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**WASHINGTON TOWNSHIP MUA**  
**Regular Meeting**  
May 2, 2012

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The Regular Meeting of the W.T.M.U.A. was called to order at 7:38 p.m. on May 2, 2012. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News on February 3, 2012. Notice was also posted on the Municipal Building Bulletin Board.

Members Present:	Messrs.	Cullen, Akin, Mascott*, Popper
Alt. Members Present:	Messrs.	Babb
Members Absent:	Messrs.	Napolitano
Alt. Members Absent:	Messrs.	Kramer
Township Liaison Present:	Messrs.	Kennedy**
Township Liaison Absent:	Messrs.	
Staff Members Present:		Executive Director Pucilowski, Attorney Gregory

\*arrived at 7:57 PM

\*\*arrived at 8:02 PM

**SALUTE THE FLAG**

**VALLEY VIEW CHAPEL**

Mr. Akin recused himself from participating in this topic. The Executive Director's EDU calculation for Sunday use was compared to the customer's version. The Executive Director had no issue with the customer's calculation. The customer agreed that if the usage of the facility changed, there would be no objection to adjust the EDUs.

Motion was made by Mr. Popper, and seconded by Mr. Babb, to authorize the Attorney to prepare the Water and Sewer Service Agreement at the proposed 5.5 EDUs with the provision that if the facility changes use within three years the connection fee could be adjusted. Motion was carried by the following vote:

AYES:	Messrs.:	Cullen, Akin, Mascott, Popper, Babb
NAYS:	Messrs.:	None
ABSTAIN:	Messrs.:	None

**WASTEWATER MANAGEMENT PLAN (WMP)**

The WMP will be advertised in the Register on May 16<sup>th</sup>. The upcoming process for the adoption of the WMP was reviewed. The Township requested the Planning Board to pass an ordinance because the DEP is suggesting that they won't adopt the WMP unless the Township opts in to the provisions of the planning and preservation areas. There may be an opportunity to get the WMP through the County.

**APPROVAL OF MEETING MINUTES**

No Minutes available for this meeting.

**APRIL 2012 CHECKBOOK REGISTER**

The SMSTP phragmites bed repair needs and process were reviewed.

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve the April 2012 Checkbook Register as presented. Motion was carried by the following vote:

AYES:	Messrs.:	Cullen, Akin, Mascott, Popper, Babb
NAYS:	Messrs.:	None
ABSTAIN:	Messrs.:	None

**MARCH 2012 BILLING ADJUSTMENTS**

Not available for this meeting.

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**VOUCHERS OVER \$5,000**

The billing software conversion was reviewed. It is expected to go live in June. The charges for each voucher were reviewed.

Motion was made by Mr. Akin, and seconded by Mr. Popper, that the vouchers for Edmunds & Associates dated 12/18/11 for \$35,185.00, DJ Egarian & Assoc. dated 4/5/12 for \$6,295.61, Limitless, Industries dated 3/29/12 for \$14,900.00, Nisivoccia & Company dated 3/24/12 for \$12,640 and Samuel Stothoff dated 4/19/12 for \$7,645.00 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**2011 AUDIT CERTIFICATION**

<b>RESOLUTION</b> Certification of FY 2011 Audit Review
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No. 12-05-C

WHEREAS, Nisivoccia & Company, the Auditor for the Washington Township Municipal Utilities Authority (Authority) has prepared an Audit of the Authority's financial position for Fiscal Year 2011; and,

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) requires that each of the Authority's Commissioners certify that they have reviewed said FY 2011 Audit; and,

WHEREAS, the five (5) below signed are of full age and duly appointed Commissioners (Members) of the Authority; and,

WHEREAS, by signing this instrument, each of the five (5) below signed certifies that they have personally reviewed the recommendation and comment section of the FY 2011 Audit as prepared by Nisivoccia & Company.

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

(1) Upon adoption of this resolution, it shall be signed by each of the Authority's five Commissioners; and,

(2) Upon signature, this resolution shall be attested by the Authority's Secretary who shall forward it to the NJDCA in compliance with its request.

INTRODUCED AND PASSED: May 2, 2012

Motion made by Mr. Akin and seconded by Mr. Mascott to approve Resolution 12-05-A Certifying the 2011 Audit. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**CORRECTIVE ACTION PLAN**

<b>RESOLUTION</b> 2011 AUDIT CORRECTIVE ACTION PLAN ACCEPTANCE
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No. 12-05-E

WHEREAS, the 2011 Annual Audit of the Washington Township Municipal Utilities Authority (Authority), conducted by Nisivoccia & Company LLP, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Executive Director and the duly

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appointed Authority Board of Commissioners; and

WHEREAS, the Division of Local Government Services requires a corrective action plan to be prepared and submitted per N.J.A.C 5:31-7.6(i)

WHEREAS, the corrective action plan has been developed and covers all findings and recommendation in the audit report

NOW, THEREFORE, BE IT RESOLVED that the Authority Board of Commissioners hereby approves the corrective action plan and directs the Executive Secretary to transmit a certified copy of this resolution and the attached corrective action plan to the Division of Local Government Services.

