
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
May 7, 2014**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:34 PM on May 7, 2014. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News on February 19, 2014. Notice was also posted on the Municipal Building Bulletin Board.

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

*Arrived 8:10pm

REGULAR MEETING

SALUTE THE FLAG

APPROVAL OF MEETING MINUTES

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve 9/12/12, 7/17/13, 4/2/14. Motion was carried by the following vote:

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

APRIL 2014 CHECKBOOK REGISTER

Discussed the Risk Manager's status on the recommendation of changes to the Sludge Disposal contract.

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve the April 2014 Checkbook Register. Motion was carried by the following vote:

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

MARCH BILLING ADJUSTMENTS

Motion was made by Mr. Napolitano, and seconded by Mr. Akin, to approve the March 2014 Billing Adjustments. Motion was carried by the following vote:

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

VOUCHERS OVER \$5,000

Motion was made by Mr. Akin, and seconded by Mr. Popper, that the vouchers for DJ Egarian dated 4/16/14 for \$11,160.20, Rio Supply dated 4/24/14 for \$16,305.00, Toby Barkman dated 4/11/14 for \$7,658.37, and DeMaio Electric dated 4/28/14 for \$5,780.33 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote:

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

NATIONWIDE DEFERRED COMPENSATION

Information on changes to the investment choices for the Deferred Compensation program was provided. There are no employees invested in any of the funds that are affected by the change.

COMPENSATION REQUEST – SM WATER SYSTEM T-2

Notice was provided to the employee and he waived his right to have this topic held in open session. This topic was tabled until Closed Session.

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SURPLUS EQUIPMENT DISPOSITION

**RESOLUTION
AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY
ON AN ONLINE AUCTION WEBSITE**

No. 14-05-A

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, as follows:

1. 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
2. The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties and the successful bidder may be required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property; and
3. Option B4 of GovDeals.com's Flexible Pricing Options is authorized; and
4. 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.
5. An announcement of the auction will be published in the Authority's Official Newspaper pursuant to N.J.S.A. 40A:11-36.
6. This resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: May 7, 2014

Motion was made by Mr. Akin, and seconded by Mr. Popper to approve Resolution 14-05-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

MERCHANT VENDOR

**RESOLUTION
AUTHORIZING PAYMENTUS AGREEMENT**

No. 14-05-B

WHEREAS, as of July 1, 2013, PNC discontinued reimbursing the Washington Township Municipal Utilities Authority (the "Authority") for Merchant fees associated with electronic customer payment services; and

WHEREAS, on May 1, 2013, it was recommended and agreed to by the Authority Board, to utilize Edmunds WIPP product for customer account access and electronic payment services; and

WHEREAS, the Edmunds WIPP payment services included a customer fee for electronic payments; and

WHEREAS, the Edmunds WIPP product became available for customer use on November 1, 2013; and

WHEREAS, after implementation of the WIPP electronic services, it was determined that the electronic payment services limited types of payments to only usage billing and the customers were finding the fees to be a financial burden; and

WHEREAS, on February 5, 2014, the Authority, by Board Motion, approved changing vendors and absorbing the electronic payment fees; and

WHEREAS, Paymentus Corporation is agreeable to provide electronic payment services per the attached Agreement; and

WHEREAS, the Authority is agreeable to enter into the attached Agreement with Paymentus Corporation to provide electronic payment services.

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

1. The Executive Director is authorized to execute the attached Paymentus Corporation Agreement.

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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: May 7, 2014

Motion was made by Mr. Napolitano, and seconded by Mr. Popper to approve Resolution 14-05-B. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

LAWN CARE – SHARED SERVICES WITH WASHINGTON TOWNSHIP

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WASHINGTON FOR LAWN MOWING AND LANDSCAPE MANAGEMENT

No. 14-05-D

WHEREAS, the Washington Township Municipal Utilities Authority (The Authority) has determined that it is advisable and beneficial to enter into a shared services agreement with the Township of Washington for the provision of lawn moving and landscape management of Authority property; and

WHEREAS, shared services are permitted under the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.; and

WHEREAS, The Authority is agreeable to enter into the attached Agreement with The Township of Washington for the aforesaid purpose,

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 as follows:

1. The Executive Director is authorized to execute the attached Shared Service Agreement with the Township of Washington.
2. This resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: May 7, 2014

Motion was made by Mr. Popper, and seconded by Mr. Napolitano to approve Resolution 14-05-D. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

LAWN CARE – REQUEST FOR QUOTES

RESOLUTION AWARD OF CONTRACT 21.17.14 LAWN CARE AND LANDSCAPE MAINTENANCE WTMUA SEWER AND WATER FACILITIES

No. 14-05-C

WHEREAS, on May 2, 2014, the Washington Township Municipal Utilities Authority (Authority) opened Quotations for Contract 21.17.14 Lawn and Landscape Maintenance, WTMUA Sewage and Water Facilities; and,

WHEREAS, one (1) quote was received for work included in Contract 21.17.14 was that of Beaumont Landscaping Inc. of Flanders, NJ; and,

WHEREAS, the QPA has reviewed the quote of Beaumont Landscaping Inc. and found it to be in compliance with the requirements of the Contract Documents; and,

WHEREAS, said Quotation, as extended for the estimated number of lawn maintenance sessions anticipated for the year, was in the amount of \$8,468; and,

WHEREAS, sufficient funds are available for the payment of this Contract; and,

WHEREAS, said Quotation is acceptable to the MUA.

