
WASHINGTON TOWNSHIP MUA

January 7, 2009

The Regular Meeting of the W.T.M.U.A. was called to order at 7:34 p.m. on January 7, 2009.

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, Napolitano, Cullen, Popper
Alt. Members Present: Messrs. LaVista*
Members Absent: Messrs. None
Alt. Members Absent: Messrs. Kramer

Staff Members Present: Executive Director (E.D.) Costic, Secretary Waller, Attorney Gregory

* left the meeting at 10:05 pm

Approved Minutes of the December 3, 2008 Regular Meeting

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

AYES: Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

Employee Association Contract

Mr. LaVista volunteered to be a member of the Committee to negotiate the Employee Association Contract which expires at the end of 2009. Mr. Kramer, being a member of the previous employee negotiation committee, will be asked if he would like to participate again.

Geological Study

An email copy of the Geological Study, that was produced by Uhl, Baron, was requested by the Members.

Payment of Bills - 12/1/08 - 12/31/08 - Check Register

Motion was made by Mr. Strawn and seconded by Mr. LaVista 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, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

WASHINGTON TOWNSHIP MUA

January 7, 2009

Washington Township Municipal Utilities Authority Check Register December 2008

01/02/09

Date	Num	Name	Memo	Amount
12/3/2008	19471	U.S. Post Office	Dec 2008 Billing- Zn 2 & Stamps	-392.00
12/4/2008	19472	WTMUA Petty Cash	Award Bonus FY 2008	-1,800.00
12/4/2008	19473	WTMUA Petty Cash	Rmbrst Petty Cash	-393.35
12/6/2008	19474	Mattar's	MUA Awards Dinner '2008	-2,247.87
12/6/2008	19475	Air Power Compressor Co.	Air Compressor @ SMWTP	-250.00
12/6/2008	19476	Amy Greene Envrnmntl Cnsltnts Inc.	Prjct C-139.2 LV #9	-105.00
*** Missing numbers here ***				
12/8/2008	19483	Embarq / Sprint		-1,042.00
12/8/2008	19484	QC Inc.	VOID: C00154	0.00
12/8/2008	19485	Beaumont Landscaping & Design	Landscaping Maint 9/08	-1,690.00
12/8/2008	19486	Bristol, Inc	Cables 230028 RI	-65.64
12/8/2008	19487	Buckman's Inc.	346265 Chemicals	-2,492.52
12/8/2008	19488	Budd/Mayberry/Kappers	multiple	-694.28
12/8/2008	19489	Clinton Business Products	VOID: 899	0.00
12/8/2008	19490	Coyne Chemical	WASH46	-1,340.36
12/8/2008	19491	Culligan	741227	-32.50
12/8/2008	19492	Dave Heiner Associates, Inc.	CL-2 Repair Parts	-2,309.70
12/8/2008	19493	Discount Tire	Veh #98 (Ford 2006)	-641.95
12/8/2008	19494	Elizabethtown Gas		-1,236.58
