

**AGENDA**  
**CUMBERLAND COUNTY UTILITIES AUTHORITY**  
**JULY 15, 2021**

1. CALL TO ORDER
2. ANNOUNCEMENT THAT ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN ACCORDANCE WITH CHAPTER 231, P.L. 1975 (THE OPEN PUBLIC MEETINGS ACT)
3. FLAG SALUTE
4. ROLL CALL
5. MINUTES OF THE REGULAR MEETING OF JUNE 17, 2021
6. APPOINTMENT OF EXECUTIVE DIRECTOR  
**RESOLUTION #3173** - RESOLUTION APPOINTING AN EXECUTIVE DIRECTOR OF THE CCUA  
**#3174** - RESOLUTION APPOINTING AN EXECUTIVE DIRECTOR OF THE CCUA
7. **REPORTS**
  - A. DIRECTOR
  - B. ENGINEER
  - C. AUDITOR
  - D. GENERAL COUNSEL
    - (1) PENNONI PRESENTATION – BROADBAND
    - (2) BOND COUNSEL CLARIFICATION
    - (3) OPEN PUBLIC COMMENT – PRESENTATION & RESOLUTIONS
  - E. COMMITTEES
    - (1) COMMUNITY/INDUSTRIAL RELATIONS – Commissioner Andre
    - (2) EMPLOYEE RELATIONS – Commissioner Rajacich
    - (3) FACILITIES EXPANSION/CONSTRUCTION - Commissioner Smith-Bey
    - (4) FINANCE AND BUDGET – Commissioner T. Edwards
    - (5) OPERATIONS/INSURANCE – Vice-Chairperson Dawson
    - (6) AD HOC – Commissioner A. Edwards
8. **RESOLUTIONS**  
**#3175** - RESOLUTION ESTABLISHING REGULAR FULL-TIME EMPLOYMENT, TITLE AND RATE OF PAY OF WILLIAM BILL  
**#3176** - RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH MARMERO LAW, LLC TO INCLUDE A CHANGE ORDER # 2  
**#3177** - RESOLUTION AUTHORIZING THE CCUA TO PURCHASE 6-FOOT-HIGH CHAIN LINK FENCING ACCORDING TO THE TERMS OF PERTINENT STATE CONTRACTS  
**#3178** - AUTHORIZING CONTINUING PARTICIPATION IN THE NJ PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE NJ STATE HEALTH BENEFITS PROGRAM  
**#3179** - AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH HALL & ASSOCIATES TO INCLUDE A CHANGE ORDER  
**#3180** - AWARDING CONTRACT TO PENNONI ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION TO THE BIOSOLIDS HANDLING SYSTEM EVALUATION PHASE A  
**#3181** - RESOLUTION RESCINDING THE REQUEST FOR QUALIFICATIONS (RFQ) FOR A VENDOR TO CONDUCT AN EVALUATION OF THE CURRENT INFRASTRUCTURE AND RECOMMENDING INNOVATIVE SOLUTIONS THROUGH MONETIZATION
9. **TREASURER'S REPORT**
  - A. CASH POSITION OF THE AUTHORITY
  - B. RESOLUTION **#3182** - APPROVING AND AUTHORIZING PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS
10. CHAIRMAN'S REMARKS
11. OPEN FLOOR FOR COMMENTS OF COMMISSIONERS
12. PUBLIC PORTION
13. MOTION FOR EXECUTIVE SESSION FOR LEGAL MATTERS WITH NO ACTION PLANNED
14. ADJOURNMENT

***Our next regular monthly board meeting is scheduled for August 19, 2021***

# CUMBERLAND COUNTY UTILITIES AUTHORITY

July 15, 2021

The Cumberland County Utilities Authority (CCUA) held its Regular Monthly Meeting on Thursday July 15, 2021, in the Meeting Room of the Operations Building 333 Water Street, Bridgeton, New Jersey. The meeting was also attended by several persons via Zoom.

Representing the CCUA:

Albert Jones, Chairperson

Rick Dawson, Vice Chairperson

William Andre, Commissioner

Angelia Edwards, Commissioner

Zarko Rajacich, Commissioner

Kenny Smith-Bey, Commissioner

Todd Edwards, Commissioner

John Fuqua, Secretary

Bob Carlson, Interim Executive Director/Resident Engineer

Donald Olbrich, Treasurer

Gregg L. Zeff, General Counsel

Steve Testa, Auditor

Thomas Leisse, Engineer

Stephanie Mick, Assistant Secretary/Treasurer

Dominic Buirch, Business Administrator

Daniel Jefferson, Executive Deputy Director

Chairperson Jones called the meeting to order, announced that the adequate notice of this meeting has been given in accordance with Chapter 231,P.L (THE OPEN PUBLIC MEETING ACT) the flag salute was performed.

Secretary Fuqua called the roll, and a quorum was present.

