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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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The Regular Meeting of the W.T.M.U.A. was called to order at 7:35 PM on December 7, 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, Babb, Popper\*  
Alt. Members Present: Messrs. Whitmore, Autry  
Members Absent: Messrs. Napolitano, Akin  
Alt. Members Absent: Messrs.  
Staff Members Present: Executive Director (ED) Pucilowski, Executive Secretary Waller, Office Assistant Moranski, Attorney Gregory

\*left at 9:37

**2017 RATE HEARING**

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**SALUTE THE FLAG**

**2017 RATE SCHEDULE**

The Board was advised that Resolution 16-11-A that was approved last meeting approving the rates for a Rate Hearing had a typo, but the corrected rates were advertised for the rate hearing. The following changes were made from the Resolution prior to advertising the rates:

- The base rate for the Single Family homes in the first two tiers were changed from 78.76 to 75.76.
- The Historical Sewer fee per year will change from 72.83 changed from 72.83 to 72.84

**PUBLIC RATE HEARING – 2017 SEWER AND WATER RATES**

Mr. Pucilowski was sworn in by Attorney Gregory. Mr. Pucilowski attested that notices of the Rate Hearing were sent to at least two newspapers of local distribution; mailed to the Municipal offices and posted on the WTMUA bulletin board as required. The proof from the newspapers were marked Exhibit A for the record.

The procedures to prepare the budget and rates were described by Mr. Pucilowski. The proposed rate schedule, which was confirmed as being essentially what was advertised for the Rate Hearing, was marked Exhibit B. A 2% increase of sewer rates and 3% for water rates is recommended in order to cover the 2017 expenses, debt service, reserves, and maintenance. The Executive Director advises that he recommends the rate increase.

The hearing was opened to the Public. The frequency of increases and the percentage increase as compared to historical increases was discussed. Questions were answered and the hearing was closed to the Public.

The Authority Attorney advised that a transcript is required. It was advised that there would be a digital recording of the Hearing and minutes will be published.

**REGULAR MEETING**

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**OPEN TO THE PUBLIC 7:43PM**

**4 RYAN COURT**

The customer advised that they had a high water bill if \$6,000 and paid as quickly as she could but still received a penalty of about \$46.00. She would like to have the penalty waived.

Motion was made by Mr. Popper, and seconded by Mr. Whitmore, to approve a one-time waiver of the penalty in consideration of working with the Authority to resolve the high bill. Motion was carried by the following vote:

AYES: Messrs.: Popper, Cullen, Whitmore, Autry, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**112 BLACK RIVER RD LEAK ADJUSTMENT OVER \$600**

Customer was notified last year that he had a potential leak on his farm. He couldn't find a leak, but he adjusted his outside faucets. He then received a large bill of \$2338.39 right before he went a way for an extended period of time. Since he couldn't find an obvious leak, he shut the system off to the barns unless water was needed. When he returned home he began investigating, digging test holes and narrowed down the problem to a portion of the 1500 feet

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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of his farm water system. He installed a ball valve on the affected part of the system. Two leaks were found and repaired. His next bill was lower but still high due to the time that it took him to find and repair the leaks.

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve leak adjustment over the two affected quarters. The adjustment will be calculated per the policy and will be memorialized in a Resolution at the next meeting. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Whitmore, Autry  
NAYS: Messrs.: Popper  
ABSTAIN: Messrs.: None

CLOSED TO THE PUBLIC 8:30PM

**2017 RATE INCREASE**

<p><b>RESOLUTION ADOPTING 2017 RATE SCHEDULE AND AMENDING WTMUA RULES AND REGULATIONS</b></p>
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*No. 16-12-C*

**WHEREAS**, upon proper notice having been made and a public hearing having been held pursuant to the Municipal and County Utilities Authorities Law to amend the Washington Township Municipal Utilities Authority (the "Authority") service charges for 2017 as set forth in Rate Schedule of the Rules and Regulations, Appendix A attached hereto; and

**WHEREAS**, for the reasons set forth in said public hearing and to ensure adequate revenues will be available to pay the expenses of operation and maintenance of the utility system, including reserves, insurance, extensions, and replacements, and to pay the principal of and interest on any bonds and to maintain such reserves or sinking funds therefor as may be required by the terms of any contract of the municipal authority or as may be deemed necessary or desirable by the Authority for the year 2017, it is the desire of the Authority to amend its Rules and Regulations to replace the 2016 rate schedule with the 2017 rate schedule, Appendix A attached hereto; and

**WHEREAS**, all other sections of the WTMUA's Rules and Regulations inconsistent with the new rate schedule set forth in Appendix A, are hereby amended to be consistent with the 2017 Rate Schedule.

