received by the Authority this afternoon and the owner of the property, William Godfrey, was present. Chairman Chamberlain stated this matter would be discussed during Public Comment.)

# **EXECUTIVE SESSION**

At approximately 7:38 pm, Mr. Kiszonak moved, and Mr. Piazza seconded to adopt Resolution #18-26, to enter into an executive session to discuss litigation and contract matters. All in favor, motion carried.

At 7:50 p.m., Mr. Piazza moved, and Mr. Deutsch seconded to return to open session. All in favor, motion carried.

# CFO'S REPORT

Mr. Olshefski discussed the monthly financial report. The Authority has a debt payment coming due on August 1. We would have had a payment of about \$880,000, but due to the loan reduction of \$143,000, the payment has been reduced to approximately \$730,000. However, the State has not released the retainage of about \$170,000 related to Tomar Construction Services, so our cash position is almost a wash. His office will be transferring \$775,000 from the Money

Market at Lakeland Bank to Valley National Bank to cover the August 1<sup>st</sup> debt payment. As discussed at last month's meeting, CD rates are increasing and so are Money Market rates.

Nothing has been heard from DEP about the Pilot Study for raw leachate acceptance.

Mr. Olshefski reminded everyone that 40% of the Authority's budget is for Debt Service. He said the unknowns going forward at this point are what happens during the transition when Mr. Wauhop retires and capital projects that may arise in the future.

Flows were reviewed which revealed some issues, so I&I will be analyzed to insure 11% will still be accurate for next year's budget.

# GENERAL COUNSEL'S REPORT

Mr. Tipton presented a resolution for the award of a non-fair and open contract for professional consulting services to Billy Wauhop & Associates LLC. The contract's terms are the same as prior years and the compensation the same as last year. Mr. Tipton recommended its approval if the Board is in agreement with the same terms as last year.

Mr. Kiszonak made a motion to adopt Resolution #18-27, authorizing the award of a non-fair and open contract for professional consulting services to Billy Wauhop & Associates, LLC, from August 15, 2018 to August 14, 2019 for an annual cost of \$85,000. Mr. Piazza seconded. The motion passed unanimously on a roll call vote.

Chairman Chamberlain congratulated Mr. Wauhop.

# ENGINEER'S REPORT

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

CP Engineers prepared the Right-to-Know reporting.

Mr. Olshefski and Mr. Francisco left the meeting.

Route 31 Bridge over Furnace Brook Project: See correspondence #3. Based on Mr. Donati's experience, the next thing we should see is some activity on planning and/or design.

Oxford Upgrade: CP Engineers continues to work toward the project closeout.

Interceptor Inspections: Due to the busy season, it has been difficult to get contractors to quote on things. Mr. Donati will try to have some numbers for the Board for the next meeting.

# **AUTHORITY CONSULTANT**

Mr. Wauhop's report was distributed prior to the meeting.

Belvidere: He recapped maintenance items for the month. A new electrical outlet was installed at the County line grease pit for the new motor to run the new climbing screen. A new rag-bag bracket was installed in the grease pit; Mr. Wauhop displayed one of the nylon bags that traps debris coming down the County line. This is not a long-term solution, hence the need for a climbing screen. Other modifications have also been made.

The anoxic mixer #2 was replaced due to a bad motor.

Oxford: He recapped maintenance items for the month. Replaced the head and hose on the aluminum chloride pump. The pulleys were replaced on the John Deere tractor. Removed the rags from the Warren Haven #1 Pump Station and Axford Avenue Pump Station. Hodge Electrical fixed the lab heater and the fan in the Filter Building. Both return pumps at Warren Haven #1 Pump Station were cleaned. The fence for the Warren Haven #1 Pump Station was painted and sealed.

Under General Business, Mr. Wauhop requested permission to abandon the idea of going out for bid for the climbing screen for the county-line grease pit, and instead give him permission to spend up to \$17,500 to build and install our own. Mr. Wauhop will pass his final design by CP Engineers for their approval before building it. He explained his design idea in more detail.

Mr. Piazza moved to allow Mr. Wauhop to spend up to \$17,500 for the design, construction and installation of the climbing screen. Mr. Nyland seconded. The motion passed unanimously on a roll call vote.

Mr. Wauhop asked Mr. Tipton for his recommendation regarding the Sludge Transportation Contract #18-01. Mr. Tipton stated that 3 bids were received. The lowest response was from Accurate Waste for \$105,800, the second lowest was from Spectraserv for \$116,080, and the highest was from Russell Reid for \$121,788.

