

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

MARCH 30, 2017

The Regular Meeting of The Southeast Morris County Municipal Utilities Authority (the "Authority") was held on Thursday, March 30, 2017, at 7:00 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 7:00 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 Kissil; Members Baldassari, Conradi, Dougherty, Iannaccone, Johnson, Rotando and Schimpf*

ABSENT: None

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

MOTION APPROVING MINUTES OF FEBRUARY 16, 2017

Copies of the minutes of the meeting held on February 16, 2017, were distributed to the members prior to the meeting for review and comment. Member Johnson moved that the minutes be adopted. Member Dougherty abstained. Member Baldassari seconded the motion which was duly adopted by the following vote:

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

NOES: None

ABSTAINS: Member Dougherty

RESOLUTION APPROVING CLOSED SESSION MINUTES OF FEBRUARY 16, 2017

Copies of the closed session minutes of the meeting held on February 16, 2017, were distributed to the members prior to the meeting for review and comment. Member Rotando moved to approve the closed session minutes and offered the following resolution:

RESOLUTION NO. 21-17

RESOLUTION APPROVING CLOSED SESSION MINUTES OF FEBRUARY 16, 2017

"COPY ANNEXED"

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

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

NOES: None

ABSTAINS: Member Dougherty

COMMUNICATIONS

1. February 23, 2017 – Copy of letter from the State of New Jersey Department of Environmental Protection regarding the NJ Spill Compensation Fund.

RESOLUTION – APPROVAL OF MARCH 2017 LIST OF BILLS

Copies of the bill list for March 2017 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. 22-17

RESOLUTION AUTHORIZING PAYMENT OF LIST OF BILLS FOR MARCH 2017

“COPY ANNEXED”

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

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

NOES: None

OTHER BUSINESS

A. Public Hearing –

1. Connection Fee for the Year 2017

A public hearing was held to adopt the 2017 Connection Fee. A complete transcript was taken by a court reporter according to law and is made a part of these minutes.

B. Resolution Approving Adjustment of Connection Fee for 2017

Following the public rate hearing regarding the proposed adjusted connection fee, Member Dougherty offered the following resolution:

RESOLUTION NO. 23-17

RESOLUTION APPROVING ADJUSTMENT OF CONNECTION FEE FOR 2017

“COPY ANNEXED”

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

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

NOES: None

C. Resolution Authorizing the Transfer of Funds between 2016 Budget Appropriations

The Board reviewed a memorandum from the Manager of Finance dated March 27, 2017, where he advised that there exists certain funds in the 2016 budget line items which will be remaining at year end and that there are certain budget line items in the 2016 budget that require additional funding prior to the year end. Per suggestion by the Authority’s Auditors that it authorize and obtain Board approval for budget transfers among its internal appropriation line items to cover actual expenditures, the Manager of Finance requested that such balances, totaling \$3,000.00, be transferred from the various budget line items with balances to those requiring additional funds to balance. Member Dougherty offered the following resolution:

RESOLUTION NO. 24-17

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN 2016 BUDGET APPROPRIATIONS

“COPY ANNEXED”

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

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

NOES: None

D. Resolution Authorizing the Transfer of Funds between 2017 Budget Appropriations

The Board reviewed a memorandum from the Manager of Finance dated March 27, 2017, where he advised that analyses of the 2017 budget resulted in the need to transfer funds. Per suggestion by the Authority’s Auditors that he authorize and obtain Board approval for budget transfers among its internal appropriation line items to cover actual expenditures, the Manager of Finance requested that such balances, totaling \$31,238.00, be transferred from the various budget line items with balances to those requiring additional funds to balance. Member Dougherty offered the following resolution:

RESOLUTION NO. 25-17

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN 2017 BUDGET APPROPRIATIONS

“COPY ANNEXED”

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

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

NOES: None

E. Resolution Awarding Contract for Water Works Materials

The Board reviewed a memorandum dated March 28, 2017, from the Superintendent outlining the bids received for the Water Works Materials Contract. Six companies picked up bid specifications and three submitted bids for this contract. It was recommended that the contracts be awarded to the lowest responsive, responsible bidders: Water Works Supply Company in the total maximum amount of \$135,989.41; and HD Supply Waterworks in the total maximum amount of \$10,470.00. Mr. Weiss stated that the Treasurer has certified that there are sufficient funds available in the 2017 Budget for the portion to be expended in 2017; and that portions to be expended in 2018 are subject to funds being available in the 2018 Budget. Member Rotando offered the following resolution:

RESOLUTION NO. 26-17

RESOLUTION AWARDING CONTRACT FOR WATER WORKS MATERIALS

“COPY ANNEXED”

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

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

NOES: None

F. Resolution Awarding Contract for Permanent Pavement Replacements

The Board reviewed a memorandum dated March 27, 2017, from the Superintendent outlining the bids received for the Permanent Pavement Replacements Contract. Twelve companies picked up bid specifications and five submitted bids for this contract. It was recommended that the contract be awarded to the lowest responsive, responsible bidder, Consolidated Maintenance Solutions in the total maximum amount of \$264,000.00. Mr. Weiss stated that the Treasurer has certified that there are sufficient funds available in the 2017 Budget for the portion to be expended in 2017; and that portions to be expended in 2018 are subject to funds being available in the 2018 Budget. Member Dougherty offered the following resolution:

RESOLUTION NO. 27-17

RESOLUTION AWARDING CONTRACT FOR PERMANENT PAVEMENT REPLACEMENTS

“COPY ANNEXED”

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

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

NOES: None

- G. Resolution Authorizing Increase in Award Amount of an Agreement with the Township of Morris for the Replacement of Water Services and Fire Hydrants on the Normandy Heights Road Reconstruction Project as a Joint Venture between the Authority and Morris Township

On October 20, 2016, the Board approved an agreement with the Township of Morris (“Township”) to complete a joint services project on Normandy Heights Road as an improved public roadway located within the Township and Morris County. The Authority and the Township agreed to jointly work towards the replacement of these facilities at a cost to the Authority estimated not to exceed \$30,000. However, additional services were required during the course of the project which amount to an additional \$6,000. The Treasurer has certified funds are available. Member Dougherty offered the following resolution:

RESOLUTION NO. 28-17

RESOLUTION AUTHORIZING INCREASE IN AWARD AMOUNT OF AN AGREEMENT WITH THE TOWNSHIP OF MORRIS FOR THE REPLACEMENT OF WATER SERVICES AND FIRE HYDRANTS ON THE NORMANDY HEIGHTS ROAD RECONSTRUCTION PROJECT AS A JOINT VENTURE BETWEEN THE AUTHORITY AND MORRIS TOWNSHIP

“COPY ANNEXED”

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

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

NOES: None

- H. Report of the March 6, 2017 Finance Committee Meeting

A meeting of the Finance Committee was held on March 6th, 2017. Discussions included an update on IBT Local 469 Contract negotiations where the Fact Finding Hearing was scheduled for March 9th. The 2016 Budget projections as compared to the unaudited year-end values were also discussed in depth. Based on the information provided, the 2016 actual expenses are expected to

be about \$1.3 million dollars less than budgeted and revenues are expected to be about \$1.3 million more than expected. The reductions in expenses are in large part attributed to unexpended salary and wages budgets and related statutory budgets due to a fluctuation of staffing levels. The increase in revenues is mostly due to the collection of connection fees and an increase in sales due to low precipitation in the warmer months of the year.

Additional discussion included an update from Charles Maggio on the mid-year audit findings and on improvements being made with Phoenix Consultants.

I. Report of the March 27, 2017 Personnel Committee Meeting

A meeting of the Personnel Committee was held on March 27th. A brief update on the IBT, Local 469 Contract negotiations was provided including an update on the recent Fact Finding Hearing where the Fact Finder's report is pending. Further discussions regarding the contract negotiations would be held in Closed Session. An increase in the Genova Burns agreement in the amount of \$10,000, above the original \$17,500, is being requested to complete remaining work associated with labor contract negotiations and continued provision of support regarding human resources and labor counsel. The Executive Director and Manager of Finance discussed the need for the provision of more full-service human resource services, where options will be assessed and presented at a future Personnel Committee meeting. Three (3) new hires are planned for the near future where position job descriptions are in the process of being finalized. Two (2) of the positions are to fill vacancies in the Operations Division and one is to fill a vacancy in the Finance Division. Other discussion topics included family leave and dress code policies and compensation for non-union employees.