Chairperson Jones called for a motion to approve the minutes of the Regular Monthly Meeting of June 17, 2021. Motion was made by Commissioner Edwards and seconded by Commissioner Andre and carried unanimously at roll call.

A discussion about how the Search Committee was selected to choose the next Executive Director. It was noted the chairman appoints the committee and that is how it has always been conducted.

Appointment of Executive Director:

Jones Resolution (#3173)-Resolution Appointing an Executive Director of the CCUA. Offered by Commissioner Dawson, seconded by Commissioner Zarko and did not pass with a vote of (3) aye and (4) Nay. Resolution was not carried at roll call.

Resolution (#3174)-Resolution appointing an Executive Director of the CCUA. Offered by Commissioner Dawson, seconded by Commissioner Andre and did not pass with a vote of (3) aye and (4) Nay. Resolution was not carried at roll call.

A discussion took place on the past practices of hiring the Executive Director and how the process was conducted this time. A motion was made by Commissioner T. Edwards and seconded by Commissioner Edwards to have the entire board participation in the hiring and interview process of the next Executive Director with (3) three Nays and (4) four aye and the motion was carried at roll call.

Chairperson Jones called for reports

## REPORTS

### Director

Interim Executive Director Bob Carlson submitted the Discharge Monitoring Report (DMR) for June 2021 inclusions into the minutes of this meeting.

Activities for the month:

I would like to start off by thanking the ratepayers for taking the time to attend today's Board Meeting. It is always good to have public participation and interest in the activities of the Authority.

Labor Negotiation – Employee Relations Chairman Rajacich will provide an update on Labor Negotiations.

Broadband - General Counsel and Authority's Bond Counsel will be presenting to the Board their legal opinion as to whether the Authority can legally establish a broadband network as the law currently constructed. Additionally, Pennoni Engineering will be giving the Board a Broadband Assessment and Implementation presentation along with a Proposal to conduct this study.

Sludge Disposal - The Authority is currently hauling two loads a day to DELCORA with C&H aiding when needed.

Plant Discharge - The plant is operating well, and we are meeting our effluent discharge limits.

#### Operations and Maintenance

Operations has placed the West Equalization basin in-service and the plant is now operating with flow equalization.

GMH, Inc is making progress with the on-going thickener tank rehabilitation project. Currently the rake arm work is being completed in the South Thickener Tank.

Hall & Associates is finalizing the new Headworks Analysis with no problems being reported.

Operations has taken the north secondary clarifier out of service at this time. The south clarifier is now in service.

Collection System - Pennoni Engineering has continued working on the planned Glass Street Station up-grade.

Laboratory - The Authority received its laboratory audit from the NJDEP. The Audit went well with only minor observations being made. All observations are currently being corrected.

#### Miscellaneous –

The Authority's Auditor is conducting its annual audit with no problems being reported at this time.

The Authority has provided Hazard Communication training to all applicable employees.

The Authority's Executive Director, Steve Errickson, has resigned effective June 30, 2021. The Authority would like to take this opportunity to thank him for his years of service and wish him well in retirement.

#### Engineer

##### Headworks, Grit and Screen Replacement:

##### Schedule:

- The Hydro-Dyne Engineering Inc's grit and screening equipment was placed on order by the Authority in March 2021. The equipment lead time is 20 weeks.
- MBE Mark III Electric Inc. of Madison, NJ was awarded the project April 15<sup>th</sup> in the contract amount of \$1,771,000 to install equipment.
- Contract Documents were forwarded to the Authority May 7<sup>th</sup> for review and signature.
- Pennoni received, and is currently reviewing, Contractor's equipment submittals.
- Anticipated start of construction September 2021 with pre-construction meetings before and after delivery of equipment.

Replacement of Laboratory Fume Hood: Pennoni to begin the design and construction services in replacing the existing lab hood. Pennoni is preparing the technical specifications for equipment procurement.

Glass Street Pump Station and Force Main Upgrade: Pennoni to begin the design upgrade to the pump station. Permitting/I-Bank funding is anticipated to be submitted this year; The construction anticipated in 2022. The estimated project cost is \$3.3million dollars. Pennoni has started survey activities and initiated preliminary design.

##### Other Sewer Plant Items:

- Biosolids Handling System Evaluation: Pennoni provided proposal to CCUA for review and approval to begin evaluation.
- EQ Tank Structure: Pennoni to preparing technical specifications for structure rehabilitation.
- Primary Digester: Pennoni to perform requested structural and welding inspections.
- Plant Structure Coating: Pennoni in discussion with Authority for the repair and recoating of various plant structures.

Other project or issues:

- Broadband: Pennoni to provide a “Broadband” presentation to the CCUA Board.
- Request to receive backwash water from Upper Deerfield Township (UDT). Pennoni assisting the Authority, as needed.
- Upper Deerfield Sewer Pipe Rehab: Pennoni to assist the Authority once the project begins, as needed.
- Solar System: Pennoni assisted Authority, as needed,, with the mandatory Annual Electric Generator Report.

