

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

JANUARY 21, 2016

The Regular Meeting of The Southeast Morris County Municipal Utilities Authority (the "Authority") was held on Thursday, January 21, 2016, at 7:30 PM prevailing time in the board room at the offices of the Authority at 19 Saddle Road, Cedar Knolls, New Jersey.

The Chairman called the meeting to order at 7:30 PM and read the attached statement of Public Notice (Sunshine Law) and caused same to be entered into the minutes of the meeting.

ROLL CALL

PRESENT: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone*, Kissil and Schimpf*

ABSENT: Members Carroll and Johnson

* Members participated in the meeting via telephone and acknowledged that they could hear the Chairman and other participants.

MOTION APPROVING MINUTES OF DECEMBER 17, 2015

Copies of the minutes of the meeting held on December 17, 2015, were distributed to the members prior to the meeting for review and comment. Member Dougherty moved that the minutes be adopted. Member Conradi seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

COMMUNICATIONS

1. January 6, 2016 – Copy of letter from the Township of Hanover advising of Saverio Iannaccone's reappointment as Member of The Southeast Morris County Municipal Utilities Authority.
2. January 7, 2016 – Copy of letter from the Township of Morris advising of Dennis Baldassari's reappointment as Member of The Southeast Morris County Municipal Utilities Authority.

RESOLUTION – APPROVAL OF JANUARY LIST OF BILLS

Copies of the bill list for January were distributed to the members prior to the meeting for comment and approval. Member Dougherty moved to approve the list of bills and offered the following resolution:

RESOLUTION NO. 01-16

RESOLUTION AUTHORIZING PAYMENT OF LIST OF BILLS FOR JANUARY 2016

“COPY ANNEXED”

Member Conradi seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

OTHER BUSINESS

- A. Resolution Awarding Contract for Painting and Rehabilitation of Picatinny Water Storage Tank No. 1 (Contract No. 201501)

The Authority advertised and solicited bids for the project entitled Painting and Rehabilitation of Picatinny Water Storage Tank No. 1 (Contract No. C-201501) on December 1, 2015. Eight bids were received by the sixteen companies who obtained bid packages. The bids were reviewed by CP Engineers, L.L.C., as set forth in a report dated December 7, 2015. It was determined that the lowest bid received by Worldwide Industries Corporation, in the amount of \$796,000, does not meet the requirements set forth in the bid specifications for the reasons set forth in the report by CP Engineers, L.L.C. The Authority reserved the right to reject any bids. Pro-Spec Painting was determined to be the lowest qualified bidder in the total amount of \$798,850. Action on this award was deferred at the December 17, 2015 meeting because of a challenge by Worldwide Industries Corporation and a temporary restraining order issued by the Superior Court of New Jersey against awarding the contract to Pro-Spec Painting; which challenge and temporary restraining order have since been dismissed. Mr. Weiss stated that funds are available for this award and have been certified by the Treasurer. Member Dougherty offered the following resolution:

RESOLUTION NO. 02-16

RESOLUTION AWARDING CONTRACT FOR PAINTING AND REHABILITATION OF PICATINNY WATER STORAGE TANK NO. 1 (CONTRACT NO. 201501)

“COPY ANNEXED”

Member Dougherty seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

- B. Resolution Authorizing and Ratifying the Transfer of Funds between Budget Appropriations

The Board reviewed a memorandum from the Director of Finance dated January 19, 2016, where she advised that there are certain budget line items in the 2015 budget that required additional funding prior to the year end. The Director of Finance requested that such balances, totaling \$133,800, be transferred from the various budget line items with balances to those requiring additional funds to balance. Chairman Baldassari recalled that it was suggested by the Auditors that the Authority authorize and obtain Board approval for budget transfers among its internal appropriation line items to cover actual expenditures. Member Dougherty offered the following resolution:

RESOLUTION NO. 03-16

RESOLUTION AUTHORIZING AND RATIFYING THE TRANSFER OF FUNDS
BETWEEN BUDGET APPROPRIATIONS

“COPY ANNEXED”

Member Conradi seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

- C. Resolution Commending John Boudreau for Service to The Southeast Morris County Municipal Utilities Authority

The Board reviewed a draft resolution commending the Authority’s Transmission and Distribution Supervisor, John Boudreau for nearly 30 years of dedicated and loyal service. Member Dougherty offered the following resolution:

RESOLUTION NO. 04-16

RESOLUTION COMMENDING JOHN BOUDREAU FOR SERVICE TO THE SOUTHEAST MORRIS
COUNTY MUNICIPAL UTILITIES AUTHORITY

“COPY ANNEXED”

Member Conradi seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

D. Resolution Commending Charles Brown for Service to The Southeast Morris County Municipal Utilities Authority

The Board reviewed a draft resolution commending Authority Pump Station Repairer, Charles Brown for nearly 37 years of dedicated and loyal service. Member Dougherty offered the following resolution:

RESOLUTION NO. 05-16

RESOLUTION COMMENDING CHARLES BROWN FOR SERVICE TO THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

“COPY ANNEXED”

Member Conradi seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

E. Resolution Authorizing Closed Session Discussion

Chairman Baldassari stated that the following Agenda items may be held in closed session pursuant to subsections 4 and 7 of Section 12b of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.):

1. Pending litigation: Appeal from BPU regulation regarding private property mark-outs
2. Report of the Personnel Committee
 - a. Collective bargaining agreement negotiations
3. Contract negotiations: Compensation for Professional Service Contract for Legal Services with Sidney D. Weiss, Esq., as General Counsel

The Chairman then moved the following resolution:

RESOLUTION NO. 06-16

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSION

“COPY ANNEXED”

Member Dougherty seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

[CLOSED SESSION MEETING FOLLOWED]

[RESUMPTION OF PUBLIC MEETING]

- F. Resolution Authorizing Execution of a Professional Service Contract for Legal Services with Sidney D. Weiss, Esq. as General Counsel

Sidney D. Weiss, Esq. submitted a proposal dated December 30, 2015 for the providing of professional legal services. The Board reviewed a memorandum from the Executive Director/Chief Engineer dated January 15, 2016 recommending award of the contract at an annual fee of \$125,580. The contract would be awarded without public bidding as a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and in compliance with N.J.S.A. 19:44A-20.5 (Pay-to-Play Law). Sidney D. Weiss, Esq., completed and submitted Business Entity Disclosure Certifications which certify that he has not made any reportable contributions to any political or candidate committee in the Township of Hanover, Borough of Morris Plains, Town of Morristown and the Township of Morris in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract. Member Dougherty offered the following resolution:

RESOLUTION NO. 07-16

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE CONTRACT FOR LEGAL SERVICES WITH SIDNEY D. WEISS, ESQ. AS GENERAL COUNSEL

“COPY ANNEXED”

Member Conradi seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Baldassari; Members Conradi, Dougherty, Iannaccone, Kissil and Schimpf

NOES: None

G. DISCUSSION – Reorganization Meeting Agenda

Mr. Weiss went through the draft agenda for the Annual Reorganization Meeting of the Authority scheduled for Monday, February 1, 2016. Mr. Weiss added that a reception at H2Ocean Restaurant would immediately follow the meeting.

SUCH OTHER MATTERS TO LEGALLY COME BEFORE THE BOARD

1. Member Dougherty wished to discuss a couple of items:
 - a. Member Dougherty inquired about the posted notices regarding Fire Alarm Control Panel malfunction. Ms. Cummings stated that a recent power failure at the headquarters facility resulted in failure of the fire alarm monitor/call out device. She added that, in the interim, local alarms have been installed while repair and/or replacement of the monitor/call out device is being evaluated.
 - b. Member Dougherty inquired about changes to the Authority's lobby area on the first floor. She stated she would like to see some improvements in this area. She suggested alternative furniture and would generally like the area to be more welcoming.
2. Member Schimpf wanted to make sure the Authority was prepared to answer questions that may arise surrounding river water after the incident that occurred in Michigan. Ms. Cummings stated that the Authority is in very good shape and there are no concerns.

REPORTS

Copies of the following reports were distributed to the Members for review and comment and a discussion ensued as to each item:

- A. Executive Director/Chief Engineer – December 2015
- B. Superintendent – December 2015
- C. Annual Report of the Consulting Engineer – 2015
- D. Information Technology – December 2015
- E. Finance – December 2015


PUBLIC DISCUSSION

Chairman Baldassari stated the next portion of the meeting was set aside for public discussion. No one from the public was present. The Chairman then closed the public portion of the meeting.