J. Resolution Authorizing Closed Session Discussion

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

1. IBT Local 469 Contract Negotiations.

The Chairman then moved the following resolution:

RESOLUTION NO. 29-17

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSIONS

"COPY ANNEXED"

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

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

NOES: None

[CLOSED SESSION MEETING FOLLOWED]

[RESUMPTION OF PUBLIC MEETING]

- K. Resolution Amending Agreement with Genova Burns, L.L.C., for Special Labor Counsel Services

The Authority has a need for special labor counsel and human resources services. Genova Burns, L.L.C. ("GB") agreed to the providing of such services at a maximum amount of \$17,500. An agreement was approved without public bidding as being less than the bidding threshold of \$40,000 provided in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.). The Authority entered into an agreement with GB dated January 30, 2017 (the "Agreement"). The parties have agreed to increase the total maximum not-to-exceed amount of the Agreement to \$27,500 to cover the cost of additional unanticipated services in connection with extended collective bargaining contract negotiations. GB has completed and submitted Business Entity Disclosure Certifications which certify that they have 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 them from making any reportable contributions through the term of the contract. Funds are available and have been certified by the Treasurer of the Authority. Member Dougherty offered the following resolution:

RESOLUTION NO. 30-17

RESOLUTION AMENDING AGREEMENT WITH GENOVA BURNS, L.L.C., FOR SPECIAL LABOR COUNSEL SERVICES

"COPY ANNEXED"

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

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

NOES: None

- L. Resolution Approving Amendment to Water Supply Agreement with the Township of Randolph

The Authority received a request from the Township of Randolph ("Randolph") for a new water service connection to premises located at 9 Mt. Pleasant Road (Block 222, Lot 13) in Randolph Township, which premises is outside the District of the Authority (the "Proposed New Randolph Service Connection"). The Authority and Randolph are parties to an existing Water Supply Agreement dated January 21, 1977 which specifies the properties in Randolph which may be supplied with water by the Authority (the "1977 Randolph Water Supply Agreement"). The Authority and Randolph wish to amend the 1977 Randolph Water Supply Agreement to include the Proposed New Randolph Service Connection and to update Schedule "A" thereof to reflect the

current ownership and lot and block numbers of the properties currently supplied with water by the Authority in Randolph; all as more particularly set forth in the proposed agreement annexed hereto and made part hereof entitled "Amendment to Water Supply Agreement". The Service Agreement between the Authority and its Creating Municipalities dated January 20, 1977 (the "Service Agreement") prohibits the Authority from supplying water directly or indirectly outside the District of the Authority without the consent of the Creating Municipalities (except for certain properties previously served by the Town of Morristown prior to creation of the Authority). The Authority] has received the consents of its Creating Municipalities to (1) the proposed new Randolph Service Connection; and (2) the proposed revised Schedule A to the 1977 Randolph Water Supply Agreement. The Authority has determined that the supplying of water to properties in Randolph identified in Revised Schedule A to the Amended Water Supply Agreement (including the Proposed New Randolph Service Connection) does not and will not have any adverse effect on the Water System or customers within the District. Member Baldassari offered the following resolution:

RESOLUTION NO. 31-17

RESOLUTION APPROVING AMENDMENT TO WATER SUPPLY AGREEMENT WITH THE TOWNSHIP OF RANDOLPH

"COPY ANNEXED"

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

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

NOES: None

M. Resolution Approving Waiver of Connection Fee for Direct Project of a Creating Municipality

The Township of Hanover has requested a full waiver of the connection fee associated with the development of a Community Farm and Garden to be located on Township property, parallel to Fanok Road and Stoney Brook Road. The Board reviewed the March 1, 2017 request letter. The waiver is being requested in accordance with Section 18.6 of the Authority's Rules and Regulations which states that the connection fee may be waived by the Members if the project is a direct public project of a creating municipality such as Hanover Township. Member Dougherty offered the following resolution:

RESOLUTION NO. 32-17

RESOLUTION APPROVING WAIVER OF CONNECTION FEE FOR DIRECT PROJECT OF THE TOWNSHIP OF HANOVER

"COPY ANNEXED"

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

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

NOES: None

Member Dougherty left the meeting at 7:52 PM.

N. Main Extension Application – Cedar Village

The Board reviewed an application for a main extension at 200 Hanover Avenue in Hanover Township for a proposed development, Cedar Village. Paul Kozakiewicz provided the Board with an overview of the connection.

SUCH OTHER MATTERS TO LEGALLY COME BEFORE THE BOARD

1. Member Johnson announced that the Whippany River Watershed Action Committee will be holding its first fundraising gala on May 24th at the Birchwood Manor in Whippany. The dinner will honor Sal Iannaccone and Art Vespignani. Mr. Johnson proposed that the Authority be a Presenting Sponsor (\$2,500) of this event which includes: two tickets to the event; opportunity to make a five minute presentation at the event; professionally produced sign displayed at the event; and a free listing in the event program. Mr. Weiss stated that there is no law or statute that either prohibits or permits the Authority to make such a donation or contribution. He asked AEA to do a survey of its members to see what other authorities do with respect to this type of support and there does not seem to be any consensus. He concluded that there is no consistent procedure or policy that he could identify for Authorities. Mr. Weiss added that the Authority does not have a firm policy on donations. Member Rotando stated that the Finance Committee was in agreement to making the contribution during its meeting. The consensus of the Board was to authorize Ms. Cummings to proceed with the sponsorship.

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 – February 2017
- B. Superintendent – February 2017
- C. Information Technology – February 2017
- D. Finance – February 2017

PUBLIC DISCUSSION

Chairman Kissil 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 Baldassari moved that the meeting be adjourned. Member Johnson seconded the motion. The meeting adjourned at 8:03 PM.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



SIDNEY D. WEISS
Assistant Secretary

SUNSHINE LAW STATEMENT

Adequate notice of this meeting has been provided in accordance with the provisions of the “Open Public Meetings Act”, in the following manner:

1. By posting a copy of the Annual Notice of the Authority’s regular meetings (upon which this meeting is listed) on the Bulletin Board at the Authority’s offices at 19 Saddle Road, Cedar Knolls, New Jersey, and by delivering copies of such notice for posting at similar public places in the municipal buildings of the Town of Morristown, the Townships of Hanover and Morris and the Borough of Morris Plains on February 2, 2017.

2. By delivering to, for filing, copies of the Annual Notice with the Daily Record, the Newark Star Ledger, the Morris News Bee, the clerks of the Townships of Chatham, Harding, Mendham, Randolph and Parsippany-Troy Hills, the Borough of Florham Park and the County of Morris on February 2, 2017.

SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

PUBLIC HEARING

MARCH 30, 2017 7:00 P.M.

IN THE MATTER OF
THE PUBLIC HEARING
RE: CONNECTION FEE
FOR THE YEAR 2017

B E F O R E:

- DONALD KISSIL, Chairman
- WILLIAM CONRADI, Vice-Chairman
- DENNIS BALDASSARI, Member
- MARY E. DOUGHERTY, Member
- ALAN JOHNSON, Member
- SAVERIO IANNACCONE, Member
- ADOLF SCHIMOH, Member
- RALPH ROTANDO, Member

A L S O P R E S E N T:

- CHARLES MAGGIO, Director of Finance/Treasurer
- LAURA CUMMINGS, P.E., Executive Director/Chief Engineer
- PAUL KOZAKIEWICZ, Superintendent
- ALEXIS BOZZA, Recording Secretary

A P P E A R A N C E S:

SIDNEY D. WEISS, ESQ.
13 Saddle Road, Cedar Knolls, NJ 07927
Attorney for SMCMUA

J.H. Buehrer & Associates
Certified Court Reporters
884 Breezy Oaks Drive
Toms River, New Jersey 08753
(732) 295-1975

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NO.	DESCRIPTION	IDENT	EVD
A-1	Affidavit of Publication in the Daily Record		3
A-2	Affidavit of Publication in Star-Ledger		4
A-3	Certification of Service of Clerks of Municipalities		4
A-4	Connection Fee Calculations		7

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1 this hearing, which is marked Exhibit A-2 for
2 identification, and I ask that that be accepted in
3 evidence.
4 THE CHAIRMAN: It is accepted in evidence.
5 (Exhibit A-2, Affidavit of Publication in
6 Star-Ledger received and marked in evidence.)
7 MR. WEISS: The Statute also requires that
8 notice of this hearing be served upon the clerks of
9 each of the municipalities served by the Authority,
10 and I have the certification of service signed by
11 Alexis Bozza dated March 6, 2017, attesting that
12 such service was made, and that has been marked A-3
13 for identification, I ask that it be accepted in
14 evidence.
15 THE CHAIRMAN: It is accepted in
16 evidence.
17 (Exhibit A-3, Certification of Service of
18 Clerks of Municipalities received and marked in
19 evidence.)
20
21 MR. WEISS: Thank you, Mr. Chairman.
22 At this time I would like to call Charles
23 Maggio.
24 CHARLES MAGGIO,
25 having been first

