

**RESOLUTION ACCEPTING BIDS, REJECTING ALL OTHER BIDS, AND AWARDING THE BELOW LISTED MAINTENANCE AND SUPPLY CONTRACTS COMMENCING 2014 FOR CONTRACT #'S 2014-03, 2014-07, AND 2014-09**

WHEREAS, the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to product, store and supply safe drinking water to its constituents, is on an unpredictable and unquantifiable basis in need of contract services and supply of materials on an as needed basis ; and

WHEREAS, the MPWC caused to have the necessary contracts as set forth below publicly advertised in accordance with the requirements of the Public Contracts Act; and

WHEREAS, these are the remaining unawarded of the contracts starting in 2014; and

WHEREAS, the specifications and estimates for bids were prepared as best as could be done by the Commission based on knowledge of the facilities and past experience done and prepared by the Commission engineer; and

WHEREAS, advertised for the bid of the materials and services; and gave opportunities for questions and objections; and

WHEREAS, bids were received and opened as described in the final documents and

WHEREAS, the bids are all awarded on an "as-needed" basis in undesignated quantity and the numbers listed are not the amount to be paid but rather the amount bid based on the estimated quantities to establish a per item and quantity price; and

WHEREAS, #2014-03 is for professional services for chemical analysis; and #2014-09 is for supply of proprietary corrosion inhibitor and are each for one year; and

WHEREAS , #2014-07 is a proprietary contract for radio read meters/MIU leak detectors for unit pricing for a two year contract supply as needed; and

WHEREAS, the bid(s) have been evaluated by the MPWC and their Engineer, respectively and the recommendations are made as hereinafter provided to the lowest responsible and responsive bidder who has complied with the advertised specifications pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, et. Seq. and in accordance with the instructions for bidding; and

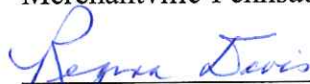
WHEREAS the designated Financial officer has certified to the availability of funds; and

WHEREAS, the Commissioners based upon the available and supplied information having found the referenced bidders on the attached list to be the lowest responsible bidders within the meaning of the Act; and so

**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the MPWC on this 9th day of January 2014, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, that this Commission awards the annual Maintenance and Supply Bids as listed on the attached summary sheet, and unless the said awardees fail to execute the contract or comply with all requirements as set forth in the bid packages, then all other bids shall upon execution be deemed rejected; and the MPWC staff are directed to take all necessary action to implement the appropriate agreements with those designated.

**BE IT FURTHER RESOLVED** that the original of this resolution be kept in the Official Records of the Commission. I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the date aforementioned.

Merchantville-Pennsauken Water Commission



Regina Davis, Commissioner and  
Secretary of the Commission

Annual Maintenance Bid Recommended Award

Bid No.	Bid Description	Low Bidder	Total Amount
14-03	Chemical Analysis of Water*	Global Environmental	\$46,015.00
14-07	Water Meters / MIU Leak Detector	Rio Supply	\$406,175.00
14-09	Corrosion Inhibitor	Klenzoid	\$33,110.00

**RESOLUTION ACCEPTING BIDS, REJECTING ALL OTHER BIDS, AND AWARDING THE BELOW LISTED ANNUAL SUPPLY CONTRACTS COMMENCING 2014 FOR CONTRACT #'S 2014-01 Ductile Iron & Copper Fittings**

WHEREAS, the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to product, store and supply safe drinking water to its constituents, is on an unpredictable and unquantifiable basis in need of contract services and supply of materials on an as needed basis ; and

WHEREAS, the MPWC caused to have the necessary contracts as set forth below publicly advertised in accordance with the requirements of the Public Contracts Act; and

WHEREAS, this is a remaining unawarded annual supply of the contracts starting in 2014; and

WHEREAS, the specifications and estimates for bids were prepared as best as could be done by the Commission based on knowledge of the facilities and past experience done and prepared by the Commission engineer; and

WHEREAS, bids were received and opened as described in the final documents; and

WHEREAS, it was advertised for the bid anticipated estimated materials; and prospective bidders were given the opportunity for questions and objections; and non-compliance bidders were given the opportunity to explain why they believed their bid was compliant or the bid item was equivalent; and

WHEREAS, the bids are all awarded on an "as-needed" basis in undesignated quantity and the numbers listed are not the amount to be paid but rather the amount bid based on the estimated quantities to establish a per item and quantity price; and

WHEREAS, the only other submitted bid was by HD Supply but was not responsive to the bid as their bid was not in compliance with the specifications of the bid in significant and material ways on 17 items, and therefore the Engineer recommends that bid be rejected as non-compliant; and

WHEREAS, the bid(s) have been evaluated by the MPWC and their Engineer, respectively and the recommendations were made that the below listed is the lowest responsible and responsive bidder who complied with the advertised specifications pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.* and in accordance with the instructions for bidding; and

WHEREAS the designated Financial officer has certified to the availability of funds; and

**NOW THEREFORE BE IT RESOLVED**, by the Commissioners of the MPWC on this 9th day of January 2014, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, the Commissioners based upon the available and supplied information having found WATER WORKS SUPPLY CO. to be the lowest responsible bidders within the meaning of the Act;

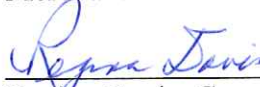
**BE IT FURTHER RESOLVED** that this Commission awards the annual Maintenance and Supply Bid to

**WATER WORKS SUPPLY CO.** in a bid amount of \$93, 711.97

and unless the said awardees fail to execute the contract or comply with all requirements as set forth in the bid packages, then all other bids shall upon execution be deemed rejected; and the MPWC staff are directed to take all necessary action to implement the appropriate agreements with those designated.

**BE IT FURTHER RESOLVED** that the original of this resolution be kept in the Official Records of the Commission. I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the date aforementioned.

Merchantville-Pennsauken Water Commission



Regina Davis, Commissioner and Secretary of the Commission

**THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION  
RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROVAL OF  
CHANGE ORDER # \_\_\_\_\_ OF CONTRACT FOR PAINTING CONTRACT  
FOR THE PARK AVE WATER STORAGE TANK**

**WHEREAS**, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION ("MPWC") and its Engineers have determined it is advantageous for the Project and proper development of its system, ease of maintenance and to meet the heretofore unanticipated needs of the project and primarily facing conditions which were unknown and unforeseen requiring necessary changes; and

**WHEREAS** the MPWC Commissioners , Staff and its Consulting Engineer have said that such changes are necessary, recommended same and negotiated that changes with the contractor as to the changes call for; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, AS FOLLOWS:** The Commission hereby approves the attached Change order # \_\_\_\_\_ consisting of

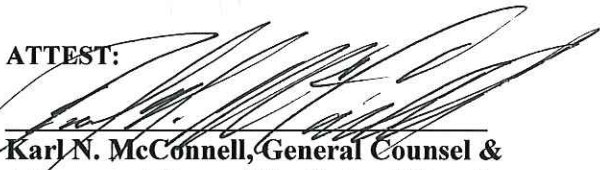
- 1) ADDING AN ADDITIONAL NINETY (90) TO THE TIME WITHIN WHICH TO COMPLETE THE CONTRACT DUE TO THE WEATHER MAKING COMPLETION IMPOSSIBLE and
- 2) This Resolution shall take effect immediately upon adoption this 9th day of JANUARY, 2014.

**I hereby certify that this is a true copy of a Resolution adopted by the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION on JANUARY 9, 2014.**

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**BY:** Regina Davis  
Regina Davis, Secretary

**SEAL**

**ATTEST:**  
  
Karl N. McConnell, General Counsel &  
Attorney-at-Law of the State of New Jersey

**RESOLUTION AUTHORIZING ADJUSTMENTS OF  
COMPENSATION FOR ALL PERMANENT EMPLOYEES AND THE AWARD OF MERIT  
BONUSES TO CERTAIN EMPLOYEES AS LISTED HEREIN**

**WHEREAS**, the Merchantville-Pennsauken Water Commission (hereafter the MPWC or Commission) is a public entity and a body politic of the State of New Jersey created pursuant to New Jersey Statutes 40:62-108 et seq.; and

**WHEREAS**, the Commission has the authority to provide for the orderly and efficient operation of the Commission finances, and to employ and compensate employees; and

**WHEREAS**, the Commission met on this December 12, 2013 while in open public meeting duly organized and advertised appeared in public session; and had after executive session for personnel having considered and proceeded under the Open Public Meetings Act ; and

**WHEREAS**, the Commission had established a Commissioners Salary Committee to research in detail and consider and report to the Commissioners; and

**WHEREAS**, the Commission has adopted the recommendations of the Salary Committee;

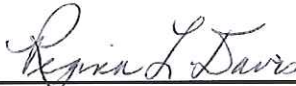
**NOW, THEREFORE BE IT SO RESOLVED** by the Commissioners of the MPWC in lawful meeting publically advertised and held in Township of Pennsauken, County of Camden, State of New Jersey, that effective the immediately the following changes in compensation are enacted as follows:

- 1) the attached list of merit bonuses for the salaried employees on the attached list is approved effective immediately.

**AND THEREFORE BE IT FURTHER RESOLVED** that the MPWC staff is hereby directed to effectuate and make said compensation changes and payments in accordance with its proper procedures.

I, **REGINA DAVIS**, SECRETARY of the Merchantville-Pennsauken Water Commission, hereby certify the foregoing to be a true and correct copy of the Resolution adopted by Commission at a meeting of said Commission on January 9, 2014 and said Resolution passed by a unanimous vote of the members of Commission present at the meeting.

