
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 06, 2013**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:35 p.m. on February 6, 2013. 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 3, 2012. Notice was also posted on the Municipal Building Bulletin Board.

Members Present:	Messrs.	Cullen*, Akin, Popper, Mascott
Alt. Members Present:	Messrs.	Babb
Members Absent:	Messrs.	Napolitano
Alt. Members Absent:	Messrs.	Kramer
Township Liaison Present:	Messrs.	
Township Liaison Absent:	Messrs.	LiaBraaten
Staff Members Present:	Executive Director (E.D.) Pucilowski**, Secretary Waller, Attorney Gregory	

*arrived at 8:15 pm

**arrived at 7:36 pm

REORGANIZATION MEETING

RESOLUTION WTMUA BOARD APPOINTMENTS

No. 13-02-R1

WHEREAS, it is in the interest of the Authority to appoint a Chairman, Vice Chairman and Executive Secretary/Treasurer to the Washington Township Municipal Utilities Authority Committee; and

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 6th day of February 2013 the following appointments are hereby made:

1. Chairman: Walter Cullen
2. Vice Chairman: Mark Napolitano
3. Secretary/Treasurer: E. Jill Waller

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve the WTMUA board appointments. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

RESOLUTION WTMUA Executive Director Appointment

No. 13-02-R2

WHEREAS, it is in the interest of the Authority to appoint Michael P. Pucilowski as the Executive Director of the WTMUA; and

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 6th day of February 2013 the following appointments were made:

1. Upon the terms and conditions set forth on his appointment on February 1, 2013, Michael P. Pucilowski is hereby appointed as the Executive Director of the Washington Township Municipal Utilities Authority.
2. This resolution shall take effect according to law.

INTRODUCED AND PASSED: February 6, 2013

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Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the appointment of the Executive Director. Motion was carried by the following vote:

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

**RESOLUTION
APPOINTING CUSTODIAN OF GOVERNMENT RECORDS**

No. 13-02-R3

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") is a public agency created by the Township of Washington; and

WHEREAS, the Open Public Records Act requires the Authority to designate, by formal action, a "Custodian of Government Records".

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 6th day of February 2013 as follows:

1. E. Jill Waller, is hereby designated as the Custodian of Government Records for the Authority.
2. This resolution shall take effect according to law.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the WTMUA board appointments. Motion was carried by the following vote:

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

**RESOLUTION
DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER**

No. 13-02-R4

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

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, the Washington Township Municipal Utilities Authority ("Authority") must designate a Public Agency Compliance Officer as the person responsible for implementing the conditions of these regulations on behalf of the Authority.

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 6th day of February 2013 as follows:

Michael Pucilowski, WTMUA Executive Director, is hereby designated as the Public Agency Compliance Officer.

This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to appoint the public agency compliance officer. Motion was carried by the following vote:

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

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

No. 13-02-R5

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

WHEREAS, the bylaws of said Fund require that each member of the Fund is required to appoint a Fund Commissioner to represent the member concerning matters undertaken by the Fund.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 6th day of February, 2013 as follows:

1. The WTMUA does hereby appoint Michael Pucilowski, WTMUA Executive Director, as Fund Commissioner to the New Jersey Utilities Authorities Joint Insurance Fund.
2. The Secretary is directed to forward copies of this resolution to the New Jersey Utilities Authorities Joint Insurance Fund.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to appoint the commissioner for the NJ Utilities Authorities Joint Insurance Fund. Motion was carried by the following vote:

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

**RESOLUTION
APPOINTING OFFICIAL FOR GOVCONNECT**

No. 13-02-R6

WHEREAS, the State of New Jersey has developed an Internet site, known as GovConnect, to facilitate interaction and the exchange of information between and among State government and local authorities;

WHEREAS, in order to participate in GovConnect, the Washington Township Municipal Utilities Authority ("Authority") must designate an Authority Official as the person responsible for accessing the GovConnect system and receiving email on behalf of the Authority.