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1 THE CHAIRMAN: Mr. Weiss?
2 MR. WEISS: Thank you, Mr. Chairman.
3 My name is Sidney D. Weiss, I am the Counsel for the
4 Authority.
5 This is the public hearing on the
6 required annual adjustment of the connection fee for
7 the Authority for the year 2017.
8 I have a couple of preliminary items,
9 Mr. Chairman.
10 The Statute requires that notice of this
11 meeting be published in two newspapers published in
12 the area. I have an affidavit of publication from
13 the Daily Record showing that the notice was
14 published on March 8th, 2017, which is more than
15 twenty days prior to the date of this hearing. It
16 has been marked Exhibit A-1 for identification and I
17 ask that it be accepted in evidence.
18 THE CHAIRMAN: It is accepted in
19 evidence.
20 (Exhibit A-1, Affidavit of Publication in
21 the Daily Record received and marked in evidence.)
22 MR. WEISS: I also have an affidavit from
23 the Star-Ledger indicating that notice of this
24 public hearing was published in that newspaper on
25 March 10th, also twenty days prior to the date of

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1 duly sworn or affirmed,
2 testified as follows:
3 DIRECT-EXAMINATION
4 BY MR. WEISS:
5 Q Mr. Maggio, for the record, by whom are
6 you employed?
7 A Southeast Morris County Municipal Utilities
8 Authority.
9 Q What is your position?
10 A Manager of Finance.
11 Q How long have you served in that capacity?
12 A One year.
13 Q Would you briefly state your educational
14 and professional qualifications?
15 A I have a Bachelor's degree in Business
16 Administration from Seton Hall University, I just
17 completed the 8th of 8 courses to qualify to sit for
18 the Municipal Finance Officer exam which I will be
19 sitting for in June.
20 Q Are you familiar with the statutory
21 requirements and formula for recomputing the
22 connection fee as set forth in the New Jersey
23 Statutes?
24 A I am.
25 Q How often must the connection fee be

C. Maggio Page 6

1 recomputed under that Statute?

2 A The Statute requires the connection fee to be

3 recomputed annually at the end of each fiscal year

4 of the Authority.

5 Q Have you made the computation for this

6 year?

7 A I have.

8 Q I show you a document which has been

9 marked A-4 for identification and ask whether you

10 can identify this document?

11 A Yes, this is the connection fee calculation.

12 Q And was the calculation made by you or

13 under your direct supervision?

14 A It was.

15 Q Would you describe the methodology which

16 you utilized in making the calculation for 2017?

17 A Sure. It's calculated by taking the sum total

18 of all debt service as of the end of the immediately

19 preceding budget year and adding all capital

20 expenditures not funded by debt service as of the

21 end of the preceding budget year. You then subtract

22 any gifts or contributions, in this case there are

23 none.

24 The remainder would be divided by the

25 total number of equivalent service units served by

C. Maggio Page 8

1 Q What is the effective date?

2 A April 1, 2017.

3 Q Is the proposed new connection fee fair

4 and reasonable in your opinion and in compliance

5 with the requirements of law?

6 A It is.

7 MR. WEISS: Mr. Chairman, I have no

8 further questions.

9 THE CHAIRMAN: Are there any questions

10 from the Board?

11 Hearing none. From the public? Seeing no

12 public.

13 MR. WEISS: Mr. Chairman, I do have a

14 Resolution and I would like to read it into the

15 record for somebody to move.

16 Resolution Approving Adjustment of

17 Connection Fee.

18 Whereas, the Authority's enabling

19 legislation requires annual adjustment of the

20 connection fee permitted pursuant to N.J.S.A.

21 40:14B-21; and

22 Whereas, the Authority published notice of

23 the proposed adjusted connection fee in the Daily

24 Record on March 8, 2017 and in the Star Ledger on

25 March 10, 2017; and

C. Maggio Page 7

1 the Authority at the end of the preceding budget

2 year.

3 The results are then apportioned to each

4 new connector according to the number of service

5 units attributed to that connector.

6 Q Based upon your calculations, what is the

7 recomputed connection fee for 2017, how does it

8 compare with the prior or present connection fee?

9 A In 2017 the recomputed fee would be \$4,579

10 which in 2016 it was \$4,367.

11 MR. WEISS: Mr. Chairman, at this time I

12 would like to introduce the connection fee

13 calculations, it has been marked A-4, and I ask that

14 it be accepted in evidence.

15 THE CHAIRMAN: It is accepted in

16 evidence.

17 (Exhibit A-4, Connection Fee Calculations

18 received and marked in evidence.)

19 Q As far as the calculation you made, you

20 testified that it has been made in accordance with

21 the statutory formula?

22 A It has.

23 Q Is that consistent with the methodology

24 used in prior years?

25 A It is.

C. Maggio Page 9

1 Whereas, notice of the proposed adjusted

2 connection fee was served upon each municipality

3 serviced by the Authority within the time permitted

4 by law; and

5 Whereas, a public hearing on the proposed

6 adjustment was held on March 30, 2017, as

7 required by law; and

8 Whereas, the proposed adjusted connection

9 fee complies with the provisions of N.J.S.A.

10 40:14B-21 and was recomputed as therein provided,

11 Now, therefore, be it resolved by the

12 Southeast Morris County Municipal Utilities

13 Authority that the revised connection fee, as set

14 forth in the revised schedule annexed hereto, be

15 and is hereby approved effective for connection fees

16 paid on and after ~~March 30, 2017.~~ *April 1, 2017*

17 (Moved and seconded.)

18 THE CHAIRMAN: Any questions?

19 (No response.)

20 MR. WEISS: Let's do a roll-call on this.

21 THE SECRETARY: Mr. Baldassari?

22 MR. BALDASSARI: Yes.

23 THE SECRETARY: Mr. Conradi?

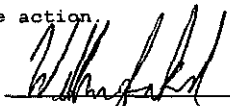
24 MR. CONRADI: Yes.

25 THE SECRETARY: Ms. Dougherty?

C. Maggio Page 10

1 MS. DOUGHERTY: Yes.
 2 THE SECRETARY: Mr. Iannaccone?
 3 MR. IANNACCONI: Yes.
 4 THE SECRETARY: Mr. Johnson?
 5 MR. JOHNSON: Yes.
 6 THE SECRETARY: Mr. Rotando?
 7 MR. ROTANDO: Yes.
 8 THE SECRETARY: Mr. Schimoh?
 9 MR. SCHIMOH: Yes.
 10 THE SECRETARY: Chairman Kissil?
 11 CHAIRMAN KISSIL: Yes.
 12 MR. WEISS: Thank you.
 13
 14 (Time noted: 7:25 P.M.)
 15
 16
 17
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 21
 22
 23
 24
 25

C. Maggio Page 11

1 C E R T I F I C A T E
 2
 3 I, William Sokol, Certified Shorthand
 4 Reporter of the State of New Jersey, License No.
 5 30X100030700, and Notary Public of the State of New
 6 Jersey, do hereby certify that the foregoing is a
 7 verbatim record of the testimony provided under oath
 8 before any Court, Referee, Commission or other body
 9 created by statute of the State of New Jersey.
 10 I am not related to any parties involved in
 11 this action; I have no financial interest nor am I
 12 related to an agent of or employed by anyone with a
 13 financial interest in the outcome in which this
 14 transcript was taken; and furthermore, that I am not
 15 a relative or employee of any attorney or counsel
 16 employed by the parties hereto or financially
 17 interested in the action.
 18 
 19 _____
 20
 21 WILLIAM SOKOL
 22
 23 Certified Shorthand Reporter
 24 and Notary Public
 25

SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

March 30, 2017

	8:18	connector (2) 7:4,5	exam (1) 5:18	3:16;4:2,13;6:9
\$	B	Conradi (2) 9:23,24	Exhibit (6) 3:16,20;4:1,5,17; 7:17	identify (1) 6:10
\$4,367 (1) 7:10	Bachelor's (1) 5:15	consistent (1) 7:23	expenditures (1) 6:20	immediately (1) 6:18
\$4,579 (1) 7:9	BALDASSARI (1) 9:22	contributions (1) 6:22		indicating (1) 3:23
A	Based (1) 7:6	Counsel (1) 3:3	F	into (1) 8:14
A-1 (2) 3:16,20	Board (1) 8:10	County (2) 5:7;9:12	fair (1) 8:3	introduce (1) 7:12
A-2 (2) 4:1,5	Bozza (1) 4:11	couple (1) 3:8	familiar (1) 5:20	items (1) 3:8
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SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

March 30, 2017

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Southeast Morris County Municipal Utilities Authority

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Resolution No. 21-17

RESOLUTION APPROVING CLOSED SESSION MINUTES

RESOLVED that the attached minutes of the Closed Session Meeting held on February 16, 2017, be and the same are hereby approved but withheld from public inspection and insertion in the regular Minute Book pending release for public disclosure pursuant to the provisions of the Open Public Meetings Act; and

BE IT FURTHER RESOLVED that the minutes be inserted in the Closed Session Minute Book of the Authority pending such disclosure.