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

  
\_\_\_\_\_  
**REGINA DAVIS, Secretary**

**ATTEST:**

  
\_\_\_\_\_  
**Bernhard H. Kofoet, President**

**Bonuses for A Salaried Employee**

for the 2013 year as approved by the Commissioners Salary Committee and recommended to the full Commission as of January 9, 2014:

The following salaried employees shall receive bonuses as set forth below;

1) Michael Saraceni, COO           \$ 4,000.00

**RESOLUTION NO. 2014-05**

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**RESOLUTION AWARDED TO AT&T A NON-EXCLUSIVE LEASE OF A CERTAIN PORTION OF LAND IN THE TOWNSHIP OF PENNSAUKEN, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY FOR TELECOMMUNICATIONS ANTENNAE AND EQUIPMENT.**

(Existing Tank antennae lease at Marion Ave., BID # 2014-02)

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**WHEREAS**, after public bid in accordance with both the laws of the State of New Jersey and prior formal Resolution of this Commission; and

**WHEREAS**, New Cingular Wireless PCS, LLC, a Delaware limited liability company, by AT&T Mobility Corporation has submitted a Bid in excess of the minimum low bid at \$40,900.00 for the first year; and

**WHEREAS**, the Merchantville-Pennsauken Water Commission has been requested by same to lease a certain portion of its real property and space on its water tank in the Township of Pennsauken, owned by it and known as 6950 Marion Avenue and also known as Block 3107, Lots 22 & 21.01 on the tax map of the Township of Pennsauken, such Lease to be for the lease of an area of land( more particularly described in the Bid and Award documents) inside of an existing shed for the placement of an equipment cabinet in conjunction with the placement of antennae on and existing tower on that site; and

**WHEREAS**, the Commission has reviewed the proposal and has determined that the proposal is reasonable; and

**WHEREAS**, the Merchantville-Pennsauken Water Commission wishes to offer such a portion of real property for lease under the terms and conditions as provided for in the proposed Bid Package and Bid and there being no other bidders at this time; and

**WHEREAS**, the Commission has determined that the AT&T bid was the most profitable while still being in compliance with all material terms after public advertisement and auction under applicable statutes ;

**NOW, THEREFORE, BE IT RESOLVED** by the Merchantville-Pennsauken Water Commission that 1.) the lease for the property in question shall be awarded to, New Cingular Wireless PCS, LLC, a Delaware limited liability company, by AT&T Mobility Corporation under the terms described in Bid Package and the Bid itself; and.2) The proper officials are hereby authorized to execute the lease on behalf of the Commission provided that should said awardees execute the contract and comply with all requirements as set forth in the bid packages otherwise this award shall be deemed void.

**BE IT FURTHER RESOLVED** that the original of this resolution be kept in the Official Records of the Commission. I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the 19<sup>th</sup> of February, 2014.

Merchantville-Pennsauken Water Commission

  
\_\_\_\_\_  
Regina Davis, Secretary

The Official Minutes of the MPWC and the Official List the Commissioners vote are maintained in the official records of the Commission by the Chief Operating Officer

**The MERCHANTVILLE-PENNSAUKEN**  
**WATER COMMISSION**

County of CAMDEN:  
State of New Jersey :

Affidavit of Oath of Office

"I, BERNHARD KOFOET , do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people. So help me God."

"I, further do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of COMMISSIONER OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION according to the best of my ability. So help me God."

I hereby affix my signature under oath.

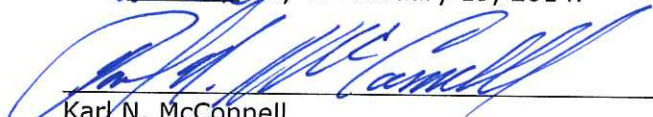
Name BERNARD KOFOET 

ADDRESS 2321 49<sup>TH</sup> STREET

PENNSAUKEN, N.J. 08110

Sworn and Subscribed before the undersigned

this Wednesday day of February 19, 2014.

  
Karl N. McConnell  
Attorney -at-Law of the State of New Jersey



# Merchantville-Pennsauken Water Commission

## Executive Session Resolution Of 2 - 19 - 2014 (insert date)

WHEREAS, the Merchantville-Pennsauken Water Commission (hereafter MPWC) is a public entity and a body politic of the State of New Jersey created pursuant to New Jersey Statutes 40:62-108 et seq.; and WHEREAS, the Commission has the authority and the duty thereby to provide for the orderly and efficient operation of the area of its franchise and all of its operations, including its meetings; and

WHEREAS, the Commission on this date while in open public meeting duly organized and advertised by the Commission had publically considered and determined that the dictates of the Open Public Meetings Act which provides for and allows under these circumstances for this body to go into Executive Session which is closed to the Public; and WHEREAS, the Commission, after allowing for public comment prior to a vote thereupon, voted by roll call vote, in open session to take the following action:

**NOW, THEREFORE BE IT SO RESOLVED** Merchantville-Pennsauken Water Commission IN THE COUNTY of Camden, STATE OF NEW JERSEY, That effective immediately the Commission hereby resolves to: 1) Go into Closed or Executive session for the purposes of discussing the following:

- A)  Matters deemed confidential by provision Of Federal or State law or Rule of Court.
- B)  Matters in which release of information would impair a right to receive federal funds
- C)  Matters which if disclosed would constitute an unwarranted invasion of privacy relative to an individual's personal or family circumstances or material relating to medical, rehabilitation, custodial or child protection issues;
- D)  Matters involving contract or collective negotiations or an agreement resulting there from;
- E)  Matters involving an interest in real property, the setting of rates or investment of public funds which could possibly adversely affect the public interest if such were disclosed;
- F)  Matters involving tactics or techniques used for safety or security and/or any investigations or possible violations of regulations or laws;
- G)  Matters involving pending or anticipated litigation or contract negotiation (other than collective negotiations) and/or any matters involving attorney-client privilege; VEPA v MPWC; & MPWC v CB&I.
- H)  Matters involving the appointment, termination, terms and conditions of employment, evaluation, performance or any specific prospective or current public officer or employee of the Water Commission;
- I)  Matters which the Commission is required by other law or regulation to keep confidential; ( \_\_\_\_\_ here make reference to that law or regulation),

2) That the minutes of the Executive Session shall be made public about: 6 MONTHS AFTER ALL CONCLUSION OF RESPECTIVE LITIGATION & TIME FOR APPEAL or upon only further resolution of the body /or due to the nature of the material shall only be released at that time once redacted or not made public; and

3) The Commission WILL BE Or WILL NOT BE (circle one) Returning to open session at approximately: \_\_\_\_\_

4) That this resolution shall either be reflected in the official minutes or kept on file for public inspection.

Result of Roll call Vote: #YEAS                      #NAYs                      # ABSTAINs                      # Absent

Official List of Each member's Roll Call vote are maintained in the official records of the Water Commission by the Commission Secretary in the final and approved official minutes of the body.

Date: \_\_\_\_\_

Regina L Davis  
Patrick Brennan, Commission Secretary  
REGINA DAVIS

**RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROVAL OF CHANGE ORDER #3 OF CONTRACT FOR PAINTING CONTRACT FOR THE PARK AVE WATER STORAGE TANK**

**WHEREAS**, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION ("MPWC") and its Engineers have determined it is advantageous for the Project and proper development of its system, ease of maintenance and to meet the heretofore unanticipated needs of the project and primarily facing conditions which were unknown and unforeseen requiring necessary changes; and

**WHEREAS** the MPWC Commissioners , Staff and its Consulting Engineer have said that such changes are necessary, recommended same and negotiated that changes with the contractor as to the changes call for; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, AS FOLLOWS:** The Commission hereby approves the attached Change order #3 consisting of

- 1) ADDING AN ADDITIONAL THIRTY (30) TO THE TIME WITHIN WHICH TO COMPLETE THE CONTRACT DUE TO THE WEATHER MAKING COMPLETION IMPOSSIBLE and
- 2) This Resolution shall take effect upon the expiration of the current 90 day extension if and only if in the opinion of the Commission' s Engineer it is necessary and the weather has continued to impede completion.

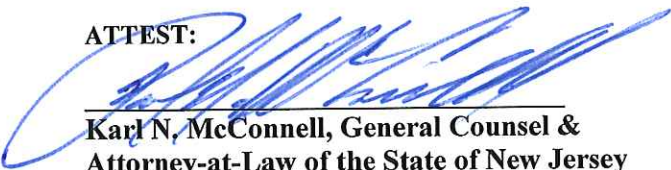
**I hereby certify that this is a true copy of a Resolution adopted by the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION on MARCH 13, 2014.**

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

BY:   
**Regina Davis, Commissioner and Secretary of the Commission**

**SEAL**

**ATTEST:**

  
**Karl N. McConnell, General Counsel & Attorney-at-Law of the State of New Jersey**

## THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

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### RESOLUTION OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION CONFIRMING THE FINDINGS OF THE NEW JERSEY LOCAL FINANCE BOARD

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#### BACKGROUND

**WHEREAS**, The Merchantville-Pennsauken Water Commission ("Commission") has submitted an application to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs ("Local Finance Board") in connection with its Project Financing, in an amount not to exceed \$2,800,000 pursuant to *N.J.S.A.* 40A:5A-6; and

**WHEREAS**, the application was reviewed by the Local Finance Board on January 15, 2014; and

**WHEREAS**, *N.J.S.A.* 40A:5A-7 requires the Commission to certify to the Local Finance Board, by resolution, that each member of the Commission has personally reviewed the findings and recommendations of the Local Finance Board with respect to the proposed financing, as evidenced by a group affidavit of the Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, AS FOLLOWS:**

**Section 1.** The Commission hereby certifies that each member of the Commission has reviewed the findings and recommendations contained in the resolutions of the Local Finance Board with respect to the proposed financing.

**Section 2.** The Secretary of the Commission is hereby authorized and directed to submit a certified copy of this resolution and the required group affidavit to the Local Finance Board to demonstrate evidence of such compliance.

**Section 3.** All resolutions, or parts thereof, inconsistent herewith are hereby rescinded or repealed to the extent of any such inconsistency.

**Section 4.** This Resolution shall take effect immediately upon adoption this 13th day of March, 2014.

Recorded Vote:	Kofoet:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
	Brennan:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
	German:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
	Davis:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT
	Scavuzzo:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NO	<input type="checkbox"/> ABSTAIN	<input type="checkbox"/> ABSENT

The foregoing is a true copy of a resolution adopted by the governing body of THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION at a meeting thereof duly called and held on March 13, 2014.



Regina Davis, Secretary  
The Merchantville-Pennsauken Water Commission





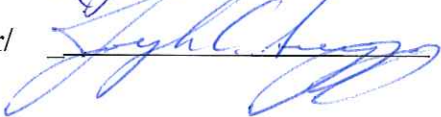
[SEAL]

**Group Affidavit Form  
Certification of Governing Body**

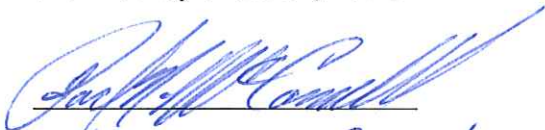
State of New Jersey            )  
  ) ss  
County of Camden                )

We, the members of the governing body of THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION ("Commission"), being of full age and being duly sworn according to law, upon our oath depose and say:

1. We are duly appointed members of the governing body of the Commission.
  
2. We certify that, pursuant to *N.J.S.A. 40A:5A-7*, we have personally reviewed the findings and recommendations of the Local Finance Board ("Board") issued at a meeting of the Board on January 15, 2014, in connection with the Project Financing, in an amount not to exceed \$2,800,000.

<u>Names</u>	<u>Title</u>	<u>Signature</u>
Bernhard H. Kofcet	President	 _____
Patrick Brennan	Vice President	 _____
G. Burton German, Jr.	Treasurer	 _____
Regina Davis	Secretary	 _____
Joseph Scavuzzo	Assistant Treasurer/ Secretary	 _____

Sworn to and subscribed before me  
this 13th day of March, 2014.

