

February 3, 2014

Minutes of a meeting of the Secaucus Municipal Utilities Authority held on Monday, February 03, 2014 at 7:00 PM in Conference Room, 1100 Koelle Boulevard, Secaucus, New Jersey 07094. The meeting was called to order at 7:05 PM by Chairman Fred Vogel

Pledge of Allegiance/Salute to the Flag
The Open Public Meetings Act was read.

Roll Call:	Fred Vogel	Chairman
	Guy Pascarello	Excused
	George Schoenrock	Assist-Secretary
	Maribel Anota	Commissioner
	Jorge Cardenas	Commissioner
	Amanda Neshiwat	Excused
	Jennifer Modi	Excused

Also Present: John Napolitano, Glenn Beckmeyer, Sandy D'Arzen (Town QPA)

The minutes of the January 6, 2014 meeting were approved on a motion by G. Schoenrock, seconded by: M. Anota. Roll Call Vote: G. Schoenrock: Aye; J. Cardenas: Aye; M. Anota: Aye; F. Vogel: Aye.

Chairman Vogel turned over the meeting to Authority Counsel, J. Napolitano for the Reorganization of Officers.

Mr. Napolitano called for a motion to open the floor for new nominations. This motion was made by G. Schoenrock, seconded by M. Anota. All in Favor. There being none, Counsel requested a motion to close the floor for new nominations. This motion was made by F. Vogel, seconded by J. Cardenas. All in Favor.

A motion was made by G. Schoenrock to retain the same Officers from 2013. This motion was seconded by M. Anota. Roll Call Vote: G. Schoenrock: Aye; J. Cardenas: Aye; M. Anota: Aye; F. Vogel: Aye. The slate for the period beginning February 3, 2014 and continuing through the February 2015 Reorganization meeting is as follows:

Chairman: Fred Vogel
Vice-Chairman: Guy Pascarello
Secretary: Maribel Anota
Treasurer: Jorge Cardenas
Assistant Secretary: George Schoenrock

The Executive Director gave a brief description of the items listed on the consent agenda. The consent agenda was approved on a motion by J. Cardenas, seconded by M. Anota. Roll Call Vote: G. Schoenrock: Aye; J. Cardenas: Aye; M. Anota: Aye; F. Vogel: Aye.
Items on the consent agenda are as follows:

1) RESOLUTION REGARDING OFFICIAL DEPOSITORIES

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Authority is required by law to designate those New Jersey institutions which will be depositories of its funds for the ensuing year.

NOW, THEREFORE, BE IT RESOLVED that the Authority designates Bank of America, US Bank and TD Bank of New Jersey as its official depositories.

BE IT FURTHER RESOLVED, that the Authority designates the following signatories with respect to accounts of such depositories:

- | | | |
|----|------------------|-----------------------------------------------|
| 1: | Bank of America: | Fred Vogel, Guy Pascarello, George Schoenrock |
| 2: | US Bank: | Fred Vogel, Guy Pascarello, George Schoenrock |
| 3: | TD Bank | Fred Vogel, Guy Pascarello, George Schoenrock |

2) RESOLUTION REGARDING PROFESSIONAL ORGANIZATIONS

WHEREAS, the SECAUCUS MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Authority has previously participated in educational seminars and programs offered under the auspices of such professional organizations as the Association of Environmental Authorities; the New Jersey Water Environmental Association; the Water Environment Federation; the New Jersey Utility Authorities Joint Insurance Fund; etc.; and

WHEREAS, the taxpayers of Secaucus have benefited by the Authority’s participation in such professional programs by way of reduced insurance rates; enhanced safety programs resulting in reductions in lost time accidents; stricter regulatory compliance resulting in reduced permit fees; joint water quality studies reducing the Authority’s cost for the same to a small fraction of what they would otherwise would have been, etc.

NOW, THEREFORE, BE IT RESOLVED, that the Authority is authorized to continue its participation in the Association of Environmental Authorities, the New Jersey Water Environmental Association, the Harbor Discharge Group; the New Jersey Utilities Authorities Joint Insurance Fund; and similar such professional organizations which reduce costs to Secaucus taxpayers by way of various shared services, educational programs and peer review.

