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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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The Regular Meeting of the W.T.M.U.A. was called to order at 7:42 p.m. on January 2, 2008.

Adequate notice of this meeting of the W.T.M.U.A. was given to the Observer Tribune and the Daily Record on February 9, 2007. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Akin, \*Strawn, \*Brackenridge, and \*Kuhlthau

Alt. Members Present: Messrs. \*Cullen

Alt. Members Absent: Messrs. Kramer

Staff Members Present: E/D Horn, Secretary McLain, Attorney Gregory, and Engineer Costic

\* Mr. Strawn arrived @ 7:42 p.m.

Mr. Cullen arrived @ 8:45 p.m.

Mr. Brackenridge left @ 10 p.m.

Mr. Kuhlthau left @ 19:20:p.m.

Approved Minutes of the September 5, 2007 Regular Meeting

No action was taken as there were no minutes in the packet.

Approved Minutes of the October 3, 2007 Regular Meeting

No action was taken as there were no minutes in the packet.

Approved Minutes of the October 17, 2007 Special Meeting

Motion was made by Mr. Brackenridge, and seconded by Mr. Kuhlthau that the minutes of the Special Meeting be approved as presented. Motion was carried by the following vote:

AYES: Messrs.: Akin, Brackenridge, and Kuhlthau

NAYS: None

ABSTAIN: None

Approved Minutes of the November 7, 2007 Regular Meeting

No action was taken as there were no minutes in the packet.

Approved Minutes of the December 5, 2007 Regular Meeting

No action was taken as there were no minutes in the packet.

Payment of Bills - 12/1/07 - 1231/07 - Check Register - Attachment "A"

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the payments of bills are approved on the signature of the proper official. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau

NAYS: None

ABSTAIN: None

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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Open to the Public

Schooleys's Mountain Water System

Frank Speranza attended the WTMUA Meeting as representative of the Woods of Long Valley homeowners association. He was looking for status on the CMX Report. At this time the CMX report is under review and has not been accepted by the MUA Committee. The MUA is not releasing the report until it is accepted by the MUA.

Closed to the Public

Director's Report

The Executive Director discussed several of the topics covered in his report for December 2007 and January 2008.

Adoption of Budgets for FY 2008

**BUDGET RESOLUTION**

**No. 08-01-A**

**AUTHORITY SEWER UTILITY BUDGET  
WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
FISCAL YEAR PERIOD JANUARY 1, 2008 to DECEMBER 31, 2008**

*WHEREAS*, the Sewer Utility Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2008 and ending December 31, 2008, has been presented for adoption before the Commissioners of the Authority at its meeting of January 2, 2008; and,

*WHEREAS*, the Sewer Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

*WHEREAS*, the Sewer Utility Annual Budget as presented for adoption reflects total Revenues of \$2,172,664, Total Appropriations of \$1,979,540 and Total Unreserved Retained Earnings of \$0; and,

*WHEREAS*, the Sewer Utility Capital Budget as presented for adoption reflects Total Capital Appropriations of \$747,000 and Total Unreserved Retained Earnings planned to be utilized of \$677,000; and,

*NOW, THEREFORE BE IT RESOLVED*, by the Commissioners of the Washington Township Municipal Utilities Authority, at a meeting held on January 2, 2008 that the Sewer Utility Annual Budget and Capital Budget for the fiscal year period beginning January 1, 2008 and ending December 31, 2008 is hereby adopted and shall constitute an appropriation for the purposes stated and authorization of total Revenues \$2,172,664, Total Appropriations of \$1,979,540 and Total Unreserved Retained Earnings of \$0; and,

*BE IT FURTHER RESOLVED*, that the Sewer Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau  
NAYS: None  
ABSTAIN: None

**BUDGET RESOLUTION  
No. 08-01-B**

**AUTHORITY WATER UTILITY BUDGET  
WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY  
FISCAL YEAR PERIOD JANUARY 1, 2008 to DECEMBER 31, 2008**

*WHEREAS*, the Water Utility Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2008 and ending December 31, 2008, has been presented for adoption before the Commissioners of the Authority at its meeting of January 2, 2008; and,

*WHEREAS*, the Water Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved the Director of the Division of Local Government Services; and

*WHEREAS*, the Water Utility Annual Budget as presented for adoption reflects total Revenues of \$976,650, Total Appropriations of \$876,870 and Total Unreserved Retained Earnings of \$0; and,

*WHEREAS*, the Water Utility Capital Budget as presented for adoption reflects Total Capital Appropriations of \$1,350,200 and Total Unreserved Retained Earnings planned to be utilized of \$1,350,200; and,