INTRODUCED AND PASSED: May 2, 2012

Motion made by Mr. Akin and seconded by Mr. Popper for approval of Resolution 12-05-E approving the Corrective Action Plan developed from the 2011 Audit. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**CAPITAL BUDGET – METER PURCHASE**

Motion made by Mr. Popper and seconded by Mr. Akin to authorize the Executive Director to spend the entire capital meter budget. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**OPEN TO THE PUBLIC – 8:35 PM**

Mr. Art Antonucci, from 31 Dorset Rd, commented on how high his bill is and asked what can be done by the Authority to reduce these costs. Mr. Antonucci was advised by the Billing Clerk to check for leaks because his usage was a little high based on past usage. There is a meter testing policy that can implement. The Executive Director will contact the homeowner after reviewing the history of this account and to advise the cost of a new meter if the meter is tested and proves to be operating within functional limits. The customer was advised that disconnecting from the system is not an option.

**CLOSED TO THE PUBLIC – 8:48 pm**

**PURCHASES OVER \$5,000 CRITERIA**

It was agreed that whenever possible, purchases over \$5,000 should be brought to the Board for approval prior to securing the purchase. In situations where time doesn't allow for the purchase to wait for the next Board Meeting, the Executive Director should advise the Board with an email that he is going ahead with the purchase and it can be discussed and approved at the next Meeting.

**SMSTP PHRAGMITES BED WALL REPAIR AUTHORIZATION**

RESOLUTION AUTHORIZING PURCHASE OVER \$5,000 FOR PHRAGMITES BED REPAIR
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No. 12-05-A

WHEREAS, the Washington Township Municipal Utilities Authority (hereby referred to as The Authority) requires individual purchases over \$5,000 to be approved by The Authority Committee by Resolution; and

WHEREAS, on January 6, 2012 the NJ DEP performed a Compliance Evaluation and Assistance Inspection at The Authority Schooley's Mountain Sewer Plant; and

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WHEREAS, the NJ DEP cited that their physical inspection noted “the reed bed walls indicated significant deterioration and are in need of repair”; and

WHEREAS, The Authority received two quotes for the repairs; and

WHEREAS, the lowest estimate was from Limitless Excavating for \$14,900; and

WHEREAS, the purchase is under The Authority’s bid threshold of \$17,500 as determined by New Jersey Local Public Contracts Law N.J.S.A. 40A:11-9.; and

WHEREAS, The Authority Committee authorized the Executive Director to proceed with the repair by motion at the April 4, 2012 Authority Board Meeting.

NOW, THEREFORE, BE IT RESOLVED by The Authority as follows:

1. The Executive Director is authorized to procure the aforesaid repair not to exceed \$15,000 through Limitless Excavating.
2. This resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: May, 2, 2012

Motion made by Mr. Popper and seconded by Mr. Mascott approving Resolution 12-05-A authorizing the repair of the Schooley’s Mountain Sewer Treatment Plant repair of the Phragmites Bed wall.

Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**PHRAGMITES BED REPAIR COST TO BE APPLIED TO CAPITAL BUDGET**

Motion made by Mr. Akin and seconded by Mr. Mascott for the approval to use Capital expenditure for the cost of the Phragmites Bed wall repair. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**GENERATOR INSPECTION CONTRACT**

It was recommended to hold off on signing this contract until the Morris County Co-op receives and approves bids in May. A decision can be made in May based on how the bid price come in. If the generator has a problem, we will use one of the current suppliers for that repair only.

**APPOINT A CERTIFIED PURCHASING AGENT AND INCREASE THE BID THRESHOLD**

<p><b>RESOLUTION</b> <b>APPOINTING A PURCHASING AGENT AND</b> <b>AUTHORIZE TEMPORARY BID THRESHOLD INCREASE</b></p>
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No. 12-05-F

**WHEREAS**, N.J.A.C. 5:34-5.4 allows contracting units to temporarily increase their bid threshold not to exceed \$26,000 if their acting purchasing agent is qualified to take the examination for the QPA certification when the test is offered; and

**WHEREAS**, E. Jill Waller, Executive Secretary meets the statutory qualifications and criteria to sit for the QPA examination, has agreed to sit for the examination and has been fulfilling the duties of purchasing agent for the Authority; and

**WHEREAS**, after the second examination is offered, the Director will notify the contracting unit if the individual has not taken or did not pass the examination. The contracting unit then has one month to appoint another QPA to the position, or the bid threshold automatically reduces to \$17,500. If the individual passed the examination or another QPA is appointed, the contracting unit’s threshold shall remain at \$26,000 until the contracting unit acts to increase it to a maximum of \$36,000; and

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**WHEREAS**, it is in the interest of the Authority to increase the bid threshold not to exceed \$26,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Washington Township Municipal Utilities Authority, that E. Jill Waller, Executive Secretary is hereby appointed as the purchasing agent for the Authority; and

**BE IT FURTHER RESOLVED** by the Washington Township Municipal Utilities Authority that E. Jill Waller, Executive Secretary, the Executive Director and the Chairman are authorized to submit and Affidavit of QPA Qualification, required by N.J.A.C. 5:34-5.4; and

**BE IT FURTHER RESOLVED**, by the Washington Township Municipal Utilities Authority shall increase the bid threshold to \$26,000.00 and upon appointment of a Qualified Purchasing Agent authorize the maximum bid threshold increase to \$36,000.00.

