
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 4, 2015**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:35 PM on February 4, 2015. 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*
Alt. Members Present: Messrs. Babb, Kramer**
Members Absent: Messrs. Mascott
Alt. Members Absent: Messrs.
Staff Members Present: Executive Director (E.D.) Pucilowski, Secretary Waller***, Attorney Gregory

*arrived at 7:36 PM
**arrived at 8:28 PM
***left at 9:12 PM

REGULAR MEETING

SALUTE THE FLAG

SWEARING IN OF BOARD COMMISSIONERS

Walter Cullen was sworn in for another term on the Authority Board.

MUA BOARD APPOINTMENTS

**RESOLUTION
WTMUA BOARD APPOINTMENTS**

No. 15-02-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 4th day of February 2015 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 4, 2015

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve Resolution 15-02-R1. Motion was carried by the following vote:

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

EXECUTIVE DIRECTOR

**RESOLUTION
WTMUA Executive Director Appointment**

No. 15-02-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 4th day of February 2015 the following appointments were made:

1. Upon the terms and conditions set forth on his appointment on February 2, 2011, 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 4, 2015

Motion was made by Mr. Popper, and seconded by Mr. Akin, to approve Resolution 15-02-R2. Motion was carried by the following vote:

**WASHINGTON TOWNSHIP MUA
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AYES: Messrs.: Cullen, Napolitano, Akin, Popper, Babb
NAYS: Messrs.: None
ABSTAIN: Messrs.: None

CUSTODIAN OF GOVERNMENT RECORDS

**RESOLUTION
APPOINTING CUSTODIAN OF GOVERNMENT RECORDS**

No. 15-02-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 4th day of February 2015 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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R3. Motion was carried by the following vote:

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

PUBLIC AGENCY COMPLIANCE OFFICER

**RESOLUTION
DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER**

No. 15-02-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 4th day of February 2015 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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R4. Motion was carried by the following vote:

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

JIF MUA COMMISSIONER

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

No. 15-02-R5

**WASHINGTON TOWNSHIP MUA
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February 4, 2015**

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 4th day of February, 2015 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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R5. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

GOV CONNECT OFFICIAL

RESOLUTION APPOINTING OFFICIAL FOR GOVCONNECT
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No. 15-02-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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R6. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

REGULAR MEETING SCHEDULE

RESOLUTION Regular Meeting Schedule
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No. 15-02-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 2015.

NOTICE OF SCHEDULED MEETINGS FOR THE YEAR 2015

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:

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 4, 2015**

March 4, 2015
April 1, 2015
May 6, 2015
June 3, 2015
July 8, 2015

August 5, 2015
September 9, 2015
September 23, 2015
October 7, 2015
October 21, 2015

November 4, 2015
December 2, 2015
December 16
January 6, 2016
February 3, 2016

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 Daily Record and Courier News 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.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R7. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OPEN PUBLIC MEETINGS ACT

RESOLUTION Open Public Meetings Act

No. 15-02-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 clerks of the Township of Washington, Chester Township and the Township of Tewksbury.

(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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R8. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUDITING SERVICES CONTRACT

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

No. 15-02-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 8, 2014 indicating they will provide the Auditing Services for the not to exceed price of \$28,535 for fiscal year 2014, attached hereto as Schedule A; and,

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 4, 2015**

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 \$28,535 for 2014 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 P. Pucilowski
Executive Director

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R9. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

LEGAL SERVICES CONTRACT

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

No. 15-02-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 30, 2015 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.

**WASHINGTON TOWNSHIP MUA
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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 P. Pucilowski
Executive Director

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R10. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

ENGINEERING SERVICES CONTRACT

RESOLUTION

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

No. 15-02-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 28, 2015 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.

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
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CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael P. Pucilowski
Executive Director

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R11. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL NEWSPAPER

RESOLUTION Official Newspaper

No. 15-02-R12

BE IT RESOLVED that the official newspaper of the Washington Township Municipal Utilities Authority for the year 2015 shall be the Daily Record.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R12. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL DEPOSITORIES

RESOLUTION Official Depositories
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No. 15-02-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 2015:

PNC Bank, N.A.

Peapack - Gladstone Bank

Wachovia Corporation

U.S. Bank

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R13. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

MEL PERSONNEL ADMINISTRATOR

RESOLUTION DESIGNATION of a MEL PERSONNEL ADMINISTRATOR

No. 15-02-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,

**WASHINGTON TOWNSHIP MUA
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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.