BE IT FURTHER RESOLVED, that the Authority hereby authorizes and encourages the participation of its Commissioners, staff and employees in appropriate programs offered by such organizations.

3) RESOLUTION REGARDING OFFICIAL NEWSPAPERS

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, N.J.S.A. 10:4-8 requires that the Authority designate a newspaper to receive public notices that has the greatest likelihood of informing the public within the Authority’s service area of meetings.

NOW, THEREFORE, BE IT RESOLVED, that the Authority designates the Secaucus Home News as its official newspaper to receive public notices and The Star Ledger as secondary.

4) RESOLUTION REGARDING NJUA-JIF FUND COMMISSIONER

WHEREAS, the Secaucus Municipal Utilities Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund (“The Fund”); and

WHEREAS, by virtue of the conditions of membership contained in the by-laws of The Fund, the Secaucus Municipal Utilities Authority must appoint a Fund Commissioner and an Alternate.

NOW, THEREFORE, BE IT RESOLVED by the Secaucus Municipal Utilities Authority as follows:

- 1) That Brian Bigler is hereby appointed as Fund Commissioner, for the period of February 4, 2013 through to the February 2015 reorganization meeting.
- 2) That Brian Beckmeyer is hereby appointed as Alternate.

5) RESOLUTION REGARDING NJUA-JIF SAFETY DELEGATE

WHEREAS, the Secaucus Municipal Utilities Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund (“The Fund”); and

WHEREAS, by virtue of the conditions of membership contained in the by-laws of The Fund, the Secaucus Municipal Utilities Authority must appoint a Safety Delegate to work with the Fund’s Safety Services.

NOW, THEREFORE, BE IT RESOLVED by the Secaucus Municipal Utilities Authority as follows:

- 1) That Brian Beckmeyer is hereby appointed as the Authority’s Safety Delegate, for the period of February 3, 2014 through to the February 2015 reorganization meeting.
- 2) That Steve Bronowich is hereby appointed as Alternate.

6) RESOLUTION DESIGNATING BRIAN BIGLER AUTHORIZED REPRESENTATIVE OF THE AUTHORITY

WHEREAS, the SECAUCUS MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Authority recognizes the need to designate an authorized representative of the Authority to approve and certify various documents which pertain to the execution of ordinary Authority business, such as the approval of permits and applications to the NJDEP, the transfer of Authority funds and the execution of contractors approved by the resolution of the Board, and the direction of work performed by the various firms doing business with the Authority.

NOW, THEREFORE BE IT RESOLVED that BRIAN BIGLER, Executive Director, is designated as the authorized representative of the Authority for the purposes herein stated.

7) RESOLUTION REGARDING INDEMNIFICATION OF AUTHORITY MEMBERS AND EMPLOYEES

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter “Authority”) is a public body, duly formed under the Sewerage Authorities Laws, constituting Chapter 138 of the Laws of New Jersey of 1946, as amended (Chapter 14A of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the affairs of the Authority may, from time to time, result in litigation by or against the Authority; and

WHEREAS, parties opposing the Authority in litigation may file claims as part of the litigation against past, present or future members of the Authority and/or employees of the Authority having managerial responsibilities; and

WHEREAS, the potential for such claims may discourage qualified, civic-minded persons from serving as a member of the Authority or from accepting employment from the Authority in any capacity involving managerial responsibility; and

WHEREAS, it is in the best interest of the Authority to encourage qualified, civic-minded persons to accept or continue membership on the Authority and to accept employment from the Authority in capacities involving managerial responsibilities without fear of risk from claims regarding their good-faith performance of the duties of a member of the Authority or their good faith performance as such employees of the Authority; and

NOW, THEREFORE, BE IT RESOLVED by the Authority that the indemnification and defense of its past, present and future members and/or employees having managerial responsibilities shall be provided in accordance with the following terms and provisions:

The Authority shall defend and indemnify any past, present or future member of the Authority and/or past, present or future employees having managerial responsibilities (hereinafter jointly and severally referred to as the "Official") for claims arising from an act or omission of such Official within the scope of the performance of such individual's duties as an Authority member or employee. Except as may be hereinafter provided, the defense and indemnification shall be with respect to all civil actions and with respect to all regulatory and administrative proceedings regardless of the nature of the regulatory or administrative proceeding. The defense and indemnification shall not encompass any criminal actions brought by or on behalf of the State of New Jersey or the United States of America. An Official shall not be entitled to a defense or indemnification from the Authority unless:

(a) Promptly and in no event later than fifteen calendar days after the time the Official is served with the summons, complaint, process, notice or pleading, the Official delivers the original or an exact copy to the Authority and requests that the Authority provide the defense, unless counsel for the Authority has already accepted service on behalf of the Official.

(b) The Official cooperates in the preparation and presentation of the defense with the legal counsel approved or selected by the Authority to defend the case. In determining whether to approve counsel, the Authority shall consider such factors as may be relevant, including but not limited to the need for the use of counsel other than the Authority's general or special counsel, the extent to which counsel may duplicate work of or need to obtain knowledge already possessed by other counsel, and the fees and rates of counsel.

(c) The Official agrees that the Authority and its counsel shall have the exclusive control over the handling of the action, including but not limited to decisions regarding tactics, strategy, settlement, appeal and the timing thereof. The Official may, however, appeal any adverse determination against him or her with the prosecution of any such appeal and the costs and fees thereof to be borne at that time by such Official unless the Authority agrees at that time to provide for such appeal; provided, however, that the costs and fees of any such appeal if the appeal is successful will be finally borne by the Authority or the official as may be determined by the court at the conclusion of the action if the parties fail to agree among themselves with respect thereto.

The foregoing right of indemnification shall not be exclusive of any other rights to which any such Official may be entitled as a matter of law or which may be lawfully granted to such Official; and the right to indemnification hereby granted by this Authority shall be in addition to and not in restriction or limitation of any other privilege or power which this Authority may lawfully exercise with respect to the indemnification or reimbursement of an Authority member and/or employee; except that in no event shall an Authority member and/or employee receive compensation in excess of the full amount of a claim.

Defense of any Official in an action, suit or proceeding shall be furnished by this Authority through its counsel or such other counsel as approved by the Authority in advance of final determination of such action, suit or proceeding as authorized by the governing body of this Authority in a specific case and shall include the prosecution of appeals upon the terms and provisions set forth herein.

Outside the scope of coverage of this Indemnification provision is conduct resulting in the payment by the Authority of punitive damages or exemplary damages or damages arising from the commission of a criminal offense by such an individual, as well as when the act or omission which caused the damages was the result of actual fraud, actual malice, willful misconduct or an intention wrong of such individual, or in the event of a claim against such an individual by the Authority. In the event that the claim asserted against the Official is one which is for or may relate to any conduct which may fall

outside the scope of coverage under this Indemnification provision, the defense of the Official shall be furnished only upon receipt of a written agreement by or on behalf of such Official, as approved by legal counsel to the Authority, to repay such amount in the event of an ultimate determination that the conduct of the Official was such as to fall outside the scope of coverage under this Indemnification provision. The Authority may, in its sole discretion, require the Official to furnish suitable security for the agreement of the Official to repay such amount. The initial decision as to whether the conduct in question may fall outside the scope of coverage of this Indemnification provision shall be made by the Authority in consultation with its legal counsel. The final decision as to whether the conduct in question falls within the scope of coverage of this Indemnification provision shall be made by judicial determination only after the final conclusion of all actions, proceedings and appeals and only if the Authority and the affected Official fail to agree with respect thereto.

In the event of a conflict of interest between the Authority and the Official to be defended which precludes the defense of the Official by the counsel representing the Authority as determined by the Authority in consultation with its counsel, the counsel representing the Authority shall not represent the Official and separate counsel approved by the Authority shall be retained for the Official.