  
\_\_\_\_\_  
KARL N. MCCORDELL  
ATTORNEY-AT-LAW OF  
THE STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING PARTICIPATION IN THE CAMDEN COUNTY COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, The Merchantville-Pennsauken Water Commission (Hereinafter, MPWC) is a regional water authority created in 1926 pursuant to N.J.S.A. 40:62-108 and located in Camden County; and

**WHEREAS**, the MPWC purchasing and contracting is governed by the Local Public Contracts Act , N.J.S.A. 40:11-1, *et seq.*; and

**WHEREAS**, N.J.S.A. 40:11-11(5) authorizes contracting units to establish and enter into Cooperative Pricing Agreements; and

**WHEREAS**, by Resolution adopted October 26, 1995, the Board of Chosen Freeholders of the County of Camden established the Camden County Cooperative Pricing System with the County of Camden as the Lead Agency, and authorized the execution of Cooperative Pricing Agreements with the initial members, to wit: Boroughs of Audubon, Barrington, Collingswood, Haddon Heights, Haddonfield and the Township of Haddon; and

**WHEREAS**, in order for the MPWC to avail itself of any superior prices and purchasing power afforded by the Camden County Cooperative Pricing System (CCCPS), there is a need to authorize the execution of a Cooperative Pricing Agreement with Camden County, and in turn the County shall seek the approval from the Department of Community Affairs for MPWC participation in the CCCPS; and

**NOW, THEREFORE, BE IT RESOLVED** by the MPWC Commissioners that the MPWC is hereby authorized to Participate in the Camden County Cooperative Pricing System, and its Commissioners, officers and staff are hereby authorized to enter into such agreements and to execute such documents as are necessary to accomplish that purpose; and

**BE IT FURTHER RESOLVED** that the original of this resolution be kept in the Official Records of the Commission. I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the 13<sup>th</sup> of March, 2014.

Merchantville-Pennsauken Water Commission

*Regina L. Davis*

Regina Davis, Secretary

The Official Minutes of the MPWC and the Official List the Commissioners vote are maintained in the official records of the Commission by the Chief Operating Officer.

*I HEREBY CERTIFY THAT THE ABOVE ACTION WAS TAKEN AND THE ABOVE RESOLUTION WAS EXECUTED IN MY PRESENCE BY THE COMMISSIONER AND COMMISSIONAL SECRETARY ON THIS 13TH DAY OF MARCH 2013 IN THE TOWNSHIP OF PENNSAUKEN COUNTY OF CAMDEN AT A REGULAR PUBLIC MEETING OF THE COMMISSION.*

*KARL N. MCCONNELL, GENERAL*

*COUNSEL, AND ATTORNEY-AT-LAW OF THE STATE OF NEW JERSEY.*

# Merchantville-Pennsauken Water Commission-Executive Session

Resolution Of 3 - 13 - 2014 (insert date) Time Out 7:00 AM; Back In or Adjourn 7:25 pm

WHEREAS, the Merchantville-Pennsauken Water Commission (hereafter MPWC) is a public entity and a body politic of the State of New Jersey created pursuant to New Jersey Statutes 40:62-108 et seq.; and WHEREAS, the Commission has the authority and the duty thereby to provide for the orderly and efficient operation of the area of its franchise and all of its operations, including its meetings; and

WHEREAS, the Commission on this date while in open public meeting duly organized and advertised by the Commission had publically considered and determined that the dictates of the Open Public Meetings Act which provides for and allows under these circumstances for this body to go into Executive Session which is closed to the Public; and

WHEREAS, the Commission, after allowing for public comment prior to a vote thereupon, voted by roll call vote, in open session to take the following action:

NOW, THEREFORE BE IT SO RESOLVED Merchantville-Pennsauken Water Commission hereby resolves to: 1) Go into Closed or Executive session for the purposes of discussing the following:

- A)  Matters deemed confidential by Federal or State law or Rule of Court ATTY-CLIENTS;
- B)  Matters where release of information would impair a right to receive federal funds \_\_\_\_\_;
- C)  Matters if disclosed would constitute an unwarranted invasion of privacy to a individual's personal or family circumstances or material relating to medical, rehabilitation, custodial or child protection issues \_\_\_\_\_;
- D)  Matters involving contract or collective negotiations or an agreement resulting therefrom \_\_\_\_\_;
- E)  Matters involving an interest in real property, the setting of rates or investment of public funds which could possibly adversely affect the public interest if such were disclosed \_\_\_\_\_;
- F)  Matters involving tactics or techniques used for safety or security and/or any investigations or possible violations of regulations or laws \_\_\_\_\_;
- G)  Matters involving pending or anticipated litigation or contract negotiation (other than collective negotiations) and/or any matters involving attorney-client privilege CURRENT LITIGATION \_\_\_\_\_;
- H)  Matters involving the appointment, termination, terms and conditions of employment, evaluation, performance or any specific prospective or current public officer or employee of the Water Commission; \_\_\_\_\_;
- I)  Matters which the Commission is required by other law or regulation to keep confidential; ( \_\_\_\_\_ here make reference to that law or regulation),

2) That the minutes of the Executive Session shall be made public about: 6 MONTH AFTER CONCLUSION OF FINAL TIME FOR APPEAL or upon only further resolution of the body /or due to the nature of the material shall only be released at that time once redacted or not made public; and

3) The Commission WILL BE or WILL NOT BE (circle one) returning to open session estimated at approximately: \_\_\_\_\_

4) That this resolution shall either be reflected in the official minutes or kept on file for public inspection. Result of Roll call Vote: #YEAs 5 #NAYs \_\_\_\_\_ # ABSTAINS \_\_\_\_\_ # Absent \_\_\_\_\_

Date: 3/13/14

Regina Davis  
Regina Davis, Commission Secretary

Official List of Each member's Roll Call vote are maintained in the official records of the Water Commission by the Commission Secretary in the final and approved official minutes of the body.

**RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE SALE OF PUBLIC PROPERTY ON-LINE THROUGH NJ STATE CONTRACT VENDOR GOVDEALS.**

**WHEREAS**, the Merchantville-Pennsauken Water Commission (MPWC) is the owner of certain surplus property, as set forth in Attachment A, which is no longer needed for public use; and

**WHEREAS**, the MPWC's attempt at regular advertised public bid sale resulted in no qualifying bids and only one bid below the advertised minimum which was rejected by the Commission; and

**WHEREAS**, the MPWC is selling said surplus property in an "as is" condition without express or implied warranties, and

**WHEREAS**, the On-Line auction shall be conducted pursuant to the provision of N.J.S.A. 40A:11-36, New Jersey State Contract A-83453/T2581 and New Jersey Local Finance Notice 2008-9; and

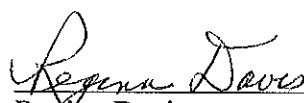
**WHEREAS**, the MPWC will utilize the online auction services of GovDeals, posted on the GovDeals Website [www.govdeals.com](http://www.govdeals.com); and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of MPWC, in the County of Camden, State of New Jersey, as follows:

1. The sale of surplus property as indicated in Schedule A shall be sold to the highest qualified bidder, through GovDeals in accordance with the terms and conditions of the contract. The terms and conditions of the agreement entered into with GovDeals are available online at [www.govdeals.com](http://www.govdeals.com) and also available in the Merchantville-Pennsauken Water Commission's office; and
2. The surplus property identified shall be sold in an "as is" condition without express or implied warranties and with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property; and
3. The Commissioners reserve the right to accept or reject any bid submitted.

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission at the duly advertised and legally held public meeting on April 10, 2014.

Date: 4-10-2014

  
\_\_\_\_\_  
Regina Davis,

Commissioner, and Secretary of the  
Merchantville-Pennsauken Water Commissioner



**Attachment A to**

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**RESOLUTION REJECTING ALL BIDS AND AUTHORIZING THE SALE OF PUBLIC PROPERTY ON-LINE THROUGH NJ STATE CONTRACT VENDOR GOVDEALS**

The Surplus Property pursuant to the provision of N.J.S.A. 40A:11-36, New Jersey State Contract A-83453/T2581 and New Jersey Local Finance Notice 2008-9, and for listing at online auction services of GovDeals, posted on the GovDeals Website [www.govdeals.com](http://www.govdeals.com):

- 1) 2002 White Ford Explorer, VIN # 1FMZU72EX2UB55269; with 78,425 miles;
- 2) 2005 White Ford Explorer, VIN # 1FMZU73K45ZA58015; with 58,579 miles;
- 3) 2007 White Ford Explorer, VIN # 1FMEU73E27UB74208; with 49,920 miles; and
- 4) Hasler M3000, Folder/Inserter Machine, Model No b3180 s/n 06dx5395, pristine condition, like new.

**RESOLUTION ACCEPTING, REJECTING, AND  
AWARDING BIDS FOR THE PROJECT FOR REPLACEMENT OF THE 6" MAIN ALONG  
PLYMOUTH PLACE AND HINCHMAN AVENUE**

**WHEREAS**, the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to product, store and supply safe drinking water to its constituents, is in need of services and materials in replacing certain water mains and milling part of the street of Plymouth Place and Hinchman Avenue; and

**WHEREAS**, the MPWC caused to have the necessary contracts as set forth below publicly advertised in accordance with the requirements of the Public Contracts Act; and

**WHEREAS**, the engineering and design was done and prepared into documents by our engineer; and

**WHEREAS**, the MPWC through the engineer, advertised for the bid of the materials and services; and gave opportunities for questions and objections; and

**WHEREAS**, bids were received and opened as described in the final documents and

**WHEREAS**, multiple parties submitted bids for the contract; and

**WHEREAS**, the bid(s) have been evaluated by the MPWC and their Engineer, respectively and the recommendations are made as hereinafter provided to the lowest responsible and responsive bidder pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, et. Seq. and in accordance with the specifications; and

**WHEREAS**, the Commissioners based upon the available and supplied information having found the below referenced bidder to be the lowest responsible bidder within the meaning of the Act, both with and without inclusion of the Alternate Bid, and the next lowest bidder having been \$50,600.00 higher in their bid; and

**WHEREAS**, the Director of Finance, Commission QPA, has certified that the funds for such award/expense are available and encumbered in Account/Line item as set forth in the attached certification;

**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the MPWC on this 10th day of April 2014, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, that Conditional upon and subject to any further bonds being posted, documents being executed, and approvals that may be necessary, this Commission awards as follows:

**SOUTH STATE INC.** \$525,400.00 (including Alternate)

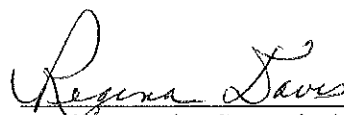
And that unless the said awardees fail to execute the contract or comply with all requirements as set forth in the bid packages, then all other bids shall upon execution be deemed rejected; and

**BE IT FURTHER RESOLVED**, that the original of this resolution be kept in the Records of the Commission and upon Commencement of the construction the Clerk of the Townships of Pennsauken and the Borough of Merchantville shall be provided a copy of this resolution.