ADJOURNMENT

There being no further business, Member Dougherty moved that the meeting be adjourned. Member Conradi seconded the motion. The meeting adjourned at 8:46 PM.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


SIDNEY D. WEISS
Assistant Secretary



Southeast Morris County Municipal Utilities Authority

19 SADDLE ROAD • CEDAR KNOLLS, NEW JERSEY 07927 • TEL 973-326-6880 • FAX 973-326-9521

Resolution No. 01-16

RESOLUTION AUTHORIZING PAYMENT OF JANUARY 2016 LIST OF BILLS

BE IT RESOLVED that authorization is hereby granted to make payment of the following list of bills:

OPERATING FUND

Total Salary and Wages \$ 308,070.04

Total Operating Fund Checks and Wire Transfers \$ 774,484.90

GENERAL FUND/SPECIAL ACCOUNT \$ 17,164.28

TOTAL OF JANUARY 2016 LIST OF BILLS \$ 1,099,719.22

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

SIDNEY D. WEISS, Assistant Secretary

DENNIS BALDASSARI, Chairman

Dated: January 21, 2016

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available (\$1,099,719.22) for payment of the resolution entitled Resolution Authorizing Payment of January 2016 List of Bills in the Authority's 2016 Operating Budget.



JANICE A. CONGLETON, Treasurer

Dated: January 21, 2016

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.



SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016



Southeast Morris County Municipal Utilities Authority

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Resolution No. 02-16

RESOLUTION AWARDING A CONTRACT FOR THE PAINTING AND REHABILITATION OF PICATINNY WATER STORAGE TANK NO. 1 (CONTRACT C-201501)

WHEREAS, The Southeast Morris County Municipal Utilities Authority (the "Authority") has advertised and solicited bids for the project entitled Painting and Rehabilitation of Picatinny Water Storage Tank No. 1 (Contract No. C-201501) on December 1, 2015; and

WHEREAS, eight bids were received by the sixteen companies who obtained bid packages;
and

WHEREAS, the bids were reviewed by CP Engineers, L.L.C., as set forth in a report dated December 7, 2015, a copy of which report is annexed hereto; and

WHEREAS, it was determined that the lowest bid received by Worldwide Industries Corporation, in the amount of \$796,000, does not meet the requirements set forth in the bid specifications for the reasons set forth in the attached report; and

WHEREAS, the Authority reserved the right to reject any bids; and

WHEREAS, Pro-Spec Painting was determined to be the lowest qualified bidder in the total amount of \$798,850; and

WHEREAS, action on this award was deferred at the December 17, 2015 meeting because of a challenge by Worldwide Industries Corporation and a temporary restraining order issued by the Superior Court of New Jersey against awarding the contract to Pro-Spec Painting; which challenge and temporary restraining order have since been dismissed; and

WHEREAS, funds are available for this award and have been certified by the Treasurer of the Authority;

NOW THEREFORE BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf


Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

1. That the low bid received by Worldwide Industries Corporation, on December 1, 2015 in connection with Painting and Rehabilitation of Picatinny Water Storage Tank No. 1 (Contract C-201501) is hereby rejected as fatally defective and unresponsive.
2. That a contract for the project Painting and Rehabilitation of Picatinny Water Storage Tank No. 1 (Contract C-201501) be awarded to Pro-Spec Painting in accordance with its base bid submitted on December 1, 2015, in the amount of \$798,850.
3. That the appropriate officers of the Authority be and they are hereby authorized and directed to execute a contract with regard to said project on behalf of the Authority in the manner provided by law.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


SIDNEY D. WEISS, Assistant Secretary


DENNIS BALDASSARI, Chairman

DATED: January 21, 2016



35 Sparta Avenue
Sparta, New Jersey 07871
Phone (973) 300-9003
Fax (973) 300-4003
www.cppsc.com

December 7, 2015

Southeast Morris County Municipal Utilities Authority
19 Saddle Road
Cedar Knolls, New Jersey 07927

Attn: Ms. Sophia Heng, P.E., Senior Civil Engineer

Re: Painting and Rehabilitation of Picatinny Water Storage Tank No. 1
SMCMUA Contract No. 201501
Bid Evaluation and Award Recommendation
CP 306.001

Dear Ms. Heng:

This CP Professional Services (CP) has completed a canvass of the bids received for the above referenced Contract and performed a detailed evaluation of the three (3) lowest bids received for your consideration.

