
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
June 5, 2013**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:30 p.m. on June 5, 2013. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News on February 12, 2013. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Napolitano, Akin**, Popper*, Mascott
Alt. Members Present: Messrs. Babb
Members Absent: Messrs. Cullen
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, Attorney Manganello

*arrived at 7:32 pm

**arrived at 7:33

SALUTE THE FLAG

APPROVAL OF MEETING MINUTES

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the May 20, 2013 Special Meeting Minutes as presented and the May 1, 2013 Regular Meeting Minutes with the correction of the date under "Special Meeting" to May 1, 2013 from April 13, 2013. Motion was carried by the following vote:

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

MAY 2013 CHECKBOOK REGISTER

The Chester line extension payment of expenses prior to a formal agreement was reviewed.

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

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

FEBRUARY BILLING ADJUSTMENTS

No action required at this time.

VOUCHERS OVER \$5,000

Motion was made by Mr. Akin, and seconded by Mr. Popper, that the voucher for Gregory & Reed, dated 5/1/13 in the amount of \$5,618.75, Tree King, dated 4/29/13 in the amount of \$42,850.00 and DJ Egarian, dated 5/16/13 for \$10,505.52 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote:

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

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SALE OF SURPLUS EQUIPMENT

<p>RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY ON AN ONLINE AUCTION WEBSITE</p>

No. 13-06-B

WHEREAS, the Washington Township Municipal Utilities Authority (The Authority) has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, The Authority intends to utilize the online auction services of GovDeals.com located at www.GovDeals.com; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9,

NOW, THEREFORE, BE IT RESOLVED by The Washington Township Municipal Utilities Authority of the County of Morris, State of New Jersey, that The Authority is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.GovDeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals.com and The Authority are available at www.GovDeals.com and in The Authority's Administrative office.

INTRODUCED AND PASSED: June 5, 2013

**SCHEDULE A
VEHICLES FOR AUCTION**

- 1995 Ford 250 XL with lift gate; License # MG7698 VIN # 1FTHF25H3SNB37094
Value \$500-\$600
- 2000 Dodge Dakota pickup with cap; License # MG39137 VIN # 1B7FL26X0YS751133
Value \$500
- 2000 Dodge Dakota pickup with cap; License # MG39134 VIN # 1B7FL26X9YS751132
Value \$2000

Motion was made by Mr. Babb, and seconded by Mr. Popper, to approve Resolution 13-06-B, authorizing the sale of surplus equipment at auction through GovDeals.com with the addition of the vehicle mileage and add lift gate to the 1995 Ford increasing the price to \$500-\$600. Motion was carried by a roll call vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

STAFFING:

Compensation for a Part-Time Billing/Bookkeeping Clerk and Part-Time Office Assistant was determined. Neither position will be a part of the employee contract and; therefore, not subject to the salary structure of that contract. Mr. Popper requested resume copies of the top potential new employees. Advertising on Craigslist was recommended.

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to advertise for both positions with a maximum rate of \$19.25 for PT Billing/Bookkeeping Clerk and \$14.50 for the PT Office Assistant with the authority granted to the Executive Director to make an offer to his selected candidates.

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

NAYS: Messrs.: Babb

ABSTAIN: Messrs.: Bone

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EMPLOYEE HANDBOOK

RESOLUTION ADOPTION OF EMPLOYEE HANDBOOK

No. 13-06-A

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 the Authority maintain an Employee Handbook; and,

WHEREAS, the Authority has updated its Employee Handbook and it is ready for redistribution.

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

1. The Employee Handbook, originally adopted December 2, 2004 and last revised March 7, 2012, attached hereto is hereby adopted.
2. The Employee Handbook procedures shall apply to all Authority officials, appointees, employees, and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State Law, the terms and conditions of that contract or law shall prevail. In all other cases, the Employee Handbook shall prevail.
3. The Employee Handbook is intended to provide guidelines covering public service by Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Authority.
4. To the maximum extent permitted by law, employment practices for the Authority shall operate under the legal doctrine known as "employment at will."
5. That the Executive Director and the MEL Personnel Administrator are authorized to distribute said **Employee Handbook** to all Employee personnel.
6. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: June 5, 2013

Motion was made by Mr. Popper and seconded by Mr. Mascott, to approve Resolution 13-06-A updating the Employee Handbook. Motion was carried by the following roll call vote:

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

SALARY INCREASES FOR NON-MEMBERS FOR THE EMPLOYEE ASSOCIATION

Board requested a spreadsheet/matrix showing the salaries and prior increases of these employees. It was suggested that in lieu of a salary increase for Mr. Pucilowski, the safety training portion of his responsibilities be handled by a contractor. Mr. Pucilowski will get cost estimates for consideration. A decision on the salary increases were held until next meet.

2014 EMPLOYEE ASSOCIATION AGREEMENT

Board appointed Mr. Napolitano and Mr. Kramer to the subcommittee for 2014 Employee Agreement negotiations.

WATER SHUT OFF FOR NON-PAYMENT

The WT Tax Collector noted that there was a correlation between the termination of shut off for non-payment policy and the increased number of WTMUA customers going to Tax Sale. It was requested that the shut off policy be reinstated. The Board requested a procedure outlining the process involved in shutting the water off for delinquent accounts, to be reviewed at the next meeting. The Attorney will investigate legal implications especially with regard to health concerns. Customers will be notified and advised that the policy is in the Rules and Regulations.

