

Resolution 23-012

**ESTABLISHMENT OF A CASH MANAGEMENT PLAN FOR
ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY FUNDS AND
INVESTMENTS**

WHEREAS, regulations of the State of New Jersey Local Finance Board (N.J.A.C. 5:31) require each local Authority to adopt a Cash Management Plan;

NOW, THEREFORE, BE IT RESOLVED by Rockaway Valley Regional Sewerage (RVRSA) that the following Cash Management Plan is hereby adopted:

Cash Receipts

All moneys received by the Rockaway Valley Regional Sewerage Authority (RVRSA) from any source shall within 48 hours be deposited to the credit of the RVRSA in a designated depository in accordance with N.J.S.A. 40A-5-15

Depositories

Designated depositories for funds of the Authority shall be:

- Provident Bank
- State of New Jersey Cash Management Fund
- TD Bank N.A.
- Lakeland Bank
- PNC Bank
- Valley National Bank
- Capital One Bank
- Santander Bank

Contribution Disclosures for Depositories

Currently, the RVRSA has cash depositories in the Santander Bank and Provident Bank and as such these banks have filed Form C 271 Political Contribution Disclosures pursuant to N.J.S.A. 19:44A – 20.26.

Claims

All claims for payment shall include a certification of the party claiming payment that it is correct; a certification by the Executive Director that the goods have been received by, or the services rendered to the RVRSA and shall be approved or disapproved for payment by the members of the RVRSA at a regular meeting.

Cash Disbursements

Payment of all claims shall be by check drawn on the Authority, signed by any three of the following: Chairman, Vice Chairman, Secretary, Treasurer, Executive Director or CFO.

Effective Date

This Cash Management Plan and Investment Policy shall be effective from February 10, 2023, through February 9, 2024

Previous Resolutions

All previous resolutions adopting an Authority Cash Management Plan are hereby rescinded and considered null & void.

Resolution 23-013

DESIGNATION OF OFFICIAL NEWSPAPER

BE IT RESOLVED that the **Daily Record** be designated as the official newspaper of the Authority.

Resolution 23-014

RESOLUTION TO ESTABLISH TIME AND PLACE FOR REGULAR MEETINGS AND NOTICE THEREOF

BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority that the following matters are hereby determined in accordance with the provisions of the "Open Public Meetings Act".

1. The meeting dates of the RVRSA to be held during the period from the Re-organization Meeting on February 9, 2023, to February 8, 2024, to be convened at the RVRSA Administration Building, 99 Greenbank Road, Parsippany, New Jersey at 7:00 P.M., prevailing time, on Thursday evenings, are set forth below:

March 09, 2023
April 13, 2023
May 11, 2023
June 08, 2023

July 13, 2023
August 10, 2023
September 14, 2023
October 12, 2023
November 09, 2023
December 14, 2023
January 11, 2024
February 08, 2024 (Re-Organization and Regular Business)

1. Pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-8(d), which requires that all public bodies designate two newspapers to receive advance notice of Public Meetings, RVRSA hereby designates as the newspapers to receive all notices of meetings as required by the Open Public Meetings Act: a) the Daily Record, the official newspaper of the RVRSA; and b) the Star Ledger, a newspaper having the greatest likelihood of informing the public within the area of jurisdiction of the RVRSA of the meetings of the RVRSA.
2. A certified copy of this Resolution shall, within ten (10) days after the date of adoption, be posted, until modified, in the Administration Building of the RVRSA, 99 Greenbank Road, Parsippany-Troy Hills, New Jersey, and mailed by the Secretary to the Daily Record and the Star Ledger and filed with the Clerks of the following municipalities encompassed within the jurisdiction of the RVRSA:

Town of Boonton
Township of Boonton
Township of Denville
Town of Dover
Township of Randolph
Borough of Rockaway
Township of Rockaway
Borough of Victory Gardens
Borough of Wharton
City of Jersey City

This Resolution shall take effect immediately.

Resolution 23-015

DESIGNATION OF PUBLIC AGENCY COMPLIANCE OFFICER

Be it Resolved pursuant to N.J.A.C. 17:27-3.5 that B.K. Sandy Thai, Chief Financial Officer,
Re-Org and Resolutions 23-012 to 23-028

be designated as the Public Agency Compliance Officer for Rockaway Valley Regional Sewerage Authority.