**BE IT FURTHER RESOLVED**, this Resolution shall take effect immediately in accordance with law.

**INTRODUCED AND PASSED:** May 2, 2012

Motion made by Mr. Akin and seconded by Mr. Popper approving Resolution 12-05-F appointing a Purchasing Agent and authorizing a temporary bid threshold. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**REGENCY AT LONG VALLEY WATER & SEWER AGREEMENTS**

Mr. Peck, from Regency, advised that they do not want to make any changes to the Water and Sewer Agreements as presented by the Authority and leave everything as is. The watering of the detention basin was to ensure that the wetland plants at the bottom of the basin survived as required by the NJDEP. The Attorney recommended that a letter be sent to Regency advising that the Agreement is no longer valid due to the expiration. The project specifications have change since the first application. The proposed changes by the Authority were reviewed. There are Authority Firm Capacity issues, a Township lawsuit and proposed project changes that will require an updated Agreement. The Attorney will review the issues and draft a letter for Closed Session at the next Meeting.

**GROVE STREET PUMP STATION**

A copy of the revised plan was reviewed. The building was rotated 90 degrees so the door is now facing the East rather than the South and moved it up five feet. The driveway was moved alongside the entrance providing a better area for the DPW to make their turns and providing more room for snow placement. The exhaust fan will be toward the woods. The Station is on the agenda for Historic Preservation meeting on March 16<sup>th</sup> with Dave Egarian representing the Authority. Changes have been made to the façade and more natural colors are going to be used. The retaining wall will be made of stone from the excavation. If all goes well with the Historic Preservation Board the bid should go out in June. It was agreed that if the location is in the Preservation District then the Executive Director will change his plans to be at the Historic Preservation meeting.

**SLUDGE HAULING BID**

Motion was made by Mr. Mascott, and seconded by Mr. Popper, to authorize the Executive Director to go out to bid for the sludge hauling contract. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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**WATER RESTRICTIONS**

The water restrictions will be advertised in this week's edition of the Observer Tribune. The restrictions will be included in the June Consumer Confidence Report. The post card mailing may not be needed. No changes were made to last year's restrictions. If customers are not in compliance, the customer is notified of their non-compliance and can be subject to a summons.

Motion was made by Mr. Akin, and seconded by Mr. Popper, to authorize the water restrictions to be imposed this year with same dates and restrictions as last year. Motion was carried by the following vote:

AYES:           Messrs.:       Cullen, Akin, Mascott, Popper, Babb  
NAYS:           Messrs.:       None  
ABSTAIN:       Messrs.:       None

**DIRECTOR'S REPORT**

- The EPA is reviewing the engineer design plans for the Parker Road water main extension. The Executive Director will be meeting with Sarah Jane Noll of Chester Township to begin the process for the Agreement and then will submit to the attorneys. The Executive Director has had discussions with EPA regarding the new well and the EPA's long term commitment from the EPA to be responsible for any potential contamination from the gas station across the street. The Spill Act could be implemented if any contamination occurs.
- The Executive Director met with the Burt Horner of the School Board and discussed options for the access to the new well on the Smith property. It was suggested that there may be a utility easement to Naughtright Road. There may also be the need for a pump building toward the back of the building and maybe an elevated storage tank. There was also some discussion on the EDUs for Cucinella School. The number of students in the school are less than the maximum and would like to know if the billing EDUs could be reduced. Walter Cullen recused himself from this discussion as he is on the School Board. There is an upcoming deadline with the Farm Preservation people. The Authority is on course to get the testing to DEP for a determination on the buffer area prior to the deadline. If there is a possibility of not meeting the deadline, a letter should be sent advising DEP.
- The authority received \$20,973.59 for the October 29<sup>th</sup> snow storm expenses.
- There was an IRS employee compliance audit. No 1099's were generated and a letter of compliance will be forthcoming. There were no fines assessed.
- The pump storage issue will be brought up when the new DEP administration settles in.
- There has not been any other verified incident of dumping into the sewer system. The last time was at the beginning of the month. The Authority is prepared if it happens at the beginning of next month. The Police have been notified to keep a look out for a truck dumping into the manhole very early in the morning. It appears that it happened on a cul-de-sac in a residential area.
- The theft of water with Fusion will be reviewed with the Gregory and will advise.
- There are three or four mortgages with issues. The Attorney is handling them.

**CLOSED – 10:00 PM**

RESOLUTION CLOSED SESSION
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No. 12-05-D

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

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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: May 2, 2012

Motion was made by Mr. Akin, and seconded by Mr. Popper, to go into Closed Session. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Mascott, Popper, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**OUT OF CLOSED – 11:00 PM**

Motion was made by Mr. Akin, and seconded by Mr. Popper, to adjourn the meeting.

AYES: Messrs.: Cullen, Akin, Popper, Mascott, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 10:47pm

Respectfully Submitted,  
E. Jill Waller,  
Secretary