*NOW, THEREFORE BE IT RESOLVED*, by the Commissioners of the Washington Township Municipal Utilities Authority, at a meeting held on January 2, 2008 that the Water Utility Annual Budget and Capital Budget for the fiscal year period beginning January 1, 2008 and ending December 31, 2008 is hereby adopted and shall constitute an appropriation for the purposes stated and authorization of total Revenues \$976,650, Total Appropriations of \$876,870 and Total Unreserved Retained Earnings of \$0; and,

*BE IT FURTHER RESOLVED*, that the Water Utility Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Kuhlthau that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau  
NAYS: None  
ABSTAIN: None

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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2008 Rate Schedule

The MUA Committee discussed the water rates and the need to incorporate increment increases to the rate schedule. The sewer rates will also need to be increased. The MUA Committee will continue to discuss this issue. No action was taken at this time.

Joint Insurance Fund Risk Management Consultant

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**RESOLUTION**

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08-01-C

**WHEREAS**, the Washington Township Municipal Utilities Authority (Authority) is a member of the New Jersey Utilities Authorities Joint Insurance Fund (Fund), following a detailed analysis; and,

**WHEREAS**, the bylaws of said Fund require that each Authority appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

**WHEREAS**, the bylaws indicate a minimum fee equal to six percent (6%) of the Authority's assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Authority; and

**WHEREAS**, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical.

**NOW, THEREFORE, BE IT RESOLVED** by the **Washington Township Municipal Utilities Authority**, that:

(1) The firm of **Brown and Brown** be appointed as its Risk Management Consultant in accordance with the Fund's bylaws.

(2) That the Executive Director is hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto.

(3) This contract is awarded without competitive bidding as an Professional Service in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law.

(4) A copy of this resolution shall be published in the Observer Tribune as required by law within ten (10) days of its passage.

**INTRODUCED AND PASSED:**      January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES:        Messrs.:    Akin, Strawn, Brackenridge, and Kuhlthau  
NAYS:        None  
ABSTAIN:    None

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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Fund Commissioner for JIF

**RESOLUTION APPOINTING COMMISSIONER FOR  
THE NEW JERSEY UTILITIES AUTHORITIES JOINT INSURANCE FUND  
08-01-D**

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**WHEREAS**, the Washington Township Municipal Utilities Authority (WTMUA) is a member of the New Jersey Utilities Authorities Joint Insurance Fund (Fund); and

**WHEREAS**, the bylaws of said Fund require that each member of the Fund is required to appoint a Fund Commissioner to represent the member concerning matters undertaken by the Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 2nd day of January, 2008 as follows:

1. The WTMUA does hereby appoint Carol McLain as Fund Commissioner to the New Jersey Utilities Authorities Joint Insurance Fund.
2. The Secretary is directed to forward copies of this resolution to Carol McLain, Fund Commissioner and the New Jersey Utilities Authorities Joint Insurance Fund.

**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau  
NAYS: None  
ABSTAIN: None

Custodian of Records

**RESOLUTION  
APPOINTING CUSTODIAN OF GOVERNMENT RECORDS  
08-01-E**

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**WHEREAS**, the Washington Township Municipal Utilities Authority (“Authority”) is a public agency created by the Township of Washington; and

**WHEREAS**, the Open Public Records Act requires the Authority to designate, by formal action, a “Custodian of Government Records”.

**NOW, THEREFORE BE IT RESOLVED**, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 2nd day of January 2008 as follows:

1. Carol McLain, is hereby designated as the Custodian of Government Records for the Authority.
2. This resolution shall take effect according to law.

**INTRODUCED AND PASSED:** January 2, 2008

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau  
NAYS: None  
ABSTAIN: None

Public Agency Compliance Officer

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**RESOLUTION  
DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER**

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**08-01-F**

**WHEREAS**, all public agencies that award contracts are required to comply with N.J.S.A. 10:5-31 et seq. and its implementing regulations at N.J.A.C. 17:27-1.1 et seq.; and

**WHEREAS**, in accordance with N.J.A.C. 17:27-3.2, the Washington Township Municipal Utilities Authority (“Authority”) must designate a Public Agency Compliance Officer as the person responsible for implementing the conditions of these regulations on behalf of the Authority.

**NOW, THEREFORE BE IT RESOLVED**, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 2nd day of January 2008 as follows:

1. Carol McLain, is hereby designated as the Public Agency Compliance Officer.
2. This resolution shall take effect according to law.

