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**WASHINGTON TOWNSHIP MUA**

February 4, 2009

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The Regular Meeting of the W.T.M.U.A. was called to order at 8:08 p.m. on February 4, 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, Cullen, LaVista  
Alt. Members Present:   Messrs.     Kramer  
Members Absent:        Messrs.     Napolitano  
Alt. Members Absent:   Messrs.     Popper

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

Approved Minutes of the January 7, 2009 Regular Meeting

Being that the January 7, 2009 Minutes were not available, the approval of these Minutes was tabled until next meeting.

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, Cullen, LaVista, Kramer  
NAYS:               None  
ABSTAIN:           None

# WASHINGTON TOWNSHIP MUA

February 4, 2009

## Washington Township Municipal Utilities Authority Check Register December 2008

01/30/09

| Date                                | Num   | Name                               | Memo  | Amount     |
|-------------------------------------|-------|------------------------------------|---|------------|
| 12/03/2008                          | 19471 | Post Office                        | Dec 2008 Billing- Zn 2 & Stamps                         | -392.00    |
| 12/04/2008                          | 19472 | Petty Cash                         | Award Bonus FY 2008                                     | -1,800.00  |
| 12/04/2008                          | 19473 | Petty Cash                         | Rmbrst Petty Cash                                       | -393.35    |
| 12/06/2008                          | 19474 | Mattars                            | MUA Awards Dinner '2008                                 | -2,247.87  |
| 12/06/2008                          | 19475 | Air Power Compressor Co.           | Air Compressor @ SMWTP                                  | -250.00    |
| 12/06/2008                          | 19476 | Amy Greene Envrnmntl Cnsltnts Inc. | Prjct C-139.2 LV #9                                     | -105.00    |
| <b>*** Missing numbers here ***</b> |       |                                    |   |            |
| 12/08/2008                          | 19483 | Embarq / Sprint                    |   | -1,042.00  |
| 12/08/2008                          | 19484 | QC Inc.                            | VOID: C00154  | 0.00       |
| 12/08/2008                          | 19485 | Beaumont Landscaping & Design      | Landscaping Maint 9/08                                  | -1,690.00  |
| 12/08/2008                          | 19486 | Bristol, Inc                       | Cables 230028 RI  | -65.64     |
| 12/08/2008                          | 19487 | Buckman's Inc.                     | 346265 Chemicals  | -2,492.52  |
| 12/08/2008                          | 19488 | Budd/Mayberry/Kappers              | multiple  | -694.28    |
| 12/08/2008                          | 19489 | Clinton Business Products          | VOID: 899   | 0.00       |
| 12/08/2008                          | 19490 | Coyne Chemical                     | WASH46  | -1,340.36  |
| 12/08/2008                          | 19491 | Culligan                           | 741227  | -32.50     |
| 12/08/2008                          | 19492 | Dave Heiner Associates, Inc.       | CL-2 Repair Parts                                       | -2,309.70  |
| 12/08/2008                          | 19493 | Discount Tire                      | Veh #98 (Ford 2006)                                     | -641.95    |
| 12/08/2008                          | 19494 | Elizabethtown Gas                  |   | -1,236.58  |
| 12/08/2008                          | 19495 | Fire Fighters Equipment Co.        | 5WAS41  | -610.00    |
| 12/08/2008                          | 19496 | Grainger                           | VOID: 835911546   | 0.00       |
| 12/08/2008                          | 19497 | Gregory and Reed, P.C.             | Legal Svcs  | -4,052.85  |
| 12/08/2008                          | 19498 | Hayes Pump, Inc.                   | 887805  | -2,620.48  |
| 12/08/2008                          | 19499 | Hydra Numatic Sales Co.            | Items Springtown Pmp Sta                                | -356.92    |
| 12/08/2008                          | 19500 | I.C.E. Systems, Inc.               | VOID:   | 0.00       |
| 12/08/2008                          | 19501 | JCP&L                              |   | -26,323.81 |
| 12/08/2008                          | 19502 | Lee Co.                            | parts <span style="color: red;">Restock Supplies</span> | -4,241.16  |
| 12/08/2008                          | 19503 | Lube It All                        |   | -115.80    |
| 12/08/2008                          | 19504 | State of NJ - PWT                  | EIN #22-2216110   | -609.89    |
| 12/08/2008                          | 19505 | NJ Water Supply Authority          | 298- July - September 2008                              | -873.20    |
| 12/08/2008                          | 19506 | North East Scientific              |   | -403.63    |
| 12/08/2008                          | 19507 | Office Direct Inc.                 | Office Supplies Envelopes                               | -253.50    |
| 12/08/2008                          | 19508 | One Call Systems, Inc.             | 75503   | -186.14    |
| 12/08/2008                          | 19509 | Oswald Enterprises Inc.            | W479  | -1,500.00  |
| 12/08/2008                          | 19510 | Passaic Valley Sewerage Cmmsnrs    | Sldg Dpsl 8/16/08 - 9/15/08                             | -3,200.00  |
| 12/08/2008                          | 19511 | Pollard                            | A90570  | -505.96    |
| 12/08/2008                          | 19512 | Pumping Services, Inc.             | Pump Stations - Spare Pump                              | -1,914.69  |
| 12/08/2008                          | 19513 | R & D Trucking, Inc.               | Sldg Rmvl   | -6,160.00  |
| 12/08/2008                          | 19514 | Recorder Publishing Co.            | acc #003776   | -79.80     |
| 12/08/2008                          | 19515 | Seidler Chemical Co. Inc.          | LVWWTF  | -1,455.44  |
| 12/08/2008                          | 19516 | Sprint Long Distance               |   | -52.04     |
| 12/08/2008                          | 19517 | Straco III Auto Parts              | W300  | -85.16     |
| 12/08/2008                          | 19518 | Tynan's Service Center Inc.        | Veh # 92 Brakes   | -625.90    |
| 12/08/2008                          | 19519 | Unique Image Corp.                 | Annual Srvc Contract Copier                             | -1,072.50  |
| 12/08/2008                          | 19520 | USA Bluebook                       | 91874   | -170.20    |
| 12/08/2008                          | 19521 | Verizon/Bell                       |   | -136.67    |
| 12/08/2008                          | 19522 | Washington Township                | Instllmnt - 2nd qtr '08 & Fuel 1st qtr...               | -5,960.65  |
| 12/08/2008                          | 19523 | Waste Management of North Jersey   | 100-0059416-0836-5                                      | -565.62    |
| 12/09/2008                          | 19524 | Grainger                           | 835911546   | -166.20    |
| 12/09/2008                          | 19525 | I.C.E. Systems, Inc.               | Rplc Heating Unit @ Admin Bldg                          | -4,000.00  |
| 12/09/2008                          | 19526 | QC Inc.                            | C00154 <span style="color: red;">Routine Testing</span> | -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    |