Maps/Plans - On request by the Authority , Pennoni performs site surveys at the Plant. The last Plant survey was performed at the Primary and Secondary clarifiers.

### **Auditor**

Mr. Testa reported they provided staff assistance as requested. We are continuing to work on 2020 Audit(remotely) The GASB 68 Pension Reports from the State of New Jersey, and the GASB 75 Other-Employment Benefits report from the State of New Jersey(health benefits)have yet to be completed. These will be needed for us to be able to complete the Audit. We will keep the Authority informed as to progress of the Audit and the financial statement.

### **General Council**

Upper Deerfield-waiting on Headworks’ analysis

Labor and employment-no communication

Monetization RFQ respond to public inquires

Broadband- I presented an opinion to the Board on broadband and have held discussions with Board members and Pennoni & Associates regarding broadband. Part of my report will be presented by Pennoni & associated at the meeting related to broadband.

Tom Leisse introduced presentation on Broadband/ Telecommunication Coverage in Cumberland County presented by Pennoni Engineering. {Power Point Presentation attached}

Chris Langhart, McManimon, Scotland, Baumann, LLC, Authority’s Bond Counsel reported on their opinion on whether the C.C.U.A. can expunge funds to use towards broadband. He explained that their opinion is that the Authority is not permitted to do broadband as the law is defined right now. A memo was circulated to the board and the Authority.

Chairman Jones acknowledged at this time that the mayors from Fairfield Township, Upper Deerfield and Hopewell Township and a County Commissioner were all in attendance.

General Counsel Gregg Zeff explained his findings and how he investigated them for the Authority to get involved in broadband. He has supplied the Authority a report of his opinion.

A discussion went forward about the cost to study of broadband for the county and if the Authority’s Bond Counsel and General Counsel could work together to clarify whether the C.C.U.A. could move forward legally to pay for the study of broadband with Pennoni Engineering.

The Authority’s Auditor Stephen Testa informed the board that the C.C.U.A. could not certify funds using rate payer’s money but if there were another source it would be needed to be included on the resolution to award the contract to Pennoni Engineering.



A motion was made by to give the bond counsel and general counsel (30) thirty days to work together on the legalities on awarding a contract to Pennoni Engineering to do the broadband study. The motion was carried unanimously at roll call.

A public question, answer and comment period opened at this time. Many community representatives and residents commented on the need of the broadband in Cumberland County and questions arose on the legalities of the C.C.U.A. funding the project. More questioned arose on if the C.C.U.A. was the correct authority to do the study.

The subject of monetization was questioned during this period. Commissioner Edwards asked General Counsel Zeff to clarify what is happening at this point in the monetization of the C.C.U.A. Mr. Zeff explained that there was no deal yet and that there were multiple companies interested in supplying the company with proposals for the RFQ for monetization of the C.C.U.A. The RFQ is scheduled to close on August 19, 2021, at 2pm.

### **Committee Reports**

Director Search Committee was the only Committee that met during the month, that committee information was addressed during the Executive Director appointment section of the meeting.

### **Resolutions**

Resolution (#3175)-Resolution establishing regular full-time employment, title and rate pay of William Bill. Offered by Commissioner Dawson, seconded by Commissioner Smith-Bey and carried unanimously at roll call.

Resolution (#3176)-Resolution authorizing an amendment to the professional service contract with Marmero Law, LLC to include a change order #2 was offered by Commissioner Dawson and seconded Commissioner A. Edwards. Commissioner T. Edwards abstain, and commissioner Zarko voted nay. Resolution was carried by (4) aye votes at roll call.

Resolution (#3177) Resolution authorizing the CCUA to purchase 6-Foot -High Chain Link Fencing Offered by Commissioner Dawson and seconded by Commissioner T. Edwards and carried unanimously at roll call.

Resolution (#3178) Authorizing continuing participation in the public employee's retirement system and NJ State Health Benefits Program. This resolution was tabled until August 19, 2021, meeting to make sure needed language is included as requested by the union.

Resolution (#3179)-Authorizing and amendment to the professional services contract with Hall & Associates to include change order. Offered by Commissioner Dawson and seconded by Commissioner Andre. Commissioner T. Edwards abstain. The resolution was carried unanimously at roll call.

Resolution (#3180) Awarding Contract to Pennoni Associates, Inc for professional engineering services in connection to the biosolids handling system evaluation phase A. Offered by Commissioner Dawson, seconded by Commissioner Andre. Commissioner T. Edwards abstain, and measure was carried unanimously at roll call.

