

## MINUTES OF REORGANIZATION MEETING

FEBRUARY 7, 2023

The Reorganization Meeting of the Morris County Municipal Utilities Authority was held on February 7, 2023 at 7:00 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey in person as well as remotely using conference call software.

Chairwoman Kominos called the meeting to order and read the following:

In accordance with the Open Public Meetings Act, notice of the location, date and time of this meeting was made by posting on the MCMUA website, the Morris County Clerk's bulletin board and the officially designated newspapers for the MCMUA. The meeting may be attended in person or through remote communication in conformance with the directives of the State of New Jersey. Additional notice regarding remote public access is provided at the MCMUA entrance, on its website and in the Daily Record.

Chairwoman Kominos requested a roll call.

PRESENT: Mr. Christopher Dour, Mr. Frank Druetzler, Mr. Michael Guadagno, Dr. Arthur Nusbaum, Ms. Laura Szwak, and Dr. Dorothea Kominos.

ABSENT: Mr. James Barry and Mr. William Hudzik.

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

Executive Director Larry Gindoff mentioned that he is going to serve as Temporary Chair for the Reorganization Meeting. He expressed his appreciation for all the Board members who volunteer and work with us at the MUA and thanked them. He mentioned that tonight we are reorganizing the Board, consultants, as well as Staff people. In 2022, we had a tremendous year and we all really worked well together.

Executive Director Larry Gindoff asked for nominations for Chair. Mr. Druetzler moved that Dr. Dorothea Kominos be nominated as Chair and Mr. Guadagno seconded the Motion. There were no other nominations and there was a unanimous vote that nominations be closed.

ROLL CALL: AYES: 6      NAYES: NONE      ABSTENTIONS: NONE

Executive Director Gindoff thanked Dr. Dorothea Kominos for assuming the role of Chair and look forward to working with you over the next few years. Dr. Kominos thanked Larry Gindoff and the Board for nominating her and electing her as Chair and is looking forward to working with everybody.

Chairwoman Kominos asked for nominations for Vice Chair. Mr. Druetzler moved that Michael Guadagno be nominated as Vice Chair and Mr. Dour seconded the Motion. There were no other nominations and there was a unanimous vote that nominations be closed.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

The Board congratulated Dr. Dorothea Kominos and Michael Guadagno on their appointments.

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

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

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: NONE

Chairwoman Kominos advised the Board that she was informed by Counsel that we can consider Resolution Nos. 2023-008 through 2023-027 in a Consent Agenda. Dr. Kominos asked the Board if there are any resolutions that they would like to pull out. There being none, Dr. Kominos asked for the Board's approval of Resolution Nos. 2023-008 through 2023-027:

**Resolution No. 2023-008**  
**Resolution To Award Professional Legal Services –**  
**Water and Solid Waste Divisions**

**WHEREAS**, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional legal services – General – Water and Solid Waste Divisions - to be provided to the Authority from February 14, 2023 to February 13, 2024; and

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 7th day of February, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Maraziti Falcon LLP for legal services - Water and Solid Waste Divisions in accordance with their proposal dated January 9, 2023 at the hourly rates contained therein and not to exceed \$125,000.00 without separate Resolution from the Authority.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budgets of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-009**  
**Resolution To Award Professional Auditing Services**

**WHEREAS**, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional auditing services to be provided to the Authority from February 14, 2023 to February 13, 2024; and

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 7th day of February, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Nisivoccia LLP for auditing services in accordance with their proposal dated January 24, 2023 at the hourly rates contained therein and not to exceed \$54,000.00 without separate Resolution from the Authority.

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

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-010**  
**Resolution To Award Professional Engineering Services –**  
**Water Division**

**WHEREAS**, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals to provide professional engineering services as the MCMUA's Water Division Consulting Engineer from February 14, 2023 to February 13, 2024; and

**WHEREAS**, the Authority received four proposals submitted by the Suburban Consulting Engineers, Inc., Alaimo Group, CP Engineers and Remington & Vernick Engineers; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 7th day of February, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Suburban Consulting Engineers, Inc. for engineering services in accordance with their proposal dated January 26, 2023 at the hourly rates contained therein and not to exceed \$235,000.00 without separate Resolution from the Authority.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budget of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.