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# WASHINGTON TOWNSHIP MUA

February 4, 2009

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## Washington Township Municipal Utilities Authority Check Register December 2008

01/30/09

| Date                         | Num         | Name                                 | Memo                                    | Amount     |
|------------------------------|-------------|--------------------------------------|---|------------|
| 12/25/2008                   | 19540       | D.J. Egarian & Associates, Inc.      | Prof Srvc 11/08 contract no. c149       | -8,880.85  |
| 12/31/2008                   | 19541       | D.J. Egarian & Associates, Inc.      | Prof Srvc 10/08                         | -3,600.00  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/24/2008                   | 19580       | Home Depot                           | VOID: 6035322500434638                  | 0.00       |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/11/2008                   | 60057eft    | WTMUA Operating Acct # 810194...     | conf #060057 transfer net payroll to... | -17,592.00 |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/30/2008                   | 00087356 ef | Internal Revenue Service             | 22-2216110                              | -2,989.04  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/01/2008                   | eft 120108  | WTMUA Payroll Account #810194...     | Cnfrmtn # 000795 bonus pyrl 12/01...    | -5,695.62  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/02/2008                   | eft 120208  | Internal Revenue Service             | 22-2216110 conf #00852562               | -1,549.04  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/29/2008                   | 375527-EFT  | Internal Revenue Service             | 22-2216110 CONF #00375527               | -6,618.52  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/23/2008                   | 654781-EFT  | WTMUA Payroll Account #810194...     | Cnfrmtn # 654781 pyrl 12/26/08          | -16,571.16 |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/29/2008                   | 797042 eft  | WTMUA Payroll Account #810194...     | Cnfrmtn # 797042 unused sick            | -8,308.76  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/12/2008                   | 00904445eft | Internal Revenue Service             | 22-2216110                              | -7,155.38  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/04/2008                   | eft 3384416 | PERS Health Div of Pens & Benefit... | 92-1683-0 Health Benefits               | -7,633.39  |
| *** Missing numbers here *** |             |                                      |   |            |
| 12/11/2008                   | 34503296eft | PERS Div of Pens & Benefits (TEP...  | ref #34503296 Nov 2008 Pension, I...    | -2,738.16  |

