

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

MEETING MINUTES

MARCH 20, 2025

The Regular Meeting of The Southeast Morris County Municipal Utilities Authority ("SMCMUA" or the "Authority") was held on March 20, 2025, at 7:00 PM prevailing time in the Board Room at the offices of SMCMUA 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 Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

ABSENT: Members Chumer and Marucci

Also present were the following: Drew Saskowitz, Executive Director; Charles Maggio, Chief Financial Officer; Nicholas Buono, IT Director; Celenia Mercado, Operations Risk Manager; Patricia Dannhardt, Principal Engineer; Alexis Bozza, Executive Administrative Assistant; and David J. Ruitenberg, Esq., Murphy McKeon.

PUBLIC COMMENT

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

MOTION APPROVING MINUTES OF FEBRUARY 20, 2025

Copies of the minutes of the meeting held on February 20, 2025, were distributed to the Members prior to the meeting for review and comment. Member Rotando moved that the minutes be adopted as presented. Member Webster seconded the motion which was duly adopted by the remaining Members.

RESOLUTION – APPROVAL OF MARCH 2025 LIST OF BILLS

Copies of the second bill list for March 2025 were distributed to the Members prior to the meeting for comment and approval. Member Rotando moved to approve the list of bills and offered the following resolution:

RESOLUTION NO. 31-25

RESOLUTION AUTHORIZING PAYMENT OF THE LIST OF BILLS FOR MARCH 2025

"COPY ANNEXED"

Mr. Ruitenberg stated that, for this resolution and for all resolutions included on this evening's agenda authorizing contracts or payments, the Treasurer has provided certifications confirming adequate funds for each such purpose in the 2025 budget. To the extent the resolution anticipates payments beyond 2025, any and all such anticipated payments will be subject to approval and inclusion by the Authority in such future years' budgets. Member Loughman seconded the motion which was duly adopted by the following vote:

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

COMMUNICATIONS

The Members reviewed a copy of a letter from the law offices of Savo Schalk regarding the connection fee for the Chimney Rock Inn in Hanover Township.

OTHER BUSINESS

A. Public Hearing

1. Tariff Provisions, Non-Water Rate Miscellaneous Charges and Connection Fee

A public hearing was held to review certain revisions to SMCMUA's Tariff, non-water rate miscellaneous charges and 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 Revised Tariff Provisions and Adjustment of Non-Water Rate Miscellaneous Charges and Connection Fee

Following the public hearing, Member Webster offered the following resolution:

RESOLUTION NO. 32-25

RESOLUTION APPROVING REVISED TARIFF PROVISIONS AND ADJUSTMENT OF NON-WATER RATE MISCELLANEOUS CHARGES AND CONNECTION FEE

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

C. Resolution Authorizing the Transfer of Funds between Budget Appropriations

The Chief Financial Officer/Treasurer advised that there are certain budget line items in the 2024 Operating Budget and the 2025 Capital Budget that require additional funding and requested that such balances be transferred from other budget line items with a balance to those requiring additional funds to balance. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 33-25

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN BUDGET APPROPRIATIONS

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

D. Resolution Rescinding Award of Contract for Underground Facilities Location Services

On February 20, 2025, the Authority awarded a contract for underground facilities location services ("Contract") to the low bidder, USIC LLC (the "Contractor"). The Contractor had submitted a bid with certain conditions that may not be modified post bid opening. While one other bid was submitted, the value of which exceeded the amount budgeted for these services. The Authority has the right to rescind the award, revise the bid specifications and re-advertise for bidding. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 34-25

RESOLUTION RESCINDING AWARD OF CONTRACT FOR UNDERGROUND FACILITIES LOCATION SERVICES

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

E. Resolution Authorizing Award of Contracts for Catalog Percentage Discount Pricing for Water Utility Supplies and Equipment

SMCMUA advertised and received bids for catalog percentage discount pricing for water utility supplies and equipment as described in the bid specifications on March 11, 2025. The Executive Director reviewed the bids and set forth his recommendation in a memorandum dated March 12, 2025, for the award of the various items, a copy of which was reviewed by the Members. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 35-25

RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR CATALOG PERCENTAGE DISCOUNT PRICING FOR WATER UTILITY SUPPLIES AND EQUIPMENT

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

F. Resolution Increasing Authorized Amount for Use of Vendor through the State of New Jersey Cooperative Purchasing Program

The Authority is a participant in the State of New Jersey Cooperative Purchasing Program 1-NJCP ("NJCPP"). The purchases of goods and services by local contracting units through the State agency without advertising is authorized under Section 12 of the Local Public Contracts Law, N.J.S.A. 40A:11-12. Route 23 Automall LLC was awarded Contract No. 24-FLEET-95503 (T3063) for Universal Trucks (19,500 lb. Gross Vehicle Weight Rating Crew Cab & Chassis, Dual Rear Wheels, Four Wheel Drive, with Various Bodies) by NJCPP. The Authority previously authorized the purchasing of such items for and including the budget year 2025 up to the amount of \$184,603.00, by Resolution No. 19-25 dated February 20, 2025. The Authority wishes to increase the amount authorized to purchase three additional fleet vehicles from Route 23 Automall LLC by \$230,355.00. The revised not to exceed amount of services is estimated not to exceed the revised amount stated of \$414,958.00. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 36-25

RESOLUTION INCREASING AUTHORIZED AMOUNT FOR USE OF VENDOR THROUGH THE STATE
OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

- G. Resolution Authorizing Award of a Professional Service Contract for Engineering Services in connection with Construction Administration and Observation of the Harter Road Water Main Replacement Project

The Authority requested a proposal from Dewberry Engineers, Inc. ("Dewberry") for professional engineering services in connection with construction administration and observation of the Harter Road Water Main Replacement Project. The proposal dated January 29, 2025, in the not to exceed amount of \$208,750.00, was reviewed by the Engineering Manager as set forth in a memorandum dated February 6, 2025, a copy of which was reviewed by the Members. This Contract was 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). Dewberry 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. Member Webster moved and offered the following resolution:

RESOLUTION NO. 37-25

RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT FOR
ENGINEERING SERVICES IN CONNECTION WITH CONSTRUCTION ADMINISTRATION AND
OBSERVATION OF THE HARTER ROAD WATER MAIN REPLACEMENT PROJECT

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

H. Resolution Authorizing Execution of a Main Extension Agreement with Morristown Associates LLC

The Authority received an application for water service from Morristown Associates LLC ("MA") to a property located at Block 2002, Lot 2, in Morristown, New Jersey (the "Development"). The Authority and MA have agreed to a plan for extension of a water main to the Development to be provided at the expense of MA as more particularly set forth in a proposed Main Extension Agreement. The form of Main Extension Agreement has been approved by the Engineering Manager and General Counsel of the Authority. Member Rotando moved and offered the following resolution:

RESOLUTION NO. 38-25

RESOLUTION AUTHORIZING EXECUTION OF A MAIN EXTENSION AGREEMENT WITH MORRISTOWN ASSOCIATES LLC

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Kiracofe, Loughman, Rotando and Webster

NOES: None

ABSTAINS: Member Clarke

I. Resolution Authorizing Use of Vendor through the New Jersey Cooperative Purchasing Alliance

The Authority is authorized to participate in a Cooperative Pricing Agreement with the New Jersey Cooperative Purchasing Alliance ("NJCPA"). The Authority wishes to purchase certain items from an authorized vendor under the NJCPA. The purchase of work, materials and supplies through Cooperative Pricing Systems, such as the NJCPA, is authorized without additional advertising by its participants under the Local Public Contracts Law, NJSA 40A:11-11(5). SHI International Corp has been awarded a contract for the provision of computer equipment and peripherals by the NJCPA (Contract No. BC-BID-24-38) for and including the budget year 2025. The cost is estimated not to exceed \$25,000.00. Member Webster moved and offered the following resolution:

RESOLUTION NO. 39-25

RESOLUTION AUTHORIZING USE OF VENDOR THROUGH THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

- J. Resolution Authorizing Award of a Professional Service Contract for Engineering Services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan

The Authority requested a proposal from CDM Smith, Inc. ("CDM") for professional engineering services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan. The proposal dated March 13, 2025, in the not to exceed amount of \$145,650.00, was reviewed by the Operations Risk Manager as set forth in a memorandum dated March 13, 2025, a copy of which was reviewed by the Members. 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). CDM 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. Member Loughman moved and offered the following resolution:

RESOLUTION NO. 40-25

RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT FOR
ENGINEERING SERVICES IN CONNECTION WITH AMERICA'S WATER INFRASTRUCTURE ACT
UPDATES OF RISK AND RESILIENCE ASSESSMENT AND ALL-HAZARDS INCIDENT RESPONSE PLAN

"COPY ANNEXED"

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

YEAS: Chairman Huber; Members Clarke, Kiracofe, Loughman, Rotando and Webster

NOES: None

- K. Report of the Technology and Risk Management Committee

The Members reviewed a report of the Technology and Risk Management Committee meeting held on February 20, 2025.

L. Report of the Personnel Committee

The Members reviewed a report of the Personnel Committee meeting held on March 4, 2025.

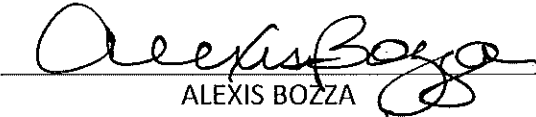
REPORTS

- A. Engineering Division – February 2025
- B. Finance Division – February 2025
 - 1. Human Resources – February 2025
- C. Information Technology – February 2025
- D. Operations Division – February 2025
- E. Operations Risk Management Division – February 2025
- F. Water Quality Division – February 2025

ADJOURNMENT

There being no further business, Member Rotando moved that the meeting be adjourned. Member Loughman seconded the motion which was duly adopted by the Members. The meeting adjourned at 8:09 PM.

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY



ALEXIS BOZZA
Assistant Secretary

2025 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 SMCMUA's regular meetings on the Bulletin Board at SMCMUA'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 4, 2025; and
2. By providing copies of the Annual Notice to the clerks of the Townships of Chatham, Harding, Mendham, Randolph and Parsippany-Troy Hills, the Boroughs of Florham Park, Madison and Wharton, and the County of Morris on February 4, 2025; and
3. By providing copies of the Annual Notice for publication to the Daily Record and the Star Ledger on February 7, 2025.

SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY
PUBLIC HEARING

DATE: MARCH 20, 2025 - 7:05 P.M.

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IN THE MATTER OF THE PUBLIC HEARING

RE: TARIFF PROVISIONS, NON-WATER
RATE MISCELLANEOUS CHARGES AND
CONNECTION FEE
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BEFORE: MAX HUBER - CHAIRMAN
PATRICIA WEBSTER - V. CHAIRMAN
MATTHEW LOUGHMAN - SECRETARY
RALPH R. ROTANDO - MEMBER
NATHAN KIRACOFE - MEMBER
ARTHUR CLARKE - MEMBER

ALSO PRESENT:

CHARLES MAGGIO
CHIEF FINANCIAL OFFICER/TREASURER

DREW SASKOWITZ
EXEC DIRECTOR/ASST. TREASURER

ALEXIS BOZZA
ASSISTANT SECRETARY

APPEARANCES:

DAVID RUITENBERG, ESQ.
51 Route 23 South
Riverdale, New Jersey 07457
Attorney for SMCMUA

J.H. BUEHRER & ASSOCIATES
884 Breezy Oaks Drive
Toms River, New Jersey 08753
(732) 295-1975

I N D E X

WITNESS	EXAMINATION
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CHARLES MAGGIO	
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BY: MR. RUITENBERG	5
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E X H I B I T S

EXHIBIT (PREMARKED)	DESCRIPTION	IDENT. /EV.	
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A-1	Certification of Service	3	16
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A-2	Affidavit of Publication For The Daily Record	3	16
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A-3	Affidavit of Publication For the Star Ledger	3	16
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A-4	Connection Fee Calculation 2025	3	16
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A-5	Rules and Regulations	3	16
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A-6	Fee Schedule	3	16
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A-7	Resolution 32-25	3	16
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1 (Whereupon Exhibit A-1,
2 Certification of Service, is premarked for
3 identification.)

4 (Whereupon Exhibit A-2, Affidavit
5 of Publication for the Daily Record, is premarked
6 for identification.)

7 (Whereupon Exhibit A-3, Affidavit
8 of Publication for The Star Ledger, is premarked
9 for identification.)

10 (Whereupon Exhibit A-4, Connection
11 Fee Calculation 2025, is premarked for
12 identification.)

13 (Whereupon Exhibit A-5, Rules and
14 Regulations, are premarked for identification.)

15 (Whereupon Exhibit A-6, Fee
16 Schedule, is marked for identification.)

17 (Whereupon Exhibit A-7, Resolution
18 32-25, is marked for identification.)

19 CHAIRMAN HUBER: Move on to Other
20 Business. The first item on our agenda under Other
21 Business is a public hearing to revise the
22 Authority's Rules and Regulations for a water
23 tariff, or water service tariff, its schedule of
24 service charges for non-water rate miscellaneous
25 charges and connection fee.

1 I will now turn this meeting over to
2 Mr. Ruitenberg.

3 MR. RUITENBERG: Thank you, Mr.
4 Chairman, Members, for the benefit of the record
5 being made this evening, I am David Ruitenberg and
6 am counsel to the Authority.

7 This is our annual connection fee
8 hearing, which is required by statute. In
9 addition, this will also serve as our public
10 hearing in connection with several other tariff
11 provisions proposed by the Authority's
12 administration for adoption this evening.

13 I have marked several exhibits, some
14 of which we will be referring to in our hearing
15 this evening.

16 Exhibit A-1 is a Certification of
17 Service from Alexis Bozza confirming that notice of
18 this hearing was served at least 20 days prior to
19 this meeting. The statute also requires that
20 notice be published in two newspapers in general
21 circulation in the area.

22 Exhibit A-2 is an affidavit from The
23 Daily Record confirming that timely notice of this
24 hearing was published in that publication on
25 February 26th, 2025.

1 Exhibit A-3 is an affidavit from the
2 Star Ledger confirming that timely notice of this
3 hearing was also published in that publication on
4 February 26th, 2025.

5 Mr. Chairman, unless there is any
6 objection, these exhibits, and the remaining
7 exhibits to be referred to during the course of
8 this evening's hearing, will be attached to the
9 transcript that is being made by the court reporter
10 who is with us this evening.

11 There being no objection, I would like
12 to at this time call upon the Authority's Treasurer
13 and Chief Financial Officer Charles Maggio to
14 provide testimony concerning both the calculation
15 of the 2025 connection fee, as well as the
16 miscellaneous tariff revisions also being proposed
17 this evening.

18 Mr. Maggio, please raise your right
19 hand, and the court reporter will administer the
20 oath.

21 C H A R L E S M A G G I O, Sworn.

22 DIRECT EXAMINATION BY MR. RUITENBERG:

23 Q. Mr. Maggio, please tell us by whom are
24 you employed?

25 A. I'm employed by the Southeast Morris

1 County Municipal Utilities Authority.

2 Q. And, what is your position with the
3 Authority?

4 A. I'm the Treasurer and the Chief
5 Financial Officer.

6 Q. And, how long have you served in those
7 capacities?

8 A. For about nine years now.

9 Q. And, are you familiar with the
10 connection fee which is included in the Authority's
11 rate schedules?

12 A. I am.

13 Q. And, are you familiar with the
14 statutory requirements and formula for
15 recalculating the connection fee which is set forth
16 in N.J.S.A. 40:14B-21?

17 A. Yes.

18 Q. And, so, based on that can you tell us
19 how often the connection fee is to be recalculated
20 under that statute?

21 A. The statute requires the connection
22 fee to be recalculated annually at the end of the
23 Authority's fiscal year.

24 Q. In preparation for this year's annual
25 adjustment, have you recalculated the connection

1 fee for the Authority in conformity with the
2 statutory requirements?

3 A. Yes.

4 Q. I'll now show you a document I've
5 marked as Exhibit A-4 that is entitled "Connection
6 Fee Calculation 2025", and ask whether you can
7 identify that document?

8 A. Yes. That's the calculation sheet
9 for the proposed 2025 connection fee.

10 Q. Does the exhibit reflect a
11 recalculation of the connection fee for 2025 that
12 is based upon the statutory formula?

13 A. Yes. It does.

14 Q. And for the benefit of the record
15 being made this evening, please describe the
16 methodology followed in making the 2025
17 calculation?

18 A. Okay. The fee is calculated in the
19 manner prescribed by statute, by taking the sum
20 total of all debt service as of the end of the
21 immediately preceding budget year. Then adding all
22 capital expenditures not funded by debt service as
23 of the end of the preceding budget year. You then
24 subtract from that sum any gifts or contributions
25 during the preceding year -- in this case there

1 were none. The total sum is then divided by the
2 total number of equivalent service units serviced
3 by the Authority at the end of the preceding budget
4 year. The result of that calculation is then
5 apportioned to each new connector according to the
6 number of service units attributed to that
7 connector.

8 Q. And based upon your calculation, what
9 is the recomputed connection fee for 2025, and how
10 does it compare with the present connection fee?

11 A. In 2024 and up until now the
12 connection fee per equivalent service unit has been
13 \$5,762.00. If adopted this evening, the 2025
14 connection fee per equivalent service unit will be
15 \$5,784.00.

16 Q. And, is it your belief that the
17 methodology used for the calculation is consistent
18 and in compliance with the requirements of statute,
19 and specifically the formula set forth in that
20 statute?

21 A. Yes.

22 Q. And, am I correct in believing that
23 the calculation and methodology is consistent with
24 that used in prior years?

25 A. Yes.

1 Q. And, what is to be the effective date
2 of the new fee?

3 A. If adopted this evening, the new fee
4 will be effective for all bills paid and rendered
5 after today's date, so effective March 21st, 2025.

6 Q. Is the proposed new connection fee
7 fair and reasonable, in your opinion; and, in
8 compliance with the requirements of law?

9 A. Yes, it is.

10 Q. Now, respect to both the non-water
11 rate miscellaneous charges and metered related
12 requirements sought to be included in the tariff
13 revisions being proposed for adoption this evening,
14 were you also made aware of the need for these
15 proposed revisions and involved in some respect in
16 their drafting?

17 A. Yes, I was involved, as was also the
18 Executive Director and members of the Authority's
19 engineering and operations team.

20 Q. And, I'm now going to show you what
21 have marked as Exhibits A-5 and A-6, respectively,
22 and ask that you confirm whether they are the
23 proposed Rules and Regulations and related Fee
24 Schedule that together we refer to as the
25 Authority's tariff?

1 A. Yes. A-5 is the proposed Rules and
2 Regulations. A-6 is the proposed Fee Schedule.
3 When adopted, these revised documents will be the
4 Authority's new tariff.