Resolution (#3181) Resolution rescinding the request for qualifications (RFQ) for a vendor to conduct and evaluation of the current infrastructure and recommending innovative solutions through monetization. Offered by Commissioner Dawson and seconded by Chairperson Jones was not carried at roll call.

**Treasures Report**

Revenue Account	\$10,262.79
Operating Account	\$1,978,462.09
Petty Cash	\$500.00
Sensor Cash	\$8,633.16
General Account	\$4,305,103.92
Plant Reconstruction/Replacement	\$6,196,968.00
User Revenue Reserve	\$736,981.33
Trust Account	\$1,985,284.86
Total Cash Position	\$15,642,763.49

Resolution (#3182)-Resolution approving and authorizing the payment of certain operating account vouchers, offered by Vice-Chairman Dawson, seconded by Commissioner Andre, and carried unanimously at roll call.

**Chairperson Remarks**

Thanks for coming out. It is good to see people read the things we post because our staff work hard. A divided house can't stand. Let's continue to work together. Please continue to stay safe. Wash your hands and social distance.

**Commissioners-Public Remarks**

**Public Remarks**

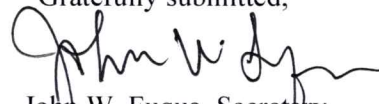
There were many comments and discussions on the hardships in our county and having disadvantaged students and the need of broadband for them and their parents.

Comments were made on the new Executive Director position and questioned unqualified candidate's vs experienced, and licenses needed for the candidates.

The next regular Monthly Meeting of the Cumberland County Utilities Authority will be held Thursday, August 19, 2021, in the Public Meeting Room of the Operations Building, 333 Water Street, Bridgeton, New Jersey at 4:30 pm.

The meeting was adjourned on a motion from Chairperson Jones.

Gratefully submitted,



John W. Fuqua, Secretary

Date: July 15, 2021 Time of Convening: 4:30 p.m. Time of Adjournment: 1:00

## Board Meeting Record Form.doc

	Chairperson Albert Jones		John Fugua, Secretary		Staff:		Public:
	Vice-Chairman Richard Dawson		Donald Olbrich, Treasurer		Dominic Buirch		
	Commissioner Angela Edwards		Gregg Zeff, General Counsel		Dan Jefferson		
	Commissioner William Andre		Bob Carlson, Int. Ex. Director				
	Commissioner Zarko Rajacich		Steve Testa, Auditor		Stephanie Mick, Asst Sec./Treas.		
	Commissioner Kenny Smith-Bey		Hugh Dougherty, Engineer		Press:		
	Commissioner R. Todd Edwards		Glen Miller, Engineer				

[illegible]

<b>M</b> - Motioned by	<b>Y</b> - Affirmative Vote (Yes)	<b>A</b> - Absent	<b>E</b> - Excused Absence
<b>2</b> - Seconded by	<b>N</b> - Negative Vote (No)	<b>B</b> - Abstained	

# Cumberland County Utilities Authority - Record of Board Meeting

Date: July 15, 2021

Time of Convening: 4:30 p.m.

Time of Adjournment: \_\_\_\_\_

## Attendance Record

Board Meeting Record Form.doc			
Chairperson	Albert Jones	John Fugua, Secretary	Staff:
Vice-Chairman	Richard Dawson	Donald Olbrich, Treasurer	Dominic Buirch
Commissioner	Angelia Edwards	Gregg Zeff, General Counsel	Dan Jefferson
Commissioner	William Ande	Bob Carlson, Int. Ex. Director	
Commissioner	Zarko Rajacich	Steve Testa, Auditor	Stephanie Mick, Asst Sec./Treas.
Commissioner	Kenny Smith-Bey	Hugh Dougherty, Engineer	Press:
Commissioner	R. Todd Edwards	Glen Miller, Engineer	

## Next Resolution # 3173

Business Motions	A. Edwards	Andre	Rajacich	Smith-Bey	T. Edwards	Dawson	Jones
<i>minutes</i>	Y	Y	Y	Y	Y	Y	Y
# 3173	N	N	Y	2	N	N	Y
# 3174	N	N	Y	2	N	N	Y
# 3175	Y	Y	Y	Y	Y	Y	Y
# 3176	Y	Y	N	Y	B	Y	Y
# 3177	Y	Y	Y	Y	Y	Y	Y
# 3178	<i>tabled</i>						
# 3179	Y	Y	Y	Y	B	Y	Y
# 3180	Y	Y	Y	Y	2	B	Y

M - Motioned by  
 2 - Seconded by  
 Y - Affirmative Vote (Yes)  
 N - Negative Vote (No)  
 A - Absent  
 B - Abstained  
 E - Excused Absence



## CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS		X			RESOLUTION # <u>3173</u>
WILLIAM ANDRE		X			Offered By <u>Dawson</u>
ZARKO RAJACICH	X				Seconded By <u>Smith-Bey</u>
KENNY SMITH-BEY JR		X			Dated <u>July 15, 2021</u>
R. TODD EDWARDS		X			
RICHARD DAWSON	X				
ALBERT JONES	X				