Canvass of Bids:

The bids were formally opened on December 1, 2015 in accordance with the provisions of the Legal Notice. A total of eight (8) bids were received; enclosed is the Tabulation of Three (3) Lowest Bids, which documents the amounts bid for each contract item, as well as the major bid requirements. Worldwide Industries Corp, of Butler, Pennsylvania is the apparent low bidder.

Bid Evaluation:

The evaluation included a complete review of the bid package for compliance with the bidding requirements as set forth in the Project Manual, a review of the qualifications of the low bidder and any major subcontractors, and confirmation that the low bidder and his subcontractors are not listed by the State of New Jersey nor the U.S. Department of Labor as debarred.

Our evaluation concluded the following:

1. The apparent low bidder, Worldwide Industries Corp. (Worldwide), did not identify an electrical subcontractor at the time of bid. When contacted to confirm if this was because they employ an electrician directly, we received the enclosed correspondence dated December 2, 2015 from an electrical contracting firm that seems to indicate that they would be working for Worldwide as a subcontractor. It is our understanding that this is a fatal-defect under Local Public Contracts Law N.J.S.A. 40A:11-23.2d making Worldwide's bid non-responsive. Worldwide has since issued the enclosed December 4, 2015 letter indicating that they intend to employ an electrician from the same contracting firm directly, not as a subcontractor. We are unclear with regard to the



legal implications of these clarification letters and recommend that the Authority's legal counsel be consulted.

2. Upon review of the second lowest bid from Pro-Spec Industrial Painting Services, their bid appears to be responsive.
3. A detailed experience and reference check of both the first and second low bidders confirm that both have the necessary experience and meet the bidder qualification requirements set forth in the bid documents. References for both bidders were acceptable. The first and second lowest bidders are considered responsible.
4. Based upon prior discussions with your office, it is our understanding that the Authority's estimated construction cost for this project was \$800,000. It is further our understanding that the estimated cost was based upon pricing received by the Authority in recent years for similar work. The first and second low bidder's prices of \$796,000 and \$798,850, respectively, are both less than one-percent (1%) below the Authority's estimate, therefore we believe them to be reasonable and consistent with current industry pricing for work of this type.

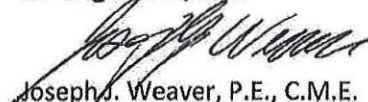
Summary and Recommendation:

As indicated above, based upon our review of the bids received CP is satisfied that both the first and second low bids are responsible; however, due to the legal question associated with the lowest bidder not identifying a subcontractor, we defer to the Authority's legal counsel with regard to which is the lowest responsive and responsible bid for the Authority's consideration.

Should you have any questions, please call.

Very truly yours,

CP Engineers, LLC.


Joseph J. Weaver, P.E., C.M.E.
Senior Project Engineer

Enclosures

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SOUTH EAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY (SMCMUA)
TABULATION OF THREE (3) LOWEST BIDS RECEIVED ON DECEMBER 1, 2015
FOR
PAINTING AND REHABILITATION OF PICATINNY WATER STORAGE TANK NO. 1
CONTRACT NO. 201501

Prepared By: JJW

Worldwide Industries Corp.		Pro-Spec Painting, Inc.		U.S. Tank Painting, Inc.	
Contractor 470 Mitchell Hill Rd. Butler, PA 16002-1070		Contractor 1819 Cedar Avenue Vineland, NJ 08360		Contractor 900 Riike Drive Millstone, NJ 08535	
Address		Address		Address	
724-283-9845	724-283-1772	856-690-9500	856-690-9525	609-448-2444	609-448-9444
Phone:	Fax:	Phone:	Fax:	Phone:	Fax:
BRC	X	BRC	X	BRC	X
BID BOND	X	BID BOND	X	BID BOND	X
SURETY	X	SURETY	X	SURETY	X
OWNERSHIP	X	OWNERSHIP	X	OWNERSHIP	X
SUB LIST	-	SUB LIST	X	SUB LIST	-X
ADDENDA	N/A	ADDENDA	N/A	ADDENDA	N/A

