

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION TO AUTHORIZE COMPETITIVE
CONTRACTING PROCESS FOR CONCESSION AGREEMENT FOR SERVICE
LINE PROTECTION PROGRAM TO BE ENDORSED BY THE COMMISSION**

WHEREAS the MPWC is desirous of contracting for the concession of a reliable and inexpensive service line protection system for its customers; and

WHEREAS N.J.S.A. 40A:11-4 et. seq. provides that the provision of specialized goods and services requires sealed bids/proposals, and that the Commission may choose the proposal which it deems to be most advantageous to it , price and other factors being considered in the decision awarding a contract; and

WHEREAS Commission staff has recommended proceeding in this fashion; and

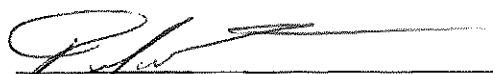
WHEREAS the Commission previously authorized the staff to proceed with such a process after they sought and obtained state approval which was acknowledged and granted by NJDCA to staff to so proceed by competitive contracting; and

WHEREAS NJDCA by its DLGS department has in accordance with state statute and regulations provided its written approval for the use of competitive contracting, having been previously provided with the specifications, the advertisement and the criteria to be used; and

WHEREAS the Commission having previously by formal resolution #2015-13 has authorized and subsequently has contracted for such services having used the competitive contracting process.

THEREFORE , BE IT RESOLVED by the Commission to proceed to utilize the Competitive Contracting Process set forth in NJSA 40A:11-4.3 et seq. and that the Chief Operating Officer is hereby directed to provide Public Notice of this Request for Proposals immediately in accordance with applicable laws and regulations.

I hereby certify that the above is an accurate and true copy of the Resolution adopted by Merchantville-Pennsauken Water Commission on this 12th Day of January, 2023.



Frank Warwick,
Commissioner and Secretary of the MPWC

A RESOLUTION OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS the MPWC has determined that the personal property described on Schedule A attached hereto and incorporated herein is no longer needed for public use, has served its useful life for the MPWC's purposes and they have authorized its replacement; and

WHEREAS the Commission intends to utilize the online auction services of Municibid authorized by State contract New Jersey State Contract for Online Auction Services (19-GNSV1-00696) and located at: https://municibid.com/Browse/R3777827/New_Jersey; and

WHEREAS the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15,

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the *Merchantville-Pennsauken Water Commission* in the County of Camden, State of New Jersey, that the *Commission* is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled: https://municibid.com/Browse/R3777827/New_Jersey ; and

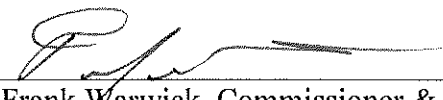
BE IT FURTHER RESOLVED that these vehicles are sold "as is" used vehicles without any warranties or promises and also specifically with the reservation of the MPWC's right to reject all bids pursuant to N.J.S.A. 18A:18A-45(e) or 40A:11 ; and

BE IT ALSO RESOLVED that the terms and conditions of the agreement entered into between *Municibid* and the MPWC are available at Vendor's web address and in the MPWC office; and be it further those terms negotiated by the State under state contract cited above.

BE IT ALSO RESOLVED THAT The President and Secretary are hereby authorized to execute the prescribed agreement conditioned on the proper terms and language and provided that should awardee not execute the contract and comply with all requirements as set forth in the bid packages then this award shall be deemed void and not have occurred.

I certify this is an accurate and true copy of the Resolution adopted by the MPWC at its duly advertised and legally held monthly public meeting of February 9, 2023.

Merchantville-Pennsauken Water Commission



Frank Warwick, Commissioner &
Secretary to the Commission

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION AUTHORIZING THE AWARD AND EXECUTION OF A WATER MAIN ASSET MANAGEMENT AGREEMENT COMPENSATION AND PRIORITIES FOR YEAR 4 OF THE PURSUANT TO THE WATER SUPPLY PUBLIC-PRIVATE CONTRACTING AGREEMENT UNDER N.J.S.A. 58:26-19 et seq.

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 secured approval of the Office of the State Comptroller for its proposed procurement documents; and began advertising 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 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 and 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

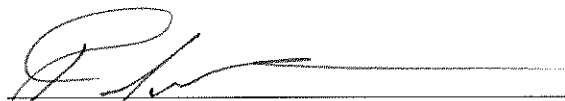
WHEREAS, in accordance with the Act and having considered all evidence and presentations and conduct regarding the contract of which it has been made aware, the MPWC Resolved on the 11th day of February 2021 that the Water Main Asset Management Services Agreement approved the terms with SUEZ Advanced Water Solutions/USCI, Inc., so as to provide Water Main Asset Management Services to the MPWC in accordance with the Act; and

WHEREAS they provided that the parties would annually agree to the priorities and projects to be completed in the successive years as well as the cost within the confines of the agreed costs and increases and the Commissioners having

Hereby Resolved in a Unanimous Vote of all Commissioners present to authorize , Agree and accept the Year 4 designation as presented by The Director of Engineering for the agreement with Suez A.W.S./USCI, Inc. and at a 4% increased rate over that of year 3.

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: _____



Frank Warwick, 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 TO AWARD THE CONCESSION AGREEMENT FOR THE SERVICE LINE PROTECTION PROGRAM COVERAGE BY COMPETITIVE CONTRACTING

WHEREAS the MPWC is desirous of contracting for the concession of a reliable and inexpensive service line protection system for its customers and N.J.S.A. 40A:11-4 et. seq. provides that the provision of specialized goods and services requires sealed bids, and that the Commission may choose the proposal which it deems to be most advantageous to it, price and other factors being considered in the decision awarding a contract; and

WHEREAS Commission staff recommended proceeding in this fashion; and the Commission authorized by resolution such a process after having sought and obtained state approval and consent to proceed by such process; and

WHEREAS, NJ DCA, by its DLGS department had in accordance with state statute and regulations provided its written approval for the use of competitive contracting, having previously been provided with the specifications which have not changed, and the advertisement and the criteria to be used; and

WHEREAS the MPWC utilized the Competitive Contracting Process; and after publicly advertised Bids/RFPs, and with a postponed Public Opening date, and HomeServe was the only timely qualifying responsible respondent; and

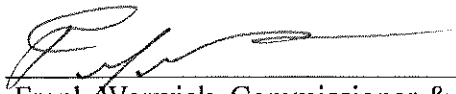
WHEREAS MPWC evaluating staff recommend the contract for such services be awarded to HomeServe as the vendor with the highest overall score and lowest price; and

THEREFORE, IT IS HEREBY RESOLVED by the MPWC Commissioners that the award shall be to **HomeServe** for a successor contract hereby determined to be the responsible bidder's proposal the most advantageous to the MPWC, price and other factors being considered; and

BE IT ALSO RESOLVED THAT The President and Secretary are hereby authorized to execute the prescribed agreement conditioned on the proper terms and language and provided that should awardee not execute the contract and comply with all requirements as set forth in the bid packages then this award shall be deemed void and not have occurred.

I certify this is an accurate and true copy of the Resolution adopted by the MPWC at its duly advertised and legally held monthly public meeting of February 9, 2023.

Merchantville-Pennsauken Water Commission



Frank Warwick, Commissioner &
Secretary to the Commission

RESOLUTION BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION REJECTING ALL BIDS PARK AVE WATER TANK PAINTING BIDS SPRING 2023

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

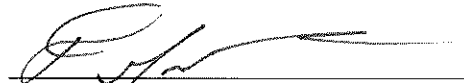
WHEREAS the Commission on this date while in open public meeting having duly advertised for a public meeting and thereby appeared in public session; and had publicly considered and proceeded under the Open Public Meetings Act;

WHEREAS the Commission, upon the recommendation of staff will reject all the bids as they have determined that the low bid and the only one below the budgeted amount was not compliant, and did not comply with state law as that bidder did not list any subcontractors, did not list his electrical contractor (without which the specifications and law cannot be met), and does not have an electrical contractors license, and all of the other bidders were significantly above the budgeted amount ; and therefore the recommendation is to make significant changes to the specifications of the bid, and to utilize the procedures for re-bidding the project; and

NOW THEREFORE BE IT HEREBY RESOLVED ON THIS 9th Day of March 2023 by this Commission, that the MPWC rejects all the bids are hereby rejected and the Commission is directed to rebid the project as staff sees fit upon motion and unanimous vote with all Commissioners present in publically advertised and regular Open Public Meeting after allowing the public an opportunity to speak.

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 March 9, 2023.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:



BY: Frank Warwick, Commissioner and Secretary to the MPWC

**RESOLUTION ACCEPTING, REJECTING, AND AWARDING BIDS FOR TANK
RESURFACING OF PARK AVENUE WATER TANK**

WHEREAS the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to product, store and supply safe drinking water to its constituents, is in need of services and materials in overcoating the current surface of both the inside and outside of its water storage tank facility the 3-million-gallon Park Ave. Water Tank ; and

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

WHEREAS the engineering and design was done, and documents prepared by the MPWC through its engineer, advertised seeking bid of the materials and services; and gave opportunities for questions and objections; and

WHEREAS bids were received from multiple parties who submitted bids and all were opened as described in public; and the bid(s) have been evaluated by the MPWC and their Engineer, respectively and the recommendations are made as hereinafter provided to the lowest responsible and responsive bidder pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.* and in accordance with the specifications; and

WHEREAS, the Commissioners based upon the available and supplied information having found the below referenced bidder to be the lowest responsible bidder within the meaning of the Act, and the next lowest bidder having been significantly higher in their bid; and so

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the MPWC on this 13th day of April 2023, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, that Conditional upon and subject to any further approvals that may be necessary this Commission awards as follows:

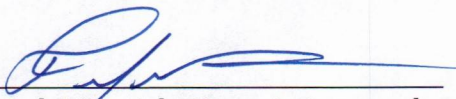
US Tank Painting for \$496,900.00

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

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

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission on the 13th day of April , 2023.

Merchantville-Pennsauken Water Commission



Frank Warwick, Commissioner and
Secretary to the Commission

RESOLUTION ACCEPTING AND CONDITIONALLY AWARDING THE BID FOR THE CONSTRUCTION PROJECT FOR THE 2023 NATIONAL HWY. WATER TREATMENT PLANT UPGRADES AND EXPANSION PROJECT AND REJECTING ALL OTHER BIDS

WHEREAS the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to produce and supply safe drinking water to its constituents requires services and materials in constructing a new water treatment plant at the National Highway Treatment Plant; and

WHEREAS the engineering, design and specifications were prepared by our engineers, Remington and Vernick (R&V) ; and

WHEREAS, the MPWC caused to have the required terms and bid packages publicly advertised in accordance with the requirements of the N.J. Public Contracts Act; and many contractors picked up the bid specification packages; and the MPWC & R&V included in the advertised bid of the materials and services and gave clarifications and multiple opportunities for questions and no objections having been timely received; and

WHEREAS 6 separate bids were timely received and opened as advertised in public; and

WHEREAS the multiple parties submitted 6 separate bids for the contract; and

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

WHEREAS the Commissioners based upon the available and supplied information having found the below referenced bidder to be the lowest responsible bidder responsive to the bid as stated within the meaning of the Act; and no bid challenges or protests having been received or indicated; and

WHEREAS, the Director of Finance, Commission QPA, and Commission C.O.O. have certified to the budgeted funds that are available and encumbered for such award/expense in Account/Line item as set forth in the attached certification; and

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the MPWC on this 14th day of April 2023, in its duly advertised and publicly held regular monthly meeting in the Township of Pennsauken, in the County of Camden, that conditioned and subject to receipt of Approval from the NJDEP which is pending, past due, and expected any day; and

BE IT FURTHER RESOLVED that Conditional upon and subject to any further bonds being posted, documents being executed, and approvals that may be necessary, this Commission awards the 2022-23 National Highway Water Treatment Plant Upgrades and Expansion Construction Project to:

MBE Mark III for the lowest bid sum of \$7,677,000.00


NJWB Project No. 0424001-004 and that unless the said awardees fail to execute the contract or comply with all requirements as set forth in the bid packages, and upon NJDEP approval, and contract execution then all other bids be deemed rejected; and

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

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

Merchantville-Pennsauken Water Commission

Seal


Frank Warwick, Commissioner and
Secretary to the Commission

RESOLUTION OF FINAL AWARD OF CONTRACT FOR THE CONSTRUCTION PROJECT FOR THE 2022-23 NATIONAL HIGHWAY WATER TREATMENT PLANT UPGRADES AND EXPANSION PROJECT AND WITHDRAWING PRIOR CONTINGENCY

WHEREAS the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to produce and supply safe drinking water to its constituents requires services and materials in constructing a new water treatment plant at the National Highway Treatment Plant; and

WHEREAS the engineering, design and specifications were prepared by our engineers, Remington and Vernick (R&V) and caused to have the required terms and bid packages publicly advertised in accordance with the requirements of the N.J. Public Contracts Act; and many contractors picked up the bid specification packages; and the MPWC & R&V included in the advertised bid of the materials and services and gave clarifications and multiple opportunities for questions; and no objections having been timely received; and

WHEREAS 6 separate bids were timely received from the multiple bidders and opened in public as advertised and the bid(s) have been evaluated by the MPWC and our Engineers and the recommendations made as hereinafter provided to the lowest responsible bidder pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.* and in accordance with the specifications; and

WHEREAS the Commissioners based upon the available and supplied information having found the below referenced bidder to be the lowest responsible bidder responsive to the bid as stated within the meaning of the Act; and no bid challenges or protests having been received or indicated; and

WHEREAS, the Commission had not yet received the approval from the NJDEP to award the bids and therefore tabled the bids at its March meeting, and had not yet received the NJDEP authorization to award by its April Meeting, and therefore at that meeting on April 13th by Resolution made an award contingent upon receipt of the NJDEP approval; and

WHEREAS on April 24 the NJDEP issued its approval (attached) National Highway Treatment Plant Upgrades to MBE Mark III, Inc., of Madison, New Jersey for the corrected low bid amount of \$7,676,999.00, all of which is allowable for funding through the NJWB; and

WHEREAS, the Director of Finance, Commission QPA, and Commission C.O.O. have certified to the budgeted funds that are available and encumbered for such award/expense in Account/Line item as set forth in the attached certification; and

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the MPWC on this 11th day of May 2023, in its duly advertised and publicly held regular monthly meeting in the Township of Pennsauken, in the County of Camden, that the NJDEP contingency is therefore duly removed; and

BE IT FURTHER RESOLVED that Conditional upon and subject to any further bonds being posted, documents being executed, and approvals that may be necessary, this Commission awards the 2022-23 National Highway Water Treatment Plant Upgrades and Expansion Construction Project to:

MBE Mark III for the sum of \$7,676,999.00 NJWB Project No. 0424001-004


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

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

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission at its May 11, 2023, public meeting.

Merchantville-Pennsauken Water Commission

Seal :


Frank Warwick, Commissioner and
Secretary to the Commission



MPWC

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

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

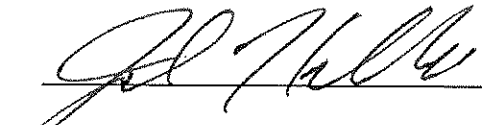
Joyce Peirce
Director of Finance

CERTIFICATE OF AVAILABILITY OF FUNDS

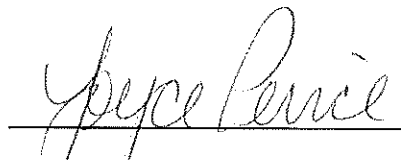
I, Joyce Peirce, Financial Services Director for the Merchantville-Pennsauken Water Commission, hereby certify that the funds for the Contract National Hwy. Water Trmnt. Facility Upgrades are available. The contract was awarded to MBE Mark III, in the amount of \$7,677,000.00.

