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**WASHINGTON TOWNSHIP MUA**

February 3, 2010

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The Reorganization Meeting of the W.T.M.U.A. was called to order at 8:16 p.m. on February 3, 2010.

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, 2009. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Akin, Strawn, Cullen  
Alt. Members Present: Messrs. Kramer, Popper  
Members Absent: Messrs. Napolitano, La Vista  
Alt. Members Absent: Messrs. None

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

**Election of Officers**

**Chairman**

Mr. Cullen nominated, seconded by Mr. Kramer, Mr. Akin as Chairman for the year 2010. There being no other nominations made for Chairman, a motion was made by Mr. Popper, seconded by Mr. Kramer to close the nominations.

Motion was made by Mr. Popper, seconded by Mr. Kramer that Sam Akin be elected Chairman for the year 2010. Motion was carried by the following vote:

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

**Vice Chairman**

Mr. Cullen nominated, seconded by Mr. Popper, Dean Strawn as Vice Chairman for the year 2010. There being no other nominations made for Vice Chairman, a motion was made by Mr. Popper, seconded by Mr. Cullen to close the nominations.

Motion was made by Mr. Popper, seconded by Mr. Cullen that Dean Strawn be elected Vice Chairman for the year 2010. Motion was carried by the following vote:

AYES: Messrs: Akin, Strawn, Cullen, Kramer, Popper  
NAYS: None  
ABSTAIN: None

**Executive Director**

Motion was made by Mr. Strawn, seconded by Mr. Cullen, that Paul Costic's appointment as Executive Director for the year 2010 be confirmed. Motion was carried by the following vote:

AYES: Messrs: Akin, Strawn, Cullen, Kramer, Popper  
NAYS: None  
ABSTAIN: None

**Secretary/Treasurer**

Motion was made by Mr. Strawn, seconded by Mr. Cullen that Jill Waller's appointment as Executive Secretary/Treasurer for the year 2010 be confirmed. Motion was carried by the following vote:

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AYES:           Messrs:     Akin, Strawn, Cullen, Kramer, Popper  
NAYS:           None  
ABSTAIN:       None

Required Resolutions/Notices

Regular Meeting Schedule, Open Public Meetings Act, Appointment of Auditor, Appointment of Attorney, Appointment of Engineer, Official Newspaper, Official Depositories, Payment of Bills Exception

Attorney will provide a summary of the newspaper publication rules as they relate to the requirements of conducting MUA business.

<p><b>RESOLUTION</b> <b>Regular Meeting Schedule</b></p>
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*No. 10-02-R1*

**BE IT RESOLVED** that the regular meetings of the **Washington Township Municipal Utilities Authority** be held on the first Wednesday of each month at 7:30 p.m. at the Washington Township Municipal Utilities Authority Administration Building at 46 East Mill Road, Long Valley, New Jersey, for the year of 2010.

**DATED:** February 3, 2010

<p><b>NOTICE OF SCHEDULED MEETINGS</b> <b>FOR THE YEAR 2010</b></p>
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**PLEASE TAKE NOTICE**, that the Washington Township Municipal Utilities Authority will meet to discuss or take formal action upon business at 7:30 p.m. on each of the dates set forth below, at the Washington Township Municipal Utilities Authority Administration Building, 46 East Mill Road, Long Valley, New Jersey:

March 3  
April 6  
May 5  
June 2  
July 7  
August 4  
September 8  
October 6  
October 13  
October 20  
November 3  
December 1  
January 5, 2011  
February 2, 2011

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**WASHINGTON TOWNSHIP MUA**

February 3, 2010

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**RESOLUTION**  
**Open Public Meetings Act**

*No. 10-02-R2*

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

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

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

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

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

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

**DATED:** February 3, 2010

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

*No. 10-02-R3*

**WHEREAS**, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Auditing Services for fiscal year ending 2009 and 2010; and,

**WHEREAS**, Nisivoccia & Company has submitted a proposals dated December 10, 2009 indicating they will provide the Auditing Services for the not to exceed price of \$26,890 for fiscal year 2010 and \$25,855 for fiscal year 2009, attached hereto as Schedule A; and,

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

**WHEREAS**, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the Executive Director has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Nisivoccia & Company has submitted a Business Entity Disclosure Certification which certifies that Nisivoccia & Company has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and (3) the Contract will prohibit Nisivoccia & Company from making any reportable contributions through the term of the contract; and

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**WHEREAS**, the Executive Director hereby certifies that adequate funds are available for these purposes; and,

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

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

(1) The Executive Director is hereby authorized and directed to accept the proposal of Nisivoccia & Company as the form of Professional Services Contract ("Contract") not to exceed \$24,860 for 2009 and \$26,890 for 2010 Auditing Services

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

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

(4) A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution.

