

WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY

MINUTES October 15, 2019

Chairman Chamberlain called the regular meeting of the Warren County (Pequest River) Municipal Utilities Authority to order at 7:30 p.m. The meeting was held at the Authority's Administration building located at 199 Foul Rift Road, Belvidere, New Jersey.

Roll Call:

Chad Chamberlain, Chairman	Sidney Deutsch	Absent
Morris Scott, Jr., Vice Chairman	Everdina O'Connor	Absent
Laurel Napolitani, Secretary	Donald Niece (absent at roll call, entered at 7:32)	
Robert Piazza, Treasurer		
Drew Kiszonak		
Robert Nyland		

Also, in attendance: Brian Tipton, Esq., Authority Legal Counsel; Stephen Donati, Authority Engineer; Kim Francisco, Authority CFO; Kevin Shoudt, 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. Piazza seconded to approve the minutes of the September 17, 2019 regular meeting, as presented. (Mr. Niece entered the meeting.) The motion passed. Roll call was as follows:

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

CORRESPONDENCE

Ms. Napolitani recapped the correspondence listed below:

- 1) A memo dated September 2019 from the Municipal Excess Liability Joint Insurance Fund (MEL JIF) to all Fund Commissioners & Risk Managers enclosing a copy of MEL's brochure.

- 2) A memo dated September 18, 2019, from the Public Alliance Insurance Coverage Fund to the Authority, enclosing a surplus check in the amount of \$967.00.
- 3) A letter dated September 19, 2019, from Charles Cavanaugh, Environmental Specialist 3, Northern Bureau of Water Compliance & Enforcement, NJDEP, to John Wasser, Licensed Operator in Charge, with the results of the Compliance Evaluation & Assistance Inspection conducted on July 15, 2019 at the Oxford Area WWTF.
- 4) A memo dated October 1, 2019, from Jeff Longberg & Stephen Donati, CP Engineers to Billy Wauhop, Authority Consultant, regarding the inspection of the aeration basin/clarifier AB-3 at the Belvidere WWTP.
- 5) A letter dated October 10, 2019, from Joseph Mikulka, C.P.M., Senior Project Manager, CP Engineers to Charles Cavanaugh, Environmental Specialist 3, Northern Bureau of Water Compliance & Enforcement, NJDEP in response to correspondence #3.

EXECUTIVE SESSION

At approximately 7:33 pm, Mr. Scott moved, and Mr. Nyland seconded to adopt Resolution #19-39, to enter an executive session to discuss personnel matters. All in favor, motion carried.

At 7:40 p.m., Mr. Scott moved, and Mr. Nyland seconded to return to open session. All in favor, motion carried.

CFO'S REPORT

As discussed at last month's meeting, appropriations for the FY2020 Budget will remain the same as in 2019, and the anticipated revenue from our users will remain the same. Due to the decrease in revenue from our industrial users, we will use \$560,000 from surplus to balance the budget, which is \$28,500 more than in 2019. Mr. Francisco said that overall, there will be no changes to the bottom line of the budget. As in 2019, it will cost \$2,829,744 to operate the plants in 2020. A few minor adjustments were made to some line items, but there will be a zero increase to the bottom line.

Mr. Piazza moved to adopt Resolution #19-40, for approval of the introduced FY2020 Annual Operating and Capital Budgets, and to certify the FY2020 Annual Budget, including all related schedules, and the FY2020 Capital Budget/Program as presented. Mr. Scott seconded. The motion passed unanimously on a roll call vote.

Tomorrow, the introduced budget will be sent to Trenton. The annual public hearing and adoption of the budget will take place on December 17, 2019.

Mr. Francisco summarized the monthly financial report. The monthly activity was routine. Our cash balance at the end September was approximately \$5.3 million dollars; we are in good shape. We are three-quarters of the way through the year, and our revenues are at 76% and expenses are below budget at 66%. No surprises.

Mr. Francisco will look into getting one credit card for each plant.

GENERAL COUNSEL'S REPORT

Mr. Tipton had nothing to report.

ENGINEER'S REPORT

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

Jaindl Development: Last month, Maraziti Falcon, LLC, submitted a proposal for signature for Special Conflict Counsel. Brent Carney, Esq., will be our primary contact. One of their first tasks will be to pursue an escrow agreement with the developer. The MUA has heard very little from the developer in the last several months.

