

Franklin Township Sewerage Authority

ANNUAL RE-ORGANIZATION MEETING

Minutes of Meeting

February 7, 2023

PRESENT

The Annual Re-Organization meeting of the Township of Franklin Sewerage Authority was called to order at 6:03 PM by Eric M. Bernstein, General Counsel and Temporary Chairman (by video). The following Commissioners were present: Mr. Alcazar, Mr. Anbarasan, Ms. DeVeaux, Ms. Ford and Ms. Francois (all by video). In attendance were also: Joseph Daniels, Executive Director and Special Project Manager (in person); Apryl L. Roach, Administrative Manager / Chief Human Resource Officer (in person); Scott Nocero, Operations Manager (by video); Brian Hak, Howard Matteson, Michael McClelland and William Korosec, Consulting Engineers (all by video).

ROLL CALL

Mr. Alcazar	-	Aye
Mr. Anbarasan	-	Aye
Ms. DeVeaux	-	Aye
Ms. Ford	-	Aye
Ms. Francois (Alt. #1)	-	Aye
Mr. Schmidt	-	Absent

PLEDGE OF ALLIGIANCE – Led by Dr. Apryl L. Roach

REORGANIZATION

TEMPORARY CHAIRMAN'S STATEMENT:

Mr. Bernstein stated that, in accordance with provisions of Chapter 231 of the "Open Public Meetings Act", all requirements of said Act had been met.

CHAIRPERSON

Mr. Bernstein opened up nominations for the Chairperson.

Ms. DeVeaux made a motion to nominate Ms. Ford, seconded by Mr. Anbarasan.

Mr. Bernstein asked for a motion to close nominations.

Ms. Francois made a motion to close nominations, seconded by Mr. Anbarasan.

All Commissioner present voted "Aye" with none opposed.

ELECTION OF CHAIRPERSON

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 1

BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset that TERESA FORD be and is hereby elected Chairperson of the Township of Franklin Sewerage Authority and shall hold office until the first (1st) day of February, next ensuing and/or until her respective successor shall have been appointed and have qualified.

Ms. Ford was declared Chairwoman and chaired the remainder of the meeting.

VICE CHAIRPERSON

Ms. DeVeaux made a motion to nominate Mr. Anbarasan.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 – 2

BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset that SIVARAMAN ANBARASAN be and is hereby elected Vice-Chairperson of the Township of Franklin Sewerage Authority and shall hold office until the first (1st) day of February next ensuing and/or until his respective successor shall have been appointed and have qualified.

Mr. Anbarasan was declared Vice Chairman.

SECRETARY / TREASURER

Mr. Anbarasan made a motion to nominate Mr. Alcazar.

All Commissioners present voted “Aye” with none opposed.

ELECTION OF SECRETARY / TREASURER

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 3

BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset that JESUS ALCAZAR be and is hereby elected Secretary-Treasurer of the Township of Franklin Sewerage Authority and shall hold office until the first (1st) day of February next ensuing and/or until her respective successor shall have been appointed and have qualified.

Mr. Alcazar was declared Secretary / Treasurer.

RESOLUTION

02072023 - 3

ASSISTANT SECRETARY / TREASURER

Mr. Schmidt will remain in this position until he is present during the March 7, 2023 Board meeting. A nomination and vote will be conducted at that time.

APPOINTMENT OF THE CONSULTING ENGINEER

Chairwoman Ford asked for a resolution for the appointment of the Consulting Engineer.

The resolution was moved by Mr. Anbarasan and seconded by Ms. Francois to appoint CME

ASSOCIATES.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 5

WHEREAS, there exists a need for Consulting Engineer services; and,

WHEREAS, the amount of the retainer in the contract is \$7,200 per annum; and,

WHEREAS, funds are available and have been budgeted for said services; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority, in the County of Somerset, State of New Jersey as follows:

1. The Chairperson and Secretary are hereby authorized and directed to execute the attached contract with CME Associates.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5 (1) (a), Local Public Contracts Law, because the services contained in the contract are specialized and qualitative in nature, requiring expertise and extensive training which are to be performed by individuals who have a prudent reputation in the particular field of endeavor and cannot be reasonably described by written specifications and are to be performed by persons licensed to practice their profession by the State of New Jersey.
3. A notice of this action shall be printed once in the Courier News.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye

Ms. Ford	-	Aye
Ms. Francois (Alt. #1)	-	Aye
Mr. Schmidt	-	Absent

APPOINTMENT OF THE AUDITOR

Chairwoman Ford asked for a resolution for the appointment of the Auditor.

