

BOROUGH OF BUENA
MUNICIPAL UTILITIES AUTHORITY
P. O. BOX 696
MINOTOLA, NEW JERSEY 08341

The regular meeting of the BBMUA was held on February 10, 2021 at 6 p.m. This meeting notice was provided to The Daily Journal and the Atlantic County Record which are the BBMUA's official newspapers. Notices are also posted on the bulletin boards within the Municipal Building as well as the Borough of Buena and BBMUA's websites. The meeting took place via freeconferencecall.com phone in meeting software due to the COVID-19 pandemic and no one being allowed to gather in large groups in person per order of the Governor of the State of New Jersey and the President of the United States of America.

The meeting was called to order by Cheryl Santore.

Those present were:

R. Baker	J. Santagata	R. Casella
R. Delano	C. Santore	S. Testa
J. Formisano	A. Zorzi	T. Kiel
J. Johnston	R. Smith	

The first order of business tonight was the BBMUA's reorganization for the year 2021.

Nomination was made by Richard Baker for Joseph Santagata as the BBMUA's Chairman.

m/Baker s/Delano appoint Joseph Santagata as the BBMUA's Chairman.

m/passed

Nomination was made by Joseph Santagata for Richard Baker as the BBMUA's Vice-Chairman

m/Johnston s/Delano appoint Richard Baker as the BBMUA's Vice-Chairman.

m/passed

Nomination made by Richard Baker for Cheryl Santore as the BBMUA's Secretary/Treasurer

m/Delano s/Johnston designate Cheryl M. Santore as the BBMUA's Secretary, Treasurer and Finance Officer.

m/passed

m/Baker s/Formisano to approve The Atlantic County Record and The Daily Journal as the official newspapers for the BBMUA for 2021. m/passed

m/Johnston s/Formisano adopt resolution R-7-2021 a resolution designating official newspapers of the BBMUA as the Atlantic County Record and The Daily Journal for the year 2021. m/passed

m/Baker s/Johnston retain Romano, Hearing, Testa & Knorr, P.A. as the BBMUA's auditor for the year 2021. m/passed

m/Johnston s/Formisano adopt resolution R-8-2021 awarding contract for professional services pursuant to the fair and open process to Romano, Hearing, Testa & Knorr for auditing services for the year 2021 for a yearly amount not to exceed \$64,000.00. m/passed

m/Baker s/Johnston retain Remington, Vernick & Walberg Engineers as the BBMUA's engineers for the year 2021. m/passed

m/Baker s/Formisano adopt resolution R-9-2021 a resolution awarding the contract for professional services pursuant to the fair and open process to Remington, Vernick & Walberg for engineering services for the year 2021. m/passed

m/Baker s/Johnston retain Testa, Heck, Testa & White, P.A. as the BBMUA's solicitor for the year 2021. m/passed

m/Johnston s/Formisano adopt resolution R-10-2021 a resolution awarding the contract for professional services pursuant to the fair and open process to Testa, Heck, Testa & White for legal services for the year 2021 for a yearly salary amount of \$12,000.00 and an additional salary amount of \$130.00 per hour for non-salaried services. m/passed

m/Johnston s/Delano retain JP Capizzi Law Office as the BBMUA's bond counsel for the year 2021. m/passed

m/Johnston s/Delano adopt resolution R-11-2021 a resolution awarding the contract for professional services pursuant to the fair and open process to JP Capizzi Law Office for bond counsel services for the year 2021. m/passed

The committees for the year 2021 are as follows:

Policies, Procedures & Personnel:	Richard Baker
Finance:	Robert Delano Johnathan Alvarez
Plant Operations & Construction:	John Formisano Jeffery Johnston

In addition the Chairman will serve as an alternate to any committee as needed.

A letter was received from Patricia Gardella of 601 Brewster Road, Vineland, NJ requesting the board consider bringing sanitary sewer service to the homeowners on Brewster Road. The board had no comment on this at this time.

Robert Smith of Remington & Vernick sent an email to the Mayor and Council for the Borough of Buena asking them to place the recommendation of award for the furnishing of mechanical and plumbing repair and maintenance contract to Falasca Mechanical on their next regular meeting agenda along with the recommendation of award for the furnishing of electrical repair and maintenance contract to Lee-Way Electric.

