
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
August 3, 2016**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:39 PM on August 3, 2016. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News on February 5, 2016. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Cullen, Napolitano, Babb, Popper
Alt. Members Present: Messrs. None
Members Absent: Messrs. Akin
Alt. Members Absent: Messrs. None
Staff Members Present: Executive Director (ED) Pucilowski, Executive Secretary Waller, Attorney Gregory

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SALUTE THE FLAG

NEW BOARD MEMBER

Introduced Chip Autry who will be appointed to the Board through the Township Committee.

APPROVAL OF MEETING MINUTES

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve the June 1, 2016 and July 6, 2016 Minutes.

Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: Popper

JUNE & JULY CHECKBOOK REGISTER

Motion was made by Mr. Babb, and seconded by Mr. Popper, to approve the June and July checkbook registers.

Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

APRIL & MAY BILLING ADJUSTMENTS

Motion was made by Mr. Napolitano, and seconded by Mr. Popper, to approve the April and May Billing Adjustments.

Motion was carried by the following vote:

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

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 Pumping Services dated 7/15/16 for \$6,316.00, and Rio Supply dated 7/27/16 for \$9,885.00 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote:

AYES: Messrs. Cullen, Napolitano, Babb, Popper

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PARTICIPATION IN THE NJIT FUNDING PROGRAM

The program is now open for submission any time during the year. The interest rate is basically 1% when the forgiveness is factored in and the terms could go as long as 30 years. The capital improvements requirements exceeds the Authority's reserve.

EPL PROGRAM UPDATE

The policies and procedures manual was reviewed by the Labor Attorney and his changes were reviewed. The Floating Holiday is acceptable with the addition to include the requirement to get prior approval similar to vacation time. The extension of sick leave up to five (5) working days will be changed to a loan against the next year's allocation. The Executive Director would like to open the Bereavement Policy to all employees. Comp time at 1½ times the hours

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worked over 40 versus comp time at actual time over 40 will be reviewed with the Labor Attorney. A clarification will be added for Educational Assistance limiting non-mandatory training to non-working hours.

**RESOLUTION
ADOPTION OF PERSONNEL POLICIES AND PROCEDURES MANUAL**

No. 16-08-C

WHEREAS, the Washington Township Municipal Utilities Authority (the Authority) approved the Personnel Policies and Procedures Manual (Manual) for distribution with Resolution 16-07-A; and,

WHEREAS, the Executive Director requested the Labor Attorney to review the Manual prior to distribution; and,

WHEREAS, the Labor Attorney suggested revision; and,

WHEREAS, the Authority has updated its Personnel Policies and Procedures Manual and it is ready for redistribution.

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

1. The Personnel Policies and Procedures Manual, originally adopted December 2, 2004 and last revised April 2, 2014, attached hereto is hereby adopted.
2. The Personnel Policies and Procedures Manual procedures shall apply to all Authority officials, appointees, employees, and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State Law, the terms and conditions of that contract or law shall prevail. In all other cases, the Personnel Policies and Procedures Manual shall prevail.
3. The Personnel Policies and Procedures Manual is intended to provide guidelines covering public service by Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Authority.
4. To the maximum extent permitted by law, employment practices for the Authority shall operate under the legal doctrine known as "employment at will."
5. That the Executive Director and the MEL Personnel Administrator are authorized to distribute said Personnel Policies and Procedures Manual to all Managerial Personnel and Sections One through Five of the Manual to all Employees.
6. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: August 3, 2016

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve Resolution 16-08-C. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

WATER CHARGE ADJUSTMENT POLICY

**RESOLUTION
UNBILLED WATER USAGE POLICY**

No. 16-08-B

WHEREAS, the Washington Township Municipal Utilities Authority (Authority) occasionally finds that there is an inconsistency between the number of gallons of water flow measured and displayed on the customer's actual water meter and the number of gallons displayed or reported by a remote outside meter reading device, whether it be manual, electro-mechanical or electronic; and,

WHEREAS, billing for such an event is often disputed by the customer; and,

WHEREAS, it is the best interest of the Authority to have a policy that will allow administrative disposition of such disputed bills in a uniform manner.

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

- I. The policy for handling inconsistent readings between a remote outside reader and readings from the actual non-radio read water meter shall be as follows:

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- a. The non-radio read water meter shall be replaced with a radio-read meter. The reading from the old meter will be documented and used as a basis for determining the amount of water used; and
 - b. The customer's prior usage will be reviewed to determine when the meter reading inaccuracies and/or discrepancies began; and
 - c. Based on the number of quarters that are affected by the inconsistencies, an average quarterly usage will be determined; and
 - d. The cost of the average usage will be calculated for each affected period at the applicable billing tier; and
 - e. A billing adjustment will be made to the customer's account to reflect the average billing over the affected quarters.
- II. If the remaining balance on the account is over \$500, the customer will be given six (6) months to bring the account to current. If the account is current at the end of the six (6) month period, any penalty applied will be removed. If the remaining balance is over \$1,000, the customer will be given twelve (12) months to bring the account current. If the account is current at the end of the twelve (12) month period, any applied penalty will be removed. Should the customer fail to bring the account to current within the designated time period, the penalty will remain on the account and the account will be treated as a delinquent account.
- III. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: August 3, 2016