Budgeted Amount \$7,750,000.00

Acct. # 1887-02 GAC National Hwy.



John Killion, Chief Operating Officer



Joyce Peirce, Director of Finance

**RESOLUTION ACCEPTING AND AWARDING CONTRACT FOR LEASE/PURCHASE
CONTRACT FOR CARBON TREATMENT UNITS FOR IMMEDIATE USE AT MARION
AVENUE WATER TREATMENT PLANT**

WHEREAS the Merchantville- Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to produce and supply safe drinking water to its constituents, is in need of carbon treatment material units in treating water at its Marion Ave Water Treatment Plant ; and has proposed to add additional temporary portable treatment units/filter units to its existing systems; and

WHEREAS the MPWC to that end caused to have the necessary specifications for contracts publicly advertised in accordance with the requirements of the Local Public Contracts Act; and

WHEREAS the engineering and design was done, and documents prepared by the MPWC through its engineer, and such were advertised seeking bids of the materials sought; and any bidders were given opportunities for questions and objections; and

WHEREAS bids were publicly advertised for and sought to receive from multiple parties, and submitted bids were opened as described in public; and the only qualifying bid was evaluated by the MPWC and their Engineer, and they recommended award to that as the qualified and responsive bidder pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.* and in accordance with the specifications; and

WHEREAS, the Commissioners based upon the available and supplied information having found the below referenced bidder to be the lowest responsible bidder within the meaning of the Act, and no other qualifying bidder having submitted; and so

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the MPWC on this 8th day of June 2023, in its duly advertised and publicly held meeting in the Township of Pennsauken, in the County of Camden, that Conditional upon and subject to any further approvals that may be necessary this Commission awards as follows:

Lease/Purchase of Carbon Treatment Units to Calgon for \$130,000.00

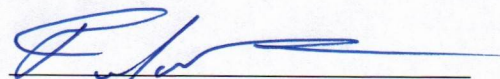
to, at least initially, be placed at Marion Avenue Water Treatment Plant and that unless the said awardees fail to execute the contract or comply with requirements as set forth in the bid packages; and

BE IT ALSO RESOLVED that the Commissioners, C.O.O. and Staff in furtherance hereof are authorized to execute any other documents necessary to effectuate this resolution of the Commission; and

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

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission on the 8th day of June 2023.

Merchantville-Pennsauken Water Commission



Frank Warwick, Commissioner and
Secretary to the Commission

**RESOLUTION AUTHORIZING A NON-FAIR AND OPEN AWARD OF A
CONTRACT FOR SPECIAL COUNSEL SERVICES FOR PURSUIT OF
CLAIMS REGARDING GROUNDWATER CONTAMINATION CLAIMS IN
MDL LITIGATION IN USDC OF SOUTH CAROLINA**

WHEREAS, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION has a need to acquire special trial counsel experienced with this specific litigation as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A- 20.5; and,

WHEREAS the QPA of the MPWC has determined and certified in writing that the value of the acquisition will exceed \$17,500 and the anticipated term of this contract is at least 3-4 year(s) and may be extended as many times as approved by this governing body; and

WHEREAS Kevin Madonna, Esq. on behalf of and representative of the Five firms listed therein has submitted a proposal to Represent the MPWC on a contingent fee basis so their fee is based only on what they recover for the Commission as contained in the attached proposed Agreement; and the law firm has completed and submitted a Business Entity Disclosure Certification which certifies that the firms have not made any reportable contributions to a political or candidate committee in either of the appointing parent/ host communities of the MPWC ever and that the contract will prohibit any of them from making any reportable contributions through the term of the contract, and

WHEREAS The Director of Finance & QPA will certify the availability of funds required annually pursuant to the applicable requirements of N.J.A.C. 5:30-5.4.

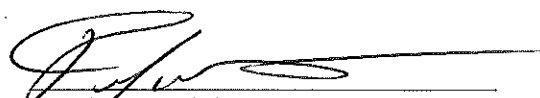
NOW THEREFORE, BE IT RESOLVED that the Commission authorizes the President and Secretary to enter into a contingent fee agreement with Kevin Madonna, Esq. and his Associated and Affiliated Law firms as described herein on the attached contract for the purpose of the PFNA litigation; and also Authorizes John Killion, Sr. C.O.O. to execute documents in furtherance of accomplishing that contract and that litigation on behalf of the MPWC; and

ALSO BE IT RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the proper officers of the MPWC are authorized to execute such documents or other instruments, and to make appropriate payments to effectuate this resolution of the Commissioners.

I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the 8th of June 2023.

Merchantville-Pennsauken Water Commission


Frank Warwick, Commissioner and
Secretary to the Commission

**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 Commissioners appointed a committee of two Commissioners who entertained recommendations from the C.O.O. and staff and after consideration of such made their own recommendations to this assembled body for compensation adjustments as well as increases for license compensation ; and

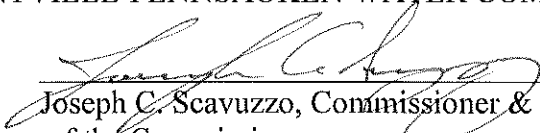
WHEREAS the Commission met on this 8th of June 2023 while in open public meeting duly advertised, organized and appearing in public session; and public comment offered or considered and proceeded under the Open Public Meetings Act; and

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 pages for the there listed employees for hourly increases as well as license compensation is HEREBY authorized and effectuated and all appropriate staff are directed to take appropriate actions by the Commissions procedures to implement said compensation payments as of the date for the first full payroll date after July 1, 2023, in accordance with its routine procedures.

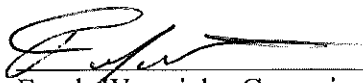
The Roll Call Vote of Commissioners* was 4 Yea; 0 Nay; 1 Abstain/Recusal; 0 Absent
(P. BRENNAN)

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 8TH Day of JUNE 2023.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:


Joseph C. Scavuzzo, Commissioner & President
of the Commission

ATTEST:


Frank Warwick , Commissioner and
Secretary 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.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

REORGANIZATION RESOLUTION OF THE COMMISSION appointing and DESIGNATING its OFFICERS for the Coming COMMISSION YEAR and Prescribing sufficient Bond for officers' Performance

WHEREAS, this Water Commission, a governmental entity and corporate politic of the State of New Jersey was created on January 11, 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 pursuant to the agreement and ordinances by and 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 & Asst. Treasurer-	
ASST. SECRETARY -	Anthony Perno

And **WHEREAS** the Permanent Agreement between the Founding Municipalities provides that " ... officers shall give bond for the faithful performance of their duties in such amounts and with such corporate surety or sureties as the Commission may prescribe." and the Commission as a member of the New Jersey Utility Authorities Joint Insurance Fund having been advised by it and its administrators, Perma, Inc. and the MPWC's insurance consultants, Connor Strong and Buckelew that its participation in the fund and its public officials insurance provides sufficient assurance and is hereby as the Commission prescribes.

By Resolution and vote of the Commissioners on July 13, 2023; Result of Roll call Vote:
 Commissioners: #YEAs #NAYs # ABSTAINs # Absent

Ali	X			
Brennan	X			
Perno				X
Scavuzzo	X			

Date: July 13, 2023


 JOSEPH C. SCAVUZZO Commissioner &
 Secretary to the Commission
 PRESIDENT OF

SEAL

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION ADOPTING A CASH MANAGEMENT PLAN FOR THE 2023-2024 COMMISSION YEAR

WHEREAS the Cash Management Plan of the Merchantville-Pennsauken Water Commission for the reorganization period beginning July 13, 2023, and ending July 2024 has been presented for adoption before the governing body of the Merchantville-Pennsauken Water Commission at its open public meeting of July 13, 2023 ; and

WHEREAS the New Jersey Statute NJ.S.A. requires the establishment of a Cash Management Plan in accordance with the requirements of NJ.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

WHEREAS the authorizing agreement creating the Commission requires that all expenditures be authorized by a vote of the majority of the members of the Commission, and

NOW THEREFORE, BE IT RESOLVED by the governing body of the Merchantville-Pennsauken Water Commission, at an open public meeting held on July 13, 2023, 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:



Commissioner and Secretary to the Commission
PRESIDENT

SEAL

**MERCHANTVILLE-PENNSAUKEN WATER COMMISSION
CASH MANAGEMENT PLAN**

JULY 13 , 2023, UNTIL FURTHER ACTION OR REORGANIZATION

Pursuant to the requirements of N.J.S.A. 40A5-14 , et. seq., the following is the Cash Management Plan the Merchantville-Pennsauken Water Commission Utilities Commission for the fiscal year indicated above.

I. Identification of Funds and Accounts to Be Covered by the Plan.

- a. Revenue Money Market
- b. Operating Checking
- c. Payroll Checking
- d. Legal/Court Fees
- e. Change Fund (Cash Drawers)
- f. Petty Cash Fund
- g. Escrow Fund
- h. Bond Funds
- i. Investments
- j. Certificates of Deposit
- k. P-Card Purchases
- l. Project Fund Checking

II. Designation of individual's Authorized to Make Deposits

- a. Chief Operating Officer
- b. Director of Finance, or her/his designee(s)

III. Designation of Depositories

The designation of depositories shall be made by resolution at the annual reorganization meeting of the Commission. The resolution may be amended or supplemented as deemed by the Commission, they are;

PNC; Bank of America; TD Bank; First Colonial Community Bank; Haddon Savings Bank; Santander Bank; Wells Fargo Bank, N.A.; Republic First Bank; 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.

IV. Deposit Policies

All Commission funds received by any official or employee shall be deposited within 48 hours to an interest-bearing account in the name of the Commission.

V. Accounts Held by the Trustee

The accounts will be various according to the covenant of the bond or bond anticipation note issue or other lender.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

CASH MANAGEMENT PLAN

July 13, 2023, UNTIL FURTHER ACTION OR REORGANIZATION

Pursuant to the requirements of N.J.S.A. 40A:5-14, et. seq., the following is the Cash Management Plan the Merchantville-Pennsauken Water Commission Utilities Commission for the fiscal year indicated above.

I. Identification of Funds and Accounts to Be Covered by the Plan.

- a. Revenue Money Market
- b. Operating Checking
- c. Payroll Checking
- d. Legal/Com. Fees
- e. Change Fund (Cash Drawers)
- f. Petty Cash Fund
- g. Escrow Fund
- h. Bond Funds
- i. Investments
- j. Certificates of Deposit
- k. P-Card Purchases

II. Designation of individuals Authorized to Make Deposits

- a. Chief Operating Officer
- b. Director of Finance, or her/his designee(s)

III. Designation of Depositories

The designation of depositories shall be made by resolution at the annual reorganization meeting of the Commission. The resolution may be amended or supplemented as deemed by the Commission, they are:

PNC, N.A. ; Bank of America, N.A. ; TD Bank , N.A.; First Colonial Community Bank; Haddon Savings Bank; Santander Bank, N.A. ; Wells Fargo Bank, N.A.; Republic First Bank; First Harvest Credit Union; Cornerstone Bank; 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.

IV. Deposit Policies

All Commission funds received by any official or employee shall be deposited within 48 business hours to an interest-bearing account in the name of the Commission subject to bank and government holiday or emergency closures while being held in a Commission safe/vault.

V. Accounts Held by the Trustee

The accounts will be various according to the covenant of the bond or bond anticipation note issue or other lender.

VI. Investment Policies

It shall be the responsibility of the Director of Finance, under the direct supervision of the Treasurer, to analyze the cash flow and to invest funds in legal investments so as to maximize interest earnings.

When investing funds in commercial savings banks, savings and loans, etc., the Director of Finance shall obtain a minimum of two (2) quotations and shall invest at the institution offering the highest effective rate. The Director of Finance may recommend which type of legal investment will best serve the needs of

the Commission and upon approval by the Treasurer is hereby authorized to place the funds in any such legal investments unless otherwise restricted by bond or loan covenant of the Commission.

The Director of Finance shall report monthly on all the investment transactions to the Commission as required by N.J.S.A. 40A:5-14 and 5-15.2.

VII. Securities Which May Be Purchased by or On Behalf of the Commission

- a. Certificates of Deposit in compliance with 40A:15-1(i).
- b. United States Treasury Bills or Notes

VIII. Disbursement Policies

No Commission funds shall be disbursed by the Director/Asst. Director of Finance prior to the approval of the Commission except for the monthly/quarterly payments listed below which are authorized by the Commissioners on an annual, semi-annual or intermittent basis:

- a. Debt Service Payments
- b. Payroll and Payroll Withholdings
- c. Petty Cash - \$500.00
- d. Pension Fund Payments
- e. HRA/FSA Funding.

IX. Designation of Individuals to Authorize Disbursements and Electronic Transfers

The Commission designation of individuals to authorize or sign for disbursements shall be made by resolution at the annual reorganization meeting of the Commission. The signatures of the following Commissioners shall be required on all checks issued for disbursement of monies and shall be communicated as limited authorizations to the bank/custodian:

- a) Operating Account - Treasurer or Assistant Treasurer and President or Vice-President.
- b) Payroll Account - Chief Operating Officer or Director of Engineering.
- c) Legal Account- any one of the following are authorized to sign, Vice-President, Treasurer, Assistant Treasurer, C.O.O. or Director of Engineering.
- d) HRA/FSA Account- C.O.O. authorizes transfers.
- e) Pension (NJ PERS) Contribution Transfers - Director/Asst. Director of Finance.
- f) Bank of America (P-Card) Transfers- Director/Asst. Director of Finance.
- g) Transfer within above accounts in same bank/custodian- Director/Asst. Director of Finance.

Electronic access and monitoring of all Commission Accounts and Assets is authorized for the C.O.O., the Director and Assistant Director of Finance. However, no other electronic access, disbursement, or transfers are authorized or permitted unless included within this Plan or authorized by a specific Resolution of the Commissioners.

X. Cancellation of Outstanding Checks

Outstanding checks shall be addressed as follows:

- a) Checks not cashed at the monthly bank account reconciliation (statement) shall be left open until the following statement, if still not cashed, the Director of Finance shall;
 1. Wait until the next statement is received and ascertain if the check was cashed, if still not cashed, then;

2. The Director of Finance shall notify the vendor (in writing) of the check number, date and amount that has not been cashed and 1.) if they never received the check, they are directed to sign the enclosed affidavit and return it. Upon receipt, the check will be voided and a new one issued and 2.) should they still have the check, they will be directed to cash the check immediately.

XI. Conflict of Interest

Any official of the Commission involved in the designation of the depositories, or in the authorization for investments as permitted pursuant to the Plan, or any combination of the proceeding, who has a material, business, or personal relationship with the organization, shall disclose that relationship to the Commission as appropriate.

XII. Approval, Amendment, and Administration of the Plan

Cash Management Plan shall be approved annually by resolution and may be amended in order to reflect changes in Federal or State law or regulations, or in the designation of depositories, funds, investment instalments, or the authorization for investments. The Chief Operating Officer shall be charged with administering the Plan; however, any amendments to the plan shall be approved by the Treasurer on behalf of the Commission prior to implementation. The Director of Finance shall deposit or invest the monies of the Commission as designated or authorized by the Plan, and shall, thereafter, be relieved of any liability for loss of such monies due to the insolvency or closing of any depository designated by, or the decrease in value of any investments authorized by the Plan.