Resolution 23-016

DESIGNATION OF S.E.D. PROJECT COMPLIANCE OFFICER

Be it Resolved pursuant to N.J.A.C. 7:22 – 3, 4, 6, 7 and 9.1 that B.K. Sandy Thai, Chief Financial Officer be designated as the Socially and Economically Disadvantaged Project Compliance Officer as set forth in the Environmental Infrastructure Trust Fund regulations.

Resolution 23-017

DESIGNATION OF A QUALIFIED PURCHASING AGENT

Be it Resolved pursuant to N.J.A.C. 40A-11-2 (30) that B.K. Sandy Thai, Chief Financial Officer be designated as the Qualified Purchasing Agent.

Resolution 23-018

RESOLUTION TO AUTHORIZE THE SIGNING OF CHECKS

BE IT RESOLVED BY THE ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY that, in accordance with its bylaws, the following persons are authorized to sign checks for the various accounts of the Authority: Chairman, Vice Chairman, Secretary, Treasurer, Executive Director and CFO.

The signatures of any three of the aforementioned are required to sign checks drawn on the accounts listed herein, unless otherwise noted. With respect to electronic/facsimile transfers, only the CFO or the Executive Director's signature is required.

1. Operating Fund Account

With respect to the payroll transfer, only the CFO's signature is required. The signatures of any three of the aforementioned are required to sign all other checks drawn on the Operating Fund Account.

2. Construction Account

3. Unemployment Trust Fund Account

4. Net Payroll Account

5. Agency Payroll Account

Three signatures are required on all checks except for the Federal Tax Deposit and tax payments wire transfers. Only CFO or Executive Director Signature is required on the Federal Tax Deposit and tax payments wire transfers.

Resolution 23-019

RESOLUTION TO AUTHORIZE THE DEFENSE AND INDEMNIFICATION OF THE MEMBERS AND EMPLOYEES OF THE ROCKAWAY VALLEY REGIONAL

SEWERAGE AUTHORITY

WHEREAS, there exists a need to protect the past and present members and employees of the Rockaway Valley Regional Sewerage Authority ("RVRSA") from the monetary costs of fines, penalties, damages, settlements, costs, and legal fees associated with the defense of any civil or criminal actions which may be brought from this day forward against the RVRSA, or any such members or employees, as the result of any action(s) or omission(s) relating to the duties of such member or employee to the RVRSA; and

WHEREAS, the RVRSA desires to provide such protection for its past and present members and employees from the financial consequences of any such civil or criminal action to the extent permitted by law and, therefore, provided that such alleged action or omission does not constitute actual fraud, actual malice, willful misconduct or an intentional wrong in the judgment of the RVRSA;

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. The RVRSA shall, to the extent permitted by law, provide a defense and indemnification to the past and present members and employees of the RVRSA and, therefore, shall pay or otherwise reimburse the past and present members and employees of the RVRSA for all fines, penalties, damages, costs and legal fees associated with any civil or criminal action which may be brought after the adoption of this Resolution against such members or employee based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority.

2. In any case where the RVRSA provides a defense to a member or employee, it is authorized and directed to make direct payments to counsel or reimburse the member or employee for the costs associated with his or her defense upon the approval by the RVRSA of proper vouchers submitted therefore, but in no case shall the RVRSA be authorized to pay or reimburse for legal fees and expenses exceeding those customarily charged for legal services in the defense of such actions.

3. For the purposes of this Resolution, the term "member" shall include any and

all persons appointed by the governing bodies of the constituent municipalities pursuant to N.J.S.A. 40:14A-4.

4. Any person seeking the provision of a defense and indemnification under the policy enunciated in this Resolution shall give prompt notice to the RVRSA of the pendency of any such civil or criminal action for which payment or reimbursement is sought, at which time the RVRSA shall by Resolution implement the provisions set forth herein.

5. It is within the sole discretion of the RVRSA, in any action where the provision of such a defense and indemnification is sought by a member or employee, to:

- a. Provide a defense by an attorney chosen by the RVRSA;
- b. Provide a defense by an attorney of the member or employee's choosing;
or
- c. Assert the RVRSA's right under any appropriate insurance policy which requires the insurer to defend and indemnify.

6. Notwithstanding the foregoing, the RVRSA may refuse to provide for the defense or to indemnify any past or present member or employee of the RVRSA in any action referred to above or recover any amounts paid on behalf of such member or employee for such defense if in its sole discretion, it has reason to conclude that the act or omission was:

- a. Not within the scope of such member or employee duties or was carried out in an individual capacity;
- b. The subject matter of any action brought by the RVRSA against the member or employee;
- c. A violation of the Local Government Ethics Law (P. L. 1991, c. 29); or
- d. Due to actual fraud, actual malice, willful misconduct or an intentional wrong.