12/8/2008	19495	Fire Fighters Equipment Co.	5WAS41	-610.00
12/8/2008	19496	Grainger	VOID: 835911546	0.00
12/8/2008	19497	Gregory and Reed, P.C.	Legal Svcs	-4,052.85
12/8/2008	19498	Hayes Pump, Inc.	887805	-2,620.48
12/8/2008	19499	Hydra Numatic Sales Co.	Items Springtown Pmp Sta	-356.92
12/8/2008	19500	I.C.E. Systems, Inc.	VOID:	0.00
12/8/2008	19501	JCP&L		-26,323.81
12/8/2008	19502	Lee Co.	parts	-4,241.16
12/8/2008	19503	Lube It All		-115.80
12/8/2008	19504	NJ PWT	EIN #22-2216110	-609.89
12/8/2008	19505	NJ Water Supply Authority	298- July - September 2008	-873.20
12/8/2008	19506	North East Scientific		-403.63
12/8/2008	19507	Office Direct Inc.	Office Supplies Envelopes	-253.50
12/8/2008	19508	One Call Systems, Inc.	75503	-186.14
12/8/2008	19509	Oswald Enterprises Inc.	W479	-1,500.00
12/8/2008	19510	Passaic Valley Sewerage Cmmssnrs	Sldg Dspsl 8/16/08 - 9/15/08	-3,200.00
12/8/2008	19511	Pollard	A90570	-505.96
12/8/2008	19512	Pumping Services, Inc.	Pump Stations - Spare Pump	-1,914.69
12/8/2008	19513	R & D Trucking, Inc.	Sldg Rmvl	-6,160.00
12/8/2008	19514	Recorder Publishing Co.	acc#003776	-79.80
12/8/2008	19515	Seidler Chemical Co. Inc.	LVWWTF	-1,455.44
12/8/2008	19516	Sprint Long Distance		-52.04
12/8/2008	19517	Straco III Auto Parts	W300	-85.16
12/8/2008	19518	Tynan's Service Center Inc.	Veh # 92 Brakes	-625.90
12/8/2008	19519	Unique Image Corp.	Annual Srvc Contract Copier	-1,072.50
12/8/2008	19520	USA Bluebook	91874	-170.20
12/8/2008	19521	Verizon/Bell		-136.67
12/8/2008	19522	Washington Township	Instllmnt - 2nd qtr '08 & Fuel 1st qtr...	-5,960.65
12/8/2008	19523	Waste Management of North Jersey	100-0059416-0836-5	-565.62
12/8/2008	19524	Grainger	835911546	-166.20
12/9/2008	19525	I.C.E. Systems, Inc.	Rplc Heating Unit @ Admin Bldg	-4,000.00
12/9/2008	19526	QC Inc.	C00154	-2,206.00
12/12/2008	19527	NJ Family Support Payment Center	CS71388576A	-336.00
12/12/2008	19528	USCM/Northeast	30236	-283.00
12/15/2008	19529	Rio Supply, Inc.		-16,523.36
12/15/2008	19530	Uhl, Baron, Rana & Assoc. Inc.		-9,622.00
12/16/2008	19531	Clinton Business Products	899	-46.45
12/16/2008	19532	Kleiza	VOID: 52820081	0.00
12/16/2008	19533	Hunterdon County Polytech	Jeff McNeel Class C-2 Advance Co...	-385.00
12/16/2008	19534	State of NJ - Gross Income Tax	NJ State W/H Tax	-1,688.32
12/17/2008	19535	Kleiza	52820081	-250.00
12/18/2008	19536	Staples		-290.45
12/18/2008	19537	Pat Brunner	Temp Srvc 12/15/08 8 hrs; 12/18-7...	-180.00
12/26/2008	19538	USCM/Northeast	30236	-283.00
12/26/2008	19539	NJ Family Support Payment Center	CS71388576A	-336.00