5 Q. And, am I correct in understanding
6 that the proposed revision to Schedule 3 of the fee
7 schedule, which is Exhibit A-6, is only to add the
8 quarterly charge that is to be applied to
9 three-inch fire lines, which is a charge that was
10 inadvertently deleted at the time of our last
11 update from the current schedule of charges?

12 A. That's correct.

13 Q. And does adding that charge back into
14 the schedule of charges also result in the
15 corresponding correction of the charges for service
16 lines ranging in size from four to ten inches?

17 A. Yes. The incorrect charge had been
18 inadvertently assigned to each of the four to
19 ten-inch lines due to the inadvertent deletion of
20 the charge for three-inch lines. And, this change
21 will now correct all of that.

22 Q. And, so, on that basis do you believe
23 these corrected charges as proposed will adequately
24 and appropriately compensate the Authority for the
25 associated services being provided?

1 A. Yes.

2 Q. Changes are also proposed to Schedule
3 4 of the schedule of fees, which addressed meter
4 installation charges.

5 Are you aware of those proposed
6 changes?

7 A. Yes.

8 Q. And, am I correct in believing that
9 those revisions are intended to clarify
10 responsibility for the physical installation and
11 cost of meters in certain situations?

12 A. Yes, that's correct. The changes
13 proposed to Schedule 4 seek to clarify two things.
14 The first is that property owners seeking to
15 install meters large than two inches may be
16 required to independently arrange for the purchase
17 and installation of those meters.

18 The second is to confirm that property
19 owners requiring installation of meters of any size
20 by the Authority at times that fall outside of
21 normal business hours, will be responsible for
22 whatever additional costs and charges are incurred
23 by the Authority at cost.

24 Q. And, do you believe these proposed
25 revisions to the Fee Schedule to be fair and

1 reasonable?

2 A. Yes.

3 Q. And when are these proposed Fee
4 Schedule revisions to go into effect?

5 A. If adopted this evening, they will go
6 into effect tomorrow on March 21st, 2025.

7 Q. With respect to the revisions proposed
8 to the Rules and Regulations, which are set forth
9 in Exhibit A-5, I see that a new paragraph is
10 proposed to be added to Section 2 addressing
11 applications for water service.

12 Are you familiar with that proposed
13 revision?

14 A. Yes. The addition of that new section
15 was requested by the Authority's Engineering and
16 Finance teams in order to confirm their preferred
17 practice for water service. Specifically, the
18 added section being proposed requires each
19 individual lot and/or any subdivided lot to be
20 served by its own fire and/or domestic water
21 service with each such service having its own
22 meter.

23 Q. And if adopted, when would this
24 revision come into effect?

25 A. It would be effective for all

1 applications for water service received after this
2 date, which is to say that it would be applicable
3 to all applications received on or after March
4 21st, 2025.

5 Q. And with respect to the revision
6 proposed in Section 16 addressing Meter Operations,
7 can you explain what the new subsections (e) and
8 (f) are intended to address?

9 A. Yes. The proposed subsections are
10 intended to make clear who it is that bears what
11 cost when a dispute arises regarding the accuracy
12 of a meter replaced by the Authority, at the
13 property owner's request based on the owner's
14 belief that the meter is inaccurately measuring
15 water usage.

16 Q. And, how does it do that?

17 A. The proposed revision applies the
18 American Water Works Association's definition for
19 accuracy, which states that meter accuracy is
20 acceptable when registering between 98.5 and 101.5
21 percent of flow, and requires property owners to
22 pay for the cost of a requested meter replacement
23 when the meter thought to be malfunctioning is
24 later found to have been accurate, as defined by
25 the AWWA.

1 Q. And that determination can only be
2 made after the meter is removed and replaced?

3 A. That's correct. The meter's accuracy
4 can only be confirmed by bench testing the meter
5 after it's been removed.

6 Q. Are there any other changes proposed
7 to the Rules and Regulations?

8 A. Only to update that part of our Tariff
9 that lists the BPU approvals obtained by the
10 Authority. And, so, that section was updated to
11 reflect the BPU's 2024 approval of the Authority's
12 application, made at the request of Florham Park,
13 to convert 30 some properties served in the Borough
14 from being billed on a bulk basis to instead being
15 billed on a retail basis.

16 Q. And if adopted this evening, when will
17 all of these Tariff revisions we've been discussing
18 come into effect?

19 A. If adopted this evening, they will
20 come into effect tomorrow, March 21st, 2025.

21 Q. Thank You, Mr. Maggio.

22 MR. RUITENBERG: Mr. Chairman and
23 members, that concludes this evening's testimony.
24 If either any Board members or members of the
25 public have any questions for Mr. Maggio, this

1 would be the time to ask those questions.

2 There being no questions, I would ask
3 for a motion then to close the public hearing
4 portion of the meeting. And, following that, a
5 motion to approve Resolution 32-25 that has been
6 marked, for the benefit of the transcript, as
7 Exhibit A-7, and is our final exhibit for this
8 evening's hearing.

9 Can I have that motion to close the
10 public?

11 CHAIRMAN HUBER: So moved?

12 MR. ROTANDO: So moved.

13 CHAIRMAN HUBER: Second.

14 MR. RUITENBERG: This is the motion to
15 close the public hearing?

16 CHAIRMAN HUBER: Correct.

17 MR. RUITENBERG: All in favor.

18 (Whereupon the Board voted "aye" in
19 favor of the motion.)

20 MR. RUITENBERG: I will leave to you,
21 Mr. Chairman, Resolution 32-25 then.

22 MR. HUBER: So, in respect to
23 Resolution 32-25, approving the Revised Tariff
24 Provisions and Adjustment of Non-Water Rate
25 Miscellaneous Charges and Connection Fee, may I

1 have a motion, please?

2 MS. WEBSTER: So, moved.

3 MR. KIRACOFE: Second.

4 CHAIRMAN HUBER: Okay. Are there any
5 discussions or any other further questions?

6 Okay. Hearing no questions, roll
7 call, please.

8 MS. BOZZA: Mr. Clarke?

9 MR. CLARKE: Yes.

10 MS. BOZZA: Mr. Huber?

11 MR. HUBER: Yes.

12 MS. BOZZA: Mr. Kiracofe?

13 MR. KIRACOFE: Yes.

14 MS. BOZZA: Mr. Loughman?

15 MR. LOUGHMAN: Yes.

16 MS. BOZZA: Mr. Rotando?

17 MR. ROTANDO: Yes.

18 MS. BOZZA: Ms. Webster?

19 MS. WEBSTER: Yes.

20 CHAIRMAN HUBER: The resolution is
21 approved. Thank you very much.

22 MR. RUITENBERG: Thank you.

23 (Exhibits A-1 through A-7 are moved.)

24 (Whereupon the proceedings were
25 concluded at 7:20 p.m.)

C E R T I F I C A T E

I, CHRISTINA RESTUCCIA, a Court Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S.41:2-2, do hereby certify that prior to the commencement of the examination, the witness CHARLES MAGGIO was sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony that was taken stenographically by and before me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am not financially interested in the action.

Notary Public of the State of New Jersey
My Commission expires April 24, 2029
#50221246

#	A-5 - 2:15, 3:13, 9:21, 10:1, 12:9 A-6 - 2:16, 3:15, 9:21, 10:2, 10:7 A-7 - 2:17, 3:17, 15:7, 16:23 acceptable - 13:20 according - 8:5 accuracy - 13:11, 13:19, 14:3 accurate - 13:24, 17:11 action - 17:17, 17:18 add - 10:7 added - 12:10, 12:18 adding - 7:21, 10:13 addition - 4:9, 12:14 additional - 11:22 address - 13:8 addressed - 11:3 addressing - 12:10, 13:6 adequately - 10:23 Adjustment - 15:24 adjustment - 6:25 administer - 5:19, 17:5 administration - 4:12 adopted - 8:13, 9:3, 10:3, 12:5, 12:23, 14:16, 14:19 adoption - 4:12, 9:13 Affidavit - 2:10, 2:12, 3:4, 3:7 affidavit - 4:22, 5:1 agenda - 3:20 Alexis - 1:16, 4:17 American - 13:18 annual - 4:7, 6:24 annually - 6:22 Appearances - 1:18 applicable - 13:2 application - 14:12 applications - 12:11, 13:1, 13:3 applied - 10:8 applies - 13:17 apportioned - 8:5 appropriately - 10:24 approval - 14:11 approvals - 14:9 approve - 15:5 approved - 16:21 approving - 15:23 April - 17:22 area - 4:21 arises - 13:11 arrange - 11:16 Arthur - 1:10 assigned - 10:18 Assistant - 1:16 associated - 10:25 Associates - 1:23 Association's - 13:18 attached - 5:8 Attorney - 1:20 attorney - 17:16 attributed - 8:6 Authority - 1:1, 4:6, 6:1, 6:3, 7:1, 8:3, 10:24, 11:20, 11:23, 13:12, 14:10 Authority's - 3:22,	4:11, 5:12, 6:10, 6:23, 9:18, 9:25, 10:4, 12:15, 14:11 authorized - 17:4 aware - 9:14, 11:5 Awwa - 13:25 aye - 15:18	close - 15:3, 15:9, 15:15 commencement - 17:6 Commission - 17:22 compare - 8:10 compensate - 10:24 compliance - 8:18, 9:8 concerning - 5:14 concluded - 16:25 concludes - 14:23 confirm - 9:22, 11:18, 12:16 confirmed - 14:4 confirming - 4:17, 4:23, 5:2 conformity - 7:1 Connection - 1:6, 2:14, 3:10, 7:5, 15:25 connection - 3:25, 4:7, 4:10, 5:15, 6:10, 6:15, 6:19, 6:21, 6:25, 7:9, 7:11, 8:9, 8:10, 8:12, 8:14, 9:6 connector - 8:5, 8:7 consistent - 8:17, 8:23 contributions - 7:24 convert - 14:13 correct - 8:22, 10:5, 10:12, 10:21, 11:8, 11:12, 14:3 Correct - 15:16 corrected - 10:23 correction - 10:15 corresponding - 10:15 cost - 11:11, 11:23, 13:11, 13:22 costs - 11:22 counsel - 4:6, 17:16 County - 1:1, 6:1 course - 5:7 Court - 17:3 court - 5:9, 5:19 current - 10:11	due - 10:19 during - 5:7, 7:25
#50221246 - 17:22				
\$	\$5,762.00 - 8:13 \$5,784.00 - 8:15			
0	07457 - 1:20 08753 - 1:24			
1	101.5 - 13:20 16 - 2:9, 2:11, 2:13, 2:14, 2:15, 2:16, 2:17, 13:6			
2	2 - 12:10 20 - 1:3, 4:18 2024 - 8:11, 14:11 2025 - 1:3, 2:14, 3:11, 4:25, 5:4, 5:15, 7:6, 7:9, 7:11, 7:16, 8:9, 8:13, 9:5, 12:6, 13:4, 14:20 2029 - 17:22 21st - 9:5, 12:6, 13:4, 14:20 23 - 1:19 24 - 17:22 26th - 4:25, 5:4 295-1975 - 1:24			
3	3 - 2:9, 2:11, 2:13, 2:14, 2:15, 2:16, 2:17, 10:6 30 - 14:13 32-25 - 2:17, 3:18, 15:5, 15:21, 15:23			
4	4 - 11:3, 11:13 40:14b-21 - 6:16			
5	5 - 2:4 51 - 1:19			
7	732 - 1:24 7:05 - 1:3 7:20 - 16:25			
8	884 - 1:23			
9	98.5 - 13:20			
A	A-1 - 2:9, 3:1, 4:16, 16:23 A-2 - 2:10, 3:4, 4:22 A-3 - 2:12, 3:7, 5:1 A-4 - 2:14, 3:10, 7:5			
B	based - 6:18, 7:12, 8:8, 13:13 basis - 10:22, 14:14, 14:15 bears - 13:10 belief - 8:16, 13:14 bench - 14:4 benefit - 4:4, 7:14, 15:6 between - 13:20 billed - 14:14, 14:15 bills - 9:4 Board - 14:24, 15:18 Borough - 14:13 Bozza - 1:16, 4:17, 16:8, 16:10, 16:12, 16:14, 16:16, 16:18 Bpu - 14:9 Bpu's - 14:11 Breezy - 1:23 budget - 7:21, 7:23, 8:3 Buehrer - 1:23 bulk - 14:14 business - 11:21 Business - 3:20, 3:21			
C	calculated - 7:18 Calculation - 2:14, 3:11, 7:6 calculation - 5:14, 7:8, 7:17, 8:4, 8:8, 8:17, 8:23 capacities - 6:7 capital - 7:22 case - 7:25 certain - 11:11 Certification - 2:9, 3:2, 4:16 Certify - 17:10, 17:15 certify - 17:6 Chairman - 1:8, 3:19, 4:4, 5:5, 14:22, 15:11, 15:13, 15:16, 15:21, 16:4, 16:20 change - 10:20 Changes - 11:2 changes - 11:6, 11:12, 14:6 charge - 10:8, 10:9, 10:13, 10:17, 10:20 charges - 3:24, 3:25, 9:11, 10:11, 10:14, 10:15, 10:23, 11:4, 11:22 Charges - 1:6, 15:25 Charles - 1:13, 2:3, 5:13, 17:7 Chief - 1:13, 5:13, 6:4 Christina - 17:3 circulation - 4:21 clarify - 11:9, 11:13 Clarke - 1:10, 16:8, 16:9 clear - 13:10			
D	Daily - 2:11, 3:5, 4:23 date - 9:1, 9:5, 13:2, 17:13 Date - 1:3 David - 1:19, 4:5 days - 4:18 debt - 7:20, 7:22 defined - 13:24 definition - 13:18 deleted - 10:10 deletion - 10:19 describe - 7:15 Description - 2:8 determination - 14:1 Direct - 5:22 Director - 9:18 Director/asst - 1:15 discussing - 14:17 discussions - 16:5 dispute - 13:11 divided - 8:1 document - 7:4, 7:7 documents - 10:3 domestic - 12:20 drafting - 9:16 Drew - 1:14 Drive - 1:23			
E	effect - 12:4, 12:6, 12:24, 14:18, 14:20 effective - 9:1, 9:4, 9:5, 12:25 either - 14:24 employed - 5:24, 5:25 employee - 17:16 end - 6:22, 7:20, 7:23, 8:3 engineering - 9:19 Engineering - 12:15 entitled - 7:5 equivalent - 8:2, 8:12, 8:14 Esq - 1:19 evening - 4:5, 4:12, 4:15, 5:10, 5:17, 7:15, 8:13, 9:3, 9:13, 12:5, 14:16, 14:19 evening's - 5:8, 14:23, 15:8 examination - 17:7 Examination - 2:2, 5:22 Exec - 1:15 Executive - 9:18 exhibit - 7:10, 15:7 Exhibit - 2:8, 3:1, 3:4, 3:7, 3:10, 3:13, 3:15, 3:17, 4:16, 4:22, 5:1, 7:5, 10:7, 12:9, 15:7 exhibits - 4:13, 5:6, 5:7 Exhibits - 9:21, 16:23 expenditures - 7:22 expres - 17:22 explain - 13:7			
F	fair - 9:7, 11:25 fall - 11:20 familiar - 6:9, 6:13, 12:12 favor - 15:17, 15:19 February - 4:25, 5:4 Fee - 1:6, 2:14, 2:16, 3:11, 3:15, 7:6, 9:23, 10:2, 11:25, 12:3, 15:25 fee - 3:25, 4:7, 5:15, 6:10, 6:15, 6:19, 6:22, 7:1, 7:9, 7:11, 7:18, 8:9, 8:10, 8:12, 8:14, 9:2, 9:3, 9:6, 10:6 fees - 11:3 final - 15:7 Finance - 12:16 Financial - 1:13, 5:13, 6:5 financially - 17:18 fire - 10:9, 12:20 first - 3:20, 11:14 fiscal - 6:23 Florham - 14:12 flow - 13:21 followed - 7:16 following - 15:4 foregoing - 17:10 formula - 6:14, 7:12, 8:19 forth - 6:15, 8:19,			