ATTEST:

SIDNEY D. WEISS, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

DONALD KISSIL, Chairman

Dated: March 30, 2017

Board Members

Morristown:

Mary Dougherty
Donald Kissil

Morris Township:

Dennis Baldassari
Alan Johnson

Morris Plains:

William Conradi
Ralph R. Rotando

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, March 30, 2017, at a meeting duly convened of said Authority.



SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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Resolution No. 22-17

RESOLUTION AUTHORIZING PAYMENT OF MARCH 2017 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 \$ 417,683.22

Total Operating Fund Checks and Wire Transfers \$ 868,093.32

GENERAL FUND/SPECIAL ACCOUNT \$ 364,485.65

TOTAL OF MARCH 2017 LIST OF BILLS \$ 1,650,262.19

ATTEST:

SIDNEY D. WEISS, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

DONALD KISSIL, Chairman

Dated: March 30, 2017

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
William Conradi
Ralph Rotando

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 (\$1,650,262.19) for payment of the resolution entitled Resolution Authorizing Payment of March 2017 List of Bills in the Authority's 2017 Operating Budget.



CHARLES MAGGIO, Treasurer

Dated: March 30, 2017

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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Resolution No. 23-17

RESOLUTION APPROVING ADJUSTMENT OF CONNECTION FEE

WHEREAS, the Authority's enabling legislation requires annual adjustment of the connection fee permitted pursuant to N.J.S.A. 40:14B-21; and

WHEREAS, the Authority published notice of the proposed adjusted connection fee in the Daily Record on March 8, 2017 and in the Star Ledger on March 10, 2017; and

WHEREAS, notice of the proposed adjusted connection fee was served upon each municipality serviced by the Authority within the time permitted by law; and

WHEREAS, a public hearing on the proposed adjustment was held on March 30, 2017, as required by law; and

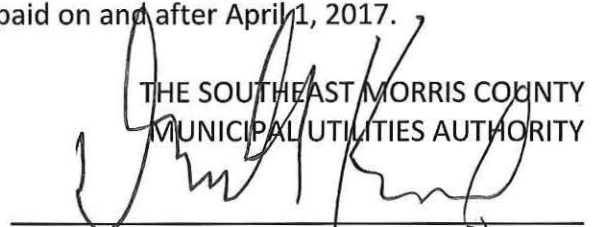
WHEREAS, the proposed adjusted connection fee complies with the provisions of N.J.S.A. 40:14B-21 and was recomputed as therein provided.

NOW THEREFORE BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the revised connection fee, as set forth in the revised schedule annexed hereto, be and is hereby approved effective for connection fees paid on and after April 1, 2017.

ATTEST:



SIDNEY D. WEISS, Assistant Secretary



THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
DONALD KISSIL, Chairman

DATED: March 30, 2017

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
William Conradi
Ralph R. Rotando

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

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

Superintendent: Paul A. Kozakiewicz

EXHIBIT A

Schedule No. 13 (Revised)
Effective April 1, 2017

**THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY**

**SCHEDULE NO. 13
CONNECTION FEE**

Any applicant for potable water supplied through an Authority Line shall be required to pay a connection fee pursuant to Section 18 of the Authority's Rules and Regulations for Water Service as follows:

Connection Fee

(Per Equivalent Dwelling Unit)

\$ 4,579.00

An equivalent dwelling unit is defined as usage of 206.410 gallons per day.

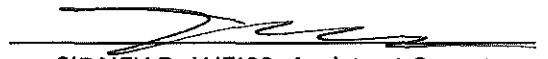
Reduced Rate/Credit for Public Housing Authorities and Non-profit Organizations Building Affordable Housing

- A. Effective January 26, 2005, public housing authorities and non-profit organizations building affordable housing shall be allowed a fifty percent (50%) reduction in the Connection Fee for new connections to the Water System.
- B. For units previously connected to the Water System that were demolished or refurbished to allow for new affordable housing units for which a Connection Fee was previously paid, public housing authorities and non-profit organizations shall be entitled to a credit against the Connection Fee equal to the Connection Fee previously assessed and paid for connection to the Water System for units previously connected to the Water System.
- C. The Connection Fee assessable against a public housing authority or non-profit organization for units previously connected to the Water System that were demolished or refurbished to allow for new affordable housing units shall be the lesser of the reduced rate provided for in Paragraph A above; or the current Connection Fee applicable to other types of housing developments minus the credit provided under Paragraph B above provided that the public housing authority or non-profit organization can establish that a Connection Fee was previously assessed and paid for connecting to the Water System. If the public housing authority or non-profit organization cannot establish that a Connection Fee was previously assessed and paid for connection to the Water System, the reduced rate provided for in Paragraph A above (i.e. fifty percent (50%) of the regular Connection Fee) shall be assessed.

The reductions set forth in Paragraphs A, B and C above are provided pursuant to the provisions of P.L. 2005, Chapter 29 of the Laws of the State of New Jersey (N.J.S.A. 40:14B-23) adopted and effective on January 26, 2005.

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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Resolution No. 24-17

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN 2016 BUDGET APPROPRIATIONS

WHEREAS, the Authority's Manager of Finance/Treasurer has advised that there are certain budget line items in the 2016 budget that require additional funding; and

WHEREAS, the Manager 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 2016 Operating Budget totaling \$3,000 are hereby approved:

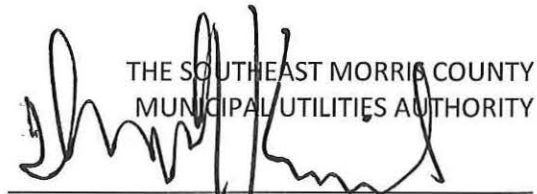
Budget Transfers for 2016 Budget

<u>Budget Line Item</u>	<u>Title</u>	<u>Amount</u>
Transfer To:		
02-70-400-640	TREAT: Liquid Waste Removal	\$3,000.00
	Total	\$3,000.00
Transfer From:		
02-70-400-638	Treatment – Monitoring & Control	\$3,000.00
	Total	\$3,000.00

AND BE IT FURTHER RESOLVED that the Manager 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:


SIDNEY D. WEISS, Assistant Secretary


THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
DONALD KISSIL, Chairman

DATED: March 30, 2017

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
William Conradi
Ralph R. Rotando


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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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Resolution No. 25-17

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN 2017 BUDGET APPROPRIATIONS

WHEREAS, the Authority's Manager of Finance/Treasurer has advised that there are certain budget line items in the 2017 budget that require additional funding; and

WHEREAS, the Manager 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 transfer is 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 transfer within the 2017 Operating Budget totaling \$31,238 is hereby approved:

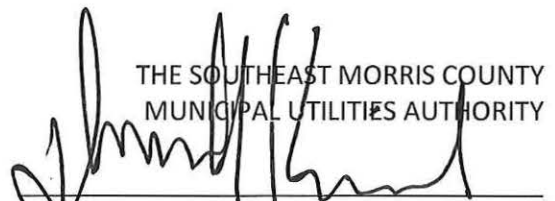
Budget Transfers for 2017 Budget

<u>Budget Line Item</u>	<u>Title</u>	<u>Amount</u>
Transfer To:		
02-20-400-609	STATUT: P.E.R.S.	14,738.00
02-30-400-613	FINAN: Consultant Svc-Audit	7,500.00
02-10-400-602	ADMIN: Prof Services Legal	9,000.00
	Total	<u>\$31,238.00</u>
Transfer From:		
02-20-400-611	STATUT: Employer PR Taxes	14,738.00
02-30-400-501	FINAN: Salary & Wages	16,500.00
	Total	<u>\$31,238.00</u>

AND BE IT FURTHER RESOLVED that the Manager 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:


SIDNEY D. WEISS, Assistant Secretary


THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
DONALD KISSIL, Chairman

DATED: March 30, 2017

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
William Conradi
Ralph R. Rotando

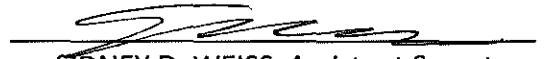
Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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Resolution No. 26-17

RESOLUTION AWARDING CONTRACT FOR WATER WORKS MATERIALS

WHEREAS, the Authority has advertised and received bids for Water Works Materials, consisting of eight (8) items described in the project specifications on March 23, 2017; and

WHEREAS, the Superintendent has reviewed the bids and set forth his recommendations in a report dated March 28, 2017, for the award of the various items, said report attached hereto and made a part hereof; and

WHEREAS, the Treasurer has certified that there are sufficient funds available in the 2017 Budget for the portion to be expended in 2017; portions to be expended in 2018 are subject to funds being available in the 2018 Budget; and

NOW, THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that contracts for Water Works Materials be awarded as follows:

Water Works Supply Company, Inc.