### Open to the Public

#### **Mountain Water System - Wells**

- Well Drilling bid has been awarded and the contract has been signed. Some additional paperwork needs to be completed before work can begin. Anticipated start date is the end of February or beginning of March.
- Allocation permit will be re-activated to incorporate the addition of the new wells once testing is complete.
- Anticipate knowing if the wells are good by the end of April. Following that, it should take 12-18 months for permits

#### **Water Model**

MUA needs to provide to the Engineer data on existing pumps. Once all the data is collected, it should take two weeks to produce the model. Anticipate 2-3 months to develop a plan to improve water pressure on all Long Valley water systems.

#### **Sewer Repair Responsibilities**

The customer is responsible to maintain and repair the sewer line from the main to the house. It was recommended to a customer, who had a costly repair, to check with his homeowner's insurance to see about reimbursement for some of the cost.

### Closed to the Public

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**WASHINGTON TOWNSHIP MUA**

February 4, 2009

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Adoption of Budgets for FY 2008

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| <p><b>2009 AUTHORITY SEWER UTILITY BUDGET RESOLUTION</b><br/><b>WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY</b><br/><b>for the</b><br/><b>FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</b></p> |
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**09-02-A1**

**WHEREAS**, the Sewer Utility Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2009 and ending December 31, 2009, has been presented for adoption before the Commissioners of the Authority at its meeting of February 4, 2009; 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 introduced reflects Total Anticipated Revenues of \$2,482,399, Total Appropriations, including any Accumulated Deficit if any, of \$2,274,974 and Total Unreserved Retained Earnings utilized to Balance Budget 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,

**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the Washington Township Municipal Utilities Authority that the Sewer Utility Annual Budget and Capital Budget for the fiscal year period beginning January 1, 2009 and ending December 31, 2009 is hereby adopted and shall constitute an appropriation for the purposes stated and authorization of Total Revenues \$2,482,399, Total Appropriations of \$2,589,374 and Total Unreserved Retained Earnings of \$314,400; 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.

**INTRODUCED AND PASSED:** February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to adopt the Sewer Operating and Capital Budgets for FY 2009 be approved as presented with the assurance that the budget amounts have not changed from the original approved budget. Motion was carried by the following Roll Call Vote:

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

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| <p><b>2009 AUTHORITY WATER UTILITY BUDGET RESOLUTION</b><br/><b>WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY</b><br/><b>for the</b><br/><b>FISCAL YEAR: from JANUARY 1, 2009 to DECEMBER 31, 2009</b></p> |
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**09-02-A2**

**WHEREAS**, the Water Utility Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2009 and ending December 31, 2009, has been

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**WASHINGTON TOWNSHIP MUA**

February 4, 2009

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presented for adoption before the Commissioners of the Authority at its meeting of February 4, 2009; 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 introduced reflects Total Anticipated 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,

**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the Washington Township Municipal Utilities Authority that the Water Utility Annual Budget and Capital Budget for the fiscal year period beginning January 1, 2009 and ending December 31, 2009 is hereby adopted and shall constitute an appropriation for the purposes stated and authorization of Total Revenues of \$1,076,526, Total Appropriations of \$1,575,351 and Total Unreserved Retained Earnings of \$527,150; 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:** February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to adopt the Sewer Operating and Capital Budgets for FY 2009 be approved as presented with the assurance that the budget amounts have not changed from the original approved budget. Motion was carried by the following Roll Call Vote:

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

Vincent Sica - Question re: 4<sup>th</sup> Quarter '08 Bill

A subcommittee including Mr. Strawn and Mr. Cullen, was created to revisit Resolution 97-10-B and a procedure on how to handle customer petitions for payment relief due to special circumstances. A preference is to encourage homeowners to perform due diligence to be accountable for their water usage.

Ceridian Premium Only Plan (POP)

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| <p><b>RESOLUTION</b></p> <p><b>CONSENT for CERIDIAN PREMIUM ONLY PLAN (POP)</b></p> |
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**No. 09-02-B**

**WHEREAS**, Internal Revenue Code, Section 125, allows for employee contributions to eligible insurance plans to be deducted from gross income prior to the calculation of most payroll taxes; and,

**WHEREAS**, Ceridian, the payroll processing service contracted by the Washington Township Municipal Utilities Authority (the "Authority"), offers a Premium Only Plan ("POP") which makes such calculations; and,

**WHEREAS**, such POP plan will benefit those employees wishing to opt-in by recalculating pretax premium contribution for health insurance; and,

**WHEREAS**, it is desirable to establish a "Cafeteria Plan" within the meaning of Section 125 of the Internal Revenue Code to provide such benefits to the employees of the Authority.