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission on the date aforementioned.

Merchantville-Pennsauken Water Commission

SEAL

  
\_\_\_\_\_  
Regina Davis, Commissioner and  
Secretary to the Commission

Summary Tabulation

Plymouth / Hinchman

Merchantville-Pennsauken Water Commission

Bids Received 4/8/14 at 11:00 AM

<u>Contractor</u>		<u>Total</u>
		<u>Base Bid</u>
1	South State Inc.	\$ 525,300.00
2	Petrongolo Contractors, Inc.	\$ 571,000.00
3	RTW Construction	\$ 586,180.00
4	G. Helmer Construction	\$ 749,900.00
5	Montana Construction	no bid
<u>Contractor</u>		<u>Total</u>
		<u>Alternate Bid (CAD as built)</u>
1	South State Inc.	\$ 100.00
2	Petrongolo Contractors, Inc.	\$ 5,000.00
3	RTW Construction	\$ 3,500.00
4	G. Helmer Construction	no bid
5	Montana Construction	no bid



MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

6751 Westfield Avenue • Pennsauken, NJ 08110  
Ph: 856.663.0043 • Fx: 856.486.7417 • www.mpwc.com

Joyce Peirce  
Financial Services Director

CERTIFICATE OF AVAILABILITY OF FUNDS

April 24, 2014

I, Joyce Peirce, Financial Services Director for the Merchantville-Pennsauken Water Commission, hereby certify that the funds are available for the Bid Contract Plymouth Pl. & Hinchman Ave. Main Replacement. The contract is awarded to South State Inc., in the amount of \$525,400.00.

General Ledger Acct. #                      1885-00                      Main Replacement

Budgeted Amount                      \$700,000.00

Michael A. Saraceni, COO

4/24/14  
Date

Joyce Peirce, Financial Services Director

4/24/14  
Date

**RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROVAL  
OF CHANGE ORDER #1 TO THE CONTRACT FOR DEMOLITION AND  
DEBRIS REMOVAL OF THE DELAWARE GARDENS PLANT**

**WHEREAS**, the Merchantville-Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to efficiently supply safe drinking water to its constituents had determined it no longer needed the antiquated facilities housing the long closed wells at Delaware Gardens Plant and that it was best to have the aging building, equipment and well removed rather than maintained or allowed to further deteriorate and continue to become an eyesore to the community; and

**WHEREAS**, the engineering and design was done and prepared into documents by our engineer based on the documents and drawings currently available to the MPWC which were almost 100 year old barely readable construction drawings from the 1920's in the MPWC archives as were originally obtained by the MPWC's predecessor water company; and

**WHEREAS**, the specifications and scope of work for this bid were drawn in good faith based on the information available; and

**WHEREAS**, the necessary bids and proposed contracts were publicly advertised in accordance with the requirements of the Public Contracts Act, and bids were received from multiple parties and opened as described in the final documents; and

**WHEREAS**, the bid(s) have been evaluated by the MPWC and their Engineer, respectively and the recommendations are made as hereinafter provided to the lowest responsible and responsive bidder pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, et. Seq. and in accordance with the specifications; and

**WHEREAS**, the Commission found NERI CONSTRUCTION to be the lowest responsible bidder responsive to the specifications and pursuant to Resolution 2013-24 awarded the demolition contract to them; and

**WHEREAS**, as a result of their demolition and excavation they have now discovered that there were underground lines that were not shown in the drawings or addressed in the specifications and the complete depth of the footings was not correctly displayed, and there are significant underground conditions and the depth of known conditions are found to extend much deeper than that believed at the time of bid; and

**WHEREAS**, the Commissioners and its Engineer have discussed this and addressed this in Public meeting and having determined it is most efficient and advantageous for the MPWC, the Project and proper development of its system, and future ease of maintenance and to meet the heretofore unanticipated needs of the project and primarily facing conditions which were unknown and unforeseen requiring necessary changes by approving a change order while the ground is open and the contractor is mobilized and already on site; and

**WHEREAS** the MPWC Commissioners, Staff and its Consulting Engineer have said that such changes are necessary, recommended same and negotiated that changes with the contractor as to the changes now found to be required and called for; and

**WHEREAS**, the Director of Finance, Commission QPA, has certified that the funds for such award/expense are available and encumbered in Account/Line Item as set forth in the attached certification;

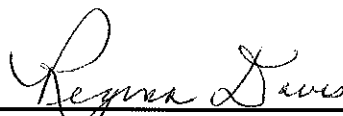
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, AS FOLLOWS:** The Commission hereby approves the attached Change order #1 consisting of

- 1) A change order is APPROVED in the amount of \$56,729.50 in order to completely remove the underground footings, walls, chambers and piping at the above referenced site.
- 2) This Resolution shall take effect immediately upon adoption this 10th day of April, 2014.

**I hereby certify that this is a true copy of a Resolution adopted by the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION on April 10, 2014.**

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**SEAL**

**BY:**   
\_\_\_\_\_  
**Regina Davis, Commissioner and  
Secretary to the Commission**

The Official Minutes of the MPWC containing the Official Record of the Vote of the Commissioners is maintained by the Chief Operating Officer.



MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

6751 Westfield Avenue • Pennsauken, NJ 08110  
Ph: 856.663.0043 • Fx: 856.486.7417 • www.mpwc.com

Joyce Peirce  
Financial Services Director

CERTIFICATE OF AVAILABILITY OF FUNDS

April 24, 2014

I, Joyce Peirce, Financial Services Director for the Merchantville-Pennsauken Water Commission, hereby certify that the funds are available for the Contract Delaware Gardens Plant Demolition. The contract was awarded to Neri's Construction & Rental, Inc., in the amount of \$52,295.00. A change order has been requested for additional work to the demolition site. I hereby certify that additional funds are available for the project. The additional work exceeds the 20% of the original bid. The additional amount for complete removal of everything under ground is \$56,729.50.

General Ledger Acct. #            5320-02 Maintenance of Wells

Budgeted Amount                    \$145,000.00

Michael A. Saraceni, COO

Date

Joyce Peirce, Financial Services Director

Date

RESOLUTION ACCEPTING AND AWARDING BIDS FOR LEASE OF VEHICLES

WHEREAS, the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to produce, store and supply safe drinking water to its constituents, is in need of vehicles in order to provide the services, transport personnel and materials and generally to perform its operations; and

WHEREAS, the staff having collectively evaluated and made recommendations to the Commissioners and the Commissioners having directed that leasing vehicles appeared to be the superior option for the Commission at this time; and

WHEREAS, the MPWC caused to have the necessary contracts as set forth below publicly advertised in accordance with the requirements of the Local Public Contracts Act; and

WHEREAS, the MPWC advertised for the bid of the materials/services; and gave opportunities for questions and objections; and there being none; and

WHEREAS, bids were received and opened as described in the final documents and

WHEREAS, although multiple parties requested accepted bids packages for the contract, only Miller Ford ultimately submitted a Bid; and

WHEREAS, the bid(s) have been evaluated by the MPWC, and the recommendations are made as hereinafter provided to the lowest responsible and responsive bidder pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.* and in accordance with the specifications; and

WHEREAS, the bid was made both with and without a maintenance package; and

WHEREAS, the Commissioners based upon the available and supplied information having found the below referenced bidder to be the lowest responsible bidder within the meaning of the Act, and the Commissioners deciding that the maintenance can likely be obtained for a better value; and so

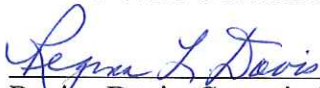
**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the MPWC on this 8th day of May 2014, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, that Conditional upon and subject to any further approvals that may be necessary this Commission awards the Lease for 8 vehicles to:

MILLER FORD for Seven (7) F-150 Pick-Ups and One (1) F-250 for a total of \$3004.00 per month for 36 months (without maintenance) inclusive of 15,000 miles per vehicle per year

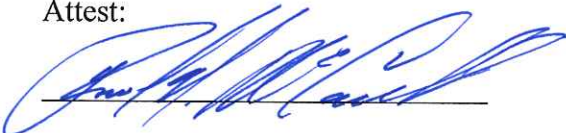
unless the said awardees fail to execute the contract or comply with all requirements as set forth in the bid packages, then all other bids shall upon execution be deemed rejected; and

**BE IT FURTHER RESOLVED** that the original of this resolution be kept in the Records of the Commission. I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission on the 8<sup>th</sup> of May 2014.

Merchantville-Pennsauken Water Commission

  
\_\_\_\_\_  
Regina Davis, Commissioner and  
Secretary to the Commission

Attest:

  
\_\_\_\_\_



MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION NO. 2014-13

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**SUPPLEMENTAL BOND RESOLUTION OF THE  
MERCHANTVILLE-PENNSAUKEN WATER COMMISSION  
AUTHORIZING, APPROVING AND CONFIRMING THE ISSUANCE  
AND SALE OF UP TO \$2,800,000 OF WATER REVENUE BONDS, IN  
TWO (2) SERIES OF THE COMMISSION'S WATER REVENUE  
BONDS TO THE NEW JERSEY ENVIRONMENTAL  
INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY,  
ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION PURSUANT TO THE 2014 NEW  
JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST  
FINANCING PROGRAM**

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**Parker McCay P.A.  
Mount Laurel, New Jersey  
Bond Counsel**

## **BACKGROUND**

**WHEREAS**, the Merchantville-Pennsauken Water Commission ("Commission") has determined there exists a need within its service area for various improvements to its water system ("Water System") consisting of: (i) the full containment of the 175 foot high, three million gallon capacity water tank at 8790 Park Avenue ("Tank"); (ii) removal of the exterior and interior paint on the Tank; and (iii) the application of epoxy paint to the Tank, including such other work necessary therefore or related thereto ("2014 Project"), as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the Commission and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the Commission and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2014 New Jersey Environmental Infrastructure Trust Financing Program ("Program"); and

**WHEREAS**, the Commission has determined to use the proceeds of certain loans to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively, to permanently finance the 2014 Project; and

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Commission to authorize, execute and deliver its Water Revenue Bonds, Series 2014A ("2014 Trust Bonds") and Water Revenue Bonds, Series 2014B ("2014 Loan Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements and the Escrow Agreement dated April 14, 2014 ("Escrow Agreement") by and among the Trust, the State, the Commission, and the escrow agent named therein; and

**WHEREAS**, on November 8, 2012, the Commission adopted a bond resolution ("2012 Bond Resolution") authorizing, inter alia, the issuance of the 2014 Trust Bonds and the 2014 Loan Bonds (collectively, the "2014 Bonds") in the aggregate principal amount of up to \$2,800,000; and

**WHEREAS**, applicable law allows for the sale of the 2014 Trust Bonds to the Trust and 2014 Loan Bonds to the State, without any public offering, all under the terms and conditions set forth herein; and

**WHEREAS**, in accordance with the terms of the Escrow Agreement, the Trust has sold its bonds to fund the Trust Loan, thereby enabling the Commission to confirm the exact aggregate principal amount of and debt service schedule for the 2014 Bonds; and

**WHEREAS**, to complete the sale of the 2014 Bonds it is necessary for the Commission to adopt this supplemental bond resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION AND MEMBERS THEREOF (NOT LESS THAN FIVE VOTING IN THE AFFIRMATIVE), AS FOLLOWS:**

**Section 1. Short Title.** This supplemental bond resolution may hereafter be cited by the Commission, and is hereafter referred to, as the "2014 Sale Resolution".