Bid No. 1	DICL Pipe and MJ Fittings	\$	9,911.04
Bid No. 2	MJ Seat Gate Valves	\$	10,229.98
Bid No. 3	Tapping Sleeves and Valves	\$	10,033.15
Bid No. 4	Valve and Curb Boxes and Parts; MJ Restraints	\$	13,176.25
Bid No. 6	Water Service Materials	\$	24,096.19
Bid No. 7	Repair Clamps and Sleeves	\$	15,096.26
Bid No. 8	Fire Hydrants and Repair Parts	\$	53,446.54

HD Supply Waterworks, Ltd.

Bid No. 5	Copper Tubing	\$	10,470.00
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Total: \$ 146,456.41

Board Members

Morristown:

Mary Dougherty
Donald Kissil

Morris Township:

Dennis Baldassari
Alan Johnson

Morris Plains:

William Conradi
Ralph R. Rotando

Hanover Township:

Saverio C. Iannaccone
Adolf Schimpf

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

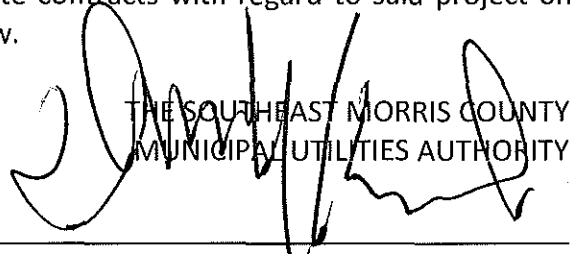
Superintendent: Paul A. Kozakiewicz

BE IT FURTHER RESOLVED that the appropriate officers of the Authority be and they are hereby authorized and directed to execute appropriate contracts with regard to said project on behalf of the Authority in the manner prescribed by law.

ATTEST:



SIDNEY D. WEISS, Assistant Secretary



THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

DONALD KISSIL, Chairman

Dated: March 24, 2016



MEMORANDUM

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

FROM: Paul A. Kozakiewicz, Superintendent

RE: Water Works Materials

DATE: March 28, 2017

CC: Charles Maggio, Manager of Finance

Sealed bids were received on March 23, 2017 at 3:00 PM for the procurement of Water Works Materials. The Specifications and Bid Proposals were organized in a manner that provided for the submission of bids in eight individual categories.

Specifications/Bid Packages were issued to six (6) companies and three (3) submitted proposals. Table 1 provides a bid tabulation of all bids received where those items that are highlighted indicate the lowest bid for the referenced bid item. The following provides a summary of the actual bid awards.

I recommend that the Authority **accept** the following bids:

Water Works Supply Co., Inc.

- Bid #1 DI/CL Pipe and MJ Fittings for an amount not to exceed \$9,911.04.
- Bid #2 Gate Valves for an amount not to exceed \$10,229.98.
- Bid #3 Tapping Sleeves & Valves for an amount not to exceed \$10,033.15.
- Bid #4 Valve Boxes and MJ Restraint for an amount not to exceed \$13,176.25.
- Bid #6 Water Service Materials for an amount not to exceed \$24,096.19.
- Bid #7 Repair Clamps & Sleeves for an amount not to exceed \$15,096.26.
- Bid #8 Fire Hydrants & Repair Parts for an amount not to exceed \$53,446.54.

The total contract amount is \$135,989.41. From this \$90,659.61 will be charged to the 2017 Budget and the remaining \$45,329.80 will be included in the 2018 Budget.

HD Supply Waterworks, LTD.

Bid #5 Copper Tubing for an amount not to exceed \$10,470.00.

The total contract amount is \$10,470.00. From this \$6,980.00 will be charged to the 2017 Budget and the remaining \$3,490.00 will be included in the 2018 Budget.

Please note that these are annual contracts to supply the specified materials "as needed".

The total maximum annual amount for all eight contracts is One Hundred Forty-Six Thousand Four Hundred Fifty Nine Dollars and Fourty-One cents (\$146,456.41).

TREASURER'S CERTIFICATION

I hereby certify funds for payment of contracts for Water Works Materials as follows:

1. To Water Works Supply Co., Inc. in the total maximum amount of \$135,989.41:
 - a. In 2017, funds are available in the amount of \$90,659.61; and
 - b. In 2018, funds will be available in the amount of \$45,329.80 subject to the approval of the 2018 Budget.

2. To HD Supply Waterworks, Ltd. in the total maximum amount of \$10,470.00:
 - a. In 2017, funds are available in the amount of \$6,980.00; and
 - b. In 2018, funds will be available in the amount of \$3,490.00 subject to the approval of the 2018 Budget.

The total maximum amount of these contracts will not exceed \$146,456.41. This item will be charged to Account Nos.02-00-500-377, 02-60-400-632, 02-60-400-633 and 02-60-400-634.



CHARLES MAGGIO, Treasurer

Dated: March 30, 2017

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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

Resolution No. 27-17

RESOLUTION AWARDING CONTRACT FOR THE CONTRACT ENTITLED PERMANENT PAVEMENT REPLACEMENTS

WHEREAS, the Authority has advertised and received bids, pursuant to a fair and open process, for the contract entitled Permanent Pavement Replacements on March 2, 2017; and

WHEREAS, Consolidated Maintenance Solutions, L.L.C., of Pine Brook, New Jersey, has been determined to be the lowest qualified bidder in the total amount of \$264,000 covering a one year period with options for renewal after the first year as permitted by the Local Public Contracts Law; and

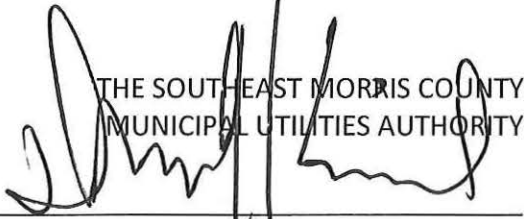
WHEREAS, the Treasurer has certified that there are sufficient funds available in the 2017 Budget for the portion to be expended in 2017; portions to be expended in 2018 are subject to funds being available in the 2018 Budget; and

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

1. That a contract entitled Permanent Pavement Replacements be awarded to Consolidated Maintenance Solutions, L.L.C., in accordance with its bid submitted on March 2, 2017 in the maximum amount of \$264,000.
2. 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.
3. That the contract be limited to the maximum amount of bid and the term of one year after signing the contract.

ATTEST:


SIDNEY D. WEISS, Assistant Secretary


THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
DONALD KISSIL, Chairman

DATED: March 30, 2017

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
William Conradi
Ralph R. Rotando

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

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

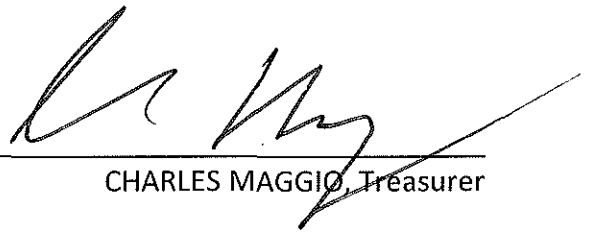
Superintendent: Paul A. Kozakiewicz

TREASURER'S CERTIFICATION

I hereby certify funds for payment of a contract with Consolidated Maintenance Solutions, L.L.C., for Permanent Pavement Replacements as follows:

1. In 2017, funds are available in the amount of \$176,000.00; and
2. In 2018, funds will be available in the amount of \$88,000.00 subject to the approval of the 2018 Budget.

The total maximum amount of this contract will not exceed \$264,000.00. This item will be charged to Account No. 5-02-60-400-692.




CHARLES MAGGIO, Treasurer

Dated: March 30, 2017

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, March 30, 2017, at a meeting duly convened of said Authority.



SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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

Resolution No. 28-17

RESOLUTION AUTHORIZING INCREASE IN AWARD AMOUNT OF AN AGREEMENT WITH THE TOWNSHIP OF MORRIS FOR THE REPLACEMENT OF WATER SERVICES AND FIRE HYDRANTS ON THE NORMANDY HEIGHTS ROAD RECONSTRUCTION PROJECT AS A JOINT VENTURE BETWEEN THE AUTHORITY AND MORRIS TOWNSHIP

WHEREAS, on October 20, 2016, the Board approved an agreement with the Township of Morris ("Township") to complete a joint services project pursuant to the provisions of N.J.S.A. 40:8A-1 et. seq.; and

WHEREAS, Normandy Heights Road is an improved public roadway located within the Township and Morris County; and

WHEREAS, the Authority maintains water service and fire protection facilities located on Normandy Heights Road in the Township, which are owned and operated by the Authority and are required to be relocated or replaced; and

WHEREAS the Township owns and operates various roadway facilities including storm drainage, sanitary sewer and curbing that will be impacted by the water service and fire hydrant replacements; and

WHEREAS, the water services and fire hydrants are in need of relocation and replacement to assure their continued use and will not impact the new roadway being constructed; and

WHEREAS, the Authority and the Township agreed to jointly work towards the replacement of these facilities at a cost to the Authority estimated not to exceed \$30,000; and

WHEREAS, additional services were required during the course of the project which amount to an additional \$6,000.