116 FLOCKTOWN RD

A request to connect to an existing service line discussed. It was agreed to determine if the home is in the WMP and if the tie-in is okay with the DEP. Additionally, it was suggested to get the Health Department involved to determine if the

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septic is failing. A grinder pump will be required to connect/tie-in to the sewer line. Once the Township and the DEP provide approval, the MUA will then allow the connection to our system. Director Pucilowski will provide updates as they become available.

ANNUAL DEP CONSUMER CONFIDENCE REPORTS (CCR)

It was noted that the iron and manganese levels exceeded the upper limit. Board recommended changing verbiage on page 57, first paragraph to "safe in accordance with Federal and State requirements". Also a change on page 57 to correct verbiage "no one wants to pay *for* water loss". Account information for online portal charges is included in the report. Notification will go out in the next 2 weeks.

OPEN TO PUBLIC AT 9:30

Mr. Antonucci of 31 Dorset Rd. requested a copy of the audits from 1994 until current. He was questioning the MUA's rate structure and wants to see the debt service amount that is to be paid off by 2028, that was mentioned in the last meeting. He was encouraged to attend the budget meetings on October. He also advised that he has no alternatives for water since he can't get a permit to dig a well.

DIRECTOR'S REPORT

- Parker Rd. extension project: Plans for the water line have been reviewed and are ready to go out for bid. The ownership liability for the re-chlorination building has not been resolved. A draft of the EPA Settlement Agreement should be ready within 10 days per the MUA's expectations.
- Grove Street Pump Station Project: The preconstruction meeting is scheduled for Friday. Details will be reported at the next meeting.
- Smith Well: The modification to the Allocation Permit has been submitted. The State AG board still wants something from DEP stating that there won't be an issue with the well protection area.
- 429 Naughtright sewer service: Waiting for the Board of Education to make a determination if they will allow sewer connections to the force main owned by the Board of Education.
- Inspection of the SMSTP RBC Building roof truss system has been completed and we are waiting for the report.
- Total Maximum Daily Load (TMDL) Study: This affects both sewer plants. There is a special meeting on June 18th with the DEP.
- Cub Scout Tour: Outside of the LVSTP building was cleaned up for a tour by the Cub Scouts.
- AWWA Water Audit: A water audit is required for the new water allocation permit. Inquired with the NJ Water Assoc if they could perform the audit and if they could also check for leaks. This would be an unbiased third-party.
- Staffing has been shorthanded over the last month. Jeff McNeely will be out for 6 weeks, due to eye surgery. Bob Carpenter restricted due to knee surgery.
- Regency in LV: The Attorney sent an email to Regency's lawyer. This will be addressed at the next meeting.
- Christopher Dr: Director Pucilowski gave homeowner's a preliminary cost for the water line extension and a very rough figure for the sewer. Present capacity restrictions will not allow any tie-ins at this time.
- Sandt Lane: The preliminary estimate is pending topography information. A new connection on Rock Road should provide us with some of this information.
- Chester Agreement: Resolution needs to be cleaned up per Mr. Gregory. New resolution as follows:

RESOLUTION AUTHORIZING APPROVAL OF THE INTERMUNICIPAL AGREEMENT FOR THE CHESTER WATERLINE EXTENTION PROJECT
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No. 13-06-D

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") owns and operates a water supply system in the Township of Washington; and

WHEREAS, the Township of Chester ("Chester") has been notified by the United States Environmental Protection Agency, Region 2, ("EPA") that a number of private wells for businesses and residences in Chester are currently contaminated or are at risk of contamination from pollution emanating from the Combe Fill South Superfund Site ("Site"); and

WHEREAS, the EPA and Chester have requested the Authority to extend its public water supply system into Chester to provide potable water to those homes affected or at risk from the contamination and to certain other homes

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along the proposed water line; and

WHEREAS, the Authority and Chester desire to enter into an inter-municipal agreement to set forth the understanding of the parties and to authorize the sale of water at retail by the Authority in certain sections of Chester (the "Chester Service Area") as set forth in the form of agreement attached hereto; and

WHEREAS, the U.S. EPA has represented that it will provide written assurances to the Authority regarding a number of issues related to the water supply extension project, including, but not limited to, protection of well LV 9 from nearby pollution, review and input on construction related equipment and decisions, potential liability arising from the acquisition of an easement on a portion of the Combe Landfill and reimbursement to the Authority of costs and expenses related to the Project.

WHEREAS, there still exists issues related to potential liability arising from the acquisition of an easement on a portion of the Combe Landfill for the location of a re-chlorination facility and the Authority has specifically conditioned the inter-municipal agreement on the Authority's approval of the location of the re-chlorination facility: and

WHEREAS, it is in the best interests of the Authority to enter into the attached inter-municipal agreement with Chester.

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

1. The Executive Director is hereby authorized and directed to execute the attached inter-municipal agreement.
2. The Executive Director with approval of the Authority attorney is hereby authorized to make de-minimis, non-substantial changes to the attached inter-municipal agreement as may be necessary.
3. This resolution shall take effect immediately pursuant to law

INTRODUCED AND PASSED: June 5, 2013

Motion to approve resolution 13-06-D was made by Mr. Popper, and seconded by Mr. Mascott, Motion was carried by the following roll call vote:

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

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

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

Meeting Adjourned: 10:15pm

Respectfully Submitted,
E. Jill Waller
Secretary