**Section 2. Other Defined Terms.** Capitalized terms, not otherwise defined herein, shall have the meanings ascribed thereto in the 2012 Bond Resolution, unless the context clearly requires otherwise.

**Section 3. Amendments.** The 2012 Bond Resolution shall be amended as follows:

All references in the 2012 Bond Resolution to the "2013 Bonds" are hereby replaced with the term "2014 Bonds", which is defined as:

**"2014 Bonds"** shall mean any of the bonds of the Commission authorized to be issued by and pursuant to this 2012 Bond Resolution.

All references in the 2012 Bond Resolution to the "2013 Trust Bonds" are hereby replaced with the term "2014 Trust Bonds", which is defined as:

**"2014 Trust Bonds"** shall mean the Commission's Water Revenue Bonds, Series 2014A issued to the Trust.

All references in the 2012 Bond Resolution to the "2013 Loan Bonds" are hereby replaced with the term "2014 Loan Bonds", which is defined as:

**"2014 Loan Bonds"** shall mean the Commission's Water Revenue Bonds, Series 2014B issued to the State.

**Section 4. Interpretations.** As the context shall clearly require, words importing persons include persons, firms, associations (whether incorporated or not incorporated), corporations and other organizations of persons. Words importing the singular number include the plural number and vice versa, and words importing the masculine include the feminine.

**Section 5. Authorization for Adoption of 2014 Sale Resolution.** This 2014 Sale Resolution is authorized pursuant to and adopted in accordance with *N.J.S.A.* 40:62-133.4 and Section 5.01 of the 2012 Bond Resolution.

**Section 6. Approval of 2014 Project.** The Commission hereby approves of the 2014 Project and the completion thereof.

**Section 7. Issuance and Sale of the 2014 Bonds.** The sale of the 2014 Trust Bonds to the Trust and the 2014 Loan Bonds to the State is hereby authorized, approved, ratified and confirmed. The 2014 Trust Bonds shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the principal loan amount, interest rates and maturity schedule set forth on Schedule "A" attached hereto and made a part hereof. The 2014 Loan Bonds shall be released from escrow in accordance with the terms of the Escrow Agreement and thereby issued in accordance with the maturity schedule set forth on Schedule "B" attached hereto and made a part hereof.

**Section 8. Severability of Invalid Provisions.** If any one or more of the provisions, in this 2014 Sale Resolution on the part of the Commission to be performed should be finally determined to be contrary to law, such provision or provisions, covenant or covenants, agreement or agreements, shall be deemed severable from the remaining provisions, covenants and agreements, and shall in no way affect the validity of the other provisions hereof or of any of the 2014 Bonds.

**Section 9. Ratification of Actions Taken; Further Actions Authorized.** All actions heretofore taken and documents prepared or executed by or on behalf of the Commission and its Members, Chief Operating Officer, President, Vice President, Treasurer and Secretary ("Authorized Officers"), other Commission officials and by the Commission's professional advisors, in connection with the issuance and sale of the 2014 Bonds are hereby ratified, confirmed, approved and adopted. Such members and officials are hereby jointly and severally authorized and directed to determine all matters and execute all documents and instruments in connection with the issuance and sale of the 2014 Bonds not determined or otherwise directed to be executed by applicable law or by this 2014 Sale Resolution, and the signatures of any member of the Commission, the Chief Operating Officer, President, Vice President, Treasurer and Secretary on any such documents or instruments shall be conclusive as to such determinations.

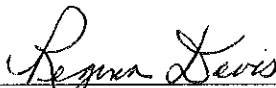
**Section 10. Inconsistent Resolutions Rescinded.** All resolutions, or parts thereof, inconsistent herewith are hereby repealed and rescinded to the extent of any such inconsistency.

**Section 11. Incidental Actions Authorized.** All Authorized Officers of the Commission are hereby authorized to execute and deliver all such documents and to take all such actions as may be necessary or desirable to effectuate the purposes of this 2014 Sale Resolution and the 2012 Bond Resolution. Whenever a designated officer has been authorized or directed to act in the place and instead of the officer so designated, in the event of the latter's inability or unavailability to so act, such designated officer shall be deemed authorized to perform such act.

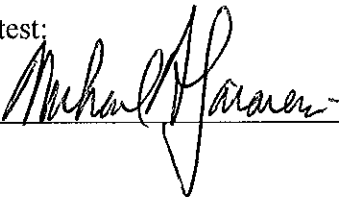
**Section 12. Effective Date.** This 2014 Sale Resolution shall take effect immediately upon adoption this 8th day of May, 2014.

**Section 13. Certified Copies.** Upon the adoption hereof, the Secretary of the Commission shall forward certified copies of the 2014 Sale Resolution to Parker McCay P.A., Bond Counsel to the Commission, and Richard T. Nolan, Esquire, McCarter & English, LLP, Bond Counsel to the Trust.

Merchantville-Pennsauken Water Commission

  
\_\_\_\_\_  
Regina Davis, Secretary

Attest:

  
\_\_\_\_\_

TRUST LOAN AGREEMENT SCHEDULE A-2

New Jersey Environmental Infrastructure Trust - Series 2014A  
Merchantville-Pennsauken Water Commission (DW) 007

Borrower Payment Date	Principal	Coupon	Interest	Total Debt Service	DEP Fee	NJEIT Fee	Annual Debt Service and Fees
5/21/2014							
8/1/2014			6,546.88	6,546.88	3,213.75	945.00	10,705.63
2/1/2015			11,784.38	11,784.38	3,213.75	945.00	
8/1/2015	25,000.00	3.000%	11,784.38	36,784.38	3,213.75	945.00	56,886.26
2/1/2016			11,409.38	11,409.38	3,213.75	945.00	
8/1/2016	25,000.00	3.000%	11,409.38	36,409.38	3,213.75	945.00	56,136.26
2/1/2017			11,034.38	11,034.38	3,213.75	945.00	
8/1/2017	25,000.00	5.000%	11,034.38	36,034.38	3,213.75	945.00	55,386.26
2/1/2018			10,409.38	10,409.38	3,213.75	945.00	
8/1/2018	25,000.00	5.000%	10,409.38	35,409.38		945.00	50,922.51
2/1/2019			9,784.38	9,784.38		945.00	
8/1/2019	25,000.00	5.000%	9,784.38	34,784.38		945.00	46,458.76
2/1/2020			9,159.38	9,159.38		945.00	
8/1/2020	25,000.00	5.000%	9,159.38	34,159.38		945.00	45,208.76
2/1/2021			8,534.38	8,534.38		945.00	
8/1/2021	30,000.00	5.000%	8,534.38	38,534.38		945.00	48,958.76
2/1/2022			7,784.38	7,784.38		945.00	
8/1/2022	30,000.00	5.000%	7,784.38	37,784.38		945.00	47,458.76
2/1/2023			7,034.38	7,034.38		945.00	
8/1/2023	30,000.00	5.000%	7,034.38	37,034.38		945.00	45,958.76
2/1/2024			6,284.38	6,284.38		945.00	
8/1/2024	35,000.00	5.000%	6,284.38	41,284.38		945.00	49,458.76
2/1/2025			5,409.38	5,409.38		945.00	
8/1/2025	35,000.00	3.000%	5,409.38	40,409.38		945.00	47,708.76
2/1/2026			4,884.38	4,884.38		945.00	
8/1/2026	35,000.00	3.000%	4,884.38	39,884.38		945.00	46,658.76
2/1/2027			4,359.38	4,359.38		945.00	
8/1/2027	35,000.00	3.000%	4,359.38	39,359.38		945.00	45,608.76
2/1/2028			3,834.38	3,834.38		945.00	
8/1/2028	40,000.00	3.000%	3,834.38	43,834.38		945.00	49,558.76
2/1/2029			3,234.38	3,234.38		945.00	
8/1/2029	40,000.00	3.000%	3,234.38	43,234.38		945.00	48,358.76
2/1/2030			2,634.38	2,634.38		945.00	
8/1/2030	40,000.00	3.000%	2,634.38	42,634.38		945.00	47,158.76
2/1/2031			2,034.38	2,034.38		945.00	
8/1/2031	40,000.00	3.000%	2,034.38	42,034.38		945.00	45,958.76
2/1/2032			1,434.38	1,434.38		945.00	
8/1/2032	45,000.00	3.125%	1,434.38	46,434.38		945.00	49,758.76
2/1/2033			731.25	731.25		945.00	
8/1/2033	45,000.00	3.250%	731.25	45,731.25		945.00	48,352.50
	630,000.00		250,097.06	880,097.06	25,710.00	36,855.00	942,662.06

Dated Date: 5/21/2014

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FUND LOAN AGREEMENT

After Trust Loan Closing and Principal Forgiveness  
New Jersey Environmental Infrastructure Trust - Series 2014A  
Merchantville-Pennsauken Water Commission (DW) 007

Borrower Payment Date	Semiannual Principal	Annual Principal
5/21/2014		
8/1/2014	65,364.40	65,364.40
2/1/2015	32,682.20	
8/1/2015	65,364.40	98,046.60
2/1/2016	32,682.20	
8/1/2016	65,364.40	98,046.60
2/1/2017	32,682.20	
8/1/2017	65,364.40	98,046.60
2/1/2018	32,682.20	
8/1/2018	65,364.40	98,046.60
2/1/2019	32,682.20	
8/1/2019	65,364.40	98,046.60
2/1/2020	32,682.20	
8/1/2020	65,364.40	98,046.60
2/1/2021	32,682.20	
8/1/2021	65,364.40	98,046.60
2/1/2022	32,682.20	
8/1/2022	65,364.40	98,046.60
2/1/2023	32,682.20	
8/1/2023	65,364.40	98,046.60
2/1/2024	32,682.20	
8/1/2024	65,364.40	98,046.60
2/1/2025	32,682.20	
8/1/2025	65,364.40	98,046.60
2/1/2026	32,682.20	
8/1/2026	65,364.40	98,046.60
2/1/2027	32,682.20	
8/1/2027	65,364.40	98,046.60
2/1/2028	32,682.20	
8/1/2028	65,364.40	98,046.60
2/1/2029	32,682.20	
8/1/2029	65,364.40	98,046.60
2/1/2030	32,682.20	
8/1/2030	65,364.40	98,046.60
2/1/2031	32,682.20	
8/1/2031	65,364.40	98,046.60
2/1/2032	32,682.20	
8/1/2032	65,364.40	98,046.60
2/1/2033	32,682.20	
8/1/2033	65,364.60	98,046.80
	<hr/>	<hr/>
	1,928,250.00	1,928,250.00

\*Assumes Principal Forgiveness of \$0

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## MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION DESIGNATING DEPOSITORY FOR SPECIAL LEGAL TRUST  
ACCOUNT AND FUNDS OF THE COMMISSION AND DESIGNATING  
SIGNATORIES FOR SUCH ACCOUNTS/INSTRUMENTS**

WHEREAS, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under L. 1923 c. 195, now known as N.J.S. 40:62-108 et seq. and the relevant acts amendatory and supplemental thereto, provides that monies held in any separate fund, and all escrow accounts shall be treated as monies held in trust, and shall not be diverted to any other purpose.

