

## MINUTES OF REORGANIZATION MEETING

FEBRUARY 9, 2021

The Reorganization Meeting of the Morris County Municipal Utilities Authority was held on February 9, 2021 at 7:00 p.m. Due to the Covid-19 Virus State of Emergency, this meeting was held remotely using conference call software. The necessary notice of this meeting was published according to the law.

Mr. Dour called the meeting to order followed by the flag salute and roll call.

PRESENT: Mr. James Barry, Mr. Frank Druetzler, Mr. Gene Feyl,  
Mr. Michael Guadagno, Mr. William Hudzik, Dr. Dorothea Kominos,  
Dr. Arthur Nusbaum, Ms. Laura Szwak, and Mr. Christopher Dour.

ABSENT: NONE.

Also present were Larry Gindoff, Executive Director; Michael McAloon, Suburban Consulting Engineers; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Brad Carney, Esq., Maraziti Falcon LLP; James Deacon, Solid Waste Coordinator; Liz Sweedy, District Recycling Coordinator; Tom Lemanowicz, Alaimo Group and Tayfun Selen, Commissioner-liaison.

Executive Director Larry Gindoff welcomed Michael Guadagno, as our new Board member, and also congratulated Laura Szwak on her reappointment to the Board.

Executive Director Larry Gindoff asked for nominations for Chairman. Mr. Druetzler moved that Mr. Christopher Dour be nominated as Chairman and Mr. Feyl seconded the Motion. There were no other nominations and there was a unanimous vote that nominations be closed.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Executive Director Gindoff congratulated Christopher Dour. He expressed his appreciation to Chris for his serving as Chair for a second year; you do a great job. Mr. Dour thanked everyone.

Chairman Dour then asked for nominations for Vice Chair. Mr. Druetzler moved that Dr. Dorothea Kominos be nominated as Vice Chair and Mr. Hudzik seconded the Motion.

There were no other nominations and there was a unanimous vote that nominations be closed.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

The Board congratulated Christopher Dour and Dr. Dorothea Kominos on their appointments.

Mr. Gindoff mentioned that as you saw in the correspondence, Fletcher Platt has decided to not accept a reappointment for a third term serving here at the MUA. Fletch has served us honorably, certainly quite professionally and has been a tremendous help to us at the MUA for the last ten years. Marilyn and I have prepared a nice Resolution recognizing all the hard work and effort that Fletch did for us so with that I think it states our sentiments nicely and asked for the Board's approval of same. We will send it off to him showing our appreciation. Marilyn will work with everyone to get your signatures. Once again, it is in appreciation of Fletch's ten years of serving the MUA.

# Resolution Recognizing Fletcher Platt

**Whereas**, Fletcher Platt (Fletch) was appointed to the Morris County Municipal Utilities Authority on February 1, 2011; and

**Whereas**, Fletch served with distinction as a member of the Morris County Municipal Utilities Authority Board for ten years, including one year as Vice Chairman; and

**Whereas**, Fletch provided his professional experience, dedication, commitment and vision, particularly in the area of water supply, as evidenced by serving as Chairman of the Water Committee; and

**Whereas**, during his tenure as a Board Member, the Morris County Municipal Utilities Authority provided services that were economically and environmentally beneficial for the residents of Morris County as a result of Fletch's guidance and direction.

**Now, Therefore, Be It Resolved**, on February 9, 2021, that the Morris County Municipal Utilities Authority Board and Staff present this Resolution to Fletcher Platt in sincere appreciation of his significant contributions to the Morris County Municipal Utilities Authority, the County of Morris and its citizens.

---

Tayfun Selen  
Commissioner-liaison

---

Christopher Dour  
Chairman

---

James J. Barry

---

Frank Druetzler

---

Gene Feyl

---

Michael Guadagno

---

William Hudzik

---

Dr. Dorothea Kominos

---

Dr. Arthur Nusbaum

---

Marilyn Regner  
Secretary

---

Laura Szwak

---

Larry Gindoff  
Executive Director

**MOTION:** Ms. Szwak made a Motion to adopt the Resolution Recognizing Fletcher Platt and Mr. Guadagno seconded the Motion.