Although Accurate Waste was the lowest responsive bidder, after review of all their submissions it was discovered that Accurate Waste made a unilateral modification to our contract. Mr. Tipton stated that this was not permitted nor asked for, and the modification relates to the indemnification language. He said this is a material defect because it gives this bidder an advantage over the other bidders by changing the contract to their benefit that the others did not have. Secondly, it deprives the Authority of the assurance that the contract will be entered into as the Authority bid it. By making this change, it is impossible to know what the others would have done in response to it.

Therefore, Mr. Tipton's recommendation was that the Authority needs to bypass Accurate Waste's bid and award the contract to Spectraserv as the lowest responsive and responsible bidder.

Mr. Piazza moved to adopt Resolution #18-28, awarding the Sludge Transportation Contract #18-01 to the lowest Responsive & Responsible bidder for \$116,080. Mr. Kiszonak seconded. The motion passed unanimously on a roll call vote.

At last month's meeting, the Board hired Jean Paul Reece to convert the Authority's website to WordPress for a cost of \$2,500. However, additional funds will be needed to cover costs from GoDaddy to host our site for two years. Therefore, Mr. Wauhop requested permission to amend the amount by about \$176.

Ms. Napolitani moved, and Mr. Kiszonak seconded to amend the contract for an additional \$176.00. All in favor, motion carried.

Also discussed at last month's meeting, was the purchase of a new computer to replace the Administrative Assistant's current one. Mr. Wauhop, who has the authority for purchases up to \$5,000, wanted the Board to know the amount should be around \$1,100. Chairman Chamberlain was okay with the purchase.

In addition to the climbing screen, there are 2 other projects Mr. Wauhop would like to get completed in the next 4-6 months. One, is to investigate the sludge thickener at Belvidere's #2 FST and increase its concentration of sludge. This would reduce sludge hauling. He will be conducting a low-cost experiment. The other project entails the returns coming from the Aeration Basin at the Belvidere plant. The current design does not allow us to measure the returns that we bring to the head of the plant like we do at the Oxford plant. This will be investigated in order to give us control over the quantity of returns at the head of the plant.

The Honda Civic discussed at last month's meeting has been sold, so no discussion was needed.

# FINANCE (Treasurer)

Mr. Piazza moved that Resolution #18-29 (Certificate No. 384: \$47,570.65) be approved to pay all bills from the Operating Fund, as presented. Mr. Kiszonak seconded. The motion passed unanimously on a roll call vote.

Mr. Piazza moved that Resolution #18-30 (Certificate No. 392: \$12,967.16) be approved to pay all bills from the Capital Improvements Fund as presented. Mr. Kiszonak seconded. The motion passed unanimously on roll call vote.

# UNFINISHED BUSINESS

There was no unfinished business to report.

### NEW BUSINESS

There was no new business to report.

# PUBLIC COMMENT

Chairman Chamberlain opened the public comment portion of the meeting.

Billy Godfrey introduced himself and stated he was not privy to Michael Finelli's letter (correspondence #4) that was received by the Authority this afternoon, so a copy of the letter was provided to him. He explained where he was in the process and his dilemma in obtaining his permit and where he wanted to make the connection. Mr. Donati explained to Mr. Godfrey that the sewer line is owned by Oxford Township and is not really our concern or jurisdiction, other than any I&I associated with the connection, and payment of our connection fee before issuance of a CO from the Township. Mr. Godfrey asked Mr. Tipton for his interpretation of the ordinance. Mr. Tipton said he did not see in the letter where he had to pay our connection fee before obtaining his permit. Mr. Godfrey said the Township clerk would not issue him a permit until he provided proof that he paid our fee and he looked to Mr. Nyland, who is also the Mayor of Oxford, for acknowledgement. Mr. Tipton was not familiar with Oxford's ordinance and said these issues do not usually come before this Board and are dealt with at the local level and then we are informed from there. As far as where the connection is made, Adam Zmigrodski, interjected with information. Mr. Godfrey thanked the Board members for their time and comments.

As there was no more business to come before the Authority, Ms. Napolitani moved, and Mr. Kiszonak seconded that the meeting be adjourned. All in favor, motion carried. The meeting was adjourned at 8:25 p.m.