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

1. The Rules and Regulations of the Washington Township Municipal Utilities Authority are hereby amended by the adoption of the 2017 rate schedule as set forth on Appendix A attached hereto and to be attached to the Rules and Regulations as referenced under Section 5, Part B, 1.
2. All other sections of the WTMUA's Rules and Regulations inconsistent with the new rate schedule set forth in Appendix A, are hereby amended to be consistent with the 2017 Rate Schedule.
3. This resolution shall take effect immediately.

**INTRODCUED AND PASSED:** December 7, 2016

Motion was made by Mr. Babb, and seconded by Mr. Whitmore, to approve Resolution 16-12-C. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Whitmore, Autry  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: Popper

**APPROVAL OF NOVEMBER MEETING MINUTES**

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve the November 2, 2016 Minutes. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: Popper, Autry

**NOVEMBER CHECKBOOK REGISTER**

Motion was made by Mr. Babb, and seconded by Mr. Autry, to approve the November checkbook register. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry, Whitmore

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**VOUCHERS OVER \$5,000.**

Motion was made by Mr. Popper, and seconded by Mr. Babb, that the vouchers for Water Works Supply dated 9/9/16 for \$11,037.00 and Toby Barkman Excavation dated 11/19/16 for \$5,385.71 be approved for payment and authorized by the signature of the proper official. Motion was carried by the following vote:

AYES: Messrs. Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**SEPTEMBER, OCTOBER BILLING ADJUSTMENTS**

Motion was made by Mr. Autry, and seconded by Mr. Popper, to approve the September & October billing adjustments. Motion was carried by the following vote:

AYES: Messrs. Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**2017 WATER & SEWER BUDGETS**

<p><b>RESOLUTION</b> <b>2017 Authority Water and Sewer Utility Budget</b> <b>WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY</b> <b>for the</b> <b>FISCAL YEAR: from January 1, 2017 to December 31, 2017</b></p>
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*No. 16-12-D*

**WHEREAS**, the Annual Budget and Capital Budget for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2017 and ending December 31, 2017, has been presented before the governing body of the Washington Township Municipal Utilities Authority at its open public meeting of December 7, 2017; and,

**WHEREAS**, the Annual Budget as introduced reflects Total Revenues of \$4,249,662, Total Appropriations, including Accumulated Deficit if any, of \$4,249,662 and Total Unrestricted Net Position utilized of \$0; and,

**WHEREAS**, the Capital Budget as introduced reflects Total Capital Appropriations of \$2,460,500 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$2,460,500; and,

**WHEREAS**, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and,

**WHEREAS**, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Washington Township Municipal Utilities Authority, at an open public meeting held on December 7, 2016 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Washington Township Municipal Utilities Authority for the fiscal year beginning January 1, 2017 and ending December 31, 2017, is hereby approved; and,

**BE IT FURTHER RESOLVED**, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and,

**BE IT FURTHER RESOLVED**, that the governing body of the Washington Township Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on February 1, 2017.

**INTRODUCED AND PASSED:** December 7, 2016

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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Motion was made by Mr. Whitmore, and seconded by Mr. Babb, to approve Resolution 16-12-D. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: Popper

**2017 LATE BUDGET SUBMISSION**

<b>RESOLUTION LATE SUBMISSION OF 2017 BUDGETS</b>
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*No. 16-12-E*

**WHEREAS**, the Washington Township Municipal Utilities Authority (Authority) held Meetings on, September 7<sup>th</sup> & 21<sup>st</sup>, October 5<sup>th</sup> & 19<sup>th</sup>, and November 2<sup>nd</sup>, 2016 where the operating and capital budgets for FY 2017 were discussed, and;

**WHEREAS**, there were a variety of issue related to increases in the operating budget as well as a need to determine the priority of capital work required in the Sewer and Water Utilities, and;

**WHEREAS**, the appropriations in the Sewer and Water Utilities required a review of revenue, in particular the user fee structure, and;

**WHEREAS**, review of these matters took more time than was anticipated, and;

**WHEREAS**, the additional time was considered necessary given the problems of balancing the revenue needs with the appropriations required in FY 2017, and;

**WHEREAS**, additional time will be needed to convert budget information into the new budget format as required by the NJ Division of Local Government Services.