**ROLL CALL:** AYES: 9                      NAYES: NONE                      ABSTENTIONS: NONE

Mr. Gindoff expressed his appreciation for Michael Guadagno for stepping up and serving on the MCMUA Board. He mentioned that he has known Michael for about ten years now, as he has served on the Solid Waste Advisory Council with us helping us get through our solid waste issues over the last decade and I certainly look forward to working with you, as well as you working

with the rest of our Board here at the MUA on the issues that we deal with in Water, Solid Waste, and Open Space matters. I know you are passionate about it all and have done a lot of good work around the County and you will fill Fletch's shoes well and look forward to it. Mr. Guadagno thanked him.

Chairman Dour asked for the Board's approval for appointments for Treasurer (Larry Kaletcher), Secretary (Marilyn Regner) and Water Superintendent (Anthony Milonas).

**MOTION:** Mr. Barry made a Motion to approve appointments of Larry Kaletcher as Treasurer, Marilyn Regner as Secretary, and Anthony Milonas as Water Superintendent and Mr. Hudzik seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff mentioned that for the next several resolutions awarding annual professional services we went out for a Request For Proposal. We received those proposals. We got several proposal from several firms in some cases, sometimes only one firm and we had different members of Staff review those proposals and the recommendation of those Review Teams is the culmination of the resolutions that you are seeing before you tonight. In short, what we are recommending is the same professional team that served us last year with respect to engineers, counsel, appraisers and auditors.

Chairman Dour asked for the approval of Resolution No. 21-06 for award of Professional Legal Services – General – Water And Solid Waste Divisions to Maraziti Falcon LLP:

**RESOLUTION NO. 21-06**  
**RESOLUTION TO AWARD PROFESSIONAL LEGAL SERVICES -**  
**GENERAL – WATER AND SOLID WASTE DIVISIONS**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional legal services – General – Water and Solid Waste Divisions - to be provided to the Authority from February 10, 2021 to February 8, 2022; and

WHEREAS, the Authority received one proposal submitted by Maraziti Falcon LLP; and

WHEREAS, the Committee assigned to review the proposals based on the criteria outlined in the Invitation To Submit Proposals and has recommended that the contract for professional services be awarded to the firm of Maraziti Falcon LLP, 240 Cedar Knolls Road, Suite 301, Cedar Knolls, New Jersey 07927, which met or exceeded all criteria; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 01-1-900-923-245 and 02-6-900-923-231; and

WHEREAS, the Authority has determined that the process utilized in selecting Maraziti Falcon LLP meets the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 9th day of February, 2021 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Maraziti Falcon LLP for legal services – General – Water and Solid Waste Divisions in accordance with their proposal dated January 20, 2021.

2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budgets of the Authority.

3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.

4. A copy of this resolution shall be published once in the official newspaper of the Authority.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Dr. Kominos made a Motion to adopt Resolution No. 21-06 to Award Professional Legal Services – General – Water And Solid Waste Divisions to Maraziti Falcon LLP and Mr. Hudzik seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board’s approval of Resolution No. 21-07 to award Professional Auditing Services to Nisivoccia LLP:

**RESOLUTION NO. 21-07**  
**RESOLUTION TO AWARD PROFESSIONAL AUDITING SERVICES**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional auditing services to be provided to the Authority from February 10, 2021 to February 8, 2022; and

WHEREAS, the Authority received one proposal submitted by Nisivoccia LLP; and

WHEREAS, the Committee assigned to review said proposals based on the criteria outlined in the Invitation To Submit Proposals and has determined that the firm of Nisivoccia LLP, 200 Valley Road, Suite 300, Mt. Arlington, New Jersey 07856 meets all criteria; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 01-1-900-925-228 and 02-6-900-925-228; and

WHEREAS, the Authority has determined that the process utilized in selecting Nisivoccia LLP meets the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 9th day of February, 2021 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Nisivoccia LLP for auditing services in accordance with their proposal dated January 26, 2021.

2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budgets of the Authority.

3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.