12:8, 17:14 four - 10:16, 10:18 funded - 7:22	lines - 10:9, 10:16, 10:19, 10:20 lists - 14:9 Loughman- 1:9, 16:14, 16:15	Oaks - 1:23 oath - 5:20 oaths - 17:5 objection - 5:6, 5:11 obtained - 14:9 Officer- 5:13, 6:5 Officer/treasurer - 1:13 often - 6:19 operations - 9:19 Operations- 13:6 opinion - 9:7 order - 12:16 outside - 11:20 own - 12:20, 12:21 owner's - 13:13 owners - 11:14, 11:19, 13:21	quarterly - 10:8 questions - 14:25, 15:1, 15:2, 16:5, 16:6	9:13, 9:15, 11:9, 11:25, 12:4, 12:7, 14:17 River- 1:24 Riverdale- 1:20 roll - 16:6 Rotando- 1:9, 15:12, 16:16, 16:17 Route- 1:19 Ruitenberg- 1:19, 2:4, 4:2, 4:3, 4:5, 5:22, 14:22, 15:14, 15:17, 15:20, 16:22 Rules- 2:15, 3:13, 3:22, 9:23, 10:1, 12:8, 14:7	
G	M	P	R	S	
general - 4:20 gifts - 7:24	Maggio - 1:13, 2:3, 5:13, 5:18, 5:23, 14:21, 14:25, 17:7 malfunctioning - 13:23 manner - 7:19 March - 1:3, 9:5, 12:6, 13:3, 14:20 marked - 3:16, 3:18, 4:13, 7:5, 9:21, 15:6 Matter - 1:4 Matthew - 1:9 Max - 1:8 measuring - 13:14 meeting - 4:1, 4:19, 15:4 Member - 1:9, 1:10 members - 9:18, 14:23, 14:24 Members - 4:4 meter - 11:3, 12:22, 13:12, 13:14, 13:19, 13:22, 13:23, 14:2, 14:4 Meter - 13:6 meter's - 14:3 metered - 9:11 meters - 11:11, 11:15, 11:17, 11:19 methodology - 7:16, 8:17, 8:23 miscellaneous - 3:24, 5:16, 9:11 Miscellaneous - 1:6, 15:25 Morris - 1:1, 5:25 motion - 15:3, 15:5, 15:9, 15:14, 15:19, 16:1 Move - 3:19 moved - 15:11, 15:12, 16:2, 16:23 Municipal - 1:1, 6:1	paid - 9:4 paragraph - 12:9 Park - 14:12 part - 14:8 parties - 17:17 Patricia - 1:8 pay - 13:22 per - 8:12, 8:14 percent - 13:21 physical - 11:10 place - 17:13 Pm - 1:3, 16:25 portion - 15:4 position - 6:2 practice - 12:17 preceding - 7:21, 7:23, 7:25, 8:3 preferred - 12:16 Premarked - 2:8 premarked - 3:2, 3:5, 3:8, 3:11, 3:14 preparation - 6:24 prescribed - 7:19 Present - 1:12 present - 8:10 proceedings - 16:24 properties - 14:13 property - 11:14, 11:18, 13:13, 13:21 proposed - 4:11, 5:16, 7:9, 9:6, 9:13, 9:15, 9:23, 10:1, 10:2, 10:6, 10:23, 11:2, 11:5, 11:13, 11:24, 12:3, 12:7, 12:10, 12:12, 12:18, 13:6, 13:9, 13:17, 14:6 provide - 5:14 provided - 10:25 provisions - 4:11 Provisions - 1:5, 15:24 public - 3:21, 4:9, 14:25, 15:3, 15:10, 15:15 Public - 1:2, 1:4, 17:21 publication - 4:24, 5:3 Publication - 2:10, 2:12, 3:5, 3:8 published - 4:20, 4:24, 5:3 purchase - 11:16 pursuant - 17:5	re- 1:5 reasonable - 9:7, 12:1 recalculated - 6:19, 6:22, 6:25 recalculating - 6:15 recalculation - 7:11 received - 13:1, 13:3 recomputed - 8:9 Record- 2:11, 3:5, 4:23 record - 4:4, 7:14 refer - 9:24 referred - 5:7 referring - 4:14 reflect - 7:10, 14:11 regarding - 13:11 registering - 13:20 Regulations- 2:15, 3:14, 3:22, 9:23, 10:2, 12:8, 14:7 related - 9:11, 9:23 relative - 17:16 remaining - 5:6 removed - 14:2, 14:5 rendered - 9:4 replaced - 13:12, 14:2 replacement - 13:22 Reporter- 17:3 reporter - 5:9, 5:19 request - 13:13, 14:12 requested - 12:15, 13:22 required - 4:8, 11:16 requirements - 6:14, 7:2, 8:18, 9:8, 9:12 requires - 4:19, 6:21, 12:18, 13:21 requiring - 11:19 Resolution- 2:17, 3:17, 15:5, 15:21, 15:23 resolution - 16:20 respect - 9:10, 9:15, 12:7, 13:5, 15:22 respectively - 9:21 responsibility - 11:10 responsible - 11:21 Restuccia- 17:3 result - 8:4, 10:14 retail - 14:15 revise - 3:21 revised - 10:3 Revised- 15:23 revision - 10:6, 12:13, 12:24, 13:5, 13:17 revisions - 5:16,	R.s.41:2-2- 17:5 raise - 5:18 Ralph- 1:9 ranging - 10:16 Rate- 1:6, 15:24 rate - 3:24, 6:11, 9:11 Re- 1:5 reasonable - 9:7, 12:1 recalculated - 6:19, 6:22, 6:25 recalculating - 6:15 recalculation - 7:11 received - 13:1, 13:3 recomputed - 8:9 Record- 2:11, 3:5, 4:23 record - 4:4, 7:14 refer - 9:24 referred - 5:7 referring - 4:14 reflect - 7:10, 14:11 regarding - 13:11 registering - 13:20 Regulations- 2:15, 3:14, 3:22, 9:23, 10:2, 12:8, 14:7 related - 9:11, 9:23 relative - 17:16 remaining - 5:6 removed - 14:2, 14:5 rendered - 9:4 replaced - 13:12, 14:2 replacement - 13:22 Reporter- 17:3 reporter - 5:9, 5:19 request - 13:13, 14:12 requested - 12:15, 13:22 required - 4:8, 11:16 requirements - 6:14, 7:2, 8:18, 9:8, 9:12 requires - 4:19, 6:21, 12:18, 13:21 requiring - 11:19 Resolution- 2:17, 3:17, 15:5, 15:21, 15:23 resolution - 16:20 respect - 9:10, 9:15, 12:7, 13:5, 15:22 respectively - 9:21 responsibility - 11:10 responsible - 11:21 Restuccia- 17:3 result - 8:4, 10:14 retail - 14:15 revise - 3:21 revised - 10:3 Revised- 15:23 revision - 10:6, 12:13, 12:24, 13:5, 13:17 revisions - 5:16,	Saskowitz - 1:14 Schedule - 2:16, 3:16, 9:24, 10:2, 10:6, 11:2, 11:13, 11:25, 12:4 schedule - 3:23, 10:7, 10:11, 10:14, 11:3 schedules - 6:11 second - 11:18 Second - 15:13, 16:3 Secretary - 1:9, 1:16 Section - 12:10, 13:6 section - 12:14, 12:18, 14:10 see - 12:9 seek - 11:13 seeking - 11:14 serve - 4:9 served - 4:18, 6:6, 12:20, 14:13 Service - 2:9, 3:2, 4:17 service - 3:23, 3:24, 7:20, 7:22, 8:2, 8:6, 8:12, 8:14, 10:15, 12:11, 12:17, 12:21, 13:1 serviced - 8:2 services - 10:25 set - 6:15, 8:19, 12:8, 17:13 several - 4:10, 4:13 sheet - 7:8 show - 7:4, 9:20 situations - 11:11 size - 10:16, 11:19 Smcmua - 1:20 sought - 9:12 South- 1:19 Southeast- 1:1, 5:25 specifically - 8:19 Specifically - 12:17 Star- 2:13, 3:8, 5:2 State - 17:4, 17:21 states - 13:19 statute - 4:8, 4:19, 6:20, 6:21, 7:19, 8:18, 8:20 statutory - 6:14, 7:2, 7:12 stenographically - 17:12 subdivided - 12:19 subsections - 13:7, 13:9 subtract - 7:24 sum - 7:19, 7:24,
H	N	O			
hand - 5:19 Hearing - 1:2, 1:4, 16:6 hearing - 3:21, 4:8, 4:10, 4:14, 4:18, 4:24, 5:3, 5:8, 15:3, 15:8, 15:15 hereby - 17:5 herein - 17:13 hours - 11:21 Huber - 1:8, 3:19, 15:11, 15:13, 15:16, 15:22, 16:4, 16:10, 16:11, 16:20	Nathan - 1:10 need - 9:14 New - 1:20, 1:24, 17:4, 17:21 new - 8:5, 9:2, 9:3, 9:6, 10:4, 12:9, 12:14, 13:7 newspapers - 4:20 nine - 6:8 Njsa - 6:16 non - 3:24, 9:10 Non - 1:5, 15:24 non-water - 3:24, 9:10 Non-water - 1:5, 15:24 none - 8:1 normal - 11:21 Notary - 17:21 nothing - 17:9 notice - 4:17, 4:20, 4:23, 5:2 number - 8:2, 8:6	lines - 10:9, 10:16, 10:19, 10:20 lists - 14:9 Loughman- 1:9, 16:14, 16:15			
I					
Ident./ev - 2:8 identification - 3:3, 3:6, 3:9, 3:12, 3:14, 3:16, 3:18 Identify - 7:7 immediately - 7:21 inaccurately - 13:14 inadvertent - 10:19 inadvertently - 10:10, 10:18 inch - 10:9, 10:19, 10:20 inches - 10:16, 11:15 included - 6:10, 9:12 incorrect - 10:17 incurred - 11:22 independently - 11:16 individual - 12:19 install - 11:15 installation - 11:4, 11:10, 11:17, 11:19 instead - 14:14 intended - 11:9, 13:8, 13:10 interested - 17:18 involved - 9:15, 9:17 item - 3:20					
J					
Jersey- 1:20, 1:24, 17:4, 17:21 Jh- 1:23					
K					
Kiracofe- 1:10, 16:3, 16:12, 16:13					
L					
large - 11:15 last - 10:10 law - 9:8 least - 4:18 leave - 15:20 Ledger- 2:13, 3:8, 5:2					

8:1 sworn - 17:7 Sworn - 5:21
T
tariff - 3:23, 4:10, 5:16, 9:12, 9:25, 10:4 Tariff- 1:5, 14:8, 14:17, 15:23 team - 9:19 teams - 12:16 ten - 10:16, 10:19 ten-inch - 10:19 testify - 17:8 testimony - 5:14, 14:23, 17:11 testing - 14:4 three - 10:9, 10:20 three-inch - 10:9, 10:20 timely - 4:23, 5:2 today's - 9:5 together - 9:24 tomorrow - 12:6, 14:20 Toms - 1:24 total - 7:20, 8:1, 8:2 transcript - 5:9, 15:6, 17:11 Treasurer- 1:15, 5:12, 6:4 true - 17:11 truth - 17:8, 17:9 turn - 4:1 two - 4:20, 11:13, 11:15
U
under - 3:20, 6:20 unit - 8:12, 8:14 units - 8:2, 8:6 unless - 5:5 up - 8:11 update - 10:11, 14:8 updated - 14:10 usage - 13:15 Utilities - 1:1, 6:1
V
voted - 15:18
W
Water- 13:18 water - 1:5, 3:22, 3:23, 3:24, 9:10, 12:11, 12:17, 12:20, 13:1, 13:15, 15:24 Webster- 1:8, 16:2, 16:18, 16:19 whole - 17:8 Witness - 2:2 witness - 17:7 Works - 13:18
Y
year - 6:23, 7:21, 7:23, 7:25, 8:4 year's - 6:24 years - 6:8, 8:24



19 Saddle Road
Cedar Knolls, NJ 07927
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(973) 326-6864
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Resolution No. 31-25

RESOLUTION AUTHORIZING PAYMENT OF MARCH 2025 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	\$	429,784.14
Total Operating Fund Checks and Wire Transfers	\$	718,396.25

CAPITAL FUND

Total Capital Fund Expenditures	\$	<u>692,806.46</u>
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TOTAL OF MARCH 2025 LIST OF BILLS	\$	1,840,986.85
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* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available (\$1,840,986.46) for payment of the resolution entitled Resolution Authorizing Payment of March 2025 List of Bills in SMCMUA's 2025 Budget.



CHARLES MAGGIO, Treasurer

Dated: March 20, 2025



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Resolution No. 32-25

RESOLUTION APPROVING REVISED TARIFF PROVISIONS AND
ADJUSTMENT OF NON-WATER RATE MISCELLANEOUS CHARGES AND CONNECTION FEE

WHEREAS, the Authority wishes to revise its Rules and Regulations for Water Service (Tariff); and

WHEREAS, additionally, pursuant to N.J.S.A. 40:14B-23, the Authority proposes to revise its schedule of service charges for non-water rate miscellaneous charges included in its Tariff; and

WHEREAS, furthermore, 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 proposed revised Tariff, as set forth in Exhibit "A", is annexed hereto and made part hereof; and

WHEREAS, the Authority published notice of the proposed adjusted non-water rate miscellaneous charges and connection fee in The Daily Record and Star-Ledger on February 26, 2025; and

WHEREAS, notice of the proposed adjusted non-water rate miscellaneous charges and connection fee was served upon each municipality serviced by SMCMUA within the time permitted by law; and

WHEREAS, a public hearing on the proposed adjustments was held on this day, March 20, 2025, as required by law; and

WHEREAS, the proposed adjusted non-water rate miscellaneous charges and connection fee comply with the provisions of N.J.S.A. 40:14B-21 and 40:14B-23.

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

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

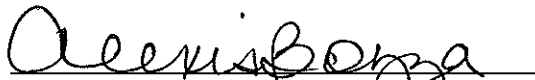
Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

1. The Authority's revised Rules and Regulations for Water (Tariff), and the adjustments to the non-water rate miscellaneous charges and connection fee, as set forth in Exhibit "A" annexed hereto, be and are hereby effective as of the date hereof; and
2. The appropriate officers and staff of the Authority are hereby authorized and directed to incorporate the amendments hereby approved in the official Rules and Regulations for Water Service of the Authority.

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

TARIFF – PART 1 OF 2

RULES AND REGULATIONS FOR WATER SERVICE

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APPLICABLE WITHIN THE DISTRICT AND IN ALL TERRITORY SUPPLIED BY SMCMUA.

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TERRITORY SERVED

District

Town of Morristown	County of Morris
Township of Morris	County of Morris
Township of Hanover	County of Morris
Borough of Morris Plains	County of Morris

Other Territories Partially Supplied by SMCMUA

Township of Harding	County of Morris
Township of Mendham	County of Morris
Township of Randolph	County of Morris
Borough of Florham Park	County of Morris
Township of Chatham	County of Morris
Township of Parsippany-Troy Hills	County of Morris
Borough of Madison	County of Morris
Borough of Wharton	County of Morris

REVISED: March 20, 2025

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

TABLE OF CONTENTS

Section 1.	Definitions	1
Section 2.	Applications for Service Within the District.....	4
Section 3.	Water Main Extensions Within the District	5
Section 4.	Applications for Service Outside the District	6
Section 5.	Service Lines – SMCMUA Side	8
Section 6.	Service Lines – Private Side.....	9
Section 7.	Property Owner's Premises	10
Section 8.	Private Fire Protection Service – Fire Lines and/or Hydrants.....	10
Section 9.	Public Fire Protection.....	10
Section 10.	Public Use of Fire Hydrants.....	11
Section 11.	Lawn Sprinkler and Irrigation Systems	11
Section 12.	Multi-Use Service	11
Section 13.	Appeal Process	11
Section 14.	Meters.....	12
Section 15.	Meter Location and Housing	13
Section 16.	Meter Operation.....	14
Section 17.	Automatic Meter Reading (AMR)	15
Section 18.	Bills	15
Section 19.	Discontinuance of Service	17
Section 20.	Restoration of Discontinued Service	18
Section 21.	Bill Disputes.....	19
Section 22.	General Rules	20
Section 23.	Penalties for Violations	22
Section 24.	Connection Fees.....	23
Section 25.	Connection Fee Credits.....	24

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

Section 1. Definitions

- A. Unless stated otherwise herein, words or phrases that have a well-known technical or construction industry or trade meaning are used in this Document in accordance with such recognized meaning.
1. SMCMUA shall mean The Southeast Morris County Municipal Utilities Authority.
 2. AUTOMATIC METER READING (AMR) shall mean the reading of meters electronically. AMR shall also refer to all equipment and devices necessary to remotely read meters.
 3. CONNECTED TO or CONNECTION means any connection of a Premises or any existing or proposed building, facility or other structure thereon to the water system of SMCMUA, including any addition or physical or operational change which increases the number of service units and/or projected water usage of the Premises and for which a building permit or other municipal approval is required.
 4. CONNECTION FEE, as used in these Rules and Regulations is a charge imposed upon the owner of property or Premises to be connected to SMCMUA's water system representing a fair payment toward the cost of the water system and calculated pursuant to N.J.S.A. 40:14B-21. The Connection Fee is in addition to the actual cost of the physical connection or "tapping fee" imposed pursuant to these Rules and Regulations.
 5. CREATING MUNICIPALITIES refers to SMCMUA's four creating municipalities, i.e., the Town of Morristown, Township of Hanover, Township of Morris and Borough of Morris Plains.
 6. CURB STOP/CURB VALVE is the valve located behind the curb or edge or pavement but in the right-of-way that may be used to turn the water on and/or off. On services two inches (2") in diameter or smaller, this is commonly known as the curb stop. On services greater than two inches (2"), this will be called a curb valve. The curb stop/curb valve may be installed by SMCMUA or the Property Owner but is owned, operated, and maintained by SMCMUA. The curb stop/curb valve is the demarcation between the SMCMUA "side" and private "side" of services unless a single-family meter pit is installed in which case the meter pit is the demarcation between the SMCMUA "side" and private "side" of services.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

7. DISCONNECTED PROPERTY, per N.J.S.A. 40:14B-22.5.e, means a property that has been physically disconnected from the water system or a property not physically disconnected but to which service has been discontinued without payments being made. A "disconnected property" shall not include a property that has been temporarily disconnected from the water system or to which service has been discontinued without payments being made for less than 12 consecutive months and is being reconnected as it existed, prior to the temporary disconnection or discontinuance of service.
8. DISCONTINUATION OF SERVICE is stopping of service for any reason as permitted by these rules and regulations.
9. DISTRIBUTION MAIN is a pipe which delivers water to the service lines attached thereto.
10. DISTRICT means the territory consisting of the combined areas of the Town of Morristown, Township of Hanover, Township of Morris, and Borough of Morris Plains.
11. EXECUTIVE DIRECTOR means the Executive Director of SMCMUA.
12. FACILITIES CHARGE is as defined in the SMCMUA Fee Schedules.
13. MASTER METER is a single meter serving more than one Service Unit.
14. METER HOUSING is a meter pit, vault or hot box used to protect a meter that is not located indoors. The type of housing required is based upon the design conditions. All types of meter housing are located on the premise side of the curb stop/curb valve. Maintenance of small diameter PVC meter pits for single family residential services shall be the responsibility of SMCMUA. Maintenance of Meter Housing for all other types of service shall be the responsibility of the Property Owner. Purchasing and installation of the meter housing shall be as required by capital improvement or development project standards.
15. MULTI-USE SERVICE is one water service that is tapped to the Distribution Main. This single tap provides both fire and domestic water supply. A service is considered a Multi-Use Service if there is only one tap to the main regardless of whether, or where, the service splits after the single tap.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

16. PREMISES means any building, structure or combination of buildings or structures on one or more contiguous parcel(s) of land owned, leased or occupied by a Property Owner to which Water Service is provided. Without limiting the generality or inclusiveness of the foregoing, the term PREMISES includes any home, apartment building, commercial, industrial or office complex, or cooperative apartment, condominium, townhouse or similar development.
17. PRIVATE FIRE HYDRANTS are hydrants on private property owned and maintained by the Property Owner.
18. PROPERTY OWNER is the owner of the property as shown on the municipal tax rolls and may include but not be limited to an individual, a homeowner's association, a property management company or any entity ultimately responsible for the payment of fees, charges, fines, etc. for the property.
19. RULES AND REGULATIONS refers to these "Rules and Regulations for Water Service" as the same may be amended or revised from time to time. Also referred to as the "Tariff".
20. SERVICE CHARGE (per the Service Contract between SMCMUA and its Creating Municipalities dated January 20, 1977) means rents, rates, fees or other charges for direct or indirect connection with, or the use or services of, the water system which the SMCMUA is authorized to charge and collect with regard to persons or real property.
21. SERVICE CONTRACT refers to the agreement between SMCMUA and its Creating Municipalities, dated January 20, 1977, unless otherwise specifically noted.
22. SERVICE LINE is a fire, irrigation or domestic water supply line, leading from SMCMUA's Distribution Main to the customer's premise. The service line is split into two parts; SMCMUA owned side (SMCMUA side) and the Property Owner owned side (private side). SMCMUA owns, maintains and controls the portion leading from the Distribution Main to the Curb Stop/Curb Valve (or to a single-family meter pit, if any) (i.e., SMCMUA side). The Property Owner owns that part of the Service Line that extends from the Curb Stop/Curb Valve (or single-family meter pit) to the point of termination on the property (i.e., private side). The SMCMUA side of the service line may be installed by SMCMUA or the Property Owner based upon the design conditions at the sole discretion of SMCMUA. The private side of the service line is installed and maintained by the Property Owner.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- 23. SERVICE UNIT has the same meaning as Premises and, therefore, the terms may be used interchangeably.
- 24. TAPPING FEE means the actual cost of physical connection to the water system and is in addition to the Connection Fee.
- 25. TRANSMISSION MAIN is a pipeline greater than 12-inches in diameter which delivers water from the various pumping stations and distribution reservoirs to the Distribution Mains. A connection to a Transmission Main can only be granted at the sole discretion of SMCMUA.
- 26. WATER MAIN EXTENSION is an addition to the existing system of Transmission and Distribution Mains. Water Main Extensions shall be constructed by the Property Owner. Ownership and maintenance responsibility for a Water Main Extension after the construction is complete is outlined in a Water Main Extension Agreement.
- 27. WILL SERVE LETTER is a letter that ONLY notifies the applicant for a development that SMCMUA can provide water service to the Premises based upon water quantity demand calculations provided by the applicant. A Will Serve Letter is not a guarantee that the hydraulic demands of the project can be met by SMCMUA.