Robert Smith of Remington & Vernick sent a letter to Mr. Joseph Overbeck, President of Rio Supply requesting they sign the 4 sets of contract documents and return them with the performance and payment bonds and certificate of insurance for execution by the BBMUA.

Robert Smith of Remington & Vernick sent a letter to Chairman Joseph Santagata with the recommendation of award for the furnishing of electrical repair and maintenance. After careful review of the bids received on December 16, 2020 the apparent low bidder was Lee-Way Electrical, LLC. Therefore, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the contract should be awarded to the lowest responsible bidder which is Lee-Way Electrical, LLC. The award has been approved by the MUA Solicitor and funds are available. The BBMUA board decided to award the bid for a two year term.

m/Formisano s/Johnston to award the bid for the furnishing of electrical repair and maintenance services to Lee-Way Electrical, LLC for a 2 year period. m/passed

m/Delano s/Formisano to adopt resolution R-12-2021 awarding the contract for the furnishing of electrical repair and maintenance services for a 2 year term to Lee-Way Electrical LLC. m/passed

Robert Smith of Remington & Vernick sent a letter to Chairman Santagata along with 4 sets of contract documents for the furnishing and delivery of water meters to the BBMUA office for execution. These contracts have been signed and are awaiting Mr. Smith to pick them up.

Robert Smith of Remington & Vernick sent letters to Victoria Meakim of Univar USA transmitting the fully executed contracts for Micro C 2000 and Liquid Aluminum Sulfate for her file.

Amanda Morris of Remington & Vernick sent the 2021 Contract for Engineering Services to Secretary/Treasurer Cheryl Santore for execution and return.

Robert Smith of Remington & Vernick sent a letter to Daniel Falasca, President of Falasca Mechanical transmitting the contract documents for signature & return along with the performance and payment bond and certificate of insurance for the furnishing of mechanical & plumbing repair and maintenance.

A copy of the contract for Legal Services for execution in accordance with the response to the Request for Qualifications was provided. The contract is for the period February 1, 2021 through January 31, 2022.

Secretary/Treasurer Cheryl Santore emailed the Solicitor, Testa, Heck, Testa & White, a piece of correspondence regarding mandatory COVID vaccination guidance from the NJMEL on whether employers may mandate the COVID vaccine for their employees. The advice in the memo, authored by Matt Giacobbe, Special Counsel to the NJMEL, is for employers to proceed with extreme caution before making the decision and to consult with their local attorney and that is the reason Ms. Santore forwarded this information to Mr. Testa and Mr. Casella. Mr. Casella stated he reviewed the information and doesn't think our situation is where we would consider mandatory vaccination but there are cautionary recommendations in there that he agrees with in that to be guided by the New Jersey Commissioner on Health to whether they require a vaccination which they have not done. Absent that the only safe ground is if you are permitted in a collective

bargaining agreement which we are not. The document talks about if a policy were instituted what the guidelines would be and there are exceptions for employees who have legitimate medical or religious exceptions. While these are easy enough to document and accept you would have to make provisions available to work either remotely or in a way where they wouldn't pose a danger to themselves or other employees. Other than those situations he doesn't think this is something that we are looking to implement at this time and if we decide in the future to do this we should have a detailed discussion with the board at that time.

Robert Casella was sent an email from Secretary/Treasurer Cheryl Santore regarding the AT&T cell tower contract. Ms. Santore asked the Solicitor to reach out to Greg Ohmer of AT&T regarding the cell tower lease partnership and the possible renegotiation of that lease when it expires in three years. In Mr. Ohmer's correspondence he mentioned several items and one was a renegotiation of the yearly rent which is paid monthly and perhaps expanding their footprint and talking of the terms of a future contract. Mr. Casella reached out to Mr. Ohmer via email but has not received a response back as of yet. He will follow up this week if he does not get a response. As soon as he gets a response he will convey that to the BBMUA office and Ms. Santore can inform the board of what they are looking for.

Steve Testa of Romano, Hearing, Testa & Knorr thanked the board for the reappointment as the BBMUA's Auditor for the incoming year. He informed the board that his contract was provided for execution in accordance with the response to the Request for Qualifications. The contract is for the period February 1, 2021 through January 31, 2022.