### RESOLUTION APPOINTING AN EXECUTIVE DIRECTOR OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY

**WHEREAS**, the Cumberland County Utilities Authority Executive Director, G Steven Errickson retired as Executive Director on June 30, 2021; and

**WHEREAS**, the members of the Authority's Search Committee have interviewed and negotiated conditions of employment with **Robert Carlson**; and

**WHEREAS**, the Commissioners of the Authority are desirous of establishing an employment agreement with **Robert Carlson** as Executive Director of the Cumberland County Utilities Authority effective July 16, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority, as follows:

1. That **Robert Carlson** be employed by the Authority in the classification title of Executive Director, effective July 16, 2021;
2. That the Chairperson and Secretary of the Cumberland County Utilities are hereby authorized and directed to execute an Agreement setting forth conditions of employment, salary, and benefits for **Robert Carlson**.
3. The Agreement shall remain in force until the expiration date or as terminated by procedures established in said agreement.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time. The passing of this resolution automatically rescinds resolution # 3174 and be considered null and void.

**DATED: JULY 15, 2021**

## CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS		X			RESOLUTION # <u>3174</u>
WILLIAM ANDRE		X			Offered By <u>Dawson</u>
ZARKO RAJACICH	X				Seconded By <u>Smith-Bey</u>
KENNY SMITH-BEY JR		X			Dated <u>July 15, 2021</u>
R. TODD EDWARDS		X			
RICHARD DAWSON	X				
ALBERT JONES	X				

### RESOLUTION APPOINTING AN EXECUTIVE DIRECTOR OF THE CUMBERLAND COUNTY UTILITIES AUTHORITY

**WHEREAS**, the Cumberland County Utilities Authority Executive Director, G Steven Errickson retired as Executive Director on June 30, 2021; and

**WHEREAS**, the members of the Authority's Search Committee have interviewed and negotiated conditions of employment with Daniel Jefferson; and

**WHEREAS**, the Commissioners of the Authority are desirous of establishing an employment agreement with Daniel Jefferson as Executive Director of the Cumberland County Utilities Authority effective July 16, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority, as follows:

1. That Daniel Jefferson be employed by the Authority in the classification title of Executive Director, effective July 16, 2021;
2. That the Chairperson and Secretary of the Cumberland County Utilities are hereby authorized and directed to execute an Agreement setting forth conditions of employment, salary, and benefits for Daniel Jefferson.
3. The Agreement shall remain in force until the expiration date or as terminated by procedures established in said agreement.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**

## CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS	X				RESOLUTION # <u>3175</u>
WILLIAM ANDRE	X				Offered By <u>A. Edwards</u>
ZARKO RAJACICH	X				Seconded By <u>Dawson</u>
KENNY SMITH-BEY JR	X				Dated <u>July 15, 2021</u>
R. TODD EDWARDS	X				
RICHARD DAWSON	X				
ALBERT JONES	X				

### RESOLUTION ESTABLISHING REGULAR FULL-TIME EMPLOYMENT, TITLE AND RATE OF PAY OF WILLIAM BILL

**WHEREAS**, the Cumberland County Utilities Authority owns and operates a Sewerage Treatment Plant located in the City of Bridgeton, and requires employees to operate, manage, and conduct its business; and

**WHEREAS**, among the powers granted to the Authority by N.J.S.A. 40:14B-18, are the powers to hire employees and determine their duties and compensation; and

**WHEREAS**, the Authority hired William Bill to serve in the classification of Shift Operator in Training, and

**WHEREAS**, the said William Bill has successfully completed the employment probationary period.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority as follows:

1. That William Bill be permanently employed by the Authority in the classification title of Shift Operator in Training, at the hourly rate of pay of \$19.42 effective June 27, 2021.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**



# CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS	X				RESOLUTION # <u>3176</u>
WILLIAM ANDRE	X				Offered By <u>Dawson</u>
ZARKO RAJACICH		X			Seconded By <u>Andre'</u>
KENNY SMITH-BEY JR	X				Dated <u>July 15, 2021</u>
R. TODD EDWARDS			X		
RICHARD DAWSON	X				
ALBERT JONES	X				

## A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH MARMERO LAW, LLC TO INCLUDE A CHANGE ORDER #2

**WHEREAS**, pursuant to Resolution 3149 and 3165, the Cumberland County Utilities Authority entered into a Professional Service Contract for Professional Labor Counsel Services with Marmero Law, LLC in the amount of \$30,000 for 2021; and

**WHEREAS**, per Exhibit A of the contract, the Authority has requested additional services to be provided that were not included in the original cost, and as a result, it has been determined that services rendered by the Labor Counsel will exceed the original contract amount and Addendum #1; and