Mr. Scott made a motion to adopt Resolution #19-41, authorizing the award of a non-fair and open contract for a professional services agreement to Maraziti Falcon LLP as Special Counsel in legal matters regarding Jaindl Land Company. Mr. Piazza seconded; the motion passed unanimously on a roll call vote.

Permit Compliance: As addressed in correspondence #3 and #5, there was a major violation but a minor occurrence. There were very high flows due to extreme weather conditions in December 2018. Mr. Donati explained the situation in more detail. There is the potential for a fine.

Belvidere Clarifier Restoration: CP Engineers prepared a memo (correspondence #4), which was included in the agenda packets. CP's inspection noted a lot of corrosion and gave a more detailed explanation. CP recommended going out to bid for this project.

Oxford UV Installation: A 30% design meeting was held with Mr. Shoudt and the operators.

Interceptor Inspection: Progress is being made.

AUTHORITY CONSULTANT

Mr. Shoudt distributed his report prior to the meeting.

Equipment & Maintenance: All routine and scheduled maintenance was completed this month for both plants.

General Business:

We are waiting for an install date for the security system at the administration building. The computer for the Administrative Assistant has been ordered and should be here and installed this week. Mr. Shoudt will be doing a review of all the computers at both sites. The HVAC contractor is scheduled to install the new unit this Friday. Mr. Shoudt requested authorization to spend \$9,565 for a mixer at the Oxford plant. He

included the quote with his report and felt it would be a good investment and we could get a return on the expenditure if a few loads of sludge were eliminated.

Ms. Napolitani moved, and Mr. Scott seconded to authorize the above expenditure on the mixer. Mr. Piazza expressed concern and was surprised for the need of a new mixer after spending over \$8 million dollars on a major upgrade. After further discussion, the matter was tabled until next month's meeting. Ms. Napolitani and Mr. Scott withdrew their motion and second. Mr. Shoudt will obtain a second quote.

The replacement of the doors at Oxford is supposed to start at the end of October. Mr. Shoudt is working on the renewal of the lab contract that expires mid-December. At the meeting to discuss the UV installation at the Oxford plant, the operators suggested some changes; Mr. Donati will make those changes. We should have 95% complete drawings for the November meeting. Regarding paving the access road at the Oxford plant, Mr. Shoudt is meeting with Bartha Excavating by the end of the week to discuss the situation. The operators had to pull out a great deal of rags from the clarifier at Belvidere, as well as replace all the diffusers. It will be put back on-line for the winter. Interceptor Inspections: Working with Mr. Donati to get the final specs.

Personnel: As Chairman Chamberlain stated, everything went well with the meeting between the committee and personnel. Mr. Shoudt would like to start working on a 5-year capital plan, especially with the Belvidere plant because it is older.

Computer Programs: Mr. Shoudt stated that DEP is pushing for centralized maintenance programs and asset management. He is looking into the matter and obtaining prices. Another computer program would be a centralized data program. He met with one company who has these programs. Ms. Napolitani and the staff were present at that meeting. Ms. Napolitani said the Authority is way behind in being automated.

FINANCE (Treasurer)

Mr. Piazza moved that Resolution #19-42 (Certificate No. 399: \$51,237.16) 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 #19-43 (Certificate No. 406: \$8,130.25) be approved to pay all bills from the Capital Improvements Fund as presented. Mr. Scott seconded. The motion passed unanimously on roll call vote.

UNFINISHED BUSINESS

Mr. Francisco will be contacting Mr. Wauhopp about I&I. We currently use 11% for the rate calculation but it has been a very wet base year, so the I&I factor may need to be increased. Our base year for tracking flows for billing purposes is October 1 – September 30.

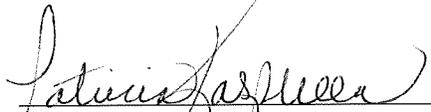
NEW BUSINESS

There was no new business.

PUBLIC COMMENT

There was no public comment.