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

**C E R T I F I C A T I O N**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-011  
Resolution To Award Professional Engineering Services -  
Solid Waste Division**

**WHEREAS**, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals to provide professional engineering services to serve as the MCMUA's Solid Waste Engineer to the Authority from February 14, 2023 to February 13, 2024; and

**WHEREAS**, the Authority received three proposals submitted by Alaimo Group, Suburban Consulting Engineers, Inc. and Remington & Vernick, Engineers; and

**WHEREAS**, the Committee assigned to review the proposals based on the criteria outlined in the Invitation To Submit Proposals and has recommended that the contract for professional engineering services be awarded to the firms of Alaimo Group, 200 High Street, Mount Holly, New Jersey 08060 and Suburban Consulting Engineers, Inc., 96 U.S. Highway 206, Suite 101, Flanders, New Jersey 07836 met or exceeded all criteria; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 7th day of February, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to include Alaimo Group and Suburban Consulting Engineers, Inc. on the list of approved firms for Professional Engineering Services for the Solid Waste Division and to sign agreements with Alaimo Group and Suburban Consulting Engineers, Inc. for engineering services in a form approved by the Authority's attorney based on their proposals dated January 18, 2023 and

January 26, 2023 respectively, at the hourly rates contained therein and not to exceed \$172,500.00 for Alaimo Group and not to exceed \$60,000.00 for Suburban Consulting Engineers, Inc. without separate Resolution from the Authority.

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

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

4. A brief notice stating the nature, duration, service and amount of the contract and that the Resolution and contract are on file and available for public inspection at the offices of the MCMUA in accordance with law shall be published in the official newspaper of the Authority.

5. This Resolution shall take effect as provided by law.

### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

### **Resolution No. 2023-012 Resolution To Award Professional Legal Services - Labor & Personnel**

**WHEREAS**, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional legal services – Labor & Personnel - to be provided to the Authority from February 14, 2023 to February 13, 2024; and

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 7th day of February, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Trimboli & Prusinowski, LLC for legal services in accordance with their proposal dated January 9, 2023 at the hourly rates contained therein and not to exceed \$10,000.00 without separate Resolution from the Authority.
2. The Treasurer has certified the availability of funds in connection with the contract to be appropriated in accordance with the duly adopted budgets of the Authority.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
4. A copy of this resolution shall be published once in the official newspaper of the Authority.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-013**  
**Resolution To Award Professional Appraisal Services**

**WHEREAS**, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation To Submit Proposals for professional appraisal services to be provided to the Authority from February 14, 2023 to February 13, 2024; and

**WHEREAS**, the Authority received two proposals submitted by Sterling DiSanto & Associates, LLC and CBRE, Inc.; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 7th day of February, 2023 as follows:

1. The Executive Director of the Authority is authorized and directed to sign an agreement with Sterling DiSanto & Associates for appraisal services in accordance with their proposal dated January 18, 2023 at the hourly rates contained therein and not to exceed \$10,000.00 without separate Resolution from the Authority.

2. The Executive Director of the Authority is authorized and directed to include Sterling DiSanto & Associates on the list of approved firms for appraisal services.

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

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-014**  
**Resolution Fixing Meeting Dates**

**BE IT RESOLVED** by the Morris County Municipal Utilities Authority that through February 2023, Regular Meetings shall be held on March 7, 2023, April 11, 2023, May 9, 2023, June 13, 2023, July 11, 2023, August 8, 2023, September 12, 2023, October 10, 2023, November 14, 2023, December 12, 2023, January 9, 2024 and February 13, 2024 (Regular and Reorganization). Meetings shall be held in the First Floor Meeting Room at the MCMUA Offices, 214A Center Grove Road (known as the Dalrymple House), Randolph at 7:00 p.m. except for the December 12, 2023 meeting which will be held at 5:30 p.m.

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



**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-015  
A Resolution Accepting A Cash Management Plan  
For The Morris County Municipal Utilities Authority**

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

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

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

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-016**  
**Resolution On Open Public Meetings Act Procedures**

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

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

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-017**  
**Resolution Authorizing Certain Payments By The Treasurer**

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-018  
Resolution To Authorize The Defense And Indemnification Of The Members  
And Employees Of The Morris County Municipal Utilities Authority**

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

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

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

1. The MCMUA shall, to the extent permitted by law, provide a defense and indemnification to the past and present members and employees of the MCMUA and, therefore, shall pay or otherwise reimburse each past and present member and employee of the MCMUA for all fines, penalties, damages, costs and legal fees associated with any civil or criminal action which may be brought after the adoption of this Resolution against such member or employee based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority.

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

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

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

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

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

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

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

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

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

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

### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-019**  
**Resolution Designating Public Agency Compliance Officer**

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

**NOW, THEREFORE BE IT RESOLVED**, that Shana O’Mara, Qualified Purchasing Agent, is hereby appointed as the Public Agency Compliance Officer for the MCMUA to serve without salary for a term of one (1) year to expire on February 13, 2024.

