

RESOLUTION AUTHORIZING THE AWARD OF A CONCESSION PURSUANT TO N.J.A.C. 5:34-9.4 FOR THE PROVISION OF DISCOUNTED INSURANCE OF WATER LINE SERVICES THE MPWC FRANCHISE AREA CUSTOMERS AND AUTHORIZING THE USE OF AN OPEN AND FAIR AWARD RENEWAL COMPETITIVE CONTRACTING

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., permits a contracting unit to authorize the procurement of a for-profit entity to provide "concession" services, which includes the right to sell goods or services on public property or by use of public property; and

WHEREAS, the Commissioners of the MPWC determined that it would be appropriate and in the best interests of its customers to authorize a concession for water line protection services for its franchise customers; and after DCA approval of and full compliance with Competitive Contracting under N.J.S.A. 40A:11-4.1(j) and a full and fair award of such by Resolution 2015-13 ; and

WHEREAS, a concession can save a customer/constituent of the Commission almost a minimum of \$60 per year if they seek the coverage and as much as \$2-6,000 on average for a claim; and no cost to the Commission for the concession except the use of its logo; and

WHEREAS, procurement of a for-profit entity to provide these services needed is consistent with the provisions of competitive contracting used to secure them and the original contract(s) for these services was awarded based upon the most advantageous price and other factors; and

WHEREAS, N.J.A.C.5:34-9.4(d) requires that the governing body pass a resolution authorizing the procurement of a concession, including the method to be used to procure and award the concession, which method had been determined to be the use of competitive contracting and this time is determined to be a Non-Fair and Open award of a 2 year renewal of that same agreement at the prices; and

WHEREAS, the Local Public Contracts Act requires that the governing body pass a resolution authorizing the choice of the Non-Fair and Open Award Process; and requires that the award be made by the Governing Body after notification by the QPA of receipt of all requisite documents; and

WHEREAS, The Commission entertained these as agenda matters and after allowing for public comment prior to a vote and upon a roll call vote in open session took the following action:

THEREFORE BE IT RESOLVED by the Commissioners of the MPWC that the Award of the Concession as a renewal of the Agreement as a 2 year Non- Fair and Open Award is hereby made and the C.O.O. is hereby authorized to execute the agreement with HomeServe to procure a renewal of the concession for the use of the MPWC logo, consistent with this Resolution and N.J.A.C. 5:34-9.4.

ALSO BE IT FURTHER RESOLVED by the MPWC that the above Resolution and Award was made by a Unanimous vote of the Commissioners assembled in publicly advertised meeting of that date.

I hereby certify the foregoing to be a correct copy of the Resolution adopted by Commission at a meeting of said Commission on January 14, 2021 when said Resolution was passed unanimously by the Commission.



Edward F. Brennan, Commissioner and
Secretary of the Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A WATER MAIN ASSET MANAGEMENT AGREEMENT PURSUANT TO THE WATER SUPPLY PUBLIC-PRIVATE CONTRACTING ACT, N.J.S.A. 58:26-19 et seq. SUBJECT TO THE REQUIRED APPROVAL OF THE STATE AGENCIES

WHEREAS, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION (hereafter "MPWC" or "Commission") is a governmental regional water authority created in 1926 by Supreme Court and permanently by the subsequent agreement and respective ordinances of each of the municipalities named therein in accordance with NJSA 40:62-108; and

WHEREAS, the MPWC maintains a potable water system which supplies thousands of customers, businesses, and industries with an extensive distribution system of over 220 miles of underground water mains; and the passage of the Water Quality Accountability Act required the replacement of an increased percentage of the water mains each year by every water utility and in excess of the amount the MPWC might necessarily otherwise replace in a year; and

WHEREAS, the MPWC on September 12, 2019 approved a Resolution for a RFQ/RFP competitive procurement process pursuant to N.J.S.A 58:26-19 et seq., (*New Jersey Water Supply Public-Private Contracting Act* referred herein as the "Act"), to obtain proposals from qualified firms to provide engineering, technical, consultative, rehabilitation, re-lining, excavation, construction, and rehabilitation maintenance services for its water main distribution system and for assistance to its Director of Engineering as to such; and thereafter secured approval of the Office of the State Comptroller for its proposed procurement documents; and first began advertising on October 14, 2019; and

WHEREAS, after public advertising commencing first on October 14, 2019 and again on October 16, 2019, as well as continuous advertising via internet and website, the MPWC established a deadline to receive Proposals of Wed., November 26 at 10:30am and the MPWC received a joint proposal from the companies Suez Advanced Water Solutions/USCI, Inc (hereafter jointly Suez) which was timely and responsive; and

WHEREAS, the MPWC evaluation committee following a review of the proposal, and the application of the pre-proposal evaluation criteria, selected SUEZ as qualified and as the sole qualified applicant selected them for the negotiation of a main services agreement; and

WHEREAS, the Evaluation Team and the MPWC Director of Engineering, in-house General Counsel, and Chief Operating Officer and various SUEZ personnel and attorneys had additional meetings, negotiations, and interviews with the respondents. Initially negotiations caused a delay in the February 2019 noticed hearing date. Meanwhile, as the parties continued negotiations, and then the Commission reconsidered its finances in light of its needs and obligations to build treatment plants necessitated by the new Drinking Water Standards having been revised and/or adding previously unregulated contaminants and questions regarding financing of the plants and state support through various funds. Delays were further occasioned by the parties need for discussions and clarifications required of the DEP regarding their

interpretation and enforcement of the WQAA provisions regarding re-lining and/or replacement of water mains, and finally, but not least, the impact of the Covid-19 Pandemic slowed and complicated all processes; and

WHEREAS the MPWC successfully completed negotiations on the agreement (the "Main Asset Services Agreement") and advertised timely for the Public Hearing when on November 10, 2020, it RE-Noticed a 60 Notice of the Public Hearing by service on all the required state Agencies and by published advertisement in newspapers noticing the proposed contract and the public hearing for January 11, 2021. The legal advertisement and website posting described the contract terms and that the contract was available at the Commission and on its website; and

WHEREAS thereafter the MPWC advertised a 14 day Notice as required by the statute beginning on December 28 and again on December 30 for the Public Hearing on the agreement for January 11, 2021, ; and in the meantime, having been advertised and made available by website and for public inspection the draft agreements since December 8, 2020 and made available contacts for questions or for in person public inspections; and at no time did any member of the public appear or comment; and no one sought documents or inspections and

WHEREAS, pursuant to the Act, the MPWC made this Agreement available for inspection via website since December 8, 2020 and physically made hard copies executed by USCI available the four days preceding the conduct of the public hearing and no member of the public commented or appeared at any Hearing; though MPWC Counsel and Court Reporter were available in person to allow inspection and testimony at the MPWC Hearing site, and further no witnesses attended virtually or live nor did any make submission, and none was received during the post-hearing comment period during which the hearing record was held open; and

WHEREAS, in accordance with the Act and having considered all evidence and presentations and conduct regarding the contract of which it has been made aware, the MPWC knowing its approval to be subject to the Approval of the State Agencies resolves as follows:

NOW BE IT THEREFORE BE IT RESOLVED on this the 11th day of February 2021
by the COMMISSION THAT:


1. The Water Main Asset Management Services Agreement is approved with the terms as executed and as presented to the Commission subject to the required processes of the Act and the approvals of the State agencies and any further submission to this Commission as maybe required; and
2. The Chief Operating Officer of the Commission, Michael Saraceni is hereby authorized and directed, when appropriate, upon receipt of such approvals or expiration of the Statutory time period, to execute the Water Main Asset Management Services Agreement with SUEZ Advanced Water Solutions/USCI, Inc., so as to provide Water Main Asset Management Services to the MPWC in accordance with the Act; and

By Resolution and Roll call vote of the Commissioners on February 11, 2021 as follows:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
S. Ali	✓			
E. Brennan	✓			
P. Brennan	✓			
G. Piperno	✓			
J. Scavuzzo	✓			

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: 2/11/2021



Edward F. Brennan, Commissioner and
& Secretary to the Commission

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

RESOLUTION NO. 2021-03

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION OF THE COMMISSION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A WATER MAIN ASSET MANAGEMENT SERVICES AGREEMENT TO THE LOCAL FINANCE BOARD AND TO THE BOARD OF PUBLIC UTILITIES PURSUANT TO N.J.S.A 58:26-19 *et seq.* APPROVING THE SUBMISSION THERETO AND NOTICE TO THE NJDEP FOR REVIEW AS DIRECTED BY NJSA 58:26-24(f) AND THE OSC AS MAY BE REQUIRED

WHEREAS, THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION IN THE COUNTY OF CAMDEN, (the "COMMISSION") is a regional water authority created pursuant to NJSA 40:62-108 *et seq* and serving its residents and customers since 1926; and

WHEREAS, the Commission had acknowledged that the agreement required approvals pursuant to section 7 of P.L.1995, c.101 (C.58:26-25) and advance notice to the Office of the State Comptroller and received their approval as to form of RFP documents and contract as is required pursuant to N.J.S.A 52:15C-10, for its RFP documents before advertisement and solicitation of a contract that may exceed \$10 million; and therefore, the MPWC was able to commence the further stages necessary to fulfill the object of its prior Resolutions in this regard ; and

WHEREAS, the Commission desires to adopt this Resolution to make application to the **Local Finance Board of the Division of Local Government Services** (the "Division") for the 's approval of the contract for Water Main Asset Management Services Agreement ("Services Agreement") to SUEZ Advanced Solutions/Utility Service Co., Inc., (S/USCI) pursuant to N.J.S.A 58:26-24(e) of the New Jersey Water Supply Public-Private Contracting Act, (the "Act"); and

WHEREAS, the Commission desires to adopt this Resolution to make application to the **Board of Public Utilities** (the "Board") for the 's approval of the contract for Water Main Asset Management Services ("Services Agreement") to the Contractors SUEZ Advanced Solutions/Utility Service Co., Inc., (S/USCI) pursuant to N.J.S.A 58:26-24(e) of the New Jersey Water Supply Public-Private Contracting Act, (the "Act"); and

WHEREAS, the Commission believes that the Water Main Asset Management Services Agreement provides the MPWC

- (a) with a more efficient approach to institute this prioritization of the rehabilitation and / or replacement of the water mains as required by the WQAA
 - (b) and to therefore incorporate into the program a preventative maintenance feature;
- and

- (c) it provides access to cutting edge technological advances; and
- (d) significantly decreases the risk of need for the larger capital expenditure solely "failure responses" ; and
- (e) by such items avoids the risk of need and costs of hiring outside engineers in a per project piecemeal fashion: and
- (f) provides a guarantee of use and performance of advanced main re-lining versus complete road and ground demolition; and
- (g) said purpose or improvements are for the health, wealth, convenience or betterment of the inhabitants of the MPWC service area;
- (h) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant; and
- (i) it is in the public interest to accomplish such purposes;

NOW, THEREFORE, BE IT RESOLVED by the Commission, on this 11th Day of February 2021 as follows:

Section 1. The application to the Local Finance Board is hereby authorized and approved (the "Application"), and the Chief Operating Officer, and Director Of Engineering and General Counsel, along with other representatives of Commission as necessary, including Bond Counsel are each hereby authorized and directed to prepare and submit such Application and to represent the Commission in matters pertaining thereto;

Section 2. The Secretary of the Commission is hereby authorized and directed to execute a certified copy of this Resolution and for it to be included with the Applications to both the Division (LFB) and the Board (BPU) to obtain their consent as part of such application and to include in the DEP's submission for their review; and

Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes and to cause its consent to be endorsed upon the Services Agreement Authorization; and

Section 4. Upon receipt of such Approvals from the state authorities referenced in the Act or upon expiration of the statutory time period referenced in the Act, the Commission's Chief Operating Officer, Michael Saraceni is authorized to execute the Agreement on behalf of the Commission, and

Section 5. In so far as required, the Submission and any further application to the OSC is hereby authorized and approved.