As there was no more business to come before the Authority, Ms. Napolitani moved, and Mr. Scott seconded that the meeting be adjourned. All in favor, motion carried. The meeting was adjourned at 8:07 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:

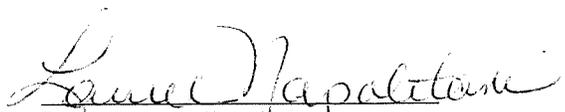
Personnel

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 Napolitani, Secretary

DATED: October 15, 2019

2020 (2020-2021) AUTHORITY BUDGET RESOLUTION

Warren County (Pequest River) Municipal Utilities Authority

FISCAL YEAR: FROM: January 1, 2020 TO: Dec. 31, 2020

WHEREAS, the Annual Budget and Capital Budget for the **Warren County (PR) Municipal Utilities Authority** for the fiscal year beginning, January 1, 2020 and ending, December 31, 2020 has been presented before the governing body of the **Warren County (PR) Municipal Utilities Authority** at its open public meeting of October 15, 2019; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 2,269,744.00, Total Appropriations, including any Accumulated Deficit if any, of \$ 2,829,744.00 and Total Unrestricted Net Position utilized of \$560,000.00; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$649,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$649,000.00; and

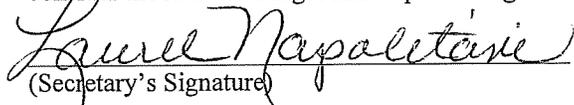
WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the **Warren County (PR) Municipal Utilities Authority**, at an open public meeting held on October 15, 2019 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the **Warren County (PR) Municipal Utilities Authority** for the fiscal year beginning, January 1, 2020 and ending December 31, 2020 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Warren County (PR) Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 17, 2019.


(Secretary's Signature)

October 15, 2019
(Date)

Governing Body Member:	Recorded Vote		Abstain	Absent	Motion by	Second by
	Aye	Nay				
Sidney Deutsch				X		
Drew Kiszonak	X					
Laurel Napolitani	X					
Donald Niece	X					
Robert Nyland	X					
Everdina O'Connor				X		
Robert Piazza	X				X	
Morris Scott, Jr.	X					X
E. Chad Chamberlain	X					

RESOLUTION NO. 19-41

A RESOLUTION OF THE WARREN COUNTY (PEQUEST RIVER) MUNICIPAL UTILITIES AUTHORITY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR A PROFESSIONAL SERVICES AGREEMENT TO MARAZITI, FALCON LLP AS SPECIAL COUNSEL IN LEGAL MATTERS REGARDING JAINDL LAND COMPANY

WHEREAS, the Warren County (Pequest River) Municipal Utilities Authority (the “Authority”) desires to retain the legal services of Maraziti Falcon, LLP. as special counsel for legal matters regarding Jaindl Land Company, which was not solicited through receipt of sealed bids or competitive contracting, and the requirements of N.J.S.A. 19:44A-20.8 (Anti Pay-to-Play Legislation) apply; and

WHEREAS, the firm of Maraziti Falcon, LLP submitted a retainer agreement, dated September 11, 2019 (the “Professional Services Contract”); and

WHEREAS, in accordance with the Anti Pay-to-Play Legislation, Maraziti Falcon, LLP has submitted to the Authority the Political Contribution Disclosure Form, Stockholder Disclosure Certification and Business Entity Disclosure Certification as required; and

WHEREAS, Maraziti Falcon, LLP has also submitted to the Authority a New Jersey Business Registration Certificate, as required; and

WHEREAS, said professional services may be retained without competitive bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

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

1. The Authority hereby hires, employs and retains Maraziti Falcon, LLP having an office at 150 John F. Kennedy, Parkway Short Hills, New Jersey, 07078 as Special Counsel to provide legal services to the Authority in relation to all matters regarding the Jaindl Land Company and authorizes the Chairperson to execute the Professional Services Contract for a one year term.

2. Maraziti Falcon, LLP shall be compensated for a total contract amount not to exceed \$25,000, without separate authorization, at the hourly rates on file at the Authority, subject to the establishment of an escrow for the payment of such funds.

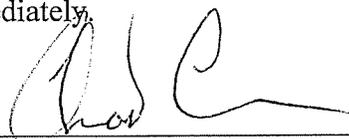
3. The contract with said firm is for professional services and exempt from the bidding requirements under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

4. The award is also subject to compliance with the Equal Employment Opportunity Requirements pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

5. The Chairperson, together with all appropriate officers, employees, professionals and staff of the Authority, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.

6. It is hereby directed that notice of award of this Professional Services Contract shall be published once in the official designated newspaper of the Authority stating the nature, duration, service and amount of the Professional Services Contract.

7. This Resolution shall take effect immediately.



Chad Chamberlain, Chairperson

CERTIFICATION

I, Laurel Napolitani, hereby certify the above to be a true and accurate copy of a Resolution that was adopted by the Warren County (Pequest River) Municipal Utilities Authority at a duly convened meeting on October 15, 2019.