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**WASHINGTON TOWNSHIP MUA**

February 4, 2009

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

1. The Premium Only Plan (POP) as set forth in the Summary Plan Description attached hereto and made a part hereof is established and adopted.
2. The Executive Director of the Authority is authorized to execute such Premium Only Plan (POP) documents.
3. This Resolution shall take effect immediately upon passage.

**INTRODUCED AND PASSED:** February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. Cullen that the foregoing Resolution to adopt the Ceridian Premium Only Plan (POP) be approved as presented. Motion was carried by the following Roll Call Vote:

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

Annual Requirments Contracts

- a. AC-2 Sludge Cartage

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| <p><b>RESOLUTION</b><br/><b>AWARD OF CONTRACT AC2.09</b></p> |
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**No. 09-02-D**

**WHEREAS**, on February 4, 2009 the Washington Township Municipal Utilities Authority (Authority) opened and read aloud sealed bids for **WTMUA Contract No. AC2.09, Sewage Treatment Plant Sludge Collection, Cartage and Discharge**; and,

**WHEREAS**, of the four (4) bids received the lowest bid to complete work included in Contract AC2.07 was that of **Accurate Waste Removal Services, Inc** of Ironia, NJ; and,

**WHEREAS**, the attorney for the Authority has reviewed the bid of **Accurate Waste Removal Services, Inc** and found it to be in compliance with the requirements of the Contract Documents ; and,

**WHEREAS**, said bid was in the amount of \$0.274 per gallon for Alternate A, \$0.025 per gallon for Alternate B, and \$0.03 per gallon for Alternate C; 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) The Chairman, or, in his absence, the Vice-Chairman, of the Authority shall be authorized to sign a contract with Accurate Waste Removal Services, Inc for WTMUA Contract No. AC2.09, Sewage Treatment Plant Sludge Collection, Cartage and Discharge in accordance with the aforesaid bid and upon receipt and approval of all mandatory Contract forms (e.g. - Bonds, Insurance and the like). The form of the contract to be approved by the Authority's attorney.

(2) The Executive Director is authorized to issue a Notice of Award to Applied R&D Trucking, Inc.

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

**INTRODUCED AND PASSED:** February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. Cullen that the foregoing Resolution to award the bid for

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**WASHINGTON TOWNSHIP MUA**

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sludge cartage be approved as presented. Motion was carried by the following Roll Call Vote:

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

b. AC-3 Excavation & Repairs

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| <b>RESOLUTION</b><br><b>AWARD OF CONTRACT AC3.09</b> |
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**No. 09-02-C**

**WHEREAS**, on February 4, 2009 the Washington Township Municipal Utilities Authority (Authority) opened and read aloud sealed bids for **WTMUA Contract No. AC3.09, Excavation, Trenching and Pipe Repair, Sewer and Water Facilities**; and,

**WHEREAS**, of the six (6) bids received, the lowest bid to complete work included in Contract AC3.09 was that of **Toby Barkman Excavating, Inc.** of Califon, NJ; and,

**WHEREAS**, the bid of **Toby Barkman Excavating, Inc.** was reviewed and found to be in compliance with the requirements of the Contract Documents; and

**WHEREAS**, the attorney for the Authority has reviewed the apparent low bid and finds the same to be in acceptable form; and

**WHEREAS**, said bid was in the amount of \$42,401.12; 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) The Chairman, or, in his absence, the Vice-Chairman, of the Authority shall be authorized to sign a contract with **Toby Barkman Excavating, Inc.** for WTMUA Contract No. AC3.09, Excavation, Trenching and Pipe Repair, Sewer and Water Facilities upon receipt and approval of all mandatory Contract forms.

(2) The Executive Director is authorized to issue a Notice of Award to **Toby Barkman Excavating, Inc.**

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

**INTRODUCED AND PASSED:** February 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to award the bid for excavation and repairs be approved as presented. Motion was carried by the following Roll Call Vote:

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

Rescind the Award of Contract for Emergency Generated at Bristol Terrace Well SM18

Due to the new EPA Tier 3 regulations that came into effect in January 2008, the contractor that was awarded the bid to supply a Tier 2 generator will not be able to do the work. A Tier 3 generator can be provided at an increased cost of just under \$10,000. It was agreed to rescind the award of contract and consider purchasing a used generator at Tier 2 specifications and have it installed.

