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

The Regular Meeting of the W.T.M.U.A. was called to order at 7:35 PM on March 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 12, 2015. Notice was also posted on the Municipal Building Bulletin Board.

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

REGULAR MEETING

SALUTE THE FLAG

DAVE CARSWELL RETROACTIVE LICENSE COMPENSATION

This topic is tabled until Closed Session.

DUSTIN HINGEL RETROACTIVE LICENSE COMPENSATION

This topic is tabled until next meeting.

ADMINISTRATION SALARY ADJUSTMENT

**RESOLUTION
NON-ASSOCIATION MEMBERS
ERIN KING
SALARY ADJUSTMENT
2015**

No. 15-03-F

WHEREAS, the Washington Township Municipal Utilities Authority ("the Authority") employs personnel that are not members of the Washington Township Municipal Authority Employee Association; and

WHEREAS, the Authority Board has reviewed the recommendations of the Executive Director regarding performance and salary for these employees; and

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

1. Erin King, Office Assistant : salary adjusted to \$14.79/hour and
2. The terms and conditions of the existing and future collective bargaining agreements for the Washington Township Municipal Utilities Authority Employees Association regarding salary will not apply to this employee; and

BE IT FURTHER RESOLVED, that this resolution shall take effect with the first payroll in 2015 on January 2, 2015.

INTRODUCED AND PASSED: March 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Napolitano, to approve Resolution 15-03-F. Motion was carried by the following vote:

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

Some members of the Board are not in favor of providing retroactive pay.

**RESOLUTION
NON-ASSOCIATION MEMBERS
E. JILL WALLER
SALARY ADJUSTMENT
2014**

No. 15-03-G

**WASHINGTON TOWNSHIP MUA
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WHEREAS, the Washington Township Municipal Utilities Authority (“the Authority”) employs personnel that are not members of the Washington Township Municipal Authority Employee Association; and

WHEREAS, the Authority Board has reviewed the recommendations of the Executive Director regarding performance and salary for these employees; and

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

1. E. Jill Waller, Executive Secretary: salary adjusted to \$65,712.58 annually retroactive for the 2014 calendar year; and
2. The terms and conditions of the existing and future collective bargaining agreements for the Washington Township Municipal Utilities Authority Employees Association regarding salary will not apply to this employee; and

BE IT FURTHER RESOLVED, that this resolution shall take effect with the first payroll in 2015 on January 2, 2015.

INTRODUCED AND PASSED: March 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Babb, to approve Resolution 15-03-G. Motion was carried by the following vote:

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

<p>RESOLUTION NON-ASSOCIATION MEMBERS E. JILL WALLER SALARY ADJUSTMENT 2015</p>
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No. 15-03-H

WHEREAS, the Washington Township Municipal Utilities Authority (“the Authority”) employs personnel that are not members of the Washington Township Municipal Authority Employee Association; and

WHEREAS, the Authority Board has reviewed the recommendations of the Executive Director regarding performance and salary for these employees; and

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

1. E. Jill Waller, Executive Secretary: salary adjusted to \$67,026.83 annually; and
2. The terms and conditions of the existing and future collective bargaining agreements for the Washington Township Municipal Utilities Authority Employees Association regarding salary will not apply to this employee; and

BE IT FURTHER RESOLVED, that this resolution shall take effect with the first payroll in 2015 on January 2, 2015.

INTRODUCED AND PASSED: March 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-03-G. Motion was carried by the following vote:

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

REVISION TO PERSONNEL POLICIES AND PROCEDURES MANUAL

The Manual is being compared to the Employee Association Agreement by Mark Napolitano. A copy of the Manual will be emailed to all Board Members. Mark Napolitano will provide his recommended changes prior to next meeting.

APPROVAL OF MEETING MINUTES

Motion was made by Mr. Popper, and seconded by Mr. Akin, to approve February 4, 2015 Open Meeting Minutes correcting a typographical error on page 11 of the Minutes. Motion was carried by the following vote:

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

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Motion was made by Mr. Popper, and seconded by Mr. Akin, to approve February 4, 2015 Closed Meeting Minutes incorporating Mark Napolitano's copy replacing the last paragraph of the minutes. Motion was carried by the following vote:

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

MEL TRAINING FOR COMMISSIONERS

The Authority will be reimbursed \$250 on insurance cost per Board Member that completes the training.

FEBRUARY CHECKBOOK REGISTER

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

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

DECEMBER BILLING ADJUSTMENTS

The first set of letters have been sent announcing the new shut-off policy. Motion was made by Mr. Akin, and seconded by Mr. Babb, to approve the December 2015 Billing Adjustments. Motion was carried by the following vote:

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

VOUCHERS OVER \$5,000

Motion was made by Mr. Akin, and seconded by Mr. Babb, that the vouchers for Passaic Valley, dated 2/19/15 for \$6,120.00, Toby Barkman dated 2/2/15 for \$10,310.02 and dated 2/3/15 for \$7,476.76, DJ Egarian, dated 2/9/15 for \$7,937.50 and Nisivoccia dated 1/19/15 for \$15,690.00 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

ELECTRICAL SUPPLY AUCTION

An initial comparison was conducted against the Authority's current rate with the NJSEM showing a savings of approximately \$500. It is expected that the actual rates will be better with the NJSEM due to more members being included in the bid. Additionally, the NJSEM rate was contracted two years ago, so the current rate does not reflect current market adjustments. The Executive Director will have to decide between the auction price and the strike price for the NJSEM. The strike price is no guarantee of what the final rate will be for the NJSEM. Once the Authority commits to participate in the NJSEM bid, the Authority must accept the NJSEM's commitment to the bid. There is no commitment to accepting the auction price. The price will be based on un-interruptible service.