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

- (1) The Executive Director of the Authority shall be authorized to sign a contract with Beaumont Landscaping Inc. for Contract 21.17.14 Lawn and Landscape Maintenance, WTMUA Sewage and Water Facilities in accordance with the aforesaid Quotation and upon receipt and approval of all

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mandatory Contract forms (e.g. - Insurance and the like).

- (2) The Executive Director is authorized to issue a Notice of Award to Beaumont Landscaping Inc.
- (3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: May 7, 2014

Motion was made by Mr. Akin, and seconded by Mr. Napolitano to approve Resolution 14-05-C. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Akin, Babb
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

BROOKSIDE WATER MAIN REPLACEMENT ENGINEERING

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES C166 BROOKSIDE WATER MAIN REPLACEMENT ENGINEERING & DESIGN

No. 14-05-F

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Engineering Services specifically for the Brookside Water Main Replacement project C166; and

WHEREAS, proposals were solicited and two companies provided price quotes; and

WHEREAS, Suburban Consulting Engineers, Inc. has submitted the lowest priced proposal dated May 5, 2014 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 service category of engineering is anticipated to exceed \$17,500, (2) Suburban Consulting Engineers, Inc will submit a Business Entity Disclosure Certification, prior to contract signing which certifies that Suburban Consulting Engineers, 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 Suburban Consulting Engineers, 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 will expire December 31, 2014; and

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

1. The Executive Director is hereby authorized and directed to execute the attached Proposal Agreement with Suburban Consulting Engineers, Inc. for engineering services as approved by our attorney, attached hereto as Schedule A.
2. A copy of this Resolution and the Agreement engaging Suburban Consulting Engineers, Inc. shall be kept on file and available for public inspection at the office of the WTMUA, 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

<u>Michael P. Pucilowski</u> Executive Director
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INTRODUCED AND PASSED: May 7, 2014

Motion was made by Mr. Popper, and seconded by Mr. Akin to approve Resolution 14-05-F. Motion was carried by the following vote:

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

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WATER TANK INSPECTIONS

The needs for an additional tank and maintenance on existing tanks were discussed.

Motion made by Mr. Babb, and seconded by Mr. Mascott, to authorize the Executive Director to expend up to \$17,000 for inspections and removal of sediment for all of the water tanks in the Authority system. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

CLIFFSIDE PARK

There is a possibility that Cliffside Park Associates may find a buyer for the water system. The Washington Township Public Health Officer has expressed concerns about a private water company owning and running the system. It is advisable for the Authority to be involved in the process to ensure that the loans are paid in full prior to another company taking over. Another concern from the Health Officer was that she had heard that the Authority is not interested in operating the system. She was advised that the Board is waiting for Cliffside Park to advise what their needs are from the Authority. It was suggested that a meeting be schedule with all parties.

It has been agreed that the Board is only interested in operating the system if it does not create a financial loss that would need to be absorbed by the existing customer base. Cost versus income needs to be reviewed but the operational requirements have not bee provided by Cliffside.

DIRECTOR'S REPORT

- A letter arrived from the DEP regarding the Mountain View Inn property. They have received an exemption because they are not increasing the impervious area by more than 25%. They cannot proceed with the project because the sewerage gallonage is expected to increase considerably from the approved amount. They need to either reduce the usage or have a WMP revision approved.
- Many sewer leaks have been found and work is continuing to search for more. A letter went to a resident who is violating the Rules & Regulations by discharging a sump pump into the sewer line. These violations will be enforced through legal means if necessary.
- The Parker Rd water main is almost completed. As of yesterday, all curb stop connections have been made and work on the booster station is continuing.
- The pressure going into the Grove Street Pump Station is greatly reduced from the original recorded level. The pumps are not rated to increase the pressure as much as required. The pressure issues are being analyzed to determine the lowest pressure level. Repairing a leak that is suspected on Fairview may help with the pressure. If the pressure cannot be increased, then the pumps may need to be modified. Once the course of action is determined, a cost estimate will be developed. The façade was supposed not installed this week. The overnight temperatures may have prevented this. Due to the delays, the tank may be removed by the end of June.
- The Risk Manager has been dealing with the JIF on the liabilities concerns.
- A few residents are requesting to keep private wells on Parker Rd. The Authority is waiting for the resident's waiver applications.
- The SCADA communications are being worked on to restore communication to the pump stations in the Valley.
- The concept plan for the Town Center was reviewed. At the Planning Board meeting it was stated that it would take four to six months to increase the Authority's Water Allocation. The Executive Director suspects that a reasonable allocation might be approved. If it is not, the Authority may need another well. Analysis will be needed to determine if the Authority's Firm Capacity could allow for the new customers. The applicant should pay for the analysis.
- The contract has not arrived from the New Jersey Water Supply Authority.
- The Executive Director is waiting on cost estimates for the Christian subdivision. There is a concern regarding a requirement to have 200,000 square feet of property. The Authority is exempt from this provision. The Executive Director will need to go to the Planning Board to see if there is any issue with the Authority reducing the property size even though there is an exemption.
- A sewer leak was found on Parkview and another one will be fixed tomorrow.
- A question was raised on the Operator's report regarding the August 14th entry being that this is not current information.
- The illegal sewer connection on Bartley was discussed. It was recommended to review some other homes for illegal connections down the street.

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CLOSED SESSION – 9:16PM

RESOLUTION CLOSED SESSION

No. 14-05-E

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matter relating Personnel, Contract Negotiations and attorney client advice 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: May 7, 2014

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve Resolution 14-05-E. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

ADJOURNMENT

Motion was made by Mr. Akin, and seconded by Mr. Popper, to adjourn the meeting. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 10:06 PM

Respectfully Submitted,
E. Jill Waller
Secretary