**WHEREAS**, the Executive Director and Business Administrator have determined that the incurred additional costs are within the scope of the contract and recommend approval of an increase to the contract, in the amount of \$15,000.00; and

**WHEREAS**, funds are available for this purpose.


**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority that the Chairperson and Secretary of the Authority are hereby authorized and directed to execute the attached change order # 2 to the contract of Marmero Law, LLC for Professional Labor Counsel services to the Cumberland County Utilities Authority increasing the amount to "not to exceed" \$45,000.00.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**

### CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT

I, Dominic Buirch, Business Administrator and Certifying Finance Officer of the Cumberland County Utilities Authority, do hereby certify pursuant to the rules of the Local Finance Board that there are available adequate funds for the proposed agreement between the Cumberland County Utilities Authority and **Marmero Law, LLC**, for **Professional Labor Counsel Services 2021**. Money necessary to fund said contract has been projected in the amount of **\$45,000.00 per year**. Money necessary to fund said contract has been provided for and shall be charged to the following Line-Item Appropriation or Account No. **01-510-6108**. These funds will not be certified as being for more than one (1) pending contract.

  
Dominic Buirch, Business Administrator  
Certifying Finance Officer



## CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS	X				RESOLUTION # <u>3177</u>
WILLIAM ANDRE	X				Offered By <u>Dawson</u>
ZARKO RAJACICH	X				Seconded By <u>Andre'</u>
KENNY SMITH-BEY JR	X				Dated <u>July 15, 2021</u>
R. TODD EDWARDS	X				
RICHARD DAWSON	X				
ALBERT JONES	X				

### RESOLUTION AUTHORIZING THE CUMBERLAND COUNTY UTILITIES AUTHORITY TO PURCHASE 6-FOOT-HIGH CHAIN LINK FENCING ACCORDING TO THE TERMS OF PERTINENT STATE CONTRACTS

**WHEREAS**, the Cumberland County Utilities Authority in the course of conducting its operation is in need of purchasing materials; and

**WHEREAS**, the State of New Jersey has entered into contracts with suppliers of materials under the terms of said contracts, the Cumberland County Utilities Authority can purchase materials at the same costs as would be paid by the State of New Jersey; and

**WHEREAS**, it has been the experience of the Authority that purchase of materials pursuant to the terms of the State contracts is often more economical than attempting to purchase many items directly from suppliers of materials.

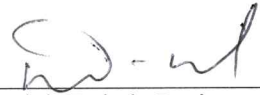
**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority to Purchase 6-foot-high chain link fencing pursuant to the terms of pertinent State contracts for the purchase of specific materials from EB Fence, LLC.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**

### CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT

I, Dominic Buirch, Business Administrator and Certifying Finance Officer of the Cumberland County Utilities Authority, do hereby certify pursuant to the rules of the Local Finance Board that there are available adequate funds for the proposed agreement between the Cumberland County Utilities Authority and **EB Fence LLC**, for **6-foot-high chain link fencing**. Money necessary to fund said contract has been projected in the amount of **\$109,129.80 per year**. Money necessary to fund said contract has been provided for and shall be charged to the following Line-Item Appropriation or Account No. **01-540-8506**. These funds will not be certified as being for more than one (1) pending contract.

  
Dominic Buirch, Business Administrator  
Certifying Finance Officer

# CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	RESOLUTION # <u>3178</u>
ANGELIA EDWARDS					Offered By <u>Tabled</u>
WILLIAM ANDRE					Seconded By _____
ZARKO RAJACICH					Dated <u>July 15, 2021</u>
KENNY SMITH-BEY JR					
R. TODD EDWARDS					
RICHARD DAWSON					
ALBERT JONES					

## A RESOLUTION AUTHORIZING CONTINUING PARTICIPATION IN THE NEW JERSEY PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM

**WHEREAS**, the Cumberland County Utilities Authority, formerly the Cumberland County Sewerage Authority, (herein referred to as the "Authority") was created pursuant CUMBERLAND COUNTY BOARD OF FREEHOLDERS RESOLUTION: (1971)-193.

**WHEREAS**, the Authority was created pursuant to said County Sewerage Authority Act (R.S. 40:36A-1, et seq) as a public body, corporate and politic and an agency and instrumentality of said County of Cumberland for the purpose of relief of waters in or bordering within the County from pollution or threatened pollution from cause arising within the County of Cumberland.

**WHEREAS**, the Authority as a public body in the State of New Jersey is eligible for its employees to participate in the Public Employees' Retirement System.

**WHEREAS**, the Authority as a public body in the State of new Jersey is eligible for its employees to participate in the State Health Benefits Program.

**WHEREAS**, the Authority as a public body in the State of New Jersey is eligible for its retirees to participate in the State Health Benefits Program.