8) RESOLUTION REGARDING PACO OFFICER

WHEREAS, the Commissioners of the Secaucus Municipal Utilities Authority wants to appoint a Public Agency Compliance Officer as required by the Department of Treasury, Affirmative Action Office.

NOW, THEREFORE, BE IT RESOLVED, that Brian Bigler is hereby appointed the Public Agency Compliance Officer for the SMUA with regard to Affirmative Action matters to begin February 3, 2013 until the next reorganization meeting in February 2015.

BE IT FURTHER RESOLVED, that a copy of this resolution designating the appointee be sent to the Affirmative Action Office of the Department of Treasury.

9) RESOLUTION AUTHORIZING CONTRACT FOR ENGINEERING SERVICES

WHEREAS, the Secaucus Municipal Utilities Authority (“Authority”) has a need for professional engineering services; and

WHEREAS, a contract has been negotiated by the Authority with the firm of Beckmeyer Engineering, to provide professional engineering services; and

WHEREAS, said contract may be awarded without public bidding, as professional services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1); and

WHEREAS, there is sufficient funding for this purpose.

NOW, THEREFORE BE IT RESOLVED, by the Secaucus Municipal Utilities Authority as follows:

1. That the contract with Beckmeyer Engineering, be and is hereby approved from February 3, 2014 commencing and continuing until the February 2015 reorganization meeting of the Authority.
2. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law because the services are to be performed by persons authorized to practice the recognized profession of engineering.
3. Amount of contract not to exceed \$75,000.00.
4. That notice of this contract award be published by the Authority in accordance with the provisions of N.J.S.A. 40A:11-5(1).
5. That one (1) certified copy of this resolution and a fully executed contract be forwarded to Beckmeyer Engineering.

BE IT FURTHER RESOLVED, that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5.

10) RESOLUTION AUTHORIZING CONTRACT FOR ACCOUNTING SERVICES

WHEREAS, the Secaucus Municipal Utilities Authority (“Authority”) has a need for professional accounting services; and

WHEREAS, a contract has been negotiated by the Authority with the firm of William Katchen, to provide professional accounting services; and

WHEREAS, said contract may be awarded without public bidding, as professional services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1); and

WHEREAS, there is sufficient funding for this purpose.

NOW, THEREFORE BE IT RESOLVED, by the Secaucus Municipal Utilities Authority as follows:

1. That the contract with William Katchen be and is hereby approved from February 3, 2014 commencing and continuing until the February 2015 reorganization meeting of the Authority.
2. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law because the services are to be performed by persons authorized to practice the recognized profession of accounting.
3. Amount of contract not to exceed \$24,000.00.
4. That notice of this contract award be published by the Authority in accordance with the provisions of N.J.S.A. 40A:11-5(1).
5. That one (1) certified copy of this resolution and a fully executed contract be forwarded to William Katchen.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5

11) RESOLUTION AUTHORIZING CONTRACT FOR AUDITING SERVICES

WHEREAS, the Secaucus Municipal Utilities Authority (“Authority”) has a need for professional auditing services; and

WHEREAS, a contract has been negotiated by the Authority with the firm of Ferrailoli, Weikotz, Cerrulo & Cuva, P.A. to provide professional auditing services; and

WHEREAS, said contract may be awarded without public bidding, as professional services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1); and

WHEREAS, there is sufficient funding for this purpose.

NOW, THEREFORE BE IT RESOLVED, by the Secaucus Municipal Utilities Authority as follows:

1. That the contract with Ferrailoli, Weikotz, Cerrulo & Cuva, P.A. be and is hereby approved from February 3, 2014 commencing and continuing until the February 2015 reorganization meeting of the Authority, to Audit the financial records of the Authority for the year 2014.
2. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law because the services are to be performed by persons authorized to practice the recognized profession of auditor.
3. Amount of contract not to exceed \$17,500.00.
4. That notice of this contract award be published by the Authority in accordance with the provisions of N.J.S.A. 40A:11-5(1).
5. That one (1) certified copy of this resolution and a fully executed contract be forwarded to Ferrailoli, Weikotz, Cerrulo & Cuva, P.A.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5.