Patricia Kaspereen 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:

Litigation

Contract Matters

- 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

Chad Chamberlain, Chairperson

Laurel Napolitary, Secretary

DATED: July 17, 2018

# RESOLUTION #18-27: AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL CONSULTING SERVICES, FOR 2018 - 2019

WHEREAS, there exists a need for professional consulting services relative to engineering and management of the business and supervision of the Warren County (Pequest River) Municipal Utilities Authority (Authority), as set forth in detail in the attached Agreement between this Authority and Billy Wauhop & 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 \$85,000.00, which value will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is from <u>August 15, 2018 to August 14, 2019</u>; 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 Billy Wauhop & 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, Laurel Napolitani, 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 July 17, 2018.

BY: Laurel Napolitani, Secretary

# **CERTIFICATION**

I, Chad Chamberlain, 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: (had Chamberlain Chairman

Dated: July 17, 2018

### **RESOLUTION #18-28**

# AUTHORIZING THE AWARD TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER FOR SLUDGE TRANSPORTATION FOR THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Warren County (Pequest River) Municipal Utilities Authority, hereinafter "Authority," sought bids for Contract No. 18-01 involving the transportation of liquid sludge to either the "Passaic Valley Sewerage Commission Wastewater Treatment Facility" (PVSC) or the "Parsippany-Troy Hills Sewer Authority"; and

**WHEREAS**, sealed bids therefore were received and opened by representatives of the Authority on July 17, 2018 at 11:00 a.m. pursuant to the provisions of said legal advertisements; and

WHEREAS, the appropriate disclosure statements as required under Chapter 33, P.L. 1977 were submitted by the lowest responsible and responsive bidder as set forth hereinafter; and

WHEREAS, Accurate Waste was the lowest bidder, but Legal Counsel discovered that Accurate Waste made a unilateral modification to our contract related to the indemnification language. Legal Counsel stated this is a material defect and recommended bypassing Accurate Waste's bid, and

**WHEREAS**, the Authority's Engineer and Legal Counsel have recommended the award of Contract 18-01 to Spectraserve as the lowest Responsible and Responsive bidder; and

**WHEREAS**, the Authority desires to designate said <u>Spectraserve</u>, as the lowest responsible and responsive bidder and award to it Contract 18-01 for a transportation charge of \$0.057 per gallon to PVSC or \$0.055 per gallon to Parsippany-Troy Hills Sewer Authority for a Total Bid Price of \$116,000.

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

- 1. Contract No. 18-01 for the transportation of liquid sludge, as specifically set forth in Contract No. 18-01 is hereby awarded to <u>Spectraserve</u>, as the lowest responsible and responsive bidder in the amount of \$0.057 per gallon to PVSC or \$0.055 per gallon to Parsippany-Troy Hills Sewer Authority for a Total Bid Price of \$116,000.
- 2. The proper officers of this Authority, its employees and attorney, are hereby instructed and directed to proceed with the execution of the contract with <a href="Spectraserve">Spectraserve</a> as set forth above, and pursuant to the terms and conditions of the bid previously submitted by said corporation and the specifications in connection therewith.
- 3. This award is subject to the contractor's compliance with the requirements of P.L. 1975 C. 127 and the regulations adopted thereunder.
- 4. This award is contingent upon review and approval of this bid by the Authority's Legal Counsel and Engineer.

5. This resolution shall take effect as herein provided.

WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

Laurel Napolitani, Secretary

Chad Chamberlain, Chairman

# **CERTIFICATION**

I, Laurel Napolitani, Secretary of the Warren County (Pequest River) Municipal Utilities Authority, do certify the foregoing to be a true copy and demoralization of a resolution adopted by a majority of all members of the Authority present at a regular meeting of the Authority held on July 17, 2018.

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# **RESOLUTION RE:**

# EXPENDITURES FROM THE OPERATING FUND DURING THE MONTH OF JULY 2018.

I HEREBY CERTIFY, that the bills listed on the attached Resolution of July 17, 2018, regarding payment of bills from the Operating Fund were for the operating expenses and were in accordance with the Authority's 2018 budget.

