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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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The Reorganization Meeting of the W.T.M.U.A. was called to order at 11:05 p.m. on February 6, 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, and Brackenridge

Members Absent: Messrs. Kuhlthau

Alt. Member Present: Messrs. Kramer, and Cullen

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

Election of Officers

Chairman

Mr. Cullen nominated Mr. Akin as Chairman for the year 2008. There being no other nominations made for Chairman, the nominations were closed.

Motion was made by Mr. Strawn, seconded by Mr. Cullen that Sam Akin be elected Chairman for the year 2008. Motion was carried by the following vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen

NAYS: None

ABSTAIN: Messrs: Akin

Vice Chairman

Mr. Kramer nominated Mr. Strawn as Vice Chairman for the year 2008. There being no other nominations made for Vice Chairman, the nominations were closed.

Motion was made by Mr. Kramer, seconded by Mr. Brackenridge that Dean Strawn be elected Vice Chairman for the year 2008. Motion was carried by the following vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen

NAYS: None

ABSTAIN: None

Other Appointments

Secretary/Treasurer - Carol A. McLain

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge to confirm the appointment of Carol A. McLain as Secretary/Treasurer for the year 2008. Motion was carried by the following vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen

NAYS: None

ABSTAIN: None

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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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Regular Monthly Meeting Dates

Chairman Akin offered the following resolution.

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**RESOLUTION**

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No. 08-02-A

**BE IT RESOLVED** that the regular meetings of the **Washington Township Municipal Utilities Authority** be held on the first Wednesday of each month at 7:30 p.m. at the Washington Township Municipal Utilities Authority Administration Building at 46 East Mill Road, Long Valley, New Jersey, for the year of 2008, in addition, Special Meetings will be held at 7:30 p.m. on October 15, 2008 and October 22, 2008.

**DATED:** February 2, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-A be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen  
NAYS: None  
ABSTAIN: None

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**NOTICE OF SCHEDULED MEETINGS  
FOR THE YEAR 2008**

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**PLEASE TAKE NOTICE**, that the Washington Township Municipal Utilities Authority will meet to discuss or take formal action upon business at 7:30 p.m. on each of the dates set forth below, at the Washington Township Municipal Utilities Authority Administration Building, 46 East Mill Road, Long Valley, New Jersey:

March 5  
April 2  
May 7  
June 4  
July 2  
August 6  
September 3  
October 1  
October 15 (Special meeting to review budget)  
October 22 (Special meeting to review budget)  
November 5  
December 3  
January 7, 2009  
February 4, 2009 (Reorganization Meeting)

Notice of any additions to the above schedule, or changes in the time, date or place of any scheduled meeting, will be posted in this location and delivered to the Observer Tribune in advance, as required by law.

**WASHINGTON TOWNSHIP MUNICIPAL  
UTILITIES AUTHORITY**

By \_\_\_\_\_  
Carol A. McLain, Secretary

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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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Open Public Meeting Act

Chairman Akin offered the following resolution.

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**RESOLUTION**

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No. 08-02-B

**WHEREAS**, Chapter 231 of the Public Laws of the State of New Jersey for 1975, known as and hereinafter designated as the "Open Public Meetings Act", requires notification of meetings of public bodies, as therein defined, in the amount therein set forth;

**NOW, THEREFORE, BE IT RESOLVED** by the **Washington Township Municipal Utilities Authority**, for purposes of compliance with the "Open Public Meetings Act" aforesaid, the **Washington Township Municipal Utilities Authority** hereby makes the following designations:

(1) The Observer Tribune, the Morristown Daily Record, Hunterdon Democrat and Hunterdon Review are hereby designated as the newspapers to receive notice of meetings as required by any and all sections of the Open Public Meetings Act, it appearing that those newspapers are more likely to inform the local public of such meetings.

(2) The notice of meetings shall be prominently posted in a space reserved for such posting in the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey.

(3) The notice of meetings shall be filed with the clerk of the Township of Washington and the clerk of the Township of Tewksbury.

(4) The sum of \$15.00 is hereby fixed as the amount to be paid by any person requesting individual notice of meetings as provided in Section 14 of the Open Public Meetings Act.

**DATED:** February 6, 2008

Motion was made by Mr. Strawn, and seconded by Mr. Kramer that the foregoing Resolution 08-02-B be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen  
NAYS: None  
ABSTAIN: None

Appointment of Auditor

Chairman Akin offered the following resolution.

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**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT  
FOR AUDITING SERVICES**

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No. 08-02-C

**WHEREAS**, the **Washington Township Municipal Utilities Authority** has a need to acquire auditing services; and

**WHEREAS**, Nisivoccia & Company has submitted a proposal dated December 31, 2008 indicating they will provide the auditing services for the not to exceed price of \$23,900; and

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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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**WHEREAS**, said Proposal is satisfactory to the members hereof; and

**WHEREAS**, funds are available for these purposes; and

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

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.5, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and Nisivoccia & Company has submitted a Business Entity Disclosure Certification which certifies that Nisivoccia & Company has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and that the contract will prohibit Nisivoccia & Company from making any reportable contributions through the term of the contract; and

**WHEREAS**, the anticipated term of this contract is one year.

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

(1) The Executive Director is hereby authorized and directed to execute a form of professional services contract with Nisivoccia & Company not to exceed \$23,900 for auditing services as approved by our attorney, attached hereto as Schedule A.

