
WASHINGTON TOWNSHIP MUA
Regular Meeting
January 5, 2011

The Regular Meeting of the W.T.M.U.A. was called to order at 7:35 p.m. on January 5, 2011. Adequate notice of this meeting of the W.T.M.U.A. was given to the Observer Tribune and the Hunterdon County Democrat on February 17, 2010. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Akin, Strawn, Napolitano, Peters
Alt. Members Present: Messrs.
Members Absent: Messrs. Cullen
Alt. Members Absent: Messrs. Kramer, Popper
Township Liaison Present: Messrs.
Township Liaison Absent: Messrs. Harmon
Staff Members Present: Executive Director (E.D.) Platt, Secretary Waller, Attorney Gregory

BILLING ADJUSTMENTS – December 2010

It was agreed to price out other options for propane and telephone services.

A motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the December 2010 Billing Adjustments. Motion was carried to the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

AUTHORIZATION OF PAYMENT OF BILLS OVER \$5,000

Individual bills for professional services over \$5,000 were presented to the Board for approval for payment.

Motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the payment of Geoscience Services, dated 12/1/10 for \$6,931.50 and Toby Barkman, dated 11/29/10 for \$6,916.20:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

RATE HEARING – 2011 RATES

Mr. Platt was sworn in by Mr. Gregory. The Secretary provided a copy of the Rate Hearing notice to Washington Township and Tewksbury Township Municipal Offices. These notices were marked Exhibit A for the record. Mr. Platt prepared the budgets and rate schedules for 2011. He is recommending the rates be adopted. The rate schedule was published in the newspapers and is marked Exhibit B. The process of determining the rate schedule was provided. A rate increase is recommended for both water and sewer. This increase is required to pay operating, maintain the system, capital improvements and those required by the NJDEP. The Rate Hearing was opened to the Public. There being no Public present, the Hearing was closed to the Public. The Hearing was opened to the WTMUA Board for questions. There being no questions, the Rate Hearing was closed.

RULES AND REGULATIONS

As discussed, Appendix "A" will be revised in section F.c. as follows: "c. *Non-Payment - For administration and physical shut off water for non-payment of bill: \$50.00.*"

<p>RESOLUTION ADOPTIGN 2011 RATE SCHEDULE AND ADMENDING WTMUA RULES & REGULATIONS</p>
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No. 11-01-C

WHEREAS, upon proper notice having been made and a public hearing having been held pursuant to the Municipal and County Utilities Authorities Law to amend the Washington Township

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Municipal Utilities Authority (“WTMUA”) service charges for 2011 as set forth in Exhibit A attached hereto; and

WHEREAS, for the reasons set forth in said public hearing and to ensure adequate revenues will be available to pay the expenses of operation and maintenance of the utility systems for the year 2011 it is the desire of the WTMUA to adopt the 2011 rate schedule and amend its Rules and Regulations in accordance with the form of amendments attached hereto (Exhibit B); and

WHEREAS, to reflect these new rates, Appendix “A”, Rate Schedule of the Rules and Regulations as well as other sections of the WTMUA’s Rules and Regulations will be required to be amended to be consistent with the 2011 Rate Schedule.

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

1. The 2011 rate schedule as set forth in Exhibit A is hereby adopted.
2. The Rules and Regulations of the Washington Township Municipal Utilities Authority are hereby amended as set forth in the amended Rules and Regulations attached hereto as Exhibit B.
3. This resolution shall take effect immediately.

INTRODUCED AND PASSED: January 5, 2011

Motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the Resolution to adopt the Rate Schedule and update Appendix “A” with the new rates and the changes discussed prior to the vote. Motion was carried to the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

APPROVAL OF 2011 BUDGETS

Operating Budgets remained as presented at the last Board Meeting. A few Capital items were moved from 2012 to 2011 - the LV7 Pump Replacement, with the reduction of the Camp Wash Spring Elimination to offset the pump replacement. The 2010 money allocated for a new vehicle was moved into 2011 since it wouldn’t be delivered until 2011. This money was offset by a reduction in Sewer I&I and the removal of office landscaping (water and sewer) which will be absorbed in operating maintenance.