Chad Chamberlain, Chairperson

Laurel Napolitani, Secretary

Certificate No. OP 384

Dated: July 17, 2018

Moved by: Mr. Piazza

Seconded by: Mr. Kiszonak

Yes 6

No \_\_0\_

Abstain <u>0</u>

Absent 3

# APPROVAL OF BILLS TO BE PAID FROM THE OPERATING FUND

Meeting: July 17, 2018

**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 #18636 - #18641

6/27/18

\$691.79

Due 7/17/18

46,878.86

Total \$47,570.65

PENTAMATION DATE: 10/10/2018 TIME: 15:23:40

MUNICIPAL UTILITY AUTHORITY CHECK REGISTER INCLUDING SYSTEM VOIDS

PAGE NUMBER: 1 ACCTPA21 ACCOUNTING PERIOD: 10/18

SELECTION CRITERIA: chkstat.disp\_fund='MUA01' and chkstat.rundate='06/27/2018'

DISTRIBUTION FUND: MUA01

TOTAL DESCRIPTION	64.77 ACCOUNTS PAYABLE CHECK 201.18 ACCOUNTS PAYABLE CHECK 29.92 ACCOUNTS PAYABLE CHECK 166.67 ACCOUNTS PAYABLE CHECK	115.18 ACCOUNTS PAYABLE CHECK 114.07 ACCOUNTS PAYABLE CHECK 691.79
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ISSUE DATE	06/27/2018 06/27/2018 06/27/2018 06/27/2018	06/27/2018
CHECK NUMBER	18636 18637 18638	1864U 18641 TOTAL FUND

691.79

TOTAL REPORT

PENTAMATION DATE: 10/10/2018 TIME: 15:25:54

# MUNICIPAL UTILITY AUTHORITY CHECK REGISTER INCLUDING SYSTEM VOIDS

ACCTPA21 ACCOUNTING PERIOD: 10/18

PAGE NUMBER:

SELECTION CRITERIA: chkstat.disp\_fund='MUA01' and chkstat.rundate='07/17/2018'

DISTRIBUTION FUND: MUA01

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NYLAND, ROBERT F.
PASSAIC VALLEY SEWERAGE C
PIAZZA, ROBERT
POSTWASTER BELVIDERE
R & R PUMP & CONTROL SERV
RD BOOTS ACCURATE WASTE REMOVAL SE BILLY WAUHOD & ASSOCIATES C & M AUTO PARTS CENTRAL JERSEY EQUIPMENT CENTURYLINK COUNTY OF WARREN
CP ENGINEERS, ILC
DEUTSCH, SIDNEY
FASTENAL COMPANY
FLORIO PERRUCCI STEINHARD
GERO, WAYNE
JCPEL CINTAS CORPORATION #101 COPPERHEAD CUSTOM, INC RIGO GENERAL HARDWARE RUSSELL REID INC. SANICO INC. THE COUNTY OF WARREN WILSON PRODUCTS 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 07/17/2018 ISSUE DATE CHECK NUMBER 18678 18679 18671

46878.86

TOTAL REPORT

# **RESOLUTION RE:**

# EXPENDITURES FROM THE CAPITAL IMPROVEMENTS FUND FOR THE MONTH OF JULY 2018.

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

Chad Chamberlain, Chairperson

Laurel Napolitani, Secretary

Certificate No. CI 392

Dated: July 17, 2018

Moved by: Mr. Piazza

Seconded by: Mr. Kiszonak

Yes \_ 6\_

No <u>0</u>

Abstain 0

Absent 3

# CAPITAL IMPROVEMENT BILLS LIST

1 12:

Dated: July 16, 2018

1.	CP Engineers, LLC Period: June 2018 Engineering Services NJEIFP Docs Oxford WWTP Upgrade		\$147.00
2.	CP Engineers, LLC		
	Period: June 2018 Engineering Services		
	Climbing Screen		
	Belvidere WWTF		8,568.45
3.	Florio Perrucci Steinhardt & Cappelli		
	Period: June 2018		
	Legal Services		
	Oxford WWTP Upgrade		<u>4,251.71</u>
		Total	\$12,967.16

PENTAMATION DATE: 07/12/2018 TIME: 10:34:41

PAGE NUMBER: 1 VENCHK11 ACCOUNTING PERIOD: 7/18

147.00 AMOUNT

8,568.45 4,251.71 12,967.16 12,967.16

DATE: 07/12/2018 TIME: 10:34:41 TIME: TIME	י איחדע דידידי איווא	, in the second	i i	MUNICIPAL UTILITY AUTHORITY CHECK REGISTER	HORITY	VEN
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10101	1 07/16/18		292	CP ENGINEERS, LLC	19002	ENG SERV BEL SCREEN
10101	1 07/16/18		539	FLORIO PERRUCCI STEINHARD	19006	LEGAL SERVICE OXF UPGRD
TOTAL FUND						
TOTAL REPORT						