Section 2. Applications for Service Within the District

- A. Application for Water Service shall be made by the Property Owner, lessee or duly authorized agent at the General Offices of SMCMUA located at 19 Saddle Road, Cedar Knolls, New Jersey.
- B. An application for Water Service shall be made on the forms provided by SMCMUA.
- C. Each individual lot must have its own fire and/or domestic water service and there shall only be one fire and/or domestic water service per lot. One meter shall be required/permitted per service. In the case of previously metered lots to be subdivided, a new fire and/or domestic water service and associated meter(s) shall be constructed on the subdivided lot(s).
- D. The person applying for service must be the Property Owner and the Property Owner must sign for service. Unpaid service charges are liens against the real property for which the Property Owner is responsible. SMCMUA will enforce such liens until the unpaid service charges and all interest accrued thereon are paid in full.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- E. SMCMUA may reject applications for Water Service where such service is not available, or cannot practicably or feasibly be provided, or where such service might affect the supply to existing SMCMUA customers; or for failure of the applicant to agree to comply with any of SMCMUA's Rules and Regulations, or for other good cause.
- F. Applications for Water Service are not transferable. Each new Property Owner of the Premises to be supplied is required to make a new application.
- G. A Property Owner shall not allow the use of water by others through the meter located in the Property Owner's Premises, except at such Premises; nor shall water be used at any Premises not designated in the application, except as specifically authorized by SMCMUA in writing.
- H. If an application is made for the supply of water for building construction purposes, SMCMUA shall have the option of providing metered or unmetered service as indicated in the temporary construction water applications.
- I. The applicant will make the application for any street or highway opening permits for installing service lines and no service will be furnished until such permits are provided and delivered to SMCMUA. In the case of state highways, SMCMUA shall assist the applicant with the road opening permit as required by the New Jersey Department of Transportation (NJDOT) permit application process.
- J. If a fee or charge is made by a municipality or other governmental agency controlling the street or highway for permits or escrow, the charge shall be paid by the Property Owner.
- K. Applications for extension of Distribution Mains within the District and outside the District shall be made as outlined in the applicable sections of these regulations.
- L. No service will be provided to any applicant for Water Service until all fees and bills due from the applicant to SMCMUA for past services furnished at any present or previous locations have been paid.

Section 3. Water Main Extensions Within the District

- A. Applications for Water Main Extensions within the District shall be made at the General Offices of SMCMUA located at 19 Saddle Road, Cedar Knolls, New Jersey.
- B. SMCMUA will review all developments requiring a Water Main Extension to determine future ownership and maintenance responsibility for the new main.
- C. Water Main Extensions may only be installed pursuant to agreements promulgated by SMCMUA.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- D. SMCMUA shall have the right to connect additional Property Owners to an extension of which SMCMUA has taken ownership.
- E. In addition to any Connection Fee to be paid to SMCMUA pursuant to N.J.S.A. 40:18B-21(b), Property Owners shall be required to install and/or pay for the cost of extending water mains and appurtenant facilities and other improvements as permitted by law ("Off-Site Facilities") to or for their Premises regardless of whether any benefit accrues to SMCMUA as a result of such installation.
- F. Property Owners may be required to reimburse SMCMUA for professional and legal services related to design and construction of any Water Main Extension. This reimbursement may include the cost for SMCMUA personnel's time and/or testing or laboratory fees as well as any professional fees incurred by SMCMUA in connection with the application for service. Reimbursement may be in the form of escrow payment or direct billing as determined by SMCMUA's Finance Department.

Section 4. Applications for Service Outside the District (Distribution Mains and Service Lines)

Note: This section is based upon the Service Contract between SMCMUA and its Creating Municipalities dated January 20, 1977. Requirements of this section cannot be modified unless it is determined the modifications are not in conflict with the Service Contract.

- A. No application for the supply and distribution of water, directly or indirectly, to any parcel of real property situated outside the District shall be approved or accepted unless: (i) such parcel was previously supplied with water by SMCMUA; or (ii) a Resolution has been adopted by SMCMUA's Board to approve the out of district supply; (iii) and written consent to such supply has been obtained by SMCMUA from all of its four Creating Municipalities as a predicate to granting such approval.
- B. 'Will Serve' requests for outside the District developments will only be provided pursuant to the process outlined in this section.
- C. For all outside the District water service requests where the property has not been previously served by SMCMUA, the applicant shall submit the Request for Water Service – Out of District Approval (SMCMUA-Form OD) along with the applicable fee.
- D. Applications for outside the District water service where the premises was previously supplied by SMCMUA shall be processed in the same manner as a water service application within the District. (This is based upon Section 204 of the January 20, 1977, Service Contract.) Any change to the existing premise, or increase in demand to the premise, may require Board approval.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- E. Applications for water service where the premises was not previously supplied by SMCMUA, whether there is an existing SMCMUA water main fronting the property or whether there is no existing SMCMUA water main fronting the property (i.e., a Water Main Extension is required), shall require the approval of the SMCMUA Board of Members and consent of SMCMUA's four Creating Municipalities.
- F. If SMCMUA does not seek the consent of its Creating Municipalities for any reason, the applicant shall be so advised. In such event, the application fee shall be forfeited.
- G. If the Board Members make the request for consent to the Creating Municipalities, such request shall be made by SMCMUA to its four Creating Municipalities, as well as to the Morris County Municipal Utilities Authority ("MCMUA") (per its Water Supply Agreement dated September 10, 2002) and to the municipality in which the project is located, when required. The request shall be accompanied by such documentation as SMCMUA may determine to be relevant.
- H. SMCMUA assumes no obligation with respect to or responsibility for any municipal or MCMUA consent decision and shall in no way be responsible for any failure or inability to secure same after making written request therefor.
- I. In the event any further information or documentation of any nature is required or requested in connection with any application, all such requested information or documentation, and all costs associated therewith shall be borne by the applicant, including the actual costs incurred by SMCMUA for professional legal and engineering services. The costs referred to herein shall be in addition to the preliminary application fee to be paid by the applicant.
- J. Outside the District requests to the Board may be reviewed and/or approved based upon Conceptual Site Plans and requested allocation. After SMCMUA Board approval and municipal consent, Final Site Plans must be submitted for complete technical review. Final Site Plans must comply with all technical review comments per the standard SMCMUA design criteria. Board and Creating Municipality approval does not guarantee that SMCMUA technical requirements can be, or have been, achieved.
- K. The obtaining of outside the District approvals shall not in any way excuse the applicant from complying with all applicable SMCMUA regulations or requirements; nor impinge upon SMCMUA's right to determine whether service shall, in any given case, be provided, notwithstanding such approvals.
- L. Upon receipt of consent from the Creating Municipalities, host municipality (when required) and the Morris County Municipal Utilities Authority, applications for outside the District service shall proceed as any other application within the District.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- M. Note, SMCMUA is a municipal utilities authority (MUA) not subject to the New Jersey Board of Public Utilities (BPU) regulations regarding outside the District service. However, the municipality's resolution to accept retail service from SMCMUA must be approved by the BPU per N.J.S.A. 40:14B-20(6).

BPU approval for the Township of Harding has been previously obtained per BPU's Decision and Order Docket No. 823-246 petitioned on March 29, 1982.

BPU approval for the Township of Chatham has been previously obtained per BPU's Decision and Order Docket No. WM04030151 petitioned on June 24, 2004.

BPU approval for the Township of Mendham has been previously obtained per BPU's Decision and Order Docket No. (non-cited) petitioned on November 8, 1985.

BPU approval for the Township of Parsippany-Troy Hills (Parsippany) has been previously obtained per BPU's Decision and Order Docket No. WM20030235 petitioned on May 5, 2020. (Note: Parsippany has both bulk and retail customers).

BPU approval for the Borough of Florham Park has been obtained per BPU's Decision and Order Docket No. WO24060409 effective September 11, 2024.

Section 5. Service Lines – SMCMUA Side

- A. Only employees or other persons authorized by SMCMUA will be permitted to make connections to SMCMUA Distribution Mains unless SMCMUA otherwise provides written authorization.
- B. No Service Line may be installed where any part of the Service Line is laid or to be laid in the same trench with sewer pipe, gas pipe, electric conduit or any other facility, except as permitted by law.
- C. A Curb Stop/Curb Valve shall be installed at or near the curb line in such a manner as to permit the attachment of the Property Owner's Service Line. The valve is the property of SMCMUA and is intended for turning on and shutting off the supply of water in emergencies, for purposes of repair or to effect collections. Only SMCMUA employees or persons duly authorized to do so by SMCMUA are permitted to operate the valve.
- D. Premises shall be supplied by one Service Line for domestic service and one Service Line for fire service, unless otherwise required or approved by SMCMUA.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- E. Where two or more Property Owners share a single Service Line, any violation of SMCMUA rules by either or any of said Property Owners shall be deemed a joint violation. SMCMUA may take such corrective action with respect to the violation as would be taken in the case of a single Property Owner. Such action shall not be taken until the Property Owner that is not in violation has been given reasonable opportunity to construct a separate water service.
- F. Any change requested by the Property Owner in the location or size of the existing service line, if approved by SMCMUA, shall be made at the expense of the Property Owner

Section 6. Service Lines – Private Side

- A. The private Service Line shall be constructed of material permitted by State Code. Any non-metallic Service Lines shall be installed with a tracer wire.
- B. The private Service Line shall be installed by the Property Owner at their expense as per the applicable Plumbing Code. The line shall be installed with the maximum lengths possible between joints, with no sharp turns or bends and no unnecessary couplings. The line shall be installed with the required cover to avoid damage and possible interruption to service caused by freezing.
- C. SMCMUA reserves the right to inspect the installation prior to the backfilling of the trench and to withhold the supply of Water Service whenever such installation or any part thereof is deemed by SMCMUA to be leaking, unsafe, inadequate or unsuitable for receiving service, or to interfere with or impair the continuity or quality of service to the Property Owner or to others.
- D. The Property Owner shall make all changes to or replacements of the private Service Line due to changes in grade, relocation of mains, a determination that the line is made of lead or galvanized material, or any other non-SMCMUA causes, at Property Owner's expense.
- E. Where it is necessary to install a private Service Line on the property of persons other than the Property Owner for service, written authorization from such affected Property Owners, in a form approved by SMCMUA, shall be obtained by the applying Property Owner. Following such authorization, the installation shall be subject to the approval of SMCMUA and in its sole discretion.
- F. If there is a leak in the private Service Line, it is the Property Owner's responsibility to repair the leak. The repair should be performed as soon as possible to minimize lost water and to reduce potential for water supply contamination. Property Owners that fail to make the required repairs may be subject to fines and/or discontinuance of service.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

Section 7. Property Owner's Premises

- A. SMCMUA shall have the right of reasonable access to a Property Owner's premises, at reasonable times, for the purpose of rendering of service, reading meters or inspecting, testing or repairing its facilities used in connection with supplying service, or for the removal or replacement of SMCMUA property.
- B. In case of defective service, the Property Owner shall not interfere with the apparatus or appliances belonging to SMCMUA but shall notify SMCMUA immediately.
- C. All piping within a Property Owner's Premises shall comply with applicable State, Municipal and other regulations in force.
- D. In any Premises where a secondary water source is available, the lines carrying water from the mains of SMCMUA are required to be marked in some distinctive manner by the Property Owner for ready identification.
- E. No device or connection shall be permitted between lines or fixtures carrying water from the mains of SMCMUA and any unapproved water supply unless the system is designed to prevent backflow or backsiphonage and the Property Owner obtains a Physical Connection permit from the Department of Environmental Protection of the State of New Jersey.

Section 8. Private Fire Protection Service – Fire Lines and/or Hydrants

- A. New private fire line and private fire hydrant installations shall be made in accordance with SMCMUA standards.
- B. All private fire lines must be equipped with backflow protection devices and must comply with all other provisions of applicable building codes and regulations.
- C. Private Fire Hydrants shall be used exclusively for fire protection purposes.
- D. SMCMUA may install leak detection devices on private fire hydrants after providing ten (10) days' notice to the Property Owner.
- E. Authorized representatives of SMCMUA shall have the right to inspect all fire protection facilities on a Property Owner's Premises.

Section 9. Public Fire Protection

- A. Upon application of a duly authorized representative of a municipality in the territory supplied, SMCMUA will install fire hydrants for purposes of public fire protection at locations agreed upon by governmental officials of the requesting municipality and SMCMUA representatives.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- B. Such hydrants are owned by SMCMUA and subject to regular inspection and maintenance by SMCMUA.
- C. Hydrants are not to be used for any purpose other than public fire protection, without SMCMUA's prior written permission.

Section 10. Public Use of Fire Hydrants

- A. Where it is necessary to use hydrants for any purpose other than public fire protection, a hydrant use application is required to be completed and submitted to SMCMUA for approval. Any permitted use by SMCMUA may contain restrictions or conditions imposed in the interest of the public health, safety and/or general welfare.

Section 11. Lawn Sprinkler and Irrigation Systems

- A. All irrigation systems shall be tapped downstream of a meter. Unmetered irrigation is subject to fines and/or penalties.
- B. All lawn sprinkler or irrigation systems shall be equipped with a backflow device as required by Plumbing Code.
- C. SMCMUA may restrict the use of irrigation service to certain definite periods or prohibit it entirely. In such event, every endeavor will be made to notify Property Owners in advance by public notice.

Section 12. Multi-Use Service

- A. Property Owners with an existing Multi-Use Service Line shall be required to provide separate domestic and fire Service Lines tapped to the Distribution Main upon redevelopment of the Premises.
- B. If a Property Owner redeveloping a property desires to maintain the existing Multi-Use Service Line, they shall be required to provide documentation that such multi-use service is permitted by the New Jersey Department of Community Affairs, the New Jersey Plumbing Code and the Uniform Fire Code.

Section 13. Appeal Process

- A. Property Owners applying for new water service, as well as existing Property Owners that are modifying their existing water service, are required to meet the design requirements in effect at the time the new service or service modifications are being applied for.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- B. Property Owners seeking relief from SMCMUA design requirements must submit a letter to the Executive Director requesting a waiver of the requirement. Any such request must include the reasons supporting the requested waiver.
- C. In the event the requested waiver is denied by the Executive Director, the Property Owner may request the decision to be reviewed by the SMCMUA Engineering Committee. In the event a Committee review is requested, the Property Owner shall be provided a reasonable opportunity to supply additional materials or information to the Committee in support of its waiver request.
- D. Unless otherwise requested by the Committee, its decision shall be based upon the provided submittals and no appearance by the Property Owner or any representative(s) of the Property Owner will be required or permitted. When decided, the Committee's decision will be promptly provided to the Property Owner within seven (7) calendar days. Unless appealed to the SMCMUA Board of Members within seven (7) calendar days of the Property Owner's receipt of the Committee's decision, such decision shall be treated as final action.
- E. In the event a timely appeal of the Committee's decision is received by the SMCMUA, the waiver request, any supporting materials and the grounds for the prior denials shall be reviewed by the SMCMUA Board of Members at a regular or special meeting of the Board. In the event of such a review, the Property Owner and/or representative(s) of the Property Owner shall be provided an opportunity to appear before the Board in support of the waiver request and to answer any questions the Board may have. When decided, the Board's decision shall be provided to the Property Owner within seven (7) days and, unless specifically stated otherwise, shall be treated as final action by the SMCMUA.

Section 14. Meters

- A. SMCMUA will determine the type and make of all meters to be used, based upon the service desired. All meters are owned and maintained by SMCMUA regardless of the entity that either pays for or paid for the meter, the type of housing in which the meter is located, or the entity that installed the meter.
- B. Only employees or persons authorized by SMCMUA shall remove any meter under any circumstances, including irrigation meters.
- C. The Property Owner shall not permit access to the meter or other facilities or property of SMCMUA except by authorized employees of SMCMUA or other duly authorized persons.
- D. New meters shall be furnished as follows:

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

1. For the initial meter, any size meter shall be paid for by the Property Owner. Meters up to two inches (2") shall be installed by SMCMUA. Meters larger than two inches (2") shall be installed by the Property Owner per SMCMUA requirements.
 2. For an existing account:
 - a) Meters misused or damaged at the Property, the Property Owner shall pay for the meter repair or replacement and SMCMUA installation of the meter regardless of its size. Misuse or damage to a meter includes damage caused by effects of temperature extremes (such as freezing).
 - b) Meters being replaced as part of an SMCMUA meter replacement program shall be provided and installed by SMCMUA, with the exception of meters that are larger than two inches (2") in size and installed prior to 2019 which are subject to a meter replacement fee. Where a meter replacement fee is required, the Property Owner shall be responsible for paying for the cost of the meter. Installation costs shall be borne by SMCMUA.
- E. Tampering with the meter or its connections is prohibited, and fines shall be assessed as per these Rules and Regulations.