DRAFT

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

REORGANIZATION RESOLUTION DESIGNATING DEPOSITORY 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, N.A. ; Bank of America, N.A. ; TD Bank , N.A.; First Colonial Community Bank; Haddon Savings Bank; Santander Bank, N.A. ; Wells Fargo Bank, N.A.; Republic First Bank; First Harvest Credit Union; Cornerstone Bank; 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.

Such institutions are acceptable once 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 13, 2023.



JOSEPH C. SZAYVUZCO , 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:

MPWC operating account: Two individuals must sign the Account/Instruments as follows:

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

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

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:

President, Joseph Scavuzzo, or
; or
Treasurer, Patrick Brennan, or
C.O.O., John Killion, Sr or
Director of Engineering, Richard Spafford.

I hereby Certify that this is an accurate and complete recitation of the action of the MPWC taken by Resolution and unanimous vote of the Commissioners on this Day of July 13, 2023.



JOSEPH C. SCAVUZZO, Commissioner and
Secretary to the Commission
PRESIDENT

SEAL

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 divelited to any other purpose; and

WHEREAS, the Commission must operate effectively, efficiently, and be able to manage 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 Peirce, and shall not exceed

\$500.00

in expenditures per month until further order of the Commission.

I hereby Certify that this is an accurate and complete recitation of the action of the MPWC taken by Resolution and vote and adopted at the Public Meeting of Commissioners on July 13, 2023.


JOSEPH C. SCAVUZZO, Commissioner &
Secretary to the Commission
PRESIDENT

SEAL

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 Community 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 Community 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 13, 2023.

SEAL


JOSEPH C. SCAVUZZO, Commissioner &
Secretary to the Commission
PRESIDENT

MERCHANTVILLE PENNSAUKEN WATER COMMISSION

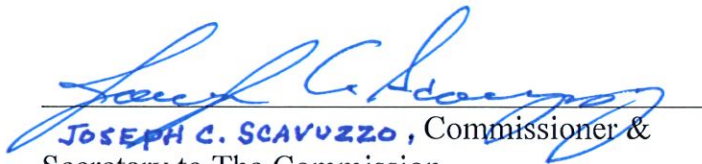
REORGANIZATION RESOLUTION FOR OFFICIAL PUBLIC NOTICES AND DESIGNATING NEWSPAPERS AND WEBSITES OF THE COMMISSION

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 Four (4) **Clerks of the Municipalities** in service area for dissemination; and
 - b. Request that those Clerks post the notice on the bulletin Board located in all **Four(4) Municipal Buildings**, and
 - c. also **post that notice in the MPWC lobby** and
 - d. on the **MPWC website**,
 - e. as well as be made available for posting on the **website of Pennsauken Township** and
 - f. make 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 2024 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 was Adopted by the Vote of the Commissioners in Public Session on July 13, 2023. The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on that date.


JOSEPH C. SCAVUZZO, Commissioner &
Secretary to The Commission
PRESIDENT

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** at the listed times, unless otherwise noticed and announced, until the next regular Reorganization meeting on the second Thursday in JULY 2024 except as otherwise noted herein.

REGULAR MONTHLY OFFICIAL PUBLIC MEETINGS

All such meetings, unless otherwise indicated, shall be held live and in person 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 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


That Next Reorganization meeting shall be held July 11, 2024, 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 this July 13, 2023 by the Roll Call Vote of the Commissioners.

The undersigned hereby attest to the above as having been duly adopted by unanimous approval of all Commissioners present on the 13th Day of July 2023.

SEAL


JOSEPH C. SCAVUZZO, Commissioner &
Secretary to the Commission
PRESIDENT

Pursuant to the requirements of The Open Public Meetings Act", Chapter 231, P.L. 1975, the following is the **Annual Notice of Public Meetings of the Merchantville-Pennsauken Water Commission for Commission Year 2023-24**

Meeting Location: 6751 Westfield Avenue, Pennsauken, NJ 08110

Meeting Time: 4:00 PM

Meeting Dates:

August 10, 2023

September 14, 2023

October 12, 2023 (Rate/Connection Fee Hearing)

November 9, 2023

December 14, 2023 (9:30 AM)

January 11, 2024

February 8, 2024

March 14, 2024

April 11, 2024

May 9, 2024

June 13, 2024

July 11, 2024 (REORGANIZATION)

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

RESOLUTION OF THE 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 State and Federal agencies require designated representatives to take actions, make applications and produce signatures on behalf of such public entities, corporations and agencies such as the MPWC; and

WHEREAS one such requirement is that all regulations be met regarding both employing, 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

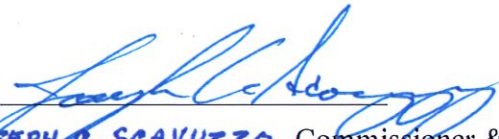
THEREFORE, BE IT RESOLVED, that the Merchantville-Pennsauken Water Commission in Public meeting, properly advertised and held this date in the Township of Pennsauken, in the County of Camden, New Jersey, is hereby appointing the following person to serve in the designated position for a one (1) year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

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

This Resolution shall take effect immediately upon adoption this 13th day of July 2023.

I hereby certify that this is a true copy of a Resolution adopted by the Merchantville-Pennsauken Water Commission on July 13, 2023.

Merchantville-Pennsauken Water Commission


JOSEPH C. SCAVUZZO, Commissioner &
Secretary to The Commission
PRESIDENT

SEAL

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

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

WHEREAS, the Merchantville-Pennsauken Water Commission has granted permission and authorized and delegated the authority for either the Director of Engineering of the Commission or the Chief Operating Officer to act on behalf of the Commission to execute NJDEP and EPA Applications and to submit and documents on behalf of the MPWC.

THEREFORE, BE IT RESOLVED BY THESE PRESENTS that the Authority hereby designates its Director of Engineering, Richard Spafford, P.E., and/or Chief Operating Officer, John Killion, Sr.;

As a authorized representative of this Commission to take all actions in all matters relating to the NJDEP and EPA Applications and any other matter on the Commissions behalf.
Either Authorized Representative may be contacted at the following address and are an authorized spokesperson for the Commission:

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

BE IT ALSO FURTHER RESOLVED, that whenever the NJDEP or USEPA requires that the MPWC act, sign or be represented by an individual other than the Licensed Operator, that the Commission hereby, and until further notice, does hereby authorize and appoint Richard Spafford and/or John Killion, Sr. to so act on behalf of the MPWC and to represent the Commission.

This Resolution shall take effect immediately upon adoption on this 13th day of July 2023 and continue until further notice.

I hereby certify that this is a true copy of the Resolution adopted by the Merchantville-Pennsauken Water Commission on July 13, 2023 in a legally held and publicized meeting.

Merchantville-Pennsauken Water Commission

By:

By: JOSEPH C. SCAVUZZO, Commissioner &
Secretary to The Commission
PRESIDENT

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 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 in 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 a state approved Cooperative so long as it utilizes bids and other Open and Fair purchasing procedures; and

WHEREAS N.J.S.A. 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 any 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 in place with such cooperatives; 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 13, 2023.


JOSEPH C. SCAVUZZO, Commissioner &
Secretary to the Commission
PRESIDENT

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 N.J.S.A. 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 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; and

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 as set by the Governor; and 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 as the MPWC has a designated QPA, as well as two others; and

WHEREAS employees Joyce Peirce, Angela Waldron, and Jeannine Hershey have all been certified by the state as a QPA and the MPWC has appointed Joyce Peirce to the position of the Commission QPA; and along with, who 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 current maximum bid threshold is \$44,000; or higher as maybe permitted; and


**NOW, THEREFORE, BE IT RESOLVED on this 13th Day of July 2023 by the
MERCHANTVILLE-PENNSAUKEN WATER COMMISSION that:**

- 1) **This Commission Hereby Designates the Commission Chief Operating Officer, John Killion, Sr., as the MPWC Contracting Agent; and**
- 2) **the Bid threshold is hereby set at the maximum permitted by N.J.S.A.40A:11-3, 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 whenever it is raised, 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 N.J. D.C.A. regulations.**

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 13, 2023.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:


JOSEPH C. SCAVUZZO, Commissioner and
~~PRESIDENT~~ Secretary to the Commission

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 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, is a public entity that chooses 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 hereby appointed to that Employee Awards Committee:


Commissioner _____ (1 year term) and

Employee Jack Killion, beginning the 1st year of a new 2nd year term appointment so that the Committee shall now consist of them, as well as the current terms of

Commissioner Scavuzzo, beginning 2nd Year of an existing two (2) year term and

Brandy Eisenmann and Joyce Peirce each beginning their 3rd year of a three (3) year term having been appointed to the Committee in prior years in accordance with the statute, and until further resolution or appointment being made to the committee by the Commissioners.

Be IT THEREFORE so Resolved by this Resolution and vote of the Commissioners on this July 13, 2023.


JOSEPH C. SCAVUZZO, Commissioner &
PRESIDENT Secretary to the Commission

**RESOLUTION ADOPTING STANDING RULES OF THE COMMISSION FOR THE
CONDUCT OF ITS BUSINESS AND PROCEEDINGS FOR THE MPWC YEAR 2023-2024**

WHEREAS the Merchantville-Pennsauken Water Commission (MPWC or Commission) is a public entity and body politic of the State of New Jersey, created pursuant to New Jersey Statutes 40:62- 108 et seq., and has the authority to provide for the orderly and efficient operation of the Commission finances; and

WHEREAS the Merchantville-Pennsauken Water Commission desires to provide the clarity that comes from a formal statement and adoption regarding the rules which it has maintained for many years for the conduct of its business and proceedings as otherwise authorized for the Commission to establish as determined by its enabling act, the Agreement of its host communities, its Regulations, its internal Handbooks, and as directed by the dictates of Roberts Rules of Order; and

NOW, THEREFORE BE IT RESOLVED by the Merchantville-Pennsauken Water Commission in the County of Camden and State of New Jersey, that the following rules for the conduct of business and proceedings are hereby stated, published, and formerly adopted for the coming Commission year of 2023-2024:

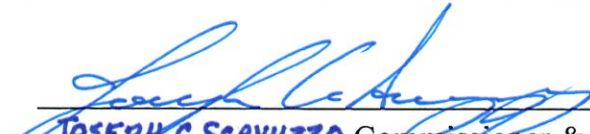
1. The Regular Meetings of the Commission shall be as determined by the Commissioners at the Annual Reorganization meeting and adopted by Resolution and publicly advertised and posted on the Commission website thereafter. The meetings of the Commission shall, unless otherwise adopted and announced, take place at the Commission Headquarters at 6751 Westfield Avenue, Pennsauken, N.J. in the G. Burton German Meeting Room at the time adopted by Resolution for Annual Meetings, or as otherwise determined by the Commissioners and announced and publicized in conformance with the Senator Byron Baer Open Public Meetings Act (OPMA). When a meeting shall fall on a legal holiday, such meeting shall be held at a time and place which shall be fixed by agreement of the Commissioners, noticed in advance in accordance with OPMA, and so advised to the franchise area Township Clerks. Any meeting may be held at a time and place other than hereinabove provided, in which event the time and place of such meeting shall be agreed to by the Commissioners, noticed and advised to the franchise area Township Clerks.
2. Whenever any meeting is held virtually by electronic means in accordance the Attached procedures, or due to an Emergency Declaration, or other law or regulation, notice of such and all required information for consideration of/and action on any request for electronic participation in meeting shall be provided in advance to the public with such advance notice as referenced in the attached Commission Remote Attendance Procedures. Exhibit A here, or Emergency Declaration Procedures in Resolution 2022-26 & any attachments there.
3. A majority of the members shall constitute a quorum for the transaction of business.
4. The order of business shall be as determined from time to time by the Commissioners.
5. The Commissioners may suspend with the normal order of business for the convenience of the Commission, for witnesses, for members of the public and for other guests as the Commissioners determine the most proper at that time during the meeting.

6. Every member desirous of speaking in debate or of presenting any petition, bill, report, or other material to the Committee shall address himself to the President, or other presiding officer of the meeting, and if two members shall speak at once, the President (or presiding officer) shall name the member who is entitled to the floor.
7. If any person other than a member of the Committee is granted the privilege of the floor, they shall rise, address the President/presiding officer, and give their name and address. Further, all such individuals shall be limited to a five (5) minute aggregate speaking period.
8. No question, motion or resolution shall be debated or put to vote unless the same shall have received a second. When a motion or resolution shall be seconded, it shall be summarized or stated by President/presiding officer of the meeting before debate or other action, or comment occurs.
 - (a) No person other than a Commissioner or Staff shall be entitled to address the Commission unless the privilege of the floor shall be extended to them by the consent of the President/presiding officer of the Commission present.
 - (b) No person shall speak to another or leave their seat so as to interrupt the business of the Commission while any papers are being read, or any member is engaged in debate.
9. In the absence of the President from the meeting, the Vice-president shall preside. In the absence of them both, a Chairperson *pro tem* shall be selected to preside by the Commissioners present.
10. Monthly statements or reports by the Chief Operating Officer and his Designated Staff shall be presented as deemed necessary and /or appropriate by the C.O.O.
11. In all other incidence the Water Commission will comply with the "Senator Byron M. Baer Open Public Meeting Act" for all Special and Emergency Meetings.
12. All other rules of order not herein enumerated shall be decided according to the Agreement between the founding towns, and Roberts Rule of Order, the version as selected by the Commission at its discretion.

THEREFORE, BE IT RESOLVED by the MPWC Commissioners that the aforementioned Rules be and are hereby adopted by this Resolution until further decision or amendment of the Commission and shall be interpreted and applied so as to be in conformance with all applicable laws and regulations; and

BE IT FURTHER RESOLVED that the original of this resolution be kept in the Official Records of the Commission. I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the 13th day of July 2023 in the County of CAMDEN and STATE of NEW JERSEY.

Merchantville-Pennsauken Water Commission


JOSEPH C. SCAVUZZO, Commissioner &
PRESIDENT Secretary of the Commission

Resolution 2023-26
EXHIBIT- "A"

Remote Attendance Procedures at Merchantville-Pennsauken Water COMMISSION Meetings.

Policy Considerations:

It is the policy of the Merchantville-Pennsauken Water Commission to encourage in person meetings and that the corporeal gathering of Commission Members at all public meetings is desirable to ensure transparency with regard to deliberations and decision on which public policy is based. Moreover, the State Department of Community Affairs has declared that the default position on meetings is live and in-person. The public's ability to view actions being taken by appointed public officials and to have the personal opportunity to provide meaningful input into the decision-making process may be impaired by the lack of direct access to such officials in the public forum provided by meetings of the Commission. However, the New Jersey Open Public Meetings Act recognizes that a meeting of such officials may take place by means of communication equipment.

1. Definition.

For purposes of this policy, the following term shall have the following meaning:

- (a) "Electronic means" is defined as attending by telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables remote participation provided that all persons present at the meeting location are clearly audible to one another.

2. Minimum Requirements for Electronic Participation.

- (a) A quorum of the governing body of the Water Commission must be physically present at the meeting location.
- (b) A Commissioner who participates by electronic means and all persons present at the meeting location must be clearly audible to each other; and
- (c) All votes taken during the meeting in which a member participates by electronic means must be by individual roll call vote.

3. Electronic Participation.

- (a) If a quorum of the members of the Water Commission is physically present, a majority of those Committee Persons present may allow a Committee Member to attend the meeting by electronic means if/ he is prevented from physically attending because of the following reasons:
 - (i) personal illness or disability; or
 - (ii) employment purposes; or
 - (iii) business of the public body; or
 - (iv) a family or other emergency.