12) RESOLUTION AUTHORIZING CONTRACT FOR GENERAL COUNSEL SERVICES

WHEREAS, the Secaucus Municipal Utilities Authority (“Authority”) has to retain a general counsel; and

WHEREAS, a contract has been negotiated by the Authority with Cleary, Giacobbe, Alfieri & Jacobs LLC, {specifically John Napolitano} to provide general counsel services; and

WHEREAS, said contract may be awarded without public bidding, as professional services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1); and

WHEREAS, there is sufficient funding for this purpose.

NOW, THEREFORE BE IT RESOLVED, by the Secaucus Municipal Utilities Authority as follows:

1. That the contract with Cleary, Giacobbe, Alfieri & Jacobs LLC, {specifically John Napolitano} be and is hereby approved from February 3, 2014 commencing and continuing until the February, 2015 reorganization meeting of the Authority.

2. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contract Law because the services are to be performed by persons authorized to practice the recognized profession of law.

3. Amount of contract not to exceed \$46,200.00.

4. That notice of this contract award be published by the Authority in accordance with the provisions of N.J.S.A. 40A:11-5(1).

5. That one (1) certified copy of this resolution and a fully executed contract be forwarded to Cleary, Giacobbe, Alfieri & Jacobs LLC, {specifically John Napolitano}.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5

13) RESOLUTION AUTHORIZING CONTRACT FOR SPECIAL LEGAL SERVICES

WHEREAS, the SECAUCUS MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, N.J.S.A. 40:14B-18 empowers the Authority to appoint professional employees, including special counsel; and

WHEREAS, the Authority wishes to appoint special counsel from February 3, 2014 commencing and continuing until the 2015 reorganization meeting of the Authority.

NOW THEREFORE BE IT RESOLVED that the Authority hereby appoints the firm of Florio & Kenny, LLP. as its Special Counsel for a term commencing forthwith and terminating at the Authority’s 2015 Reorganization Meeting. The Special Counsel shall charge an hourly fee of \$175.00 per hour for all attorneys, and

BE IT FURTHER RESOLVED that the Authority and Special Counsel shall enter into a contract for legal services as provided by the Local Public Contracts Law, that Notice thereof be published pursuant to N.J.S.A. 40A:11-5(1)(a)(1) and that a copy of this Resolution and such contract be on file and available for public inspection at the offices of the Authority.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44a-20.5.

14) RESOLUTION AUTHORIZING CONTRACT FOR BOND COUNSEL

WHEREAS, the SECAUCUS MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority”) is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, N.J.S.A. 40:14B-18 empowers the Authority to appoint professional employees, including bond counsel; and

WHEREAS, the Authority wishes to appoint bond counsel from February 3, 2014 commencing and continuing until the 2015 reorganization meeting of the Authority.

NOW THEREFORE BE IT RESOLVED that the Authority hereby appoints the firm of McManimon, Scotland & Baumann as its Bond Counsel for a term commencing forthwith and terminating at the Authority's 2015 Reorganization Meeting. Fees and reimbursement to the Bond Counsel shall not exceed the amount of \$45,000.00 plus \$1.10/\$1,000.00 of the bond issue. Additional bonds pursuant to a supplemental bond resolution in the amount of \$35,000.00 plus \$1.10/\$1,000.00 of the issue. Bond Refunding: an additional charge of \$12,000.00.

BE IT FURTHER RESOLVED that the Authority and Special Counsel shall enter into a contract for legal services as provided by the Local Public Contracts Law, that Notice thereof be published pursuant to N.J.S.A. 40A:11-5(1)(a)(1) and that a copy of this Resolution and such contract be on file and available for public inspection at the offices of the Authority.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5.

15) RESOLUTION AUTHORIZING A CONTRACT FOR INSURANCE CONSULTING SERVICES

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter "Authority") is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Commissioners of the "Authority" have considered the proposal submitted by Alamo Insurance Group, Inc. , for insurance consulting services; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(m), this contract is for extraordinary unspecifiable services, and therefore, is not required to have public advertisement for bids or bidding for this contract.