Section 15. Meter Location and Housing

- A. The location of the meter shall be subject to inspection and approval by SMCMUA. A valve is to be installed on the inlet and outlet side of the meter.
- B. Meters shall be installed in Meter Housings or inside buildings as determined by SMCMUA. Meters installed indoors shall be located in a clean, dry, safe place not subject to great variations in temperature, at or near the front wall as close as possible to the point of entrance of the private Service Line. The location shall be such as to be easily accessible, with a minimum of inconvenience to the Property Owner, or to SMCMUA, for reading, inspecting, testing, changing and making necessary adjustments or repairs.
- C. Meters shall be on a support which is free from appreciable vibration.
- D. A water pressure reducing valve, if required, shall be installed by the Property Owner in accordance with local Plumbing Codes and regulations.
- E. In all cases where a meter is installed outside of a building, the meter shall be placed in a Meter Housing. This installation is subject to SMCMUA approval. The Meter Housing shall be located in an accessible place away from terraces, fences and other structures and shall be so located that it will not be a hazard.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- F. The Meter Housing shall conform to specifications adopted by SMCMUA. The access shall be kept clear of snow, ice, dirt, vegetation or any other objects which might prevent easy accessibility for reading, inspecting, testing, changing and making necessary adjustments or repairs of the meter.

Section 16. Meter Operation

- A. Upon request, SMCMUA will explain the method of reading meters and computing bills.
- B. Where the meter has ceased to register or where access to the meter cannot be obtained, meter readings may be estimated by a fair and reasonable method based upon the best information available.
- C. If a Property Owner observes an unusual increase over the average quantity of water used, which cannot be accounted for, the Property Owner should inform SMCMUA immediately.
- D. In case a dispute arises as to the accuracy of a meter that is not part of a meter replacement program, SMCMUA will have the meter tested, provided that a meter at the property has not been replaced or tested within the period of one year previous to such request. After testing, if the meter is found to be accurate, the Property Owner will be billed for reimbursement of the meter testing costs. If the meter is found to be inaccurate, SMCMUA will pay for the meter testing costs. Additionally, if the meter is found to be inaccurate, appropriate adjustments may be made. If testing is requested at an interval of less than one year, the Property Owner will be charged for each such test regardless of the test results and may be charged for the new meter.
- E. In addition to item D above, in case a dispute arises as to the accuracy of a meter that is not part of a meter replacement program:
 - 1. If the meter is found to be inaccurate and running in excess of 101.5 percent of actual flow, SMCMUA will not charge the Property Owner for the meter replacement cost.
 - 2. If the meter is found to be accurate or running below 98.5 percent of actual flow, the Property Owner will be billed for the replacement meter cost.
- F. Meter accuracy is defined per American Water Works Association (AWWA). In general, an acceptable meter can register between 98.5 to 101.5 percent of actual flow. SMCMUA contracts an independent testing agency to certify meter accuracy.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

Section 17. Automatic Meter Reading (AMR)

- A. SMCMUA will install AMR equipment for all Property Owners. The cost of installation will be borne by SMCMUA.
- B. All AMR equipment will be the property of SMCMUA and will be maintained by SMCMUA or its authorized agent.
- C. SMCMUA shall determine the location of the AMR equipment installation in all cases.
- D. Property Owners not served by AMR equipment, that are unwilling to have AMR equipment installed at their property, are subject to additional fees and/or service interruption up to and including installation of a Meter Housing by SMCMUA at the cost of the Property Owner.
- E. AMR equipment misused or damaged by the Property Owner, the Property Owner shall pay for the AMR equipment's repair and/or replacement and SMCMUA re-installation of the AMR equipment as required.

Section 18. Bills

- A. All bills will be computed in accordance with the current SMCMUA Fee Schedules for Water Service.
- B. Bills for general metered Water Service will be rendered monthly or quarterly at the discretion of SMCMUA.
- C. Bills will show the meter reading at the beginning and end of the billing period, the reading dates, the number of cubic feet used and the amount of consumption. The bill will also include a Facilities Charge based upon the size of the meter.
- D. Where a bill has been estimated, it will be so noted on the bill. An appropriate adjustment will be made for any difference between actual use and estimated use of water when the actual meter reading is obtained.
- E. A Property Owner's responsibility to pay for Water Service continues from the time service is commenced, pursuant to their application, until SMCMUA receives written notice of a change of ownership or occupancy of the Premises or SMCMUA receives written notice to discontinue the applicable service. Upon receipt of such notice, SMCMUA will arrange for a final meter reading and billing. No allowance will be made in cases of non-occupancy, unless SMCMUA is notified in writing in the manner stated above.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- F. An application for service must identify the property's Block and Lot numbers as listed on the Municipal or County tax roll. The Property Owner of the Block and Lot is responsible for all accounts within the Block and Lot.
- G. If requested in writing by the Property Owner, SMCMUA will send bills to, and will receive payments from, agents or tenants. However, this accommodation will in no way relieve the Property Owner of the responsibility of paying such charges. SMCMUA does not assume any obligation to notify the Property Owner of the non-payment of bills by agents or tenants.
- H. Bills are payable on presentation and may be paid by mail, in person at the offices of SMCMUA or other locations approved by SMCMUA, or by other means authorized and permitted, from time to time, by SMCMUA.
- I. Interest at the rate permitted by law will be imposed upon all balances for Service Charges outstanding thirty (30) days or more until such time as all such Service Charges and the interest thereon shall be fully paid.
- J. At appropriate times, SMCMUA shall deliver to the clerk and/or the officer enforcing municipal liens on real property in each of the municipalities served by SMCMUA, a list stating the amount of each unpaid balance of Service Charges with regard to real property within such municipality and identifying such real property. The municipalities are then required to enforce the lien of such unpaid Service Charges.
- K. In the event a bill for Water Service remains unpaid after routine SMCMUA collection procedures have been applied, Water Service may be discontinued and/or the lien process may be enforced.
- L. Where Water Service is discontinued, service will not be resumed until payment or satisfactory arrangements for payment of all unpaid amounts has been made.
- M. In case of bankruptcy, insolvency, fraud or where it is indicated that the Property Owner is preparing to vacate the Premises served, immediate payment of accounts may be required.
- N. The Property Owner is responsible for all water and Water Service directly or indirectly supplied or furnished to the Premises and shall be bound by all other provisions of these Rules and Regulations. Inadvertent delay or failure of SMCMUA to bill for such service during any one or more billing periods shall not excuse payment for such service and payment shall be made for such service upon receipt of an appropriate bill covering the period of delay or failure to bill. In appropriate situations, for good cause shown, SMCMUA, in its discretion, may permit payment via a SMCMUA approved payment plan.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

Section 19. Discontinuance of Service

A. General

1. Discontinuation of Service may be initiated by either the Property Owner or SMCMUA. The reasons for discontinuation may include but are not limited to:
 - a) removal of the meter and cutting and capping the line for demolition; or
 - b) removal of the meter and shut-off at the curb stop to close an account for demolition; or
 - c) temporary shut-off of the service until the reason for the shut-off is rectified.

B. Discontinuance Initiated by SMCMUA

1. SMCMUA shall, upon reasonable notice when such notice can be reasonably given, have the right to suspend, curtail or discontinue service for the following reasons:
 - a) for the purpose of making permanent or temporary repairs, changes or improvements in any part of its system;
 - b) for compliance in good faith with any governmental order or directive notwithstanding that such order or directive may subsequently be held to be invalid;
 - c) for any of the following acts or omissions on the part of the Property Owner:
 - (i) persistent failure to comply with the standard terms and conditions contained in these SMCMUA Rules and Regulations;
 - (ii) refusal of reasonable access to the Property Owner's Premises for necessary purposes in connection with billing and/or rendering of service, including meter installation, reading or testing, or the maintenance or removal of SMCMUA's property;
 - (iii) non-payment of bill;
 - (iv) tampering with any SMCMUA equipment or facility;

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- (v) misrepresentation in relation to application for, or use of, service;
- (vi) providing Water Service to others without SMCMUA approval;
- (vii) refusal to contract for service where such contract is required;
- (viii) failure to protect against backflow or backsiphonage;
- (ix) failure to make necessary repairs without delay whenever leakage occurs in lines and facilities owned by the Property Owner;
- (x) failure to properly construct and maintain Meter Housings, including clear access to such housing;
- (xi) violation of any State law, or any rule, regulation, order or restriction of any governmental agency, entity, or official having jurisdiction.

C. Discontinuance Initiated by Property Owner

1. A Property Owner wishing to discontinue service for any reason must give notice to that effect in writing. Where such notice is not received by SMCMUA, the Property Owner shall be liable for service until the final reading of the meter is taken. Notice to discontinue service shall not relieve a Property Owner from any minimum payment under any contract or rate schedule.
2. Where SMCMUA agrees to mail bills in care of tenants of a property on behalf of the Property Owner, the Property Owner is not relieved from being ultimately responsible for all fees, penalties, outstanding invoices and liens on the Premises due to unpaid water bills or violations of these Rules and Regulations.

Section 20. Restoration of Discontinued Service

A. Service shall be restored upon:

1. proper application when the conditions under which service was discontinued are corrected;
2. payment of all proper charges provided for SMCMUA's Fee Schedules and Rules and Regulations for Water Service;

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

3. direction of a court, the SMCMUA Members, or a governmental entity having jurisdiction.
- B. Services that have been discontinued may be subject to new rules or standards that are in place at the time the service is to be restored. This condition may apply regardless of whether any site work or improvements are being conducted on the property.
 - C. Restored fire and/or irrigation services are not subject to back fees and facility charges.
 - D. Restored services are subject to back fees and facility charges as follows. Note, these fees are independent of any required improvements to meet the SMCMUA standards in effect at the time of the service application.
 1. If the restored service is subject to Connection Fees, then back fees and Facilities Charges shall not apply.
 2. If the restored service is re-established without being subject to Connection Fees, then back fees and Facilities Charges will be assessed. These fees are based upon the cost the present or future Property Owner would have contributed towards the maintenance of the public system had service to the property not been discontinued.
 3. Unless Connection Fees apply, back fees and Facility Charges apply to all restored services regardless of the reason for the discontinuation or the amount of time the service may have been discontinued. As per N.J.S.A. 2A:14-1.2, the statute of limitations for recovery of a claim upon an account is ten (10) years.

Section 21. Bill Disputes

- A. SMCMUA will not discontinue service because of non-payment in cases where a charge is the subject of a good faith dispute, provided any undisputed charges are paid and a request is made to SMCMUA for an investigation of the disputed charge.
- B. If a Property Owner is unable to pay an outstanding bill, because of specific extenuating circumstances, the Property Owner may contact SMCMUA to apply for a reasonable deferred payment agreement. All such applications shall be subject to SMCMUA review and approval on a case-by-case basis.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- C. A Property Owner who wishes to contest a bill or any portion thereof shall contact SMCMUA's Customer Service Division who shall investigate the matter promptly and thoroughly, advise the Property Owner of the results of the investigation and attempt to resolve the dispute in a manner satisfactory to the Property Owner and SMCMUA.
- D. If the Property Owner and SMCMUA's Customer Service Division are unable to resolve the dispute in a mutually satisfactory manner, the Property Owner may request that the matter be reviewed by the SMCMUA Executive Director
- E. In the event the Property Owner and Executive Director are unable to resolve the matter in a mutually satisfactory manner, the Property Owner may request the Executive Director's decision to be reviewed by the SMCMUA Finance Committee. In the event a Committee review is requested, the Property Owner shall be provided a reasonable opportunity to supply additional materials or information to the Committee in support of its request.
- F. Unless otherwise requested by the Committee, its decision shall be based upon the provided submittals and no appearance by the Property Owner or any representative(s) of the Property Owner will be required or permitted. When decided, the Committee's decision will be promptly provided to the Property Owner within seven (7) calendar days. Unless appealed to the SMCMUA Board of Members within seven (7) calendar days of the Property Owner's receipt of the Committee's decision, such decision shall be treated as final action.
- G. In the event a timely appeal of the Committee's decision is received by the SMCMUA, the Property Owner's request, any supporting materials and the grounds for the prior denials shall be reviewed by the SMCMUA Board of Members at a regular or special meeting of the Board. In the event of such a review, the Property Owner and/or representative(s) of the Property Owner shall be provided an opportunity to appear before the Board in support of the request and to answer any questions the Board may have. When decided, the Board's decision shall be provided to the Property Owner within seven (7) days and, unless specifically stated otherwise, shall be treated as final action by the SMCMUA.

Section 22. General Rules

- A. SMCMUA reserves the right to install services and meters based on the normal requirements for service. SMCMUA does not undertake to provide service for unduly high rates of water demand prevailing only for short periods of time and reserves the right to refuse to install oversized services or meters to serve such temporary demands.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- B. No person, unless authorized by SMCMUA, is permitted to turn the water on or off at any valve, corporation stop and/or other street connection, or tamper with, disconnect or remove, any meter without the SMCMUA consent. Penalties provided by law for any such action will be rigidly enforced.
- C. SMCMUA will endeavor to provide regular and uninterrupted supply of water through its facilities, but in any case in which service is interrupted, irregular, defective or fails because of breakdown or emergency, or from causes outside the control of SMCMUA, SMCMUA will not be liable for damage, injury or inconvenience resulting therefrom.
- D. SMCMUA does not undertake to render any special service or maintain any fixed pressure. In the event of any accident or for other reasons, SMCMUA may shut off the water in its mains and lines and may restrict the use of water whenever the public welfare may require. All Property Owners requiring an uninterrupted supply or a uniform pressure of water for steam boilers, hot water or other apparatus, or greater pressures than supplied at the meter, or for any other purpose, shall provide such improvements as may be needed to obtain such service, subject to SMCMUA's inspection and approval of such improvements.
- E. All newly installed equipment required for such purposes, including pumps for maintaining or increasing pressure beyond the meter, shall be purchased, installed, maintained, repaired and/or replaced by and at the expense of the Property Owner.
- F. SMCMUA does not undertake to supply any uniform quality of water for special purposes, such as manufacturing or processing plants, laboratories, swimming pools, bleaching or dyeing plants or laundries. Property Owners requiring water of special quality, or water always free from discoloration or turbidity, shall provide their own means of filtering the water or such other protection as may be deemed necessary for the purposes required.
- G. Neither by inspection nor non-rejection, nor in any other way, does SMCMUA give any guarantee or assume any responsibility, express or implied, as to the adequacy, safety or characteristics of any structures, equipment, lines, appliances or devices owned, installed or maintained by the Property Owner, or leased by the Property Owner from third parties.
- H. Except as to liability, if any, imposed by law, SMCMUA shall not be responsible for any injury, casualty, or damage resulting from the supply, or use of Water Service, or from the presence or operation of SMCMUA structures, equipment, pipes, appliances or other devices on the Property Owner's Premises.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- I. Except as specifically provided herein, no agent, representative or employee of SMCMUA has authority to modify any provision contained in these Rules or Regulations or to bind SMCMUA by any promise or representation contrary thereto.
- J. Water Service supplied by SMCMUA shall not be resold by a Property Owner, except (a) when expressly authorized by SMCMUA, or (b) by a duly authorized water utility.
- K. These Rules and Regulations are hereby incorporated into and made a part of all agreements for the supply of Water Service unless specifically modified.
- L. SMCMUA reserves the right to terminate, change, revise or supplement these Rules and Regulations, to the extent permitted by law.

Section 23. Penalties for Violations

- A. SMCMUA has a zero-tolerance approach for water theft. When water theft is identified, the local police department will be called. The police department shall issue a report per their procedures and SMCMUA will issue a report, including suspected impacts to the distribution system and the potential risk of contamination to SMCMUA's water supply system. Fines shall be issued as outlined below.
- B. In the event of any violation of these Rules and Regulations of SMCMUA or of any improper or unauthorized use of any portion of the water system by any Property Owner or other person, such Property Owner or other person shall, in the discretion of SMCMUA, be fined for each such violation or improper or unauthorized use. Each action constituting a violation or improper or unauthorized use, as well as each property for which a benefit was intended by the violation or improper or unauthorized use, as well as each day that the violation or improper or unauthorized use exists, shall be counted as separate violations for the purposes of determining the fines to be imposed.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- C. All fines shall be paid within 15 days from the date that the violator is notified in writing of the violations charged and the fine imposed. If water has been turned off, payment in full is due prior to restoration of service. If any person wishes to contest the violation or the fine imposed, the aggrieved person must file with SMCMUA within 15 days of receipt of notification of the violation and fine imposed, a written notice requesting review by the Executive Director. In the event the Property Owner and Executive Director are unable to resolve the matter in a mutually satisfactory manner, then any appeal from that point forward shall proceed to the appropriate committee and then to the Board of members in the manner and sequence set forth for billing disputes under Section 21 of these Rules and Regulations. The fine, if any, imposed by SMCMUA as final action following its review and/or appeal, shall be paid within 15 days after the Property Owner receives written notice of the decision of SMCMUA.
- D. If any fine is not paid as required under these Rules and Regulations, then SMCMUA, in its sole discretion, may terminate all Water Services to the violating Property, person or entity and may terminate all agreements or contract with such person or entity subject to the terms of such agreements or contracts.
- E. The penalties imposed in this section shall be cumulative to the penalties described in other sections of these Rules and Regulations and to whatever other remedies may be available to SMCMUA by law.

Section 24. Connection Fees

- A. Connection Fees are imposed as per N.J.S.A. 40:14B-21(b) and N.J.S.A. 40:14B-22a. The Connection Fee is calculated in accordance with the provisions of N.J.S.A. 40:14B-21 and is recalculated at the end of each fiscal year of SMCMUA as required by law.
- B. Connection fees are imposed as follows:
 - 1. for new construction on vacant lots,
 - 2. where existing buildings have been demolished and new construction is proposed,
 - 3. for renovations where the size of the building is increased,
 - 4. where there are no physical changes to the site, but the demand is being increased (i.e., change from retail/office to restaurant use).
- C. For determining Connection Fees, new units within existing Master Metered developments are considered to be newly connected and subject to Connection Fees and credits, if any.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

- D. Connection Fees must be paid in full before Water Service is provided.
- E. Connection Fees may be waived by the Board Members of SMCMUA in connection with an application by any of its Creating Municipalities for Water Service to a direct public project of a Creating Municipality. Any such waiver shall be subject to approval by the SMCMUA Board Members at a duly constituted meeting upon written request of a Creating Municipality setting forth the nature of the public project and the reasons for the requested waiver.
 - 1. A "direct public project" shall mean a project owned and administered by a Creating Municipality or by a department or division thereof and which is primarily supported by tax revenues or general bond obligations of the municipality. It shall not include projects of independent authorities, agencies or commissions created by the municipality that are supported by service or user charges or revenues other than from taxes or general bond obligation of the Creating Municipality.