Mr. Testa provided each member with a copy of the completed draft audit for their approval and resolution R-13-2021 can be adopted once the audit review has been discussed tonight. Mr. Testa also supplied the board with the communication of governance letter at the close of the Audit for the year ended December 31, 2019 as well as a copy of the management representation letter in connection with the audits of the financial statements with respect to the final position as of December 31, 2019. The management representation letter requires the signature of the Chairman, Secretary/Treasurer and Consultant. The letter with the Chairman and Secretary/Treasurer's signature was received via email by Steve Testa.

Steve Testa of Romano, Hearing, Testa & Knorr informed the board that he brought Tim Kiel from his office with him tonight. Tim was the supervisory auditor assigned to the BBMUA's audit, therefore, Mr. Testa is going to have Mr. Kiel give the presentation on the 2019 Audit to the board for its approval. Mr. Kiel thanked the board for allowing their firm to conduct the Audit. Everything with the Audit went fine as always. This audit is one of the cleanest Audit's that Romano, Hearing, Testa & Knorr completes. Mr. Kiel stated the office does a really good job of providing them with everything they need

and the Authority received a clean opinion on its financial statements. There were no material weaknesses or significant deficiencies in connection with internal control and there were no instances of non-compliance required to be reported under government auditing standards or standards promulgated by the Division of Local Government Services in the State of New Jersey. As a result there were no findings and recommendations in the audit report and therefore, no corrective action is needed. Mr. Kiel explained in detail the report for their review and discussion. The Audit is later than usual due to the COVID-19 pandemic.

m/Baker s/Formisano to adopt Resolution R-13-2021 a resolution 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 for the fiscal year ended December 31, 2019 has been completed and filed with the Borough of Buena Municipal Utilities Authority pursuant to N.J.S.A. 40A:5A-15. m/passed

The adopted Audit of the BBMUA for the period ending December 31, 2019 can be found on the BBMUA website.

Because a copy of the draft audit was submitted to the State of New Jersey Division of Local Government Services, the Division was able to review the 2021 Sewer and Water Budget that was introduced at the November 11, 2020 meeting and they have approved the budget for adoption at tonight's meeting.

m/Baker s/Johnston to adopt resolution R-14-2021 which adopts the 2021 Sewer/Water Budget that was introduced at the regular meeting held on November 11, 2020. m/passed

There was a piece of correspondence on the agenda for tonight's meeting that has to be discussed in closed session due to the fact that it pertains to matters of personnel.

m/Baker s/Delano adopt Resolution R-15-2021 authorizing the meeting of the Borough of Buena Municipal Utilities Authority closed to the public to discuss matters that include matters of personnel pursuant to N.J.S.A. 10:4-12(b)(8). m/passed

m/Baker s/Formisano to open the executive closed session meeting at 6:41 pm. m/passed

m/Baker s/Formisano to close the executive closed session meeting and return to regular session at 6:54 pm. m/passed

m/Baker s/Formisano to approve the treasurer's report as read.

m/passed

Jason Capizzi of JP Capizzi Law Office forwarded the proposed contract for execution in accordance with the response to the Request for Qualifications and needs to be executed. The contract is for the period February 1, 2021 through January 31, 2022.

m/Baker s/Delano to accept the minutes of the last regular meeting held on January 13, 2021.

m/passed

Plant Superintendent Alan Zorzi stated he was contacted by Robert Dow, an energy efficient consultant for the New Jersey Water Association regarding the NJ Water Association Energy Program. This program is fully funded by the EPA Rural Development and is performed at no cost to the system. Mr. Dow would like to conduct and energy assessment which is designed to find ways to save on energy usage and lower operation costs. The only thing that Mr. Dow needs is twelve months of electric bills and twelve months of consecutive treated water totals for the system. Once he receives those they will come out and perform an on-site visit and take a brief tour of the system. All of the data will be analyzed and Mr. Dow will get back to us with any recommendations. The board is in agreement to proceed with this.

Mr. Zorzi informed the board of a roller failure on the belt filter press during the week of January 22, 2021. Mr. Zorzi had to stop accepting septage for a week due to this. The roller assembly was twelve weeks out, however they took the roller to Bayview Bearing and they were able to have us up and running in 5 days.

m/Baker s/Formisano to file all correspondence sent out for review without reading number 1 through number 28.

m/passed

m/Baker s/Formisano to pay all bills presented for the month of February 2021.

m/passed

The next regular meeting will be held on February 24, 2021 at 7:00 p.m.

m/Delano s/Formisano to adjourn the meeting 7:01 p.m.

m/passed

Submitted by
Cheryl Santore-BBMUA Secretary