(2) A copy of this Resolution and the Contract engaging Nisivoccia & Company shall be kept on file and available for public inspection at the office of the WTMUA, PO Box 226, 46 East Mill Road, Long Valley, New Jersey.

(3) This contract are made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:11-5(1)(a)(I) of the Local Public Contracts Law, because it involves the services of recognized professionals.

(4) A notice of this action shall be printed in the Observer Tribune within ten (10) days of the passage of this resolution.

**DATED:** February 6, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-C be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen

NAYS: None

ABSTAIN: None

Appointment of Attorney

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**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT  
FOR LEGAL SERVICES**

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**No. 08-02-D**

**WHEREAS**, the **Washington Township Municipal Utilities Authority** has a need to acquire legal services; and

**WHEREAS**, James R. Gregory of Gregory & Reed has submitted a proposal dated February

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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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6, 2008 indicating they will provide the legal services in accordance with the rates submitted; and

**WHEREAS**, said Proposal is satisfactory to the members hereof; and

**WHEREAS**, funds are available for these purposes; and

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

**WHEREAS**, in accordance with N.J.S.A. 19:44A-20.5, the Executive Director has determined and certified in writing that the value of the acquisition will exceed \$17,500, and Gregory & Reed has submitted a Business Entity Disclosure Certification which certifies that Gregory & Reed has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and that the contract will prohibit Gregory & Reed from making any reportable contributions through the term of the contract; and

**WHEREAS**, the anticipated term of this contract is one year.

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

(1) The Executive Director is hereby authorized and directed to execute a form of professional services contract with Gregory & Reed for legal services as approved by our attorney, attached hereto as Schedule A.

(2) A copy of this Resolution and the Contract engaging Gregory & Reed shall be kept on file and available for public inspection at the office of the WTMUA, PO Box 226, 46 East Mill Road, Long Valley, New Jersey.

(3) This contract is made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:22-5(1)(a)(I) of the Local Public Contracts Law, because it involves the services of recognized professionals.

(4) A notice of this action shall be printed in the Observer Tribune within ten (10) days of the passage of this resolution.

**DATED:** February 6, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-D be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen  
NAYS: None  
ABSTAIN: None

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WASHINGTON TOWNSHIP MUA

February 6, 2008

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Official Newspaper

Chairman Akin offered the following resolution.

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**RESOLUTION**

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No. 08-02-F

**BE IT RESOLVED** that the official newspaper of the **Washington Township Municipal Utilities Authority** for the year 2008 shall be the Observer-Tribune.

**DATED:** February 6, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-F be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen

NAYS: None

ABSTAIN: None

Designation of Depositories of Funds

Chairman Akin offered the following resolution.

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**RESOLUTION**

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No. 08-02-G

**BE IT RESOLVED** by the **Washington Township Municipal Utilities Authority** that the following be designated as official depositories for the Authority's funds for the year 2008:

PNC Bank, N.A.  
Peapack - Gladstone Bank  
Wachovia Bank, N.A.  
U.S. Bank

**DATED:** February 6, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-G be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen

NAYS: None

ABSTAIN: None

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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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EMPLOYEE BENEFITS FOR 2008

Chairman Akin offered the following resolution.

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**RESOLUTION**

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No. 08-02-H

**BE IT RESOLVED** by the **Washington Township Municipal Utilities Authority** that the following Employee Benefits are hereby established and are made available to all employees, who are not covered under the collective bargaining agreement, for the year 2008.

**SECTION I HOLIDAYS**

All full time employees shall receive (12 ½) paid holidays as follows:

- |                     |                                     |
|---------------------|-------------------------------------|
| 1. New Years's Day  | 8. Election Day                     |
| 2. Presidents' Day  | 9. Veterans Day                     |
| 3. Good Friday      | 10. Thanksgiving Day                |
| 4. Memorial Day     | 11. Day after Thanksgiving          |
| 5. Independence Day | 12. Day before Christmas<br>(½ day) |
| 6. Labor Day        | 13. Christmas Day                   |
| 7. Columbus Day     |                                     |

**SECTION II VACATION LEAVE**

Vacation leave shall be computed on a 12 month year basis from January 1 through December 31. Full time Employees shall receive the following vacation time which shall be taken at the discretion of the Employee but not at any time which would jeopardize the efficient and effective operation of their office as determined by the Executive Director:

A. All Employees who have completed less than one (1) full year of service as of January 1 of the current calendar year shall, after having completed two full months of service, be eligible for one (1) vacation day for each full month worked, up to a maximum of ten (10) paid vacation days. Earned vacation days may not be taken until the end of the probation period.