Section 25. Connection Fee Credits

- A. Connection Fee credits are to be determined and calculated as provided in N.J.S.A 40:14B-22.3 and 22.5.
- B. For the purposes of complying with N.J.S.A. 40:14B-22.5, SMCMUA will consider that all properties, whether currently connected to, or disconnected from, the system, have previously paid Connection Fees if an existing use and customer account can be verified. Vacant properties do not have an existing use. Properties served by private wells do not have customer accounts.
- C. Connection Fee credits shall be established by calculating the existing water demand based upon N.J.A.C. 5:21-5.2 (Table 5.1), N.J.A.C. 7:10-12.6 (Table 1) and/or N.J.A.C. 7:14A-23.3. In certain instances, specifically where average daily water demand is not established by one of the listed sources, actual metered water usage or other criteria may be used to establish flow volume at SMCMUA's discretion.
- D. The credit shall be calculated as follows:
 - 1. If the reconnection does not increase the nature or size of the service or the number of service units, or does not expand the use of the water system, the credit shall be equal in amount to the new Connection Fee.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
RULES AND REGULATIONS FOR WATER SERVICE

2. If the reconnection increases the nature or size of the service or the number of service units, or expands the use of the water or sewerage system, the credit shall be equal in amount to any Connection Fee previously paid for the property, and SMCMUA shall charge the difference between the credit and the Connection Fee for the new use or class.
- E. Reduced Rate/Credit for Public Housing Authorities, and Non-profit Organizations Building Affordable Housing:
1. Per N.J.S.A. 40:14B-22.3, public housing authorities, non-profit organizations building affordable housing and other affordable housing, including affordable housing in inclusionary projects, shall be allowed a fifty percent (50%) reduction in the Connection Fee for new connections to the water system. Where there is a previous connection to the water system the fee reduction shall be the lesser of the 50% reduction or the credit towards the existing connection fees as described for standard developments. If the public housing authority or non-profit cannot establish that connections fees have been previously paid, the 50% reduction shall be applied.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

TARIFF – PART 2 OF 2

FEE SCHEDULES FOR WATER SERVICE

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APPLICABLE WITHIN THE DISTRICT AND IN ALL TERRITORY SUPPLIED BY SMCMUA.

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TERRITORY SERVED

District

Town of Morristown	County of Morris
Township of Morris	County of Morris
Township of Hanover	County of Morris
Borough of Morris Plains	County of Morris

Other Territories Partially Supplied by SMCMUA

Township of Harding	County of Morris
Township of Mendham	County of Morris
Township of Randolph	County of Morris
Borough of Florham Park	County of Morris
Township of Chatham	County of Morris
Township of Parsippany-Troy Hills	County of Morris
Borough of Madison	County of Morris
Borough of Wharton	County of Morris

REVISED: March 20, 2025

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

TABLE OF CONTENTS

SCHEDULE NO. 1 – CONSUMPTION CHARGE.....	1
SCHEDULE NO. 2 – FACILITIES CHARGE	2
SCHEDULE NO. 3 – PRIVATE FIRE PROTECTION	3
SCHEDULE NO. 4 – METER INSTALLATION.....	4
SCHEDULE NO. 5 – MUNICIPAL NON-METERED SERVICE.....	5
SCHEDULE NO. 6 – WET CUT AND TAPPING FEES	6
SCHEDULE NO. 7 – MISCELLANEOUS SERVICES.....	7
SCHEDULE NO. 8 – SERVICE TO OTHER WATER SUPPLY SYSTEMS (OUTSIDE THE DISTRICT)	8
SCHEDULE NO. 9 – APPLICATION FOR WATER MAIN EXTENSION.....	9
SCHEDULE NO. 10 – UNCOLLECTIBLE CHECK CHARGE	10
SCHEDULE NO. 11 – TEMPORARY WATER FEES.....	11
SCHEDULE NO. 12 – IRRIGATION SERVICE.....	12
SCHEDULE NO. 13 – CONNECTION FEE.....	13
SCHEDULE NO. 14 – HYDRANT FLOW TEST	14
SCHEDULE NO. 15 – THEFT OF SERVICE.....	15
SCHEDULE NO. 16 – OTHER FEES.....	16

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 1
CONSUMPTION CHARGE**

The total of a Property Owner's bill for a billing period includes Consumption Charge (Schedule 1) plus the Facilities Charges (Schedule 2).

CONSUMPTION CHARGE: This charge includes the cost of treating the water and pumping it to the Property Owner.

NOTE: One consumption unit (1 CCF) = 100 cubic feet = 748 gallons

**SINGLE-FAMILY AND TWO-FAMILY (TWO METER OPTION) RESIDENTIAL RATE
(BILLED QUARTERLY)**

	Quantity Used Quarterly (CCF)	RATE (per 100 Cubic Feet)
Conservation Rate	0 - 30	\$5.376
High Usage Rate	31 - 60	\$8.061
Incentive Rate	61 & Over	\$10.750

INDUSTRIAL AND COMMERCIAL RATE ⁽¹⁾

Per 100 Cubic Feet	\$7.392
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⁽¹⁾ Master metered residential complexes, including two-family (single meter option), are considered Industrial and Commercial for the purposes of billing.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 2
FACILITIES CHARGE**

The total of a Property Owner's bill for a billing period includes Consumption Charge (Schedule 1) plus the Facilities Charges (Schedule 2).

FACILITIES CHARGE: This charge covers the cost of water service lines, meter replacement, meter reading, billing costs and other expenses. This does not change with consumption.

QUARTERLY FACILITIES

Meter Size (inches)	Charges
5/8	\$36.94
3/4	\$45.24
1	\$74.15
1 1/2	\$113.57
2	\$159.79
3	\$266.34
4	\$412.42
6	\$773.23
8	\$1,201.77
10	\$1,697.92

MONTHLY FACILITIES

Meter Size (inches)	Charges
5/8	\$12.34
3/4	\$15.08
1	\$43.99
1 1/2	\$57.18
2	\$72.63
3	\$107.95
4	\$156.77
6	\$277.07
8	\$419.92
10	\$585.30

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 3
PRIVATE FIRE PROTECTION**

Applicable to all property owners for private fire protection.

QUARTERLY FIRE LINE SERVICE

Service Size (inches)	Charges
2	\$134.84
3	\$179.07
4	\$267.58
6	\$442.43
8	\$741.61
10	\$1,059.74

PRIVATE FIRE HYDRANT

Applicable to all property owners for private fire hydrants.

Private fire hydrants are those installed by property owners and must be installed pursuant to SMCMUA's requirements.

QUARTERLY PRIVATE FIRE HYDRANT

Hydrant Size	Charge
N/A	\$172.75

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 4
METER INSTALLATION**

Meter installation includes a charge for the cost of the meter and a charge for the labor to install the meter by SMCMUA personnel.

IMPORTANT: This schedule is not applicable to the SMCMUA meter replacement program.***

Meter Size (inches)	Labor Charges	New Meter Fee
5/8	\$73.76	Cost plus Administrative Fee**
3/4	\$73.76	Cost plus Administrative Fee**
1	\$73.76	Cost plus Administrative Fee**
1 1/2	\$120.10	Cost plus Administrative Fee**
2	\$120.10	Cost plus Administrative Fee**
3	*	*
4	*	*
6	*	*
8	*	*
10	*	*

* The Property Owner may be required to purchase meters larger than 2" directly from a meter supplier as directed by SMCMUA. Meters larger than 2" must be installed by the Property Owner.

** See Schedule 16 for Administrative Fee.

***Property Owner is responsible for all charges (at cost) incurred by SMCMUA as a result of work needed to be done outside of normal business hours for the SMCMUA meter replacement program.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 5
MUNICIPAL NON-METERED SERVICE**

This charge is applicable to the entire territory serviced by SMCMUA for municipal entities only.

Use	Charge (per Quarter)
Outdoor Drinking Fountain	\$40.55

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 6
WET CUT AND TAPPING FEES
(ONE TIME CHARGE)**

Tapping fees are the fees charged for making the physical connection to SMCMUA's water main.

TAPPING FEES*

For installation of the tap and all materials from the main to the curb stop, except the service saddle.

Service Size (inches)	Standard Charge for Work Done During Normal Business Hours
3/4	\$1,165.07
1	\$1,685.44
1 1/2	\$1,797.13
2	\$2,580.87

For installation of the tap and corporation stop only.

Service Size (inches)	Standard Charge for Work Done During Normal Business Hours
1 1/2	\$848.63
2	\$876.00

WET CUTS*

Service Size (inches)	Standard Charge for Work Done During Normal Business Hours
3	Not Offered
4	\$901.70
6	\$1,028.13
8	\$1,114.53
10	\$1,422.09

*See Schedule 16 for Additional Surcharge for Work Done Outside Normal Business Hours.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 7
MISCELLANEOUS SERVICES**

TURN-OFF AND TURN-ON REGARDLESS OF REASON*

Standard Charge for Work Done During Normal Business Hours	\$73.75
Additional Surcharge for Work Outside Normal Business Hours	\$42.35

*Minimum charge: One hour. Time over one hour is subject to hourly rates. Charge is per trip.

METER TESTING

Meter Size	Charge
N/A	Actual Cost

OTHER SERVICES

Description	Charges
Pump Out Meter Vault*	\$147.48
Locate and Clear Curb Box and/or Meter Pit*	\$73.75
Annual Backflow/Detector Check	\$147.48
All Other Labor and Materials	Any labor performed and all materials furnished by SMCMUA will be charged to the Property Owner, at cost, unless otherwise provided in these schedules.

*Minimum charge: One hour. Time over one hour is subject to hourly rates.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

SCHEDULE NO. 8
SERVICE TO OTHER WATER SUPPLY SYSTEMS (OUTSIDE THE DISTRICT)

BULK (WHOLESALE) RATE

\$4.33 per 100 Cubic Feet

See Schedule 16 for Outside the District Water Service Application Fee.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

SCHEDULE NO. 9
APPLICATION FOR WATER MAIN EXTENSION

Applicable to cover engineering, inspection, legal, etc., costs incurred relating to application.

These fees are in addition to other fees including Tapping Fees, Connection Fees and Outside the District fees that may be required.

Application fee and deposit are non-refundable.

Additional fees may be required to cover actual costs incurred in connection with the application.

Fee for Application for Board Approval	\$1,028.13
Fee for Design Review and Construction	\$979.69 plus \$7.36 per foot of water main extension

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

SCHEDULE NO. 10
UNCOLLECTIBLE CHECK CHARGE

SMCMUA may charge a handling fee plus any penalties SMCMUA incurred from the bank for handling an uncollectible check in payment of a bill, deposit or any service rendered.

Uncollectible Check Charge	\$63.21
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THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 11
TEMPORARY WATER FEES**

Applies to the entire territory service by SMCMUA for temporary water use including public hydrant use for purposes other than fire protection. All monthly fees are payable in advance.

**PUBLIC HYDRANT USE
(19 SADDLE ROAD HYDRANT)**

Billed based upon a flat fee. Billing is not based upon metered water.

Hydrant at 19 Saddle Road	\$208.57 per month
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**HYDRANT USE
(OTHER THAN 19 SADDLE ROAD HYDRANT)**

Billed based upon a base fee for the meter⁽¹⁾ plus the metered usage.

Public Hydrant Base Fee	\$208.57 per month
Public Hydrant Metered Use Fee	\$10.79 per 100 cubic feet

CONSTRUCTION WATER

Billed based upon base facilities charge and metered⁽¹⁾ usage.

Base facilities charge	\$15.08 per month
Metered Usage	\$10.79 per 100 cubic feet

⁽¹⁾ The temporary construction water meter shall be returned to SMCMUA upon termination of temporary water use. If the meter is damaged, lost or stolen charges shall be incurred for replacement of the meter.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 12
IRRIGATION SERVICE**

The rate for irrigation service is higher than the rate for standard domestic use because irrigation water is not calculated in Connection Fees.

The applicant is responsible for understanding how their domestic and irrigation water usage affects their municipal sanitary sewer bill.

Irrigation Service	\$10.79 per 100 Cubic Feet
Seasonal On/Off; Drain Meter Charge	\$221.23

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 13
CONNECTION FEE**

Any applicant for potable water supplied by SMCMUA shall be required to pay a connection fee pursuant to SMCMUA's Rules and Regulations.

Reduced rates, credits and allowances regarding connection fees, including but not limited to, reduced rates for affordable housing shall be allowed as provided by SMCMUA's Rules and Regulations and as otherwise required by applicable laws as such laws shall be amended or supplemented from time to time.

Equivalent Dwelling Unit	200.078 gallons per day
Connection Fee (per Equivalent Dwelling Unit)	\$5,784.00

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

SCHEDULE NO. 14
HYDRANT FLOW TEST

Applies to hydrant flow tests performed on public hydrants. SMCMUA does not perform flow tests for private hydrants.

Hydrant Flow Test	\$350.00
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THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 15
THEFT OF SERVICE**

Applies to the entire territory service by SMCMUA. Any such fine shall be exclusive of and in addition to any charges that may be imposed by the SMCMUA for (a) water usage or losses relating to the violation, and/or (b) damage to the SMCMUA system resulting from the violation.

Anyone that has connected to the SMCMUA water system without such connection being performed by SMCMUA may be reported to the local Police Department for prosecution pursuant to N.J.S.A. 2C:20-8 as a criminal act. Any resulting fines and/or penalties, including imprisonment up to six (6) months, shall be in addition to the following SMCMUA imposed fines and charges.

**THEFT OF SERVICE FEES
(included but not limited to)**

Non-Permitted Use of Fire Hydrant	\$ 1000
Meter Jumping	\$ 1000
Illegal Turn On/Off	\$ 1000
Illegal Tap	\$ 1000
Additional Fee for Risk of Water Contamination ⁽¹⁾	\$ 1000
In addition to the above charge for unmetered water use.	10 consumptions per day
Additional Charge for Second Offense ⁽²⁾	\$2500
Additional Charge for Each Additional After Second Offense ⁽²⁾	\$5000

⁽¹⁾ Water contamination risk is apparent due to lack of, or improper, backflow installation or any cross contamination as determined by SMCMUA.

⁽²⁾ Additional fees apply to any Property Owner, Developer or Contractor that have already been fined for Theft of Service.

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
FEE SCHEDULES FOR WATER SERVICE

**SCHEDULE NO. 16
OTHER FEES**

ADMINISTRATIVE FEE

Administrative Fee	\$100
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TAPPING AND WET CUT FEE*

Additional Flat Fee for Work Done Outside Normal Business Hours	\$500
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OUTSIDE THE DISTRICT DEVELOPMENT APPLICATION FEE

Preliminary Fee intended to defray the cost for SMCMUA review and, when appropriate, to make written requests to its Creating Municipalities for processing the Outside District application. Additional fees shall be required as per the In District process.

Additional Fee for Outside the District Application for Board Review (including Will Serve letters)	\$100
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19 Saddle Road
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Resolution No. 33-25

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN BUDGET APPROPRIATIONS

WHEREAS, the Authority's Chief Financial Officer/Treasurer has advised that there are certain budget line items in the 2024 Operating Budget and the 2025 Capital Budget that require additional funding; and

WHEREAS, the Chief Financial Officer/Treasurer has requested that such balances be transferred from other budget line items with a balance to those requiring additional funds 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 respective Budgets are hereby approved:

		<u>2025 Capital Budget</u>	
<u>Budget Line Item</u>	<u>Title</u>		<u>Amount</u>
Transfer To:			
02-00-500-512	2025 CAPITAL BUDGET		\$180,865.56
		Total	\$180,865.56
Transfer From:			
02-00-500-437	2018 Process Improvements		\$3,873.99
02-00-500-464	2019 Transmission & Distro- Water Mains		7,147.67
02-00-500-475	2020 IT - Software		8,425.00
02-00-500-488	Professional Services		4,503.28
02-00-500-490	WSIP Phase 2		.10
02-00-500-492	Meter Management Program		148.74
02-00-500-494	T&P Wells Pumps Motors Etc.		5,500.00
02-00-500-495	Tank Improvement Projects		48,981.45
02-00-500-499	Main Rehabilitation and Replacement		93,970.33
02-00-500-505	T&P Filters and Media		8,315.00
		Total	\$180,865.56

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

2024 Operating Budget

<u>Budget Line Item</u>	<u>Title</u>	<u>Amount</u>
Transfer To:		
02-30-400-501	FINAN: Salary & Wages	\$5,000.00
Transfer From:		
02-30-400-502	FINAN: Overtime	\$5,000.00

AND BE IT FURTHER RESOLVED that the Chief Financial Officer/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 are hereby approved.

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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Resolution No. 34-25

RESOLUTION RESCINDING AWARD OF CONTRACT FOR
UNDERGROUND FACILITIES LOCATION SERVICES

WHEREAS, on February 20, 2025, the Authority awarded a contract for underground facilities location services ("Contract") to the low bidder, USIC LLC (the "Contractor"); and

WHEREAS, the Contractor had submitted a bid with certain conditions that may not be modified post bid opening; and

WHEREAS, while one other bid was submitted, the value of which exceeded the amount budgeted for these services; and

WHEREAS, the Authority has the right to rescind the award, revise the bid specifications and re-advertise for bidding;

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

1. The award of a contract underground facilities location services with USIC LLC be and is hereby rescinded.
2. The contract for this project be revised and re-advertised for public bids in accordance with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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Resolution No. 35-25

RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR CATALOG PERCENTAGE
DISCOUNT PRICING FOR WATER UTILITY SUPPLIES AND EQUIPMENT

WHEREAS, SMCMUA advertised and received bids for catalog percentage discount pricing for water utility supplies and equipment as described in the bid specifications on March 11, 2025; and

WHEREAS, the Executive Director has reviewed the bids and set forth his recommendation in a memorandum dated March 12, 2025, for the award of the various items, said memorandum is attached hereto and made a part hereof; and

WHEREAS, the Treasurer has certified that sufficient funds are available in the 2025 Capital 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:

Brent Material Company

Item 5. Hydrants (Mueller Company)	\$40,000
Item 8. Mechanical Joint Valves (Mueller Company)	\$100,000
Item 14. Tapping Valves (Mueller Company)	<u>\$10,000</u>
Subtotal:	\$150,000

Raritan

Item 1. Compact Mechanical Joint Fittings (Tyler Union)	\$15,000
Item 2. Copper Tubing (Cambridge Lee)	\$30,000
Item 6. Hydrant Repair Parts (Mueller Company)	\$25,000
Item 7. Mechanical Joint Restraints (EBAA Iron Sales Inc.)	\$10,000
Item 9. Meter Pits (Mueller Company)	\$20,000
Item 11. Repair Clamps (Hymax and Smith Blair)	\$25,000
Item 12. Repair Couplings (Hymax and Smith Blair)	\$25,000
Item 13. Tapping Sleeves (Mueller Company)	\$10,000
Item 15. Service Saddles (Mueller Company and Smith Blair)	\$15,000
Item 16. Valve Boxes and Parts (Tyler Union)	\$10,000
Item 17. Water Service Materials (Mueller Company)	<u>\$30,000</u>
Subtotal:	\$195,000

Total Not to Exceed Amount: \$345,000

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

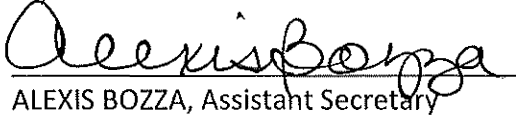
Chief Financial Officer: Charles Maggio

in accordance with their bids submitted on March 11, 2025; and

BE IT FURTHER RESOLVED that the Executive Director and Assistant Secretary of SMCMUA be and they are hereby authorized and directed to execute appropriate contracts with regard to said items on behalf of SMCMUA in the manner prescribed by law.