AND THEREFORE, BE IT RESOLVED BY THE COMMISSION, assembled in advertised public meeting and after opportunity for public comment,

And on the Roll call vote of the Commissioners on February 11, 2021 as follows:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
S. Ali	✓			
E. Brennan	✓			
P. Brennan	✓			
G. Piperno	✓			
J. Scavuzzo	✓			

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: 2/11/2021

Edward F. Brennan, Commissioner and
Secretary to the Commission

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

Merchantville-Pennsauken Water Commission

RESOLUTION ACCEPTING VOLUNTARY RETIREMENT AND PROVIDING FOR PROVISION OF COMMISSION POLICY FOR QUALIFIED RETIREE MEDICAL

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 to contribute toward insurance premiums on their behalf; and

WHEREAS, the Commission had established a formal policy and practice regarding retiree compensation; and that policy and practice regarding retiree benefits was further codified and modified, and amended by the Commission; and

WHEREAS, Frank Benzenhafer, having tendered his retirement letter after having served the Commission as an active employee continuously since June 1979 and having qualified for retirement benefits under Commission policy by his service by July of 2004; and

THEREFORE, HEREBY BE IT RESOLVED, that the Commission accepts the Retirement of Mr. Frank Benzenhafer in accordance with its Retirement Policy and thereby affords him the Commission's medical benefits until age 65 and then provides then secondary to Medicare for his life without contribution and his spouse in the same manner and condition and for her life or until she remarries; and

AND BE IT FURTHER RESOLVED that the MPWC staff is hereby directed to effectuate said benefits for this retiree in accordance therewith and to make appropriate compensation and payments in accordance with its proper procedures.

I, **Joseph Scavuzzo**, President of the Merchantville-Pennsauken Water Commission, hereby certify the foregoing to be a true and correct copy of the Resolution adopted by a Unanimous Vote of all voting Commission members present at a meeting of said Commission on this, February 11, 2021 at the Regular and duly advertised public meeting.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION



Joseph Scavuzzo, President of the Commission

ATTEST



Patrick Brennan, Treasurer of the Commission

**THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION
RESOLUTION AUTHORIZING THE APPROVAL OF REDUCTION OF THE
POSTED PERFORMANCE BOND FOR SECTION 2B OF GARDEN STATE
PARK DEVELOPMENT**

WHEREAS, THE Applicant, having applied for a reduction in their performance Bond posted with the Commission; and

WHEREAS, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION ("MPWC") and its Director of Engineering have determined that The Applicant, Cherry Hill Partners at Park Place, LLC having posted a performance bond for the Performance of development plans of required water infrastructure improvements necessary for the provision of services by this utility to the 2B section of the Garden State park development being undertaken by them; and

WHEREAS, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION ("MPWC") and its Engineer have determined it is advantageous for the Project and proper development of its system, ease of maintenance and to permit the requested reduction in the Bond posted to the Benefit of the MPWC; and

WHEREAS, the MPWC Commissioners Director of Engineering have found that the Applicant has performed the majority of the work required for which the original Bond was posted and he hereby recommends said that such changes are correct, necessary, and appropriate; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, AS FOLLOWS: The Commission hereby approves the following attached Change as to the Bond posted for Section 2B:

- 1) Reducing the Bond Amount posted to the benefit of the MPWC by Endurance Assurance Corporation, as Surety from the current amount of \$92,400.00 posted in 2018; and/or
- 2) authorizing the acceptance of a Performance Bond of \$\$69,300 by such Surety on the Applicants behalf for Section 2B.

**I hereby certify that this is a true copy of the Resolution adopted by the
MERCHANTVILLE-PENNSAUKEN WATER COMMISSION on February 11, 2021**

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

BY:



**Edward F. Brennan, Commissioner and
Secretary to the Commission**

SEAL

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION APPOINTING A NJUA FUND COMMISSIONER

WHEREAS: Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq) permits municipalities and governmental authorities to join together to form a joint insurance fund; and

WHEREAS, the New Jersey Utilities Joint Insurance Fund is duly constituted as a Joint Self-Insurance Fund and the Merchantville-Pennsauken Water Commission (MPWC) is a member of the New Jersey Utilities Joint Insurance Fund; and

WHEREAS, the NJSA 40A:10-36 et seq as well as the Bylaws of the New Jersey Utilities Joint Insurance Fund provide that "in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund. Each member shall select either a member of its governing body or one of its employees and,

WHEREAS the term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing authority's governing body shall hold office for two years or for the remainder of his/her term of office as a member of the governing body, whichever shall be less.
2. Commissioners who are employees of the appointing authority shall hold office at the pleasure of the utility authority and can be removed by the authority at any time without cause.

NOW THEREFORE BE IT RESOLVED that the Commissioners, the Governing Body of the Merchantville-Pennsauken Water Commission, does hereby appoint:

MPWC employee, **Sean Fitzgerald**

to serve as the MPWC appointee as Commissioner to the New Jersey Utilities Joint Insurance Fund.

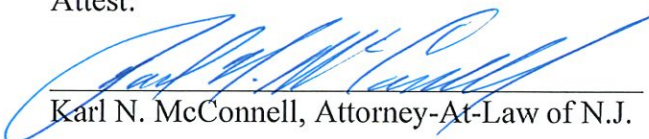
I hereby certify that this is a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on March 11, 2021.

Merchantville-Pennsauken Water Commission



By: _____
Edward F. Brennan, MPWC Commissioner & Secretary

Attest:



Karl N. McConnell, Attorney-At-Law of N.J.

SEAL

Merchantville-Pennsauken Water Commission

**RESOLUTION ACCEPTING SARACENI RETIREMENT BY COMMISSION POLICY
FOR QUALIFIED RETIREE MEDICAL WITHOUT FURTHER CONTRIBUTION**

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 to contribute toward insurance premiums on their behalf; and

WHEREAS, the Commission had established a formal policy and practice regarding retiree compensation; and

WHEREAS, that policy and practice regarding retiree benefits was further codified and modified, and amended on April 23, 1998 while in open public meeting duly organized and advertised appeared in public session; and had proceeded under the Open Public Meetings Act; to adopt such formal resolution; and

WHEREAS, Mr. Michael Saraceni, having entered the service of the Commission as the Chief Executive by Resolution 2006-14 effective February 27, 2006 under the terms, policies and benefits in place at that time and with the recognized service time in a State pension plan (PFRS) that qualified for retirement; and has now here tendered his retirement letter after having served the Commissioner continuously for the requisite time and beyond the age of 65 and having qualified for the retirement benefits under Commission policy in place prior to 2011; and

THEREFORE, HEREBY BE IT RESOLVED, that the Commission accepts the Retirement of Mr. Michael Saraceni in accordance with its Resolution and policy regarding those eligible for retirement prior to that time and thereby affords him and his spouse the benefits under the policy in effect at that time in keeping with the Commission's benefits as they were provided and by the terms of then N.J.S.A. 40A:10-23(b) prior to 2010 without contribution; and

AND 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, **Joseph Scavuzzo**, President of the Merchantville-Pennsauken Water Commission, hereby certify the foregoing to be a true and correct copy of the Resolution adopted by a Unanimous Vote of all voting Commission members present at a meeting of said Commission on this, March 29, 2021 at the duly advertised and publicly held Commission meeting.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION



Joseph Scavuzzo, President of the Commission

ATTEST



Patrick Brennan, Treasurer of the Commission

**RESOLUTION AUTHORIZING AND MEMORIALIZING
THE APPOINTMENT OF AN EMPLOYEE**

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 the Commission is thereby granted 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 April 8, 2021 while in open public meeting duly organized and advertised appeared in public session and had publicly considered and proceeded under the Open Public Meetings Act and under the Emergency Declarations as declared by the Governor; and

NOW, THEREFORE BE IT SO RESOLVED by the MPWC in lawful meeting publically advertised and held in Township of Pennsauken, County of Camden, State of New Jersey, that the Commissioners by formal resolution approved the following personnel actions and compensation are enacted and where applicable retroactively as follows:

JOHN KILLION SR.

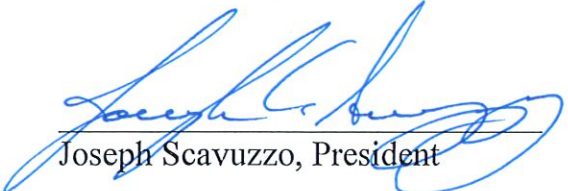
is hereby appointed as Chief Operating Officer of the Commission effective April 5, 2021, and that he is appointed to that position under the following terms: \$65,000.00 salary for a 25-hour workweek; three (3) personal days; twelve (12) sick days; three (3) weeks' vacation, and all other benefits as afforded all other Commission employees.

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 and affording the appropriate benefits and compensations pursuant to Commission policy, procedures and or plans in effect at this time for similarly situated employees.