Item No.	Description	Pav Unit	Quantity	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
1	MOBILIZATION, STAGING, DEMOBILIZATION AND CLEANUP	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 62,900.00	\$ 62,900.00	\$ 80,000.00	\$ 80,000.00
2	INTERIOR SURFACE PREPARATION AND REMOVAL/DISPOSAL OF NON-HAZARDOUS SLUDGE AND BLAST RESIDUE	L.S.	1	\$ 320,900.00	\$ 320,900.00	\$ 304,250.00	\$ 304,250.00	\$ 385,400.00	\$ 385,400.00
3	INTERIOR PAINTING	L.S.	1	\$ 265,100.00	\$ 265,100.00	\$ 294,400.00	\$ 294,400.00	\$ 147,500.00	\$ 147,500.00
4	EXTERIOR SURFACE PREPARATION AND PAINTING	L.S.	1	\$ 119,000.00	\$ 119,000.00	\$ 71,540.00	\$ 71,540.00	\$ 115,000.00	\$ 115,000.00
5	TANK REPAIRS AND APPURTENANCES	L.S.	1	\$ 69,500.00	\$ 69,500.00	\$ 63,460.00	\$ 63,460.00	\$ 85,000.00	\$ 85,000.00
6	SITE IMPROVEMENTS	L.S.	1	\$ 7,000.00	\$ 7,000.00	\$ 2,000.00	\$ 2,000.00	\$ 5,000.00	\$ 5,000.00
7	ALLOWANCE FOR INCREMENTAL ADDITIONAL COST OF DISPOSAL WASTE FOUND TO BE HAZARDOUS	TON	30	\$ 150.00	\$ 4,500.00	\$ 10.00	\$ 300.00	\$ 300.00	\$ 9,000.00
TOTAL				\$ 796,000.00	\$ 796,850.00	\$ 796,850.00	\$ 796,850.00	\$ 826,900.00	\$ 826,900.00

TREASURER'S CERTIFICATION

I hereby certify the availability of funds in the amount of \$798,850 for payment of a contract with Pro-Spec Painting for Painting and Rehabilitation of Picatinny Water Storage Tank No. 1 (Contract C-201501). This item will be charged to Account No. 02-00-500-378

2016 Storage Tank Rehab + Site Improvement



JANICE A. CONGLETON, Treasurer

DATED: January 21, 2016

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016



Southeast Morris County Municipal Utilities Authority

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Resolution No. 03-16

RESOLUTION AUTHORIZING AND RATIFYING THE TRANSFER OF FUNDS BETWEEN BUDGET APPROPRIATIONS FOR 2015

WHEREAS, The Southeast Morris County Municipal Utilities Authority's ("Authority") Director of Finance/Treasurer has advised that there exists certain funds in the 2015 budget line items which will be remaining at year end; and

WHEREAS, there are certain budget line items in the 2015 budget that require additional funding prior to the year end; and

WHEREAS, the Director of Finance/Treasurer has requested that such balances be transferred from the various budget line items with balances to those requiring additional fund to balance; and

WHEREAS, it appears that such transfers are in the best interest of the Authority and the Water System;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the following transfers within the 2015 Operating Budget totaling \$133,800.00 are hereby approved and ratified:

Budget Transfers for 2015

<u>Budget Line Item</u>	<u>Title</u>	<u>Amount</u>
Transfer To:		
02-70-400-650	Treatment – Mechanical Maintenance & Repair	\$ 12,000.00
02-70-400-502	Treatment – Overtime	\$ 51,000.00
02-50-400-622	Operations – Energy Costs	\$ 70,800.00
	Total	\$ 133,800.00

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

Transfer From:		
02-10-400-501	Admin: Salary & Wages	\$ 100,000.00
02-40-400-617	Customer Service – Record/Collection/Billing	\$ 23,800.00
02-30-400-604	Finance – Office Supplies & Miscellaneous	\$ 15,000.00
02-70-400-647	Treatment – Reservoirs & Standpipes	\$ 15,000.00
02-70-400-776	Treatment – Plant Equipment - new	\$ 10,000.00
02-10-400-615	Administration – Conferences, Dues, Training	\$ 7,000.00
02-12-400-604	IT – Communications – Licensing and Service Agreements	\$ 8,000.00
02-12-400-612	IT – Office Lease Contracts	\$ 10,000.00
02-12-400-620	IT – Cyber Security	\$ 20,000.00
02-20-400-609	Statutory: PERS	\$ 15,000.00
02-50-400-615	Operations – Dues, Conferences, Training	\$ 10,000.00
	Total	\$ 133,800.00