4. Notification Requirements.

- (a) A Commissioner who wishes to attend a meeting by electronic means must notify the President and Chief Operating Officer before the meeting unless such advance notice is impractical.

S. Consideration of Request for Electronic Participation and Placement on the Agenda.

- (a) Consideration of a Commissioner's request for electronic participation shall occur immediately after roll call is taken, and prior to any other business being conducted.
- (b) Such consideration shall appear on the agenda as "Consideration of and possible actions on any requests for electronic participation in meeting" and be placed on the agenda immediately following "Roll Call."

- (c) Those Commissioners physically present shall consider whether any such request meets the requirements of Paragraph 3, and vote regarding whether such member may be allowed to participate electronically.
- (d) Any Commissioner requesting to attend the meeting by electronic means must have such request approved by a majority vote of those members physically present.
- (e) Any Commission member requesting to attend the meeting by electronic means may participate in the debate on such question but may not vote on the approval of their own request.
- (f) If more than one member requests to attend the meeting by electronic means, such requests will be considered in the order in which notification was received by the President as required in Paragraph 4.
- (g) Any member whose request to attend the meeting by electronic means is approved may not vote on the approval of any other member's request considered during that meeting but may participate in any debate on the question.
- (h) Any member whose request for attendance by electronic means is denied may continue to listen to and/or view the meeting via electronic means but may only participate to the same extent in which a member of the public physically present at the meeting could participate.
- (i) A Commissioner who participates by electronic means may vote on all matters presented to the public body and shall not be deemed absent.

6. Closed Sessions

- (a) A Committee Member may attend the closed session of any such meeting by electronic means.
- (b) At the start of any such closed session the Commission Member attending by electronic means must state that no other person(s) is present or able to hear the discussions at a remote location.

7. Miscellaneous Matters.

- (a) If technical difficulties arise as a result of utilizing remote participation, the President, or other person chairing the meeting, may decide, in consultation with fellow Members, how to address the situation. The Commission is encouraged, whenever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all people present at the meeting location. If a remote participant is disconnected from the meeting, the minutes must note that fact and the time at which the disconnection occurred. Text messaging, instant messaging, email, and web chat without audio are not acceptable methods of remote participation.

MERCHANTVILLE PENNSAUKEN WATER COMMISSION

RESOLUTION FOR AWARD OF ANNUAL CONTRACTS

WHEREAS there exists a need for the MPWC to procure the certain services from professionals deemed qualified from announced and publicly advertised criteria and the service of licensed professional services is authorized to be engaged without bidding 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 to simply award to lowest bidder; and

WHEREAS there also exists a need to procure advertised services from qualified individuals /firms to contract for Insurance consultant services and insurance broker services, NJSA 40A:11-5(1)(a)(ii) and (5)(l)(m) as well as receive bids from Commission IT consultants and cyber security experts; and

WHEREAS the Chief Operating Officer assisted by his respectively and appropriately assigned Commission staff have recommended the below listed as meeting qualifications and or for award; and

WHEREAS the need for such services were publicly bid and advertised with criteria and qualifications made public in advance and an Open and public return date with all applications opened publicly; and the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.* authorizes qualification of such professionals and such positions/vendors and pursuant to the State's Local Unit Pay-to-Play, N.J.S.A. 19:44A-20.4 *et seq.*, and establishes a bidding process and a "fair and open" process compliant with the rules and restrictions set forth therein which requires a resolution authorizing the award of contracts for such respective services after established criteria and publicly advertised, and publicly receiving responsive proposals/bids, 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 such and for appointment under the Fair and Open Process which it hereby deems this to have been and having proceeded in accordance with the procurement and bidding laws; and

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

Section 1:The 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 bids/RFP' s or responded for Extraordinary Unspecifiable Services for the Commission year subject to reaching acceptable terms and conditions in contract language for one-year contracts with the following professionals for E:

(a) Accountants
Services/Consultants

Your Part Time Controller, Philadelphia, PA

(b) Auditor:

Bowman & Company, LLC, Voorhees, NJ 08043


And the Commission authorizes and awards Two-year contracts with each of the following sole responders in accordance with their bids/proposals for their respectively submitted contracts as either EUS proposals and/or compliant bid responses;

(c) Employee Benefits Broker of Record: Conner Strong & Buckelew, Marlton, NJ

(d) Insurance BROKER of Record: Conner Strong & Buckelew, Marlton, NJ

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 13, 2023.


JOSEPH C. SCAVUZZO, Commissioner &
PRESIDENT Secretary to the Commission

SEAL

MERCHANTVILLE PENNSAUKEN WATER COMMISSION**AUTHORIZATION OF POOL OF QUALIFIED PROFESSIONAL ENGINEERS FOR ANNUAL CONTRACT ENGAGEMENTS PURSUANT TO FAIR & OPEN PROCEDURES**

WHEREAS there exists a need for the MPWC to procure licensed professional engineering services from professionals deemed highly skilled and specialized , and sometimes on short notice while still obtaining the advantages of competitive bidding and yet from engineers familiar with the local conditions, regulations and our system and 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 low bids from anyone; 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 the Local Public Contracts Law, NJSA 40A:11-1, *et. seq.*, authorizes qualification of such professionals N.J.S.A. 40A:11-S(1)(a)(i) and 5(1)(m), 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: The 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
- T&M Associates
- CES (Consulting Engineer Services)

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 13, 2023.


JOSEPH C. SCAVUZZO, Commissioner &
 Secretary to the Commission
PRESIDENT

MERCHANTVILLE PENNSAUKEN WATER COMMISSION

**RESOLUTION FOR ADOPTION OF QUALIFICATION OF BOND COUNSEL
PROFESSIONALS FOR CONTRACT YEAR 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 to simply obtain and rely on the lowest bidder; 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 N.J.S.A. 40A:11-5(1)(a)(i) and 5(1)(m), 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 complied with by the process employed; and

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


Section 1: The President, and Secretary are hereby authorized and directed to execute any necessary documents to designate the following professionals, who were the sole respondents to the publicly advertised RFQ/RFP's; And are hereby designated for the year to act as Bond Counsel, and the Commission 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 upon scope of project and deemed the most advantageous to the MPWC as determined by the Commission as the following have responded and having been deemed to be included with in the pool of applicants qualified to be contracted during the coming year :

•Parker McCay, Mt. Laurel, NJ • Obermayer, Rebman, Maxwell & Hippell, LLP of Mt. Laurel, 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 13, 2023.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION


JOSEPH C. SCAVUZZO, Vice-President & Secretary
of the Commission

SEAL

**RESOLUTION AUTHORIZING THE MPWC TO ACCEPT PURCHASE AND RECEIVE
A CONVEYANCE OF UNDERGROUND AND ACCESS EASEMENT OF PARCEL OF
LAND WITHIN THE TOWNSHIP OF CHERRY HILL AT THE GARDEN STATE
PAVILLIONS OF WATER MAINS WHICH ARE PRIMARY DISTRIBUTION MAINS
FROM CHERRY HILL ELEVATED TANK TO MPWC SYSTEM**

BE IT RESOLVED, by the Commissioners of the Merchantville-Pennsauken Water Commission, in a duly advertised and lawfully held public meeting on this 13th day of July 2023 in the Township of Pennsauken, County of Camden, State of New Jersey, that

WHEREAS, the Grantor, GARDEN STATE PAVILIONS CENTER,LLC owns the land located at N.J. Route 70 W.& Cornell Avenue, Cherry Hill 08002, a/k/as **Block No. 55.02 , Lots: No. 1, 1.01 & 1.02** of the Official Tax Map of Cherry Hill Township; and

WHEREAS the Commission had found that such land is needed by it for its public use and hereby Resolves to buy this this location as integral to its water distribution system; and

WHEREAS the watermains crossing through this property serve separate customers and more importantly the erection of the Cherry Hill 1-million-gallon storage tank on the site has transformed the mains involved into a critical component of the MPWC water storage and distribution system; and

WHEREAS the property owner has agreed to turn-over said property for \$1.00 receipt of which is acknowledged and other considerations as reflected in the deed of Easement; and **THEREFORE, BE IT HEREBY RESOLVED** that the President, Treasurer, C.O.O. and MPWC Staff are authorized and directed to purchase, receive and obtain said easement and to execute the attached Deed of Easement and Access as to the aforesaid remaining property is authorized by the Commission and they are authorized to take all action necessary to accomplish same in accordance with the prescriptions of law.

BE IT FURTHER RESOLVED that the President and Secretary of the Commission, as well C.O.O. are hereby authorized to execute said Deed and any other documents necessary to accomplish the stated purposes of this Resolution.

I, **Joseph C. Scavuzzo, President** of the Commission, certify this to be a true and correct copy of the Resolution adopted by Commission at the meeting of said Commission on July 13, 2023, and said Resolution passed by a unanimous vote of the members of Commission to ratify the action of accepting the deed of easement in favor of the Commission noted above.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

BY: 

Joseph C. Scavuzzo, President

Sworn & Subscribed before me this Day.


Karl McConnell, Esq. General Counsel

Attorney-At-Law of the State Of New Jersey

Date 7/13/2023

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**REORGANIZATION RESOLUTION OF THE COMMISSION appointing and
DESIGNATING its OFFICERS for the Coming COMMISSION YEAR and
Prescribing sufficient Bond for officers' Performance**

WHEREAS, this Water Commission, a governmental entity and corporate politic of the State of New Jersey was created on January 11, 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 pursuant to the agreement and ordinances by and between Merchantville Borough and the Township of Pennsauken; and

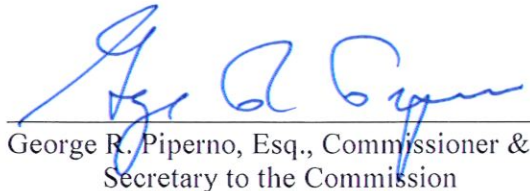
WHEREAS, the Merchantville Pennsauken Water Commission pursuant to the Laws of the State of New Jersey under N.J.S. 40:62-108 *et seq.* and the relevant acts amendatory and supplemental thereto, and the 1942 agreement between the founding municipalities provides that the commissioners newly appointed 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 -	George R. Piperno
Asst. Secretary & Asst. Treasurer -	Anthony Perno

And **WHEREAS** the Permanent Agreement between the Founding Municipalities provides that " ... officers shall give bond for the faithful performance of their duties in such amounts and with such corporate surety or sureties as the Commission may prescribe." and the Commission as a member of the New Jersey Utility Authorities Joint Insurance Fund having been advised by it and its administrators, Perma, Inc. and the MPWC's insurance consultants, Connor Strong and Buckelew that its participation in the fund and its public officials insurance provides sufficient assurance and is hereby as the Commission prescribes.

By Resolution and vote of the Commissioners on August 10, 2023; Result of Roll call

Vote: Commissioners:	#YEAs	#NAYs	# ABSTAINs	# Absent
Ali	X			
Brennan	X			
Perno	X			
Piperno	X			
Scavuzzo	X			


George R. Piperno, Esq., Commissioner &
Secretary to the Commission

Date: August 10, 2023

SEAL

**RESOLUTION APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE
MERCHANTVILLE-PENNSAUKEN WATER COMMISSION AND THE
BOROUGH OF COLLINGSWOOD FOR WATER MANAGEMENT SERVICES**

WHEREAS the Merchantville-Pennsauken Water Commission (hereafter "MPWC") is a public entity organized under New Jersey law and located in Pennsauken Township, Camden County; and the Borough of Collingswood ("Collingswood") is a municipal public entity organized under New Jersey law and located adjacent to Pennsauken Township, in Camden County; and

WHEREAS Collingswood currently obtains its entire water supply from seven ground wells drilled into the Potomac-Raritan-Magothy Aquifer and their current treatment and distribution systems consist of equipment and processes which the MPWC has utilized in its systems for years and for which MPWC personnel have been expert, and have operated and upgraded for Collingswood since 2018; and

WHEREAS, the MPWC has specific expertise regarding operating, managing and the related science and engineering involved with operating such potable water treatment and distribution systems, and currently has at over 5 individuals licensed, experienced and qualified to operate Collingswood's water system and Collingswood is currently without any such licensed qualified individuals; and

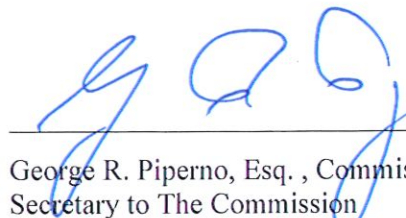
WHEREAS the Parties identified economies and efficiencies in the operations of their respective roles of local and regional government to provide safe, qualified and efficient operation of that system and improved effectiveness for residents and ratepayers to reduce their tax burden ; and

WHEREAS the respective officials were authorized to negotiate and execute an agreement to include the terms contained below which were agreed to and authorized by the execution of appropriate Resolutions of the respective bodies and is authorized pursuant to the "Uniform Shared Services and Consolidation Act" N.J.S.A. 40A:65-1, et. seq.; and

NOW THEREFORE BE IT RESOLVED on this 10th Day of August 2023 that the Commissioners in a duly advertised and properly held regular monthly meeting, approved the attached SSA Agreement to have the MPWC provide the described management services to the Collingswood water supply system in accordance with the terms of this Agreement and effective July 1, 2023 as was authorized by the MPWC Commissioners prior meetings.

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission on the 10th day of August 2023.

Seal


George R. Piperno, Esq. , Commissioner and
Secretary to The Commission

**SHARED SERVICES AGREEMENT BETWEEN THE
Borough of Collingswood
and
The Merchantville-Pennsauken Water Commission
For Certain Water Utility Management Services**

THIS DOCUMENT constitutes an agreement made by and between the Borough of Collingswood, a body politic and corporate of the State of New Jersey, having its municipal offices at 678 Haddon Avenue, Collingswood, New Jersey 08108 (hereafter the "Borough") and the Merchantville-Pennsauken Water Commission (hereafter "MPWC") a public corporate entity and regional governmental water authority organized under the laws of the State of New Jersey and created by the governing bodies of the Borough of Merchantville and Township of Pennsauken and whose primary offices are located at 6751 Westfield Avenue, Pennsauken, NJ 08110 in Camden County (collectively, the Borough and MPWC shall be referred to as the "Parties"); and

WHEREAS, the Borough currently maintains a water supply system which treats and supplies drinking water to 6,000 active service connections serving approximately 24,000 people in the Borough, Woodlynne and a portion of Haddon Township; and

WHEREAS the Borough currently obtains its entire water supply from seven ground water wells sunk into the Potomac-Raritan-Magothy Aquifer and their current treatment consist of: aeration, sedimentation; filtration, corrosion control, air stripping and disinfection and all of which MPWC also provides and has personnel expert in such areas; and

WHEREAS the MPWC has specific expertise regarding such wells and in operating, managing and the related science and engineering involved with potable water treatment,

public distribution, and currently employs at least 5 individuals who are licensed, experienced and qualified to operate the Borough's water system and the Borough is at present without any such licensed and qualified individuals; and

WHEREAS the Parties seek to identify economies and efficiencies in the operations of their respective roles of local and regional government that will both provide safe, qualified and efficient operation of the Borough's water system and will thereby reduce the tax burden on the respective taxpayers and ratepayers and will improve the effectiveness of services for residents and ratepayers; and

WHEREAS, the Parties have investigated the potential economies and efficiencies that may be created through the sharing of various services; and

WHEREAS, the Parties maintain separate areas of heightened expertise and capability to provide services and maintenance and are willing and able to provide to the other the benefit of its expertise, experience and /or technical and professional staff to provide service, maintenance and/or repairs as needed as more specifically set forth below; and

WHEREAS, the Parties' respective governing officials have authorized the Parties to create, complete and execute this agreement to address the sharing of management services by the Parties: and

WHEREAS, this Agreement between the Parties ("Agreement"), a Shared Services Agreement (SSA) which is authorized pursuant to N.J.S.A. 40A:65-1, *et. seq.*, the Uniform Shared Services and Consolidation Act (the "Act") which permits two local units to enter into a contract for any service or any consideration which any party to the agreement is empowered to render within its jurisdiction: and

WHEREAS, the MPWC and the Borough agree that their mutual public purposes and the ultimate public interest will be promoted by the execution and delivery of this Agreement pursuant to the powers conferred by Act; and

WHEREAS, the Parties had previously entered into a Shared Services Agreement for the same reasons and purposes stated herein for a time period which recently concluded; and

WHEREAS, the Parties wish to maintain and continue sharing management services; and

WHEREAS, the term of this Agreement shall be for a period of THREE (3) years, effective on June 1, 2023; therefore,

IN CONSIDERATION of the mutual covenants and promises herein contained, it is agreed by and between the Parties as follows:

1. **PURPOSE AND SCOPE**

The purpose of the Agreement is for the parties to provide each other with the cooperation, services, and considerations listed below.