<p>RESOLUTION AUTHORIZATION FOR ONLINE AUCTION OF ENERGY SUPPLY SERVICES FOR SUPPLY CONSIDERATION</p>
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No. 15-03-I

WHEREAS, Washington Township Municipal Utilities Authority ("the Authority") is a member of the New Jersey Sustainable Energy Joint Meeting ("NJ SEM") purchasing group for its electricity needs; and

WHEREAS, the Authority has wishes to explore whether it can better manage its electricity through the EMEX Reverse Auction; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, the Authority will utilize the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

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WHEREAS, the Authority is under no obligation to accept the bids from the online auction from EMEX, LLC;
and

WHEREAS, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction and all contracts, if any, will be in conformance with the Act and all other bidding and procurement requirements.

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

1. Upon confirmation that EMEX, LLC is authorized by the State of New Jersey to conduct online auctions for electricity, the Executive Director is hereby authorized to investigate whether it is in the best interest of the Authority and provide better value for the purchase of electricity through use of the EMEX Reverse Auction Platform for an online electricity auction on behalf of the Authority; and
2. Upon confirmation that EMEX, LLC is authorized to conduct online auctions and that the EMEX Reverse Auction Platform provides is in the best interest to the Authority, the Executive Director is authorized to execute on behalf of the Authority a form of electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction upon approval of the Authority's attorney; and
3. A certified copy of this Resolution be kept on file at the office of the Authority at 46 East Mill Rd, Long Valley, NJ.

INTRODUCED AND PASSED: March 4, 2015

Motion was made by Mr. Babb, and seconded by Mr. Napolitano, to approve Resolution 15-03-I. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

EXCAVATION PUBLIC BID

One year contract with the option to renew two additional on year extensions.

<p>RESOLUTION AUTHORIZING ADVERTISEMENT OF NOTICE TO BIDDERS FOR EXCAVATION, TRENCHING, PIPE REPAIR FOR SEWER & WATER FACILITIES</p>

No. 15-03-B

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority"), requires excavation, trenching and pipe repair services for its sewer and water facilities; and

WHEREAS, it is anticipated that the annual cost of these services will exceed the bid threshold as set forth in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, for those contracts exceeding the bid threshold, the Local Public Contracts Law requires the public advertising for bids in the official newspaper of the contracting unit at least ten (10) days prior to the receipt of bids.

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

1. The Executive Director is hereby authorized and directed to publish a Notice to Bidders in the Authority's Official Newspaper to receive bids for excavation, trenching and pipe repair services.
2. Sealed bids are to be received at a time and place to be set by the Executive Director but in no case earlier than the time required by the Local Public Contracts Law.
3. The Executive Director shall prepare a bid report of all bids received to be considered by the Authority at its next meeting following the receipt of bids and, in the Authority's discretion, a contract will be awarded to the lowest qualifying bidder.
4. This Resolution shall take effect immediately.

INTRODUCED AND PASSED: March 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-03-B. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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

RESOLUTION

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR GORMAN RUPP PUMP INSTALLATION
FOR LONG VALLEY SEWER TREATMENT PLANT SBR2**

No. 15-03-A

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has the need to install the Gorman Rupp Pump Moyno Pump at the Long Valley Sewer Treatment Plant for SBR2; and

WHEREAS, the Authority Board authorized the purchase of the installation services, over \$5,000, at the Public Meeting on January 7, 2015; and

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

WHEREAS, DPS Well Pumps & Water Systems ("DPS") has submitted the lowest priced proposal dated February 23, 2015 indicating they will install the Gorman Rupp Pump in accordance with the proposal submitted in the amount of \$18,675.00 and,

WHEREAS, the "Pay-to-Play" Law (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of a contract over \$17,500 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 pump installation is anticipated to exceed \$17,500, (2) DPS will submit a Political Disclosure Certification, prior to contract signing which certifies that DPS has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous year, and (3) the Contract will prohibit DPS 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, 2015; 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 DPS for the installation of the Gorman Rupp Pump attached hereto as Schedule A.
2. A copy of this Resolution and the Agreement engaging DPS 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 is made without competitive bidding as the value is under the bid threshold in accordance with N.J.S.A. 40:11-3(a) and (c) of the Local Public Contracts Law.
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: March 4, 2015

Motion was made by Mr. Popper, and seconded by Mr. Akin, to approve Resolution 15-03-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PURCHASE OF SCUM PUMP FOR SMSTP

Motion was made by Mr. Babb, and seconded by Mr. Popper, to authorize the Executive Director to spend in excess of \$5,000 to replace the scum pump for SMSTP. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: Popper

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NEW WELL LOCATED ON SMITH FARM

The Smith Attorney has not responded to the counter-offer for the easement.

CLIFFSIDE PARK

This topic will be discussed in Closed Session.

DIRECTOR'S REPORT

- Parker Rd is waiting for the weather to break to do the chlorination. There is some SCADA work being done for the pump station at the school.
- There is no change in the status for the High Ridge tank. The ED needs to speak to Green Acres Administration.

CLOSED SESSION – 8:53PM

RESOLUTION CLOSED SESSION

No. 15-03-J

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

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 aforesaid matter will be discussed.

INTRODUCED AND PASSED: March 4, 2015

Motion was made by Mr. Akin, and seconded by Mr. Popper, to approve Resolution 15-03-J. Motion was carried by the following vote:

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

OUT OF CLOSED – 9:56 PM

DAVE CARSWELL RETROACTIVE LICENSE COMPENSATION

Motion was made by Mr. Akin, and seconded by Mr. Popper, to make Mr. Carswell the offer as discussed in closed session and for the Mr. Gregory to prepare a release. Motion was carried by the following vote:

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

Meeting Adjourned: 9:58 PM

Respectfully Submitted,
E. Jill Waller
Secretary