Now, **THEREFORE BE IT RESOLVED** that MPWC hereby and until revoked designates:

1<sup>st</sup> Colonial National of Collingswood

and including all banks/Financial Institution located in the State of New Jersey shall be the depository for the Commission and Signatories to establish a trust account to be funded exclusively for fees and costs associated with legal actions, proceedings, filing fees, subpoena and witness fees, and all related costs of legal matters of the Commission not otherwise easily addressed through the normal financial processing procedures of the MPWC.

The accounts shall be as follows AND Two of the following must sign all disbursements:

**The Account/Instruments which must be signed by one of any of the following:**

President of the Commission, Bernhard Kofoet; **or**  
Vice-President of the Commission, Patrick Brennan; **or**  
Treasurer of the Commission, G. Burton German,

**AND ALSO BY** one of the following:


Chief Operating Officer, Michael Saraceni; **or**  
Engineering Director, Richard Spafford.

By Resolution and vote of the Commissioners on June 12, 2014

Result of Roll call Vote:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Brennan	X			
Davis	X			
German	X			
Kofoet	X			
Scavuzzo	X			

Date: June 12, 2014



Regina Davis Commissioner and Secretary to the Commission

SEAL

# Merchantville-Pennsauken Water Commission

5:01 PM

## Executive Session Resolution Of 6 - 18 - 2014 (insert date)

WHEREAS, the Merchantville-Pennsauken Water Commission (hereafter MPWC) is a public entity and a body politic of the State of New Jersey created pursuant to New Jersey Statutes 40:62-108 et seq.; and WHEREAS, the Commission has the authority and the duty thereby to provide for the orderly and efficient operation of the area of its franchise and all of its operations, including its meetings; and

WHEREAS, the Commission on this date while in open public meeting duly organized and advertised by the Commission had publically considered and determined that the dictates of the Open Public Meetings Act which provides for and allows under these circumstances for this body to go into Executive Session which is closed to the Public; and WHEREAS, the Commission, after allowing for public comment prior to a vote thereupon, voted by roll call vote, in open session to take the following action:

NOW, THEREFORE BE IT SO RESOLVED Merchantville-Pennsauken Water Commission IN THE COUNTY of Camden, STATE OF NEW JERSEY, That effective immediately the Commission hereby resolves to: 1) Go into Closed or Executive session for the purposes of discussing the following:

- A) \_\_\_\_\_ Matters deemed confidential by provision Of Federal or State law or Rule of Court
- B) \_\_\_\_\_ Matters in which release of information would impair a right to receive federal funds
- C) \_\_\_\_\_ Matters which if disclosed would constitute an unwarranted invasion of privacy relative to an individual's personal or family circumstances or material relating to medical, rehabilitation, custodial or child protection issues;
- D) \_\_\_\_\_ Matters involving contract or collective negotiations or an agreement resulting there from;
- E) \_\_\_\_\_ Matters involving an interest in real property, the setting of rates or investment of public funds which could possibly adversely affect the public interest if such were disclosed;
- F) \_\_\_\_\_ Matters involving tactics or techniques used for safety or security and/or any investigations or possible violations of regulations or laws;
- G) \_\_\_\_\_ Matters involving pending or anticipated litigation or contract negotiation (other than collective negotiations) and/or any matters involving attorney-client privilege;
- H)  Matters involving the appointment, termination, terms and conditions of employment, evaluation, performance or any specific prospective or current public officer or employee of the Water Commission;
- I) \_\_\_\_\_ Matters which the Commission is required by other law or regulation to keep confidential;

( EMPLOYEE PERFORMANCE REVIEW EVAL POLICY here make reference to that law or regulation),

2) That the minutes of the Executive Session shall be made public about: NOT AT ALL PER EMPLOYEE'S REQUEST (AMANDA FAIR) RICE NOTICE or upon only further resolution of the body /or due to the nature of the material shall only be released at that time once redacted or not made public; and

3) The Commission WILL BE Or WILL NOT BE (circle one) Returning to open session at approximately: 6:17 PM

4) That this resolution shall either be reflected in the official minutes or kept on file for public inspection.

Result of Roll call Vote: #YEAS 5 #NAYs # ABSTAINs # Absent

Official List of Each member's Roll Call vote are maintained in the official records of the Water Commission by the Commission Secretary in the final and approved official minutes of the body.

Date: 6/18/2014

Regina L. Davis  
Regina Davis, Commissioner & Commission Secretary



**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Merchantville-Pennsauken Water Commission (Hereafter MPWC) has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, N.J.S.A. 40A:11-36 authorized the sale of surplus personal property no longer needed for public use through the use of an online auction service; and subsequent legislation and regulations have since codified their more regular and efficient use; and

**WHEREAS**, the State has now entered into a State contract with Gov Deals, and also no longer requires that the local agency even report this resolution or use of Gov Deals to the DCA as the vendor will; and

**WHEREAS**, the MPWC intends to utilize the online auction services of GOV DEALS located at [www.govdeals.com](http://www.govdeals.com) ; and

**WHEREAS**, the sale of the surplus property shall be conducted pursuant to State Contract A-70967/T2581 in accordance with the terms of that contract and as authorized by the New Jersey State, Department of Community Affairs, Division of Local Government Services' Local Finance Notice 2008-9, and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of Merchantville- Pennsauken Water Commission in the County of CAMDEN, State of New Jersey, that the Commission is hereby authorized to sell the surplus personal property of :

**“Case” Backhoe more specifically described below for a minimum bid of \$28, 001.00**

as indicated on **attached Schedule A** on an online auction website entitled govdeals.com; and be it further,

**RESOLVED**, that the surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property, and that the MPWC reserves the right to accept or reject any bid submitted; and be it further

**RESOLVED**, that the remaining terms and conditions of the agreement entered into between Gov Deals and the MPWC are available at the Vendor’s web address and in the administrative office of the MPWC, By Resolution and vote of the Commissioners on June 12, 2014.

Result of Roll call Vote:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Brennan	X			
Davis	X			
German	X			
Kofoet	X			
Scavuzzo	X			

I hereby certify that the above and the attached is a True and Accurate Copy of the Resolution approved in duly advertised and legally conducted public session as stated on the date listed above.

Date: 7/2/2014

  
 \_\_\_\_\_  
 Regina L. Davis, Commissioner & Secretary to the Commission

SEAL

## SCHEDULE A- FORM

### Description of Surplus items to be sold online

- 1) For those items that are part of the local unit's fixed asset inventory, the description of items must also include information that sufficiently identifies the item and provides an audit trail (i.e., inventory or serial number).
- 2) For items not in the fixed asset inventory, the resolution must provide a general description sufficient to inform the public of the item being sold.
- 3) The listing for any motorized vehicle that is titled in the name of the local unit must include the vehicle identification number (VIN) shown on the title. Local units must comply with applicable statutes regarding abandoned property, confiscated vehicles, etc.

### **Case 580 Super M Backhoe (PIN) - JJG0375841**

#### SEPARATE LEGAL ADVERTISING REQUIRED

A legal newspaper advertisement informing the public as to the nature of items being sold and how to obtain more information on the sale is required pursuant to N.J.S.A. 40A:11-36. An advertisement must be published in conjunction with **each** authorizing resolution. The advertisement must be published in the local unit's official newspaper and shall:

- a. Announce the auction and that the item(s) will be sold online.
- b. Include the internet address for the sale that is being advertised.
- c. Include the date and time of the auction, and a general description of the surplus personal property intended to be sold. Specific information for particular items, such as the VIN for vehicles, is not required to be included in such newspaper advertisements.
- d. Include a statement that bidders must pre-register with the approved vendor and the internet address with registration information.

Pursuant to N.J.S.A. 40A:11-36, sales shall be held not less than 7 or more than 14 days after the latest publication of the advertisement.

6. The online auction company may provide an option of continuing or reopening a sale after the close (i.e., in the event a minimum reserve price was not met). The potential for this occurrence must be provided for in agreement between the local unit and the auction company and the provision clear to bidders from the sale webpage. In the event of a continuance or re-opening, those bidders who participated in the sale must be notified of the new date. Under these circumstances an additional public advertisement is not required.

**The MERCHANTVILLE-PENNSAUKEN**  
**WATER COMMISSION**

County of CAMDEN:  
State of New Jersey :

Affidavit of Oath of Office

"I, PATRICK BRENNAN , do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people. So help me God."

"I, further do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of COMMISSIONER OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION according to the best of my ability. So help me God."

I hereby affix my signature under oath.

Name Patrick Brennan



ADDRESS

129 S. Browning Road

Merchantville NJ 08109

Sworn and Subscribed before the undersigned

this 10TH day of JULY, 2014.



Karl N. McConnell

Attorney-at-Law of the State of New Jersey

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION  
RESOLUTION AUTHORIZING ADJUSTMENTS OF COMPENSATION FOR  
CERTAIN LISTED EMPLOYEES on Attached Page**

**WHEREAS**, the Merchantville-Pennsauken Water Commission (hereafter the MPWC or Commission) is a public entity and a body politic of the State of New Jersey created pursuant to New Jersey Statutes 40:62-108 et seq.; and

**WHEREAS**, the Commission has the authority to provide for the orderly and efficient operation of the Commission, finances, and to employ and compensate employees; and

**WHEREAS**, the Commission met on this 12<sup>th</sup> of June 2014 while in open public meeting duly organized and advertised and appeared in public session; and had publicly considered and proceeded under the Open Public Meetings Act ; and

**WHEREAS**, the Treasurer had chaired a committee of commissioners who entertained recommendations from staff, and made its own considerations, and thereafter said commissioners made their own recommendations to this assembled body, **and**

**NOW, THEREFORE BE IT SO RESOLVED** by the MPWC in the COUNTY of Camden, STATE OF NEW JERSEY, That the changes set forth on the attached page for the therein listed employees is HEREBY authorized, effectuated and all appropriate staff are directed to take appropriate actions by the Commissions procedures to implement said compensation payments as of the first full payroll date after July 1, 2014 in accordance with its routine procedures.