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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*****REVISED*****

MEMORANDUM

TO: SMCMUA Board

FROM: Drew Saskowitz, Executive Director

RE: Catalog Percentage Discount Pricing for Water Utility Supplies and Equipment

DATE: March 19, 2025

CC: Charles Maggio, Chief Financial Officer

SMCMUA advertised and received bids, pursuant to a fair and open process, for the above referenced contract on March 11, 2025. The successful Bidders shall supply water utility supplies and equipment from the Manufacturer's brands (or equivalents) in accordance with the specifications. The bid specifications included 17 different bid categories. SMCMUA received bids from two (2) companies where the summary is outlined in Table 1. All bids were compared on the basis of the discount offered for each specified manufacturer's catalog and will be separately awarded.

No bids were received for: Curb Boxes and Parts; Ductile Iron Water Pipe; Meter Pit Parts. Ductile iron pipe manufacturers will not quote their catalog. That said, the Authority will be going out to bid for those items separately.

It is recommended that contracts be awarded as shown in Table 2. Please note that these are one (1) year contracts to supply the specified materials as needed with options for renewal pursuant to the Local Public Contracts Law. The total maximum amount for the contracts shall not exceed \$345,000.00. The Treasurer has certified that sufficient funds are available in SMCMUA's Budget (Account No. 02-00-500-489: Water Works Materials).

Table 1
Bid Summary

Item Number and Description	Manufacturer or Brand	Brent	Raritan
1. Compact Mechanical Joint Fittings			
	a. American Ductile Iron Pipe	0.00%	0.00%
	b. EBBA Iron Sales Inc	0.00%	0.00%
	c. Romac Industries	0.00%	0.00%
	d. Star Pipe Products	0.00%	Import Only
	e. Tyler Union	18.80%	20.00%
	f. US Pipe	0.00%	0.00%
2. Copper Tubing			
	a. Cambridge Lee	0.00%	40.00%
	b. Cerro	0.00%	0.00%
3. Curb Boxes and Parts			
	a. Bingham & Taylor	0.00%	0.00%
	b. Tyler Union	0.00%	0.00%
4. Ductile Iron Water Pipe			
	a. McWane Ductile	0.00%	0.00%
	b. US Pipe	0.00%	0.00%
	c. American Ductile Iron Pipe	0.00%	0.00%
5. Hydrants			
	a. Mueller Company	14.80%	14.00%
6. Hydrant Repair Parts			
	a. Mueller Company	0.00%	45.00%
7. Mechanical Joint Restraints			
	a. American Ductile Iron Pipe	0.00%	0.00%
	b. EBBA Iron Sales Inc	0.00%	51.10%
	c. Romac Industries	0.00%	0.00%
	d. Star Pipe Products	0.00%	0.00%
	e. Tyler Union	0.00%	0.00%
	f. US Pipe	0.00%	0.00%
8. Mechanical Joint Valves			
	a. Mueller Company	25.40%	25.00%
9. Meter Pits			
	a. Ford Meter Box	0.00%	0.00%
	b. Mueller Company	0.00%	8.00%

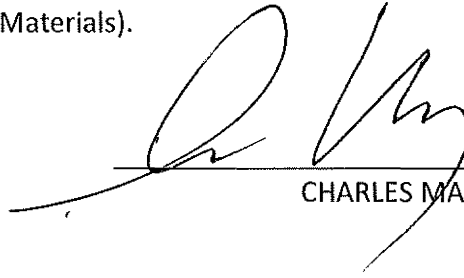
Item Number and Description	Manufacturer or Brand	Brent	Raritan
10. Meter Pit Parts			
	a. Ford Meter Box	0.00%	0.00%
	b. Mueller Company	0.00%	0.00%
11. Repair Clamps			
	a. Hymax	0.00%	46.50%
	b. Power Seal	0.00%	0.00%
	c. Romac Industries	0.00%	0.00%
	d. Smith Blair	0.00%	51.5% and 48.5%
12. Repair Couplings			
	a. Hymax	0.00%	46.50%
	b. Mueller Company	0.00%	0.00%
	c. Power Seal	0.00%	0.00%
	d. Romac Industries	0.00%	0.00%
	e. Smith Blair	0.00%	39.5% and 31.5%
13. Tapping Sleeves			
	a. Mueller Company	0.00%	42.50%
	b. Power Seal	0.00%	0.00%
	c. Romac Industries	0.00%	0.00%
	d. Smith Blair	0.00%	0.00%
14. Tapping Valves			
	a. Mueller Company	25.40%	25.00%
15. Service Saddles			
	a. Mueller Company	0.00%	39.50%
	b. Power Seal	0.00%	0.00%
	c. Romac Industries	0.00%	0.00%
	d. Smith Blair	0.00%	48.5%
16. Valve Boxes and Parts			
	a. Bingham & Taylor	0.00%	0.00%
	b. Tyler Union	0.00%	12.50%
17. Water Service Materials			
	a. AY McDonald	0.00%	0.00%
	b. Ford Meter Box	0.00%	0.00%
	c. Mueller Company	0.00%	40.60%
	d. Romac Industries	0.00%	0.00%

Table 2
Award Summary

Item No. and Description	Brent	Raritan
1. Compact Mechanical Joint Fittings		\$ 15,000.00
2. Copper Tubing		\$ 30,000.00
3. Curb Boxes and Parts		
4. Ductile Iron Water Pipe		
5. Hydrants	\$ 40,000.00	
6. Hydrant Repair Parts		\$ 25,000.00
7. Mechanical Joint Restraints		\$ 10,000.00
8. Mechanical Joint Valves	\$ 100,000.00	
9. Meter Pits		\$ 20,000.00
10. Meter Pit Parts		
11. Repair Clamps		\$ 25,000.00
12. Repair Couplings		\$ 25,000.00
13. Tapping Sleeves		\$ 10,000.00
14. Tapping Valves	\$ 10,000.00	
15. Service Saddles		\$ 15,000.00
16. Valve Boxes and Parts		\$ 10,000.00
17. Water Service Materials		\$ 30,000.00
Contract Total Not-to-Exceed Amounts:	\$150,000.00	\$195,000.00

TREASURER'S CERTIFICATION

I hereby certify funds are available in the 2025 Capital Budget for payment of contracts for catalog percentage discount pricing for water utility supplies and equipment. The total maximum amount of these contracts will not exceed \$345,000. These items will be charged to Account No. 02-00-500-489 (Water Works Materials).

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

CHARLES MAGGIO, Treasurer

Dated: March 20, 2025



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Cedar Knolls, NJ 07927
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customerservice@smcmua.org
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Resolution No. 36-25

RESOLUTION INCREASING AUTHORIZED AMOUNT FOR USE OF VENDOR UNDER
THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Authority is a participant in the State of New Jersey Cooperative Purchasing Program 1-NJCP ("NJCPP"); and

WHEREAS, the purchases of goods and services by local contracting units through the State agency without advertising is authorized under Section 12 of the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Route 23 Automall LLC was awarded Contract No. 24-FLEET-95503 (T3063) for Universal Trucks (19,500 lb. Gross Vehicle Weight Rating Crew Cab & Chassis, Dual Rear Wheels, Four Wheel Drive, with Various Bodies) by NJCPP; and

WHEREAS, the Authority previously authorized the purchasing of such items for and including the budget year 2025 up to the amount of \$184,603.00, by Resolution No. 19-25 dated February 20, 2025; and

WHEREAS, the Authority wishes to increase the amount authorized to purchase three additional fleet vehicles from Route 23 Automall LLC by \$230,355.00; and

WHEREAS, the revised not to exceed amount of services is estimated not to exceed the revised amount stated of \$414,958.00; and

WHEREAS, the Treasurer has certified the availability of funds for these items in the 2025 Budget;

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

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

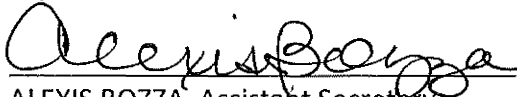
Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

1. The authorized amount to purchase three additional fleet vehicles from Route 23 AutoMall LLC be and is hereby increased by \$230,355.00 for a revised not to exceed amount of \$414,958.00.

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

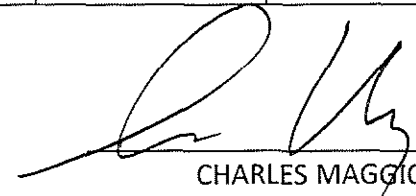
Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the 2025 Budget to purchase work, materials and supplies from the vendor listed below through the State of New Jersey Cooperative Purchasing Program 1-NJCP in 2025. The revised cost is estimated not to exceed the amount stated:

CONTRACT	VENDOR	ITEMS	CONTRACT EXP DATE	BUDGET ACCT #	ACCOUNT NAME	INITIAL AMOUNT	REVISED AMOUNT
24-FLEET-95503	Route 23 Automall LLC	T3063 Universal Truck, 19,500 lb. GVWR Crew Cab & Chassis, DRW, 4WD, with Various Bodies	12/12/27	02-00-500-487	Vehicles & Equipment	\$184,603.00	\$414,958.00


CHARLES MAGGIO, Treasurer

Dated: March 20, 2025



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
(973) 326-6864
customerservice@smcmua.org
smcmua.org

Resolution No. 37-25

RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT
FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH
CONSTRUCTION ADMINISTRATION AND OBSERVATION OF THE
HARTER ROAD WATER MAIN REPLACEMENT PROJECT

WHEREAS, the Authority requested a proposal from Dewberry Engineers, Inc. ("Dewberry") for professional engineering services in connection with construction administration and observation of the Harter Road Water Main Replacement Project; and

WHEREAS, the proposal dated January 29, 2025, in the not to exceed amount of \$208,750.00, was reviewed by the Engineering Manager as set forth in a memorandum dated February 6, 2025, a copy of which is annexed hereto; 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, Dewberry 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, the Treasurer has certified that sufficient funds are available in the 2025 Budget; 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;

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz


Chief Financial Officer: Charles Maggio

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

1. That the proposal of Dewberry Engineers, Inc., dated January 29, 2025, for professional engineering services in connection with construction administration and observation of the Harter Road Water Main Replacement Project, be and the same is hereby accepted and approved at a total not-to-exceed maximum amount of \$208,750.00.
2. The Executive Director be and is hereby authorized and directed to execute a Professional Service Contract on behalf of the Authority.
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 shall be filed in the office of the Secretary of SMCMUA 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.

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



MEMORANDUM

TO: SMCMUA Board

FROM: Sophia Dyer, PE, Engineering Manager SD

RE: Recommendation of Award – Professional Engineering Services in Connection with Construction Administration and Observation of the Harter Road Water Main Replacement Project

DATE: 2/6/25

CC: Drew Saskowitz, LOR, Executive Director
Charles Maggio, CMFO, QPA, Chief Financial Officer
Alexis Bozza, QPA, Executive Administrative Assistant

Dewberry submitted a professional services proposal in connection with the above referenced project on 1/29/25.

Project Scope and Driver

The project includes construction administration and full-time construction observation services during the Harter Road Water Main Replacement Project, inclusive of approximately 5600 linear feet of 8-inch ductile iron pipe and appurtenances.

Proposal Review and Recommendation for Award

It is recommended that a contract be awarded to Dewberry in the total not-to-exceed maximum amount of \$208,750.00. The Treasurer has certified that sufficient funds are available in the 2025 Budget.

Description of Account	Account	Budget Year	Amount
Main Rehabilitation and Replacement	CAPITAL: 02-00-500-499	2025	\$208,750.00

January 29, 2025

Ms. Sophia Dyer, PE
Southeast Morris County Municipal Utilities Authority (SMCMUA)
19 Saddle Road
Cedar Knolls, NJ 07927

RE: Proposal for Engineering Services in connection with
Construction Administration and Observation of
Harter Road Water Main Replacement Project

Dear Ms. Dyer,

We thank you for the opportunity to serve the SMCMUA. Dewberry Engineers Inc. (Dewberry) is pleased to submit this proposal for the above-referenced project.

Our project team will be led by James Schappell, PE, who has been the engineer of record for multiple similar water main replacement projects—for both design and construction phases—throughout New Jersey, including similar projects for SMCMUA. James is the Engineer of Record for the Harter Road water main replacement project and will be supported by our local team out of our Parsippany New Jersey Office. Steven Benosky, PE will serve as principal in charge for this project, with responsibilities for quality assurance and providing sufficient resources for the completion of this project.

Project Understanding

We understand that SMCMUA seeks engineering services during construction in connection with the replacement of water mains located in the vicinity of Harter Road in the Township of Morris in Morris County, NJ. This work includes the replacement of approximately 5,600 linear feet (LF) of 8-inch water main with 8-inch DIP water main and includes the installation of approximately 8 hydrants and approximately 33 services. The construction period is expected to be approximately five (5) months.

Scope of Work

Task 1 – Construction Administration Services

We propose to provide the following bid and construction administration services:

- A. Review and respond to potential bidder's request for clarification and, if necessary, prepare responses for an addendum during bidding phase.
- B. Review and approve shop drawings, samples, manuals, and related submittals from the contractor for conformance to the signed construction documents. If contractor resubmits shop drawings that include new/different information, this shall be treated as a new shop drawing submittal. Electronic submissions shall suffice. A copy shall be submitted to SMCMUA on a routine basis electronically.
- C. Maintain a digital shop drawing log. A copy of the latest shop drawing log will be submitted to SMCMUA on a routine basis electronically.
- D. Facilitate the preconstruction meeting with SMCMUA, the contractor, and municipal officials. Prepare and distribute meeting minutes promptly following meeting.
- E. Attend one Customer Information Session Meeting at the request of SMCMUA.
- F. Facilitate routine progress meetings with SMCMUA, the contractor and project field services

personnel, if necessary, to review status of construction against anticipated schedule, resolve construction related issues, support field personnel and interpretation of design, coordinate dates/times of critical activities such as tie-ins and disinfection that requires SMCMUA's personnel, review and resolve potential change orders, and related matters.

- G. Review contractor's payment application requests and forward recommendation for payment to SMCMUA for processing.
- H. Review and respond to contractor's request for information. Maintain digital format log and submit to SMCMUA on a routine basis.
- I. Review contractor's change order requests and related work change directives and forward recommendation to SMCMUA for approval or denial.
- J. Facilitate final punch list items and project close out. Coordinate with contractor to submit required documents prior to closing out project in accordance with contract documents. Coordinate with SMCMUA and regulatory agency for final walk through and acceptance of work.
- K. Review record drawings submission during active construction period. Revise field conditions and prepare project record drawings. Submit PDF and CAD .dwg files to SMCMUA at end of project.

Task 2 – Full time Construction Observation Services

We will provide full-time construction observation services during the project, which will include the following:

- A. Perform field observation of the construction for compliance with contract documents and the approved shop drawings.
- B. Prepare daily site inspection reports and electronically filing same for each day of construction observation. Reports will include digital photographs, receipts and related information to document construction activities.
- C. Maintain record drawing information which includes a sketch of the work performed each day when applicable.
- D. Prepare mid-point project punch-list and final project punch-list during substantial completion period.
- E. Maintain communication with SMCMUA staff.

Assumptions

- 1. On-site inspection is for 85 (8-hour) workdays for a total of 680 inspection hours over five (5) months.
- 2. The term "routine" in this proposal is defined to mean a maximum frequency of monthly.
- 3. Notices to residents will be prepared and distributed by SMCMUA.
- 4. Field meetings for Project Manager and/or Construction Manager are not required other than monthly progress meetings.
- 5. Work will occur Monday through Friday between 7 am and 5 pm (no weekend or holiday work).
- 6. Dewberry is not responsible for the means, methods, techniques, sequences, or procedures utilized by the contractor during construction. This also includes the safety of contractor's personnel, the general public, employees of client or other related parties and the contractor's

Ms. Sophia Dyer
Construction Administration and Observation of
Harter Road Water Main Replacement Project
January 29, 2025

compliance with applicable laws, regulations or codes, which are applicable to the contractor's performance of the work.

Compensation for Services, Standard Terms and Conditions

We propose to provide the services listed herein on an hourly not to exceed basis in accordance with the rates, conditions, and terms of our current Professional Engineering Services Agreement in accordance with the fee schedule below.

SCOPE ITEM	DESCRIPTION	PROPOSED FEE
1	Construction Administration Services	\$46,350.00
2	Full time Construction Observation Services	\$102,400.00
3	Allowance	\$60,000.00
TOTAL		\$208,750.00

If this proposal and the price quote is acceptable, please provide our office with an executed agreement. Should you have any questions or require additional information, please contact James.

Sincerely,
Dewberry Engineers Inc.



