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**WASHINGTON TOWNSHIP MUA**

April 2, 2008

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The Regular Meeting of the W.T.M.U.A. was called to order at 7:40 p.m. on April 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 8, 2008. Notice was also posted on the Municipal Building Bulletin Board.

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

Alt. Members Present: Messrs. \*Kramer

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

\* Mr. Strawn arrived @ 8 p.m.

\* Mr. Kramer arrived @ 8:20 p.m.

Approved Minutes of the February 5, 2008 Regular Meeting

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

Approved Minutes of the February 13, 2008 Special Meeting

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

Approved Minutes of the February 18, 2008 Special Meeting

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

Approved Minutes of the March 5, 2008 Regular Meeting

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

Payment of Bills - 3/1/08 - 3/31/08 - Check Register - Attachment "A"

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

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

Open to the Public  
Cliffside Park Association

Andrew Egan, & Otto Stoudt attended the meeting to discuss 14 Lawrence Trail, possible purchase of that home. Mr. Gregory and Mr. Costic discussed the status of the project. The property, 14 Lawrence Trail is the foreclosure property and the bank indicates they will pay that fee. The Payments and the mortgages for the loan remain an outstanding issue. We currently have 10 payments and 20 people indicating they will sign mortgages. There is one hold out, and they would like more information. There is also one bankruptcy and one foreclosure, the bank indicates they will pay the fee. The principals at CPA think that since the leak in the river was fixed, the Iron & Manganese levels have dropped significantly, they are questioning the need for the treatment system.

Closed to the Public

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April 2, 2008

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Director's Report

The Executive Director discussed several of the topics covered in his report for March / April 2008.

2007 Audit

The MUA Committee reviewed the draft audit report for fiscal year 2007. No action was taken at this time.

Bond Insurers Rating Drop

The MUA received a letter from our Bond Attorney, advising us the bond rating for FGIC, who insured our 2005 bond issue has been downgraded. The Authority is required to notify our Trustee and certain institutions of this change. The following action was taken

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**RESOLUTION**

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No. 08-04-A

**WHEREAS**, the **Washington Township Municipal Utilities Authority ("WTMUA")** has been notified by its Bond Attorney that FGIC, the rating of the bond insurer for its 2005 Bond issue, has been downgraded, and

**WHEREAS**, the WTMUA is required to inform the Trustee for the Bonds and certain institutions of such change, and

**WHEREAS**, the WTMUA's Bond Attorney, Robert Beinfield of Hawkins of Delafield & Wood LLP, has provided such disclosure forms, a notice and list of institutions to be notified in his letter of March 11, 2008.

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

1. The Executive Director be authorized submit such notice and forms to those institutions set forth in the Bond Attorney's letter of March 11, 2008 that the rating of FGIC has been downgraded.
2. This resolution shall take effect immediately.

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

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

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

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**WASHINGTON TOWNSHIP MUA**

April 2, 2008

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Rules & Regulations

The MUA Committee reviewed a memo dated 3/28/08 regarding Rules & Regulations and Water Restrictions. The following action was taken.

**RESOLUTION**

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No. 08-04-B

**WHEREAS**, the **Washington Township Municipal Utilities Authority (“WTMUA”)** contemplates imposing water restrictions to be effective during the summer of 2008, and

**WHEREAS**, it may be necessary for the WTMUA to impose fines for violation of such water restrictions, and

**WHEREAS**, certain minor amendments to the WTMUA’s Rules and Regulations are required to clearly show that such fines may be imposed; and

**WHEREAS**, it is the desire of the WTMUA to amend its Rules and Regulations in accordance with the form of amendments attached hereto in a memorandum by Paul Costic, dated 3/28/08.

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

1. The Rules and Regulations of the Washington Township Municipal Utilities Authority are hereby amended so that Section 7A-9 shall be modified to read as follows:

**9. Proclamation of Emergencies and Use Restrictions** - Conditions and Penalty for Violation - Whenever, in an emergency or in anticipation of potential conditions effecting the Health, Safety and Welfare of its customers, the Authority shall restrict the use of Authority water by published order, or by proclamation issued by the Chairman of the Authority or his designee, no person shall use Authority water in violation of said order or proclamation. Violation of such shall become subject to the penalties provided by these regulations or by proclamation without the notice as therein provided.

2. This resolution shall take effect immediately.

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

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

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

NAYS: None

ABSTAIN: None

St. Mark’s RC Church

The MUA Committee reviewed and discussed the memo dated 3/26/08 regarding the St. Marks RC Church billing. The MUA Board determined it would be appropriate to have the quarterly user charges adjusted to reflect the number of connections four (4) that had been applied when the charges for the hook-up fees were finalized. This is consistent with the method of user fee charges that the Authority applies throughout its system.

Motion was made by Mr. Strawn and seconded by Mr. Brackenridge to bill St. Mark’s RC Church based on 4 EDU’s for user fees. Motion was carried by the following vote:

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**WASHINGTON TOWNSHIP MUA**

April 2, 2008

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

Roof @ LV WTP Control Building

This issue was deferred until the next meeting.