WASHINGTON TOWNSHIP MUA

January 7, 2009

Washington Township Municipal Utilities Authority
Check Register
December 2008

01/02/09

Table with 5 columns: Date, Num, Name, Memo, Amount. Contains 20 rows of financial transactions including payroll, revenue service, and pension payments.

Open to the Public

With no Public present, the meeting was closed to the Public.

Closed to the Public

Carol McLain's Retirement

** RESOLUTION **

No. 09-01-A

WHEREAS, on April 13, 1987
Carol A. McLain
became the Secretary-Treasurer of the
Washington Township Municipal Utilities Authority;
and,

WHEREAS, over the ensuing two decades, Ms. McLain actively served the Authority and the MUA
Committee in the position of Secretary-Treasurer by providing dedicated, unwavering service; and,

WHEREAS, through her work she has supported the Authority to see its operations and, thereby, role in
the community where sustained; and,

WHEREAS, Carol has devoted time and effort beyond that required to see that her position with the
Authority was productive and offered the continuity needed; and,

WHEREAS, Carol has helped guide and assist the Authority through difficult times and events; and,

WHEREAS, Carol always found time to give counsel to her fellow employees to help them and, thereby,
make them a better asset to the Authority; and,

WHEREAS, Carol decided to retire in December 2008.

WASHINGTON TOWNSHIP MUA

January 7, 2009

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

- (1) With great regret, the Authority hereby recognizes the resignation of **Carol A. McLain**; and,
- (2) It hereby recognizes and commends **Carol McLain's** contributions to 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 **Carol McLain** their heartfelt appreciation for his many years of service, as well as best wishes to her and her family in many ensuing happily retired years.

INTRODUCED AND PASSED: January 7, 2009

Motion was made by Mr. Strawn and seconded by Mr. LaVista. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

Jim Brackenridge's Resignation

RESOLUTION

No. 09-01-B

WHEREAS, in March of 1997
James Brackenridge
became an Advisory Member of the
Board of Commissioners of the Washington Township Municipal Utilities Authority;
and,

WHEREAS, over the ensuing 11 years, **Mr. Brackenridge** actively served the **Authority** in the position of an Alternate and Regular Member and as Chairman of the Board by providing independent, insightful and perceptive views on the **Authority's** operations and role in the community; and,

WHEREAS, **Mr. Brackenridge** freely devoted personal time and effort to see that his position with the **Authority** was productive and offered the continuity needed; and,

WHEREAS, because of work schedule conflicts, **Mr. Brackenridge**, tendered his resignation from the **Authority** in August 2008.

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

- (1) With great regret, the Authority hereby accepts the resignation of **James Brackenridge**; and,
- (2) It hereby recognizes and commends **Mr. Brackenridge'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 **Mr. Brackenridge** their heartfelt appreciation for his many years of service, as well as best wishes to him and his family in the ensuing years.

WASHINGTON TOWNSHIP MUA

January 7, 2009

INTRODUCED AND PASSED: January 7, 2009

Motion was made by Mr. Strawn and seconded by Mr. Cullen that the resignation of James Brackenridge be approved on the signature of the proper official. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

Appointment of E. Jill Waller as WTMUA Secretary/Treasurer

Motion was made by Mr. Strawn and seconded by Mr. Cullen to appoint E. Jill Waller as the WTMUA Secretary/Treasurer retroactive to January 1, 2009. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

Adoption of Budgets for FY 2008

- a. Due to the DCA's budget submission requirements, the approved budget format needs to be revised to combine Unreserved Retained Earnings and Replacement Reserves in the category of Unreserved Retained Earnings.

<p>2009 AUTHORITY SEWER UTILITY BUDGET RESOLUTION WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY for the FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</p>
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09-01-C1 (08-11-A Amended)

WHEREAS, the Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority's Sewer Utility for the fiscal year period beginning January 1, 2009 and ending December 31, 2009, has been presented before the governing body of the Washington Township Municipal Utilities Authority at its open public meeting of November 3, 2008; and,

WHEREAS, the Sewer Utility Annual Budget as introduced reflects Total Revenues of \$2,482,399, Total Appropriations, including any Accumulated Deficit if any, of \$2,274,974 and Total Unreserved Retained Earnings utilized of \$0; and,

WHEREAS, the Sewer Utility Capital Budget as introduced reflects Total Capital Appropriations of \$314,400 and Total Unreserved Retained Earnings planned to be utilized as funding thereof, of \$314,400; and,

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and,

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Washington Township Municipal Utilities Authority that the Annual Budget; accepted at an open public meeting held on November 3, 2008, and including appended Supplemental Schedules, and the Capital Budget/Program of the Authority's Sewer

WASHINGTON TOWNSHIP MUA

January 7, 2009

Utility for the fiscal year beginning January 1, 2009 and ending December 31, 2009, is hereby approved; and,

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and,

BE IT FURTHER RESOLVED, that the governing body of the Washington Township Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on January 7, 2009.