I hereby certify the foregoing to be a true and correct copy of the Resolution adopted by Commission at a meeting of said Commission on April 8, 2021 and said Resolution passed by the Unanimous vote of the members of the Commission.



Edward Brennan, Secretary and Commissioner of
Merchantville-Pennsauken Water Commission



Joseph Scavuzzo, President

SEAL

RESOLUTION ACCEPTING BIDS, REJECTING ALL OTHER BIDS, AND AWARDING THE CONTRACT FOR THE MARION AVENUE TANK PAINTING

WHEREAS the Merchantville- Pennsauken Water Commission (MPWC) in furtherance of its mission to product, store and supply safe drinking water to its constituents has multiple steel elevated storage tanks which require careful and routine maintenance to extend their life and the MPWC has determined that the 1 Million Gallon potable water storage tank at the Marion Avenue wells and treatment plant needs painting to properly maintain it; and

WHEREAS the specifications and estimates for bids were prepared by the Commission based on knowledge of the facilities and experience and prepared by the Commission engineer seeking proper qualifications and experienced trained applicators meeting all industry and manufacturers standards and at the directions of the Commissioners and the Commission having experienced the ill effects of improper application of steel tank coating and subsequent costs and costly expenditure of public funds for correction as well as lengthy litigation resulting from faulty application; and

WHEREAS the Commission advertised for bids and gave opportunities for questions and objections; and bids were received and opened publicly on March 9, and the bid(s) have been evaluated by the MPWC and their Engineer; and

WHEREAS in accordance with the instructions for bidding the Guimar General Contractor, Inc. bid is non-compliant and is deemed non-responsive and is hereby rejected and recommended as such to Commissioners and the recommendation made is provided that 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. that the award be to Allied Painting, Inc.; and

WHEREAS the designated Financial officer has certified to the availability of funds attached; and 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 the 8th day of April 2021, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, that this Commission awards the Marion Avenue Tank Painting to

ALLIED PAINTING, INC FOR \$205,000.00

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



Edward Brennan, Commissioner and
Secretary of the Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

AMENDING POLICIES AND PROCEDURES FOR THE USE OF PROCUREMENT CARDS AND PROCUREMENT CARD PROGRAM FOR THE COMMISSION AND REASSIGNING OF CARDS

WHEREAS, N.J.S.A. 40A:5-16(c) permits the use of Procurement Cards and The Merchantville - Pennsauken Water Commission has a need to implement a procurement card program (P-Card) for specific circumstances to be used for certain payments, and

WHEREAS, the statute permits a contracting unit to adopt policies, and permit specifically named employees to use a P-Card for the purchase of goods and services. The transactions must comply with Public Contracts Law, N.J.S.A. 40A:11-12, and

WHEREAS, the Treasurer, the Chief Operating Officer and the Designated Qualified Purchasing Agent recommended that procurement cards be utilized where appropriate for purchases of the Water Commission; and by Resolution # 2017-07 on June 8, 2017 the Commission approved a Procurement Card Plan; and

WHEREAS, FIA Card Services, N.A., a Bank of America Company, had been awarded the State of New Jersey contract to provide agencies the ability to purchase goods and services using a P-Card Index#T-1654, Contract #84675, and

WHEREAS the following internal controls are set for compliance with the statutory authorization and the Local Finance Notice 2013-17 rules will be in place, and

WHEREAS the law, N.J.S.A. 40A:5-16(c) established the specific circumstances when procurement cards can be used; and the rules adopted by the Local Finance Board governing the use of procurement cards were set forth in NJ.AC. 5:30-9A and in the resolution; and

WHEREAS the Commissioners established the procurement card program with specific detailed rules including in the above noted Resolution; and required that:

The (QPA) program manager, C.O.O. and Director of Engineering sign an acknowledgement of Procurement card training and agreement to abide by policies and procedures for procurement card usage and said agreement shall be retained by the Commission in their personnel file.

The Program Manager shall also ensure that:

- a. all cards have imprinted on them both the users' names and the name of the local unit
- b. the merchant code is accurate;
- c. Sufficient funds are encumbered from the proper accounts to cover any charges the user is authorized to make;
- d. Program participants are aware of the program and approved vendors with whom the cards may be utilized, dependent upon contracts awarded by the governing body;
- e. When applicable and bids are advertised, the bid documents include that the payments may be made by procurement card so the local unit receives in their bid prices any discount for timely payments.

All purchases with the P-card shall be approved by both the C.O.O. and the program manager in advance and reported monthly and separately to the Commission;

Purchases are limited to \$3,400.00 per purchase/aggregate of \$6,000.00 per month per user.

Users to expeditiously provide all receipts to the program manager, who will compare receipts to the computer-generated usage report provided by the card company. Returned material must be reported to the Program Manager quickly to ensure either the charge is cancelled, or the local unit receives proper credit.

The C.O.O. and program manager are authorized to create P-Card procedures to assure compliance with these requirements; and

WHEREAS, that Resolution authorized at Rule B (8) that

“P-Cards shall only be issued in the names of the C.O.O. and the Director of Engineering.

No other employee shall have a card issued in their name or authority to use the P-Card.” And

WHEREAS the Commission staff has found it much more practical to re-assign the C.O.O. card and designates and authorizes that card to be the Name of Logistics Manager, Ryan Magee; and

THEREFORE, BE IT RESOLVED by the Commission on this 13th Day of May 2021 that hereafter the second P Card shall be in the name of Ryan Magee provided he acknowledges and signs for receipt of the Resolution and rules regarding its use and that he completes training with the Program manager; and

BE IT FURTHER RESOLVED Nothing herein shall change regulations or requirements pursuant to Local Public Contracts Law (N.J.S.A. 40A: 11-1 etseq.)

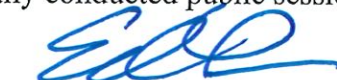
BE IT FURTHER RESOLVED that the Merchantville- Pennsauken Water Commission hereby be enables and authorizes John Killion Sr, to sign the Linking Authorization Contract with FIA Card Services, N.A. for Procurement Card Services on its behalf and or any other documents or agreement to effectuate the continuation of the program.

And on the **Roll call vote of the Commissioners** on May 13, 2021 as follows:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
S. Ali	X			
E. Brennan	X			
P. Brennan	X			
J. Scavuzzo	X			
F. Warwick	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: 5/13/21



Edward Brennan, Commissioner & Secretary to the Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A THE MAINTENANCE SERVICES AGREEMENT TO ADVANCED WATER SOLUTIONS/USCI, INC. TO PROVIDE WATER MAIN ASSET MANAGEMENT AND MAINTENANCE SERVICES AFTER STATE AGENCY APPROVAL

WHEREAS the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION ("MPWC" or "Commission") is a governmental regional municipal water authority created in 1926 by the agreement and respective ordinances of each of the municipalities named therein in accordance with NJSA 40:62-108 which owns extensive potable water supply and distribution systems made up of over 225 miles of water mains; and

WHEREAS the MPWC undertook an RFQ/RFP competitive procurement process pursuant to N.J.S.A 58:26-19 et seq., (*New Jersey Water Supply Public-Private Contracting Act* referred herein as the "Act"), to obtain proposals from qualified firms to provide long term expert assistance and analytical advice regarding main lining replacement and maintenance services for its Systems to comply with the mandates of the WQAA; and

WHEREAS after public advertising the MPWC received Proposals on November 26, 2019 and the MPWC received a proposal from the from Suez Advanced Water Solutions/ USCI, Inc timely and qualified; and the MPWC evaluation committee following a review of the proposal qualified Suez Advanced Water Solutions/USCI, Inc. for the negotiation of a new contract operator services agreement; and

WHEREAS the MPWC successfully completed negotiations on the changes and amendments to the agreement (the "Water Main Asset Management and Maintenance Services Agreement") and advertised timely for the Public Hearing on the contract was held on January 14, 2021 and no member of the public commented or appeared at any Hearing; and the MPWC received no public comment during the comment period following the hearing while the public hearing record was held open; and

WHEREAS, in accordance with the Acts, the MPWC submitted the Agreement to the Local Finance Board of the DLGS ("Division") and received their approval on April 14, 2021 and to the Board of Public Utilities ("Board") and having received that body's order of approval on April 27, 2021 and no objection having been received from any state agency; and

BE IT THEREFORE RESOLVED AND ENACTED, by the Commission that having received the statutorily required approval of the State Agencies, or receiving no comment within the time from those notified, and having determined all statutory criteria having been met and the Commissioners having determined it is in the best interest of the Commission, the franchise and the customers to enter into this agreement and therefore the President and Secretary are authorized to executed this Agreement as a final completed agreement in accordance with the Public-Private Water Supply Contract Act .

By Resolution and Roll call vote of the Commissioners on May 13, 2021 as follows:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Ali	X			
Brennan, E.	X			
Brennan, P.	X			
Scavuzzo	X			
Warwick	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: 5/13/21



Edward F. Brennan, Esq. Commissioner
& Secretary to the Commission

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

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

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 President and Treasurer were constituents of a committee of commissioners who had entertained recommendations from staff, and made its own considerations, and thereafter said Commissioners made their own recommendations to this assembled body, **and**

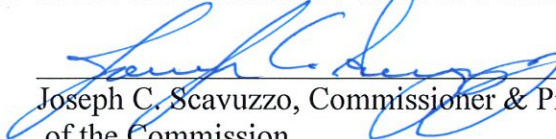
WHEREAS the Commission met on this 10th of June 2021 while in open public meeting duly organized and advertised and appeared in public session; and had publicly considered and proceeded under the Open Public Meetings Act; and

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 date or the first full payroll date after July 1, 2021, in accordance with its routine procedures.

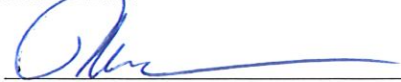
The Roll Call Vote of Commissioners* was: 5 Yea; 0 Nay; 0 Abstain; 0 Absent.

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 10TH Day of JUNE 2021.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:


Joseph C. Scavuzzo, Commissioner & President
of the Commission

ATTEST:


Patrick Brennan, Commissioner and
Treasurer of the Commission

*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.