**C E R T I F I C A T I O N**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-020**  
**Resolution Of The Morris County Municipal Utilities Authority Designating The Appointment Of A Qualified Purchasing Agent And Setting The Bid Threshold For Contracts Subject To Public Bidding Under The Local Public Contracts Law To \$44,000 For The Year 2023**

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

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

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

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

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

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

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

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-021  
Resolution Of The Morris County Municipal Utilities Authority  
Authorizing The Use Of A State Purchasing Contract For 2023**

**WHEREAS**, the Morris County Municipal Utilities Authority, pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the State of New Jersey Cooperative Purchasing program which has been approved by the Director of the Division of Local Government Services; and

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

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

- Walk-In Building Supplies - Home Depot - M8001 - 18-FLEET-00234 - \$10,000.00
- Custom Orders Facilities Maintenance an Repair Operations - Grainger - M0002 - 19-FLEET-00677 - \$6,000.00
- Facilities Maintenance and Repair & Operations - Grainger - M0002 - 19-FLEET-00566 - \$6,000.00
- Tires, Tubes and Services - The Goodyear Tire & Rubber Company - M8000 - 20-FLEET-00948 - \$75,000.00
- Automotive Lubricants - David Weber Oil Co. - T0097 - 20-FLEET-01343 - \$15,000.00
- Automotive Lubricants - Taylor Oil Company - T0097 - 20-FLEET-01342 - \$15,000.00
- Office Supplies - W.B. Mason - T0052 - 0000003 - \$13,000.00
- Data Communications Network Services - Verizon Business Network Services - T1776 - 85943 - \$15,000.00
- Wireless Devices & Services - Verizon Wireless - 22-TELE-05441 - \$15,000.00
- Cloud Solutions - Shi - M4002 - 21-TELE-01360 - \$1,200.00
- Non-OEM Auto Parts & Accessories - Parts Authority, LLC - 20-FLEET-00984 - \$8,000.00
- Value Point Cloud Solutions - Carahsoft Technology Corporation - M4002/19-COMP-00601 - \$95,000.00
- Law Enforcement Firearms & Supplies - Gen-El Safety - T0106/17-FLEET-00786 - \$3,000.00
- Automotive Parts & Accessories – Nielsen of Morristown – T2760/23-FLEET-34932/23-FLEET-34925 - \$4,000.00

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

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced State Contract Vendors shall be from **March 1, 2023** to **February 28, 2024**.

This Resolution shall take effect immediately.



**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-022**  
**Resolution Of The Morris County Municipal Utilities Authority Authorizing The Purchase**  
**Contracts With Approved Morris County Cooperative Pricing Council**  
**Contract Vendors For 2023**

**WHEREAS**, MCMUA is a party to a cooperative purchasing agreement with the Morris County Cooperative Pricing Council, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10; and

**WHEREAS**, the MCMUA, pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.1 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Morris County Cooperative Pricing Council "MCCPC", which has been approved by the Director of the Division of Local Government Services; and

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

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

Crushed Sand and Stone - Eastern Concrete - 9 - \$15,000.00

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

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced State Contract Vendors shall be from **March 1, 2023** to **February 28, 2024**.

This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-023**

**Resolution Authorizing Change in Claimant Signature**

1. **WHEREAS**, N.J.S.A. 40A:5-16 requires that the governing body of any local unit shall not pay out of its monies unless the person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up (the Invoice), with the certification of the party claiming payment that the bill or demand is correct (the Claimant Certification).
2. the payment carries a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit (certification of the user department).

**WHEREAS**, N.J.A.C. 5:30-9A.6(c), N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13 gives local units discretion to not require claimant certification by enacting a standard policy by resolution for vendors or claimants who do not provide such certification as part of its normal course of business; and

**WHEREAS**, the Treasurer has in place internal accounting controls and has determined same to be sufficient to avoid errors and fraud in the processing of claims for payment.

1. **NOW, THEREFORE BE IT RESOLVED**, by the Morris County Municipal Utilities Authority in the County of Morris, State of New Jersey that is hereby establishes a policy requiring the claimant signature under the following circumstances only:
2. Advances or reimbursement of employee expenses, and
3. Services provided exclusively and entirely by an individual (e.g. sole proprietors)
4. The local unit shall have the discretion to require claimant certification as it deems necessary and appropriate.

**BE IT FURTHER RESOLVED**, this policy will be applied in a non-arbitrary fashion and will be affirmatively communicated to vendors.