NOW, THEREFORE BE IT RESOLVED, that the Authority does hereby appoint Alamo Insurance Group, Inc. as the insurance risk consultant for the "Authority" commencing February 3, 2014 and expiring at the 2015 Reorganization meeting of the Authority.

BE IT FURTHER RESOLVED, that the fee for the insurance risk consultant shall be 4 (four) % of the annual assessment promulgated by the JIF Program.

BE IT FURTHER RESOLVED that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5

BE IT FURTHER RESOLVED, that the Chairman of the "Authority" or his designee, shall be authorized to execute the contract on behalf of the "Authority."

16) RESOLUTION AUTHORIZING CONTRACT FOR ENVIRONMENTAL REGULATORY ENGINEER

WHEREAS, the Secaucus Municipal Utilities Authority ("Authority") has a need for professional environmental regulatory engineering services; and

WHEREAS, a contract has been negotiated by the Authority with the firm of Paulus, Sokolwski & Sator, to provide professional environmental regulatory engineering services; and

WHEREAS, said contract may be awarded without public bidding, as professional services in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1); and

WHEREAS, there is sufficient funding for this purpose.

NOW, THEREFORE BE IT RESOLVED, by the Secaucus Municipal Utilities Authority as follows:

1. That the contract with Paulus, Sokolwski & Sator be and is hereby approved from February 3, 2014 commencing and continuing until the February 2015 reorganization meeting of the Authority.

2. This contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law because the services are to be performed by persons authorized to practice the recognized profession of engineering.
3. Amount of contract not to exceed \$18,420.00.
4. That notice of this contract award be published by the Authority in accordance with the provisions of N.J.S.A. 40A:11-5(1).
5. That one (1) certified copy of this resolution and a fully executed contract be forwarded to Paulus, Sokolwski & Sator.

BE IT FURTHER RESOLVED, that this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5.

17) Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter the “Authority”) is a public body, duly formed under the Municipal and County Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

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

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

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

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

BE IT FURTHER RESOLVED by the members of the Board of the Secaucus Municipal Utilities Authority that pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the Authority and the Referenced State Contract Vendors shall be from January 1, 2014 to December 31, 2014.

APPROVED NEW JERSEY STATE CONTRACT VENDORS

Commodity/Service	Vendor	State Contract #
Telecommunications Equipment & Service	Johnston Communications Voice & Data	A80802
Industrial Supply/Equipment	Grainger	M0002
Tires	Custom Bandag	M8000
Electrical Supplies	Jewel Electric	T0167
Truck Repairs	Beyer Bros.	T2108
Truck Repairs	Cliffside Body	T2108
Heavy Duty Equipment Repairs	Atlantic Detroit Diesel	T2108
Cell Phone/Equipment	Verizon Wireless	T216A
Internet Auction	Gov Deals	T2581

18) RESOLUTION MEMORIALIZING THE HIRING ADMINISTRATIVE ASSISTANT

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter "Authority") is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Authority wishes to confirm and memorialize the motion it approved at its June 6, 2011 meeting, authorizing the hiring of a new employee in a formal resolution; and

WHEREAS, due to the resignation of office personnel, the Authority has a need to hire a new employee for the position of Administrative Assistant; and

WHEREAS, at its meeting, the Authority authorized the posting of the position of an Administrative Assistant; and

WHEREAS, pursuant to its Agreement with Local 11 of the International Brotherhood of Teamsters, said position was duly posted; and

NOW, THEREFORE BE IT RESOLVED, that Laurie Purcell has met the minimum requirements for this position and is hereby offered the position of Administrative Assistant, commencing on July 29, 2013 (35 hours/week) at a salary of \$28,500.00 per year with the following provisions:

1. Completion of the Authority prescribed sixty (60) working day probationary period.

19) RESOLUTION APPROVING A SAFETY AWARENESS DAY

WHEREAS, the Secaucus Municipal Utilities Authority (hereinafter "Authority") is a public body, duly formed under the Municipal and County Utilities Authority Law, constituting Chapter 183 of the Laws of 1957, as amended (Chapter 14B of Title 40 of the New Jersey Statutes Annotated) and possesses the powers set forth therein; and

WHEREAS, the Staff of the Authority has completed another full year without a time loss accident; and

WHEREAS, the Authority facilities are manned twenty-four hours per day, three hundred and sixty-five days per year equating a total number of days without a time loss accident of 4,357 {1,452 days x 3shifts/day}; and

WHEREAS, the Board Members wish to commend the accomplishment of this zero time loss accidents reported achievement.

NOW, THEREFORE BE IT RESOLVED, that each full time member of the Authority staff who has worked the full year of 2013, shall be entitled to a Safety Awareness Day. This day will be taken at the employees request provided that a seven day written notice has been received, reviewed and approved by Management.

BE IT FURTHER RESOLVED, that this commendation of a Safety Awareness Day is presented at the discretion of the Authority Board Members and is not to be considered a mandatory obligation.

20) Adoption of the updated Secaucus MUA Policy and Procedures Manual.

The voucher list was approved on a motion by G. Schoenrock, seconded by J. Cardenas. Roll Call Vote: G. Schoenrock: Aye; J. Cardenas: Aye; M. Anota: Aye; F. Vogel: Aye.

The voucher list is as follows:

Voucher List for Meeting of Feb.03, 2014

Prepared: 1/31/14

COMPANY	\$	PO #	REASON
Abaco Fence	475.00	2013-742	Replace Chain Link Fence
Acco brands	109.89	2014-011	Standard Diary
AEA	3,400.00	2014-027	2014 Member Dues
Air Group	446.98	2014-002	Labor & Parts top Repair #1 Boiler at Plant
Applied Analytics, Inc.	10,620.00	2013-648	Purchase & Installation of Influent Flow Meter-Main Plant
Atlantic	330.88	2014-032	Copykit fee: 10/01-12/31/13
Automatic Suppression	1,450.00	2014-016	Annual Testing Fire Alarm System
	386.50	2014-017	Emergency Service call
Beckmeyer Engineering	6,250.00	2014-052	Engineering Services: 1/2014
Bellaqua	107.55	2014-034	Water
Campbell Fire	320.50	2014-045	Annual Extinguisher Service
Comcast	105.74	2014-056	Internet Service-02/02-03/01/14
Coyne	1,830.46	2013-751	Zetag Polymer
Emerald	253.95	2014-046	3 Cases Latex Gloves
FedEx	132.40	2014-051	Packages
Fisher Scientific	1,920.48	2014-008	Dissolved Oxygen Meter, self-stirring Probe
Grainger	17.22	2013-750	Bulbs for Exit signs
	54.70	2013-773	Flashlights
	29.40	2014-010	Mop Handles
	340.56	2014-018	Motor for Overhead Heater, Rain Suits
Great Lakes Environmental Ctr	212.94	2014-031	HDG- Consulting services: 12/30/13
Hach	107.46	2014-020	Borate Buffer Solution
Hawthorne	226.63	2014-035	New Tail Lights- Chevy
Johnson & Conway	4,001.34	2014-057	Legal Services:12/27/13-01/23/14
Kleinfelder East, Inc.	12,000.00	2014-030	Copper Study: 11/25-12/29/13
Longo	240.00	2014-044	Rewire Pump-turnpike station
Municipal Capital Finance	164.77	2014-024	Copier Lease:7th Payment 01/2014
One Call Concepts	1.14	2014-028	Markouts
Persistent	8,221.81	2014-061	Excavate & Restore area- 133 Centre Ave
	11,575.00	2014-062	Excavate & Repair Main -284 Julianne Terr.
	6,706.80	2014-063	Excavate backfill & Restore- 16 Blanche St
Pierce Equipment	773.05	2014-023	QUES Camera Repair
PPL Energy	14,900.55	2014-041	Power:11/26-12/27/13
PS & S	1,484.00	2014-043	Testing: 11/01-11/30/2013
PSEG	10,613.18	2014-040	Power: 12/2013
Pumping Services	125.16	2014-015	Wheel for Seaview Drive Pump Station Basket
PVSC	14,208.00	2014-067	Sludge Disposal:12/16/13-01/15/2014
QC	279.35	2014-059	Analytical Services: 01/09/2014
R&D Trucking	5,760.00	2014-042	Sludge Removal:12/2013
Rapid Pump	45,290.00	2013-690	Primary Clarifier rehab contract awarded as per resolution
Roscitt Electric	377.22	2014-038	Repair Heater -Main Plant
	604.86	2014-039	Disconnect & Reconnect wires_ Pump #1
	5,491.13	2014-037	Replace Breaker & Transformer- Main Plant
	480.00	2014-003	Removal & Installation Wiring New Pump -Turnpike Station
	1,311.00	2013-536	Electrical work grit building final payment
Rudox	2,250.00	2013-752	Auto transfer switch for Henry street Pump Station
Spectraserv	3,125.00	2014-033	Monthly Container Charge
Staples	110.54	2014-014	Office Supplies
	583.59	2014-013	Office Supplies
State of NJ	36,096.00	2014-054	Hospitalization: Active Employees 02/2014
	1,146.90	2014-055	Hospitalization: Retiree Employees 02/2014
Thomas Joehnk	535.00	2014-012	Class Reimbursement