2011 AUTHORITY SEWER UTILITY BUDGET RESOLUTION WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY for the FISCAL YEAR: from JANUARY 1, 2011 to DECEMBER 31, 2011
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11-01-A

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, 2011 and ending December 31, 2011, has been presented before the governing body of the Washington Township Municipal Utilities Authority at its open public meeting of January 5, 2011; and,

WHEREAS, the Sewer Utility Annual Budget as introduced reflects Total Revenues of \$2,409,215, Total Appropriations, including Accumulated Deficit if any, of \$2,409,215 and Total Unrestricted Net Assets utilized of \$0; and,

WHEREAS, the Sewer Utility Capital Budget as introduced reflects Total Capital Appropriations of \$242,950 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$242,950; 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

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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, at an open public meeting held on January 5, 2011 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Washington Township Municipal Utilities Authority's Sewer Utility for the fiscal year beginning January 1, 2011 and ending December 31, 2011, 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 said 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 February 2, 2011.

INTRODUCED AND PASSED: January 5, 2011

<p>2011 AUTHORITY WATER UTILITY BUDGET RESOLUTION WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY for the FISCAL YEAR: from JANUARY 1, 2011 to DECEMBER 31, 2011</p>
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11-01-B

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, 2011 and ending December 31, 2011, has been presented before the governing body of the Washington Township Municipal Utilities Authority at its open public meeting of January 5, 2011; and,

WHEREAS, the Water Utility Annual Budget as introduced reflects Total Revenues of \$1,142,400, Total Appropriations, including Accumulated Deficit if any, of \$1,142,400 and Total Unrestricted Net Assets utilized of \$0; and,

WHEREAS, the Water Utility Capital Budget as introduced reflects Total Capital Appropriations of \$589,850 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$589,850; 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, at an open public meeting held on January 5, 2011 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Washington Township Municipal Utilities Authority's Water Utility for the fiscal year beginning January 1, 2011 and ending December 31, 2011, is hereby approved; and,

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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 said 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 February 2, 2011.

INTRODUCED AND PASSED: January 5, 2011

A motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the two Resolutions to approve the 2011 Budgets for both Water and Sewer. Motion was carried to the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

ADOPTION OF TEMPORARY 2011 BUDGETS

<p>RESOLUTION APPROVING TEMPORARY SEWER and WATER UTILITY OPERATING and CAPITAL BUDGETS for the FISCAL YEAR: from JANUARY 1, 2011 to DECEMBER 31, 2011</p>
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11-01-D

WHEREAS, at its open public meeting of January 5, 2011, as resolutions 11-01-A and 11-01-B, the Washington Township Municipal Utilities Authority approved the Sewer and Water Utility Annual Budgets and Capital Budgets for the fiscal year beginning January 1, 2011 and ending December 31, 2011; and,

WHEREAS, said Budgets will be submitted to the New Jersey Department of Community Affairs, Division of Local Government Services, Authority Budgets and Finances (hereinafter referred to as NJDCA) on January 6, 2011; and,

WHEREAS, the NJDCA has not issued an approval of the budgets as submitted; 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, 2011 and ending December 31, 2011 approved at its open public meeting of January 5, 2011 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, 2011.
3. This resolution shall take effect immediately upon signing by the WTMUA Chairman.

INTRODUCED AND PASSED: January 5, 2011

A motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the Resolutions to adopt temporary 2011 Budgets for both Water and Sewer. Motion was carried to the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

MUA RULES & REGULATIONS – III USER FEES

The practice of when to begin billing user fees on new hook ups was discussed. It was agreed that the

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MUA Rules & Regulations should be interpreted as to begin billing user fees at the time of connection to the system.

It was recommended that the Fairview development agreements should be reviewed to see if there are any expiring provisions that need to be considered. Additionally there may have been an agreement for a payment from the developer with regard to a well. J. Gregory will review the agreement and advise.

A question was raised as to if a building addition requires adjustments to the water service agreements. J. Gregory will review the Valley View Agreement to see if there is anything applicable with regard to the pending sewer connection.

DIRECTOR'S REPORT

- F. Platt met with the WT Police Chief the County OEM and the WT OEM to review the County OEM reverse 911 program and its application to the MUA's need to have the ability to notify customers of, within 24 hours, of any issues with the water system as required by the DEP. An area can be contacted via landlines. The system does not notify cell numbers, internet phones and commercial numbers. Although additional numbers can be provided to the System. May need to supplement this system with email and/or website posting. Requesting customers to supply current phone numbers is an option to supplement the County System. The DEP does not require the MUA to go to extraordinary measures to notify. The County OEM will satisfy the requirements. The alternative is to go to a private service, similar to the one that the schools use, that would provide more complete coverage of our users. The procedure will be updated and re-circulated for approval.
- A Bartley Road resident that has recently been given permission by the DEP to connect to the sewer system has requested a loan for the connection fee. This has been done in the past and will be provided in this case as well. J. Gregory will generate the paperwork to provide this loan as a mortgage against the property.
- Staff performance reviews are being developed.
- DJ Egarian Assoc bills for the Grove Street Pump Station need to be reviewed. F. Platt requested a sub-committee to go over these with him. D. Strawn and M. Napolitano will participate in that process. Paperwork was provided.