This Resolution shall take effect as provided by law.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-024**  
**Resolution Of The Morris County Municipal Utilities Authority Authorizing The Purchase**  
**Contracts With Approved ESCNJ Cooperative Pricing System - #65MCESCCPS**  
**Contract Vendors For 2023**

**WHEREAS**, MCMUA is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10; and

**WHEREAS**, the MCMUA, pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.1 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Educational Services Commission of New Jersey Cooperative Pricing System “ESCNJ Cooperative Pricing System”, which has been approved by the Director of the Division of Local Government Services; and

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

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

- Fire alarm, fire extinguisher, kitchen hood (inspection service) - FAST - 20/21-23 - \$10,000.00
- Broadband Internet Access - Cablevision Light Path NJ - 18/19-46 - \$10,000.00
- AMI - Water Meter Management Services - Core & Main LP - 19/20-27 - \$10,000.00
- Automotive Parts & Supplies - Parts Authority - 20/21-38 - \$9,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the MCMUA authorizes the Qualified Purchasing Agent to purchase certain goods or services from those approved ESCNJ Cooperative Pricing System Vendors on the afore mentioned list, pursuant to all conditions of the individual ESCNJ Cooperative Pricing System contracts; and

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced State Contract Vendors shall be from **March 1, 2023** to **February 28, 2024**.

This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-025**  
**Resolution Of The Morris County Municipal Utilities Authority Authorizing The Purchase**  
**Contracts With Approved Somerset County Cooperative Pricing System - #2SOCCP**  
**Contract Vendors For 2023**

**WHEREAS**, MCMUA is a party to a cooperative purchasing agreement with the Somerset County Cooperative Pricing System, a cooperative purchasing program organized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-10; and

**WHEREAS**, the MCMUA, pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.1 et seq. may, by Resolution and without advertising for bids, purchase any goods or services through the Somerset County Cooperative Pricing System “SOCCP”, which has been approved by the Director of the Division of Local Government Services; and

**WHEREAS**, the MCMUA has a need to purchase, on a timely basis, goods or services utilizing the Somerset County Cooperative Pricing System contracts; and

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

Automotive & Light Duty Truck Aftermarket Parts - One Source - CC-0113-22 - \$7,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the MCMUA authorizes the Qualified Purchasing Agent to purchase certain goods or services from those approved Somerset County Cooperative Pricing System Vendors on the afore mentioned list, pursuant to all conditions of the individual Somerset County Cooperative Pricing System contracts; and

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced State Contract Vendors shall be from **March 1, 2023** to **February 28, 2024**.

This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-026**  
**Resolution Of The Morris County Municipal Utilities Authority Authorizing The Purchase**  
**Contracts With Approved Sourcewell Cooperative Pricing System**  
**Contract Vendors For 2023**

**WHEREAS**, the Morris County Municipal Utilities Authority (MCMUA) is authorized by N.J.S.A. 52:34-6.2 to make purchases and contracts for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, and further provided that the contracting unit has made a determination that the use of a cooperative purchasing agreement will result in cost savings after all factors have been considered; and

**WHEREAS**, the Qualified Purchasing Agent (QPA) for the MCMUA has determined that the Sourcewell Cooperative Purchasing Program (Sourcewell) is a nationally-recognized and accepted cooperative purchasing system and agreement that has been developed utilizing a competitive bidding process by another contracting unit, as it is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3. As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017); and

**WHEREAS**, the MCMUA QPA has further determined that Sourcewell utilizes a cooperative purchasing system and agreement that complies with the competitive bidding process set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., and meets the criteria of the New Jersey pay-to-play law at N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Sourcewell has advertised and awarded cooperative purchasing agreements for a variety of goods, services and equipment; and

**WHEREAS**, the MCMUA has a need to purchase, on a timely basis, goods, services and equipment utilizing the Sourcewell Cooperative Purchasing Program contracts; and

**WHEREAS**, on January 20, 2023, the Morris County Municipal Utilities Authority publicly advertised a Notice of Intent to utilize the following contracts for a variety of goods,

services and equipment through the Sourcewell Cooperative Purchasing Program under a National Cooperative Purchasing Agreement. The associated public comment period ended on February 6, 2023 and no comments were received; and

Class 4-8 Chassis w/ related equipment, accessories & Service - Navistar - International Truck (At Northern) - 060920-NVS - \$12,00.00  
OEM Automotive parts and supplies - Navistar Parts (At Northern) – 101520-NVS – \$12,000.00  
Fleet Management - Verizon Connect - 020221-NWF - \$17,000.00

**WHEREAS**, all required documentation, including, New Jersey Business Registration Certificate; Statement of Corporate Ownership; Public Contract EEO Compliance Form (Affirmative Action) and Non-collusion Affidavit has been obtained from the vendor in accordance with New Jersey Local Public Contracts Law; and

**WHEREAS**, cost savings analysis will be completed by the MCMUA to determine the procurements through the Sourcewell Cooperative Pricing System is at a cost savings to the MCMUA; and

**NOW, THEREFORE, BE IT RESOLVED**, that the MCMUA authorizes the Qualified Purchasing Agent to purchase certain goods, services and equipment from those approved Sourcewell Cooperative Pricing System Vendors on the afore mentioned list, pursuant to all conditions of the individual contracts; and

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced Sourcewell Cooperative Pricing System Vendors shall be from **March 1, 2023 to February 28, 2024**.

