

MORRIS COUNTY IMPROVEMENT AUTHORITY

MINUTES of the Board Meeting held on August 30, 2010, at 6:00 p.m.,
Knox Conference Room #525, Morris County
Administration and Records Building, Morristown, New Jersey

At 6:00 p.m., John Bonanni, Chairman to the Morris County Improvement Authority called the meeting to order. The following persons were in attendance:

John Bonanni, Chairman
Frank T. Pinto, Commissioner
Christina Ramirez, Commissioner
Glenn Roe, Commissioner
Ellen Sandman, Commissioner
Stephen B. Pearlman, Esq. - Inglesino, Pearlman, Wyciskala & Taylor LLC
Jennifer Edwards, Acacia Financial Group
Doug Bacher, NW Financial Group
Representative, Gabel Associates

Commissioner Bonanni asked for the reading of the public statement in accordance with the Open Public Meetings Act which was then read by recording secretary Cindy Rueter.

Commissioner Bonanni asked for “roll call” for the Authority. All five (5) Commissioners were in attendance, Ms. Christina Ramirez, Ms. Ellen Sandman (arrived at 6:10 p.m.), Mr. John Bonanni, Mr. Glenn Roe and Mr. Frank Pinto a quorum was established.

Approval of the July 21, 2010 minutes was considered. Commissioner Pinto made a motion to accept the minutes of the July 21st meeting. Commissioner Ramirez seconded the motion; all were in favor to accept the minutes of July 21st.

The public portion of the meeting was opened. – No comment at this time.

No Executive Session needed at this time.

Agenda item 6a. was tabled until the September 15th meeting of the Morris County Improvement Authority. A committee was established to review the Request for Qualifications for General, Bond and Special Energy Counsel Services. The committee consists of Commissioner Frank Pinto (Chair) and Commissioner Christina Ramirez. Resolution No. 10-33 authorizing the execution of a contract for General, Bond and Special Energy Counsel Services will be discussed after the committee members review the RFQ and present their results/opinion to the Authority.

Agenda item 6b. was discussed – Resolution of the Improvement Authority to formulate a policy whereby the Freeholder Director will have the ability to veto the monthly meeting minutes. Commissioner Roe made a motion to adopt this resolution, Commissioner Pinto seconded the motion. Roll was called. The resolution was approved unanimously. The motion carried and Resolution No. 10-34 “RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE AUTHORIZED OFFICERS OF THE AUTHORITY TO IMPLEMENT A POLICY WITH RESPECT TO THE COUNTY VETO POWERS” (No. 10-34) was adopted.

Agenda item 6c. was discussed - Resolution approving the payment of bills as listed on the Schedule of Warrants. Commissioner Roe made a motion to adopt this resolution; Commissioner Pinto seconded the motion. Roll was called. The resolution was approved unanimously. The motion carried and Resolution No. 10-35 “RESOLUTION APPROVING THE PAYMENT OF BILLS AS LISTED ON THE SCHEDULE OF WARRANTS” (No. 10-35) was adopted.

7a. Discussion: Status of Renewable Energy Program – The monthly Construction Progress report was e-mailed to the Commissioners of the Improvement Authority, as well as a hard copy handout during the meeting. Minor issues continue to arise but are being dealt with in a timely manner. Mountain Lakes Building Department does not have the level of license required for plan review; however Boonton Building Department will perform the review for them at no cost.

Permitting fees continue to be an issue for the Renewable Energy Program. A letter was sent to Morris Township's Business Administrator, Mr. Fred Rossi, regarding the permit fees that were assessed to the County related to the installation of solar panels at Morris County Park Commission Facilities. Mr. Rossi was mailed a copy of NJSA 40:23-6.20 which clearly exempts the County from such fees. Commissioner Bonanni plans to set-up a meeting with Commissioner Lori Grifa at the N.J. State Department of Community Affairs to discuss this matter in further detail.

7b. CGLP – Currently there are six (6) pending transactions which have been State approved and waiting to be executed.

7c. – Payment of Bills between Meetings – Nothing at this time.

7d. Status of Other Inquiries and potential transactions – Rockaway Township has expressed an interest to use the Improvement Authority CGLP to purchase Solar Panels with a five (5) year payback.

7e. Other items – The next meeting of the Morris County Improvement Authority will be held on its originally scheduled date of September 15, 2010, however, Commissioner Bonanni and Commissioner Sandman will be unable to attend.

American Solar Developers has contacted the Improvement Authority to discuss their approach to the Renewable Energy Program. A letter will be drafted by the Authority Counsel to invite them to the October 20, 2010 meeting of the Improvement Authority to present their plan.