West Fawneridge Drive Sewage Backups

The MUA's customers @ 110 & 112 W. Fawnridge Drive experienced problems during the heavy rains of March 6, 2008. This prompted Mr. Burke of 112 W. Fawnridge to discuss this situation with Executive Director Costic. The MUA received a letter from Mr. Jankunis's Attorney regarding this situation. The MUA Committee discussed an alternate method of backflow abatement. The Authority would like to install a grinder pump at the sewer outlet from the house. This pump is a unit that is commonly installed in situations where the house is at the lower elevation than the sewer main. Sewage flows by gravity into an underground chamber that houses the pump. On reaching a predetermined level the pump ejects the sewage into the main. The system is outfitted with a check valve arrangement so no sewage can flow back from the main into the pump chamber or the house. The advantage to the grinder pump system is that it is automatic and the use of the facilities in the house can continue at all times. Mr. Costic to present this proposal to the Jankunis' and the Burkes' and on their acceptance of this system, the MUA would install the necessary equipment.

LV well 9 - Highlands Exemption Application

The Authority received three (3) proposals for preparation of the application for exemption from Highlands approvals. The application and exemption are needed to allow the wetlands & allocation permitting to move forward. Of the three proposals, the lowest at \$750., was submitted by Environmental Technology Inc., of Chester. Executive Director Costic to move ahead with their proposal.

SMWS Study

The Authority has received a letter from CMX in response to Executive Director Costic review of their study of the SM Water System. They are sticking to the conclusions of the last report submitted.

2008 Water Restrictions

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**RESOLUTION**

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**No. 08-04-D**

**WHEREAS**, during the summer of 2007 the **Washington Township Municipal Utilities Authority ("WTMUA")** experienced problems in the delivery of potable water to some of its customers in its Schooley's Mountain Water System, and

**WHEREAS**, a reoccurrence of such problems could compromise the health, welfare and safety of customers in the WTMUA's Schooley's Mountain Water System, and

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**WASHINGTON TOWNSHIP MUA**

April 2, 2008

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**WHEREAS**, to prevent such reoccurrence, it is prudent for the WTMUA, in the best interest of its water Schooley's Mountain Water System customers, to impose restrictions on the outdoor use of water during the peak usage period of May 15 through September 15, 2008, and

**WHEREAS**, the WTMUA has drafted "Schooley's Mountain Water Restrictions - 2008", attached hereto and made a part hereof, which sets forth the restrictions and potential penalties for violations of such restrictions.

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

1. The "Schooley's Mountain Water Restrictions - 2008" are hereby adopted.
2. The Executive Director shall distribute, publish and otherwise make known said restrictions to its customers in the Schooley's Mountain Water System.
2. This resolution shall take effect immediately.

**INTRODUCED AND PASSED:** April 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, Cullen, and Kramer  
NAYS: None  
ABSTAIN: None

SCADA Implementation

To allow the SCADA System PC that has been set up for the Long Valley portion of the system to be capable of controlling pump operations within that system as well as monitor them, and to extend those capabilities to the locations in the Schooleys Mountain System, additional programming of the Genesis interface must be done. Additionally, to allow the communications between the units currently being installed on the Schooleys Mountain System, each unit must be programmed. The Authority received a quotation from Technical Components Inc. to perform such programming. As there was only one quotation, this issue was deferred until the next meeting.

Hardy Cross Model

Motion was made by Mr. Strawn and seconded by Mr. Brackenridge to rescind the Hardy Cross Model contract with CMX and follow up by resolution. Motion was carried by the following vote:

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

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**WASHINGTON TOWNSHIP MUA**

April 2, 2008

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Closed Session

**TOWNSHIP OF WASHINGTON  
MORRIS COUNTY  
RESOLUTION  
WTMUA**

**No. 04-08-F**

**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 **Personnel** 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

**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:** April 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, Cullen, and Kramer  
NAYS: None  
ABSTAIN: None

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

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

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**WASHINGTON TOWNSHIP MUA**

April 2, 2008

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The MUA Committee took the following action.

Executive Director Position

**RESOLUTION  
APPOINTING EXECUTIVE DIRECTOR  
APPROVING EMPLOYMENT CONTRACT**

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**No. 08-04-G**

**WHEREAS**, it is in the interest of the Authority to appoint Paul J. Costic, P.E. as the Executive Director pursuant to the terms of the Employment Agreement made a part hereof.

**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 April 2008 as follows:

1. Paul. J. Costic, P.E. hereby appointed as the Executive Director of the Washington Township Municipal Utilities Authority for a term ending at the conclusion of the February 2009 reorganization meeting and in accordance with the Employment Agreement made a part hereof.
2. The Chairman is hereby authorized to execute Executive Director Employment Agreement in the form attached hereto.
3. This resolution shall take effect according to law.

**INTRODUCED AND PASSED:** April 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, Cullen, and Kramer  
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. Akin that this meeting be adjourned. Motion was carried by the following vote:

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

Meeting adjourned: 11:00p.m.

Respectfully submitted,

Carol A. McLain  
Secretary