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey as follows:

1. E. Jill Waller, WTMUA Executive Secretary, is hereby designated as the District Official to be enrolled in the GovConnect program.
2. Upon enrollment, the designated Authority Official agrees to accept and uphold GovConnect usage policies on behalf of the Authority.
3. This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to appoint an official for GovConnect. Motion was carried by the following vote:

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

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RESOLUTION

Regular Meeting Schedule

No. 13-02-R7

BE IT RESOLVED that the regular meetings of the Washington Township Municipal Utilities Authority be held, per the attached schedule, 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 2012.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the WTMUA regular meeting schedule. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**NOTICE OF SCHEDULED MEETINGS
FOR THE YEAR 2013**

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 6	October 9
April 3	October 23
May 1	November 6
June 5	November 20
July 17	December 4
August 7	January 8, 2014
September 11	February 5, 2014
October 2	

Notice of any additions to the above schedule, or changes in the time, date or place of any scheduled meeting, will be posted in this location and delivered to the Observer Tribune in advance, as required by law. Advanced notice will not be provided for qualified emergency meetings as per the provisions of N.J.S.A. 10:4-9.

RESOLUTION

Open Public Meetings Act

No. 13-02-R8

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 Daily Record and Courier News 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.

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(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.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to designate the newspapers for meeting notices. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

RESOLUTION

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

No. 13-02-R9

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Auditing Services for fiscal year ending 2012; and,

WHEREAS, Nisivoccia & Company has submitted a proposal dated December 11, 2012 indicating they will provide the Auditing Services for the not to exceed price of \$27,425 for fiscal year 2013, 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

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 \$27,425 for 2013 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.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael Pucilowski
Executive Director

**WASHINGTON TOWNSHIP MUA
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INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to appoint the Auditor contingent on the proposal being revised to the same price as 2012. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

<p>RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL SERVICES</p>

No. 13-02-R10

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, 2013 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 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.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael Pucilowski
Executive Director

INTRODUCED AND PASSED: February 6, 2013

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Motion was made by Mr. Popper, and seconded by Mr. Mascott, to appoint the Attorney. Motion was carried by the following vote:

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

<p>RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES</p>
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No. 13-02-R11

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 16, 2013 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.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael Pucilowski
Executive Director

INTRODUCED AND PASSED: February 6, 2013

**WASHINGTON TOWNSHIP MUA
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Motion was made by Mr. Popper, and seconded by Mr. Mascott, to appoint the Engineer contingent on the proposal being revised to the same price as 2012. Motion was carried by the following vote:

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

RESOLUTION
Official Newspaper

No. 13-02-R12

BE IT RESOLVED that the official newspaper of the Washington Township Municipal Utilities Authority for the year 2013 shall be the Daily Record.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to approve the Official Newspaper.

Motion was carried by the following vote:

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

RESOLUTION
Official Depositories

No. 13-02-R13

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 2013:

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

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to designate the official depositories..

Motion was carried by the following vote:

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

RESOLUTION
DESIGNATION
of a
MEL PERSONNEL ADMINISTRATOR

No. 13-02-R14

WHEREAS, the Washington Township Municipal Utilities Authority (the Authority) has insurance coverage through New Jersey Utility Authorities Joint Insurance Fund (JIF); and,

WHEREAS, JIF coverage for Personnel Practices Risk Control is provided through the New Jersey Municipal Excess Liability System (MEL); and, WHEREAS, MEL requires that all members designate a Personnel Administrator to assist the Executive Director in the implementation of personnel practices; and,

WHEREAS, E. Jill Waller has, as part of her duties as the Executive Secretary, been assigned human resource responsibilities; and,

WHEREAS, it is the best interest of the Authority to appoint E. Jill Waller as the MEL Personnel Administrator.

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

1. E. Jill Waller hereby appointed as the Authority's MEL Personnel Administrator.
2. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to appoint the MEL Personnel Administrator. Motion was carried by the following vote:

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

RESOLUTION

Authorization of Bills Exception

No. 13-02-R15

WHEREAS, the Washington Township Municipal Utilities Authority requires goods and services, and commitment for payment for such goods and services at various times during any given month; and,

WHEREAS, it is to the benefit of the Authority to secure the goods and services on a timely basis, and thereby committing payment for such goods and services, in order to maintain the operations of the Authority.