INTRODUCED AND PASSED: January 7, 2009

Motion was made by Mr. Strawn and seconded by Mr. Cullen approve the revised format of the Sewer budget to accommodate the DCA's requirements. Motion was carried by the following vote:

AYES	Messrs.:	Akin, Strawn, Napolitano, Cullen
NAYS:		None
ABSTAIN:	Messrs.:	Popper

<p>2009 AUTHORITY WATER UTILITY BUDGET RESOLUTION WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY for the FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</p>
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09-01-C2 (08-11-B Amended)

WHEREAS, the Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority's Water Utility for the fiscal year period beginning January 1, 2009 and ending December 31, 2009, has been presented before the governing body of the Washington Township Municipal Utilities Authority at its open public meeting of November 3, 2008; and,

WHEREAS, the Water Utility Annual Budget as introduced reflects Total Revenues of \$1,076,526, Total Appropriations, including any Accumulated Deficit if any, of \$1,048,201 and Total Unreserved Retained Earnings utilized of \$0; and,

WHEREAS, the Water Utility Capital Budget as introduced reflects Total Capital Appropriations of \$527,150 and Total Unreserved Retained Earnings planned to be utilized as funding thereof, of \$527,150; and,

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and,

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Washington Township Municipal Utilities Authority that the Annual Budget; accepted at an open public meeting held on November 3, 2008, and including appended Supplemental Schedules, and the Capital Budget/Program of the Authority's Water Utility for the fiscal year beginning January 1, 2009 and ending December 31, 2009, is hereby approved; and,

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and,

BE IT FURTHER RESOLVED, that the governing body of the Washington Township Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on January 7, 2009.

WASHINGTON TOWNSHIP MUA

January 7, 2009

INTRODUCED AND PASSED: January 7, 2009

Motion was made by Mr. Strawn and seconded by Mr. Cullen approve the revised format of the Water budget to accommodate the DCA's requirements. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen

NAYS: None

ABSTAIN: Messrs.: Popper

- b. In the absence of DCA approval the Resolution adopting the Sewer and Water Operating and Capital Budgets for FY 2009 will be tabled until the following meeting.
- c. Without the DCA approval, a temporary budget for Water and Sewer Operating and Capital budgets will be adopted.

<p>RESOLUTION</p> <p>APPROVING TEMPORARY</p> <p>SEWER and WATER UTILITY</p> <p>OPERATING and CAPITAL BUDGETS</p> <p>for the</p> <p>FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</p>

09-01-K

WHEREAS, at its open public meeting of November 3, 2008 the Washington Township Municipal Utilities Authority approved the Sewer and Water Utility Annual Budgets and Capital Budgets for the fiscal year beginning January 1, 2009 and ending December 31, 2009; and,

WHEREAS, said Budgets were submitted to the New Jersey Department of Community Affairs, Division of Local Government Services, Authority Budgets and Finances (hereinafter referred to as NJDCA) on November 13, 2008; and,

WHEREAS, the NJDCA reviewed such submission and, by fax of December 17, 2008 and telephone call of December 30, 2008, requested modifications of said submission; and,

WHEREAS, the Authority submitted modifications as requested on December 24, 2008 and December 30, 2008; and,

WHEREAS, the NJDCA has not issued an approval of the budgets as submitted and modified; and,

WHEREAS, the Authority cannot adopt its Sewer and Water Utility Annual Budgets and Capital Budgets without NJDCA approval; and,

WHEREAS, the Authority must have budgets to pay for ongoing operations.

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

- 1 The Sewer and Water Utility Annual Budgets and Capital Budgets for the fiscal year beginning January 1, 2009 and ending December 31, 2009 approved at its at its open public meeting of November 3, 2008 is hereby adopted as a temporary budget until such time the NJDCA approves the budget submissions made, or that may be required.
2. This resolution shall be retroactive to January 1, 2009.
3. This resolution shall take effect immediately upon signing by the WTMUA Chairman.

INTRODUCED AND PASSED: January 7, 2009

Motion was made by Mr. Strawn and seconded by Mr. Cullen to adopt the Temporary Sewer and Water utility

WASHINGTON TOWNSHIP MUA

January 7, 2009

Operating and Capital Budgets for Fiscal Year 2009 with the following corrections:

1. Adding "as resolutions 08-11-A and 08-11-B," in the first Whereas and after the date.
2. Removing the second "at its" in the paragraph "Now, Therefore Be It Resolved" in the first sentence of subsection 1. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

Joint Insurance Fund Risk Management Consultant

Participation in the Joint Insurance Fund requires a three year commitment. Mr. Gregory checked with his insurance consultant and was advised that participation provides the most effective rate and representation. The consultant, Brown & Brown Insurance, is paid a 6% fee for providing consulting services. The fee is paid directly from the Fund. A consultant is not required and if one is not selected, the 6% will be refunded by the Joint Insurance Fund. The benefit to having a consultant is another level of protection to advise on recommended levels of insurance, provide a resource to go to for questions and problems.