WHEREAS, the Treasurer has certified funds are available.

NOW THEREFORE, BE IT HEREBY 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:

William Conradi
Ralph R. Rotando

Hanover Township:

Saverio C. Iannaccone
Adolf Schimpf

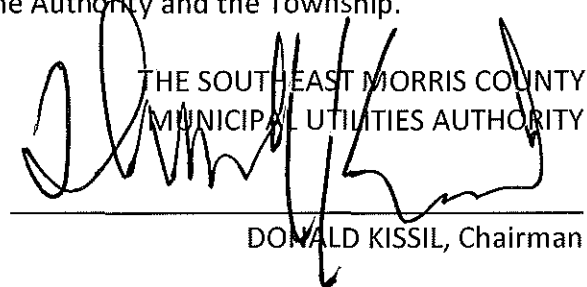
Executive Director/Chief Engineer: Laura Cummings, P.E.

Superintendent: Paul A. Kozakiewicz

1. The agreement between the Authority and the Township of Morris be and the same is hereby increased to a total maximum cost of \$36,000.
2. The Executive Director/Chief Engineer and Assistant Secretary be and are hereby authorized to execute and deliver the Agreement on behalf of the Authority as a joint venture between the Authority and the Township.

ATTEST:


SIDNEY D. WEISS, Assistant Secretary


THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
DONALD KISSIL, Chairman

Dated: March 30, 2017

TREASURER'S CERTIFICATION

I hereby certify funds are available in the not to exceed amount of \$36,000 for payment of an inter-local agreement with the Township of Morris for the replacement of water services and fire hydrants on the Normandy Heights Road Reconstruction Project. This item will be charged to Account No. 02-00-500-376 2016 (Main Rehab, Design, Construction).



CHARLES MAGGIO, Treasurer

DATED: March 30, 2017

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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

Resolution No. 29-17

RESOLUTION AUTHORIZING CLOSED SESSION DISCUSSIONS

RESOLVED that discussions of:

1. IBT Local 469 Contract Negotiations

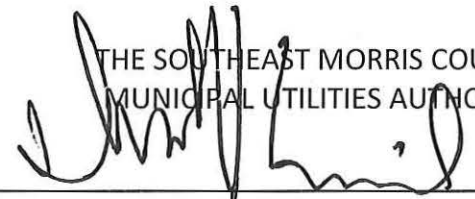
be held in closed session pursuant to subsection 4 of Section 12b of the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.); and be it further

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:



 SIDNEY D. WEISS, Assistant Secretary

THE SOUTHEAST MORRIS COUNTY
 MUNICIPAL UTILITIES AUTHORITY


 DONALD KISSIL, Chairman

Dated: March 30, 2017

Board Members

Morristown:
 Mary Dougherty
 Donald Kissil

Morris Township:
 Dennis Baldassari
 Alan Johnson

Morris Plains:
 William Conradi
 Ralph R. Rotando

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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

Resolution No. 30-17

RESOLUTION AMENDING AGREEMENT WITH GENOVA BURNS LLC FOR SPECIAL LABOR COUNSEL AND HUMAN RESOURCES SERVICES

WHEREAS, the Authority has a need for special labor counsel and human resources services; and

WHEREAS, Genova Burns, L.L.C. ("GB") agreed to the providing of such services at a maximum amount of \$17,500; and

WHEREAS, an agreement was approved without public bidding as being less than the bidding threshold of \$40,000 provided in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, the Authority entered into an agreement with GB dated January 30, 2017 (the "Agreement"); and

WHEREAS, the parties have agreed to increase the total maximum not-to-exceed amount of the Agreement to \$27,500 to cover the cost of additional unanticipated services in connection with extended collective bargaining contract negotiations; and

WHEREAS, GB has completed and submitted Business Entity Disclosure Certifications which certify that they have 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 them 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

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:

William Conradi
Ralph R. Rotando

Hanover Township:

Saverio C. Iannaccone
Adolf Schimpf

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

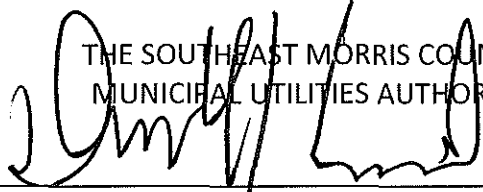
Superintendent: Paul A. Kozakiewicz

1. The Agreement with Genova Burns, L.L.C. for special labor counsel and human resources services, and other assigned matters, dated January 30, 2017 be amended to reflect a total maximum not-to-exceed amount of \$27,500.
2. That the appropriate officers of the Authority be and they are hereby authorized and directed to execute an amendatory contract with regard to said project on behalf of the Authority in the manner provided by law.

ATTEST:



SIDNEY D. WEISS, Assistant Secretary

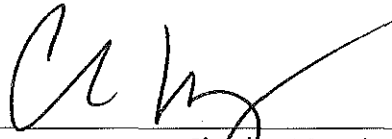
THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


DONALD KISSIL, Chairman

DATED: March 30, 2017

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
CERTIFICATION OF VALUE IN EXCESS OF \$17,500 (PAY-TO-PLAY LAW)

The undersigned hereby certifies that the estimated amount of the agreement with Genova Burns, L.L.C., for special labor counsel and human resources services exceeds \$17,500.



Charles Maggio
Treasurer

Dated: March 30, 2017

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

TREASURER'S CERTIFICATION

I hereby certify funds are available in the amount of \$10,000 for payment of an amended agreement with Genova Burns, L.L.C., for special labor counsel and human resources services. The total maximum amount of agreement contract will not exceed \$27,500. This item will be charged to Account No. 02-10-400-607 (Operating Costs – General Administration: Professional Services – Personnel).

A handwritten signature in black ink, appearing to read 'C. Maggio', is written over a horizontal line.

Charles Maggio
Treasurer

Dated: March 30, 2017

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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

Resolution No. 31-17

RESOLUTION APPROVING AN AMENDMENT TO AN AGREEMENT WITH RANDOLPH TOWNSHIP FOR A NEW WATER SERVICE CONNECTION OUTSIDE THE DISTRICT AND APPROVING A REVISED SCHEDULE OF PROPERTIES TO WHICH WATER IS PROVIDED IN RANDOLPH TOWNSHIP BY THE AUTHORITY

WHEREAS, the Authority has received a request from the Township of Randolph ("Randolph") for a new water service connection to premises locate at 9 Mt. Pleasant Road (Block 222, Lot 13) in Randolph Township, which premises is outside the District of the Authority (the "Proposed New Randolph Service Connection"); and

WHEREAS, the Authority and Randolph are the parties to an existing Water Supply Agreement dated January 21, 1977 which specifies the properties in Randolph which may be supplied with water by the Authority (the "1977 Randolph Water Supply Agreement"); and

WHEREAS, the Authority and Randolph wish to amend the 1977 Randolph Water Supply Agreement to include the Proposed New Randolph Service Connection and to update Schedule "A" thereof to reflect the current ownership and lot and block numbers of the properties currently supplied with water by the Authority in Randolph; all as more particularly set forth in the proposed agreement annexed hereto and made part hereof entitled "Amendment to Water Supply Agreement"; and

WHEREAS, the Service Agreement between the Authority and its Creating Municipalities dated January 20, 1977 (the "Service Agreement") prohibits the Authority from supplying water directly or indirectly outside the District of the Authority without the consent of the Creating Municipalities (except for certain properties previously served by the Town of Morristown prior to creation of the Authority); and

WHEREAS, the Authority] has received the consents of its Creating Municipalities to (1) the Proposed new Randolph Service Connection; and (2) the proposed revised Schedule A to the 1977 Randolph Water Supply Agreement; and

WHEREAS, the Authority has determined that the supplying of water to properties in Randolph identified in Revised Schedule A to the Amended Water Supply Agreement (including the Proposed New Randolph Service Connection) does not and will not have any adverse effect on the Water System or customers within the District; and

Board Members

Morristown:

Mary Dougherty
Donald Kissil

Morris Township:

Dennis Baldassari
Alan Johnson

Morris Plains:

William Conradi
Ralph R. Rotando

Hanover Township:

Saverio C. Iannaccone
Adolf Schimpf

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

Superintendent: Paul A. Kozakiewicz

WHEREAS, Randolph has approved and signed the Amended Water Supply Agreement;

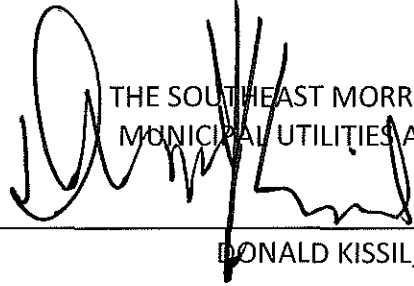
NOW THEREFORE, BE IT RESOLVED that:

1. The proposed Amendment to Water Supply Agreement and Revised Schedule "A" attached thereto be and the same are hereby approved in the form annexed hereto;
2. The Chairman or Vice chairman and Secretary or Assistant Secretary are hereby authorized to sign the Amended Water Supply Agreement on behalf of the Authority.