2. **DUTIES AND RESPONSIBILITIES**

a. The Parties will provide the services and considerations as set forth in Exhibits A & B, attached hereto and incorporated by reference herein. The Parties agree that they shall require and provide the services described herein and shall require no other during the term of this Agreement. The Parties agree and acknowledge that except as explicitly and specifically set forth here or in Exhibit A or B that, all other obligations, duties and responsibilities shall remain with the Borough, except for the management services specifically assigned herein to the MPWC.

b. **Appointment of Manager; Relationship of the Borough and MPWC.**
MPWC shall assign employees to provide management and operational support services to the Borough in the operation of the Borough's water supply system. MPWC shall always be independent

of the Borough. Nothing contained herein shall be deemed to make or render the Borough a partner, co-venturer or other participant in the business or operations of MPWC or in any manner to render the MPWC as liable, as principal, surety, guarantor, agent or otherwise for any of the debts, obligations or liabilities of the Borough. Similarly, nothing contained herein shall be deemed to make or render the MPWC as a partner, co-venturer or other participant in the business or operations of the Borough, or in any manner to render the Borough liable, as principal, surety, guarantor, agent or otherwise for any of the debts, obligations or liabilities of the MPWC. MPWC shall operate and maintain the assets of the Borough provided to them "as is" and the MPWC shall do its best to maintain them in repair and working order and condition, normal and further wear and tear excepted. Notwithstanding the foregoing, MPWC shall not have the authority, without the express written consent of the Borough, to purchase in the name of or for the Borough, any assets outside the ordinary course of business, or incur any indebtedness on behalf of the Borough outside the ordinary course of business.

c. Obligations of the Borough

The Borough agrees to:

- 1) Provide the MPWC with true and correct information relating to all functions for which MPWC has responsibility hereunder and shall cooperate with the MPWC to foster the MPWC's performance of its duties hereunder;
- 2) Comply with all obligations and directives from all authoritative governmental agencies, both federal and state including EPA and DEP, and all appropriate directives, regulations and statutes applicable to it as a municipality and a municipal utility; and

3) Provide sufficient support and no less than one part-time supervisor level and no less than 1 state qualified Borough employee to be subject to the direction of and dedicated to support MPWC's management of the water treatment and supply system.

4) Make timely payments as agreed herein.

3. **CONFLICT OF INTEREST**

The Parties agree that it will comply with all appropriate standards of conduct required of it and its employees in providing the services set forth in this Agreement and will avoid any actual conflict of interest or the appearance of a conflict of interest while providing said services.

4. **TERM AND TERMINATION**

a. The term of this Agreement shall be for a period of Three (3) Years effective June 1, 2023. This Agreement shall be binding upon the Parties and their successors and assigns. The Parties agree that they shall, no later than in the last year of the Agreement, give notice and commence discussion/negotiations no later than August 30, 2025 regarding a successor agreement or continuation of this Agreement.

b. If MPWC has provided notice of termination to the Borough, and the Borough requires additional time to prepare to undertake responsibility for the operation and maintenance of the water supply system, upon timely notice to MPWC, the Borough shall be entitled to require up to an additional ninety (90) day period ("Extended Period") for such preparations with pro rata additional compensation to be due at midpoint.

c. If a party violates its obligations to be performed under this Agreement, the other party may terminate the Agreement by sending a ninety (90) day notice of such in writing including the reasons for termination. Upon receiving such notice, the defaulting party shall have

thirty (30) days from the date of such notice to cure any such default. If the default is not cured within the required thirty (30) day period to the satisfaction of the party providing the notice, the party providing notice shall have the right to terminate this Agreement.

5. COMPENSATION, REIMBURSEMENTS AND EXPENSES

a. The costs to be paid by the Borough shall include only those items specifically included in this Agreement as set forth in the scope of work attached as (Exhibit A and B including the attached worksheet). The Parties may agree to additional duties and divisions of labor/responsibilities by written amendment to this Agreement and executed by both Parties.

b. The Borough shall pay and compensate directly to the MPWC the annual sum of Two Hundred and Fifty Thousand (\$250,000.00) for the first year of this Agreement for services described herein and as more specifically described in Exhibits A & B. The amount of the annual sum and the time for payments which in the event that the Borough assumes responsibility for providing a “Licensed Operator – Dept. Manager” (see Duties/Responsibilities – per Scope of Work” on Exhibits A and B), in either the Second or Third Year, then shall be made quarterly in advance of the first day of each quarter are set forth in the attached Exhibit C. The annual sum to be paid by the Borough for either year or both, if applicable, shall be \$87,500.00 provided that the Borough provides their own qualified internal employee as a licensed operator by June 1, 2024. If not, then Year 2 shall be a minimum payment of \$155,000.00. If the Borough provides its own internal employee as a qualified licensed operator by June 1, 2025, then they shall pay the MPWC the \$87,500.00 for the Third (3rd) year, but if not then they shall pay the MPWC the \$155,000.00 and the MPWC will again be providing the Licensed Operator for the Third (3rd) year.

c. At any time either party may commence negotiations to modify the duties, costs and compensation as set forth herein provided that the services to be provided and compensation to be

paid shall remain in full force and effect unless and until a written amendment to this Agreement has been executed by the Parties or termination.

6. NOTICES

All notices hereunder shall be in writing and mailed postage prepaid, certified mail, return receipt requested to the parties at the addresses listed as follows for the MPWC to the Chief Operating Officer, Merchantville-Pennsauken Water Commission, 6751 Westfield Avenue, Pennsauken, NJ 08110; and for the Borough of Collingswood to the Borough Administrator, Borough of Collingswood, 678 Haddon Avenue, Collingswood, New Jersey 08108, unless and until such formal notice of a change of notice address be given.

7. MISCELLANEOUS PROVISIONS

The following miscellaneous provisions shall apply to this Agreement:

a. **Construction of this Agreement-**The Parties acknowledge that this Agreement was prepared under New Jersey law by two sophisticated parties and agree therefore it shall be interpreted without regard to either party being the author of any provisions or presumptions against either party.

b. **Waiver-** Failure to enforce any of the provisions of this Agreement by any of the Parties shall not be construed as a waiver of the provisions.

c. **Amendment for Modification-** This Agreement may not be modified, altered, or amended in any manner, except in writing, signed by the Parties hereto.

d. **Heading-** This section and any other headings contained in this Agreement are for reference purposes only and shall not affect meaning or interpretation of this agreement.

e. **Invalid Clause-** The invalidity of any clause contained herein shall not render any other provision invalid and the balance of this Agreement shall be binding upon all Parties hereto.

f. **Entire Agreement-** This Agreement and its Exhibits shall consist of the entire agreement of the Parties and it is acknowledged that there are no side or oral agreements relating to the understandings set forth herein except as may be an appendix hereto.

g. **Assignability -** This Agreement and all rights, duties and obligations contained herein may not be assigned without prior written consent from both Parties.

h. **Announcement.** No publicity release or announcement concerning this Agreement or the transactions contemplated hereby shall be issued without advance approval of the form and substance thereof by both Parties.

i. **Affirmative Action-** The Parties hereby agree to incorporate the affirmative action language required by N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 or as amended by subsequent law.

j. **Americans with Disabilities-** The Parties hereby agree to incorporate the Americans with Disabilities Act language imposed upon both by state law and incorporated by reference herein.

k. **Audit-** Both Parties agree to permit access to each other and/or their agents may at any time examine any and all past, current and future records relevant to this agreement and they hereby agree they each shall make to the same available upon demand at a reasonable time and place for auditing the records, reports, and documents relative to this agreement as shall become desirable or necessary.

l. **Governing Law and Venue-** This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of New Jersey, choice of law or

conflicts of law notwithstanding. The Parties agree to the exclusive jurisdiction of the Superior Court of New Jersey, Camden vicinage.

m. **Binding Agreement-** This Agreement shall be binding upon the Parties hereto and their respective heirs, executors, administrators, successors or herein contractually authorized assigns.

n. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

8. INDEMNIFICATION

a. The Parties shall mutually agree to defend, indemnify and save the other, their officials, employees, officers and agents harmless from and against any and all claims of liability of every nature and whatsoever kind, liabilities, damages, including damage to person or property, losses and judgments, including costs and expenses incident thereto, arising from any act or omission for which either party is legally responsible under N.J.S.A. Title 59 related to the services being provided by either Party under the terms of this Agreement to the extent permitted by law except insofar as claims involving or arising from their own employees' claims covered by workers compensation insurance. However, the Borough, as owner of the water supply system, shall separately indemnify the MPWC as to any and all claims, injuries or costs, including reasonable attorney's fees and costs of defense asserted against the MPWC arising from the provision of management services of the water department until such time that the Borough assumes responsibility for such management services, as well as any involving its employees or their union's actions or union contracts or costs or obligations imposed on the MPWC thereby.

b. If a party entitled to indemnification (the "Indemnitee") receives notice of any claim or the commencement of any action or proceeding with respect to which a party is obligated to provide indemnification (the "Indemnifying Party") pursuant to subsections (a) and (b) of this Section, the Indemnitee shall promptly give the Indemnifying Party notice thereof (Indemnification Notice"). Such Indemnification Notice shall be a condition precedent to any liability of the Indemnifying Party under the provisions for indemnification contained in this Agreement. Except as provided below, the Indemnifying Party may compromise, settle or defend, at such Indemnifying Party's own expense and by such Indemnifying Party's own counsel, any such matter involving the asserted liability of the Indemnitee. In any event, the Indemnitee, the Indemnifying Party and the Indemnifying Party's counsel shall cooperate in the compromise of, or defense against, any such asserted liability. If the Indemnifying Party provides the Indemnitee a defense to a third-party claim at the Indemnifying Party's cost with a qualified attorney, Indemnitee may participate and/or monitor the defense with an attorney of the Indemnitee's selection (at the Indemnitee's own expense). Provided that the Indemnifying Party pays for the full cost of the settlement of any claim, the Indemnifying Party may settle any claim without the consent of the Indemnitee. If the Indemnifying Party chooses to defend any claim, the Indemnitee shall make available to the Indemnifying Party any books, records or other documents within its control that are necessary or appropriate for such defense.

c. The provisions of this paragraph 8 shall survive the expiration or termination of this Shared Services Agreement.

9. INSURANCE.

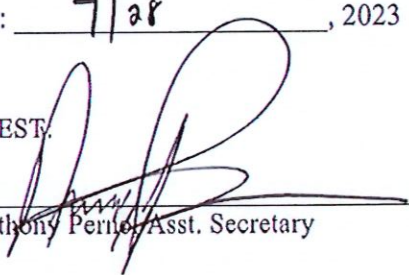
a. The parties agree that they shall each maintain insurance to the scope of general commercial liability insurance in amounts of no less than \$1 million/\$3 million and shall each include the other as an "additional insured" on each of their insurance policies with a no cancellation

provision without 90 days advance written notice of cancellation to the other party. The Borough agrees that it will during the term of this Agreement maintain appropriate insurance over all facilities and property to be managed and operated by MPWC such that it includes sufficient coverage to ensure coverage and immediate response to maintain operation of the water treatment and distribution system. The Parties agree that this obligation shall be maintained after the expiration or cancellation of this Agreement for no less than one year.

IN WITNESS WHEREOF, the parties hereto have placed their signatures and appropriate seals on the below 11 pages and three Exhibits on the stated date and year mentioned in this agreement and intending to be legally bound thereby have passed such Resolutions as necessary to legally effectuate this Agreement.

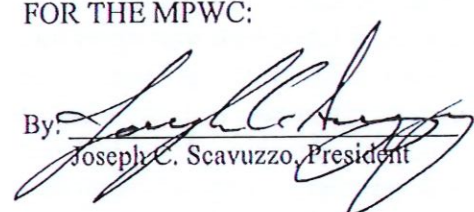
Date: 7/28, 2023

ATTEST:


Anthony Perino, Asst. Secretary

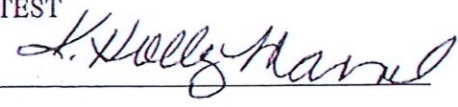
FOR THE MPWC:

By:


Joseph C. Scavuzzo, President

Date: 8/1/2023

ATTEST


K. Holly Mannel, Borough Clerk

For COLLINGSWOOD BOROUGH:

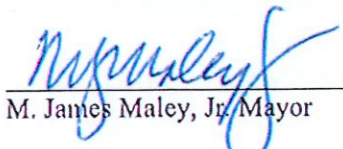

M. James Maley, Jr., Mayor

Exhibit A: Scope of Services and Considerations Provided

SCOPE OF SERVICES

MPWC will be responsible for the following:

1. **Plant Administration** - A licensed operator will be assigned to Collingswood to complete all necessary sampling and reporting to the NJDEP. See Note: a below. Collingswood will provide employees for plant operation and distribution system maintenance.
2. **Following compliance items:**
 - a. **Hydrant flushing** – Collingswood will maintain and flush hydrants in accordance with its schedule for hydrant flushing plan.
 - b. **Valve exercising** - Collingswood will exercise valves in accordance with the WQAA schedule.
 - c. **Main replacement** – 1/150th of the water mains in the system will require replacement annually. All services and main replacement will be completed by Collingswood DPW/Collingswood's engineering consultant at their cost.
 - d. No less than quarterly, MPWC shall create a **Report to Collingswood** of critical items or items they deem that must be addressed by Collingswood.
3. **On-call personnel** – Currently, Collingswood uses their internal employees to respond to all calls after hours. MPWC will cover one week per month of on-call. Collingswood will cover the remainder of the time. Two Collingswood employees will remain in the rotation.
4. **Ordering of Chemicals and operations material vs. purchases** – Corrosion control chemicals, chlorine, sludge removal, Generator fuel, DEP fees, chemical analysis, pH adjustment chemicals, and any other consumable shall be ordered by MPWC but the costs shall be paid by Collingswood by timely reimbursement to the MPWC.
5. **New Regulations** – Any new regulation/standard created by the state or federal legislature or the NJDEP shall not be covered under this agreement. Such potential regulations, by way of example and not limitation, could include 1,4 dioxane, PFOA/PFNA, or other potentially regulated contaminants. MPWC engineer/licensed operator shall assist in recommending options to become compliant with any new regulations; but Collingswood retains all compliance obligations.
6. **Underground Repairs** – Main breaks, service renewals, main replacement, underground leak repairs, hydrant replacement, etc. shall continue to be performed by the Collingswood DPW.
7. **Service Calls** – Service calls and alarms- MPWC shall provide 24-hour monitoring and call service. Emergency response, service turn on and turn off, and meter repairs will be performed by Collingswood.
8. **Electric/Natural Gas** – All utility costs will continue to be paid by Collingswood.