RESOLUTION
APPOINTING A RISK MANAGEMENT CONSULTANT

No.09-01-E

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

WHEREAS, members of the Fund typically appoint a Risk Management Consultant to perform insurance consultations services as outlined in the proposed form of Agreement attached hereto; and

WHEREAS, the standard rate utilized by the Fund's for consultation services is six percent (6%) of the Authority's assessment and it is anticipated that this amount shall not exceed \$3,000; and

WHEREAS, the Local Public Contracts Law allows for the retention insurance consultants without competitive bidding recognizing that it is impracticable to undertake competitive bidding for insurance consultants; and,

WHEREAS, **Brown & Brown Insurance** of Phillipsburg, New Jersey has provided Risk Management Consultant's services to the Authority for several years.

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

- (1) The firm of **Brown & Brown Insurance**, 222 Cameron Drive, Suite 140, Phillipsburg, New Jersey be appointed as its Risk Management Consultant.
- (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 in accordance with 40A:11-5(m) of the Local Public Contracts Law.
- (4) A copy of this resolution shall be published in the Authority's Official Newspaper as required by law within ten (10) days of its passage.

INTRODUCED AND PASSED: January 7, 2009

Motion was made by Mr. Strawn and seconded by Mr. Cullen to appoint Brown & Brown Insurance as the Risk Management Consultant for the WTMUA. Motion was carried by the following vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

WASHINGTON TOWNSHIP MUA

January 7, 2009

<p>AGREEMENT</p> <p>RISK MANAGEMENT CONSULTANT</p>
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THIS AGREEMENT entered into this 7th day of January, 2009, between the **Washington Township Municipal Utilities Authority**, 46 E. Mill Rd. - PO Box 226, Long Valley, NJ 07853 (hereinafter referred to as "Authority") and **Brown & Brown Insurance**, 222 Cameron Drive, Suite 140, Phillipsburg, NJ (hereinafter referred to as the "Consultant").

WHEREAS, the Consultant has offered to the Authority professional risk management consulting services in support of the insurance provided under the New Jersey Utility Authorities Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds (hereinafter referred to as "Fund") and;

WHEREAS, the Authority desires these professional services pursuant to the resolution adopted by the governing body of the Authority at a meeting held January 7, 2009 and;

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the Consultant shall:
 - a) Assist the Authority in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss.
 - b) Assist the Authority in understanding the various coverages available from the New Jersey Utility Authorities Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.
 - c) Review with the Authority any additional coverage that the Consultant feels should be carried but are not available from the Fund and subject to the Authority's authorization, place such coverages outside the Fund.
 - d) Assist the Authority in the preparation of applications, statements of values, and similar documents requested by the Fund, it being understood that this Agreement does not include any appraisal work by the Consultant.
 - e) Review Certificates of Insurance from contractors, vendors and professionals when requested by the Authority.
 - f) Review the Authority's assessment as prepared by the Fund and assist the Authority in the preparation of its annual insurance budget.
 - g) Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Also, attend no less than one (1) municipal safety committee meeting per annum to promote the safety objectives and goals of the Authority and the Fund.
 - h) Assist where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjuster.
 - i) Perform any other risk management related services required by the Fund's bylaws.
2. In exchange for the above services, the Consultant shall be compensated in the following manner:
 - a) The Consultant shall be paid by the Authority a fee as compensation for services rendered, an amount equal to six percent (6%) of the Authority's annual assessment as promulgated by the Fund, but not to exceed \$3,000. Said fee shall be paid to the Consultant within thirty (30) days of payment of the Authority's assessment.
 - b) For any insurance coverages authorized by the Authority to be placed outside the Fund, the Consultant shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the Fund's assessment in computing the fee outlined in 2 (a).
3. The term of this Agreement shall be one (1) year. However, this Agreement may be terminated by either party at any time by mailing to the other written notice, certified mail return receipt, calling for termination at not less than thirty (30) days thereafter. In the event of termination of this Agreement, the Consultant's fees outlined in 2 (a) above shall be prorated to date of termination.