2021 EMPLOYEE EVALUATIONS-MAY HOURLY ADJUSTMENTS

EMPLOYEE	CURRENT RATE	PROPOSED RATE	HOURLY INCREASE	PROMOTION	MERIT
FINANCE					
JEANNINE HERSHEY	\$26.28	\$27.28	\$1.00	NO	YES
CUSTOMER SERVICE					
COLLEEN O'BRIEN	\$28.10	\$28.94	.84	NO	YES
FIELD SUPERVISORS					
TOM FIMPLE	\$40.36	\$41.11	.75	NO	YES
CHRIS KUCHERA	\$40.36	\$41.11	.75	NO	YES
CONSTRUCTION					
RYAN MAGEE	\$29.62	\$30.37	.75	NO	YES
FIELD SERVICE TECHNICIANS					
DAN PERSIANO	\$22.56	\$25.56	\$3.00	YES F5-F4	NO
BRANDON RACZKOWSKI	\$29.23	\$30.23	\$1.00	NO	YES
ALEX GAROFALO	\$20.50	\$23.00	\$2.50	NO	YES
JAMES DUFFY	\$22.82	\$24.82	\$2.00	NO	YES
JOE HUTTON	\$28.60	\$29.85	\$1.25	YES F4-F3	NO
ROB CAIRNS	\$27.35	\$29.35	\$2.00	YES F4-F3	YES
SEAN FITZGERALD	\$37.34	\$38.34	\$1.00	NO	YES
PLANT OPERATORS					
ROBERT MUNS	\$21.54	\$22.54	\$1.00	NO	YES
TOM BALDUCCI	\$25.49	\$26.49	\$1.00	NO	YES

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 pursuant to the agreement between Merchantville Borough and the Township of Pennsauken; 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, and the 1942 agreement between the founding municipalities 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- Joseph Scavuzzo

VICE-PRESIDENT- Shakir Ali

TREASURER- Patrick Brennan

SECRETARY- Edward Brennan

ASST. TREASURER & ASST. SECRETARY – Frank Warwick

By Resolution and vote of the Commissioners on July 8, 2021; Result of Roll call Vote:

Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Ali	X			
Brennan, E.	X			
Brennan, P.	X			
Scavuzzo	X			
Warwick	X			

Date: July 8, 2021



 Edward F. Brennan, Commissioner & Secretary to the Commission

SEAL

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR THE 2021-2022
COMMISSION YEAR**

WHEREAS the Cash Management Plan of the Merchantville-Pennsauken Water Commission for the reorganization period beginning July 8, 2021, and ending July 2022 has been presented for adoption before the governing body of the Merchantville-Pennsauken Water Commission at its open public meeting of July 8, 2021; and

WHEREAS the New Jersey Statute N.J.S.A. 40A5-14 requires the establishment of a Cash Management Plan in accordance with the requirements of N.J.S.A. 40A5-14, *et seq*; and

WHEREAS the Administrative Code at N.J.A.C.5:31-3.1 also requires same; and


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

NOW THEREFORE, BE IT RESOLVED by the governing body of the Merchantville-Pennsauken Water Commission, at an open public meeting held on July 8, 2021, that the Cash Management Plan of the Merchantville-Pennsauken Water Commission which is attached and is hereby adopted for the Commission Year period beginning this day and continuing until replaced hereafter.

Merchantville-Pennsauken Water Commission By:

SEAL



Edward F. Brennan, Commissioner and
Secretary to the Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

REORGANIZATION RESOLUTION DESIGNATING DEPOSITORIES FOR ACCOUNTS AND FUNDS OF THE COMMISSION FOR THE COMING COMMISSION YEAR

WHEREAS, the Merchantville Pennsauken Water Commission a regional governmental water authority created by its named municipalities 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 the public funds and 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

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

PNC; Bank of America; TD Bank; First Colonial Community Bank; Haddon Savings Bank; Santander Bank; Wells Fargo Bank, N.A.; Republic First Bank; South Jersey Federal Credit Union, (now, First Harvest Credit Union); New Jersey Cash Management, and any other GUDPA participating Bank/Financial institutions

deemed necessary by the Treasurer and approved by the Commission during the year including all banks/Financial Institution authorized and located in the State of New Jersey that are authorized participants in GUDPA and are approved by NJ Dept. Of Treasury to be a depository for all current public 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.

I hereby certify this to be an accurate and true recitation of the unanimous Resolution arrived at and voted by the Commissioners present on July 8, 2021.

Date:

7/8/2021


Edward F. Brennan, Commissioner and Secretary to the Commission

SEAL

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; and

NOW, THEREFORE BE IT HEREBY RESOLVED that the MPWC hereby and until further notice designates:

1st Colonial Community Bank of Collingswood

and including all banks/Financial Institution located in the State of New Jersey shall be an authorized 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 must be signed by two individuals as follows:

Must be **signed by ONE** of the following: Treasurer of the Commission, Patrick Brennan, **or**
Assistant Treasurer of the Commission, Frank Warwick,

AND also, one of the Following: President of the Commission, Joseph C. Scavuzzo, **or**
Vice-President of the Commission, Shakir Ali

However, the regular PAYROLL ACCOUNT requires Only one signature from any of the following:

John Killion, Sr. C.O.O., **or**
Richard Spafford, Engineering Director,

and the Special Legal Account of the Commission ONLY requires one signature from any of the following:

Vice-President, Shakir Ali; **or**
Treasurer, Patrick Brennan, **or**
Assistant Treasurer, Frank Warwick, **or**
C.O.O., John Killion, Sr **or**
Director of Engineering, Richard Spafford

By Resolution and vote of the Commissioners on this Day of July 8, 2021.



Edward F. Brennan, Esq., 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 Authorizing A PETTY CASH FUND to Be Managed By the Director Of Finance and 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 and the Administrative Code at N.J.A.C. 5:31-3 require the adoption of a cash management plan; 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 was also reapproved today, the Commission hereby authorizes and establishes from its general operating revenues/accounts a monthly Petty Cash Fund which shall be administered and maintained by the Chief Operating Officer, John Killion Sr. and Director of Finance Joyce Pierce and shall not exceed

\$500.00

in expenditures per month until further order of the Commission.

By Resolution and vote and adopted at the Public Meeting of Commissioners on July 8, 2021.

Date:

7/8/2021



Edward F. Brennan, Commissioner & Secretary to the Commission

SEAL

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

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION DESIGNATING AND AUTHORIZING SIGNATORIES FOR ITS Flexible Spending/ Section 125 Accounts and Healthcare Reimbursement Accounts

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 except by majority vote of Commissioners; 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 has also as part of its High Deductible Healthcare plan authorized HRA accounts for its employees; 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, **John Killion, Sr.**, or Director of Engineering, **Richard Spafford**, or President of the Commission, **Joseph C. Scavuzzo**, or Treasurer of the Commission, **Patrick Brennan** are HEREBY authorized as individual signatories on the account at 1st Colonial National Bank to sign FSA and HRA account checks, transfers, and disbursement authorizations to the extent such is required. **(ONLY One of Said Signatories Signature is REQUIRED)**

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 8, 2021.

Date: July 8, 2021


Edward F. Brennan, Commissioner & Secretary to the Commission

SEAL

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 in 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** and the **Merchantville Community website**.
- (2)
 - a. Advance written notices of Annual Commission meetings shall be provided to the following newspapers: **Courier-Post, The Retrospect, The Inquirer and All-Around Pennsauken**; and
 - b. If subsequent Notices or Special Meetings then said Notices shall be provided to **Courier-Post, The Inquirer & The Retrospect of Collingswood** depending upon publication schedule and in compliance with The New Jersey Open Public Meetings Act.
- (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 rate allowed by Law. News media shall be exempt from such fees.
- (4) The schedule of regular official Commission meetings and any regular Commission work sessions for the period from after this reorganization meeting until July 2022 shall be in accordance with the accompanying Resolution designating the dates, times and places of meetings.
- (5) The Official Newspapers of the MPWC for the purposes of legal advertisement and any other Notices of rate hearings required to be legally advertised shall be the **Courier-Post** and The **Retrospect of Collingswood** as well as all listed in #1 above.

This Resolution Adopted by the Vote of the Commissioners in Public Session on July 8, 2021.

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on the afore noted date.

By: 
Edward F. Brennan, Commission, Secretary to The Commission

SEAL

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 at the second Thursday in JULY 2022 except as otherwise noted herein.

REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

All such meetings, unless otherwise indicated, shall be held at **4:00 PM** in the G. Burton German Meeting Room at the Headquarters of the Merchantville Pennsauken Water Commission at 6751 Westfield Ave., Pennsauken, NJ 08110. Formal action may be taken at such meetings on any business coming before the Commission on the dates and times:

ON THE LIST ATTACHED HERETO AND IN THE MANNER DESCRIBED THEREIN

The July 14, 2022, Reorganization meeting shall be held at 4:00 PM and Regular Business Meeting shall commence immediately thereafter.

Formal official action is intended to be taken at all such meetings on 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 8, 2021, 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 the date aforementioned.

SEAL

By: 

Edward F. Brennan, Commissioner & Secretary to the Commission

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 and other state and federal requirements; and


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 today until replaced.

Public Agency Compliance Officer:
John Killion Sr., Chief Operating Officer

This Resolution shall take effect immediately upon adoption this 8th day of July 2021.

I hereby certify that this is a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on July 8, 2021.

Merchantville-Pennsauken Water Commission

By: 
Edward F. Brennan, Commissioner &
Secretary of The Commission

SEAL

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION GRANTING AND DESIGNATING THE AUTHORITY TO EXECUTE
NJDEP AND EPA APPLICATIONS**

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

THEREFORE By These Presents, the Authority hereby designates its

Chief Operating Officer, John Killion, Sr.; and/or
Director of Engineering, Richard Spafford

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

Either Authorized Representative may be contacted at the following address:

Merchantville-Pennsauken Water Commission.
6751 Westfield Ave.
Pennsauken, NJ 08110

This Resolution shall take effect immediately upon adoption on this 8th day of July 2021 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 8, 2021.