ATTEST:



SIDNEY D. WEISS, Assistant Secretary



THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

DONALD KISSIL, Chairman

DATED: March 30, 2017

**AMENDMENT TO
WATER SUPPLY AGREEMENT**

AMENDMENT TO AGREEMENT made the 26 day of January, 2017

BETWEEN: THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY, a body corporate and politic of the State of New Jersey, 19 Saddle Road, Cedar Knolls, NJ 07927 (hereinafter referred to as "SMCMUA");

AND: THE TOWNSHIP OF RANDOLPH, a municipal corporation of the State of New Jersey, 502 Millbrook Avenue, Randolph, New Jersey 07869 (hereinafter referred to as "Township")

WITNESSETH:

WHEREAS, SMCMUA entered into a certain Water Supply Agreement with the Randolph Township Municipal Utilities Authority ("RTMUA") dated January 21, 1977 for the wholesale supply of potable water by SMCMUA to RTMUA for the purposes of supplying water to certain premises in the Township (the "Water Supply Agreement") and

WHEREAS, the Township is the present owner and operator of the water system previously owned and operated by the RTMUA and successor in interest to RTMUA as a party to the Water Supply Agreement; and

WHEREAS, the Water Supply Agreement limits the water to be provided by SMCMUA to certain premises in the Township described in Schedule A attached to and made part of the Water Supply Agreement (the "Original Schedule A"); and

WHEREAS, the Water Supply Agreement further provides that the premises to be supplied with water as set forth in Original Schedule A may be increased in number by mutual consent of the parties; and

WHEREAS, ownership of some of the premises referred to in the Original Schedule A along with lot and block numbers of the premises have changed since its preparation in 1977; and

WHEREAS, the parties wish to revise and update the Original Schedule A to reflect the current identities and ownership of the premises and to add several new premises as contemplated by the Water Supply Agreement, all as set forth in a Revised Schedule "A", a copy of which is attached hereto and made part hereof (the Revised Schedule A); and

WHEREAS, the Water Supply Agreement is subject to the service contract between SMCMUA and its creating municipalities, which service contract prohibits the supply or distribution of water, directly or indirectly, outside the District of SMCMUA without the prior written consent of the said creating municipalities, i.e. the Town of Morristown, the Township of Morris, the Township of Hanover and the Borough of Morris Plains (the "SMCMUA Creating Municipalities"); and

WHEREAS, the parties have agreed that SMCMUA should seek the consent of the SMCMUA Creating Municipalities to assure that they have consented to the supply of water to all of the premises described in the Revised Schedule A including the additions and changes in identities and ownership shown on the said Revised Schedule A.

NOW, THEREFORE, in consideration of the premises, the mutual covenants herein set forth, and the respective undertakings of each party to the other, the parties hereby agree as follows:

1. The premises to be provided with water pursuant to Article 1 of the Water Supply Agreement are increased and revised as provided in Revised Schedule A attached hereto and made part hereof.
2. The Original Schedule A attached to the Water Supply Agreement is superseded and replaced by the Revised Schedule A attached hereto and made part hereof.
3. This Amendment to Water Supply Agreement ("Amendment") shall be subject to securing the consent of SMCMUA's Creating Municipalities. SMCMUA shall make prompt application to its Creating Municipalities, and shall diligently pursue the same at its sole cost and expense. The Township agrees to reasonably cooperate with SMCMUA in securing such consent. In the event any of the SMCMUA Creating Municipalities disapproves this Amendment or all of the consents are not obtained within ninety (90) days from the date hereof (or such extended date that the parties may agree to in writing); or if any of the consents contain any material exceptions or conditions not acceptable to either SMCMUA or the Township in their reasonably exercised judgment, then in any such event this Amendment shall terminate, become null and void and of no effect whatsoever. However, termination of this Amendment shall not affect the continuing validity of the Water Supply Agreement, which shall continue in full force and effect as therein provided as if not amended as herein contemplated.
4. All other provisions of the Water Supply Agreement not inconsistent with the provisions of this Amendment are hereby ratified and affirmed by the parties.

IN WITNESS WHEREOF, the parties have executed this Amendatory Agreement as of the date first set forth above.

ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

Sidney D. Weiss, Assistant Secretary

By: _____
Saverio C. Iannaccone, Chairman

Donna Luciani

THE TOWNSHIP OF RANDOLPH
By: *Christine Carey*
Christine Carey, Mayor

Revised Schedule A

First Name	Last Name	Block	Lot	Serial#	MIU	Street #	Street	City	State
Marc M & Stacey L	Silva	215	87	76148411	1460811490	15	North Star Road	Randolph	NJ
Linda & Henry	Steinman	215	82	33808191	1461127278	20	North Star Road	Randolph	NJ
Jane	Moore	215	78	34383447	1461166266	5	North Star Dr	Randolph	NJ
Katherine Ann	Costello	215	77	33807985	1461168454	3	North Star Dr	Randolph	NJ
Joan	Malavarca	215	76	33807983	1460894248	1	North Star Dr	Randolph	NJ
Beverly	Polo	222	21	33807850	1461168988	1	Mt Pleasant Road	Randolph	NJ
Albert & Felicita	Smolin	222	23	33718694	1460849902	5	Mt Pleasant Road	Randolph	NJ
Robert & Diane	Button	179	1	33807001	1461158874	2	Mt Pleasant Road	Randolph	NJ
James M & Kelly S	Garry	222	24	39777376	1461112008	7	Mt Pleasant Road	Randolph	NJ
Volpеллетto & Frederick	Biancone	215	79	33806862	1461165896	7	North Star Dr	Randolph	NJ
Craig & Connie	Hagelin	215	80	76148350	1460803628	3	North Star Rd	Randolph	NJ
Andrew	Stolarz	215	81	76148346	1460766744	5	North Star Road	Randolph	NJ
Horst & Maria	Schran	215	83	73411227	1460816170	9	North Star Rd	Randolph	NJ
Robert & Janine	DiCostanzo	179	2	44520020	1461148422	4	Mt Pleasant Road	Randolph	NJ
Randolph	Township of	222	11				Mt Pleasant Road	Randolph	NJ

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, March 30, 2017, at a meeting duly convened of said Authority.



SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017



Southeast Morris County Municipal Utilities Authority

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

Resolution No. 32-17

RESOLUTION APPROVING WAIVER OF CONNECTION FEE
FOR DIRECT PROJECT OF A CREATING MUNICIPALITY

WHEREAS, the Authority has received a request from the Business Administrator/Township Clerk of the Township of Hanover ("Hanover Township") for a waiver of the connection fee for the project described in the copy of the request annexed hereto as Exhibit "A" (the "Project"); and

WHEREAS, Section 18.6 of the Authority's Rules and Regulations for Water Service ("Tariff") permits the Members of the Authority to waive the connection fee for a "direct public project of a Creating Municipality" such waiver to be by resolution adopted at a duly constituted meeting of the Authority; and

WHEREAS, Hanover Township is a Creating Municipality of the Authority; and

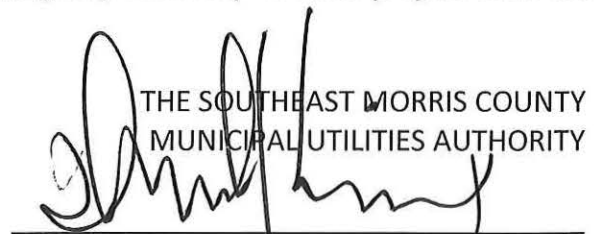
WHEREAS, the Project is determined by the Authority to be a "direct public project" of Hanover Township;

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that the connection fee for the Project described in Exhibit "A" annexed hereto be and the same is hereby waived as a "direct public project" of a Creating Municipality of the Authority as provided in Section 18.6 of the Tariff;

AND BE IT FURTHER RESOLVED that the within waiver shall not serve as precedent or require waiver of a connection fee for any other project of Hanover Township or any other Creating Municipality of the Authority notwithstanding any similarity of such project with the Project herein approved.