This Resolution shall take effect as provided by law.

### **CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

**Resolution No. 2023-027**

**Resolution Of The Morris County Municipal Utilities Authority Authorizing  
The Purchase Contracts With Omnia Partners Contract Vendors For 2023**

**WHEREAS**, the Morris County Municipal Utilities Authority (MCMUA) is authorized by N.J.S.A. 52:34-6.2 to make purchases and contracts for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, and further provided that the contracting unit has made a determination that the use of a cooperative purchasing agreement will result in cost savings after all factors have been considered; and

**WHEREAS**, the Qualified Purchasing Agent (QPA) for the MCMUA has determined that the Omnia Partners – Public Sector is a nationally-recognized and accepted cooperative purchasing system and agreement that has been developed utilizing a competitive bidding process and

**WHEREAS**, the MCMUA QPA has further determined that Omnia Partners – Public Sector utilizes a cooperative purchasing system and agreement that complies with the competitive bidding process set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-1 et seq., and meets the criteria of the New Jersey pay-to-play law at N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Omnia Partners – Public Sector has advertised and awarded cooperative purchasing agreements for a variety of goods, services and equipment; and

**WHEREAS**, the MCMUA has a need to purchase, on a timely basis, goods, services and equipment utilizing the Omnia Partners – Public Sector contracts; and

**WHEREAS**, on January 20, 2023, the Morris County Municipal Utilities Authority publicly advertised a Notice of Intent to utilize the following contracts for a variety of goods, services and equipment through the Omnia Partners – Public Sector under a National Cooperative Purchasing Agreement. The associated public comment period ended on February 6, 2023 and no comments were received; and

MRO, Supplies & Equipment - Lowe's - R192006 –  
\$12,000.00  
Online Market Place - Amazon - MA3457 –  
\$7,000.00

**WHEREAS**, cost savings analysis will be completed by the MCMUA to determine the procurements through the Omnia Partners – Public Sector is at a cost savings to the MCMUA; and

**NOW, THEREFORE, BE IT RESOLVED**, that the MCMUA authorizes the Qualified Purchasing Agent to purchase certain goods, services and equipment from those approved Omnia Partners – Public Sector Vendors on the afore mentioned list, pursuant to all conditions of the individual contracts; and

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the MCMUA and the Referenced Omnia Partners – Public Sector Vendors shall be from **March 1, 2023 to February 28, 2024**.

This Resolution shall take effect as provided by law.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Reorganization Meeting held on February 7, 2023.

MORRIS COUNTY MUNICIPAL  
UTILITIES AUTHORITY

By: \_\_\_\_\_  
Dorothea Kominos, Chairwoman

ATTEST:

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

MOTION: Mr. Druetzler made a Motion to approve Resolution Nos. 2023-008 through 2023-027 and Mr. Guadagno seconded the Motion.

ROLL CALL: AYES: 6      NAYES: NONE      ABSTENTIONS: NONE

Chairwoman Kominos mentioned that the Subcommittee assignments are enclosed. If you want to talk about them, please let me know. The committees are as follows: Solid Waste Committee members are Christopher Dour, William Hudzik, Michael Guadagno, and Dr. Art Nusbaum; Water Committee members are Frank Druetzler, Laura Szwak and Dr. Dorothea Kominos; Open Space Committee members are Laura Szwak, and Larry Gindoff and the Executive Committee members are Dr. Dorothea Kominos, Chairwoman, James Barry, Frank Druetzler and Larry Gindoff.

There being no further business, the Reorganization Meeting was adjourned at 7:10 p.m. with the following Motion:

MOTION: Mr. Guadagno made a Motion to adjourn the Reorganization Meeting at 7:10 p.m. Mr. Dour seconded the Motion and it was carried unanimously.

Mr. Gindoff congratulated all three consultants at the meeting on their reappointments and expressed his appreciation for all their hard work over the past year and look forward to working with you in 2023 again to have another successful year. Mr. Carney thanked everyone for the reappointment.

/mr

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