**WHEREAS**, the Authority's Commissioners acknowledges the obligation to provide current, future and retired employees' pension benefits through the State of New Jersey's Public Employees' Retirement System and health benefits through the State of New Jersey's State Health Benefit Program.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority that the Chairperson and Secretary of the Authority are hereby authorizing and directing that any future Sale, Lease, or Concession Agreements that the Cumberland County Utilities Authority enters into will include language that explicitly requires all employee and retiree benefits in effect and accrued as of the agreement date must continue to be honored and to continue participation in the New Jersey Public Employees' Retirement System and the New Jersey State Health Benefits Program and;

**LET IT BE FURTHER RESOLVED** that this resolution can only be rescinded or modified by a unanimous vote of the Commissioners of the Cumberland County Utilities Authority.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**



# CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS	X				RESOLUTION # <u>3179</u>
WILLIAM ANDRE	X				Offered By <u>Dawson</u>
ZARKO RAJACICH	X				Seconded By <u>Smith-Bey</u>
KENNY SMITH-BEY JR	X				Dated <u>July 15, 2021</u>
R. TODD EDWARDS			X		
RICHARD DAWSON	X				
ALBERT JONES	X				

## A RESOLUTION AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH HALL & ASSOCIATES TO INCLUDE A CHANGE ORDER

**WHEREAS**, pursuant to Resolution 3152, the Cumberland County Utilities Authority entered into a Professional Service Contract for Regulatory Expert Services to Perform a Headworks Analysis with Hall & Associates in the amount of \$50,000 for 2021; and

**WHEREAS**, per Exhibit A of the contract, the Authority has requested additional services to be provided that were not included in the original cost, and as a result, it has been determined that services rendered by Hall & Associates will exceed the original contract amount and Addendum #1; and

**WHEREAS**, the Executive Director and Business Administrator have determined that the incurred additional costs are within the scope of the contract and recommend approval of an increase to the contract, in the amount of \$11,265.00; and

**WHEREAS**, funds are available for this purpose.

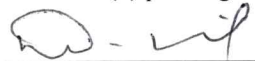
**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority that the Chairperson and Secretary of the Authority are hereby authorized and directed to execute the attached change order # 1 to the contract of Hall & Associates for Regulatory Expert Services to perform a headworks analysis to the Cumberland County Utilities Authority increasing the amount to "not to exceed" \$61,265.00.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**

## CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT

I, Dominic Buirch, Business Administrator and Certifying Finance Officer of the Cumberland County Utilities Authority, do hereby certify pursuant to the rules of the Local Finance Board that there are available adequate funds for the proposed agreement between the Cumberland County Utilities Authority and **Hall & Associates** for **Regulatory Expert Services to perform a Headworks Analysis**. Money necessary to fund said contract has been projected in the amount of **\$61,265.00 per year**. Money necessary to fund said contract has been provided for and shall be charged to the following Line-Item Appropriation or Account No. **01-510-8506**. These funds will not be certified as being for more than one (1) pending contract.

  
Dominic Buirch, Business Administrator  
Certifying Finance Officer

# CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT
ANGELIA EDWARDS	X			
WILLIAM ANDRE	X			
ZARKO RAJACICH	X			
KENNY SMITH-BEY JR	X			
R. TODD EDWARDS			X	
RICHARD DAWSON	X			
ALBERT JONES	X			

RESOLUTION # 3180

Offered By Dawson

Seconded By Andre'

Dated July 15, 2021

## A RESOLUTION AWARDING CONTRACT TO PENNONI ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION BIOSOLIDS HANDLING SYSTEM EVALUATION PHASE A

**WHEREAS**, the Cumberland County Utilities Authority (CCUA or Authority) utilizing the “fair and open” process that is described in N.J.S.A. 19:44A-20.5 *et. Seq.* publicized a Request for Qualifications (RFQ) for Consulting Engineers and on November 24, 2020, the Authority’s Executive Director received the qualifications for the 2021 CCUA’s Consulting Engineer Contract; and

**WHEREAS**, after reviewing the qualifications that were received, the Authority decided to award its 2021 Consulting Engineer’s Contract to Pennoni Associates, Inc. as more fully set forth in Resolution 3125, adopted on December 17, 2020, the substance of which is repeated and incorporated herein by this reference thereto as if more fully set forth; and

**WHEREAS**, the CCUA has a need for professional engineering services in connection with the Biosolids Handling System Evaluation Study – Phase A; and

**WHEREAS**, Pennoni Associates, Inc. has submitted a proposal, dated July 6, 2021 (annexed as Exhibit “A”) indicating that it would perform the required services for \$59,625.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority as follows:

1. All of the statements of the preamble are repeated and are incorporated herein by this reference thereto as though the same were set forth at length.
2. A Contract for professional engineering and construction phase services in connection with the Biosolids Handling System Evaluation Study – Phase A is awarded to Pennoni Associates, Inc. in an amount not to exceed \$59,625.00.00, including previous and future billing without further authorization of the Authority.
3. The Authority Executive Director is authorized to execute a professional engineering contract that incorporates the aforementioned July 6, 2021, proposal from Pennoni Associates, Inc., along with such other terms and conditions as shall be deemed necessary and appropriate by the Authority Solicitor.
4. The statutory language required by N.J.S.A. 10:2-1 and 10:5-33 hereby is incorporated into the subject contract by this reference and the contractor is bound by said language together with the other provision of the anti-discrimination laws of the State of New Jersey, Chapter 127 of the Laws of 1975.
5. This Resolution shall only be effective when a copy of the certification of availability of funds prepared by the certifying Qualified Purchasing Agent (QPA) of the Authority is attached hereto.
6. A notice of the letting of this contract shall be published in the Authority’s official newspaper and on the Authority’s website at [www.ccua.info](http://www.ccua.info) within ten (10) days of the date of this resolution, which notice shall state that this Resolution and the contract are on file and available for public inspection in the office of the Authority.



*Cumberland County Utilities Authority*

---

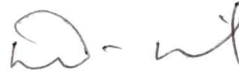
**C.C.U.A.  
RESOLUTION # 3180  
JULY 15, 2021  
PAGE 2**

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**

**CERTIFICATION OF AVAILABILITY OF FUNDS FOR CONTRACT**

I, Dominic Buirch, Business Administrator and Certifying Finance Officer of the Cumberland County Utilities Authority, do hereby certify pursuant to the rules of the Local Finance Board that there are available adequate funds for the proposed agreement between the Cumberland County Utilities Authority and Pennoni Associates, Inc. for Professional Engineering Contract – Biosolids Handling System Evaluation Study – Phase A. Money necessary to fund said contract has been projected in the amount not to exceed \$59,625.00. Money necessary to fund said contract has been provided for and shall be charged to the following Line-Item Appropriation or Account No. 01-540-8506. These funds will not be certified as being for more than one (1) pending contract.



\_\_\_\_\_  
Dominic Buirch, Business Administrator  
Certifying Finance Officer

# CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT	
ANGELIA EDWARDS		X			RESOLUTION # <u>3181</u>
WILLIAM ANDRE		X			Offered By <u>Dawson</u>
ZARKO RAJACICH	X				Seconded By <u>Rajacich</u>
KENNY SMITH-BEY JR		X			Dated <u>July 15, 2021</u>
R. TODD EDWARDS		X			
RICHARD DAWSON	X				
ALBERT JONES	X				

## RESOLUTION RESCINDING THE REQUEST FOR QUALIFICATIONS (RFQ) FOR A VENDOR TO CONDUCT AN EVALUATION OF THE CURRENT INFRASTRUCTURE AND RECOMMENDING INNOVATIVE SOLUTIONS THROUGH MONETIZATION

**WHEREAS**, the Cumberland County Utilities Authority approved a motion for a Request for Qualifications (RFQ) for a vendor to conduct an evaluation of the current infrastructure and recommending innovative solutions through monetization on May 20, 2021; and

**WHEREAS**, upon further review and concerns of the Commissioners of the Authority, deemed it necessary to rescind the motion; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority as follows:

- That the motion authorizing the Request for Qualifications for a vendor to conduct an evaluation of the current infrastructure and recommending innovative solutions through monetization be rescinded effective immediately.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

**DATED: JULY 15, 2021**

## CUMBERLAND COUNTY UTILITIES AUTHORITY

COMMISSIONER	AYE	NAY	ABSTAIN	ABSENT
ANGELIA EDWARDS	X			
WILLIAM ANDRE	X			
ZARKO RAJACICH	X			
KENNY SMITH-BEY JR	X			
R. TODD EDWARDS	X			
RICHARD DAWSON	X			
ALBERT JONES	X			

RESOLUTION # 3182

Offered By Dawson

Seconded By Andre'

Dated July 15, 2021

### A RESOLUTION APPROVING AND AUTHORIZING THE PAYMENT OF CERTAIN OPERATING ACCOUNT VOUCHERS

**WHEREAS**, certain operating account vouchers have been received, reviewed, approved and recommended for payment by the Cumberland County Utilities Authority's Finance Committee,

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Cumberland County Utilities Authority that, subject to the availability of funds, the vouchers listed herein in the total sum of \$284,724.22 be and the same are hereby approved for payment and that the Chairman and Treasurer are authorized and directed to issue checks against the Operating Account in payment of the same.

Passed and adopted at the regular meeting of the Cumberland County Utilities Authority, held at the Authority's Administration Building, 333 Water Street, Bridgeton, New Jersey, on Thursday afternoon, July 15, 2021, at 4:30 p.m. prevailing time.

DATED: **JULY 15, 2021**