Merchantville-Pennsauken Water Commission

By:



Edward F. Brennan, Commissioner &
Secretary to The Commission

SEAL

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION AUTHORIZING THE MPWC TO PURCHASE UNDER STATE CONTRACT AND UNDER CAMDEN COUNTY COOPERATIVE PRICING SYSTEM or other approved Cooperatives

WHEREAS, the Merchantville-Pennsauken Water Commission of the Township of Pennsauken, in the County of Camden, State of New Jersey, pursuant to N.J.S.A. 40A 11-12 (a) and N.J.A.C. 5:34-7.29 (c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Merchantville-Pennsauken Water Commission of the Township of Pennsauken, in the County of Camden, State of New Jersey, pursuant to N.J.S.A. 40A 11-11 (5) and N.J.A.C. 5:34-7.29 (c) may by resolution and without advertising for bids, purchase any goods or services under a properly authorized Cooperative Purchasing Program for any contracts entered into on behalf of an approved Cooperative so long as it utilizes bids and other Open and Fair purchasing procedures; and

WHEREAS, NJSA 40:11-11(5) authorizes contracting units to establish and enter into Cooperative Pricing Agreements; and

WHEREAS, the MPWC on March 13, 2014 passed Resolution 2014-08 joining said Cooperative Pricing System; and By Resolution 2018-03 on February 8, 2018 the Commission approved joining The National Joint Powers Alliance® (NJPA); and

WHEREAS, the Merchantville-Pennsauken Water Commission has the need on a timely basis to purchase goods/services utilizing contracts or those from the approved Cooperatives; and

NOW, THEREFORE, BE IT RESOLVED that the Merchantville-Pennsauken Water Commission authorizes the purchase of certain goods and services from any State contract or other approved cooperatives or processes and therein approved contract vendors, pursuant to all the conditions of the relevant contracts; and

BE IT FURTHER RESOLVED by the Merchantville-Pennsauken Water Commission that, pursuant to the N.J.A.C. 5:30-5.5 (b), the certification of available funds shall be certified at as the goods or services are called for prior to placing the order, and a certification of availability of funds supplied by the QPA/Purchasing Agent and via authorized purchase order; and

BE IT FURTHER RESOLVED, that the duration of this authorization shall be until further Resolution of this Commission or upon the expiration of the vendor's relevant contract, whichever event first occurs.

I hereby certify that this is a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on July 8, 2021.

By 
Edward F. Brennan, Commissioner &
Secretary to the Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**RESOLUTION TO SET THE COMMISSION'S BID THRESHOLD AND TO
AUTHORIZE AGENTS FOR PURCHASES UNDER BID THRESHOLD**

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

WHEREAS the Commission has the authority and the duty to provide for the orderly and efficient operation of the Commission, finances, and water supply and quality; and

WHEREAS the Commission on this date while in open public meeting duly advertised by the Commission appeared in public session; and proceeded under the Open Public Meetings Act;

WHEREAS N.J.S.A. 40A:11-3 supplementing and amending the New Jersey Statutes allows local contracting units to increase the bidding threshold to the limit set by the Governor; and

WHEREAS the State has raised the thresholds for both bidding and quotes (15% of bid threshold) under the Local Public Contracts Act if a local entity has a certified QPA, and the MPWC desires to continue to set its thresholds to those maximums as they increase; and

WHEREAS employee Joyce Peirce, has been certified by the state as a QPA and the MPWC appoints her to the position of the Commission QPA and along with the Designated Commission Contracting Agent, John Killion, Sr. are together authorized to secure purchases of items under the bid threshold in accordance with Commission practice and procedure; and

WHEREAS for contracting units that have appointed a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9(b) and avail themselves of the related higher bid threshold pursuant to N.J.S.A. 40A:11-3 and 18A:18A-3, the maximum bid threshold is \$44,000; and/ or higher as maybe permitted; and

NOW, THEREFORE, BE IT RESOLVED on this 8th Day of July 2021 by the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION that the Bid threshold is hereby set at the maximum permitted by N.J.S.A.40A11-3, and by N.J.A.C. 5:34-5.2, or any other order or action of the State or Governor so that the Commission approves the permitted maximum, and the quote threshold at 15% of that bid threshold, so long as that permission and regulation shall be in place and this government agency shall qualify and as set forth by the NJ DCA.

BE IT FURTHER RESOLVED that the Agents listed above shall have the authority, responsibility and accountability for the purchasing activity for the COMMISSION subject to the approval and signature on all contracts of the Chief Operating Officer as set forth in Resolution 2011-27.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AT A REGULAR MEETING HELD ON July 8, 2021.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:



Edward F. Brennan, Commissioner and Secretary to the
Merchantville-Pennsauken Water Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION APPOINTING A NJUA FUND COMMISSIONER

WHEREAS: Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq) permits municipalities and governmental authorities to join together to form a joint insurance fund; and

WHEREAS, the New Jersey Utilities Joint Insurance Fund is duly constituted as a Joint Self-Insurance Fund and the Merchantville-Pennsauken Water Commission (MPWC) is a member of the New Jersey Utilities Joint Insurance Fund; and

WHEREAS, the NJSA 40A:10-36 et seq as well as the Bylaws of the New Jersey Utilities Joint Insurance Fund provide that "in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund. Each member shall select either a member of its governing body or one of its employees and,

WHEREAS the term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing authority's governing body shall hold office for two years or for the remainder of his/her term of office as a member of the governing body, whichever shall be less.
2. Commissioners who are employees of the appointing authority shall hold office at the pleasure of the utility authority and can be removed by the authority at any time without cause.

NOW THEREFORE BE IT RESOLVED that the Commissioners, the Governing Body of the Merchantville-Pennsauken Water Commission, does hereby appoint:

MPWC employee, **Sean Fitzgerald**

to serve as the MPWC appointee as Commissioner to the New Jersey Utilities Joint Insurance Fund.

I hereby certify that this is a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on July 8, 2021.

Merchantville-Pennsauken Water Commission

By: 
Edward F. Brennan, MPWC Commissioner & Secretary

Attest:


Karl N. McConnell, Attorney-At-Law of N.J.

SEAL

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

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**REORGANIZATION RESOLUTION OF THE COMMISSION REESTABLISHING
EMPLOYEE AWARDS PROGRAM AND APPOINTING AND DESIGNATING
EMPLOYEE AWARDS COMMITTEE 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 permanently 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 the Commission is a public entity that chooses pursuant thereto to establish a Public Employees' Awards Program and Designating a Public Employees' Awards Committee in accordance with and pursuant to N.J.S.A. 40A:5-31.

THEREFORE, BE IT HEREBY RESOLVED by this Commission on this date that the following are appointed so that **Brandy Eisenmann and Joyce Peirce** each beginning 1st year of 3 yr. term) having been appointed to the Committee so that the Committee shall now consist of the Following: **Commissioner Warwick** (1 year term), along with the current **Commissioner Scavuzzo**, beginning 2nd Year of a current two (2) year appointment, and **Mr. Killion**, beginning 1st Year of an new two (2) year term in accordance with the statute until further resolution or appointment being made to the committee by the Commissioners.

Be IT THEREFORE Resolved by Resolution and vote of the Commissioners on July 8, 2021.



Edward F. Brennan, Esq., Commissioner &
Secretary to the Commission

MERCHANTVILLE PENNSAUKEN WATER COMMISSION
RESOLUTION FOR ADOPTION OF ANNUAL CONTRACTS WITH PROFESSIONALS

WHEREAS there exists a need for the MPWC to procure the certain licensed professional services from professionals deemed qualified from announced and publicly advertised criteria: and

WHEREAS the service of the professional services is authorized to be engaged without bidding as a professional service under 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 prudent or possible to simply obtain bids; and

WHEREAS the need for such services were publicly advertised with criteria and qualifications made public in advance and an Open and public return date with all applications opened publicly; and

WHEREAS, the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.* authorizes qualification of such professionals and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 et seq., and establishes a "fair and open" process compliant with the rules and restrictions set forth therein which requires a resolution authorizing the qualification and/or award of contracts for professional services after established criteria and publicly advertised, and the Commission having done so; and

NOW, THEREFORE, the Commission finds that it has proceeded in accordance with the procedures required under New Jersey law for appointment under the Fair and Open Process which it hereby deems this to have been and

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

Section 1: President, and Secretary are hereby authorized and directed to execute the necessary contracts to engage the following professionals who were each the sole respondents to the publicly advertised RFP's for the Commission year subject to reaching acceptable terms and conditions in contract language:

- | | |
|--|---|
| (a) <u>Insurance BROKER of Record:</u> | Conner Strong & Buckelew, Marlton, NJ |
| (b) <u>Auditor:</u> | Bowman & Company, LLC, Voorhees, NJ 08043 |
| (c) <u>Employee Benefits Broker of Record:</u> | Conner Strong & Buckelew, Marlton, NJ |
| (d) <u>Accountants/Consultants</u> | Your Part Time Controller, Philadelphia, PA |

Section 2: The MPWC hereby finds that the process used to solicit proposals resulting in above determinations comply with Open & Fair procedures and with the provisions of the Open Public Meetings Act, NJ ELEC law and regulations, and is hereby qualified and thereby authorized to contract to perform professional services, respectively, pursuant to criteria previously established and advertised and to negotiate and enter contracts with these professionals as deemed necessary and on a project basis.

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 8, 2021.



By: _____
Edward F. Brennan, Commissioner & Secretary to the Commission

SEAL

MERCHANTVILLE PENNSAUKEN WATER COMMISSION
RESOLUTION FOR ADOPTION OF QUALIFICATION OF BOND COUNSEL
PROFESSIONALS FOR ANNUAL CONTRACTS PURSUANT TO FAIR & OPEN PROCEDURES

WHEREAS there exists a need for the MPWC to procure the certain licensed professional services from professionals deemed qualified from announced and publicly advertised criteria: and

WHEREAS the service of the professional services is authorized to be engaged without bidding as a professional service under 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 prudent or possible to simply obtain bids; and

WHEREAS the need for such services were publicly advertised with criteria and qualifications made public in advance and an Open and public return date with all applications opened publicly; and

WHEREAS the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.* authorizes qualification of such professionals and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 et seq., and establishes a "fair and open" process compliant with the rules and restrictions set forth therein which requires a resolution authorizing the qualification and/or award of contracts for professional services after established criteria and publicly advertised, and the Commission having done so; and

NOW, THEREFORE, the Commission finds that it has proceeded in accordance with the procedures required under New Jersey law for appointment under the Fair and Open Process which it hereby deems this to have been and

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

Section 1: President, and Secretary are hereby authorized and directed to execute the necessary documents to designate the following professionals who were each the sole respondents to the publicly advertised RFQ/RFP's for the Commission year regarding qualifications for Bond Counsel hereby finds the following Bond Counsel to have applied and met the Qualifications to be Bond Counsel at the discretion of the Commissioners and subject to reaching acceptable terms and conditions in contract language for retention as professionals and or per project:

- Parker McCay, Mt. Laurel, NJ
- Dillworth Paxton, Cherry Hill, NJ

Section 2: The MPWC hereby finds that the process used to solicit proposals resulting in above determinations comply with Open & Fair procedures, with the provisions of the Open Public Meetings Act, NJ ELEC law and regulations, and is hereby qualified and thereby authorized to contract to perform professional services, respectively, pursuant to criteria previously established and advertised and to negotiate and enter contracts with these professionals as deemed necessary and on a project basis, and

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 8, 2021.