Notes

a. Collingswood has reserved the right to perform the services as licensed operator for Years 2 and 3 of this Agreement provided they have a qualified employee licensed to accept the duties at the year's commencement.

ITEMS AND COSTS INCURRED BY MPWC

- (1) MPWC personnel & annual costs as follows:
 - (a) Engineer and licensed operator until performed by Collingswood;
 - (b) Treatment supervisor;
 - (c) Safety plans and review;
 - (d) 1 vehicle- fuel, maintenance;
 - (e) MPWC insurance and administrative costs;
 - (f) Park Ave monitoring costs.
- (2) Standby costs

All other costs shall be retained by Collingswood MPWC shall initiate purchases of materials through Collingswood's finance office using protocols established by that office. Payment of costs or reimbursements by Collingswood shall be completed by using protocols set up by that office. Payment of costs or reimbursements by Collingswood shall be made as they are incurred by the MPWC.

Exhibit B: Other Division of Duties worksheet

Duties/Responsibilities - Per Scope of Works - Worksheet	
MPWC	Collingswood
Licensed Operator - Dept. Manager: note a (below)	2 Technicians
Supervisor - Site Supervisor	Costs of all subcontractors
1 Vehicle	Underground repair of mains, services, stops
On call costs	Costs for all capital increases
Plan preparation for Safety, DEP, etc.	Utility costs
Service calls out of the plant - Water Quality	"on call" cost
Design/Engineering	Valve exercising
Daily plant operation	Meter reading, billing, service calls
Plant Operator Monitoring	Building and Facility maintenance costs
	Unanticipated contracted costs
Throughout the term of the Agreement, MPWC shall be available for consulting services and providing the planned modifications and upgrades to the Borough's various projects including but not limited to the water treatment plant, the lead line replacement projects and the preparation of responses to inquiries and compliance requirements from NJ DEP	Design/Engineering costs
	Main replacement
	Well maintenance costs
	Chemical costs
	Certified pool operator
	Pool operation
	WQAA obligations not otherwise listed
	All costs and expenses of operation listed
	Service calls out of the plant- Turn on & off PW
	Licensed Operator – Dept Manager note: a (below)

- a. Responsibility for Licensed Operator subject to change in years two and/ or three

Exhibit C Payment Schedule

Collingswood & MPWC SSA
Compensation
06/01/2023-05/31/2026

Payment will be made quarterly on 1st day of the quarter.

Payment Schedule

Year One – Licensed Operator – Department Manager Services Provided by MPWC

June –September	6/1/2023	\$83,333.33,
October – December	10/1/2023	\$62,500.00
January- March	1/1/2024	\$62,500.00
April-May	4/2/2024	41,666.67
		\$250,000.00

Years 2 and 3: Payment schedule for years 2 and 3 shall remain the same as above. Compensation for years 2 and 3 shall be revised accordingly as set forth below.

Licensed Operator Department Manager Services Provided by Collingswood for Years Two and Three- Conditioned upon Borough employee serving as Licensed Operator and qualified by start of contract year. Otherwise, Borough shall make annual Payment of \$155,000.00 divided into pro rata payments on the dates set forth in the below schedule(s)

Year two Options:

- A. June 1, 2024 to May 31, 2025, with Collingswood serving as licensed operator: \$87,500
- B. June 1, 2024 to May 31, 2025, with MPWC serving as licensed operator: \$155,000

Year three options:

- A. June 1, 2025 to May 31, 2026: with Collingswood serving as licensed operator: \$87,500
- B. June 1, 2025 to May 31, 2026, with MPWC serving as licensed operator: \$155,000

Years Two and Three (each year) payment schedule:

		Option 1	Option 2
June – September	6/1/2024	\$29,166.66	\$55,000.00
October-December	10/1/2024	\$21,874.98	\$37,500.00
January (2025)-March	1/1/2025	\$21,874.98	\$37,500.00
April – May	4/1/2025	\$14,583.38	\$25,000.00
Total		\$87,500.00	\$155,000.00

**RESOLUTION FOR RENEWAL OF MEMBERSHIP
IN THE
NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND**

WHEREAS, the Merchantville-Pennsauken Water Commission is a member of the New Jersey Utility Authorities Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2023 unless earlier renewed by agreement between the Authority and the Fund; and

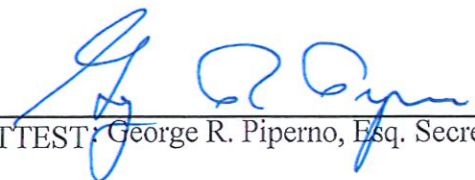
WHEREAS, the Authority desires to renew said membership;

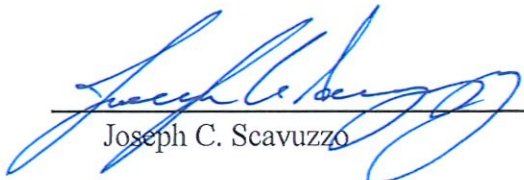
NOW THEREFORE, be it resolved as follows:

1. The Merchantville-Pennsauken Water Commission agrees to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority's intention to renew its membership.

This Resolution agreed to this 14 day of Sept., 2023 by a vote
of: 4 Affirmative
0 Negative

PRESIDENT


ATTEST: George R. Piperno, Esq. Secretary


Joseph C. Scavuzzo

9/14/2023
DATE September 14, 2023

**RESOLUTION AUTHORIZING A NON-FAIR AND OPEN AWARD OF A
CONTRACT FOR SPECIAL COUNSEL SERVICES FOR PURSUIT OF
CLAIMS REGARDING 1,4 DIOXANE GROUNDWATER CONTAMINATION
DAMAGE CLAIMS**

WHEREAS, the MERCHANTVILLE-PENNSAUKEN WATER COMMISSION has a need to acquire special trial counsel experienced with this specific litigation as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A- 20.5*; and,

WHEREAS the QPA of the MPWC has determined and certified in writing that the value of the acquisition will exceed \$17,500 and the anticipated term of this contract is at least 3-4 year(s) and may be extended as many times as approved by this governing body; and

WHEREAS Kevin Madonna, Esq. is being appointed as special Counsel to the Commission regarding PFAS groundwater contamination claims on a contingent fee basis so their fee is based only on what they recover for the Commission as contained in the attached proposed Agreement; and the law firm has completed and submitted a Business Entity Disclosure Certification which certifies that the firms have not made any reportable contributions to a political or candidate committee in either of the appointing parent/ host communities of the MPWC ever and that the contract will prohibit them from making any reportable contributions through the term of the contract, and

WHEREAS The Director of Finance & QPA will certify the availability of funds required annually pursuant to the applicable requirements of *N.J.A.C. 5:30-5.4*.

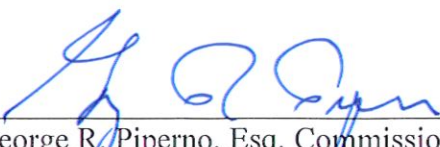
NOW THEREFORE, BE IT RESOLVED that the Commission authorizes the President and Secretary to enter into a contingent fee agreement with Kevin Madonna, Esq. as described herein on the attached contract for the purpose of the 1,4 Dioxane litigation; and also Authorizes John Killion, Sr. C.O.O. to execute documents in furtherance of accomplishing that contract and that litigation on behalf of the MPWC; and

ALSO BE IT RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that the proper officers of the MPWC are authorized to execute such documents or other instruments, and to make appropriate payments to effectuate this resolution of the Commissioners.

I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the 14th of September 2023.

Merchantville-Pennsauken Water Commission


George R. Piperno, Esq. Commissioner and
Secretary to the Commission

THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION**RESOLUTION TO ADJUST THE RATES AND PENALTIES CHARGED BY FOR WATER AND SERVICES SUPPLIED BY THE COMMISSION AND TO REVISE CONNECTION FEES PURSUANT TO STATUTORY FORMULA ESTABLISHED BY THE LEGISLATURE**

WHEREAS the Merchantville-Pennsauken Water Commission evaluates its consumer rate structure, including statutorily calculated connection fees annually concurrent with the preparation of its annual budget for the coming fiscal year; and

WHEREAS the Merchantville-Pennsauken Water Commission has approved the annual budget for the fiscal year beginning, January 1, 2024 and ending, December 31, 2024 and

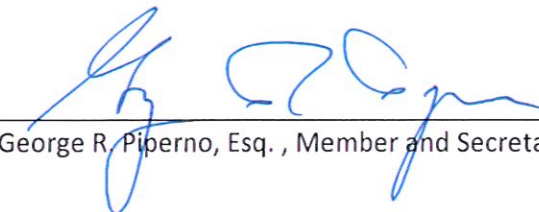
WHEREAS the schedule of rates, fees and other charges, including statutorily calculated connection fees determined in the schedules accompanying this resolution will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, 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 accompanying schedule of rates, fees and other charges including statutorily calculated connection fees is required to be published twenty days prior to a rate hearing, the Merchantville-Pennsauken Water Commission at an open public meeting held on October 12, 2023 that the accompanying schedule of rates, fees and other charges of the Merchantville-Pennsauken Water Commission for the fiscal year beginning, January 1, 2024 and ending at the Commission discretion pursuant to its statutory duties is hereby approved; and the new Connection Fees Commencing December 30, 2023 until further notice and new calculated fee per direction of the applicable statutory formula; and

BE IT FURTHER RESOLVED that the accompanying schedules of rates, fees and other charges, including statutorily calculated connection fees together with all other 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 ALSO FURTHER RESOLVED that the governing body of the Merchantville-Pennsauken Water Commission HEREBY ADOPTS AND ENACTS the accompanying schedule of rates, fees and other charges including statutorily calculated connection fees as attached hereto.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE ROLL CALL VOTE OF ALL MEMBERS OF THE COMMISSION AT A REGULAR MEETING HELD ON October 12, 2023.



George R. Piperno, Esq. , Member and Secretary to the MPWC

Governing Body Vote

Member	Aye
Joseph Scavuzzo, President	X
Shakir Ali, Vice President	X
Patrick Brennan, Treasurer	X
George Piperno, Secretary	X
Anthony Perno, Asst. Secretary/ Asst. Treasurer	X ABSENT

RESOLUTION TO ADJUST THE RATES AND PENALTIES CHARGED BY THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION FOR WATER AND SERVICES SUPPLIED BY THE COMMISSION AND TO REVISE CONNECTION FEES PURSUANT TO STATUTORY FORMULA ESTABLISHED BY THE LEGISLATURE

WHEREAS the Merchantville-Pennsauken Water Commission (MPWC or Commission) is 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 a statutory duty in its service as a regional governmental utility cooperative to provide safe drinking water in an orderly and efficient operation so that its finances are as required by N.J.S.A. 40:62-127 (b) based on 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. . .”; and

WHEREAS the Commission had timely and publicly notified and advertised in advance in the designated newspapers for a public meeting being held on this date over the attached proposed rate increases, and a connection fee hearing as well as having posted for both on its website and also noticed all the clerks of the municipalities in the franchise service area; and

WHEREAS the Commission on this date in open public meeting having held a connection fee and rate hearing during which it accepted 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 entertained and accepted evidence and testimony as well as 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, again after allowing for public comment prior to a vote thereupon, this Commission has determined that it was prudent and dictated by its statutory duty to raise its rates as recommended by Commission Staff and for the reasons offered by them on the record and as stated by the Commissioners; and

NOW, THEREFORE BE IT SO RESOLVED by the Merchantville-Pennsauken Water Commission that the **Connection Fees shall increase** as proposed by Commission consultant Bowman & Company, and Commission Staff in the attached stated amount charged to connect to its system and service fees as reflected on the attached schedule in conformance with P.L. 1986, c.526 and **effective December 30, 2023**; and

BE IT ALSO FURTHER RESOLVED that **effective January 1, 2024, the water rates and fees** of the Commission are increased and adjusted as proposed by commission staff on the Attached schedule of Rates and Fees for 2024 and until further notice.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE 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 October 12, 2023 .

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION:

SEAL


George R. Piperno, Esq. , Secretary & Commissioner of the MPWC

Summary of Rate Increase

	A	B	C	D
1	MPWC Rates/Fees: last column bold for proposals	2023	Proposed 2024	
2	Quarterly Charges	Current Billing Rates	New Rates	
3	4" Fire Service	\$425.00	\$425.00	
4	6" Fire Service	\$750.00	\$750.00	
5	8" Fire Service	\$1,150.00	\$1,150.00	
6	10" Fire Service	\$1,500.00	\$1,500.00	
7	5-23 blocks (per block)	\$2.75	\$2.85	
8	23-50 blocks (per block)	\$3.55	\$3.65	
9	Over 50 blocks (per block)	\$4.40	\$4.55	
10	hydrant water usage	\$4.40	\$4.55	
11	5/8" meter	\$27.50	\$28.50	
12	Qualified Senior (5/8" meter)	\$27.50	\$28.50	
13	Qualified Senior discount	\$15.50	\$16.25	
14	3/4" meter	\$39.50	\$41.00	
15	1" meter	\$63.00	\$65.00	
16	1 1/2" meter	\$126.00	\$130.00	
17	2" meter	\$186.00	\$192.00	
18	4" meter	\$630.00	\$649.00	
19	6" meter	\$1,155.00	\$1,190.00	
20	8" meter	\$1,470.00	\$1,515.00	
21	Public Fire Hydrant	\$102.00	\$104.00	
22	Hydrant meter rental	\$600.00	\$600.00	
23	Other Charges			
24	Meter Test	\$40.00	\$40.00	
25	Returned Check	\$25.00	\$25.00	
26	Searches	\$25.00	\$25.00	
27	Turn on/off - working hours	\$60.00	\$60.00	
28	Service call - after hours	\$75.00	\$75.00	
29	Service call - holiday	\$100.00	\$100.00	
30	Qualified senior service call	\$30.00	\$30.00	
31	Inspection service	\$150.00	\$150.00	
32	Overtime rate for service / construction	\$40.00	\$40.00	
33	Hourly rate for backhoe	\$75.00	\$75.00	
34	Hourly rate for dumptruck	\$35.00	\$35.00	
35	New construction meter cost	Cost of meter	Cost of meter	
36	Costs to file a property lien	Costs incurred or expended	Costs incurred or expended	
37	1" tapping fee *	\$200.00	\$200.00	
38	2" tapping fee *	\$400.00	\$400.00	
39	4" tapping fee *	\$2,355.00	\$2,355.00	
40	6" tapping fee *	\$2,630.00	\$2,630.00	
41	8" tapping fee *	\$3,246.00	\$3,246.00	
42	10" tapping fee *	\$5,500.00	\$5,500.00	
43	Residential connection	\$2,403.00	\$2,498.00	
44	Commercial connection (per 1000 gallons)	\$41.59	\$43.06	
45	* tapping fees may incur additional contracted costs			
46	Linear foot fee:			
47	6" per linear foot	\$120.00	\$120.00	
48	8" per linear foot	\$130.00	\$130.00	
49	12" per linear foot	\$140.00	\$140.00	
50	Missing / frozen meter			
51	5/8"	Cost of meter plus installation	Cost of meter plus installation	
52	3/4"	Cost of meter plus installation	Cost of meter plus installation	
53	1"	Cost of meter plus installation	Cost of meter plus installation	
54	1 1/2"	Cost of meter plus installation	Cost of meter plus installation	
55	2"	Cost of meter plus installation	Cost of meter plus installation	
56	Violations			
57	Bypass lines	\$1,000.00	\$1,000.00	
58	illegal use of hydrants	\$1,000.00	\$1,000.00	
59	Other violations of Commission Rules, 1st offense	\$50.00	\$50.00	
60	Rule violation, 2nd offense	\$250.00	\$250.00	
61	Rule violation, 3rd offense	\$500.00	\$500.00	
62	Rule violation, 4th offense	\$1,000.00	\$1,000.00	
63	Rule violation, 5th offense	\$2,000.00	\$2,000.00	
64	Rule violation, 6th offense	\$3,000.00	\$3,000.00	
65	Rates & Fees effective 1/1/2024		Connection Fee effective 12/30/2023	

RESOLUTION NO. 2023-37

**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 audit of its accounts to be made, and

WHEREAS the annual report of audit for the year ended December 31, 2022 has been completed and filed with the Merchantville-Pennsauken Water Commission, pursuant to N.J.S.A. 40A:5A-15, and

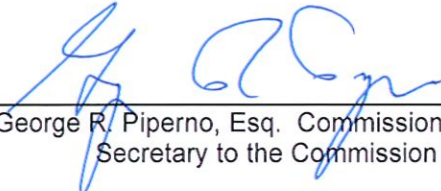
WHEREAS N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual report of audit, and specifically the section entitled "Schedule of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

WHEREAS the members of the governing body have received the annual report of audit, and have specifically reviewed the section entitled "Schedule of Findings and Recommendations", in accordance with N.J.S.A. 40A:5A-17,

NOW THEREFORE BE IT RESOLVED, 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 report of audit for the year ended December 31, 2022 and specifically has reviewed the sections of the report of audit entitled "Schedule of Findings 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 the Resolution adopted at the meeting of the Commission on October 12, 2023.