Town of Secaucus	1,450.64	2014-025	Dental Reimbursement: 02/2014
Treasurer - State of NJ	200.00	2014-029	Physical Connection Permit Renewal 2014
United Water	245.09	2014-068	Water:12/19/13-01/20/14
Univar	2,955.50	2013-755	Hypochlorite
US Bank	3,000.00	2014-036	Trustee Fees
Verizon	216.62	2014-053	Telephones: Main Plant 01/2014
Verizon Wireless	265.70	2014-049	Telephones: 12/13-1/12/14
WEF	86.00	2014-050	Membership Renewal N. Nielsen
WEX Bank (Sunoco)	694.25	2014-026	Fuel
TOTAL:	226,698.43		

Old Business: The Executive Director reported that the old sewer jet truck had been put up for auction and that the reserve had not been met. Staff contacted the highest bidder after the thirty days of advertisement and began negotiations for the purchase of this vehicle. Today, that bidder rescinded his offer and the truck was placed on govdeals for another thirty days. Mr. Bigler reported that as of 4:00 PM a bid was received for \$18,000.00, \$1,500.00 more than the previous high bid.

New Business: The Executive Director indicated that the Authority will receive a Peak Performance Award from the National Association of Clean Water Agencies (NACWA). This will be the 15th consecutive year that the Authority has been awarded this commendation for complete compliance with the NJDEP discharge permit limitations.

Mr. Bigler also reported that he had been in contact with the DPW regarding the possibility of issuing seasonal permits to property owners to allow for groundwater to be discharged into the sanitary system to prevent icing on roadways. He reported that there were provisions in the Sewer Use Rules & Regulations that allowed for such a discharge to alleviate this serious condition. The last permit was issued in 2002. It is the property owner's responsibility to construct the line (with permission from the Plumbing Sub-Code Official) and to disconnect under the provisions of the permit. Counsel to review with the Executive Director.

Legal: Mr. Napolitano reported that there were two minor items that needed to be addressed regarding a current settlement. He also reported that he had discussions with the Union Delegate and anticipated a quick agreement in regards to posted positions. Mr. Napolitano suggested that the Executive Director be permitted to post a new Operators Position as soon as the present issue has been resolved.

A motion was made by F. Vogel, seconded by J. Cardenas to post the position once the current issue had been resolved. Roll Call Vote: G. Schoenrock: Aye; J. Cardenas: Aye; M. Anota: Aye; F. Vogel: Aye.

A motion was made to adjourn the meeting at 7:45 PM by G. Schoenrock, seconded by J. Cardenas. All in Favor.