The Roll call Vote of Commissioners\* was 5 Yea; 0 Nay.

I HEREBY CERTIFY THAT THE FOREGOING IS ACCURATE RECITATION OF A RESOLUTION AND VOTE AS ADOPTED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AT ITS REGULAR MEETING HELD THE 12<sup>TH</sup> Day of JUNE, 2014.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:



BY: Regina L. Davis, Commissioner &  
Secretary to The Commission

ATTEST:

  
G. Burton German, Treasurer

\*The Official Minutes of the MPWC and the Official List of Each Commissioner's Roll Call vote are maintained in the official records of the Commission by the Chief Operating Officer.

**EMPLOYEE EVALUATIONS – APRIL 2014 / HOURLY CAREER PATH ADJUSTMENTS    MAY 5, 2014**

Employee Operations	Current Rate	Proposed Rate	Increase/ Hourly	Promotion	Merit	Balance of Year Impact
<b>Plant Operators</b>						
Tom Balducci	19.86	20.36	.50/hr	No	Yes	\$520.00
Kent Longaker	21.26	21.76	.50/hr	No	Yes	\$520.00
Frank McCarthy	23.00	23.50	.50/hr	No	Yes	\$520.00
<b>Sub-Total</b>						<b>\$1,560.00</b>
<b>Office</b>						
Kevin Laurick	S-3 22.78	S-2 23.78	1.00/hr	Yes	Yes	\$1,040.00
<b>Sub-Total</b>						<b>\$1,040.00</b>
<b>Finance</b>						
Jeannine Hershey	O-4 17.75	O-4 18.25	.50/hr	No	Yes	\$520.00
<b>Sub-Total</b>						<b>\$520.00</b>
<b>Total</b>						<b>\$3,120.00</b>

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**REORGANIZATION RESOLUTION OF THE COMMISSION appointing and DESIGNATING its OFFICERS for the Coming COMMISSION YEAR**

WHEREAS, this Water Commission, a governmental entity and corporate politic of the State of New Jersey was created on July 1, 1926 by the Supreme Court Justice in accordance with the statute and on application jointly by the Borough of Merchantville and the Township of Pennsauken pursuant to L. 1923 c. 195, now known as N.J.S. 40:62-108 *et seq.* and thereafter permanent created in its present form in 1942; and

WHEREAS, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under N.J.S. 40:62-108 *et seq.* and the relevant acts amendatory and supplemental thereto, provides that the commissioners newly appointed thereto shall be sworn in and the Commission reorganized and officers elected among them for the coming year of the Commission, and the Commissioners having reorganized in Public meeting duly advertised do hereby after vote appoint the following to the positions as follows for the next year, or until replaced in accordance with the statutes and by-laws:

PRESIDENT- Bernhard Kofoet

VICE-PRESIDENT- Patrick Brennan

TREASURER- G. Burton German


SECRETARY- Regina L. Davis

ASST. TREASURER & ASST. SECRETARY - Joseph Scavuzzo

By Resolution and vote of the Commissioners on July 10, 2014; Result of Roll call Vote:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Brennan	X			
Davis	X			
German	X			
Kofoet	X			
Scavuzzo	X			

Date: 7/10/2014

  
Regina L. Davis, Commissioner & Secretary to the Commission

SEAL

The Official Minutes of the MPWC and the Official List of Each Commissioner's Roll Call vote is maintained in the official records of the Commission maintained by the Chief Operating Officer.

**MERCHANTVILLE PENNSAUKEN WATER COMMISSION  
REORGANIZATION RESOLUTION FOR ADOPTION UNDER  
THE LOCAL PUBLIC CONTRACTS LAW FOR ANNUAL CONTRACTS WITH CERTAIN  
PROFESSIONALS PURSUANT TO FAIR & OPEN PROCEDURES**

WHEREAS, there exists a need for the MPWC to procure the below listed professional services from licensed professionals: and

WHEREAS, the Local Public Contracts Law, NJSA 40A:11-1, et. seq. and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 et seq., a "fair and open" process compliant with the rules and restrictions set forth therein, requires a resolution authorizing the award of contracts for professional services without competitive bids must be publicly advertised, and the Commission having done so; and

NOW, THEREFORE, the Commission finds that it has proceeded in accordance with all the Procedures required under New Jersey law for appointment under the Fair and Open Process; and

**FURTHER BE IT RESOLVED** in duly advertised Public Meeting as follows:

Section 1: President and Treasurer, Secretary or Asst. Secretary are hereby authorized and directed to execute all necessary contracts to engage the following professionals for the Commission year subject to reaching acceptable terms and conditions in contract language:

- (a) AUDITOR: Bowman & Company  
Voorhees, NJ 08043
- (b) Insurance BROKER of Record: Conner Strong & Buckelew  
Toms River, NJ
- (c) Employee Benefits Broker of Record: Conner Strong & Buckelew  
Marlton, NJ
- (d) Commission Engineers: Remington & Vernick, Haddonfield, NJ  
CES, Sewell, NJ  
T&M Associates, Moorestown, NJ  
ABR Consultants, LLC, Camden, NJ  
Parker McCay, Mt. Laurel, NJ
- (f) Bond Counsel: Your Part Time Controller, Phila., PA
- (g) Accountants/ Consultants

Respectively, to perform professional services pursuant to criteria previously established and advertised and to negotiate and enter Contracts with this professionals; and

Section 2: The service of the aforementioned professional are hereby engaged without competitive bidding as a professional service under the provisions of the Local Public Contract Law because such services are to be respectively performed by a person or persons authorized by law to practice a recognized profession which is regulated by law and it is not possible to obtain competitive bids, however having been done in compliance with the Open & Fair procedures, with the provisions of the Open Public Meetings Act, NJ ELEC law and regulations, and the directives of NJ DCA.

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 10, 2014.

SEAL

By: Regina L. Davis  
Regina L. Davis, Commissioner and Secretary  
To the Commission

ATTEST:



**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**REORGANIZATION RESOLUTION DESIGNATING DEPOSITORY FOR ACCOUNTS AND FUNDS OF THE COMMISSION**

WHEREAS, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under L. 1923 c. 195, now known as N.J.S. 40:62-108 et seq. and the relevant acts amendatory and supplemental thereto, provides that monies held in any separate fund, i.e., operating fund general fund, capital fund, trust fund, and all escrow accounts shall be treated as monies held in trust, and shall not be diverted to any other purpose.

THEREFORE, BE IT RESOLVED HEREBY, THAT the Merchantville-Pennsauken Water Commission Resolves that:

PNC Bank of America Sun National Bank; TD Bank; Susquehanna Bank Hudson City Savings Bank Audubon Savings Beneficial Savings Santander Bank First Colonial Community Bank of Collingswood Haddon Savings Bank, and The State of New Jersey Cash Management Fund

and any other Bank/Financial institution deemed necessary by the Treasurer and approved by the Commission during the year including all banks/Financial Institution located in the State of New Jersey maybe hereby be a depository for all current funds of the Merchantville Pennsauken Water Commission.

1. That the MPWC is authorized to apply, to participate in, and is legally authorized by its governing body to participate in the State of New Jersey Cash Management Fund; and
2. The Treasurer, Assistant Treasurer, or the Chief Operating Officer of the MPWC is authorized to execute any necessary documentation to effectuate same. These persons are authorized to purchase and sell participation in the Fund for the account of the participant, and written notification will be made promptly of any change in the authorized personnel.
3. The participant accepts the terms and conditions of the administration of the Fund as established in the regulations promulgated by the State Treasurer, pursuant to P.L. 1977, c. 281 et seq. or by subsequent amendment thereto.

By Unanimous Resolution and vote of the Commissioners present on July 10, 2014

Date: 7/10/2014

Regina L. Davis  
Regina L. Davis, Commissioner and Secretary to the Commission

Attest: Michael Saraceni  
Michael Saraceni, Chief Operating Officer

SEAL

The Official Minutes and the Roll Call vote are maintained by the Chief Operating Officer.



MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN FOR THE 2014-15 COMMISSION YEAR

**WHEREAS**, the Cash Management Plan of the Merchantville-Pennsauken Water Commission for the reorganization period beginning July 11, 2014 and ending July 2015 has been presented for adoption before the governing body of the Merchantville-Pennsauken Water Commission at its open public meeting of July 10, 2014; and

**WHEREAS**, the Cash Management Plan is in accordance with the requirements of N.J.S.A. 40A5-14, *et seq*; and


**WHEREAS**, the Cash Management Plan as presented for adoption reflects the total funds and accounts covered by the Plan; and

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the Merchantville-Pennsauken Water Commission, at an open public meeting held on July 10, 2014 that the Cash Management Plan of the Merchantville-Pennsauken Water Commission which is attached and is hereby adopted for the Commission Year period beginning July 11, 2014.

Merchantville-Pennsauken Water Commission By:

  
\_\_\_\_\_

G. Burton German, Treasurer

  
\_\_\_\_\_

Regina L. Davis, Secretary

**MERCHANTVILLE PENNSAUKEN WATER COMMISSION**

**REORGANIZATION RESOLUTION FOR OFFICIAL PUBLIC NOTICES AND DESIGNATING NEWSPAPERS AND WEBSITES OF THE COMMISSION**

WHEREAS, the "OPEN MEETINGS ACT" requires that advance posting of written notice of meetings of the Authority in one (1) public place designated by Resolution, and mailed to all persons requesting a copy of the same upon payment of an established fee.

**NOW THEREFORE, BE IT RESOLVED** by the Merchantville Pennsauken Water Commission as follows:

- (1) All advance written notices of the Commission meetings shall be forwarded to:
  - a. the Clerks of the Municipalities in service area for dissemination and posting on the bulletin Board located in all Four (4) Municipal Buildings, and
  - b. also posted on the MPWC lobby and
  - c. on the MPWC website,
  - d. as well as be made available for posting on the website of Pennsauken Township and
  - e. made available for posting on the website of the Borough of Merchantville.
- (2) All advance written notices of Authority meetings shall be given to the following newspapers: Courier-Post, Philadelphia Inquirer, The Retrospect, and All Around Pennsauken.
- (3) All advance written notices of Commission meetings throughout the year shall be mailed to all persons requesting a copy of the same after payment by such person (s) of a fee at a maximum allowed by Law. News media shall be exempt from such fees.
- (4) The schedule of regular official Commission meetings and regular Commission work sessions for the period from and after this reorganization meeting in July 2014 shall be in accordance with an ACCOMPANYING RESOLUTION designating the dates, times and places of meetings.