AND BE IT FURTHER RESOLVED that the Director of Finance/Treasurer be and is hereby authorized and directed to take whatever actions are necessary or convenient to effectuate the provisions of this Resolution and the transfers hereby approved.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


SIDNEY D. WEISS, Assistant Secretary


DENNIS BALDASSARI, Chairman

DATED: January 21, 2016

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016



Southeast Morris County Municipal Utilities Authority

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Resolution No. 04-16

RESOLUTION COMMENDING JOHN BOUDREAU FOR SERVICE TO
THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, John Boudreau has served The Southeast Morris County Municipal Utilities Authority (the "Authority") as Transmission and Distribution Supervisor since January 20, 2003, and various increasingly responsible positions within the Authority since March 3, 1986; and

WHEREAS, John Boudreau has been a dedicated and loyal employee of the Authority for nearly 30 years; and

WHEREAS, John Boudreau has retired as Transmission and Distribution Supervisor of the Authority, effective December 31, 2015; and

WHEREAS, the Members of The Southeast Morris County Municipal Utilities Authority wish to extend their gratitude and appreciation to John Boudreau for his faithful and dedicated service to the Authority on behalf of the Members, staff and customers of the Authority.

NOW THEREFORE BE IT RESOLVED by the Members of The Southeast Morris County Municipal Utilities Authority that John Boudreau be and is hereby commended for his dedicated and faithful to the Authority; and

BE IT FURTHER RESOLVED that this Resolution be spread on and become part of the official minutes of the Authority's Regular Meeting held on January 21, 2016; and that a copy of this Resolution be presented to John Boudreau as a memento of the Authority's gratitude and appreciation for his service to The Southeast Morris County Municipal Utilities Authority from March 3, 1986 through his retirement on December 31, 2015.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


SIDNEY D. WEISS, Assistant Secretary


DENNIS BALDASSARI, Chairman

DATED: January 21, 2016

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.



SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016



Southeast Morris County Municipal Utilities Authority

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Resolution No. 05-16

**RESOLUTION COMMENDING CHARLES BROWN FOR SERVICE TO
THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY**

WHEREAS, Charles Brown served The Southeast Morris County Municipal Utilities Authority (the "Authority") in various increasingly responsible positions within the Authority since December 18, 1978; and

WHEREAS, Charles Brown has been a dedicated and loyal employee of the Authority for nearly 37 years; and

WHEREAS, Charles Brown has retired as Pump Station Repairer of the Authority, effective November 30, 2015; and

WHEREAS, the Members of The Southeast Morris County Municipal Utilities Authority wish to extend their gratitude and appreciation to Charles Brown for his faithful and dedicated service to the Authority on behalf of the Members, staff and customers of the Authority.

NOW THEREFORE BE IT RESOLVED by the Members of The Southeast Morris County Municipal Utilities Authority that Charles Brown be and is hereby commended for his dedicated and faithful service to the Authority; and

BE IT FURTHER RESOLVED that this Resolution be spread on and become part of the official minutes of the Authority's Regular Meeting held on January 21, 2016; and that a copy of this Resolution be presented to Charles Brown as a memento of the Authority's gratitude and appreciation for his service to The Southeast Morris County Municipal Utilities Authority from December 18, 1978 through his retirement on November 30, 2015.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



SIDNEY D. WEISS, Assistant Secretary



DENNIS BALDASSARI, Chairman

DATED: January 21, 2016

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.



SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016



Southeast Morris County Municipal Utilities Authority

19 SADDLE ROAD • CEDAR KNOLLS, NEW JERSEY 07927 • TEL 973-326-6880 • FAX 973-326-9521

Resolution No. 06-16

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSIONS

RESOLVED that discussion of:

1. Pending litigation: Appeal from BPU regulation regarding private property mark-outs
2. Report of the Personnel Committee
 - a. Collective bargaining agreement negotiations
3. Contract negotiations: Compensation for Professional Service Contract for Legal Services with Sidney D. Weiss, Esq., as General Counsel

be held in closed session pursuant to subsections (4 and 7) of Section 12b of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.); and be it further