Laurel Napolitani, Secretary

RESOLUTION RE:

EXPENDITURES FROM THE OPERATING FUND
DURING THE MONTH OF OCTOBER 2019.

I HEREBY CERTIFY, that the bills listed on the attached Resolution of October 15, 2019, regarding payment of bills from the Operating Fund were for the operating expenses and were in accordance with the Authority's 2019 budget.



Chad Chamberlain, Chairperson



Laurel Napolitani, Secretary

Certificate No. OP 399

Dated: October 15, 2019

Moved by: Mr. Piazza

Seconded by: Mr. Scott

Yes 7

No 0

Abstain 0

Absent 2

APPROVAL OF BILLS TO BE PAID FROM THE OPERATING FUND

Meeting: October 15, 2019

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 #19348 - #19357	9/27/19	\$10,225.15
	Due 10/15/19	<u>41,012.01</u>
	Total	\$51,237.16

PENTAMATION
 DATE: 08/30/2020
 TIME: 10:55:09

SELECTION CRITERIA: chkstat.disp_fund='MUA01' and chkstat.rundate='09/27/2019'

DISTRIBUTION FUND: MUA01

MUNICIPAL UTILITY AUTHORITY
 CHECK REGISTER INCLUDING SYSTEM VOIDS

PAGE NUMBER: 1
 ACCTPA21
 ACCOUNTING PERIOD: 8/20

CHECK NUMBER	ISSUE DATE	VENDOR	STATUS	TOTAL DESCRIPTION
19348	09/27/2019	CENTURYLINK	R	65.40 ACCOUNTS PAYABLE CHECK
19349	09/27/2019	COMCAST	R	248.09 ACCOUNTS PAYABLE CHECK
19350	09/27/2019	COOPER'S OIL COMPANY	R	1305.00 ACCOUNTS PAYABLE CHECK
19351	09/27/2019	HACH COMPANY	R	429.63 ACCOUNTS PAYABLE CHECK
19352	09/27/2019	JCP&L	R	3.10 ACCOUNTS PAYABLE CHECK
19353	09/27/2019	MAIN POOL & CHEMICAL CO.,	R	5946.80 ACCOUNTS PAYABLE CHECK
19354	09/27/2019	NEW JERSEY ANALYTICAL LAB	R	1776.50 ACCOUNTS PAYABLE CHECK
19355	09/27/2019	SANTICO INC.	R	129.01 ACCOUNTS PAYABLE CHECK
19356	09/27/2019	THE COUNTY OF WARREN	R	199.68 ACCOUNTS PAYABLE CHECK
19357	09/27/2019	VERIZON WIRELESS	R	121.94 ACCOUNTS PAYABLE CHECK
TOTAL FUND				10225.15

TOTAL REPORT 10225.15

PENTAMATION
 DATE: 08/30/2020
 TIME: 10:55:52

MUNICIPAL UTILITY AUTHORITY
 CHECK REGISTER INCLUDING SYSTEM VOIDS

PAGE NUMBER: 1
 ACCTPA21
 ACCOUNTING PERIOD: 8/20

SELECTION CRITERIA: chkstat.disp_fund='MUA01' and chkstat.rundate='10/15/2019'