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

1. The Executive Director is authorized to commit the Authority's financial resources 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 authorization of funds 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 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to authorize the Executive Director Bills Exception. Motion was carried by the following vote:

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

RESOLUTION

Payment of Bills Exception

No. 13-02-R16

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 the Executive Secretary is authorized to make payments for certain goods and services,

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with voucher approval from the Executive Director or MUA Chairman and authorized staff, prior to review by the MUA Committee.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to approve the payment of bills exception.

Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

RESOLUTION

**APPOINTING OFFICIAL REPRESENTATIVE FOR
NEW JERSEY SUSTAINABLE ENERGY MEETING**

No. 13-02-R17

WHEREAS, the New Jersey Sustainable Energy Meeting (NJSEM) was formed as a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq, and;

WHEREAS, the Authority became a member of the NJSEM on April 15, 2011, and;

WHEREAS, in order to participate in the NJSEM, the Washington Township Municipal Utilities Authority ("Authority") must designate an NJSEM Representative as liaison for all communication between the NJSEM and the Authority.

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey as follows:

1. Christine Kattermann, Authority Administrative Assistant, is hereby designated as the Official Representative for the NJSEM.
2. Upon enrollment, the designated Authority Official Representative agrees to act as liaison between the Authority and the NJSEM advising both parties of pertinent communications with regard to the procurement of natural gas, electricity and other forms of energy.
3. This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to designate the NJSEM Representative.

Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

RESOLUTION

APPOINTING A RISK MANAGEMENT CONSULTANT

No. 13-02-R18

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

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

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

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

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

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

- (1) The firm of **Brown & Brown Insurance**, 30A Vreeland Rd., Florham Park, NJ be appointed as its Risk Management Consultant.
- (2) That the Executive Director is hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto.
- (3) This contract is awarded without competitive bidding in accordance with 40A:11-5(m) of the Local Public Contracts Law.
- (4) A copy of this resolution shall be published in the Authority's Official Newspaper as required by law within ten (10) days of its passage.

INTRODUCED AND PASSED: February 6, 2013

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to appoint a Risk Manager. Motion was carried by the following vote:

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

<p>RESOLUTION AUTHORIZE BID THRESHOLD INCREASE</p>

No. 13-02-A

WHEREAS, the recent changes to the Local Public Contracts Law gave local Contracting units the ability to increase their bid threshold up to \$36,000; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et. Seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, E. Jill Waller possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et. Seq.; and

WHEREAS, the Washington Township Municipal Utilities Authority (The Authority) wishes to take advantage of the increased bid threshold:

NOW, THEREFORE, BE IT RESOLVED, that The Authority, in the County of Morris and State of New Jersey, hereby increases its bid threshold to \$36,000; and

BE IT FURTHER RESOLVED, that the governing body hereby appoints E. Jill Waller as the Qualified Purchasing Agent authorized to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2, The Authority Executive Secretary is authorized and directed to forward a certified copy of this resolution and a copy of E. Jill Waller's certification to the Director of the Division of Local Government Services.

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

INTRODUCED AND PASSED: February 6, 2013

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Motion was made by Mr. Akin, and seconded by Mr. Mascott, to appoint QPA and raise the bid threshold. Motion was carried by the following vote:

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

REGULAR MEETING – 7:56 PM

APPROVAL OF MEETING MINUTES

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the April 4, 2012 and December 5, 2012 Meeting Minutes. Motion was carried by the following vote:

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

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the January 9, 2013 Meeting Minutes. Motion was carried by the following vote:

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

JANUARY 2012 CHECKBOOK REGISTER

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve the January checkbook register. Motion was carried by the following vote:

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

DECEMBER BILLING ADJUSTMENTS

Tabled to next meeting

VOUCHERS OVER \$5,000

Motion was made by Mr. Popper, and seconded by Mr. Mascott, that the voucher for DJ Egarian, dated 1/9/13, in the amount of \$21,684.25 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote:

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

CAPITAL EXPENSE AUTHORIZATION – PUMP AT OLD FARMERS PUMP STATION

Options on repair recommendations were reviewed.