4. A copy of this resolution shall be published once in the official newspaper of the Authority.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-07 to Award Professional Auditing Services to Nisivoccia LLP and Mr. Feyl seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-08 to award Professional Engineering Services – Water Division to Suburban Consulting Engineers Inc.:

**RESOLUTION NO. 21-08  
RESOLUTION TO AWARD PROFESSIONAL ENGINEERING  
SERVICES – WATER DIVISION**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals to provide professional engineering services as the MCMUA's Water Division Consulting Engineer from February 10, 2021 to February 8, 2022; and

WHEREAS, the Authority received seven proposals submitted by the Alaimo Group, MFS Consulting Engineers & Surveyors, Suburban Consulting Engineers, Inc., T&M Associates, E2 Project Management LLC, Remington & Vernick Engineers, and Boswell Engineering; and

WHEREAS, the Committee assigned to review the proposals based on the criteria outlined in the Invitation To Submit Proposals has recommended that the contract for the Water Division consulting engineering services be awarded to the firm of Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, New Jersey 07836 which met or exceeded all criteria; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 02-6-900-925-230; and

WHEREAS, the Authority has determined that the process utilized in selecting Suburban Consulting Engineers Inc. meets the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 9th day of February, 2021 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Suburban Consulting Engineers, Inc. for engineering services in accordance with their proposal dated January 28, 2021.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budget of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this resolution shall be published once in the official newspaper of the Authority.

### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-08 to Award Professional Engineering Services – Water Division to Suburban Consulting Engineers Inc. and Ms. Szwak seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-09 to award Professional Engineering Services – Solid Waste Division to Alaimo Group:

### **RESOLUTION NO. 21-09 RESOLUTION TO AWARD PROFESSIONAL ENGINEERING SERVICES – SOLID WASTE DIVISION**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals to provide professional engineering services to serve as the MCMUA's Solid Waste Engineer to the Authority from February 10, 2021 to February 8, 2022; and

WHEREAS, the Authority received three proposals submitted by Alaimo Group, CME Associates, and Remington & Vernick Engineers; and

WHEREAS, the Committee assigned to review the proposal based on the criteria outlined in the Invitation To Submit Proposals and has recommended that the contract for professional engineering services be awarded to the firm of Alaimo Group, 200 High Street, Mount Holly, New Jersey 08060 which met or exceeded all criteria; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 01-1-900-925-225 and 01-5-900-925-225; and

WHEREAS, the Authority has determined that the process utilized in selecting Alaimo Group meets the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq. and the Local Public Contracts Law exception for professional services pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 9th day of February, 2021 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Alaimo Group for engineering services in a form approved by the Authority's attorney based on their proposal dated January 25, 2021.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budget of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A brief notice stating the nature, duration, service and amount of the contract and that the Resolution and contract are on file and available for public inspection at the offices of the MCMUA in accordance with law shall be published in the official newspaper of the Authority.
5. This Resolution shall take effect as provided by law.

### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-09 to Award Professional Engineering Services – Solid Waste Division to Alaimo Group and Mr. Barry seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval Resolution No. 21-10 to award Professional Legal Services – Labor – Personnel:

**RESOLUTION NO. 21-10**  
**RESOLUTION TO AWARD PROFESSIONAL LEGAL SERVICES –**  
**LABOR – PERSONNEL**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional legal services – Labor – Personnel - to be provided to the Authority from February 10, 2021 to February 8, 2022; and

WHEREAS, the Authority received one proposal submitted by Trimboli & Prusinowski, LLC; and

WHEREAS, the Committee assigned to review the proposals based on the criteria outlined in the Invitation To Submit Proposals and has recommended that the contract for professional services be awarded to the firm of Trimboli & Prusinowski, LLC, 268 South Street, Morristown, New Jersey 07960 which met or exceeded all criteria; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 01-1-900-923-245 and 02-6-900-923-231; and

WHEREAS, the Authority has determined that the process utilized in selecting Trimboli & Prusinowski LLC meets the statutory requirements for award of a contract pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 9th day of February, 2021 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Trimboli & Prusinowski LLC for legal services in accordance with their proposal dated January 12, 2021.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budgets of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this resolution shall be published once in the official newspaper of the Authority.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary



MOTION: Ms. Szwak made a Motion to adopt Resolution No. 21-10 to Award Professional Legal Services – Labor - Personnel and Mr. Hudzik seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board’s approval Resolution No. 21-11 to award Professional Appraisal Services:

**RESOLUTION NO. 21-11**  
**RESOLUTION TO AWARD PROFESSIONAL APPRAISAL SERVICES**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional appraisal services to be provided to the Authority from February 10, 2021 to February 8, 2022; and

WHEREAS, the Authority received two proposals submitted by Sterling DiSanto & Associates and Wade Appraisal, LLC; and