WASHINGTON TOWNSHIP MUA

January 7, 2009

4. Political Contributions: This section only applies to the Consultant if the appointment was not made pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et. Seq. By acceptance of this Agreement, the Consultant certifies that in the one year period preceding the date that this contract is legally authorized that neither the Consultant’s business entity nor any persons holding 10% or more of the issued and outstanding stock of the Consultant’s business entity, or entitled to receive the benefit of 10% or more of the revenues and/or profits of the Consultant’s business entity have made any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c.19 would bar the award of this contract. This includes any reportable contribution to any official, candidate, joint candidates committee or political party representing elected officials or candidates as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r) of any member local unit insured by the Fund. Further, the Consultant and all persons holding 10% or more of the issued and outstanding stock of the Consultant’s business entity or entitled to receive the benefit of 10% or more of the revenues and/or profits of the Consultant’s business entity shall not make such contributions during the period of this contract.

Resolutions for Making Appointments to Various Positions

**RESOLUTION
APPOINTING COMMISSIONER
FOR THE
NEW JERSEY UTILITIES AUTHORITIES JOINT INSURANCE FUND**

No. 09-01-F

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 Paul J. Costic, WTMUA Executive Director, as Fund Commissioner to the New Jersey Utilities Authorities Joint Insurance Fund.
2. The Secretary is directed to forward copies of this resolution to Paul J. Costic, WTMUA Executive Director, Fund Commissioner and the New Jersey Utilities Authorities Joint Insurance Fund.

INTRODUCED AND PASSED: January 7, 2009

Motion to approve this resolution was made by Mr. Strawn and seconded by Mr.Cullen. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

**RESOLUTION
APPOINTING CUSTODIAN OF GOVERNMENT RECORDS**

No. 09-01-G

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

WASHINGTON TOWNSHIP MUA

January 7, 2009

“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 7th day of January 2009 as follows:

1. E. Jill Waller, 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 7, 2009

Motion to approve this resolution was made by Mr. Strawn and seconded by Mr.Cullen. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper

NAYS: None

ABSTAIN: None

RESOLUTION

DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER

No. 09-01-H

WHEREAS, all public agencies that award contracts are required to comply with N.J.S.A. 10:5-31 et seq. (Administering Equal Employment Opportunity in Public Contracts) and its implementing regulations at N.J.A.C. 17:27-1.1 et seq. (Equal Employment Opportunity and Affirmative Action Rules); 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 7th day of January 2009 as follows:

1. Paul J. Costic, WTMUA Executive Director, is hereby designated as the Public Agency Compliance Officer.
2. This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: January 7, 2009

Motion to approve this resolution was made by Mr. Strawn and seconded by Mr.Cullen. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper

NAYS: None

ABSTAIN: None

RESOLUTION

APPOINTING OFFICIAL FOR GOVCONNECT

No. 09-01-I

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

WASHINGTON TOWNSHIP MUA

January 7, 2009

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 7th day of January 2009 as follows:

1. Paul J. Costic, WTMUA Executive Director, 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 immediately according to law.

INTRODUCED AND PASSED: January 7, 2009

Motion to approve this resolution was made by Mr. Strawn and seconded by Mr. Cullen. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper

NAYS: None

ABSTAIN: None

4 Evita Terrace Meter Reading

The homeowner at 4 Evita Terrace sent a letter regarding his invoice that included a meter reading period exceeding 91 days. He felt he was due a refund. Mr. Costic reviewed the meter readings since 5/1/01 and determined that meter readings periods fluctuate throughout all the billings and in fact a credit of \$3.65 would be due. This amount is greatly reduced from the homeowner's estimate. Mr. Gregory determined that the WTMUA's Rules and Regulations do not require that the meter reading period be precisely 91 days and no credit is required to be issued. It was agreed by board that Mr. Costic will explain that the above and advise that a credit will not be issued.