B. All Employees who have completed a minimum of one (1) full year of service as of January 1 of the current calendar year shall be eligible for ten (10) paid vacation days.

C. All Employees who have completed a minimum of five (5) full years of service as of January 1 of the current calendar year shall be eligible for fifteen (15) paid vacation days.

D. All Employees who have completed a minimum of ten (10) full ten years of service as of January 1 of the current calendar year shall be eligible for twenty (20) paid vacation days.

No Employee shall be permitted to take any vacation leave without the prior consent of the Executive Director.

Employees may carry over up to five (5) earned vacation days from the previous year provided that this earned vacation is used by March 31. If carry over vacation is not used by this date, earned days shall lapse.

**SECTION III PERSONAL LEAVE**

All full time Employees shall be eligible for two (2) personal leave days which may be used with the consent of the Executive Director upon proper documentation.

Anyone hired after July 1st will be eligible for one (1) personal leave day in that year. Personal leave may not be taken until the end of the probation period.

**SECTION IV SICK LEAVE**

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**WASHINGTON TOWNSHIP MUA**

February 6, 2008

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Sick leave shall be computed on a 12 month year basis from January 1 through December 31. Full time employees shall receive the following sick leave time:

A. All Employees who have completed less than one (1) full year of service as of January 1 of the current calendar year shall, after having completed two full months of service, be eligible for one (1) sick leave day for each full month worked, up to a maximum of ten (10) paid sick days.

B. All Employees who have completed a minimum of one full year of services as of January 1 of the current calendar year shall be eligible for ten (10) paid sick leave days.

C. All Employees who have completed a minimum of five (5) full years of service as of January 1 of the current calendar year shall be eligible for fifteen (15) paid sick leave days.

D. All Employees who have completed a minimum of ten (10) full years of service as of January 1 of the current calendar year shall be eligible for twenty (20) paid sick leave days.

Sick leave taken for more than three (3) consecutive days shall require a doctor's certificate to establish eligibility.

The Executive Director may determine, based upon merit, service and extenuating circumstances, extensions of sick leave up to five (5) working days beyond an employees earned allotment.

**UNUSED ACCUMULATED TIME**

Sick leave shall be non-cumulative; however, on the last pay period of the current calendar year, each employee shall receive pay for 50% of any sick days accumulated but not used during that calendar year.

**ADDITIONAL SICK LEAVE**

Each full time Employee shall also receive additional sick leave in the amount of seven (7) days for each year of service up to a maximum of twenty-eight (28) days, which sick leave shall be used only under the following circumstances:

Hospitalization or major illness, recuperation which required the employee to miss more than ten (10) consecutive working days. The added sick leave shall apply only to those days over and above the ten (10) consecutive work days missed due to hospitalization or recuperation. A doctor's certificate will be required to establish eligibility.

In addition to the sick leave granted for any single major illness or hospitalization which extends more than thirty (30) days, paid sick leave will be granted from the 29th day to the 182nd day. Proof of eligibility for extended benefits will be required in the form of a doctor's certificate and may require examination and certification by a doctor appointed by the WTMUA Committee.

**DATED:** February 6, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-H be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen  
NAYS: None  
ABSTAIN: None

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WASHINGTON TOWNSHIP MUA

February 6, 2008

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Payment of Bills Exception

Chairman Akin offered the following resolution.

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**RESOLUTION**

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*No. 08-02-1*

**WHEREAS**, the **Washington Township Municipal Utilities Authority** receives goods and services, and invoices for such goods and services at various times during any given month; and,

**WHEREAS**, it is to the benefit of the **Authority** to make payments for goods and services on a timely basis to retain good relations with vendor, avoid interest amounts on overdue payments, and to take advantage of discounts.

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

(1) The Executive Director is authorized to make payments for certain goods and services prior to review by the MUA Committee.

(2) To qualify for payment prior to Committee review, vouchers for such goods and services shall be:

- \* Less than \$5,000, or
- \* Covered by a contract previously approved by the Committee, or
- \* For goods or services received from regulated utilities (e.g. - Electricity or Telephone) and required in the ongoing operation of the sewer and water systems.

**INTRODUCED AND PASSED:** February 6, 2008

Motion was made by Mr. Strawn, seconded by Mr. Brackenridge that the foregoing Resolution 08-02-1 be adopted. Motion was carried by the following Roll Call Vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen  
NAYS: None  
ABSTAIN: None

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge to adjourn the Reorganization Meeting. Motion was carried by the following vote:

AYES: Messrs: Akin, Strawn, Brackenridge, Kramer, and Cullen  
NAYS: None  
ABSTAIN: None

Reorganization Meeting Adjourned: 11:20 p.m.

Respectfully submitted,

Carol A. McLain  
Secretary