
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
August 5, 2015**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:33 PM on July 8, 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, Akin*, Popper, Mascott
Alt. Members Present: Messrs. Babb
Members Absent: Messrs. Napolitano
Alt. Members Absent: Messrs. Kramer
Staff Members Present: Executive Director (E.D.) Pucilowski, Executive Secretary Waller, Administrative Assistant King, Attorney Gregory

*arrived at 7:36 PM

REGULAR MEETING

SALUTE THE FLAG

DUSTIN HINGEL RETROACTIVE LICENSE COMPENSATION

<p>RESOLUTION AUTHORIZING SETTLEMENT WITH DUSTIN HINGEL FOR CLAIM FOR RETROACTIVE WATER LICENSE COMPENSATION</p>

No. 15-08-A

WHEREAS, on February 25, 2014, the NJDEP, Bureau of Safe Drinking Water (“DEP”), notified the Washington Township Municipal Utilities Authority (“Authority”) that on February 6, 2014 a permit was issued for additional chemical treatment of the Schooley’s Mountain Water System; and

WHEREAS, as a result of this additional treatment, the NJDEP reclassified the required Water Treatment licensed operator for the Schooley’s Mountain Water System from a T-1 to a T-2; and

WHEREAS, the Authority Employees Association contract provides for additional compensation for each license that is at or below the maximum class license required for the Water System; and

WHEREAS, on November 5, 2014 the Authority approved additional compensation to Dustin Hingel effective February 6, 2014; and

WHEREAS, Dustin Hingel requested the additional compensation retroactive to the 2009 when Mr. Hingel earned his T-2 license; and

WHEREAS, the Authority reviewed the validity of this claim and consulted with legal counsel regarding the merits of this claim and based upon this review denies the validity of claim; and

WHEREAS, in the interest of resolving this claim without further dispute, it is in the best interest of the Authority to resolve and settle all disputes arising out of this claim as set forth in the attached Release and Settlement Agreement.

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

1. Upon execution of the attached Release and Settlement Agreement by Dustin Hingel, the Executive Director is hereby authorized to pay to Dustin Hingel the total amount of \$2,000.00 for the complete release and settlement of this matter.
2. This resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: August 5, 2015

Motion was made by Mr. Babb, and seconded by Mr. Popper, to approve Resolution 15-08-A June 3, 2015 Open Meeting Minutes with the indicated changes. Motion was carried by the following vote:

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

REVISION TO PERSONNEL POLICIES AND PROCEDURES MANUAL

This topic was tabled until next meeting.

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APPROVAL OF MEETING MINUTES

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to approve July 8, 2015 Open Meeting Minutes. Motion was carried by the following vote:

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

APPROVAL OF RESOLVED CLOSED MEETING MINUTES

This item has been tabled until next meeting based upon advice from the Authority Attorney.

JULY CHECKBOOK REGISTER

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

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

APRIL & MAY BILLING ADJUSTMENTS

Motion was made by Mr. Popper, and seconded by Mr. Mascott, to approve the April & May 2015 Billing Adjustments. Motion was carried by the following vote:

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

VOUCHERS OVER \$5,000

Motion was made by Mr. Babb, and seconded by Mr. Popper, that the vouchers for Accurate Waste dated 6/1/15 for \$6,416.30, Passaic Valley Sewerage Commission dated 7/20/15 for \$7,537.50, Toby Barkman dated 7/9/15 for \$6,618.07, and Toby Barkman dated 7/9/15 for \$6,651.40 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote:

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

AUTHORIZING PURCHASES OVER \$5,000

Motion was made by Mr. Mascott, and seconded by Mr. Babb, to authorize the Executive Director to spend up to \$14,500 to repair the LVSTP sand filter pump and up to \$6,500 to repair the SMSTP mixer. Motion was carried by the following vote:

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

BOOK DONATION BOX

The request to put a book donation box on the Authority property was discussed. It was the opinion of the Commissioners to not accept this request.

WATER THEFT FROM FIRE HYDRANTS

The Attorney advised that unauthorized drawing of water from fire hydrants is considered Theft of Services and a violation of existing law. Rings advising that unauthorized hydrant use will be prosecuted will be added to the hydrants. Notes will also be included on customer bills advising them to call the Authority if they see someone drawing water from a hydrant. Requesting a Township Ordinance was discussed. It was agreed that the existing laws are sufficient and the police should be called when there is a violation.