By: _____

Edward F. Brennan, Commissioner & Secretary to the Commission

SEAL

MERCHANTVILLE PENNSAUKEN WATER COMMISSION
RESOLUTION OF ANNUAL POOL OF QUALIFIED PROFESSIONAL ENGINEERS FOR
ANNUAL CONTRACT ENGAGEMENT PURSUANT TO FAIR & OPEN PROCEDURES

WHEREAS there exists a need for the MPWC to procure the certain licensed professional services from professionals deemed qualified from announced and publicly advertised criteria: and

WHEREAS the service of the professional services is authorized to be engaged without bidding as a professional service under 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 prudent or possible to simply obtain bids; and

WHEREAS the need for such services were publicly advertised with criteria and qualifications made public in advance and an Open and public return date with all applications opened publicly; and

WHEREAS, the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.* authorizes qualification of such professionals and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 *et seq.*, and establishes a "fair and open" process compliant with the rules and restrictions set forth therein which requires a resolution authorizing the qualification and/or award of contracts for professional services after established criteria and publicly advertised, and the Commission having done so; and

NOW, THEREFORE, the Commission finds that it has proceeded in accordance with the procedures required under New Jersey law for appointment under the Fair and Open Process which it hereby deems this to have been; and

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

Section 1: President, and Secretary are hereby authorized and directed to execute the necessary documents to reflect the following professionals who were respondents to the publicly advertised RFQ/RFP's for the Commission year were found to be included within the Qualified Pool from which the Commission will receive proposals to select the professionals and engage on an as needed per project basis at the discretion of the Commissioners and subject to reaching acceptable terms and conditions in contract language for retention as professionals and or per project as Engineers:

• Remington & Vernick • CES • T&M Associates • CME Associates • PS&S

Section 2: The MPWC hereby finds that the process used to solicit proposals resulting in above determinations comply with Open & Fair procedures, with the provisions of the Open Public Meetings Act, NJ ELEC law and regulations, and is hereby qualified and thereby authorized to contract to perform professional services, respectively, pursuant to criteria previously established and advertised and to negotiate and enter contracts with these professionals as deemed necessary and on a project basis, and

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on July 8, 2021.

By: 
Frank Warwick, Commissioner & Asst. Secretary to the Commission

SEE OFFICIAL MINUTE BOOK OF THE COMMISSION FOR THE ROLL CALL VOTE OF THE COMMISSIONERS.

Merchantville-Pennsauken Water Commission

RESOLUTION ACCEPTING VOLUNTARY RETIREMENT AND PROVIDING FOR PROVISION OF COMMISSION POLICY FOR QUALIFIED RETIREE MEDICAL

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 to contribute toward insurance premiums on their behalf; and

WHEREAS, the Commission had established a formal policy and practice regarding retiree compensation; and

WHEREAS, that policy and practice regarding retiree benefits was further codified and modified, and amended on April 23, 1998 while in open public meeting duly organized and advertised appeared in public session; and had proceeded under the Open Public Meetings Act; to adopt such formal resolution; and

WHEREAS, Superintendent Craig Campbell having entered the service of the Commission on August 12, 1985, so that he had fully qualified for the MPWC health care retirement benefits for himself and his spouse by the summer of 2010 and he has by July 14 having tendered his retirement and the Commission having received formal notice of same; and


WHEREAS, this having all been done after Superintendent Campbell had faithfully served the Commission continuously for 36 years, the requisite time and beyond the requisite age and having qualified for retirement benefits under Commission policy prior to 2011; and

THEREFORE, HEREBY BE IT RESOLVED, that the Commission accepts the Retirement of Superintendent Craig Campbell in accordance with its Resolution and policy regarding those eligible for retirement prior to that time and thereby affords him the policy in effect at that time in keeping with the Commission's benefits as they are now currently and by the terms of then N.J.S.A. 40A:10-23(b) prior to 2010 without contribution; and

AND 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 and effective as of the date of his notice of retirement.

I, **Joseph Scavuzzo**, President of the Merchantville-Pennsauken Water Commission, hereby certify the foregoing to be a true and correct copy of the Resolution adopted by a Unanimous Vote of all voting Commission members present at a meeting of said Commission on this, August 12, 2021, at the Regular and duly advertised public meeting.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION



Joseph Scavuzzo, President of the Commission

ATTEST



Frank Warwick, Asst. Treasurer of the Commission

RESOLUTION No. 2021-31B

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION TO AUTHORIZE AND DIRECT THE SETTLEMENT OF
COMMISSION CLAIMS REGARDING MASONRY "CAPPING"
CONSTRUCTION OF THE MPWC HEADQUARTERS BUILDING**

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 and the duty thereby to provide for the orderly and efficient operation of the Commission, its finances, and water supply and quality; and

WHEREAS Merchantville-Pennsauken Water Commission ("MPWC"), found it necessary in its fiduciary duty to commence consider and contemplate litigation involving the Contractor Eagle Construction Services, Inc. ("Eagle"), who was the General contractor on the construction of the Water Commission HQ at 6751 Westfield Avenue due to the following;

WHEREAS on or about 2010, Eagle won the bid for construction, furnishing and installing all part and components of the construction of the Headquarters building (the "Project"); and

WHEREAS MPWC discovered in 2021 that the reason that the 300-pound concrete slab capstones were literally beginning to "slide off" the walls/roof portion of the top of the 2nd story building was because contrary to all required specification there were not included any steel bar anchors from the slabs into the walls as required in the drawings and specifications and contract documents;

WHEREAS the Eagle sub-contractor engaged for the masonry work who did this has been defunct and out of business for years; and Eagle has proposed a compromise solution which would involve them contributing approximately half of the time and cost of correction in this matter; and

WHEREAS the MPWC has consulted Special Construction Counsel as well as their Director of Engineering both of whom for reasons of law, engineering, construction and practicality have all recommended this settlement as in th MPWC's best interest; and

AND NOW THEREFORE BE IT SO RESOLVED BY THE COMMISSIONERS ON THIS 14th Day of October 2021 as follows:

In furtherance of their fiduciary duty and in prudent stewardship of Commission resources the Special Counsel and Staff are directed to execute the appropriate documentation to institute a complete settlement of the aforementioned litigation;

WHEREAS the Commissioners are satisfied that the attached are in fact a successful recovery that would not justify further legal actions and further expenditure of Commission funds or staff time; and

WHEREAS, The Commission has entertained these matters at several of its meetings; and after allowing for public comment prior to a vote there upon voted by roll call vote in open session to take the following action of sharing the costs of repair with Eagle and requiring them as a matter of settlement of the prior contract of doing all work to rehabilitate, repair and restore the capstones with a payment by the Commission of a single final payment to Eagle Construction in the amount of \$43,900, which is hereby authorized

NOW, THEREFORE BE IT SO RESOLVED on this 14th Day of October 2021 by the MPWC that the above authorized payment constitutes payment justifying settlement and cessation of any action with regard to this claim about the construction.

Result of Vote:	YEAs	NAYs	ABSTAINs	Absent
Ali, S.	X			
Brennan, E.	X			
Brennan, P.	X			
Scavuzzo, J	X			
Warwick, F.	X			



Edward F. Brennan, Esq. Commissioner
And Secretary to the Commission

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

RESOLUTION NO. 2021- 32

**RESOLUTION AFFIRMING ANNUAL REVIEW OF AUDIT BY THE
MERCHANTVILLE-PENNSAUKEN WATER COMMISSION COMMISSIONERS**

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual review of its accounts to be made, and

WHEREAS, the audit report for the fiscal year ending December 31, 2020 has been completed and filed with the Merchantville-Pennsauken Water Commission, pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A 15-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by Resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report and specifically the sections of the audit entitled "General Comments", and "Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Merchantville-Pennsauken Water Commission hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit for the fiscal year ended December 31, 2020, and specifically has reviewed the sections entitled "General Comments", and "Recommendations" and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED, that the Secretary of the Commission is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this Resolution.

It is hereby certified that this is a true copy of a Resolution passed at a meeting of the Commission on ~~September 9~~, 2021.

OCTOBER 14



Edward F. Brennan, Esq., Commissioner &
Secretary to the Commission

ATTACHMENT TO
RESOLUTION NO. 2021- 32
LOCAL AUTHORITIES
GROUP AFFIDAVIT FORM
PRESCRIBED BY
AUDIT REVIEW CERTIFICATE

We, the members of the governing body of the Merchantville-Pennsauken Water Commission, being of full age and being duly sworn according to law, upon oath depose and say:

1. We are duly appointed members of the Merchantville-Pennsauken Water Commission.
2. We certify pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual report for the fiscal year ending December 31, 2020, and specifically the sections of the annual report entitled "General Comments" and "Recommendations" and approved same at the September meeting of the Commission.

Shakir Ali



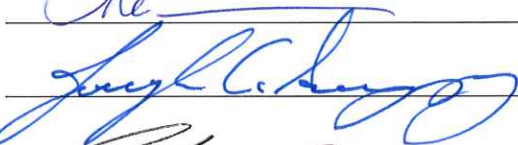
Edward F. Brennan.



Patrick Brennan




Joseph Scavuzzo




Frank Warwick



Sworn to and subscribed before


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


September 9, 2021
Date

2022 (2022-2023) AUTHORITY BUDGET RESOLUTION**MERCHANTVILLE -PENNSAUKEN WATER COMMISSION**

FISCAL YEAR: FROM: January 1, 2022 **TO:** December 31, 2022

WHEREAS the Annual Budget and Capital Budget for the Merchantville-Pennsauken Water Commission for the fiscal year beginning, January 1, 2022, and ending, December 31, 2022 has been presented before the governing body of the Merchantville-Pennsauken Water Commission at its open public meeting of October 20, 2021; and

WHEREAS the Annual Budget as introduced reflects Total Revenues of \$ \$12,620,258, Total Appropriations, including any Accumulated Deficit if any, of \$9,942,273 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS the Capital Budget as introduced reflects Total Capital Appropriations of \$10,824,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$2,824,000; and

WHEREAS the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Merchantville-Pennsauken Water Commission, at an open public meeting held on October 20, 2021 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Merchantville-Pennsauken Water Commission for the fiscal year beginning, January 1, 2022 and ending, December 31, 2022 is hereby approved; and

BE IT FURTHER RESOLVED that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements; and

BE IT FURTHER RESOLVE, that the governing body of the Merchantville-Pennsauken Water Commission will consider the Annual Budget and Capital Budget/Program for adoption on December 9, 2021.