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the purchase not to exceed \$27,000 and the capital funds transfer.

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

CAPITAL EXPENSE AUTHORIZATION – LVSTP VFD

Although it was thought that the estimates would be over the \$5,000 threshold, the estimates are coming in under \$5,000. No Board approval necessary.

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**CAPITAL EXPENSE AUTHORIZATION – ENGINEERING FOR SANDT & BARTLEY SEWER
EXTENSION**

It was decided not to approve this work at this time. More research will be done to ensure that all the residents along the extended line will be willing to pay 100% of the cost of extending the sewer lines. A rough estimate will be developed much like the one for Christopher Drive.

AUTHORITY MISSION STATEMENT

A Mission Statement is required by State Regulations to be included on the Authority website. The proposed Mission Statement was discussed. If changes are required, they will be made at a later date. Board Members with revision suggestions will email J. Waller.

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the Mission Statement as presented. Motion was carried by the following vote:

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

CUSTOMER REQUEST FOR HARDSHIP RELIEF

The Board agreed not to grant the customer request for hardship relief since the policy has been terminated.

CUSTOMER REQUEST FOR IRRIGATION WELL

Additional information was requested and a decision tabled until next meeting. It was agreed that M. Pucilowski will have a conversation with the customer to determine the use of the private well and to compare how much water is currently being consumed through the hydrant meter. The Authority Rules and Regulations will be reviewed regarding backflow preventers and legal requirements.

FUSION LOUNGE

A letter to the property owner will go out by the end of this week.

REGENCY AT LONG VALLEY

This topic was tabled until Closed Session.

DIRECTOR'S REPORT

- Parker Road water line extension: The plans are with the engineer for review. M. Pucilowski will be at the Planning Board meeting on Monday to discuss the conservation easement for well LV09. Another discussion with the Planning Board on Booster Station will be at the meeting next month. The issue of the location of the re-chlorination building is being reviewed. The plan currently has the building on the landfill site. The goal is to protect the Authority's potential liability with the Authority having a facility on a contaminated landfill site.
- The bid for the Grove Street Pump Station is anticipated to be advertised mid-February.
- The State Agricultural Board has provided a six month extension on the decision to put the Smith property into Farm Preservation. The Ag Board is still concerned with the DEP's decision that the 50 foot buffer is sufficient. They will explore this further with the DEP. H. Popper will get an update from B. Roehrich.
- There was a DEP sewer inspection. The major concern was the RBC building at the SMSTP. The engineer is having a structural engineer make an evaluation on a quick fix since there is no money to replace the building. The evaluation will not exceed \$8,000. The Authority will need to find a lift that will fit in the building and allow the engineers to reach the ceiling. W. Cullen offered his lift as an option if there are no insurance issues.

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- Discussed issues with the Bartley Pump Station that was included in the Operators Report. It was determined that there is a problem with the air release valve. It has been taken apart and if the problem continues, it will be replaced.
- The Fusion business owner is looking to reduce his sewer cost. The number of seats that he has calculates to the EDUs that he is being billed. The owner is considering removing seats and is aware that he will be subject to inspections.
- An email has been sent to Black Oak Golf Course regarding the status of the Sewer Connection Agreement. There has been no reply.
- The Board is welcome to attend the February JIF safety meeting.
- The Edmunds Finance module is still in conversion.
- There are two unused Grinder Pumps that have been in storage for 15 years. It was agreed to sell these on the Gov Auction site.

CLOSED SESSION – 9:20 PM

RESOLUTION CLOSED SESSION

No. 13-02-B

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: February 6, 2013

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

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OUT OF CLOSED – 10:12 PM

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

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 10:12pm

Respectfully Submitted,
E. Jill Waller
Secretary