**DATED:** February 3, 2010

<p><b>RESOLUTION</b></p> <p><b>AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT</b></p> <p><b>FOR LEGAL SERVICES</b></p>
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*No. 10-02-R4*

**WHEREAS**, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Legal Services; and

**WHEREAS**, James R. Gregory of Gregory & Reed has submitted a proposal dated January 29, 2010 indicating they will provide the Legal Services in accordance with the rate schedule submitted; and

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

**WHEREAS**, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the Executive Director has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Gregory & Reed has submitted a Business Entity Disclosure Certification which certifies that Gregory & Reed has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and (3) the Contract will prohibit Gregory & Reed from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Executive Director hereby certifies that adequate funds are available for these purposes; and,

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

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

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

(2) A copy of this Resolution and the Contract engaging Gregory & Reed shall be kept on file and

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**WASHINGTON TOWNSHIP MUA**

February 3, 2010

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available for public inspection at the office of the WTMUA, PO Box 226, 46 East Mill Road, Long Valley, New Jersey.

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

(4) A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution.

**DATED:** February 3, 2010

<p><b>RESOLUTION</b></p> <p><b>AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT</b></p> <p><b>FOR ENGINEERING SERVICES</b></p>
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*No. 10-02-R5*

**WHEREAS**, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Engineering Services; and

**WHEREAS**, David J. Egarian, P.E. of D.J. Egarian & Associates, Inc. has submitted a proposal dated January 29, 2010 indicating they will provide the engineering services in accordance with the rate schedule submitted; and,

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

**WHEREAS**, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the Executive Director has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) D.J. Egarian & Associates, Inc has submitted a Business Entity Disclosure Certification which certifies that D.J. Egarian & Associates, Inc has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and (3) the Contract will prohibit D.J. Egarian & Associates, Inc from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Executive Director hereby certifies that adequate funds are available for these purposes; and,

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

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

**Authority:**

(1) The Executive Director is hereby authorized and directed to execute a form of professional services contract with David J. Egarian, P.E. of D.J. Egarian & Associates, Inc. for engineering services as approved by our attorney, attached hereto as Schedule A.

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

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

(4) A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution.

**DATED:** February 3, 2010

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**WASHINGTON TOWNSHIP MUA**

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**RESOLUTION**  
**Official Newspapers**

*No. 10-02-R6*

**BE IT RESOLVED** that the official newspaper of the **Washington Township Municipal Utilities Authority** for the year 2010 shall be the Observer Tribune.

**DATED:** February 3, 2010

**RESOLUTION**  
**Official Depositories**

*No. 10-02-R7*

**BE IT RESOLVED** by the **Washington Township Municipal Utilities Authority** that the following be designated as official depositories for the Authority's funds for the year 2010:

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

**DATED:** February 3, 2010

**RESOLUTION**  
**Payment of Bills Exception**

*No. 10-02-R8*

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

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

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

(1) The Executive Director is authorized to make payments for certain goods and services prior to review by the MUA Committee except hiring decisions which shall not be made without MUA Board approval.

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

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

**INTRODUCED AND PASSED:** February 3, 2010

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**WASHINGTON TOWNSHIP MUA**

February 3, 2010

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Motion was made by Mr. Strawn, seconded by Mr. Cullen that the foregoing Resolutions, 10-02-R1 (amended the Notice Of Scheduled meetings for the Year 2010 to change the September date to the 8<sup>th</sup> and the April date to the 6<sup>th</sup>), 10-02-R2 (amended to remove the Morristown Daily Record), 10-02-R3, 10-02-R4, 10-02-R5, 10-02-R6 (amended to remove the Morristown Daily Record), 10-02-R7 and 10-02-R8 (amended to include the following language at the end of the subparagraph #1 “except hiring decisions which shall not be made without MUA Board approval), be adopted presented and amended as noted above. Motion was carried by the following Roll Call Vote:

AYES:                Messrs:        Akin, Strawn, Cullen, Kramer, Popper  
NAYS:                None  
ABSTAIN:            None

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

AYES:                Messrs:        Akin, Strawn, Cullen, Kramer, Popper  
NAYS:                None  
ABSTAIN:            None

Reorganization Meeting Adjourned:    8:45 pm

Respectfully submitted,

E. Jill Waller  
Secretary