
WASHINGTON TOWNSHIP MUA

November 5, 2008

The Regular Meeting of the W.T.M.U.A. was called to order at 7:39 p.m. on November 5, 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, and *Strawn, *Brackenridge, and *Popper
Members Absent: Messrs. Cullen

Alt. Members Absent: Messrs. Kramer

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

* Mr. Strawn arrived @ 7:55 p.m.

Mr. Popper arrived @ 8:05 p.m.

Mr. Brackenridge left @ 9:30 p.m.

Approved Minutes of the October 1, 2008 Regular Meeting

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

Approved Minutes of the October 15, 2008 Special Budget Meeting

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

AYES: Messrs.: Akin, Strawn, and Brackenridge

NAYS: None

ABSTAIN: Messrs.: Popper

Approved Minutes of the October 22, 2008 Special Budget Meeting

Motion was made by Mr. Strawn, and seconded by Mr. Brackenridge that the minutes of the Regular Meeting be approved as amended. Motion was carried by the following vote:

AYES: Messrs.: Akin, Strawn, and Brackenridge

NAYS: None

ABSTAIN: Messrs.: Popper

Payment of Bills - 10/1/08 - 10/31/08 - 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 Popper

NAYS: None

ABSTAIN: None

WASHINGTON TOWNSHIP MUA

November 5, 2008

Open to the Public

Several residents from the Schooleys Mountain Water System attended the MUA Meeting for a update on the Schooleys Mountain Water System. Chairman Akin, gave an update on the Water System, starting with the Memorial Day weekend 2007. This past summer water restrictions were imposed between May 15th thru Sept 15th 2008 to eliminate the situation experienced in 2007. Water Permits were issued for lawn & landscaping watering during certain hours. Permits were also issued for filling of pools. There will be an increase to the rate schedule, water 10 % and sewer 15%.

The question was asked if there would be water restriction in the summer of 2009? What is the short, medium and long term plan to increase water supply to the Schooleys Mountain System?

We are going out for bids for the drilling of three wells in the Schooleys Mountain area. We have been doing leak detection on the SM water system and repairing leaks as we find them. More than likely we will be looking at water restrictions in the Schooleys Mountain System.

Closed to the Public

Director's Report

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

Philip Lyden Water Bill

Mr. Blount, Attorney for Mr. Lyden of 1 Jordan Court, had requested time to discuss a billing problem with the MUA Board. Mr. Blount and the MUA Committee discussed & reviewed Mr. Lyden water bill problem. Following discussions the MUA Board agreed to settle Mr. Lyden outstanding water bill in the amount of \$500., plus the current 3rd quarter 2008 water bill.

12 East Mill Road Historic Mill Water Bill

In July the reading at the mill property was 197,000 gallons , resulting in a \$2,047.40 bill. The water quantity and bill were uncharacteristic for this location. The Land Trust which owns the site is seeking relief from the bill. Reviewing the billing policy adopted in 1997, there can be a credit for a residential use in this type of situation. The MUA Committee discussed this situation and the consensus was to accept an amount of \$452.43 to satisfy there water bill.

Motion was made by Mr. Strawn, and seconded by Mr. Popper to accept an amount of \$425.43 to satisfy the water bill for the Historic Mill @ 12 East Mill Road. Motion was carried by the following vote:

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

WASHINGTON TOWNSHIP MUA

November 5, 2008

16 Crest Drive Water Bill

The owner, Rosa Rodeiro, of 16 Crest Drive, has requested a modification of her bill to waive the accumulated interest charges. The analysis of the billing for this location shows that the interest amount is an accumulation of interest charges due to late and under payments from 8/28/06 to the present.

Motion was made by Mr. Strawn, and seconded by Mr. Popper to deny the request to waive the interest of 16 Crest Drive. Motion was carried by the following vote:

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

Arbitrage Rebate Analysis for the Period Ending October 15, 2008

Our Bond Council Hawkins, Delafield & Wood has advised us that an accrued arbitrage rebate liability (Rebate Liability) analysis for certain MUA bonds are due. The Rebate Liability analysis covering Water and Sewer Revenue Bonds: \$4,285,066.15, 1998 Series A - Capital Appreciation Bonds, and \$490,000 2998 Series B for the period ending October 15, 2008 are again due. This Analysis, last preformed in August 2005 by Bondlogistix, LLC for the period ending October 15, 2003, is to be done every five years as required under the provisions of Section 148(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and United States Treasury Regulations, (1993 Regulations). Hawkins, Delafield & Wood has quoted (verbally), a price of \$4,000 for the work. In 2005 Bondlogistix charged \$4,775. This issue was deferred, no action taken.