The August 30, 2010 meeting of the Morris County Improvement Authority was adjourned at 7:05 p.m. Commissioner Roe made a motion to adjourn and seconded by Commissioner Pinto.

Respectively Submitted,

Cynthia Rueter
Recording Secretary

RESOLUTION NO. 10-33

**RESOLUTION OF THE BOARD OF COMMISSIONERS
MORRIS COUNTY IMPROVEMENT AUTHORITY**

TITLE:

**RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTION OF A CONTRACT FOR GENERAL, BOND
AND SPECIAL ENERGY COUNSEL SERVICES**

Agenda item 6a. was tabled until the September 15th meeting of the Morris County Improvement Authority. A committee was established to review the Request for Qualifications for General, Bond and Special Energy Counsel Services. The committee consists of Commissioner Frank Pinto (Chair) and Commissioner Christina Ramirez. Resolution No. 10-33 authorizing the execution of a contract for General, Bond and Special Energy Counsel Services will be discussed after the committee members review the RFQ and present their results/opinion to the Authority.

RESOLUTION NO. 10-34**RESOLUTION OF THE BOARD OF COMMISSIONERS
MORRIS COUNTY IMPROVEMENT AUTHORITY**

TITLE:**RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE AUTHORIZED OFFICERS OF THE AUTHORITY TO
IMPLEMENT A POLICY WITH RESPECT TO THE COUNTY VETO POWERS**

WHEREAS, The Morris County Improvement Authority (including any successors and assigns, the “**Authority**”) has been duly created by resolution no. 42 entitled “Resolution of the Board of Chosen Freeholders of Morris County, New Jersey creating the Morris County Improvement Authority” duly adopted by the Board of Chosen Freeholders (the “**Board of Freeholders**”) of the County of Morris (the “**County**”) in the State of New Jersey (the “**State**”) on April 10, 2002 as a public body corporate and politic of the State pursuant to and in accordance with the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto (the “**Act**”) and other applicable law;

WHEREAS, the Authority’s counsel, Inglesino, Pearlman Wyciskala & Taylor, LLC, (the “**Bond Counsel**”) has advised the Authority that in order to comply with the recent amendments to the Act (P.L. 2010 c. 52, a copy of which is attached as Exhibit A), the Authority should develop, coordinate with the County and implement a policy (the “**Policy**”) regarding the County’s statutory authority to veto minutes of the Authority’s meetings (the “**County Veto Powers**”).

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Authority as follows:

Section 1. The Chair of the Authority, the Vice-Chair of the Authority, the Treasurer of the Authority, or their designee (each an “**Authorized Officer**”), in consultation with Bond Counsel, are hereby severally authorized (i) to develop, coordinate with the County and implement a set of rules in order to comply with the County Veto Powers, (ii) to produce a Policy to be adopted by the Board, (iii) present to the Board and, if necessary, desirable or convenient, to the Board of Freeholders, at a subsequent meeting, the proposed Policy, and (iv) to take any and all action necessary, desirable, or convenient to undertake the development and implementation of the Policy.

Section 2. All actions taken to date by the Authority, the Authorized Officers and Bond Counsel, with respect to the matters set forth in or contemplated by this resolution, are hereby ratified and approved.

Section 3. In accordance with N.J.S.A. 40:37A-50, the Secretary of the Authority is hereby authorized and directed to submit to each member of the Board of Freeholders, by the end of the fifth business day following this meeting, a copy of the minutes of this meeting. The Secretary is hereby further authorized and directed to obtain from the Clerk of the Board of Freeholders a certification from the Clerk stating that the minutes of this meeting have not been vetoed by the Director of the Board of Freeholders.

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Section 4. This resolution shall take effect immediately.

MOVED/SECONDED:

Resolution moved by Commissioner _____.

Resolution seconded by Commissioner _____.

VOTE:

Commissioner	Yes	No	Abstain	Absent
Pinto				
Ramirez				
Roe				
Sandman				
Bonanni				

ATTESTATION:

This Resolution was acted upon at the Regular Meeting of the Authority held on August 30, 2010 at the Authority’s principal corporate office in Morristown, New Jersey.

Attested to this 30th day of August, 2010

By: _____

Secretary of the Authority

FORM and LEGALITY:

This Resolution is approved as to form and legality as of August 30, 2010

By: _____

**Stephen B. Pearlman, Esq., Partner
INGLESINO, PEARLMAN, WYCISKALA & TAYLOR, LLC
Counsel to the Authority**

EXHIBIT A

Attach Copy of P.L. 2010 c. 52