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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R14. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PAYMENT OF BILLS EXCEPTION

RESOLUTION

Authorization of Bills Exception

No. 15-02-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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R15. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

RESOLUTION

Payment of Bills Exception

No. 15-02-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, with voucher approval from the Executive Director or MUA Chairman and authorized staff, prior to review by the MUA Committee.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R16. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**WASHINGTON TOWNSHIP MUA
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APPOINT NJ SUSTAINABLE ENERGY MEETING REPRESENTATIVE

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

No. 15-02-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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R17. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUTHORIZING PURCHASES UNDER PURCHASE COOPERATIVES AND NJSEM

**RESOLUTION
AUTHORIZING PURCHASES UNDER
THE NJ COOPERATIVE PURCHASING PROGRAM, THE MORRIS COUNTY COOPERATIVE COUNCIL
(MCCC), THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM (SOCCP) and THE NEW JERSEY
SUSTAINABLE ENERGY JOINT MEETING (NJSEM)**

No. 15-02-R18

WHEREAS, the Washington Township Municipal Utilities Authority (the "Authority"), pursuant to N.J.S.A. 40A:11-10 – 40A:11-12 and N.J.A.C. 5:34-7 may by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program, the Morris County Cooperative Council ("MCCC"), the Somerset County Cooperative Pricing System (SOCCP) and the New Jersey Sustainable Energy Joint Meeting (NJSEM) for any contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury, the MCCC, the SOCCP and the NJSEM; and,

WHEREAS, The Authority has the need on a timely basis to purchase goods or services utilizing State, MCCC, SOCCP and NJSEM contracts; and

WHEREAS, The Authority intends to enter into contracts with State Division of Purchase and Property, MCCC, SOCCP and NJSEM contract vendors through this resolution and properly executed purchase orders.

NOW, THEREFORE, BE IT RESOLVED that the Authority authorizes the purchase of goods and services from the New Jersey State contract, MCCC, SOCCP and NJSEM vendors, pursuant to all the conditions of the individual contracts; and

BE IT FURTHER RESOLVED that the Authority intends to authorize the purchase of the following items as indicated below:

1. New Jersey State Contract:
 - a. ultra low sulfur diesel and biodiesel fuel (T1845)
 - b. office supplies & equipment (M0052)
 - c. environmental testing instruments (T0983)
 - d. automotive parts & accessories (G8022)

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- e. auctioneering services: internet auctions to sell surplus property (T2581)
- f. NJDEP laboratory analysis of drinking water samples (T2688)
- g. Light duty trucks and cargo vans (T2754)
- 2. MCCC
 - a. #2 fuel oil (for heating) (C-2)
 - b. #2 ultra low sulfur diesel fuel (C-12)
 - c. catch basins & manhole castings (C-14)
 - d. utility vehicles (C-15c)
 - e. office supplies (C-16)
 - f. water treatment chemicals (C-17)
 - g. tree removal/trimming/stump grinding services (C-18)
 - h. DPW uniforms/work shoes/boots (C-22)
 - i. janitorial supplies (C-25)
 - j. pest control services (buildings) (C-29)
 - k. office paper supplies (C-30)
 - l. calcium chloride bags (C-31)
 - m. light bulbs (C-35)
- 3. SOCCP
 - a. Industrial & Commercial Equipment & Supplies – Catalog Sales
- 4. NJSEM
 - a. natural gas
 - b. electricity
 - c. other forms of energy
- h. industrial MRO supplies (M0002)
- i. WSCA computer contract (M0483)
- j. vehicles, trucks, class 2, pickup/ utility, with snow plow option (T2100)
- n. preventive maintenance/repair of communications equip. (radios) (C-38)
- o. personal protection items & equip. for Emergency personnel (C-40)
- p. purchase of communications equipment (radios) (C-41)
- q. propane gas (C-43)
- r. septic pumping/sludge removal & disposal services (C-45)
- s. preventive maintenance/repair of emergency generators (C-46)
- t. water meters/data recorders & radio frequency meter interface units (C-47)
- u. fencing materials & install (C-53)

BE IT FURTHER RESOLVED that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds shall be completed by the Authority's Chief Financial Officer prior to placing an order for goods and services from the New Jersey State contract, SOCCP and MCCC vendors and said certification shall be in the form of an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until February 28, 2016.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-R18. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

APPOINT RISK MANAGER

RESOLUTION APPOINTING A RISK MANAGER

No. 15-02-R19

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, payable by the Fund; 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,

WHEREAS, *Stanford Risk Management Services, Inc.* of Lafayette, New Jersey has provided Risk Management Consultant's services to the Authority for several years.

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- NOW, THEREFORE, BE IT RESOLVED** by the *Washington Township Municipal Utilities Authority*, that:
- (1) The firm of *Stanford Risk Management Services, Inc.*, 10 Thomas Rd., Lafayette, 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 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-I. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

DAVE CARSWELL RETROACTIVE LICENSE COMPENSATION

This topic is tabled until next meeting.

DUSTIN HINGEL RETROACTIVE LICENSE COMPENSATION

This topic is tabled until next meeting.