Steven Benosky, PE
Senior Associate, Department Manager
973.576.9676
sbenosky@dewberry.com



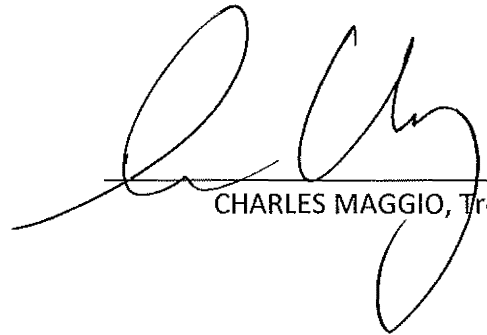
James Schappell, PE
Associate, Project Manager
973.576.9649
jschappell@dewberry.com

STANDARD HOURLY BILLING RATE SCHEDULE

DEWBERRY	HOURLY RATES
Professional	
Principal	\$360.00
Architect I,II,III	\$110.00, \$125.00, \$145.00
Architect IV,V,VI	\$165.00, \$185.00, \$205.00
Architect VII,VIII,IX	\$230.00, \$250.00, \$280.00
Interior Designer I,II,III,IV	\$100.00, \$120.00, \$140.00, \$165.00
Interior Designer V, VI, VII	\$180.00, \$205.00, \$240.00
Engineer I,II,III	\$115.00, \$135.00, \$155.00
Engineer IV,V,VI	\$175.00, \$200.00, \$230.00
Engineer VII,VIII,IX	\$260.00, \$290.00, \$320.00
Geographer/GIS I,II,III	\$95.00, \$105.00, \$125.00
Geographer/GIS IV,V,VI	\$145.00, \$165.00, \$195.00
Geographer/GIS VII,VIII,IX	\$225.00, \$255.00, \$290.00
Professional I,II,III	\$105.00, \$125.00, \$155.00
Professional IV,V,VI	\$175.00, \$195.00, \$215.00
Professional VII,VIII,IX	\$245.00, \$260.00, \$295.00
Technical	
Designer I,II,III	\$110.00, \$135.00, \$160.00
Designer IV,V,VI	\$180.00, \$205.00, \$230.00
CADD Technician I,II,III,IV,V	\$85.00, \$105.00, \$125.00, \$140.00, \$180.00
Surveyor I,II,III	\$68.00, \$83.00, \$100.00
Surveyor IV,V,VI	\$120.00, \$135.00, \$150.00
Surveyor VII,VIII,IX	\$165.00, \$195.00, \$235.00
Technical I,II,III	\$85.00, \$110.00, \$130.00
Technical IV,V,VI	\$145.00, \$160.00, \$180.00
Emergency Management	
Emergency Management I, II, III	\$90.00, \$120.00, \$150.00
Emergency Management IV, V, VI	\$180.00, \$225.00, \$280.00
Construction	
Construction Professional I,II,III	\$125.00, \$160.00, \$185.00
Construction Professional IV,V,VI,VII	\$220.00, \$245.00, \$290.00, \$325.00
Inspector I,II,III	\$90.00, \$110.00, \$145.00
Inspector IV,V,VI,VII	\$170.00, \$190.00, \$215.00, \$250.00
Survey Field Crews	
Fully Equipped 1, 2, 3 Person Crews	\$145.00, \$185.00, \$245.00
With Laser Scanner 1, 2 Person	\$195.00, \$235.00
Administration	
Admin Professional I,II,III,IV	\$70.00, \$100.00, \$120.00, \$150.00
Non-Labor Direct Costs	Cost + 15%

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

The undersigned hereby certifies that the maximum amount of the contract to be awarded to Dewberry Engineers, Inc., for professional engineering services in connection with construction administration and observation of the Harter Road Water Main Replacement Project exceeds \$17,500.

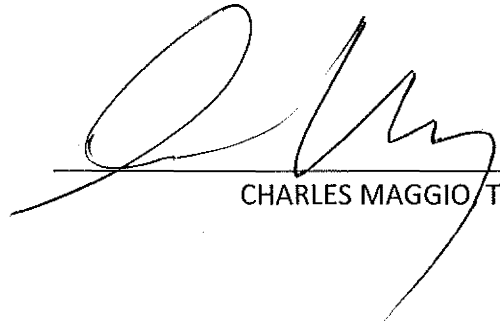


CHARLES MAGGIO, Treasurer

Dated: March 20, 2025

TREASURER'S CERTIFICATION

I hereby certify funds are available in the 2025 Budget for payment of a professional service contract with Dewberry Engineers, Inc., for professional engineering services in connection with construction administration and observation of Harter Road Water Main Replacement Project. This item will be charged to Capital Account No. 02-00-500-499 (Main Rehabilitation and Replacement). The total maximum amount of this contract will not exceed \$208,750.00.



CHARLES MAGGIO Treasurer

Dated: March 20, 2025



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
(973) 326-6864
customerservice@smcmua.org
smcmua.org

Resolution No. 38-25

RESOLUTION APPROVING MAIN EXTENSION AGREEMENT WITH MORRISTOWN ASSOCIATES LLC

WHEREAS, the Authority has received an application for water service from Morristown Associates LLC ("MA") to a property located at Block 2002, Lot 2, in Morristown, New Jersey (the "Development"); and

WHEREAS, the Authority and MA have agreed to a plan for extension of a water main to the Development to be provided at the expense of MA as more particularly set forth in the proposed Main Extension Agreement annexed hereto as Exhibit "A" (the "Main Extension Agreement"); and

WHEREAS, the form of Main Extension Agreement has been approved by the Engineering Manager and General Counsel of the Authority.

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

1. The form of Main Extension Agreement annexed hereto as Exhibit "A" be and the same is hereby approved substantially in the form annexed hereto;
2. The Chairman or Vice Chairman and Secretary or Assistant Secretary be and the same are hereby authorized and directed to execute the aforementioned Main Extension Agreement, substantially in the form annexed hereto, on behalf of the Authority in the manner prescribed by law and By-Laws of the Authority.

* * * * *

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

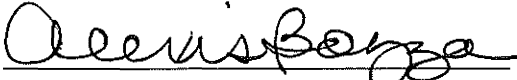
Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.



ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WATER MAIN EXTENSION AGREEMENT made this ____ day of March 2025, between:

THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY, a body corporate and politic of the State of New Jersey, having its principal office at 19 Saddle Road, Cedar Knolls, New Jersey, 07927, herein designated as the "SMCMUA"; and

MORRISTOWN ASSOCIATES, LLC, having its principal office at 4 Cunningham Drive, West Orange, New Jersey, 07052 herein designated as the "Developer" or "Contractor".

WITNESSETH:

WHEREAS, the Developer has communicated a request to the SMCMUA for a water main extension to a development in the Town of Morristown located at 22 Lafayette Avenue (Block 2002, Lot 2), known as (the "Project"); and

WHEREAS, the Plans that are the subject of this Project are included as Attachment A to this Agreement; and

WHEREAS, the SMCMUA hereby approves said main extension subject to the terms and conditions hereinafter set forth;

NOW THEREFORE, in consideration of the premises and the covenants hereinafter contained, the parties hereto agree as follows:

1. The SMCMUA agrees to supply water service to the Project pursuant to the terms and conditions set forth herein.
2. The SMCMUA shall have the right to refuse to supply water until all requirements of this Agreement and the Rules and Regulations of the SMCMUA ("Tariff") are fully satisfied and all charges for water service, including Connection Fees, are paid.
3. The Developer shall comply with all applicable rules and regulations of the SMCMUA and all laws, ordinances, rules, regulations and orders of any other governmental agency or entity having jurisdiction.

4. Except for good cause, water service shall not be provided until the entire Project is completed. In exceptional cases of extreme hardship, extenuating circumstances or other good cause, the SMCMUA may consider supplying water service to completed portions of a development provided that such service can be provided without any adverse effect on the SMCMUA's system or other users thereof. If service is provided to any portion of the Project, the Developer shall not be excused from its obligation to furnish and install the Water Facilities to the entire Project by reason of abandonment or other failure to complete the Project.
5. The Developer shall at its own expense furnish and install all water mains and necessary appurtenances ("Water Facilities"). All Water Facilities material, construction and installation shall comply with the current standards of the SMCMUA. The Developer agrees that all hydrants, valves, equipment, fittings and appurtenances shall be supplied by manufacturers approved in advance by the SMCMUA except where such specifications (ie: hydrant) shall be specific to an 'out-of-district' Municipality.
6. The Developer shall prepare and obtain at its expense any required road opening permits. The Developer shall submit copies of all permits approved by the respective agencies to the SMCMUA before beginning work. The Developer shall be responsible for excavation and maintenance of all road openings, restoration of the road and final pavement.
7. The Developer shall submit an application to the SMCMUA for all wet taps, cut-in connections and branch lines to existing mains and shall pay for the cost of such taps in accordance with the applicable schedule of service charges of the SMCMUA.
8. Pressure, disinfection and bacteriological tests of all new mains and services shall be conducted under the direction of and in the manner prescribed by the SMCMUA. No facilities shall be accepted by the SMCMUA prior to the satisfactory completion and approval of all such tests.
9. The Developer shall notify the SMCMUA at least five (5) working days in advance of the installation of any of the Water Facilities.
10. The Developer shall retain a licensed professional engineer to oversee the inspection work during construction of the water utilities. Upon completion of construction, the professional engineer shall execute a certification that the water utility was constructed in accordance with the approved plans.

11. Developer shall convey such easements and rights of way for the Water Facilities as may reasonably be required by the SMCMUA. Such easements and rights of way shall be in recordable form and shall be prepared or approved by counsel to the SMCMUA at Developer's expense. No construction shall commence until all required easements and rights of way are executed, recorded in the Morris County Clerk's Office and delivered to the SMCMUA.
12. All Water Facilities installed by the Developer shall become the property of the SMCMUA. Developer shall execute and deliver to the SMCMUA such bills of sale for the Water Facilities as may be requested by the SMCMUA.
13. Prior to the SMCMUA's acceptance of the Water Facilities installed hereunder, the Developer shall submit "As-Built" plans prepared by and certified by a licensed New Jersey professional engineer and land surveyor, which plans shall be subject to the approval by the SMCMUA's engineer and which shall show the location of the Water Facilities installed by the Developer.
14. Upon completion of all work to be performed by the Developer and acceptance of the Water Facilities by the SMCMUA, the Developer shall furnish a maintenance bond, to guaranty and secure the performance of any repairs or corrective work for a period of two (2) years from the date of acceptance. The amount of the maintenance bond shall not exceed 15% of the cost of the improvement as per N.J.S.A. 40:55D-53 and shall be provided by a surety company and on a form satisfactory to the SMCMUA and its legal counsel.
15. In the event of default by the Developer, the SMCMUA shall have such remedies as may be provided herein or as may be otherwise provided in law or at equity. Nothing herein shall preclude the SMCMUA from completing the work upon default by the Developer when necessary to protect the public health, safety and welfare. In such event, Developer shall be responsible for the full cost of such completion incurred or paid by the SMCMUA; provided the SMCMUA shall have no obligation to complete such work as permitted by this Section.
16. Upon execution of this Agreement by the Developer, the Developer shall submit the Water Main Extension Fee as outlined in the SMCMUA Fee Schedule.
17. The Developer understands that SMCMUA does not guaranty the supply of any uniform quality or quantity of water or to maintain any fixed pressure for fire protection or any other purpose. Developer agrees that SMCMUA will not be responsible or liable for any loss or damage sustained as a result of service interruption or irregularity due to accident, breakdown, emergency or from other causes beyond the control of the SMCMUA and hereby releases the SMCMUA from any such liability.

18. In the event of a sale or transfer of the Project to another party, Developer agrees that it will secure from its successor in title or interest a written undertaking whereby such successor agrees to assume and fully perform all of the obligations of this Agreement. Developer agrees to promptly advise the SMCMUA in writing of any such sale or transfer provided that this provision shall not apply to a sale or transfer to an individual lot purchaser.
19. Developer shall be responsible for assuring that all agents, servants, employees, contractors and subcontractors involved in the construction of the Project shall fully comply with all provisions of this Agreement.
20. This Agreement shall be binding upon the Developer, its successors or assigns, notwithstanding the fact that the Project may be sold or transferred to another party. This Agreement shall be governed by the laws of the State of New Jersey. Any proceeding to interpret or enforce this Agreement shall be brought and maintained in the Superior Court of New Jersey—Morris County vicinage.
21. In addition to the foregoing covenants and commitments, the parties agree to the following:

As required by SMCMUA during construction, all fire hydrants shall be locked using SMCMUA installed locking devices.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed as of the day and year first written above.

WITNESS OR ATTEST:

THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY

By: _____
MAX HUBER, Chairman

WITNESS OR ATTEST:

MORRISTOWN ASSOCIATES, LLC

By: _____

Print Name and Title

Print Name and Title

Attachment A: Plan



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
(973) 326-6864
customerservice@smcmua.org
smcmua.org

Resolution No. 39-25

RESOLUTION AUTHORIZING USE OF VENDOR UNDER THE
NEW JERSEY COOPERATIVE PURCHASING ALLIANCE

WHEREAS, the Authority is authorized to participate in a Cooperative Pricing Agreement with the New Jersey Cooperative Purchasing Alliance ("NJCPA"); and

WHEREAS, the Authority wishes to purchase certain items from an authorized vendor under the NJCPA; and

WHEREAS, the purchase of work, materials and supplies through Cooperative Pricing Systems, such as the NJCPA, is authorized without additional advertising by its participants under the Local Public Contracts Law, NJSA 40A:11-11(5); and

WHEREAS, SHI International Corp has been awarded a contract for the provision of computer equipment and peripherals by the NJCPA (Contract No. BC-BID-24-38) for and including the budget year 2025; and

WHEREAS, the cost is estimated not to exceed \$25,000.00; and

WHEREAS, the Treasurer has certified the availability of funds in the 2025 Budget.

NOW THEREFORE, BE IT RESOLVED by The Southeast Morris County Municipal Utilities Authority that SHI International Corp be authorized for use for the budget year 2025.

* * * * *

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

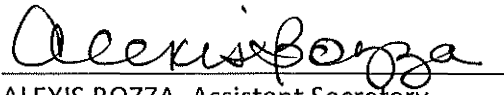
Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

Chief Financial Officer: Charles Maggio

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

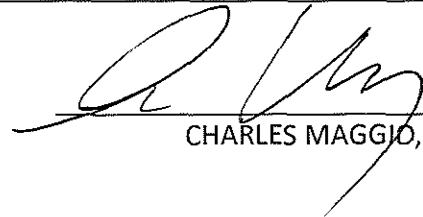
Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds available in the 2025 Budget to purchase work, materials and supplies from the vendor listed below through the New Jersey Cooperative Purchasing Alliance in 2025. The costs are estimated not to exceed the amounts stated:

CONTRACT	VENDOR	ITEMS	CONTRACT EXP DATE	BUDGET ACCT #	ACCOUNT NAME	Total
IBC-BID-24-38	SHI International Corp	Computer Equipment and Peripherals	06/05/26	02-12-400-603	IT Admin: IT Software	\$5,000.00
IBC-BID-24-38	SHI International Corp	Computer Equipment and Peripherals	06/05/26	02-12-400-602	IT Admin: IT Hardware	\$20,000.00


CHARLES MAGGIO, Treasurer

Dated: March 20, 2025



19 Saddle Road
Cedar Knolls, NJ 07927
(973) 326-6880
(973) 326-6864
customerservice@smcmua.org
smcmua.org

Resolution No. 40-25

RESOLUTION AUTHORIZING AWARD OF A PROFESSIONAL SERVICE CONTRACT
FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH
AMERICA'S WATER INFRASTRUCTURE ACT UPDATES OF RISK AND RESILIENCE ASSESSMENT AND
ALL-HAZARDS INCIDENT RESPONSE PLAN

WHEREAS, the Authority requested a proposal from CDM Smith, Inc. ("CDM") for professional engineering services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan; and

WHEREAS, the proposal dated March 13, 2025, in the not to exceed amount of \$145,650.00, was reviewed by the Operations Risk Manager as set forth in a memorandum dated March 13, 2025, a copy of which is annexed hereto; 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, CDM 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, the Treasurer has certified that sufficient funds are available in the 2025 Budget; 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;

Board Members

Morristown:
Arthur Clarke
Max Huber

Morris Township:
Michael Chumer
Matthew Loughman

Morris Plains:
Ralph R. Rotando
Patricia Webster

Hanover Township:
Nathan Kiracofe
Nicola Marucci

Executive Director: Drew Saskowitz

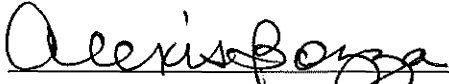
Chief Financial Officer: Charles Maggio

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

1. That the proposal of CDM Smith, Inc., dated March 13, 2025, for professional engineering services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan, be and the same is hereby accepted and approved at a total not-to-exceed maximum amount of \$145,650.00.
2. The Executive Director be and is hereby authorized and directed to execute a Professional Service Contract on behalf of the Authority.
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 shall be filed in the office of the Secretary of SMCMLUA 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.

* * * * *

I hereby certify this to be a true copy of the resolution adopted by the Board of Members at a meeting duly convened of The Southeast Morris County Municipal Utilities Authority on March 20, 2025.


ALEXIS BOZZA, Assistant Secretary

Vote on Resolution:

<u>Member</u>	<u>Motion</u>	<u>Second</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Michael Chumer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arthur Clarke	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nathan Kiracofe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Loughman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicola Marucci	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ralph Rotando	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patricia Webster	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Max Huber	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



MEMORANDUM

TO: SMCMUA Board

FROM: Celenia Mercado, Operations Risk Manager

RE: Professional Engineering Services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan

DATE: March 13, 2025

CC: Drew Saskowitz, Executive Director
Charles Maggio, Chief Financial Officer
Alexis Bozza, Executive Administrative Assistant

A proposal for professional engineering services was requested solely from CDM Smith Inc. (CDM Smith) for the update and renewal of the Risk and Resilience Assessment (RRA) and the review of the All-Hazards Incident Response Plan (IRP) in compliance with the America's Water Infrastructure Act of 2018 (AWIA) 2025 renewal cycle.

Since CDM Smith previously developed and certified the 2020 Risk and Resilience Assessment (RRA) and provided recommendations for the AHIRP update, it was determined that they are best positioned to continue this work. Given their familiarity with SMCMUA's systems, prior assessments, and critical infrastructure, and the need to maintain continuity in compliance and regulatory updates, SMCMUA solely requested a proposal from CDM Smith for this renewal.

Project Scope

The 2025 RRA renewal will build upon the prior assessment by:

- Addressing new and emerging risks, both natural and malevolent
- Updating the critical asset registry
- Refining resilience and response strategies in line with AWIA mandates

Project Drivers

The 2025 renewal cycle requires SMCMUA to update and certify compliance with AWIA's Risk and Resilience Assessment (RRA) requirements. This project is critical for regulatory compliance and aims to:

- Maintain compliance with Federal mandates under AWIA.
- Address changes in risk exposure, including cyber security vulnerabilities and infrastructure updates.
- Refine mitigation strategies to enhance operational resilience and public safety.
- Certify SMCMUA's All-Hazard Incident Response Plan

Proposal Review and Recommendation for Award

The proposal submitted by CDM Smith was reviewed for alignment with AWIA's 2025 compliance requirements. Based on their extensive experience, previous engagement with SMCMUA, and expertise in risk assessment and emergency response planning, it is recommended that a contract be awarded to CDM Smith in an amount not to exceed \$145,650. A \$20,000 contingency is included.


The Treasurer has certified that sufficient funds are available in the 2025 Budget for this contract. Table 1 provides a summary of the account to be charged for this contract.

Table 1
Account Allocation

Description	Account	Budget Year	Amount
Professional Services	Capital: 02-00-500-488	2025	\$145,650

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

The undersigned hereby certifies that the maximum amount of the contract to be awarded to CDM Smith, Inc., for professional engineering services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan exceeds \$17,500.



CHARLES MAGGIO Treasurer

Dated: March 20, 2025

TREASURER'S CERTIFICATION

I hereby certify funds are available in the 2025 Budget for payment of a professional service contract with CDM Smith, Inc., for professional engineering services in connection with America's Water Infrastructure Act Updates of Risk and Resilience Assessment and All-Hazards Incident Response Plan. This item will be charged to Capital Account No. 02-00-500-488 (Professional Services). The total maximum amount of this contract will not exceed \$145,650.00.



CHARLES MAGGIO, Treasurer

Dated: March 20, 2025