The resolution was moved by Ms. Francois and seconded by Mr. Anbarasan to appoint HODULIK & MORRISON, P.A. a division of PKF O'Connor Davies.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 6

WHEREAS, there exists a need for auditing services, and

WHEREAS, the amount of the retainer in the contract is \$36,500.00 per annum, and,

WHEREAS, funds are available and have been budgeted for said services, and

WHEREAS, Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority, in the County of Somerset, State of New Jersey, as follows:

1. The Chairperson and Secretary are hereby authorized and directed to execute

the attached contract with Hodulik & Morrison, P. A. a division of PKF O'Connor Davies.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A: 11-5 (1) (a), Local Public Contracts Law, because the services contained in the contract are specialized and qualitative in nature, requiring expertise and extensive training which are to be performed by individuals who have a prudent reputation in the particular field of endeavor and cannot be reasonably described by written specifications and are to be performed by persons licensed to practice their profession by the State of New Jersey.

3. A notice of this action shall be printed once in the Courier News.

APPOINTMENT OF GENERAL COUNSEL

Chairwoman Ford asked for a resolution for the appointment of General Counsel.

The resolution was moved by Ms. Francois and seconded by Mr. Anbarasan to appoint

ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 7

WHEREAS, there exists a need for legal services; and,

WHEREAS, the amount of the retainer in the contract is \$9,000 per annum; (covering meeting attendance) and an hourly rate, as established in the Agreement between Eric. M. Bernstein & Associates, LLC and the Authority for all other services; and,

WHEREAS, funds are available and have been budgeted for said services; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the Resolution authorizing the award of contracts for 'Professional Services' without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority, in the County of Somerset, State of New Jersey as follows:

1. The Chairperson and Secretary are hereby authorized and directed to execute the attached contract with Eric M. Bernstein & Associates, L.L.C. for the period of February 1, 2023 thru January 31, 2024, in accordance with the terms and conditions currently in place for provision of services of general counsel/attorneys at law of the State of New Jersey and until a successor is qualified and appointed.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A: 11-5 (1) (a), Local Public Contracts Law, because the services contained in the contract are specialized and qualitative in nature, requiring expertise and extensive training which are to be performed by individuals who have a prudent reputation in the particular field of endeavor and cannot be reasonably described by written specifications and are to be performed by persons licensed to practice their profession by the State of New Jersey.

3. A notice of this action shall be printed once in the Courier News.

OFFICIAL DEPOSITORY

Chairwoman Ford asked for a resolution for the appointment of the Official Depository.

The resolution was moved by Mr. Alcazar and seconded by Ms. Francois.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION
02072023- 8

BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset that the TD Bank be and is hereby named as the official depository for the Township of Franklin Sewerage Authority.

TD Bank was declared the Official Depository.

SIGNATURES ON CHECKS

Chairwoman Ford asked for resolution for the signatures on checks.

This resolution was offered by Mr. Alcazar and seconded by Ms. DeVeaux.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION
02072023 - 9

WHEREAS, rules and regulations adopted by the New Jersey State Department of Community Affairs, Division of Local Government Services, entitled, "New Jersey Local Authorities Accounting Principles and Auditing Standards Manual," mandates that payment of claims by checks drawn on the

Authority shall be signed by the Chairperson of the Authority the Secretary and an original countersignature by such other officer or official as designated by resolution.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset that the following are authorized to sign checks on behalf of the Authority.

Chairperson
Secretary / Treasurer
Executive Director
Interim Executive Director / Special Project Manager
Acting Executive Director

OFFICIAL NEWSPAPER

Chairwoman Ford asked for a resolution for the Courier News as the Official Newspaper and any other qualified newspaper.