WHEREAS, the Committee assigned to review said proposal based on the criteria outlined in the Invitation To Submit Proposals and has determined that the firm of Sterling DiSanto & Associates, 145 West End Avenue, P. O. Box 977, Somerville, New Jersey 08876 meets the criteria; and

WHEREAS, the MCMUA Treasurer has certified that funds are available in the MCMUA Budget line item 02-6-900-925-228;

WHEREAS, the Authority has determined that the process utilized in selecting Sterling DiSanto & Associates meets the statutory requirements for award of contracts pursuant to the fair and open process under N.J.S.A. 19:44A-20-4 et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 9th day of February, 2021 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Sterling DiSanto & Associates for appraisal services in accordance with their proposal dated January 28, 2021.
2. The Executive Director of the Authority is authorized and directed to include Sterling DiSanto & Associates on the list of approved firms for appraisal services.
3. The Treasurer has certified the availability of funds in connection with the contracts to be appropriated in accordance with the duly adopted budgets of the Authority.
4. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
5. A copy of this resolution shall be published once in the official newspaper of the Authority.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-11 to Award Professional Appraisal Services and Dr. Kominos seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board’s approval Resolution No. 21-12 Fixing The Meeting Dates:

**RESOLUTION NO. 21-12**  
**RESOLUTION FIXING MEETING DATES**

BE IT RESOLVED by the Morris County Municipal Utilities Authority that through February 2021, Regular Meetings shall be held on March 9, 2021, April 13, 2021, May 11, 2021, June 8, 2021, July 13, 2021, August 10, 2021, September 7, 2021, October 12, 2021, November 9, 2021, December 7, 2021, January 11, 2022 and February 8, 2022 (Regular and Reorganization). Meetings shall be held in the First Floor Meeting Room at the new MCMUA Offices, 214A Center Grove Road (known as the Dalrymple House), Randolph at 7:00 p.m. except for the December 7, 2021 meeting which will be held at 5:30 p.m.

BE IT FURTHER RESOLVED that notices of such meetings and any special meetings be posted and published as required by the New Jersey Open Public Meetings Act.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

By: \_\_\_\_\_  
Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to adopt Resolution No. 21-12 Fixing Meeting Dates for 2021 and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-13 regarding Acceptance of a Cash Management Plan For The Morris County Municipal Utilities Authority:

**RESOLUTION NO. 21-13**  
**A RESOLUTION ACCEPTING A CASH MANAGEMENT PLAN**  
**FOR THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, The Morris County Municipal Utilities Authority must adopt a Cash Management Plan in accordance with N.J.S.A. 40A:5-14, and

WHEREAS, this plan is intended to assure that all public funds identified herein are deposited in interest bearing deposits or otherwise invested in permitted investments, and

WHEREAS, the intent of the plan is to provide that the decisions made with regard to the deposits and permitted investments will be done to insure the safety, the liquidity, and the maximum investment return within such limits, and

WHEREAS, the plan is intended to insure that any deposit or permitted investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such deposits or permitted investments.

NOW, THEREFORE, BE IT RESOLVED, by the Morris County Municipal Utilities Authority accepts the attached Cash Management Plan until such time as there is an amendment thereto or the next reorganization meeting.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

By: \_\_\_\_\_  
Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to adopt Resolution No. 21-13 Accepting A Cash Management Plan For The Morris County Municipal Utilities Authority and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 8 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board’s approval of Resolution No. 21-14 regarding the Open Public Meetings Act:

**RESOLUTION NO. 21-14**  
**RESOLUTION ON OPEN PUBLIC MEETINGS ACT PROCEDURES**

BE IT RESOLVED by the Morris County Municipal Utilities Authority as follows:

WHEREAS, the New Jersey “Open Public Meetings Act,” requires notification of meetings of public bodies, as therein defined, in the manner therein set forth;

NOW, THEREFORE, for purposes of compliance with the “Open Public Meetings Act” aforesaid, the Morris County Municipal Utilities Authority hereby makes the following designations:

- (1) All public meetings shall be noticed in accordance with the New Jersey Open Public Meetings Act found at N.J.S.A. 10:4-6 et seq.
- (2) Notices of any special meetings shall be prominently posted in at least one public place reserved for such or similar announcements.
- (3) The location for posting of notice of meetings shall be the 1st Floor Morris County Clerk’s Lobby of the Administration and Records Building, Court Street, Morristown, New Jersey.
- (4) The Morristown Daily Record is hereby designated as the official newspaper of the Morris County Municipal Utilities Authority.
- (5) The Morristown Daily Record and the New Jersey Star Ledger are hereby designated as the two newspapers to receive notice of special meetings, as necessary, it appearing that those newspapers are most likely to inform the local public of such meetings.
- (6) Notices of special meetings shall be filed with the clerk of Morris County.
- (7) Within seven (7) days following the annual reorganization meeting notice shall be posted containing a schedule of the regular meetings to be held during the succeeding year, in accordance with N.J.S.A. 10:4-8.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

By: \_\_\_\_\_  
Marilyn Regner, Secretary

MOTION: Mr. Hudzik made a Motion to adopt Resolution No. 21-14 on Open Public Meetings Act Procedures and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-15 Authorizing Certain Payments by the Treasurer:

**RESOLUTION NO. 21-15**  
**RESOLUTION AUTHORIZING CERTAIN PAYMENTS BY THE TREASURER**

BE IT RESOLVED by the Morris County Municipal Utilities Authority that the MCMUA Treasurer be and he is hereby authorized as follows:

- (1) To pay monthly premiums for group insurance for employees as said premiums come due.
- (2) To pay principal and interest of the MCMUA debt as the sum matures or accrues.
- (3) To remit funds for Workers Compensation Self Insurance coverage, County Self Insurance Liability coverage and Pension (PERS) obligations as said sums are due.
- (4) To pay the Morris County Municipal Utilities Authority officials and employees their salaries in equal installments bi-weekly, except as the same is provided otherwise by statute or resolution.
- (5) To pay real estate taxes on Authority property as they become due.
- (6) To pay various federal and state tax liabilities as they become due.
- (7) To pay municipal escrow fees as they become due for various construction and engineering projects.
- (8) To pay various state agency fees and permits in order not to jeopardize water or waste flow control operations.
- (9) To pay for various utility services in order not to jeopardize water or waste flow operations.
- (10) To pay various parties in conformance with contractual obligations.
- (11) To transfer funds for investment purposes in accordance with N.J.S.A. 40A:11.1.
- (12) To pay various contractors for deposited escrow funds upon written request for closure and provided no outstanding claims remain.
- (13) To pay individual work release members upon certified claim.

(14) Replenish petty cash accounts if depleted or low.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

By: \_\_\_\_\_  
Marilyn Regner

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-15 Authorizing Certain Payments by the Treasurer and Mr. Druetzler seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board’s approval of Resolution No. 21-16 to Authorize the Defense and Indemnification of the Members and Employees of the MCMUA:

**RESOLUTION NO. 21-16**  
**RESOLUTION TO AUTHORIZE THE DEFENSE AND**  
**INDEMNIFICATION OF THE MEMBERS AND EMPLOYEES**  
**OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, there exists a need to protect each past and present member and employee of the Morris County Municipal Utilities Authority ("MCMUA") from the monetary costs of fines, penalties, damages, settlements, costs and legal fees associated with the defense of any civil or criminal actions which may be brought from this day forward against the MCMUA, or any such member or employee, as the result of any action(s) or omission(s) relating to the duties or such member or employee to the MCMUA; and

WHEREAS, the MCMUA desires to provide such protection for each past and present member and employee from the financial consequences of any such civil or criminal action to the extent permitted by law and, therefore, provided that such alleged action or omission does not constitute actual fraud, actual malice, willful misconduct or an intentional wrong in the judgment of the MCMUA.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority as follows:

1. The MCMUA shall, to the extent permitted by law, provide a defense and indemnification to the past and present members and employees of the MCMUA and, therefore, shall pay or otherwise reimburse each past and present member and employee of the MCMUA for

all fines, penalties, damages, costs and legal fees associated with any civil or criminal action which may be brought after the adoption of this Resolution against such member or employee based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority.

2. In any case where the MCMUA provides a defense to a member or employee, it is authorized and directed to make direct payments to counsel or reimburse the member or employee for the costs associated with his or her defense upon the approval by the MCMUA of proper vouchers submitted therefor, but in no case shall the MCMUA be authorized to pay or reimburse for legal fees and expenses exceeding those customarily charged for legal services in the defense of such actions.