7. Nothing in this Resolution shall require the RVRSA to pay for punitive or
exemplary damages resulting from the commission of a crime, actual fraud, actual malice, willful misconduct or an intentional wrong. However, the RVRSA may

indemnify an official or employee for punitive or exemplary damages provided the Board

determines the acts complained of did not constitute a crime, actual fraud, actual malice, willful misconduct or an intentional wrong. Such a determination shall be made by Resolution of the Board.

8. In the event a contested matter, to which this Resolution is applicable, is resolved by way of settlement, the RVRSA may take into account the facts, circumstances, and allegations which led to the settlement in its determination of whether it may, subject only to the provisions of paragraph 6, indemnify such past and/or present member(s) and/or employee(s) against whom such settled claims had been made.

9. It is the intention of this Resolution to set forth the policy of the RVRSA with respect to the defense and indemnification of persons associated with the RVRSA in the management of its affairs and business to the maximum extent permitted by law, and if any provision hereof or the application hereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this Resolution and to this end the provisions hereof are declared to be severable.

10. The policy set forth in this Resolution is prospective and shall take effect immediately but shall automatically expire unless re-authorized at each annual reorganization meeting of the Authority.

Resolution 23-020

RESOLUTION AUTHORIZING CERTAIN PAYMENTS BY THE CFO OR EXECUTIVE DIRECTOR

BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority that the RVRSA CFO or Executive Director be and are hereby authorized for the period ending on February 8, 2024 as follows:

- (1) To pay monthly premiums for group insurance for employees as said premiums come due.

- (2) To pay principal and interest of the RVRSA debt as the sum matures or accrues.
- (3) To remit funds for Workers Compensation Insurance and Insurance Liability coverage as said sums are due.
- (4) To pay the Rockaway Valley Regional Sewerage Authority employees their salaries in equal installments bi-weekly, except as the same is provided otherwise by statute or resolution.
- (5) To pay various state agency fees and permits in order not to jeopardize wastewater treatment operations.
- (6) To pay, by wire transfer, costs associated with the National Clearinghouse for CDL Drivers.
- (7) To transfer funds for investment purposes in accordance with N.J.S.A. 40A:11.1.

Resolution 23-021

THE EXECUTIVE DIRECTOR AND/OR THE CHIEF FINANCIAL OFFICER OF THE RVRSA TO BE EMPOWERED TO INITIATE TELEPHONE/ELECTRONIC/FACSIMILE FUND TRANSFERS

WHEREAS, the Rockaway Valley Regional Sewerage Authority (RVRSA) desires to expedite transfers of funds from various bank accounts by means of telephone/electronic/facsimile transfers; and

WHEREAS, various banks do require that corporate entities designate by resolution the names of their officers, or staff who are empowered to act in such capacity to initiate such telephone/electronic/facsimile fund transfers; and

WHEREAS, JoAnn Mondisini, Executive Director and/or B. K. Sandy Thai, Chief Financial Officer are respectively bonded for an amount of one million dollars (\$1,000,000.00) each under Crime Insurance Policy and Fidelity bond.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, as follows:

1. The RVRSA hereby designates the following accounts to honor fund transfers through electronic and/or facsimile means:

Operating account	9811502054	Provident Bank
Net Payroll Account	9811501767	Provident Bank
Agency Payroll Account	9811500777	Provident Bank
Unemployment Insurance Trust fund	9811502070	Provident Bank
Capital Replacement Fund	9811502062	Provident Bank
Revenue Fund Account	9811502047	Provident Bank

NJEIT Fund	9551017978	Santander Bank
Whitlock Packaging Escrow Account	9811501791	Provident Bank
Construction Accounts	9551017943	Santander Bank
Renewal & Replacement Fund	9551017994	Santander Bank
General Fund	9551017951	Santander Bank
State of NJ Cash Management Fund	000104922-171	State Street Bank & Trust

2. That the following personnel and officers of the RVRSA are empowered to initiate such electronic and/or facsimile transfers:

JoAnn Mondsini, - Executive Director
 B. K. Sandy Thai, CMFO – Chief Financial Officer

Resolution 23-022

**THE EXECUTIVE DIRECTOR AND THE CHIEF FINANCIAL OFFICER ARE
 AUTHORIZED TO OPEN AND/OR CLOSE CERTIFICATES OF DEPOSIT
 ACCOUNTS ON BEHALF OF THE ROCKAWAY VALLEY REGIONAL SEWERAGE
 AUTHORITY**

Whereas, the Rockaway Valley Regional Sewerage Authority (RVRSA) under its Cash Management Plan desires to seek the most favorable interest rates from its various reserve funds from designated depositories in accordance with N.J.S.A. 404.5-15; and

Whereas, the RVRSA desires to expedite this process by authorizing the Executive Director and the Chief Financial Officer to open and/or close certificates of deposits accounts; and

Whereas, JoAnn Mondsini, Executive Director and B. K. Sandy Thai, Chief Financial Officer respectively bonded for an amount of one million dollars (\$1,000,000.00) each under Crime Insurance Policy and Fidelity bond.