George R. Piperno, Esq. Commissioner &
Secretary to the Commission

ATTACHMENT TO
RESOLUTION NO. 2023-37
LOCAL AUTHORITIES GROUP AFFIDAVIT FORM
PRESCRIBED BY THE NEW JERSEY LOCAL FINANCE BOARD
AUDIT REVIEW CERTIFICATE

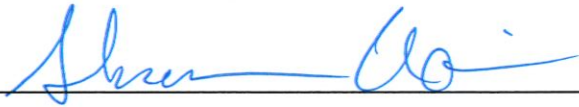
We, the members of the governing body of the Merchantville-Pennsauken Water Commission, being of full age and being duly sworn according to law, upon oath, depose and say:

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 of audit for the year ended December 31, 2022, and specifically the section of the report of audit entitled "Schedule of Findings and Recommendations" and approved same at the October 12, 2023 meeting of the Commission as reflected in the Resolution 2023- 37 attached hereto.

Name

Signature

Shakir Ali



Patrick Brennan

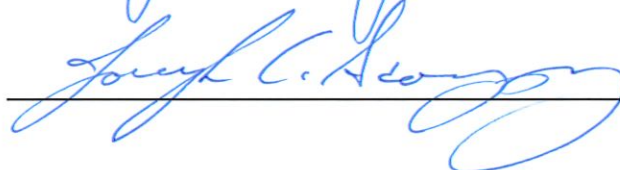


Anthony Perno, Esq.

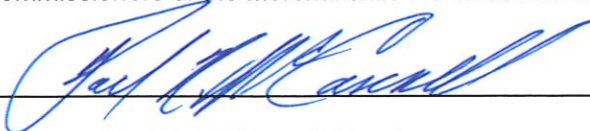
George Piperno, Esq.



Joseph C. Scavuzzo



Sworn to and subscribed to before me on this date by these, known to me to have been sworn as the Commissioners of the Merchantville-Pennsauken Water Commission



Date 10/12/2023

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

ATTACHMENT TO
RESOLUTION NO. 2023-37
LOCAL AUTHORITIES GROUP AFFIDAVIT FORM
PRESCRIBED BY THE NEW JERSEY LOCAL FINANCE BOARD
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 of audit for the year ended December 31, 2022, and specifically the section of the report of audit entitled "Schedule of Findings and Recommendations" and approved same at the October 12, 2023 meeting of the Commission as reflected in the Resolution 2023-37 attached hereto.

Name

Signature

Anthony Perno, Esq.

Sworn to and subscribed to before me on this date by these, known to me to have been sworn as the Commissioners of the Merchantville-Pennsauken Water Commission

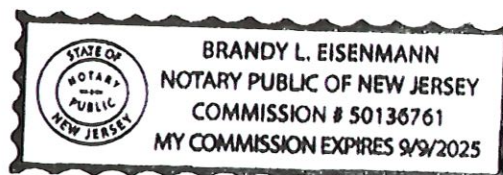
Brandy Eisenmann
Director of Customer Service

Brandy Eisenmann
Director of Customer Service

Sworn to and subscribed

before me this

13 day of 10, 2023



RESOLUTION AUTHORIZING AMENDMENTS TO THE BENEFIT PLAN**ADOPTED BY THE COMMISSION PURSUANT TO SECTION 125 OF THE IRS CODE**

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 NJS 40:62-108 et seq. and has the authority to employ and compensate employees pursuant to New Jersey statute, its enabling act and authorizing agreement; and

WHEREAS, the Commission adopted a Section 125 Plan to permit employees to make deductions prior to income tax under the IRS code and in 2010 the State of New Jersey mandated healthcare premium contributions from employees of the Commission which were deducted in accordance with P.L. 2011.c78 mandated that the Commission create and make available to all employees a Healthcare Flexible Spending Account Plan (HFSA) and this Commission at its regular October 2011 meeting by formal resolution and vote adopted a HFSA as directed by the State government and appointed a third-party administer for that plan; and

WHEREAS, on October 30, 2013, the IRS issued its Notice 2013-71 directive making clear that Section 125 Plans can amend to provide for a carry-over of employee payroll deduction contribution of up to \$500 from one plan year into the next if the Plan is amended to provide for such and may do so retroactive to January 1, 2013 plan year and the Commission passed Resolution 2013-30 on November 14, 2013 while in open public meeting to allow for the then maximum carry-over of \$500.00 from one plan year to the next ; and

WHEREAS the IRS issued Notice 2020-29 and 2020-33 raising the Carry-over and permitting plan amendment retroactive to the beginning of this plan year and allowing for future increases in the limits of carry-over; and this issue again came before the Commission which passed Resolution 2020-25 in November of 2020 raising the carryover to the IRS Maximum of \$550.00 to the next succeeding year; and in November of 2021 the IRS issued its Notice 2021-45 raising the HFSA limit to \$2,850.00, and the Carry-over limit to \$570.00 ; and in September 2022 the MPWC amended the Limit to the Maximum and the carry-over to the maximum to \$570.00; and

WHEREAS the IRS on October 18, 2022 issued directive in 26 CFR 601.602 and raised its permissible limits for the 2023 Plan Year to an FSA contribution limit of \$3,050/year and an FSA Medical carry-over of \$ 610.00 per year, and on November 9, 2023, the IRS issued is directive Revenue Procedure # 2023-34 which permitted changes as follows: That the maximum salary reduction limit **for plan year 2023 is raised to \$3,050.00 and the FSA carry-over for that year is increased to \$610.00** and the salary limit for **2024 is raised to \$3,200.00 with the maximum carry over for plan year 2024 being \$640.00.**

NOW, THEREFORE BE IT SO RESOLVED by the Commission in lawful publicly advertised meeting held in conformance with the Open Public Meetings Act that the Section 125 Plan previously adopted by the Commission is hereby amended again effective for the 2023 Plan year commencing January 1, 2023 so as to include the amendments to the Flexible Spending Account plans that provide for the IRS maximum allowable funding per dependent and the IRS maximum carry-over to the following plan year of that portion of any FSA account and the IRS permitted maximum and the IRS maximum allowable monthly to a commuter FSA that is contributed by the employee from pre-tax payroll deductions contributions to The Plan is hereby Amended prospectively so as to conform to the IRS and Treasury regulations to permit the maximum of each of these as allowed by law going forward also prospectively so that the new maximums shall take effect as permitted by the IRS both as to the 2024 Plan year as well as to each limit establish thereafter that will conform to regulations and preserve the tax status and advantages for the beneficiaries; and

THEREFORE, BE IT FURTHER RESOLVED, that the Officers of the Commission, and the C.O.O. and MPWC staff is hereby authorized to execute any appropriate documents and to take the appropriate actions they deem necessary to effectuate these Amendments to the Section 125 Plan to effectuate this Resolution.

I, **George Piperno**, SECRETARY of the Merchantville-Pennsauken Water Commission, hereby certify the foregoing to be a true and correct copy of the Resolution adopted by Commission at a meeting of said Commission on the date of December 14, 2023.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

Date 12/14/23



George R. Piperno, Esq., Commissioner & Secretary to MPWC

RESOLUTION ACCEPTING BIDS, REJECTING ALL OTHER BIDS, AND AWARDING THE BELOW LISTED ANNUAL MAINTENANCE AND SUPPLY CONTRACTS COMMENCING JANUARY 1, 2024 FOR CONTRACTS ON ATTACHED LIST

WHEREAS the Merchantville-Pennsauken Water Commission (hereafter, MPWC) in furtherance of its mission to produce, store and supply safe drinking water to its constituents, is 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 Calendar year 2024 and ending as specified for each particular bid; and

WHEREAS the specifications and estimates for bids were prepared as best estimated by the Commission based on past knowledge and experience and calculated by the Commission engineer using anticipated amounts and as advertised for the bid of the materials and services; and having given 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 all the bid(s) have been evaluated by the MPWC, its QPA, and their Engineer, respectively and the recommendations are made as hereinafter provided to the lowest 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

THEREFORE, THE MPWC COMMISSIONERS HEREBY RESOLVE 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

THEREFORE FURTHER RESOLVE on this 14th day of December 2023 in duly advertised and publicly held meeting 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, upon contract execution, all other bids shall be deemed rejected; and the MPWC staff are directed to take all necessary action to implement the appropriate agreements with those so designated and upon the terms as set by the Commission.

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


George R. Piperno, Esq., Commissioner
and Secretary of the Commission

Annual Maintenance Bid Summary				
Bid No.	Bid Description	Low Bidder	Address	Total Amount
23-01 part 1	Ductile and Copper Fittings	Raritan Group	301 Meadow Road, Edison, NJ 08817	\$56,953.50
23-01 part 2	Ductile and Copper Fittings	Ferguson Enterprises	112 W. Atlantic Ave, Clementon, NJ 08021	\$54,614.48
23-01 part 3	Ductile and Copper Fittings	Ferguson Enterprises	112 W. Atlantic Ave, Clementon, NJ 08021	\$131,461.00
23-02	Electrical Work	Municipal Maintenance Company*	1352 Taylors Lane, Cinnaminson, NJ 08077	\$18,595.00
23-03	Chemical Analysis of Water	Garden State Laboratories*	410 Hillside Ave, Hillside, NJ 07205	\$118,006.00
23-04	Maintenance of Electrical Valves & Analyzers	Complete Control Services*	1515 Grant Street, Egg Harbor City, NJ 08215	\$140,195.47
23-06	Maintenance of Air Strippers	Municipal Maintenance Company	1352 Taylors Lane, Cinnaminson, NJ 08077	\$32,040.00
23-07	Water Meters / MIU Leak Detector	Rio Supply	100 Allied Pkwy, Sicklerville, NJ 08081	\$408,600.00
23-09	Corrosion Inhibitor	Klenzoid	912 Spring Mill Ave, Conshohocken, PA 19428	\$94,050.00
23-11	Sodium Hypochlorite / Lime	Hibrett Puratex	7001 Westfield Ave, Pennsauken, NJ 08109	\$75,976.00
23-12	Street Opening Paving Repairs	Think Pavers	125 Kings Highway, Mt. Royal, NJ 08061	\$142,872.00
23-13	Generator Preventative Maintenance	Power Equipment	1259 N. Church St, Bld 2, Moorestown, NJ 08057	\$20,512.50

* contractors were extension years and not bid this year

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

**RESOLUTION AWARDING A NON-EXCLUSIVE LICENSE FOR USE OF
A CERTAIN SPACE ON AN ELEVATED WATER TANK AND GROUND
SPACE IN THE TOWNSHIP OF PENNSAUKEN FOR
TELECOMMUNICATIONS ANTENNAE AND EQUIPMENT** (Antennae on
Existing Elevated Water Tank LICENSE at Marion Ave Water Tank BID# 2023-25)

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

WHEREAS T-MOBILE, LLC d/b/a "T-MOBILE" has submitted a Bid in compliance with the minimum low bid at \$55,000.00 for the first year and each successive year terms; and determined this bid was the most profitable after public advertisement under applicable statutes ;

WHEREAS the Merchantville-Pennsauken Water Commission has placed for bid the same certain portion of its real property and space on its water tank owned by it at Marion Ave. in the Township of Pennsauken, and currently utilized by this same company (and more particularly described in the Bid and Award documents) and without change of any kind to remain in conjunction with the currently existing antennae on the existing water tower at that site; and

WHEREAS the Commission reviewed the Bid proposal and determined it to be in compliance with the required minimum bid specifications; and deems any lack of clarity to be interpreted and to in compliance with such terms and shall be so read; and deem it reasonable and it offers such a portion of its property for license use under the terms and conditions as provided for in the proposed Bid Package and Bid ; and

NOW, THEREFORE, BE IT RESOLVED by the Merchantville-Pennsauken Water Commission that the Award is made to T-Mobile of the agreement for licensed use under the terms described in Bid Package and the Bid itself; and the proper officials are hereby authorized to execute the prescribed agreement on behalf of the Commission provided that should said awardees not execute the contract and comply with all requirements as set forth in the bid packages then this award shall be deemed void and the bid bond shall not be released.

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 this Commission on the 14th of December 2023.

Merchantville-Pennsauken Water Commission



George R. Piperno, Esq., Commissioner &
Secretary to the Commission

RESOLUTION APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION AND THE PENNSAUKEN TOWNSHIP FOR PLACEMENT OF A METER RECEIVER ON WESTFIELD AVENUE POLICE DEPARTMENT MONOPOLE

WHEREAS, the Pennsauken Township is a body politic and corporate of the State of New Jersey, having its principal place of business at 5605 N. Crescent Boulevard, Pennsauken, New Jersey 08110 (the "Township") and the Merchantville-Pennsauken Water Commission (hereafter "MPWC") a public corporate entity and public utility organized under the laws of the State of New Jersey and created by the governing bodies of the Borough of Merchantville and Township of Pennsauken and located at 6751 Westfield Avenue, Pennsauken in Camden County; and

WHEREAS among the Departments and Assets of the Township are the Pennsauken Police Department which owns, maintains or utilizes Township property including a substation on Westfield Avenue which has and utilizes a monopole on that site for communications; and

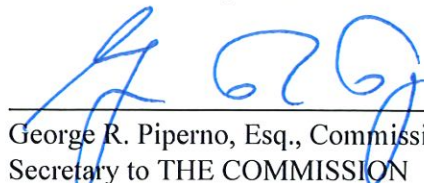
WHEREAS the Pennsauken Sewerage Authority ("PSA") desires to make available to its customers at preferred rates an optional policy of service coverage program for potential loss as a result of failures or problems with homeowner's sewer systems; and

WHEREAS the Monopole utilized by the Police Department at the Westfield Avenue Substation is completed and maintained by the Township and has additional unused space on it; and its use will save their mutual citizens and customers additional rates and expenses.