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve Resolution 16-07-B. Motion was carried by the following vote:

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

SM23 APPRAISER

<p>RESOLUTION INCREASE CONTRACT PRICE FOR APPRAISAL SERVICES</p>

No. 16-08-A

WHEREAS, in connection with the development of well SM 23 the Authority approved Resolution 16-07-C authorizing appraisal services to determine the value of access/utility easements and temporary construction easements over Lot 37.01, Block 12 and Lot 37, Block 12 (the "Easements") from Well SM 23 to the water line on Naughtright Road; and

WHEREAS, the authorized amount was not to exceed \$4,000; and

WHEREAS, upon processing the Agreement it was discovered that the estimate for services provided Norman J Goldberg was for \$4,250; and

WHEREAS, Norman J Goldberg remains the lowest price quote; and

WHEREAS, there are sufficient funds available for the payment of these services.

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

- (1) The Executive Director of the Authority is hereby authorized and directed to execute an Agreement in a form approved by the Authority Attorney with Norman J. Goldberg for the performance of appraisal services.
- (2) The maximum authorization for services performed under the Agreement shall not exceed \$4,250.00.
- (3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: August 3, 2016

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve Resolution 16-08-A. Motion was carried by the following vote:

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

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US BANK AUTHORIZED REPRESENTATIVES

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to authorize Walter Cullen, Mark Napolitano and Donald Babb as authorized representatives for the US Bank accounts. Motion was carried by the following vote:

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

EXCAVATION BID

<p>RESOLUTION REJECTING ALL BIDS FOR CONTRACT 21.03 (2016) ANNUAL SEWER & WATER FACILITIES EXCAVATION, TRENCHING, PIPE REPAIR</p>
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No. 16-08-D

WHEREAS, on July 14, 2016 the Washington Township Municipal Utilities Authority ("Authority") opened and read aloud sealed bids for Contract 21.03 (2016), ANNUAL SEWER & WATER FACILITIES EXCAVATION, TRENCHING, PIPE REPAIR; and

WHEREAS, the lowest bid submitted was in the amount of \$912,480.00; and

WHEREAS, the amount budgeted for the work under this Contract was \$665,000.00; an

WHEREAS, lowest bid amount exceeded the budget by approximately 37% and accordingly cost estimates for this project and there are insufficient budgeted funds available to pay for the project as currently specified; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2, a public body may reject all bids in the event that the bid amount exceeds funds available or cost estimates for the project; and

WHEREAS, the Engineer for the Authority recommends that, to meet the budget for this project, the Authority revise the scope of work, amend the bid sheets and re-bid the work; and

WHEREAS, it is in the best interest of the Authority to reject all bids submitted for Contract 21.03 (2016), revises the scope of work and rebid this project.

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

- (1) The Executive Director is hereby authorized and directed to reject all bids submitted in connection with the proposed Contract 21.03 (2016) and return all bid security submitted.
- (2) The Executive Director is hereby authorized and directed to work with the Authority Engineer to revise the bid specifications to bring the Contract price more in line with the amount budgeted for this work and re-advertise for bids for this work.
- (3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: August 3, 2016

Motion was made by Mr. Popper, and seconded by Mr. Napolitano, to approve Resolution 16-08-D. Motion was carried by the following vote:

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

DIRECTOR'S REPORT

- 138A Black River shut off the Authorities water source and did not have the correct backflow prevention device. The water source will be reconnected and the backflow connection will be installed.
- The DEP has issued a drought warning related to the State Reservoirs and is asking for voluntary water conservation enforcement.
- There is a meeting tomorrow with AT&T regarding a cyber security assessment.
- RBC unit is fixed. Pictures provided.
- VFD for OFR PS will be fixed by mid-August.
- High Ridge Standpipe estimates for painting the outside have been requested. Green Acres is an issue with moving the tank. It needs to determine if raising the standpipe will create enough water pressure.

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- The restriction on water connections due to inadequate water supply is still being reviewed by DEP. The Executive Director has followed up with no response.
- Information was provided to the DEP regarding the concrete that was buried from the Camp Washington Spring has been addressed and does not appear to be an issue.

CLOSED SESSION – 9:22 PPM

RESOLUTION CLOSED SESSION

No. 16-08-E

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: August 3, 2016

Motion was made by Mr. , and seconded by Mr., to approve Resolution 16-08-E. Motion was carried by the following vote:

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

OUT OF CLOSED – 9:44 PM

EMPLOYEE ASSOCIATION NEGOTIATIONS

Motion was made by Mr. Napolitano, and seconded by Mr. Babb, to initiate mediation. Motion was carried by the following vote:

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

ADJOURNMENT

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

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

Meeting Adjourned: 9:45 PM

Respectfully Submitted,
E. Jill Waller
Secretary