Secretary, Edward F. Brennan


(Date)

Governing Body
Member:

Recorded Vote **5-0-0-0**
Aye Nay Abstain Absent

Joseph Scavuzzo
Shakir Ali
Patrick Brennan
Edward Brennan
Frank Warwick



MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION AUTHORIZING APPLICATION FOR LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Merchantville-Pennsauken Water Commission has filed or is about to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust Fund Loan Program for the National Highway Treatment Plant Upgrades project; and

WHEREAS, Remington & Vernick Engineers, the Commission's Consultant Engineer, has been engaged to prosecute the said applications on behalf of the Commission; and


WHEREAS, the Commission wish to formally confirm the authority of Richard Spafford, Engineer to represent the Commission for the said purposes;

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Merchantville-Pennsauken Water Commission that Richard Spafford, Engineer of the Merchantville-Pennsauken Water Commission is designated agent of the Merchantville Pennsauken Water Commission for the purpose of prosecuting the Commission's applications for funds under the New Jersey Environmental Infrastructure Trust Fund Loan Program Application; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded with said application to the New Jersey Department of Environmental Protection for their review and final action.

I Hereby certify that the foregoing is an accurate recitation of the Resolution made and adopted by the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, at its regular monthly public meeting held on the 14TH Day of October 2021 in the County of CAMDEN and STATE of NEW JERSEY.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:



Edward F. Brennan, Esq., Commissioner &
Secretary of the Commission

**RESOLUTION TO JOIN AS A PARTICIPANT THE SOUTHERN NEW JERSEY REGIONAL
EMPLOYEE BENEFITS FUND**

WHEREAS several public entities in the State of New Jersey have joined together to form the **Southern New Jersey Regional Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and ;

WHEREAS the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and ;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the COMMISSIONERS, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the COMMISSION BY UNANIMOUS VOTES hereby agrees as follows: i.to become a member of the FUND for the period outlined in the MPWCs Indemnity Trust Agreements.

ii. Will participate in the following type (s) of coverage (s):

- a.) Health Insurance and/or Prescription Insurance and/or Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.

iii. Adopts and approves the FUND's Bylaws.; and

iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the COMMISSION is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the COMMISSION participation by the FUND,
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment, and
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

I do hereby certify that the foregoing is a true and accurate copy of the Resolution duly passed and adopted by the Merchantville-Pennsauken Water Commission at its regular monthly and publicly advertised meeting held on the ~~14th~~ ^{20th} day of October 2021.



Edward F. Brennan, Esq., Commissioner & Secretary to the
Merchantville-Pennsauken Water Commission

**Sworn & Subscribed before me this ^{20th} ~~14th~~ Day
of October 2021**



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

Resolution to Appoint a SNJREB Fund Commissioner

BE IT RESOLVED hereby the Merchantville-Pennsauken Water Commission (MPWC)

that **John Killion, Sr.** of the MPWC be and is hereby appointed as FUND Commissioner

to **The Southern New Jersey Regional Employee Benefits Fund (SNJREBF)**

by the Merchantville-Pennsauken Water Commission as a member of that Fund

And BE IT FURTHER RESOLVED THAT Angela Waldron of the MPWC be and is appointed as

Alternate Fund Commissioner to **The Southern New Jersey Regional Employee**

Benefits Fund effective this date referenced below and each serving until further notice.

Initiated at a duly advertised public meeting of the Commission and by Resolution upon

MOTION by Patrick Brennan

SECOND by Frank Warwick

VOTE: 5 Yes; 0 Nay; 0 abstain

CERTIFICATION

I, Edward F, Brennan, do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the at its meeting held on the ²⁰~~14~~th day of October 2021.



Signature

**Edward F. Brennan, Esq., Commissioner &
Secretary of the Merchantville-Pennsauken Water
Commission**

2022 (2022-2023) AUTHORITY BUDGET RESOLUTION

MERCHANTVILLE -PENNSAUKEN WATER COMMISSION

FISCAL YEAR: **FROM:** January 1, 2022 **TO:** December 31, 2022

WHEREAS the Annual Budget and Capital Budget for the Merchantville-Pennsauken Water Commission for the fiscal year beginning, January 1, 2022, and ending, December 31, 2022 has been presented before the governing body of the Merchantville-Pennsauken Water Commission at its open public meeting of October 20, 2021; and

WHEREAS the Annual Budget as introduced reflects Total Revenues of \$ 12,620,258, Total Appropriations, including any Accumulated Deficit if any, of \$9,942,273 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS the Capital Budget as introduced reflects Total Capital Appropriations of \$10,824,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$2,824,000; and


WHEREAS the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Merchantville-Pennsauken Water Commission, at an open public meeting held on October 20, 2021 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Merchantville-Pennsauken Water Commission for the fiscal year beginning, January 1, 2022 and ending, December 31, 2022 is hereby approved; and

BE IT FURTHER RESOLVED that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements; and

BE IT FURTHER RESOLVE, that the governing body of the Merchantville-Pennsauken Water Commission will consider the Annual Budget and Capital Budget/Program for adoption on December 9, 2021.


Secretary, Edward F. Brennan

10/20/2021
(Date)

Governing Body
Member:

Recorded Vote 5-0-0-0
Aye Nay Abstain Absent

Joseph Scavuzzo
Shakir Ali
Patrick Brennan
Edward Brennan
Frank Warwick

X
X
X
X
X

RESOLUTION TO ADJUST THE RATES AND PENALTIES CHARGED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION FOR WATER AND SERVICES SUPPLIED TO CUSTOMERS WITHIN ITS FRANCHISE AREA Pursuant to N.J.S.A. 40:62-127 and to REVISE CONNECTION FEES IN ACCORDANCE WITH STATUTORY FORMULA ESTABLISHED BY N.J.S.A.40:14b-21 ET SEQ.

WHEREAS the Merchantville-Pennsauken Water Commission (hereafter the MPWC or Commission) a body politic and instrumentality of the State of New Jersey pursuant to N.J.S.A. 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 Commission, finances, water supply and quality; and is required by N.J.S.A. 40:62-127 (b) to revise rates “. . .so that the waterworks shall be self-supporting, the earnings to be sufficient to provide for all expenses of operation and maintenance and such charges as interest, sinking fund and amortization, so as to prevent any deficit to be paid by taxation from accruing.”; and

WHEREAS the Commission had properly and publicly notified and advertised in advance for proposed rate increases and a public meeting being held on this date; and had advertised the proposed rates and the proposed changes to the rates and noticed the municipalities in the franchise area; and

WHEREAS the Commission on this date having in open public meeting having held a connection fee and rate hearing, and accepting testimony and evidence of the need for such increases; and no one appearing in opposition and, in fact, no one from the public appearing at all; and

WHEREAS the Commission on this date while in open public meeting duly organized and advertised and had publicly considered and proceeded under the Open Public Meetings Act; and has applied the statutory formula for annually assessing connection fees pursuant to NJSA 40:14B-21 *et seq* in conformance with P.L. 1986, c.526; and

WHEREAS thereafter in its subsequent meeting, the Commission, after allowing for public comment prior to a vote there upon, the Commission determined that it must raise its rates; and voted by roll call vote in open session to take the following action:


NOW, THEREFORE BE IT SO RESOLVED by the Merchantville-Pennsauken Water Commission that the **Connection Fees shall increase** the stated amount charged to connect to its system and service as reflected on the attached scheduled in conformance with P.L. 1986, c.526 **effective December 30, 2021**; and

BE IT ALSO FURTHER RESOLVED that **effective January 1, 2022, the water rates and fees** of the Commission are increased and adjusted as on the Attached schedule of Rates and Fees for 2022 and until further notice.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE AFFIRMATIVE ROLL CALL VOTE OF ALL MEMBERS OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AT A REGULAR MEETING HELD ON NOVEMBER 15, 2021.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:

SEAL


Edward F. Brennan, Asst. Secretary and Commissioner of the MPWC

NOTICE OF CONNECTION FEE AND RATE HEARING

PLEASE TAKE NOTICE that the Merchantville-Pennsauken Water Commission will hold a Public Hearing for the purposes of taking testimony and public comment on the below proposed increase in both Connection Fees and General Rates for Water

Fees and Fees and Penalties charged by the Commission. The Hearing will commence at **4:00 PM on Monday, November 15, 2021** immediately prior to the Regular Monthly meeting of the Commission as noticed in its annual meeting advertisement. The hearing and meeting will be held at the Administrative Headquarters of the MPWC located at 6751 Westfield Avenue, Pennsauken, NJ, 08110. The proposed increases are as follows:

Connection Fee Rate Adjustment	Current	Proposed
Residential Connection Fee (per EDU)	\$1,992.00	\$2,218.00
Commercial Connection Fee (per 1,000 gallons/yr.)	\$ 36.89	\$ 37.86

Water Rate Adjustment- The proposed changes:

Quarterly Charges	Current Billing Rates	New Rates
4" Fire Service	\$400.00	\$400.00
6" Fire Service	\$715.00	\$725.00
8" Fire Service	\$1,100.00	\$1,100.00
10" Fire Service	\$1,500.00	\$1,500.00
5-23 blocks (per block)	\$2.45	\$2.60
23-50 blocks (per block)	\$3.20	\$3.35
Over 50 blocks (per block)	\$4.05	\$4.20
hydrant water usage	\$4.05	\$4.20
5/8" meter	\$25.25	\$26.25
Qualified Senior (5/8" meter)	\$25.25	\$26.25
Qualified Senior discount	\$14.00	\$15.00
3/4" meter	\$36.00	\$37.50
1" meter	\$57.50	\$60.00
1 1/2" meter	\$115.00	\$120.00
2" meter	\$170.00	\$177.00
4" meter	\$580.00	\$600.00
6" meter	\$1,060.00	\$1,100.00
8" meter	\$1,350.00	\$1,400.00
Public Fire Hydrant	\$99.50	\$101.00
Hydrant meter rental	\$600.00	\$600.00
Other Charges		
Meter Test	\$40.00	\$40.00
Returned Check	\$25.00	\$25.00
Searches	\$25.00	\$25.00
Turn on/off - working hours	\$60.00	\$60.00
Service call - after hours	\$75.00	\$75.00
Service call - holiday	\$100.00	\$100.00
Qualified senior service call	\$30.00	\$30.00
Inspection service	\$150.00	\$150.00
Overtime rate for service / construction	\$40.00	\$40.00