Bid for Drilling & Testing Primary and Observation Wells: SM 21, SM 22 and SM23

One bid, for Drilling and Testing Primary and Observation Wells, was provided and submitted within legal requirements. The bid is higher than the budgeted amount. Informal polling of the vendors that took bid paperwork but did not submit a bid suggested that the bid amount was not seem excessive. It was agreed to accept the bid with the understanding that three wells will be drilled sequentially with the monitoring wells to be drilled if the WTMUA finds them necessary.

RESOLUTION

ACCEPTING BID for CONTRACT c141f

No. 09-01-J

WHEREAS, on December 16, 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 and found to be in compliance with the requirements of the Contract Documents; and

WASHINGTON TOWNSHIP MUA

January 7, 2009

WHEREAS, said bid was in the amount of \$98,025.00 total for all work items for each of the three wells, with a combined total for all work items of \$294,075.00; and,

WHEREAS, sufficient funds are available for such work; and,

WHEREAS, said bid is acceptable to the MUA.

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

- (1) The Chairman, or, in his absence, the Vice-Chairman, of the Authority shall be authorized to sign a contract with **Samuel Stothoff** for **WTMUA Contract No. c141f, Drilling & Testing Primary and Observation Wells: SM 21, SM 22 and SM 23.**
- (2) The Executive Director is authorized to issue a Notice of Award to **Samuel Stothoff.**
- (3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: January 7, 2009

Motion to approve this resolution, subject to the agreement from Samuel Stothoff that the wells be dug sequentially with the monitoring wells to be dug if the WTMUA finds them necessary, was made by Mr. Strawn and seconded by Mr. Cullen. Motion was carried by the following Roll Call Vote:

AYES Messrs.: Akin, Strawn, Napolitano, Cullen, Popper
NAYS: None
ABSTAIN: None

Director's Report

a. Arbitrage Rebate Analysis for Period Ending

An Arbitrage Analysis was provided by BLX for the 1998 Series Bonds without any authorization by Mr. Costic. BLX has advised that they have documented authorization from Mr. Horn. Additionally, a determination needs to be made as to the WTMUA's obligation to get bids for these services. Mr. Costic to review documentation and pay if duly authorized.

b. Payroll Service

The WTMUA is now up and running with Ceridian's payroll service.

c. NJDEP Infrastructure Trust

The opportunity to borrow money at an interest rate that is below current levels will be explored further. It was agreed to consider this opportunity with existing approved projects.

d. Wastewater Management Plan

A status from Mr. Sherman was not able to be obtained prior to the meeting.

e. Cucinella School

Mr. Cullen recused himself from the discussion.

An air release valve on the Cucinella grounds malfunctioned. Mr. Horner inquired if the WTMUa would be interested in repairing the valve and add the location to a maintenance program. The board advised that Mr. Costic should go ahead with developing and presenting a proposal to the board.

WASHINGTON TOWNSHIP MUA

January 7, 2009

f. Washington Township Library

Mr. Gregory to verify if the WTMUA has an agreement with the Library to maintain the pumping station. The question came up as to why the WTMUA isn't charging to maintain their pumping station.

g. Leak Study

Unaccounted-for-water is still above the 15% that the DEP recommends. It is advisable to engage a firm who specializes in this area. Mr. Costic to acquire quotes.

h. Hook Up

108 E. Springtown is inquiring into a hook up. Their system is failing and Mr. Costic has allowed them to start the connection process.

g. Connection Fees

Mr. Costic is working on the analysis for the connection fee review.

i. WMP

The WMP revisions to include Rock Rd. up to Sandt Lane is still under DEP review.

j. Mountain View Restaurant

They have the approvals needed from the Township to connect to the WTMUA system. It appears that the WIMP needs to be approved before the DEP will give them the go ahead.

k. Resident Responsibility for Sewer and Water Lines

The resident is responsible for the sewer line from the main connection into the house. Water connection is from the curb stop into the house.

l. Facility Tours

Facility Tours will be arranged for the newest members of the board.

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, Napolitano, Cullen, Popper

NAYS: None

ABSTAIN: None

Meeting adjourned: 10:25 p.m.

Respectfully submitted,

E. Jill Waller
Secretary