NOW, THEREFORE, BE IT RESOLVED by the RVRSA as follows:

1. That JoAnn Mondsini, Executive Director and B.K. Sandy Thai, Chief Financial Officer are authorized to open and/or close Certificates of Deposits accounts on behalf of RVRSA from designated depositories as listed in the Cash Management Plan.

Resolution 23-023

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER
 AS THE AUTHORITY OFFICIAL TO ACT WITH THE E-GOVERNMENT FOR
 GOVERNMENT
 (GovConnect)**

WHEREAS, pursuant to N.J.A.C. 5:30-16 the Local Finance Board has adopted rules requiring local government units to use GovConnect to conduct official business with participating State agencies; and

WHEREAS, the Rockaway Valley Regional Sewerage Authority (RVRSA) desires to

participate in such official business as local government units are allowed to do so with participating State agencies.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, as follows:

B. K. Sandy Thai, Chief Financial Officer for the RVRSA shall be designated as the Authority Official empowered to act on behalf of the RVRSA to conduct business with participating State agencies in conjunction with GovConnect.

Resolution 23-024

**RESOLUTION AUTHORIZING CHIEF FINANCIAL OFFICER
TO BE THE CUSTODIAN OF THE RVRSA'S PETTY CASH FUND**

WHEREAS, the Rockaway Valley Regional Sewerage Authority (RVRSA) has set up a petty cash fund for the purpose of covering miscellaneous monthly expenditures of amounts not exceeding five hundred dollars (\$ 500.00); and

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash fund by application and resolution; and

WHEREAS, the Board of the RVRSA, County of Morris establishes such a fund to be in an amount not to exceed six thousand dollars (\$6,000.00); and

WHEREAS, such custodian of the Petty Cash funds as hereby established shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures; and

WHEREAS, the custodian for this fund shall be bonded; and

Whereas, B. K. Sandy Thai, Chief Financial Officer is bonded for an amount of one million dollar (\$1,000,000.00), under Crime Insurance Policy and Fidelity bond.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, as follows:

3. The RVRSA hereby authorizes such action and two (2) copies of this resolution to be filed with the Division of Local Services, State of New Jersey Department of Community Affairs for approval.
4. B. K. Sandy Thai, Chief Financial Officer is bonded for an amount of one million dollars (\$1,000,000.00) under Crime Insurance Policy and Fidelity bond and Public Officials Insurance and is hereby appointed to be the custodian of the Petty Cash fund as established herein.

Resolution 23-025

DESIGNATION OF PERSONS TO REPRESENT RVRSA'S INTERESTS

BE IT RESOLVED that the following persons shall be empowered and authorized to Re-Org and Resolutions 23-012 to 23-028

represent the Rockaway Valley Regional Sewerage Authority's interest in the following organizations:

New Jersey Utilities Joint Insurance Fund:

- JoAnn Mondsini - Fund Commissioner

New Jersey Utilities Joint Insurance Fund Safety Committee:

- Corinne Mosher– As Safety Coordinator for the Committee

Rockaway River Watershed Cabinet:

- Natalie M. Pisarcik – As RVRSA's representative
- Robert Bocchino – As RVRSA's representative

NJWEA's Industrial Environmental Quality Committee:

- Natalie Pisarcik – As RVRSA's representative

Passaic River Alliance

- JoAnn Mondsini, Executive Director – As RVRSA's representative

New Jersey Sewerage and Municipal Utility Authorities Electric Supply Aggregation

- JoAnn Mondsini – As RVRSA's representative
- Robert Bocchino – As RVRSA's alternate representative

Resolution 23-026

Resolution of the Rockaway Valley Regional Sewerage Authority Designating a Custodian of Government Records Pursuant to the Open Public Record Act, N.J.S.A. 47:1A-1 ET. SEQ.