Hourly rate for backhoe	\$75.00	\$75.00
Hourly rate for dumptruck	\$35.00	\$35.00
New construction meter cost	Cost of meter	Cost of meter
Costs to file a property lien	Costs incurred or expended	Costs incurred or expended
1" tapping fee *	\$200.00	\$200.00
2" tapping fee *	\$400.00	\$400.00
4" tapping fee *	\$2,355.00	\$2,355.00
6" tapping fee *	\$2,630.00	\$2,630.00
8" tapping fee *	\$3,246.00	\$3,246.00
10" tapping fee *	\$5,500.00	\$5,500.00
Residential connection	\$1,992.00	\$2,218.00
Commercial connection (per 1000 gallons)	\$36.89	\$37.86
* tapping fees may incur additional contracted costs		

Linear foot fee:		
6" per linear foot	\$90.00	\$120.00
8" per linear foot	\$100.00	\$130.00
12" per linear foot	\$110.00	\$140.00

Missing / frozen meter		
5/8"	Cost of meter plus installation	Cost of meter plus installation
3/4"	Cost of meter plus installation	Cost of meter plus installation
1"	Cost of meter plus installation	Cost of meter plus installation
1 1/2"	Cost of meter plus installation	Cost of meter plus installation
2"	Cost of meter plus installation	Cost of meter plus installation

Violations		
Bypass lines	\$1,000.00	\$1,000.00
illegal use of hydrants	\$1,000.00	\$1,000.00
Other violations of Commission Rules,		
1st offense	\$50.00	\$50.00
Rule violation, 2nd offense	\$250.00	\$250.00
Rule violation, 3rd offense	\$500.00	\$500.00
Rule violation, 4th offense	\$1,000.00	\$1,000.00
Rule violation, 5th offense	\$2,000.00	\$2,000.00
Rule violation, 6th offense	\$3,000.00	\$3,000.00

By Order Of The
Merchantville-Pennsauken Water Commission
DATED: October 25, 2021

MERCHANTVILLE PENNSAUKEN WATER COMMISSION
RESOLUTION FOR AMENDMENT OF THE QUALIFIED POOL OF BOND COUNSEL
PROFESSIONALS FOR ANNUAL CONTRACTS PURSUANT TO FAIR & OPEN PROCEDURES

WHEREAS there existed a need for the MPWC to procure the certain licensed professional services from professionals deemed qualified from announced and publicly advertised criteria and the service of the professional services is authorized to be engaged without bidding as a professional service under 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 prudent or possible to simply obtain bids; and

WHEREAS the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.* authorizes qualification of such professionals and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 *et seq.*, and establishes a "fair and open" process compliant with the rules and restrictions set forth therein which requires a resolution authorizing the qualification and/or award of contracts for professional services after established criteria and publicly advertised, and the Commission having done so; and

WHEREAS the need for such services were publicly advertised with criteria and qualifications made public in advance and an Open and public return date with all applications opened publicly; and only two Counsel responded and the One being Brett Wiltsey, Managing Partner on behalf of his Firm, and his being one of the two Qualified firms in the pool pursuant to MPWC Resolution 2021-29; and

WHEREAS he has worked with our Director of Engineering and our contracted Engineers on the National Highway Treat Plant Upgrades and their financing and having left that firm for a larger more nationally recognized firm of Obermayer Rebmann Maxwell & Hippel LLP who has made him their managing partner here in New Jersey and he has now sought acknowledgement of the qualifications of this firm as being equivalent or superior to those in the Pool; and


NOW, THEREFORE, the Commission finds that it has proceeded in accordance with the procedures required under New Jersey law for appointment under the Fair and Open Process which it hereby deems this to have been and when originally advertised; and

FURTHER BE IT RESOLVED in duly advertised Public Meeting as follows: that the President, and Secretary are hereby authorized and directed to execute the necessary documents to designate the following professionals for the Commission year regarding qualifications for Bond Counsel hereby finds the following Bond Counsel to have met the Qualifications to be Bond Counsel at the discretion of the Commissioners and amend Resolution 2021-29 and subject to reaching acceptable terms and conditions in contract language for retention as professionals and or per project:

- Parker McCay, Mt. Laurel, NJ
- Obermayer, Rebmann Maxwell & Hippel LLP, Mt. Laurel NJ

The MPWC hereby finds that the process used in changing firms may require the Commission to utilize the Non-Fair and Open Award of a professional contract with all the requirements thereof.

The undersigned hereby attest to the above as having been the action intended and adopted by the approval of the Commission in meeting on November 15, 2021 and recorded in the permanent minutes.

By: 
 Edward F. Brennan, Esq. Commissioner & Secretary to the Commission

SEAL

Merchantville-Pennsauken Water Commission**RESOLUTION AUTHORIZING EXECUTIVE ADMINISTRATIVE RESTRUCTURING PERSONNEL CHANGES AND ADJUSTMENTS OF COMPENSATION FOR EMPLOYEES AS RECITED 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 had established a Salary Committee to confer with the C.O.O. and Staff and to research in detail and consider and report to the Commissioners and has done so; and

WHEREAS the Commission duly considered the recommendations of the Salary Committee and the C.O.O. and Staff both as to Executive Administrative Staff restructuring and efficiency and personnel changes including a reduction in force and recommended salary changes as set forth herein below and as attached; and

WHEREAS, the Commission on December 9, 2021 while in open public meeting duly organized and advertised appeared in public session and had after previously receiving recommendations made by the salary committee for salaried personnel having considered and proceeded under the Open Public Meetings Act; and

NOW, THEREFORE BE IT SO RESOLVED by the Commissioners of the MPWC in lawful meeting publically advertised and held in Open Session in the Township of Pennsauken, County of Camden, State of New Jersey, adopt and authorize the following changes in compensation enacted effective the first pay of the new year as detailed on the attached list of personnel changes and compensation adjustments; and

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, Patrick Brennan, Treasurer 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 December 9, 2021 and said Resolution passed by a unanimous vote of the members of Commission present at the meeting.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

SEAL



**Patrick Brennan, Commissioner and
Treasurer to the Commission****ATTEST:**

Joseph Scavuzzo, President

Commission Adopted Personnel and Compensation Changes

The Salary Committee and Staff recommends to the Commission the following Executive Staff Restructuring and Personnel changes as contributing to the efficiency and efficacy of the Commission and as appropriate cost savings of public funds as follows:

- 1) The reduction in force by lay-off of the Personnel Administrator/Administrative Assistant to the C.O.O. effective 12/31/2021; and
- 2) the release from all duties for C. Feriozzi effective 11/17/2021 for the benefit of the MPWC but with the salary and benefits to continue in lieu of any other compensation which could be due or claimed; and
- 3) the return of the balance of Administrative Assistant functions by designation of C.O.O. and/or to the Customer Service Director or his other designee; and
- 4) the return of the balance of the HR functions of the Personnel Administrator by designation of C.O.O. and/or to the Asst. Finance Director or his other designee; and
- 5) as to the following Personnel the following changes by addition in base compensation for the specific salaried personnel as listed prior to calculation of the COLA.:

a) Brandy Eisenmann	\$1,753.54	\$ 89,430.38
b) James Garaguso	\$2,243.60	\$114,423.77
c) John Killion	\$1,300.00	\$ 66,300.00
d) Karl McConnell	\$1,195.07	\$ 60,948.34
e) Joyce Peirce	\$1,818.48	\$ 92,727.45
f) Angela Waldron	\$2,080.00	\$ 70,864.84, and
g) Richard Spafford	\$3,157.68 Bonus	\$161,041.67

- 6) and also, a cost-of-living increase (COLA) of 3 % for all permanent employees effective the first pay date in 2022.

RESOLUTION ACCEPTING BIDS, REJECTING ALL OTHER BIDS, AND AWARDING THE BELOW LISTED ANNUAL MAINTENANCE AND SUPPLY CONTRACTS COMMENCING 2022 FOR CONTRACTS ON ATTACHED LIST

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 recent bid contracts starting in 2022 and ending as specified; 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 using anticipated amounts; 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, 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 attached; 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 December 2021, 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



Edward F. Brennan, Esq., Commissioner and
Secretary of the Commission

A	B	C	D	G
Annual Maintenance Bid Summary				
Bid No.	Bid Description	Low Bidder	Address	Total Amount
3 22-01 part 1	Ductile and Copper Fittings	Ferguson Enterprises	190 N. Oberlin Ave, Lakewood, NJ 08701	\$41,945.35
4 22-01 part 2	Ductile and Copper Fittings	Core and Main	228 Williamstown Road, Berlin, NJ 08009	\$29,948.70
5 22-01 part 3	Ductile and Copper Fittings	Atlantic Plumbing Supply	543 Wrightstown-Sykesville Rd, Wrightstown, NJ 08562	\$98,050.83
6 22-02	Electrical Work	Municipal Maintenance Company	1352 Taylors Lane, Cinnaminson, NJ 08077	\$18,195.00
7 22-03	Chemical Analysis of Water	Garden State Laboratories	410 Hillside Ave, Hillside, NJ 07205	\$118,006.00
8 22-04	Maintenance of Electrical Valves & Analyzers	Complete Control Services	1515 Grant Street, Egg Harbor City, NJ 08215	\$139,680.07
9 22-06	Maintenance of Air Strippers	Municipal Maintenance Company	1352 Taylors Lane, Cinnaminson, NJ 08077	\$31,471.00
10 22-07	Water Meters / MIU Leak Detector	Rio Supply	100 Allied Pkwy, Sicklerville, NJ 08081	\$378,555.00
11 22-09	Corrosion Inhibitor	Klenzoid	912 Spring Mill Ave, Conshohocken, PA 19428	\$62,175.00
12 22-11	Sodium Hypochlorite / Lime	Hibrett Puratex	7001 Westfield Ave, Pennsauken, NJ 08109	\$53,989.00
13 22-12	Street Opening Paving Repairs	Paving Plus	PO Box 508, Franklinville, NJ 08322	\$81,952.00
14 22-13	Generator Preventative Maintenance	Power Equipment*	1259 N. Church St, Bid 2, Moorestown, NJ 08057	\$24,977.50
15	* contractors were extension years and not bid this year			