69 SCHOOLEY'S WATER PRESSURE

This property is at the top of the water line. Once the tanker was removed and the pump station was brought online, water pressure did not increase to this property. Increasing the pressure in the line could cause additional problems. It is recommended to install a booster pump on the property. It is believed that there was one installed by the previous homeowner but it has been removed prior to the current homeowner moving in. The home could have galvanized pipe that could cause leaks with the added pressure. There is 20psi at the outside of the structure at its lowest point. At the

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back of the home, which is at a higher elevation than the front, there was 16psi. The elevation of the home from the Authority pipe is creating the pressure issue. The property owner should sign an agreement that absolves the Authority of any responsibility for any leaks that are a result of adding pressure to the home's piping. The Executive Director has asked a plumber to take a look at the pipes and provide a recommendation on a booster pump. The plumber may not recommend increasing the pressure in the home's lines. The cost could be up to \$2,000 to install the pump. The solution of adding a pump is supported by the Commissioners contingent upon the homeowner signing the agreement as discussed.

PARKER RD PROJECT BILLING

As changes were made on the project, addendum estimates were not provided. ER is refusing to pay anything beyond the original estimate. This amount is approximately \$90,000. The billing is being evaluated by the EPA. If the expenses are not approved for payment, the Executive Director will take this up with Congressman Lance and Congressman Frelinghuysen.

DIRECTOR'S REPORT

- The Executive Director spoke to Andrew Coppola and the Township received an agreement from Aqua for both Franchise and Right-Of-Way Consent. The missing Exhibit A should be reviewed.
- Shut offs have reduced the volume of properties going to the Township for Tax Sale. Desperate situations have been given payment schedules. If those schedules are not met, the water will be shut off.
- There have been problems with the current uniform supplier. The Employee Association has provided their support and their input of the situation. Since the new company will not include everything, some items will have to be purchased separately.
- The Executive Director has determined that Dustin Hingel will be promoted to Assistant Water Operator. A Resolution will be included at the next meeting.
- The same time period as last year is acceptable for the Safety Awards Dinner.
- For the Parker project, there are wells that are under buildings and will be very difficult to cap. The DEP needs to approve not capping these wells. Letters will be sent to the residents that elected to not hook up to the water line advising them of the down side of their decision. If they still choose not to connect, the Authority will have to decide if the connection will be forced through the courts. The Executive Director will request from the EPA all correspondence with the residents that are refusing to hook up.
- The Executive Director will begin negotiations on the easement with the Board of Education. One of the residence has no objection to an easement but would like to be connected to the water line.

CLOSED SESSION – 8:41 PM

RESOLUTION CLOSED SESSION

No. 15-08-C

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 aforestated matter will be discussed.

INTRODUCED AND PASSED: August 5, 2015

Motion was made by Mr. Babb, and seconded by Mr. Akin, to approve Resolution 15-08-C. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OUT OF CLOSED – 9:01 PM

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SMITH PROPERTY WELL EASEMENT COMPENSATION

<p>RESOLUTION AUTHORIZING SETTLEMENT WITH ROBERT SMITH FOR EMINENT DOMAIN COMPENSATION</p>

No. 15-08-D

WHEREAS, the Washington Township Municipal Utilities Authority (“Authority”), for the purpose of developing a new well to insure that sufficient water will be available for the public water system, filed a condemnation action against Robert Smith (“Smith”) to acquire the an easement on property located at 226 Drakestown Road, Hackettstown, New Jersey, commonly known and designated as Block 12, Lot 4 on the tax map of the Township of Washington, Morris County, New Jersey, said easement hereinafter referred to as the “Property”; and

WHEREAS, on October 19, 2010 an Order was entered finding the Authority had properly exercised its power of eminent domain to acquire the Property.

WHEREAS, after depositing the appraised value of \$1,550.00 into Court, a Declaration of Taking was filed and recorded in the Morris County Clerk’s office giving title to the Property to the Authority; and

WHEREAS, the amount of the appraised value of the Property taken was in dispute and Mr. Smith has agreed to accept a comprised sum to settle this matter and dismiss the pending action; and

WHEREAS, in the interest of resolving this claim without further dispute, it is in the best interest of the Authority to resolve and settle all disputes regarding the value of the Property taken and settle this matter upon the terms and condition as set forth below.

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

1. Upon the execution and filing of a form of order, to be approved by the Authority attorney, including the release of the \$1,550.00 deposited in the Court to Robert Smith and dismissing all claims for compensation in this matter, the Executive Director is authorized and directed to pay to Robert Smith the amount of \$8,450.00 for a total payment of \$10,000 for the Property acquired.
2. This resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: August 5, 2015

Motion was made by Mr. Akin, and seconded by Mr. Mascott, to approve Resolution 15-08-D. Motion was carried by the following vote:

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

ADJOURNMENT

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

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

Meeting Adjourned: 9:03 PM

Respectfully Submitted,
E. Jill Waller, Secretary