The resolution was moved by Mr. Alcazar and seconded by Mr. Anbarasan.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

R E S O L U T I O N

02072023 – 10

BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset that the Courier News (and any other qualified newspaper) be and is hereby designated as the official newspaper of the Township of Franklin Sewerage Authority.

REAUTHORIZE PETTY CASH FUND

Chairwoman Ford asked for resolution for the re-authorization of the Petty Cash Fund.

This resolution was offered by Mr. Anbarasan and seconded by Ms. Francois.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 11

WHEREAS, the Board of Commissioners have previously established a need to have readily available cash on hand for incidental cash outlays and an additional readily accessible checking account for other small and incidental charges; and,

WHEREAS, it is the policy of the Authority to review the allowable and customary impressed balances of said accounts, such that they are consistent with the administrative needs of the Authority; and,

WHEREAS, staff has reviewed and recommended to the Board of Commissioners that the existing allowable impressed balances of the aforementioned accounts are adequate and require no change in denomination.

NOW, THEREFORE, BE IT RESOLVED by the Franklin Township Sewerage Authority that the Executive Director be and is hereby authorized to maintain a Petty Cash Fund in the amount of \$250.00 for incidental cash outlays.

RE-APPOINT QUALIFIED PURCHASING AGENT

Chairwoman Ford asked for resolution for the re-appointment of Apryl L. Roach as the Qualified Purchasing Agent.

This resolution was offered by Ms. Francois and seconded by Mr. Alcazar.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 12

WHEREAS, the Franklin Township Sewerage Authority regularly solicits bids and contracts for services to be rendered to the Authority by outside vendors and contractors pursuant to the provisions of the Local Public Law (LPCL); and,

WHEREAS, the provisions of the LPCL allow for a greater bid and/or solicitation threshold under the LPCL if an entity employs a certified Qualified Purchasing Agent (QPA); and,

WHEREAS, Apryl L. Roach, an employee of the Authority, is the holder of a current QPA certification, which the Authority wishes to use for its current purposes and Ms. Roach is willing to do so if compensated for same, which the Board is willing to do, pursuant to certain conditions which Ms. Roach has accepted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Franklin Township Sewerage Authority, County of Somerset, State of New Jersey that it wishes to engage the use of the QPA certificate currently held by Apryl L. Roach for its purposes and to compensate Ms. Roach for calendar year 2023 under the following conditions:

- (1) Ms. Roach maintains her QPA certificate in a current manner for the period in question;
- (2) The need for the use of a QPA certificate is necessary for the operations of the Authority for the period in question.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the that the compensation for Ms. Roach to serve as QPA for calendar year 2023 will be \$2,625.00 Dollars per annum less all applicable deductions. If either or both party(ies) to this Resolution choose to end their involvement as to the QPA certification, Ms. Roach will receive a pro-rata share of the compensation set forth above less all applicable deductions.

RE-APPOINT PUBLIC AGENCY COMPLIANCE OFFICER

Chairwoman Ford asked for resolution for the re-appointment of Apryl L. Roach as the Public Agency Compliance Officer (P.A.C.O.).

This resolution was offered by Mr. Alcazar and seconded by Mr. Anbarasan.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 - 13

WHEREAS, the Franklin Township Sewerage Authority a public body politic and corporate as prescribed in and governed by Title 40:14A; and,

WHEREAS, the Affirmative Action Regulations of the State of New Jersey Affirmative Action Office address public agencies awarding contracts under P.L. 1975, Chapter 127 (N.J.A.C. 17:27) and further provide contract language and reporting procedures for entering into procurement, service and construction contracts; and,

WHEREAS, said regulations further provide for the annual designation of an officer or employee of the public agency to serve as a Public Agency Compliance Officer (PACO) who will be responsible for coordinating the reporting procedures from contractors and to generally supervise the compliance procedures regarding the Affirmative Action Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Franklin Township Sewerage Authority hereby recognizes and re-appoints Apryl L. Roach as the Public Agency Compliance Officer (PACO) of the Authority, effective February 1, 2023 for a one (1) year term, to exercise the duties of a Public Agency Compliance Officer (PACO) with specific relevance to the Authority's responsibility to generally supervise the compliance procedures regarding the Affirmative Action Regulations as it pertains to procurement, service and construction contracts.