ADMINISTRATION STAFF PERFORMANCE REVIEW

This topic will be discussed in Closed Session.

LESTER WRIGHT VACATION DAYS

The NJ Pension provided a written opinion that the payment of unused vacation time is not pensionable compensation. Due to the unique situation that prevented Mr. Wright from taking his accrued vacation time, it is recommended that he be paid for unused time over 40 hours

RESOLUTION ACCRUED VACATION PAYOUT LESTER WRIGHT

No. 15-02-E

WHEREAS, the Authority has adopted and distributed a Personnel Policies and Procedures Manual ("Manual") that applies to all employees; and

WHEREAS, the Manual outlines that the employees can carry-over 40 hours of accrued Vacation Leave into the next calendar year; and

WHEREAS, Lester Wright has accumulated more than 40 hours of Vacation Leave due to extenuating circumstances regarding management of the Long Valley Sewer Treatment Plant; and

WHEREAS, it is in the Authority's best interest to Lester Wright for the vacation time that will be lost at the end of 2014.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority that the Executive Director is authorized to pay Lester Wright for any unused accrued vacation time over 40 hours at the Lester Wright's 2014 hourly rate not subject to overtime; and

BE IT FURTHER RESOLVED that his resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve Resolution 15-02-E. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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REVISION TO PERSONNEL POLICIES AND PROCEDURES MANUAL

This topic is tabled until next meeting.

APPROVAL OF MEETING MINUTES

Motion was made by Mr. Akin, and seconded by Mr. Napolitano, to approve January 7, 2015 Meeting Minutes. Motion was carried by the following vote:

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

JANUARY CHECKBOOK REGISTER

Motion was made by Mr. Akin, and seconded by Mr. Babb, to approve the January 2015 Checkbook Register. Motion was carried by the following vote:

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

DECEMBER BILLING ADJUSTMENTS

This topic is tabled until the next meeting

VOUCHERS OVER \$5,000

Motion was made by Mr. Akin, and seconded by Mr. Popper, that the vouchers for Kenvil Weldery, dated 12/8/14 for \$6,600.00, Pumping Services dated 12/23/14 for \$35,300.00, and Toby Barkman dated 1/1/15 for \$8,563.18 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

ADOPTION OF 2015 APPROVED BUDGET

<p>RESOLUTION 2015 AUTHORITY WATER AND SEWER UTILITY ADOPTED BUDGET WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY OPERATING and CAPITAL BUDGETS for the FISCAL YEAR: from JANUARY 1, 2015 to DECEMBER 31, 2015</p>

No. 15-02-A

WHEREAS, the Annual Budget and Capital Budget/Program for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2015 and ending December 31, 2015, has been presented for adoption before the Commissioners of the Authority at its open public meeting of February 4, 2015 and,

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and,

WHEREAS, the Annual Budget as introduced reflects Total Anticipated Revenues of \$4,261,449, Total Appropriations, including any Accumulated Deficit if any, of \$4,261,449 and Total Unrestricted Net Assets utilized to Balance Budget of \$0; and,

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$2,495,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$2,495,000; and,

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Washington Township Municipal Utilities Authority, at an open public meeting held on February 4, 2015 that the Annual Budget and Capital Budget/Program of the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2015 and ending December 31, 2015 is hereby adopted and shall constitute an appropriation for the purposes stated; and,

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BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Napolitano, and seconded by Mr. Akin, to approve Resolution 15-02-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

NON-FAIR AND OPEN PURCHASE OF GORMAN RUPP PUMP INSTALLATION FOR LVSTP

This topic was tabled until next meeting.

AUTHORIZE PURCHASE OF VEHICLE

Motion made by Mr. Babb and seconded by Mr. Popper, to authorize the Executive Director to make a purchase above his \$5,000 spending limit for a vehicle through the NJ Department of Purchase and Property contract not to exceed \$29,000. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

SENIOR CITIZEN DISCOUNT

A suggestion was to have an annual credit for customers that have a minimum bill for four quarters. An annual credit will increase administrative man-hours. Also suggested to provide a tiered quarterly bill for sewer. The cost to treat per gallon was requested. The options will be reviewed and recommendations provided at a future meeting. One issue is that there are still a large number of non-radio read meters. Radio read meters provide much more accurate readings than prior technology. It was suggested that to qualify for the lower rates, the customer must have a radio read meter installed.