This Resolution Adopted by the Vote of the Commissioners in Public Session on July 10, 2014.

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 10, 2014.<sup>i</sup>

By:   
President, Bernhard H. Kofoet

SEAL

ATTEST:

By:   
Regina L. Davis, Commissioner & Secretary to The Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION DESIGNATING DEPOSITORY FOR OPERATING/CHECKING ACCOUNTS AND FUNDS OF THE COMMISSION AND DESIGNATING SIGNATORIES FOR SUCH ACCOUNTS/INSTRUMENTS AND FOR PAYROLL ACCOUNT**

WHEREAS, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under L. 1923 c. 195, now known as N.J.S. 40:62-108 et seq. and the relevant acts amendatory and supplemental thereto, provides that monies held in any separate fund, i.e., operating fund general fund, capital fund, trust fund, and all escrow accounts shall be treated as monies held in trust, and shall not be diverted to any other purpose.

Now, therefore, be it resolved that MPWC hereby and until further notice designates:

1<sup>st</sup> Colonial Community of Collingswood

and including all banks/Financial Institution located in the State of New Jersey shall be the depository for the general operating / checking account of the Commission and Signatories on the accounts shall be as follows AND Two of the following must sign all disbursements:

**The Account/Instruments which must be signed by two** and shall be signed by ONE of the following:

- Treasurer of the Commission, G. Burton German, **or**
- Assistant Treasurer of the Commission, Joseph Scavuzzo

**and one of the Following:**

- President of the Commission, Bernhard Kofcet, **or**
- Vice-President of the Commission, Patrick Brennan

**Except for the regular PAYROLL ACCOUNT where only one signature is required** from any of:

- Michael Saraceni, C.O.O., **or**
- Richard Spafford, Engineering Director, **or**
- Bernhard Kofcet, **or**
- G. Burton German, as authorized signatures for the MPWC Payroll Account.

By Resolution and vote of the Commissioners on July 10, 2014

Result of Roll call Vote:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Brennan	X			
Davis	X			
German	X			
Kofcet	X			
Scavuzzo	X			

Date: 7/10/2014

Regina L. Davis  
Regina L. Davis, Commissioner and Secretary to the Commission

SEAL

The Official Minutes of the MPWC and the Official List of Each Commissioner's Roll Call vote are maintained in the official records of the MPWC by the Chief Operating Officer.

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**  
**RESOLUTION DESIGNATING AND AUTHORIZING SIGNATORIES FOR**  
**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**  
**Flexible Spending/ Section 125 ACCOUNT**

**WHEREAS**, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under L. 1923 c. 195, now known as N.J.S. 40:62-108 et seq. and the relevant acts amendatory and supplemental thereto, provides that monies held in any separate fund, i.e., operating fund general fund, capital fund, trust fund, and all escrow accounts shall be treated as monies held in trust, and shall not be diverted to any other purpose; and

**WHEREAS**, said authorizing statute also provides for the MPWC to have the authority to handle and direct funds for the benefit of the Commission; and

**WHEREAS**, P.L. 2011, Chapter 78 has required that all public employers establish Flexible Spending accounts for pre-tax dollars pursuant to Section 125 of the IRS Code; and

**WHEREAS**, the MPWC has establish both a medical healthcare FSA as well as a Dependent Care FSA; and

**WHEREAS** the MPWC has established a separate bank account for funding of such at 1st Colonial National Bank; and/or any other bank it may so decide or chose to use in addition to or instead of same; and

**WHEREAS** the MPWC in order to permit the efficient routine authorized transactions and to permit administrative authorization to avoid delays in processing, to permit the administrator access to the MPWC funds without permitting them access to the MPWC general funds, and to segregate such funds;

**THEREFORE, IT IS HEREBY RESOLVED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION** as follows:

Chief Operating Officer, **Michael A. Saraceni**, or Director of Engineering, **Richard Spafford**, or President of the Commission, **Bernhard Kofet**, or Treasurer of the Commission, **G. Burton German** are HEREBY authorized as individual signatories on the account at 1<sup>st</sup> Colonial National Bank in order to sign FSA account checks, transfers, and disbursement authorizations to the extent such is required. ( **ONLY One REQUIRED** )

**By Resolution and vote of the Commissioners on July 10, 2014:** Result of Roll call Vote:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Brennan	X			
Davis	X			
German	X			
Kofet	X			
Scavuzzo	X			

I HEREBY CERTIFY THAT THE FOREGOING IS ACCURATE RECITATION OF A UNANIMOUS RESOLUTION AND VOTE AS ADOPTED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AT ITS REGULAR MEETING HELD ON July 10, 2014.

Date: 7/10/2014



Regina L. Davis, Commissioner & Secretary to the Commission

SEAL

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**RESOLUTION Authorizing the Cash Management Plan and ESTABLISHMENT of A PETTY CASH FUND to Be Managed By the Director Of Finance and /or the Chief Operating Officer**

**WHEREAS**, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under L. 1923 c. 195, now known as N.J.S. 40:62-108 et seq. and the relevant acts amendatory and supplemental thereto, and

**WHEREAS**, the New Jersey statutes N.J.S.A.40A:5-14 requires the adoption of a cash management plan; and

**WHEREAS**, the Administrative code at N.J.A.C. 5:31-3.1 also require same; and

**WHEREAS**, law and regulation and the public trust which is placed in this governmental entity require that monies held in any separate fund, i.e., operating fund general fund, capital fund, trust fund, and all escrow accounts shall be treated as monies held in trust, and shall not be diverted to any other purpose; and

**WHEREAS**, the Commission must also operate effectively and efficiently, and must be able to handle and expend some operating funds where appropriate in small amounts between Commission meetings; and

**THEREFORE IT IS HEREBY RESOLVED** by the Commission that in accordance with the Commission's Cash Management Plan which is hereby reapproved; and :

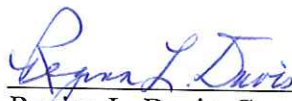
The Commission hereby further resolves and establishes from its general operating revenues/accounts a monthly Petty Cash Fund which shall be administered and maintained by the Director of Finance Joyce Pierce and/or the Chief Operating Officer, Michael Saraceni and shall be \$400.00 per month until further order of the Commission.

By Resolution and vote and adopted at the Public Meeting of Commissioners on July 10, 2014, :

Result of Roll call Vote at time of adoption:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Brennan	X			
Davis	X			
German	X			
Kofoet	X			
Scavuzzo	X			

Date: 7/10/2014



Regina L. Davis, Commissioner & Secretary to the Commission

SEAL

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**RESOLUTION OF THE COMMISSION APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER**

**WHEREAS**, The Public Contracts Law (N.J.S.A. 40A: 11.1 *et seq*) requires that Public Bodies award contracts subject to certain conditions and restrictions and require certain submissions to the public agency; and

**WHEREAS** one such requirement is that all regulations be met with regard to the laws regarding both employing and reporting and filing regarding employees of any vendors or contractors of public entities; and

**WHEREAS** the appointment of a compliance officer is required for the purpose of ensuring all those individuals and corporations who have contracts with the Merchantville-Pennsauken Water Commission comply with all Equal Opportunity rules and regulations.

**THEREFORE, BE IT RESOLVED**, that the Merchantville-Pennsauken Water Commission in Public meeting , properly advertised and held this date in the Township of Pennsauken, in the County of Camden, New Jersey, is hereby appointing the following to serve in the designated position for a one (1) year term commencing July 10, 2014 or until replaced.

Public Agency Compliance Officer:  
Michael Saraceni, Chief operating Officer

This Resolution shall take effect immediately upon adoption this 10<sup>th</sup> day of July, 2014.

I hereby certify that this is a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on July 10, 2014.

Merchantville-Pennsauken Water Commission

By: Regina L. Davis  
Regina L. Davis, Commissioner & Secretary of The Commission

SEAL

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**

**RESOLUTION GRANTING THE CHIEF OPERATING OFFICER THE AUTHORITY TO EXECUTE NJDEP AND EPA APPLICATIONS**

**WHEREAS**, the Merchantville-Pennsauken Water Commission has granted permission for the President and the Chief Operating Officer of the Authority to execute NJDEP and EPA Applications.

**THEREFORE** By These Presents, the Authority hereby designates its

Chief Operating Officer, Michael Saraceni

as the authorized representative of this Authority to take all action in all matters relating to the NJDEP and EPA Applications.

The Authorized Representative may be contacted at the following address:

Mr. Michael Saraceni, C.O.O.  
Merchantville-Pennsauken Water Commission.  
6751 Westfield Ave.  
Pennsauken, NJ 08110

This Resolution shall take effect immediately upon adoption this 10<sup>th</sup> day of July, 2014 and continue until further notice.

I hereby certify that this a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on July 10, 2014.

Merchantville-Pennsauken Water Commission

By: Regina L. Davis  
Regina L. Davis, Commissioner &  
Secretary to The Commission

Attest:

Bernhard H. Kofet  
Bernhard H. Kofet, President

**MERCHANTVILLE PENNSAUKEN WATER COMMISSION**

**REORGANIZATION RESOLUTION ESTABLISHING THE MEETINGS DATES AND TIMES FOR THE NEW COMMISSION AND THE NEW COMMISSION YEAR**

NOTICE OF ANNUAL SCHEDULED MEETINGS

Notice is hereby given by the Merchantville-Pennsauken Water Commission of the following list of regular meetings of the Commission normally held on the second Thursday of each month, and until the next regular Reorganization meeting on JULY 9, 2015.

REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

All such meetings, unless otherwise indicated shall to be held at 6:00 PM in the G. Burton German Meeting Room at the Headquarters of the Merchantville Pennsauken Water Commission at 6751 Westfield Ave., Pennsauken, NJ. Formal action maybe taken at such meetings on any and all business coming before the Commission on the following dates:

August 14, 2014	December 11, 2014*	April 9, 2015
September 11, 2014	January 8, 2015	May 14, 2015
October 9, 2014	February 12, 2015	June 11, 2015
November 13, 2014	March 12, 2015	July 9, 2015

The July 9, 2015 Reorganization meeting shall be held at 6:00 PM and Regular Business Meeting shall commence immediately thereafter.

\* N.B. This meeting shall commence at 9:30AM.

Formal official action is intended to be taken at all such meetings on any and all business involved with and coming before the Commission.

These Official meeting dates are HEREBY ADOPTED By Resolution and vote of the Commissioners on July 10, 2014 by the Roll Call Vote of Commissioners.

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 10, 2014.

SEAL

By: Phil H. Kofoet  
President, Bernhard H. Kofoet

ATTEST:

By: G. Burton German  
G. Burton German, Treasurer