**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau  
NAYS: None  
ABSTAIN: None

GovConnect

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**RESOLUTION  
APPOINTING OFFICIAL FOR GOVCONNECT**

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**08-01-G**

**WHEREAS**, the State of New Jersey has developed an Internet site, known as GovConnect, to facilitate interaction and the exchange of information between and among State government and local authorities;

**WHEREAS**, in order to participate in GovConnect, the Washington Township Municipal Utilities Authority (“Authority”) must designate an Authority Official as the person responsible for accessing the GovConnect system and receiving email on behalf of the Authority.

**NOW, THEREFORE BE IT RESOLVED**, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 2nd day of January 2008 as follows:

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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1. Carol McLain, is hereby designated as the District Official to be enrolled in the GovConnect program.
2. Upon enrollment, the designated Authority Official agrees to accept and uphold GovConnect usage policies on behalf of the Authority.
3. This resolution shall take effect according to law.

**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau

NAYS: None

ABSTAIN: None

Acknowledgment of Kim Kaiser

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**RESOLUTION**

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08-01-H

**WHEREAS**, in April of 1999 **Kim Kaiser** became an alternate member of the **Board of Commissioners of the Washington Township Municipal Utilities Authority**; and,

**WHEREAS**, over the ensuing 8-1/2 years, Ms. Kaiser actively served the **Authority** in the position of an alternate member as well as regular member of the **Authority** by providing independent, insightful and perceptive views on the **Authority's** operations and role in the community; and,

**WHEREAS**, Ms. Kaiser freely devoted personal time and effort to see that her position with the **Authority** was productive and offered the continuity needed; and,

**WHEREAS**, in December 2007, Ms. Kaiser, citing personal commitments, tendered her resignation from the **Authority**.

**NOW, THEREFORE, BE IT RESOLVED** by the **Washington Township Municipal Utilities Authority**, that:

- (1) With great regret, the **Authority** hereby accepts the resignation of Kim Kaiser; and,
- (2) It hereby recognizes and commends Ms. Kaiser's contributions to the leadership of the **Authority** and the **Authority's** role in **Washington Township**; and,
- (3) The **Board of Commissioners of the Washington Township Municipal Utilities Authority**, the **Authority's** Staff and Consultants do hereby extend to Ms. Kaiser their heartfelt appreciation for her many years of service.

**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, and Kuhlthau

NAYS: None

ABSTAIN: None

Cliffside Park Association - (CPA)

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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The loan agreement between the MUA and CPA has been executed. The mortgage notes need to be executed for the Cliffside customers who opted for this manner of repayment of the loan. We have also started to receive loan payoffs from some of the Cliffside customers. Once the mortgage notes and loan payoffs are taken care of, Cliffside will be able to go out for bids. The operating agreement between the MUA and Cliffside still needs to be amended and executed.

Fawnridge Drive Sewer

Mr. Costic reviewed the status of this project. We are looking at the Infiltration and Inflow (I / I) problem in the Schooleys Mountain collection system. Looking into ways to monitor flow coming into the collection system also we will be doing inspection of manholes in the easements.

Bartley Road Sewer Project

The pump station is done except for punch list items. An issue concerning the pumps installed at the pump station has arisen and is being addressed by the pump vendor. A letter to be sent to the West Morris High School Board of Ed addressing the deficiencies at the pump station. Before the Authority takes over the pump station all these issues need to be addressed. Also final training of the MUA employees and start up will be needed before the Authority takes over the station.

Pumping Stations Evaluation

Mr. Horn reviewed the status of this project. The consultant is preparing the application for verification of the wetlands delineation for Springtown PS.

Thickener at Long Valley WWTP

Mr. Horn reviewed the status of this project.

Schooleys's Mountain Water System

Professional Services for Well Sites Evaluation

Mr. Costic & Mr. Gregory will be working together on how to proceed with the Authorities response to the DEP regarding the Draft Administrative Consent Order.