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**WASHINGTON TOWNSHIP MUA**

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| <p><b>RESOLUTION</b><br/><b>RESCINDING AWARD OF CONTRACT c144c</b></p> |
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**No. 09-02-F**

**WHEREAS**, on October 16, 2008 the Washington Township Municipal Utilities Authority (Authority) opened bids for **WTMUA Contract No. c144c, Emergency Generator at Bristol Terrace Well SM 18**; and, **WHEREAS**, the one 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 Authority made a contract award for such work on the condition that the Kohler 40REOZJB generator substituted by **Electro-Jet** was equivalent to the Katolight SED40FJGT2 generator specified in the bid specifications; and,

**WHEREAS**, **Electro-Jet's** Kohler generator supplier determined that the Kohler 40REOZJB originally proposed was not available and, in lieu, proposed a 50REOZJC; and,

**WHEREAS**, **Electro-Jet** was subsequently informed by the Kohler generator supplier that the price for the 50REOZJC would be \$9,000± more than that quoted for the original equipment; and,

**WHEREAS**, **Electro-Jet** was not able to find an equivalent to the Katolight SED40FJGT2 generator specified at the price quoted in the bid because of changes in US EPA regulation governing emissions from such equipment which became effective January 1, 2008; and,

**WHEREAS**, **Electro-Jet** requested a \$9,400 Change Order from the Authority for the additional cost of a generator meeting the EPA regulations, but exceeding the Authority's specification; and,

**WHEREAS**, the Authority's Attorney has reviewed the request of a Change Order and found that (1) such Change Order was not appropriate under the Local Public Contracts Law and, (2) the project should be rebid with updated specifications.

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

- (1) The conditional Award of Contract made for WTMUA Contract No. C144c, Generator at Bristol Terrace Well SM 18 on November 5, 2008 be hereby rescinded.
- (2) The Executive Director is authorized to return any bid security provided by the bidder.
- (3) The Executive Director is authorize to updated the generator specification and re-advertise for bids for **WTMUA Contract No. c144c, Emergency Generator at Bristol Terrace Well SM 18**.
- (3) This Resolution shall take effect immediately upon passage according to law.

**INTRODUCED AND PASSED:** November 4, 2009

Motion was made by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to rescind the award of contract for the generator for SM18 be approved as presented. Motion was carried by the following Roll Call Vote:

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

**Director's Report**

**Budget**

Reviewed 2008 final P&L/Budget reports. The following is the most notable items:

- Wages and Employee Benefits came in higher than projected
- Pipe Repair and Maintenance was also higher, but very hard to predict

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NJDEP Infrastructure Trust

It was agreed to consider the opportunity for 0% interest loans for exiting projects but not to create new projects.

Wastewater Management Plan

Plan has moved to another group within the DEP. The approval process will start over due to the change.

LVSTP; Collection System; General; Brew Pub Odor Problems

Issues prompted a meeting with the MUA, the MUA engineer and the Brew Pub owner. Some testing is being done to determine where the problems originate. The Owner's odor problems were determined to be caused by their set up. The MUA advised repair solutions. Additionally, the Brew Pub's account balance is high and there hasn't been a significant attempt to reduce the balance since March 26, 2008. It was agreed to place a lien on the property for outstanding balance.

Closed Session for Personnel and Contract Matters

TOWNSHIP OF WASHINGTON  
MORRIS COUNTY  
RESOLUTION  
WTMUA

09-02-E

Resolution Number

**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 Employee Contracts 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 aforesaid matter will be discussed.

**DATED:** February 4, 2009

Motion was made, at 10:39 pm, by Mr. Strawn, seconded by Mr. LaVista that the foregoing Resolution to go to closed session to discuss personnel contracts be approved as presented. Motion was carried by the following Roll Call Vote:

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

Motion was made by Mr. Strawn, and seconded by Mr. LaVista that the closed session portion of this meeting be adjourned at 11:34 pm.

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**WASHINGTON TOWNSHIP MUA**

February 4, 2009

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

Financial Checks and Balances

The Closed Session discussion agreed to hire an accountant on a short-term basis to determine how best to facilitate checks and balances in our small office environment.

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. Akin that this meeting be adjourned. Motion was carried by the following vote:

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

Meeting adjourned: 11:35 p.m.

Respectfully submitted,

E. Jill Waller  
Secretary