RESOLVED that since the discussions are to be conducted in closed session as permitted by the Act, and may involve questions of attorney/client privilege, it is not known at this time when, or if, the contents of the discussions may be disclosed.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



SIDNEY D. WEISS, Assistant Secretary



DENNIS BALDASSARI, Chairman

DATED: January 21, 2016

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016



Southeast Morris County Municipal Utilities Authority

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Resolution No. 07-16

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICE CONTRACT FOR LEGAL SERVICES WITH SIDNEY D. WEISS, ESQ., AS GENERAL COUNSEL

WHEREAS, the Authority has a need for professional legal services to assist it in fulfilling its statutory and contractual obligations; and

WHEREAS, Sidney D. Weiss, Esq., has submitted a proposal dated December 30, 2015 to serve as General Counsel to the Authority for a period of one (1) year at an annual fee of \$125,580 plus expenses as set forth in a proposed Professional Services Contract for Legal Services, a copy of which is annexed hereto as Exhibit "A"; and

WHEREAS, this Contract is being awarded without public bidding as a Professional Service Contract pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and in compliance with N.J.S.A. 19:44A-20.5 (Pay-to-Play Law); and

WHEREAS, Sidney D. Weiss, Esq., has completed and submitted Business Entity Disclosure Certifications which certify that he has not made any reportable contributions to any political or candidate committee in the Township of Hanover, Borough of Morris Plains, Town of Morristown and the Township of Morris in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Treasurer has determined and certified in writing that the value of the Contract will exceed \$17,500; and

WHEREAS, funds are available and have been certified by the Treasurer of the Authority; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the awarding of professional service contracts be printed once in a newspaper authorized by law to publish the Authority's legal advertisement;

NOW THEREFORE BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority as follows:

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
Robert Carroll
William Conradi

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

1. That Sidney D. Weiss, Esq., be and is hereby retained as General Counsel to The Southeast Morris County Municipal Utilities Authority to render necessary legal services and advice, as outlined in the Professional Services Contract annexed hereto and made a part hereof;
2. The proper officers of the Authority be and they are hereby authorized to execute the annexed Agreement upon the part of the Authority in the manner prescribed by law;
3. This contract is awarded without competitive bidding as a "Professional Service Contract" in accordance with the Local Public Contracts Law because the services to be rendered are professional services as therein defined; and
4. Copies of this Resolution and the contract herein approved shall be filed in the office of the Secretary of the Authority and in the respective offices of the Clerks of the Township of Hanover, the Township of Morris, the Town of Morristown and the Borough of Morris Plains, and notice of the award shall be printed once in the Daily Record in accordance with the Local Public Contracts Law.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



SIDNEY D. WEISS, Assistant Secretary



DENNIS BALDASSARI, Chairman

DATED: January 21, 2016

NOTICE OF AWARD OF PROFESSIONAL SERVICE CONTRACT

Public Notice is hereby given that on January 21, 2016, The Southeast Morris County Municipal Utilities Authority adopted a Resolution authorizing execution of Professional Service Contract with Sidney D. Weiss, Esq., as General Counsel. The contract is for professional legal services to be performed over a period of one year at a cost to the Authority estimated not to exceed \$125,580 as more particularly set forth in the aforesaid Resolution, copies of which are on file and available for public inspection in the office of the Authority, 19 Saddle Road, Cedar Knolls, New Jersey, and in the respective offices of the Clerks of the Township of Morris, the Township of Hanover, the Town of Morristown and the Borough of Morris Plains.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

DENNIS BALDASSARI, Chairman

DATED: January 21, 2016

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available (\$125,580) for payment of professional service contract with Sidney D. Weiss to serve as General Counsel for professional legal services. This item will be charged to Account No. 02-16-400-602

Admin - Professional Services

Legal

Janice A. Congleton
JANICE A. CONGLETON, Treasurer

DATED: January 21, 2016

CERTIFICATION OF VALUE IN EXCESS OF \$17,500 (PAY-TO-PLAY LAW)

The undersigned hereby certifies that the estimated amount of the contract to be awarded to Sidney D. Weiss for professional legal services exceeds \$17,500.




JANICE A. CONGLETON, Treasurer

Dated: January 21, 2016

CERTIFICATION

I hereby certify the foregoing to be a true copy of the resolution adopted by The Southeast Morris County Municipal Utilities Authority on Thursday, January 21, 2016, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: January 21, 2016