Bid for Drilling & Testing Primary and Observation Wells: SM 21, SM 22 and SM 23

RESOLUTION
REJECTION BID FOR CONTRACT c141f

No. 08-11-G

WHEREAS, on October 28, 2008 the Washington Township Municipal Utilities Authority (Authority) opened and read aloud sealed bids for **WTMUA Contract No. c141f, Drilling & Testing Primary and Observation Wells: SM 21, SM 22 and SM 23**; and,

WHEREAS, the only bid received to complete work included in Contract c141f was that **Samuel Stothoff** of Flemington, NJ; and,

WHEREAS, the bid of **Samuel Stothoff** was reviewed by the Executive Director and Authority Engineer and found to be excessive in comparison to previous bids for similar work; and

WHEREAS, the attorney for the Authority has reviewed the bid and found that a listing of equipment was not submitted thereby making the bid non-conforming; and

WHEREAS, said bid is not acceptable to the MUA.

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

(1) The bid submitted for WTMUA Contract No. WTMUA Contract No. c141f, Drilling & Testing Primary and Observation Wells: SM 21, SM 22 and SM 23 be rejected.

(2) The Executive Director is authorized to return the bid security provided by the bidders.

WASHINGTON TOWNSHIP MUA

November 5, 2008

(3) The Executive Director is authorize to re-advertise for bids for WTMUA Contract No. c141f, Drilling & Testing Primary and Observation Wells: SM 21, SM 22 and SM 23.

(4) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: November 5, 2008

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

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

Bid for Emergency Generator at Bristol Terrace Well SM 18

RESOLUTION
AWARD OF CONTRACT c144c

No. 08-11-H

WHEREAS, on October 16, 2008 the Washington Township Municipal Utilities Authority (Authority) opened and read aloud sealed bids for **WTMUA Contract No. c144c, Emergency Generator at Bristol Terrace Well SM 18**; and,

WHEREAS, the one (1) bid received to complete work included in Contract c144c was that of **Electro-Jet**, 360 Warwick Turnpike, Hewitt, NJ, in the amount of \$49,600; and,

WHEREAS, the bid of **Electro-Jet** was reviewed by the Executive Director and the attorney for the Authority and, subject to the condition set forth herein, found to be in an acceptable form in compliance with the requirements of the Contract Documents; and

WHEREAS, sufficient funds are available for the payment of this Contract; and,

WHEREAS, said bid is acceptable to the MUA.

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

(1) Subject to the confirmation by the Executive Director that the substituted generator (Kohler (40REOZJB 4-cycle) is equivalent to the specified in the bid specifications, the Chairman, or, in his absence, the Vice-Chairman, of the Authority shall be authorized to sign a contract, in form approved by the Authority's attorney, with **Electro-Jet** for WTMUA Contract No. C144c, Generator at Bristol Terrace Well SM 18 upon receipt and approval of all mandatory Contract forms.

(2) Subject to the condition set forth in Paragraph (1) herein, the Executive Director is authorized to issue a Notice of Award to **Electro-Jet** .

(3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: November 5, 2008

WASHINGTON TOWNSHIP MUA

November 5, 2008

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

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

Closed Session

**TOWNSHIP OF WASHINGTON
MORRIS COUNTY
RESOLUTION
WTMUA**

No. 11-08-E

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: November 5, 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, and Popper
NAYS: None
ABSTAIN: None

Motion was made by Mr. Akin, and seconded by Mr. Strawn that the closed session portion of this meeting be adjourned.

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

WASHINGTON TOWNSHIP MUA

November 5, 2008

Executive Secretary Position

Motion was made by Mr. Strawn, and seconded by Mr. Popper to authorize the Executive Director to follow the instruction given in closed session to make a verbal offer for the Executive Secretary position, subject to a contract prepared by Attorney Gregory. Motion was carried by the following vote:

AYES: Messrs.: Akin, Strawn, and Popper

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, and seconded by Mr. Popper that this meeting be adjourned. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, and Popper

NAYS: None

ABSTAIN: None

Meeting adjourned: 11:35 p.m.

Respectfully submitted,

Carol A. McLain
Secretary