Well Rehabilitation

**RESOLUTION  
CHANGE ORDER 1 FOR CONTRACT C145**

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**No. 08-01-J**

**WHEREAS**, on November 7, 2007 the Washington Township Municipal Utilities Authority (Authority) awarded a contract to Subsurface Technologies, Inc. for **WTMUA Contract No. C145, Schooleys's Mountain Water System Well Rehabilitation**; and,

**WHEREAS**, during the construction of the project, additional work was encountered which Subsurface Technologies, Inc. was requested to provide a proposal to complete; and,

**WHEREAS**, the additional work under Change Order 1 involves the costs due to unforeseen and changed conditions as described in the Request for Change Order; and,

**WHEREAS**, the proposals from Subsurface Technologies, Inc. for the additional work is for a total of \$11,155.06 for Change Order 1; and,

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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**WHEREAS**, the Change Order is acceptable to Subsurface Technologies, Inc. , and the WTMUA staff; and,

**WHEREAS**, the Authority has reviewed the Request for Change Order filed with the Authority by the Executive Director in support of Change Order 1 on Contract C145; and,

**WHEREAS**, the Authority is satisfied that the proposed Change Order is justified and meets the requirements of N.J.A.C. 5:34-4; and

**WHEREAS**, sufficient funds are available to pay for the requested Change Order.

**NOW, THEREFORE, BE IT RESOLVED** by the Washington Township Municipal Utilities Authority, that:

(1) The Executive Director is hereby authorized to execute an amendment to Contract C145 in the amount of \$11,155.06 consisting of Change Order 1 for the work described in the aforesaid Request for Change Order in the form submitted to the Authority.

(2) This Resolution shall take effect immediately according to law.

**INTRODUCED AND PASSED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES: Messrs.: Akin, Strawn, Brackenridge, Kuhlthau, and Cullen

NAYS: None

ABSTAIN: None

Professional Services - Water System Model

The MUA Committee reviewed a letter from CMX detailing the cost involved to complete the GIS system map, which is needed for completing an accurate hydraulic model. This issue was tabled.

Closed Session

**TOWNSHIP OF WASHINGTON  
MORRIS COUNTY  
RESOLUTION  
WTMUA**

**No. 07-08-L**

**BE IT RESOLVED** by the Washington Township Municipal Utilities Authority, in the County of Morris and State of New Jersey, as follows:

**WHEREAS**, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matter relating to **Contract Negotiation** which matter is permitted by Section 7.6 of the Open Public Meetings Act (Chapter 231 of the Public Laws of the State of New Jersey for 1975) to be discussed in closed session in the absence of the Public; and

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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**WHEREAS**, the Washington Township Municipal Utilities Authority has determined that it is necessary in the public interest that the matter in fact be discussed in closed session, and has estimated that, as nearly as can be ascertained, the results of the discussion can be disclosed to the public at the following time and under the following circumstances: the matter will be disclosed to the public when formally acted upon.

**NOW, THEREFORE**, it is resolved that the public be excluded from the closed portion of this meeting, during which only the aforestated matter will be discussed.

**DATED:** January 2, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Cullen that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, and Cullen  
NAYS: None  
ABSTAIN: None

Motion was made by Mr. Strawn, and seconded by Mr. Cullen that the closed session portion of this meeting be adjourned. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, and Cullen  
NAYS: None  
ABSTAIN: None

Acting Executive Director

**RESOLUTION  
APPOINTING TEMPORARY EXECUTIVE DIRECTOR**

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**08-01-K**

**WHEREAS**, the current Executive Director Washington Township Municipal Utilities Authority ("Authority") has tendered his resignation effective January 5, 2008; and

**WHEREAS**, the Authority is currently in the process of searching for a new Executive Director; and

**WHEREAS**, it is in the interest of the Authority to appoint Paul J. Costic, P.E. as the temporary Executive Director pending the appointment of the new Executive Director.

**NOW, THEREFORE BE IT RESOLVED**, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 2<sup>nd</sup> day of January 2008 as follows:

1. Effective 10:01 a.m. January 5, 2008 Paul J. Costic, P.E. is appointed as the acting Executive Director of the Washington Township Municipal Utilities Authority in accordance with the proposal submitted by Mr. Costic and to be memorialized in a form of written agreement as approved by the attorney for the Authority.
2. This resolution shall take effect according to law.

**INTRODUCED AND PASSED:** January 2, 2008

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**WASHINGTON TOWNSHIP MUA**

January 2, 2008

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Motion was made by Mr. Strawn, and seconded by Mr. Cullen that the foregoing resolution be approved. Motion was carried by the following Roll Call Vote:

AYES        Messrs.:    Akin, Strawn, and Cullen  
NAYS:       None  
ABSTAIN:   None

There being no further business to be discussed at this meeting the following action was taken.

Motion was made by Mr. Strawn, seconded by Mr. Cullen that this meeting be adjourned. Motion was carried by the following vote:

AYES        Messrs.:    Akin, Strawn, and Cullen  
NAYS:       None  
ABSTAIN:   None

Meeting adjourned: 11:33p.m.

Respectfully submitted,

Carol A. McLain  
Secretary