NOW THEREFORE BE IT RESOLVED that the Commissioners in a duly advertised and properly held regular monthly meeting authorize and approve this Shared Services Agreement to allow MPWC to utilize space on the Township monopole at the Westfield Avenue Police substation for placement of meter reading receivers as a cooperative component of the MPWC host community antennae/air space program; and

BE IT ALSO RESOLVED the proper MPWC officials are hereby authorized to create and execute an agreement which includes the terms contained herein and any others they deem appropriate.

I hereby certify that this is a True and Accurate Recitation of the Resolution adopted by the Merchantville-Pennsauken Water Commission on the 14th day of December 2023.


George R. Piperno, Esq., Commissioner and
Secretary to THE COMMISSION

Merchantville-Pennsauken Water Commission**RESOLUTION AUTHORIZING ADJUSTMENTS
OF COMPENSATION FOR MPWC EMPLOYEES AS LISTED HEREIN**

WHEREAS the Merchantville-Pennsauken Water Commission (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 research in detail and consider and report to the Commissioners and said Committee after consulting Staff did so; and

WHEREAS the Commission duly considered the recommendations of the Salary Committee and afterward adopted the committee's recommended salary changes as set forth herein below and as attached; and

WHEREAS, the Commission on December 14, 2023, while in open public meeting duly advertised and organized appeared in public session; and had after receiving recommendations made by a 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 publicly advertised and 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 in 2024 as follows:

- 1) a cost-of-living increase (COLA) of 3.0 % increase for all permanent employees effective date the first full pay period in the new calendar year of 2024,
- 2) additional further individual compensation adjustments for the specific salaried personnel as listed on the attached schedule prior to calculation of the above COLA.

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 14, 2023, and said Resolution passed by a unanimous vote of the members of Commission present at the meeting.

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION



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

ATTEST:



Joseph Scavuzzo, President



George R. Piperno, Esq. , Secretary

RESOLUTION NO. 2023-43

**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 audit of its accounts to be made, and

WHEREAS the annual report of audit for the year ended December 31, 2022 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-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 report of audit, and specifically the section entitled "Schedule of Findings and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

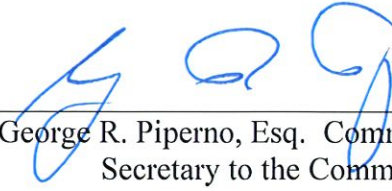
WHEREAS the members of the governing body have received the annual report of audit, and have specifically reviewed the section entitled "Schedule of Findings and Recommendations", in accordance with N.J.S.A. 40A:5A-17; and

WHEREAS the members of the Commission had submitted Resolution 2023-37 approving said budget and certifying their review as required, but the LFB requiring a further update approving and certifying again these same items as of this date with the updates and revisions; and

NOW THEREFORE BE IT RESOLVED, 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 report of audit for the year ended December 31, 2022 and specifically has reviewed the sections of the report of audit entitled "Schedule of Findings 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 the Resolution adopted at the meeting of the Commission on December 14, 2023.



George R. Piperno, Esq. Commissioner &
Secretary to the Commission

ATTACHMENT TO
RESOLUTION NO. 2023-43
LOCAL AUTHORITIES GROUP AFFIDAVIT FORM
PRESCRIBED BY THE NEW JERSEY LOCAL FINANCE BOARD
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 of audit for the year ended December 31, 2022, and specifically the section of the report of audit entitled "Schedule of Findings and Recommendations" and approved same at the December 14, 2023 meeting of the Commission as reflected in the Resolution 2023-43 attached hereto.

Name

Signature

Shakir Ali



Patrick Brennan



Anthony Perno, Esq.



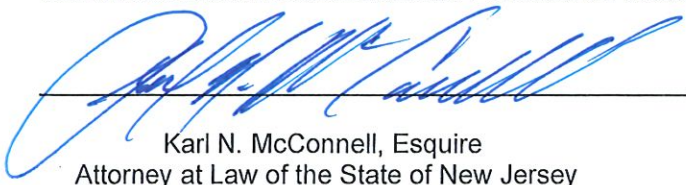
George Piperno, Esq.



Joseph C. Scavuzzo



Sworn to and subscribed to before me on this date by these, known to me to have been sworn as the Commissioners of the Merchantville-Pennsauken Water Commission



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

Date 12/14/2023

MERCHANTVILLE-PENNSAUKEN WATER COMMISSION Resolution # 2023-44

RESOLUTION TO AUTHORIZE, PERMIT AND DIRECT THE COMMISSION TO DEEM CERTAIN ACCOUNTS RECEIVABLE AS UNCOLLECTIBLE AND TO REMOVE IT FROM COMMISSION BOOKS AND ACCOUNTS AND TO FOREGO FURTHER ACTION

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, finances, and water supply and quality; and

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual review of its accounts, and the MPWC has complied with same; and

WHEREAS, the MPWC has attempted through an aggressive program of collections to resolve all outstanding collectibles; and see no reasonable expectation of collection; and

WHEREAS the State has legislated or directed regulations further limiting the Commissions ability to require, to compel and or to assess interest for periods involving delinquencies; and

WHEREAS the Commissioners are satisfied that the attached schedule of receivables presented by staff are in fact uncollectible and/or there is no reasonable prospect of successful recovery that would justify further actions, legal or otherwise or further expenditure of Commission funds or staff time and to not recognize same would not be an accurate statement of MPWC finances; and

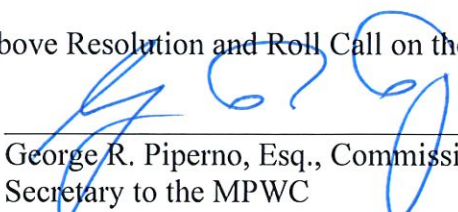
WHEREAS, The Commission has entertained these matters; and after allowing for public comment prior to a vote there upon voted by roll call vote in open session to take the following action:

NOW, THEREFORE BE IT SO RESOLVED on this 14th Day of December 2023 by the MPWC that the attached schedule of receivables is deemed uncollectable and are removed from the Books and accounts of the Commission.

Result of Vote:	YEAs	NAYs	ABSTAINs	Absent
Ali, Shakir				
Brennan, P.				
Perno, A.				
Piperno, G.				
Scavuzzo				

I certify the accuracy of the above Resolution and Roll Call on the date stated.

Date



George R. Piperno, Esq., Commissioner and
Secretary to the MPWC

A	B	C	D	E	F	G	H	I	J	K
1										
2	Bad Debt Relieved Dec 2023									
3	11/1/2023									
4		Year Turned Off	Principal Due	Interest Due	Total Due	Capping Interest at 500.00	Suggested Interest To Remove	Suggested Principal To Remove	New Total Due	Notes
5	Acct. No.	Address								
6										
7	4128040-0	8528 Osler Ave Pennsauken	2015	\$ 215.57	\$ 228.12	\$ 443.69	\$ 215.57	\$ 228.12	\$ -	Home demolished 2015 land only
8										
9	2142160-0	721 Cuthbert Blvd	2014	\$ 40.99	\$ 54.37	\$ 95.36	\$ 54.37	\$ 40.99	\$ -	Meter removed - demolished
10										
11	4015810-0	447 W River Dr	2017		\$ 12.44	\$ 12.44	\$ 12.44	\$ -	\$ -	\$1300.00 pd for Final - int applied right before payment received
12										
13	4094020-0	7630 River Rd	2022	\$ 6,747.60	\$ 1,446.99	\$ 8,194.59	yes	\$ 946.99	\$ -	\$ 7,247.60
14										
15	4048280-0	3005 N Centre St	2013	\$ 2,141.50	\$ 1,253.80	\$ 3,395.30	yes	\$ 753.80	\$ -	\$ 2,641.50
16										
17	4009970-0	1620 44th St	2014	\$ 1,568.89	\$ 1,201.53	\$ 2,770.42	yes	\$ 701.53	\$ -	\$ 2,068.89
18										
19	2073590-0	912 Longwood Ave	2009	\$ 1,637.40	\$ 1,985.67	\$ 3,623.07	yes	\$ 1,485.67	\$ -	\$ 2,137.40
20										
21	1002430-0	241 N 41st St	2016	\$ 1,397.39	\$ 855.23	\$ 2,252.62	yes	\$ 355.23		\$ 1,897.39
22										
23	4030470-0	4467 Marlton Pk	2015	\$ 1,548.80	\$ 857.44	\$ 2,406.24	yes	\$ 357.44	\$ -	\$ 2,048.80
24										
25	2074320-0	647 A Northwood Ave	2011	\$ 710.47	\$ 702.54	\$ 1,413.01	yes	\$ 202.54		\$ 1,210.47
26										
27	3048300-0	222 N Centre St	2012	\$ 1,792.33	\$ 634.41	\$ 2,426.74	yes	\$ 134.41		\$ 2,292.33
28										
29	4115330-0	7451 Harvey Ave	2015	\$ 1,572.24	\$ 1,637.36	\$ 3,209.60	yes	\$ 1,137.36		\$ 2,072.24
30										
31	4103850-0	6575 Madison Ave	2011	\$ -	\$ 66.01	\$ 66.01		\$ 66.01	\$ -	FB pd. Penalty was applied right before payment int. only due
32										
33	4057830-0	5407 Marlton Pk	2020	\$ 88.22	\$ 17.16	\$ 105.38		\$ 17.16	\$ 88.22	Old service cut & capped.
34										
35		HYDRANT METERS RETURNED								
36		FINAL BILLS NEVER PAID								
37										
38	4162559-0	Hydrant meter	2017	\$ 54.40	\$ -	\$ 54.40		\$ 54.40	\$ -	Meter was returned - FB never pd.
39										
40										
41										
42										
43		Bankrupt Amounts that have never been collected at settlements	BR Date							
44										
45										
46	12-31342	1742 Tinsman Ave Pennsauken	2012	\$ 208.12	\$ -	\$ 208.12		\$ 208.12	\$ -	Property sold in 2016 BR was not paid at settlement.
47										
48										
49										
50										
51										
52										
53				\$ 19,723.92	\$ 10,953.07	\$ 30,676.99		\$ 6,374.51	\$ 685.86	Total \$ 7,060.37

**A RESOLUTION OF THE MERCHANTVILLE-PENNSAUKEN WATER
COMMISSION REAFFIRMING SALE OF MPWC EXPLORERS AS SURPLUS
PERSONAL PROPERTY ON AN ONLINE AUCTION WEBSITE AND
APPOINTING R.SPAFFORD AS SIGNATOR AND CONTRACTING AGENT**

WHEREAS the MPWC determined that the personal property described on Schedule A attached hereto and incorporated herein is no longer needed for public use, has served its useful life for the MPWC's purposes and they have authorized its replacement; and in February at Resolution 2023-02 authorized their sale thru the online auction services of Municibid authorized by State contract New Jersey State Contract for Online Auction Services (19-GNSVI- 00696) and located at: https://municibid.com/Browse/R3777827/New_Jersey; and

WHEREAS the sales were conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15 and the vehicles were sold "as is" used vehicles without any warranties or promises and also specifically with the reservation of the MPWC's right to reject all bids pursuant to N.J.S.A. 18A:15A-45(e) or 40A:11; and

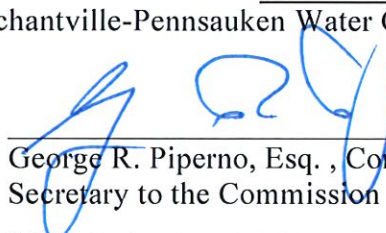
WHEREAS the Contracting Agent authorized by the Commission at the July Reorganization and at Resolution #2023-23 appointed and authorized the Chief Operating Officer as the Contracting Agent for the MPWC, in accordance and succession with Resolution # 2011-27, and the C.O.O. in his absence when a signature was needed yesterday to consummate the sale of these Explorers sought to designate and authorize the Director of Engineering, Richard Spafford, who is also the Assistant Chief Executive Officer of the MPWC, to execute the necessary documents on behalf of the Commission to consummate the sale; and

BE IT THEREFORE HEREBY RESOLVED BY THE Commission that:

- 1) the signature by Mr. Spafford on behalf of the Commission is hereby authorized , *nunc pro tunc*; and
- 2) The Sale of the Explorers is reaffirmed and confirmed; and
- 3) Mr. Spafford as Asst. Chief Executive Officer is hereby authorized as a "Contracting Agent" on behalf of the MPWC in accordance with New Jersey law and regulations and
- 4) Resolution # 2023-23 is hereby amended to include this appointment as part of the designation contained therein.

I certify this is an accurate and true copy of the Resolution adopted by the MPWC at its duly advertised and legally held monthly public meeting of December 14, 2023.

Merchantville-Pennsauken Water Commission


George R. Piperno, Esq. , Commissioner &
Secretary to the Commission

Merchantville-Pennsauken Water Commission**RESOLUTION AUTHORIZING TEMPORARY ADJUSTMENTS OF COMPENSATION FOR AN MPWC EMPLOYEE PENDING AGREEMENT OF TERMS AND COMPLETION OF DOCUMENTS AND EXECUTION FOR A LONG-TERM EMPLOYMENT CONTRACT**

WHEREAS the Merchantville-Pennsauken Water Commission (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 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 has concerns for the long-term planning and leadership succession of the Commission as a priority of the Salary Committee created from among the Commissioners and the C.O.O. who have done research in detail and considered and reported to the Commissioners and said Committee after consulting the Commissioners who have duly considered the recommendations of the Salary Committee and afterward adopted the committee's recommended salary changes as set forth herein below and as attached; and

WHEREAS, the Commission on December 14, 2023, in duly advertised and organized meeting having in executive session discussed the on-going negotiations with the referenced employee and had after receiving recommendations made by a 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 publicly advertised and in Open Session in the Township of Pennsauken, County of Camden, State of New Jersey, adopt and authorize the following temporary changes in compensation enacted effective the first pay in 2024 as follows:

1) additional further individual compensation adjustments for the Richard Spafford, P.E. as listed on the attached schedule prior to calculation of the COLA referenced in Resol. #2023-42; said terms to expire after 90 days unless and until replaced by having a negotiated employment contract is completed and executed by the Commission and the referenced employee.

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, 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 14, 2023, and said Resolution passed by a unanimous vote of the members of Commission present at the meeting.

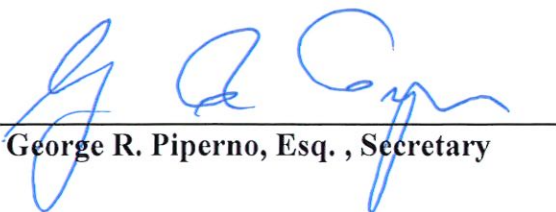
MERCHANTVILLE-PENNSAUKEN WATER COMMISSION

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

ATTEST:



Joseph Scavuzzo, President



George R. Piperno, Esq., Secretary

Resolution 2023-46 Attachment

I-Salary Recommendations - Presented to the Salary Committee – December 14, 2023

For January 1, 2024. COLA determined in Resol # 2023-42 to be added and calculated after Proposed Salary.

Employee	Current Salary	Merit	Proposed Salary	Bonus	Notes
					Temp.- for 90 Days pending a long
Richard Spafford, P.E.	\$ 165,872.72	\$34,127.28	\$200,000.00		Term employment contract