DISTRIBUTION FUND: MUA01

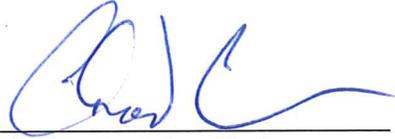
CHECK NUMBER	ISSUE DATE	VENDOR	STATUS	TOTAL DESCRIPTION
19360	10/15/2019	AFA PROTECTIVE SYSTEMS, I	R	255.00 ACCOUNTS PAYABLE CHECK
19361	10/15/2019	BILL HODGE ELECTRICAL CON	R	558.94 ACCOUNTS PAYABLE CHECK
19362	10/15/2019	BILLY WAUHOP & ASSOCIATES	R	7083.33 ACCOUNTS PAYABLE CHECK
19363	10/15/2019	CENTURYLINK	R	131.72 ACCOUNTS PAYABLE CHECK
19364	10/15/2019	CINTAS CORPORATION #101	R	361.58 ACCOUNTS PAYABLE CHECK
19365	10/15/2019	COUNTY OF WARREN	R	1000.00 ACCOUNTS PAYABLE CHECK
19366	10/15/2019	CP ENGINEERS, LLC	R	3365.10 ACCOUNTS PAYABLE CHECK
19367	10/15/2019	DEUTSCH, SIDNEY	R	166.66 ACCOUNTS PAYABLE CHECK
19368	10/15/2019	FLORIO PERRUCCI STEINHARD	R	576.91 ACCOUNTS PAYABLE CHECK
19369	10/15/2019	GERO, WAYNE	R	315.21 ACCOUNTS PAYABLE CHECK
19370	10/15/2019	JCP&L	R	9915.31 ACCOUNTS PAYABLE CHECK
19371	10/15/2019	KISZONAK, DREW	R	166.66 ACCOUNTS PAYABLE CHECK
19372	10/15/2019	L.E. RITTER LUMBER CO.	R	50.83 ACCOUNTS PAYABLE CHECK
19373	10/15/2019	LIN SUPPLY INC.	R	448.67 ACCOUNTS PAYABLE CHECK
19374	10/15/2019	MAIN POOL & CHEMICAL CO.,	R	2043.45 ACCOUNTS PAYABLE CHECK
19375	10/15/2019	NAPOLITANI, LAUREL	R	291.66 ACCOUNTS PAYABLE CHECK
19376	10/15/2019	NEW JERSEY AMERICAN WATER	R	18.29 ACCOUNTS PAYABLE CHECK
19377	10/15/2019	NIECE, DONALD L.	R	166.66 ACCOUNTS PAYABLE CHECK
19378	10/15/2019	NYLAND, ROBERT F.	R	166.66 ACCOUNTS PAYABLE CHECK
19379	10/15/2019	OFFICE CONCEPTS GROUP, IN	R	84.94 ACCOUNTS PAYABLE CHECK
19380	10/15/2019	PASSAIC VALLEY SEWERAGE C	R	4480.00 ACCOUNTS PAYABLE CHECK
19381	10/15/2019	PIAZZA, ROBERT	R	291.66 ACCOUNTS PAYABLE CHECK
19382	10/15/2019	PYRZ WATER SUPPLY CO., IN	R	855.00 ACCOUNTS PAYABLE CHECK
19383	10/15/2019	RIGO GENERAL HARDWARE	R	196.19 ACCOUNTS PAYABLE CHECK
19384	10/15/2019	SHERWIN-WILLIAMS CO.	R	401.40 ACCOUNTS PAYABLE CHECK
19385	10/15/2019	SPECTRASERV INC	R	6384.00 ACCOUNTS PAYABLE CHECK
19386	10/15/2019	THE COUNTY OF WARREN	R	40.00 ACCOUNTS PAYABLE CHECK
19387	10/15/2019	THE COUNTY OF WARREN	R	60.00 ACCOUNTS PAYABLE CHECK
19388	10/15/2019	USA BLUEBOOK	R	1136.18 ACCOUNTS PAYABLE CHECK
TOTAL FUND				41012.01

TOTAL REPORT 41012.01

RESOLUTION RE:

EXPENDITURES FROM THE CAPITAL IMPROVEMENTS
FUND FOR THE MONTH OF OCTOBER 2019.

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 406

Dated: October 15, 2019

Moved by: Mr. Piazza

Seconded by: Mr. Scott

Yes 7

No 0

Abstain 0

Absent 2

**CAPITAL IMPROVEMENT
BILLS LIST**

Dated: October 14, 2019

1. All Image Asphalt, Inc. Paving – Shed Area Oxford WWTP5,054.00
2. CP Engineers, LLC Engineering Services UV System September 2019 Oxford WWTP <u>3,076.25</u>
Total\$8,130.25

PENTAMATION
DATE: 10/10/2019
TIME: 13:56:28

MUNICIPAL UTILITY AUTHORITY
CHECK REGISTER

PAGE NUMBER: 1
VENCHK11
ACCOUNTING PERIOD: 10/19

FUND - MUA01 - MUN UTILITY AUTH GEN FUND

CHECK NUMBER	CASH ACCT	DATE ISSUED	VENDOR	ACCT	DESCRIPTION	AMOUNT
19358	10101	10/14/19	51 ALL IMAGE INC	19001	PAVING TO SHED OXF	5,054.00
19359	10101	10/14/19	292 CP ENGINEERS, LLC	19050	ENG SERV UV SYSTEM	3,076.25
TOTAL FUND						8,130.25
TOTAL REPORT						8,130.25