WHEREAS, the recent amendments to public records laws in New Jersey commonly known as the Open Public Records Act., N.J.S.A. 47:1A-1 et. Seq. (The "Act") require public agencies to make government records readily accessible for inspection, copying or examination by the citizens of this State, with certain exceptions; and

WHEREAS, pursuant to the Act, a public agency must officially designate a custodian of government records by formal action of its governing body; and

WHEREAS, the Rockaway Valley Regional Sewerage Authority ("the Authority") desires to designate Janice Fox, as the Custodian of the Authority's Government Records, as that term is defined in the Act.

NOW, THEREFORE, BE IT RESOVED by the Authority as follows:

1. That Janice Fox is and herby is appointed Custodian of the records of the Authority.
2. That said Custodian shall respond to all requests for access to or copies of Government Records as that term is defined in the Act, within the time period provided by the Act.

This Resolution shall take effect as provided by law.

**Resolution 23-027
RESOLUTION APPOINTING
FUND COMMISSIONER**

WHEREAS: Public Law 1983, c.372 (N.J.S.A. 40A:10-36 et seq) permits municipalities to join together to form a joint insurance fund; and

WHEREAS, the New Jersey Utility Authorities Joint Insurance Fund is duly constituted as a Municipal Self-Insurance Fund; and

WHEREAS, the Rockaway Valley Regional Sewerage Authority is a member of the New Jersey Utility Authorities Joint Insurance Fund, and

WHEREAS, the NJSA 40A:10-36 et seq, as well as, the Bylaws of the New Jersey Utility Authorities Joint Insurance Fund provide that "in the manner generally prescribed by law, each member shall appoint one (1) commissioner to the Fund. Each member shall select either a member of its governing body or one of its employees; and

WHEREAS, the term of the appointment is either:

1. A commissioner, other than the special commissioner, who is a member of the appointing utility authority's governing body shall hold office for two years or for the remainder of his/her term of office as a member of the governing body, whichever shall be less, or
2. Commissioners who are employees of the appointing utility authority shall hold office at the pleasure of the utility authority and can be removed by the utility authority at any time without cause.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Rockaway Valley

Regional Sewerage Authority does hereby appoint JoAnn Mondsini, Executive Director to serve as Fund Commissioner to the New Jersey Utility Authorities Joint Insurance Fund.

Resolution 22-028

**RESOLUTION RE-AUTHORIZING INCENTIVES
TO QUALIFIED EMPLOYEES WHO
OPT TO WAIVE HEALTH BENEFITS
UNDER THE STATE HEALTH BENEFIT PLAN (SHBP)**

WHEREAS, the local government unit Rockaway Valley Regional Sewerage Authority (RVRSA) desires to continue to permit an employee to waive the health coverage offered by the State Health Benefits Program (SHBP), if the said employee is eligible for any other health care coverage; and

WHEREAS, the local government unit (RVRSA) may continue to permit its employees who are eligible for other health care coverage to waive their employee health benefit coverage under the SHBP, and receive an incentive; and

WHEREAS, the local government unit (RVRSA) recognizes that such incentives cannot exceed 50% of the amount saved by the employer (RVRSA) for those employees who have filed a waiver prior to May 21, 2010, and not to exceed 25% for waivers filed after such date, or \$5,000.00 whichever is less; and

BE IT RESOLVED BY THE ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY as follows:

1. That under Chapter 189, P.L. 2001 municipal authorities are included to permit employees to waive their group health benefits under the SHBP in exchange for an agreed-upon incentive.
2. That the RVRSA establishes that the maximum incentive to be given back to its employees under the waiver of health benefits shall not exceed more than 50% of the amount saved by the RVRSA for a waiver filed prior to May 21, 2010, and 25% incentive or \$5,000.00 whichever is less, for waivers filed after such date.
3. That this resolution shall not contravene any of the provisions which may be promulgated in Chapter 2, PL 2010 which may be effective as of May 21, 2010, or revisions thereof.
4. That B. K. Sandy Thai, Chief Financial Officer of the RVRSA is authorized to disburse

the incentives to those employees who qualify to receive the waiver of health of benefits under this provision of the law.

These Resolutions were adopted on a **consent agenda** at a re-organization meeting of the Rockaway Valley Regional Sewerage Authority on **February 9, 2023.**

On the motion of: Commissioner Schorno


Second by: Commissioner Howarth

Yeas: (9) Andes, Corbett, Farrell, Potter, Howarth, Isselin, Lavery, Schorno, Zuppa

Nays: (0)

Abstain: (0)

Absent: (1) Cegelka



Donald Farrell
Board Secretary