ATTEST:


SIDNEY D. WEISS, Assistant Secretary


THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
DONALD KISSIL, Chairman

Dated: March 30, 2017

Board Members

Morristown:
Mary Dougherty
Donald Kissil

Morris Township:
Dennis Baldassari
Alan Johnson

Morris Plains:
William Conradi
Ralph R. Rotando

Hanover Township:
Saverio C. Iannaccone
Adolf Schimpf

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

Superintendent: Paul A. Kozakiewicz

Exhibit "A"

TOWNSHIP OF HANOVER
Department Of Administration
1000 ROUTE 10
P.O. BOX 250
WHIPPANY, NJ 07981-0250



JOSEPH A. GIORGIO, MPA, RMC
Business Administrator/Township Clerk
Tel: (973) 428-2466
Fax: (973) 515-6683
Jgiorgio@Hanovertownship.com

VIA ELECTRONIC MAIL ONLY

March 1, 2017

Ms. Laura Cummings, P.E.
Executive Director/Chief Engineer
Southeast Morris County Municipal Utilities Authority
19 Saddle Road
Cedar Knolls, New Jersey 07927

Re: **Request for Waiver of Water
Service Connection Fee
Stoney Brook Community
Farm and Garden**

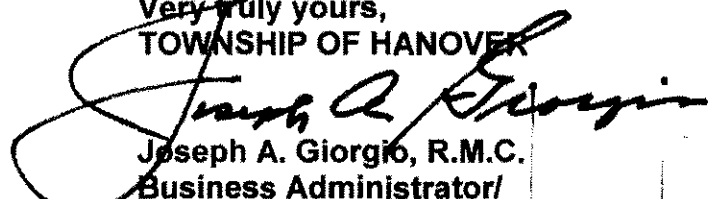
Dear Ms. Cummings:

As you may be aware, the Township of Hanover is in the process of developing a Community Farm and Garden to be located on Township property parallel to Fanok Road and Stoney Brook Road. In this regard, the Township plans to have the Community Farm and Garden operational on or about May 1, 2017. The Farm and Garden requires a water line.

In accordance with the SMCMUA's rules and regulations at paragraph 18.6, the Township, as a creating municipality, respectfully requests that the water service connection fee be waived, as the Community Farm and Garden is a public project. Please accept this letter as the Township's application for the connection fee waiver.

Because we are on a fast track to open the Community Farm and Garden by May 1, 2017, I would greatly appreciate it, if the members of the Authority would act on the fee waiver request at its next regularly scheduled meeting. Thank you for your prompt attention in expediting this matter.

Very truly yours,
TOWNSHIP OF HANOVER



Joseph A. Giorgio, R.M.C.
Business Administrator/
Township Clerk

JAG/ci

c: Mayor Ronald Francioli
Richard Kitchell, Community Farm Chairperson
David Leo, P.E.

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, March 30, 2017, at a meeting duly convened of said Authority.


SIDNEY D. WEISS, Assistant Secretary

Dated: March 30, 2017

**AMENDMENT TO
WATER SUPPLY AGREEMENT**

as of
v
AMENDMENT TO AGREEMENT made the 26 day of January, 2017

BETWEEN: THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY, a body corporate and politic of the State of New Jersey, 19 Saddle Road, Cedar Knolls, NJ 07927 (hereinafter referred to as "SMCMUA");

AND: THE TOWNSHIP OF RANDOLPH, a municipal corporation of the State of New Jersey, 502 Millbrook Avenue, Randolph, New Jersey 07869 (hereinafter referred to as "Township")

WITNESSETH:

WHEREAS, SMCMUA entered into a certain Water Supply Agreement with the Randolph Township Municipal Utilities Authority ("RTMUA") dated January 21, 1977 for the wholesale supply of potable water by SMCMUA to RTMUA for the purposes of supplying water to certain premises in the Township (the "Water Supply Agreement") and

WHEREAS, the Township is the present owner and operator of the water system previously owned and operated by the RTMUA and successor in interest to RTMUA as a party to the Water Supply Agreement; and

WHEREAS, the Water Supply Agreement limits the water to be provided by SMCMUA to certain premises in the Township described in Schedule A attached to and made part of the Water Supply Agreement (the "Original Schedule A"); and

WHEREAS, the Water Supply Agreement further provides that the premises to be supplied with water as set forth in Original Schedule A may be increased in number by mutual consent of the parties; and

WHEREAS, ownership of some of the premises referred to in the Original Schedule A along with lot and block numbers of the premises have changed since its preparation in 1977; and

WHEREAS, the parties wish to revise and update the Original Schedule A to reflect the current identities and ownership of the premises and to add several new premises as contemplated by the Water Supply Agreement, all as set forth in a Revised Schedule "A", a copy of which is attached hereto and made part hereof (the Revised Schedule A); and

WHEREAS, the Water Supply Agreement is subject to the service contract between SMCMUA and its creating municipalities, which service contract prohibits the supply or distribution of water, directly or indirectly, outside the District of SMCMUA without the prior written consent of the said creating municipalities, i.e. the Town of Morristown, the Township of Morris, the Township of Hanover and the Borough of Morris Plains (the "SMCMUA Creating Municipalities"); and

WHEREAS, the parties have agreed that SMCMUA should seek the consent of the SMCMUA Creating Municipalities to assure that they have consented to the supply of water to all of the premises described in the Revised Schedule A including the additions and changes in identities and ownership shown on the said Revised Schedule A.


NOW, THEREFORE, in consideration of the premises, the mutual covenants herein set forth, and the respective undertakings of each party to the other, the parties hereby agree as follows:

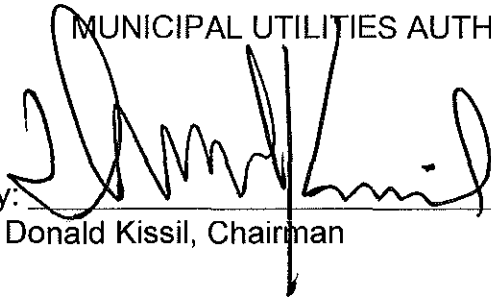
1. The premises to be provided with water pursuant to Article 1 of the Water Supply Agreement are increased and revised as provided in Revised Schedule A attached hereto and made part hereof.
2. The Original Schedule A attached to the Water Supply Agreement is superseded and replaced by the Revised Schedule A attached hereto and made part hereof.
3. This Amendment to Water Supply Agreement ("Amendment") shall be subject to securing the consent of SMCMUA's Creating Municipalities. SMCMUA shall make prompt application to its Creating Municipalities, and shall diligently pursue the same at its sole cost and expense. The Township agrees to reasonably cooperate with SMCMUA in securing such consent. In the event any of the SMCMUA Creating Municipalities disapproves this Amendment or all of the consents are not obtained within ninety (90) days from the date hereof (or such extended date that the parties may agree to in writing); or if any of the consents contain any material exceptions or conditions not acceptable to either SMCMUA or the Township in their reasonably exercised judgment, then in any such event this Amendment shall terminate, become null and void and of no effect whatsoever. However, termination of this Amendment shall not affect the continuing validity of the Water Supply Agreement, which shall continue in full force and effect as therein provided as if not amended as herein contemplated.
4. All other provisions of the Water Supply Agreement not inconsistent with the provisions of this Amendment are hereby ratified and affirmed by the parties.

IN WITNESS WHEREOF, the parties have executed this Amendatory Agreement as of the date first set forth above.

ATTEST:


THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY


Sidney D. Weiss, Assistant Secretary

By: 
Donald Kissil, Chairman

THE TOWNSHIP OF RANDOLPH



By: 
Christine Carey, Mayor

Revised Schedule A

First Name	Last Name	Block	Lot	Serial#	MIU	Street #	Street	City	State
Marc M & Stacey L	Silva	21S	87	76148411	1460811490	15	North Star Road	Randolph	NJ
Linda & Henry	Steinman	215	82	33808191	1461127278	20	North Star Road	Randolph	NJ
Jane	Moore	215	78	34383447	1461166266	5	North Star Dr	Randolph	NJ
Katherine Ann	Costello	215	77	33807985	1461168454	3	North Star Dr	Randolph	NJ
Joan	Malavarca	215	76	33807983	1460894248	1	North Star Dr	Randolph	NJ
Beverly	Polo	222	21	33807850	1461168988	1	Mt Pleasant Road	Randolph	NJ
Albert & Felicita	Smolin	222	23	33718694	1460849902	5	Mt Pleasant Road	Randolph	NJ
Robert & Diane	Button	179	1	33807001	1461158874	2	Mt Pleasant Road	Randolph	NJ
James M & Kelly S	Garry	222	24	39777376	1461112008	7	Mt Pleasant Road	Randolph	NJ
Volpеллетto & Frederick	Biancone	215	79	33806862	1461165896	7	North Star Dr	Randolph	NJ
Craig & Connie	Hagelin	215	80	76148350	1460803628	3	North Star Rd	Randolph	NJ
Andrew	Stolarz	215	81	76148346	1460766744	5	North Star Road	Randolph	NJ
Horst & Maria	Schran	215	83	73411227	1460816170	9	North Star Rd	Randolph	NJ
Robert & Janine	DiCostanzo	179	2	44520020	1461148422	4	Mt Pleasant Road	Randolph	NJ
Randolph	Township of	222	11				Mt Pleasant Road	Randolph	NJ