PARKER RD WATER MAIN EXTENSION RE-CHLORINATION BUILDING

<p>RESOLUTION AUTHORIZING APPROVAL OF THE MEMORANDUM OF AGREEMENT WITH THE USEPA FOR THE CHESTER WATERLINE EXTENSION PROJECT</p>

No. 15-02-G

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

WHEREAS, the Authority was requested by the Township of Chester ("Chester") and the USEPA to extend its water supply system and sell water in Chester (the "Project") as part of the remediation plan for the Combe Fill South Superfund Site ("Site"); and

WHEREAS, as part of the Project, the USEPA installed a re-chlorination building on the Site pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604; and

WHEREAS, under the terms of the Memorandum of Agreement ("MOA"), attached hereto as Exhibit A, the USEPA grants access to the Authority to operate and maintain the re-chlorination building; and

WHEREAS, among other items, the MOA also provides that the EPA will provide the Authority with 18 months' notice prior to Authority losing access to the Site and that for all construction completed by EPA's prime Emergency and Remedial Response Services (ERRS) contractor, the EPA will keep the task order open for a period of two years following construction to address any repairs associated with construction. Further, in the case of subcontracted construction, the WTMUA will be named on all maintenance bonding and warranties; and

WHEREAS, this Resolution is not a formal acceptance of the Project which will be done under separate resolution and after Project completion; and

WHEREAS, it is in the best interests of the Authority to enter into the attached MOA with the EPA.

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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 Memorandum of 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: February 4, 2015 **INTRODUCED AND PASSED:** February 4, 2015

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve Resolution 15-02-G. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

CLIFFSIDE PARK

A meeting with Aqua America discussed them taking over the outstanding loans. It was agreed to consider accepting payment without penalty. The information on the total cost was provided and the Authority is awaiting a response. Another option is that Aqua would shut off the water if the payments are not made.

DIRECTOR'S REPORT

- Parker Road disinfection plan has some issues and it has to be reworked. Due to weather, work will begin in a week or two. The permit to operate the well house has been provided electronically. Once the connections are made, the Authority will be the operator of the system but not the owner until all the final work is completed. The re-chlorination building will only be in use if there is a problem with the residual chlorine levels. The use could vary throughout the year depending on the volume of water flow in the line.
- Holding off the installation of the motive pump for LVSTP.
- The ED did a response to the DEP sewer report for Schooley's Mountain. The addition on the Warwick well is being dismantled. The generators need to be disposed of. There is an above ground oil tank for the generator was removed and the oil disposed of. The biggest issue in the report is the RBC building. An explanation of the plan for the building was provided in the response.
- A response to the DEP Report on the Long Valley sewer system was also provided to the DEP.
- Mrs. Hockenbury will cap her well due to the Authority requirements for having a private well.
- The scum pump at SMSTP is down. Currently a pump is being rented. Prices are being collected to repair and replace.
- EMEX is interested in the Authority doing an electricity auction. Currently the Authority is getting good rates through the NJ SEM. Participating in the auction would not cost the Authority any money or require any participation. EMEX is currently analyzing the Authority's electric bill.
- Awaiting a response on the Smith easement. The fields are currently for sale.
- Parker Rd. & the new well on Smith property will require additional well & station checks and some time for adding chlorination. It is not anticipated to add significant man-hours. Once in operation, a determination can be made.
- There is no additional progress on the High Ridge Tank issues. The ED needs to contact Green Acres regarding the surrounding the High Ridge property.
- It was noted that the EPA will not pay or force anyone to connect or cap their wells. There are two in Chester and one in Wash Twp. A certified letter will be sent to them outlining the issues with not connecting. Stubs were installed in the case of future connection.
- Tour of the new Parker Rd. facilities will be scheduled in the Spring.

CLOSED SESSION – 9:12PM

RESOLUTION CLOSED SESSION

No. 15-02-I

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matter relating to Personnel and Contract Negotiations which 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 aforestated matter will be discussed.

INTRODUCED AND PASSED: February 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-02-I. Motion was carried by the following vote:

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

OUT OF CLOSED – 10:17 PM

ADMINISTRATION STAFF PERFORMANCE REVIEW

Motion was made by Mr. Akin, and seconded by Mr. Popper, to authorize a salary increase to \$14.79 hourly for Erin King effective January 1, 2015. Additionally a Resolution will be prepared for next meeting to reflect the salary change Motion was carried by the following vote:

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

Motion was made by Mr. Akin, and seconded by Mr. Cullen, to authorize a salary increase to \$65,712.58 annually for E. Jill Waller effective retroactively for the entire calendar year of 2014. Additionally a Resolution will be prepared for next meeting to reflect the salary change. Motion was carried by the following vote:

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

The presented Resolutions will be revised into three separate Resolutions reflecting the salary increases that were approved by motion and to change the word "pending" to "future in item number three of the Resolutions.

Motion was made by Mr. Popper, and seconded by Mr. Akin, to authorize a salary increase to \$67,026.83 annually for E. Jill Waller effective January 1, 2015. Additionally Resolution will be prepared for next meeting reflect the salary change.

Motion was carried by the following vote:

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

ADJOURNMENT

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

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

Meeting Adjourned: 10:32 PM

Respectfully Submitted,
E. Jill Waller
Secretary