3. For the purpose of this Resolution, the term "member" shall include any and all persons appointed pursuant to N.J.S.A. 40:14B-4.

4. Any person seeking the provision of a defense and indemnification under the policy enunciated in this Resolution shall give prompt notice to the MCMUA of the pendency of any such civil or criminal action for which payment or reimbursement is sought, at which time the MCMUA shall by Resolution implement the provisions set forth herein.

5. It is within the sole discretion of the MCMUA, in any action where the provision of such a defense and indemnification is sought by a member or employee, to:

- a. Provide a defense by an attorney chosen by the MCMUA;
- b. Provide a defense by an attorney of the member or employee's choosing; or
- c. Assert the MCMUA's right under any appropriate insurance policy which requires the insurer to defend and indemnify.

6. Notwithstanding the foregoing, the MCMUA may refuse to provide for the defense or to indemnify any past and present member or employee of the MCMUA in any action referred to above or may recover any amounts paid on behalf of such member or employee for such defense if in its sole discretion it has reason to conclude that the act or omission was:

- a. Not within the scope of such member or employee's duties or was carried out in an individual capacity;
- b. The subject matter of any action brought by the MCMUA against the member or employee;
- c. A violation of the Local Government Ethics Law (P.L. 1991, c. 29); or
- d. Due to actual fraud, actual malice, willful misconduct or an intentional wrong.

7. In the event a contested matter, to which this Resolution is applicable, is resolved by way of settlement, the MCMUA may take into account the facts, circumstances and allegations which led to the settlement in its determination of whether it may, subject only to the provisions of paragraph 6, indemnify such past and/or present member(s) and/or employee(s) against whom such settled claims had been made.

8. It is the intention of this Resolution to set forth the policy of the MCMUA with respect to the defense and indemnification of persons associated with the MCMUA in the management of its affairs and businesses to the maximum extent permitted by law, and if any provision hereof or the application hereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this Resolution and to this end the provisions hereof are declared to be severable.

9. The policy set forth in this Resolution is prospective and shall take effect immediately, but shall automatically expire unless re-authorized at each annual reorganization meeting of this Authority.

#### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

By: \_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-16 Authorizing The Defense and Indemnification of the Members And Employees of the MCMUA and Mr. Druetzler seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-17 Designating Public Agency Compliance Officer:

#### **RESOLUTION NO. 21-17** **RESOLUTION DESIGNATING** **PUBLIC AGENCY COMPLIANCE OFFICER**

WHEREAS, every public agency is required to designate a Public Agency Compliance Officer in accordance with N.J.A.C. 17:27-3.2.



NOW, THEREFORE BE IT RESOLVED, that Shana O'Mara, Qualified Purchasing Agent, is hereby appointed as the Public Agency Compliance Officer for the MCMUA to serve without salary for a term of one (1) year to expire on February 8, 2022.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

By: \_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-17 Designating Public Agency Compliance Officer and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 9      NAYES: NONE      ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-18 Designating The Appointment Of A Qualified Purchasing Agent And Setting The Bid Threshold For Contracts Subject To Public Bidding Under The Local Public Contracts Law To \$44,000 for 2021:

**RESOLUTION NO. 21-18  
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY  
DESIGNATING THE APPOINTMENT OF A QUALIFIED PURCHASING AGENT AND  
SETTING THE BID THRESHOLD FOR CONTRACTS SUBJECT TO PUBLIC  
BIDDING UNDER THE LOCAL PUBLIC CONTRACTS LAW TO \$44,000  
FOR 2021**

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., provides that the governing body of any contracting unit may designate an employee as the Qualified Purchasing Agent for the contracting unit who possesses a Qualified Purchasing Agent certificate; and

**WHEREAS**, the Morris County Municipal Utilities Authority desires to continue the appointment of Shana O'Mara, who has a valid Qualified Purchasing Agent certificate and meets the statutory qualifications, to hold the position of Qualified Purchasing Agent; and

**WHEREAS**, N.J.A.C. 5:32-4.3 provides that a government unit which employs a Qualified Purchasing Agent may utilize a higher bid threshold of \$44,000.00 pursuant to N.J.S.A. 40A: 11-3(a) and grants the authorization to negotiate and award such contracts below the bid threshold.