SCADA – SM18

SM18 is the well that pumps to the Naughtright Tank with sensitive pressure sensor that has resulted in overflows. With the SCADA control this will control that lost water. Five additional vendors were contacted to provide proposals. None of those suppliers have provided proposals with some advising that they could not do the work.

<p>RESOLUTION AUTHORIZING SERVICES FOR SCADA SYSTEM IMPROVEMENTS FOR WELL #18</p>
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No. 11-01-G

WHEREAS, the Washington Township Municipal Utilities Authority (“Authority”) is in need of certain improvements to its SCADA system for Well # 18; and

WHEREAS, Technical Components Co., Inc., submitted a Proposal dated November 18, 2010 (items 1 and 3), attached hereto as Exhibit A, to supply the necessary labor and materials for the aforesaid improvements to the SCADA system; and

WHEREAS, Technical Components Co., Inc. has previously preformed work on the SCADA system;

WHEREAS, the Proposal is below that requiring public bidding; and

WHEREAS, although a good faith effort to solicit competitive quotes was made, none were received and, therefore, the submission of competitive quotes is not practicable; and

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WHEREAS, it is in the best interest of the Authority to accept this Proposal (items 1 and 3) and funds are currently available for these purposes.

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

(1) The Executive Director is hereby authorized and directed to accept the attached Proposal of Technical Components Co., Inc. for improvements to its SCADA system for Well # 18 with an amount not to exceed \$17,410.00 in accordance with the attached Proposal (items 1 and 3) attached hereto as Exhibit A.

(2) The Executive Director is authorized and directed to issue a purchase order or enter into a form of contract to be approved by the Authority's attorney for said improvements in an amount not to exceed \$17,410.00.

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

INTRODUCED AND PASSED: January 5, 2011

A motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the Resolution to authorize Technical Components to provide SCADA services to SM18. Motion was carried to the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

SMITH WELL SITE

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

No. 11-01-E

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need for professional consulting services in connection with the preparation of an amendment to the current Water Allocation Permit for the development of a new well in the Schooley's Mountain water system; and,

WHEREAS, Fisher Environmental Engineering Services, Inc., DBA, Geosciences Services, has submitted a proposal dated October 22, 2010 for the preparation of the permit amendment application, attached hereto as Schedule A. hereinafter the "Proposal"; and,

WHEREAS, the Proposal, not to exceed \$20,000.00, is satisfactory to the members hereof; and,

WHEREAS, the Executive Director hereby certifies that adequate funds are available for these purposes; 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 or competitive quotes and the contract 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) Geosciences Services has submitted a Business Entity Disclosure Certification which certifies that Geosciences Services 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 Geosciences Services from making any reportable contributions through the term of the contract; 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 accept the Proposal of

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Geosciences Services and submit a form of contract as approved by the Authority attorney in an amount not to exceed \$20,000.00 for professional services as set forth in the Proposal.

(2) A copy of this Resolution and the Contract engaging Geosciences Services 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 is to be entered into without competitive bidding or competitive quotes as a "professional service" in accordance with N.J.S.A. 40:11-5(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 Observer Tribune within ten (10) days of the passage of this resolution.

DATED: January 5, 2011

Motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to approve the Resolution to authorize Geosciences to provide services for the Allocation Permit for the Smith well site. Motion was carried by the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

CLOSED SESSION – 8:50 PM

RESOLUTION
CLOSED SESSION

No. 11-01-F

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matter relating to Litigation, Personnel and Contract Negotiations 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 when formally acted upon.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, in the County of Morris and State of New Jersey, that the public be excluded from the closed portion of this meeting, during which only the aforesated matter will be discussed.

INTRODUCED AND PASSED: January 5, 2011

Motion was made by Mr. Strawn, and seconded by Mr. Napolitano, to go into Closed Session to discuss Litigation and Personnel matters. Motion was carried by the following vote:

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

OUT OF CLOSED – 10:10 PM

Motion was made by Mr. Strawn, and seconded by Mr. Peters, to adjourn the meeting.

AYES: Messrs.: Akin, Strawn, Napolitano, Peters
NAYS: None
ABSTAIN: None

Meeting Adjourned: 10:10pm

Respectfully Submitted,
E. Jill Waller, Secretary