BE IT FURTHER RESOLVED, that a certified true copy of this resolution will be forwarded to the Department of Treasury, Division of Purchase and Property Contract Compliance Unit EEO Monitoring Program, Post Office Box 236, Trenton, New Jersey 08625-0236.

BOND COUNSEL SERVICES

Chairwoman Ford asked for resolution for the appointment of Bond Counsel services with

Wilentz, Goldman & Spitzer P.A., Attorneys at Law.

This resolution was offered by Ms. Francois and seconded by Mr. Alcazar.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 – 14

WHEREAS, there exists a need for Bond Counsel services; and,

WHEREAS, the amount of the retainer in the contract is with respect to the attached Agreement; and,

WHEREAS, funds are available and have been budgeted for said services; and,

WHEREAS, Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority in the County of Somerset, as follows:

1. The Chairperson and Secretary are hereby authorized and directed to execute the attached contract with Wilentz, Goldman & Spitzer P.A., Attorneys at Law with offices at 90 Woodbridge Center Drive, Woodbridge, New Jersey, hereinafter designated as "Bond Counsel".
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) Local Public Contracts Law because the services contained in the contract are specialized and qualitative in nature, requiring expertise and extensive training which are to be performed by individuals who have a prudent reputation in the particular field of endeavor and cannot be reasonably described by written specifications and are to be performed by persons licensed to practice their profession by the State of New Jersey.
3. A notice of this action shall be printed once in the Courier News.

FINANCIAL CONSULTING SERVICES

Chairwoman Ford asked for resolution for the appointment of Financial Consulting Services with NW Financial Group, LLC.

This resolution was offered by Mr. Anbarasan and seconded by Ms. DeVeaux.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

RESOLUTION

02072023 – 15

WHEREAS, there exists a need for Financial Consulting services; and,

WHEREAS, the amount of the retainer in the contract is not to exceed \$30,000 per annum; and,

WHEREAS, funds are available and have been budgeted for said services; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. Seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township of Franklin Sewerage Authority, in the County of Somerset, State of New Jersey as follows:

1. The Chairperson and Secretary are hereby authorized and directed to execute the attached contract with NW Financial Group, LLC.
2. This contract is awarded without competitive bidding as a “Professional Service”, in accordance with N.J.S.A. 40A:11-5 (1) (a) Local Public Contracts Law because the services contained in the contract are specialized and qualitative in nature, requiring expertise and extensive training which are to be performed by individuals who have a prudent reputation in the particular field of endeavor and cannot be reasonably described by written specifications and are to be performed by persons licensed to practice their profession by the State of New Jersey.
3. A notice of this action shall be printed once in the Courier News.

APPOINTMENT OF COMMITTEES

Chairwoman Ford made appointments as follows:

NEGOTIATIONS/PERSONNEL

SIVARAMAN "RAM" ANBARASAN
ARNOLD SCHMIDT

MUNICIPAL LIAISON

KIMBERLY FRANCOIS

CONSTRUCTION

SIVARAMAN "RAM" ANBARASAN
TERESA FORD

SAFETY

JESUS ALCAZAR
ARNOLD SCHMIDT

Mr. Anbarasan moved to open for public comment, seconded by Ms. Francois.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

Ms. Francois moved to close public comment, seconded by Mr. Alcazar.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

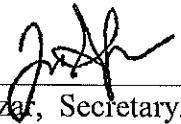
Mr. Alcazar moved the meeting be adjourned, seconded by Ms. DeVeaux.

A roll call was taken as follows:

VOTE:	Mr. Alcazar	-	Aye
	Mr. Anbarasan	-	Aye
	Ms. DeVeaux	-	Aye
	Ms. Ford	-	Aye
	Ms. Francois (Alt. #1)	-	Aye
	Mr. Schmidt	-	Absent

The meeting was adjourned at 6:24 P.M.

Respectfully submitted,



Jesus Alcazar, Secretary/Treasurer