**NOW, THEREFORE, BE IT RESOLVED**, by the Morris County Municipal Utilities Authority, in the County of Morris and State of New Jersey that Shana O'Mara is hereby designated as the Qualified Purchasing Agent for the Authority and may perform, under the supervision of the Executive Director, the functions and duties of the Qualified Purchasing Agency for the Authority; and

**BE IT FURTHERED RESOLVED**, as follows:

- 1) The Qualified Purchasing Agent shall possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs; and,
- 2) The Qualified Purchasing Agent shall have the authority, responsibility and accountability for the purchasing activity for the Morris County Municipal Utilities Authority, to prepare public advertising for bids and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts on behalf of the Morris County Municipal Utilities Authority, and subject to Board approval, to award contracts permitted through New Jersey statutes and in accordance with the regulations, forms and procedures promulgated by state regulatory agencies in the name of the Morris County Municipal Utilities Authority, and conduct any activities as may be necessary or appropriate to the purchasing function of the Morris County Municipal Utilities Authority; and,
- 3) The bid threshold for award of public contracts by the Morris County Municipal Utilities Authority is \$44,000.

**BE IT FURTHERED RESOLVED**, the Secretary to the Authority is hereby authorized and directed to forward a certified copy of this resolution and a copy of Shana O'Mara's certification to the Director of the Division of Local Government Services.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on Tuesday, February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-18 Designating The Appointment Of A Qualified Purchasing Agent And Setting Forth The Bid Threshold For Contracts Subject To Public Bidding Under The Local Public Contracts Law To \$44,000 For 2021 and Mr. Guadagno seconded the Motion.

**ROLL CALL:** AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked for the Board's approval of Resolution No. 21-19 to Authorize Use Of State Contracts:

**RESOLUTION NO. 21-19  
RESOLUTION OF THE MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY  
AUTHORIZING THE USE OF A STATE  
PURCHASING CONTRACT FOR 2021**

**WHEREAS**, the Morris County Municipal Utilities Authority, pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29 et seq. may, by Resolution and without advertising for bids,

purchase any goods or services through the State of New Jersey Cooperative Purchasing program which has been approved by the Director of the Division of Local Government Services; and

**WHEREAS**, the MCMUA has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the MCMUA intends to enter into contracts with the following Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all conditions applicable to the current State contracts;

Vendor	State Contract #	2021 Budgeted Amount
W.B. Mason	T0052/0000003	\$13,000.00
Lowes	M8001/18-FLEET-00235	\$10,000.00
Home Depot	M8001/18-FLEET-00234	\$8,000.00
Shi	M0003/89851	\$1,000.00
Grainger	M0002/19-FLEET-00677 & M0002/19-FLEET-00566	\$15,000.00
Municibid	T2581/19-GNSV1-00696	\$5,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the MCMUA authorizes the Qualified Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHERED RESOLVED**; that the governing body of the MCMUA pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Treasurer; and

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced State Contract Vendors shall be from **March 1, 2021 to February 28, 2022**.

This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on Tuesday, February 9, 2021.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Christopher Dour, Chairman

ATTEST:

\_\_\_\_\_  
Marilyn Regner, Secretary

**MOTION:** Mr. Hudzik made a Motion to adopt Resolution No. 21-19 to Authorize Use Of State Contracts and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

Chairman Dour asked if the Board Members were happy with the committees they were assigned to and the Board replied they were fine with the assignments. The committees are as follows: Solid Waste Committee members are Christopher Dour, William Hudzik, Mr. Michael Guadagno, and Dr. Art Nusbaum; Water Committee members are Frank Druetzler, Laura Szwak and Dr. Dorothea Kominos; Open Space Committee members are Laura Szwak, Gene Feyl and Larry Gindoff and the Executive Committee members are Christopher Dour, Chairman, James Barry, Frank Druetzler and Larry Gindoff.

There being no further business, the meeting was adjourned at 7:20 p.m. with the following Motion:

MOTION: Mr. Hudzik made a Motion to adjourn the Reorganization Meeting at 7:20 p.m. Mr. Guadagno seconded the Motion and it was carried unanimously.

ROLL CALL: AYES: 9 NAYES: NONE ABSTENTIONS: NONE

/mr

---

Marilyn Regner  
Secretary