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

- (1) The additional time taken to develop the FY 2017 Authority Budgets was prudent given the magnitude of needs in the Sewer and Water Utilities.
- (2) The late submission of the FY 2017 Authority Budgets warranted.

**INTRODUCED AND PASSED:** December 7, 2016

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve Resolution 16-12-E. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**2017 TEMPORARY BUDGET**

<b>RESOLUTION APPROVING TEMPORARY SEWER AND WATER UTILITY OPERATING AND CAPITAL BUDGETS FOR THE FISCAL YEAR: FROM JANUARY 1, 2017 TO DECEMBER 31, 2017</b>
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*No. 16-12-F*

**WHEREAS**, at its open public meeting of December 7, 2016, as Resolution 16-12-C, the Washington Township Municipal Utilities Authority approved the Annual Budgets and Capital Budgets for the fiscal year beginning January 1, 2017 and ending December 31, 2017; and,

**WHEREAS**, said Budgets will be submitted to the New Jersey Department of Community Affairs, Division of Local Government Services, Authority Budgets and Finances (hereinafter referred to as NJDCA) by the end of December 2016; and,

**WHEREAS**, the NJDCA has not issued an approval of the budgets as submitted; and,

**WHEREAS**, the Authority cannot adopt its Annual Budgets and Capital Budgets without NJDCA approval; and,

**WHEREAS**, the Authority must have budgets to pay for ongoing operations.

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

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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1. The Annual Budgets and Capital Budgets for the fiscal year beginning January 1, 2017 and ending December 31, 2017 approved at its open public meeting of December 7, 2016 is hereby adopted as a temporary budget until such time the NJDCA approves the budget submissions made, or that may be required.
2. This resolution shall take effect immediately upon signing by the WTMUA Chairman.

**INTRODUCED AND PASSED:** December 7, 2016

Motion was made by Mr. Autry, and seconded by Mr. Whitmore, to approve Resolution 16-12-F. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**AMMEND 2016 BUDGET**

<b>RESOLUTION AMEND WTMUA WATER 2016 FISCAL BUDGET</b>
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No. 16-12-H

**WHEREAS**, N.J.A.C. 5:31-2.8 provides that the Director, Division of Local Government Service may approve the amendment of the budget of any Authority when there are increases in budgeted costs with corresponding increases in budgeted revenue; and

**WHEREAS**, the Washington Township MUA has amendments to the 2016 budget and seeks approval of the Director for said amendments;

**NOW, THEREFORE, BE IT RESOLVED** by the Washington Township Municipal Utilities Authority, in the County of Morris and State of New Jersey, hereby request the Director of Local Government Service to approve the amendment to the 2016 budget as follows:

Adjust Water Appropriations as follows:

	<u>From</u>	<u>To</u>	<u>Difference</u>
Sewer Administrative Other	169,970	165,503	(4,467)
Sewer Administrative Wages	88,533	93,000	4,467
	258,503	258,503	0

**BE IT FURTHER RESOLVED**, two certified copies of this budget amendment shall be transmitted to the Director within 3 days of the adoption of this Resolution.

**INTRODUCED AND PASSED:** December 7, 2016

Motion was made by Mr. Autry, and seconded by Mr. Popper, to approve Resolution 16-12-H. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**2016 SAFETY AWARD**

Motion was made by Mr. Autry, and seconded by Mr. Popper, to approve the same award as 2015. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry  
NAYS: Messrs.: Whitmore  
ABSTAIN: Messrs.: None

**EXCESSIVE WATER USE / BILL POLICY REVISION**

<b>RESOLUTION EXCESSIVE WATER USE / BILL POLICY REVISED</b>
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No. 16-12-A

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**WASHINGTON TOWNSHIP MUA**  
**REGULAR MEETING**  
**December 7, 2016**

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**WHEREAS**, the Washington Township Municipal Utilities Authority (the Authority) approved Resolution 16-02-C on February 3, 2016; and

**WHEREAS**, it is in the Authority's best interest to amend the policy; and

**WHEREAS**, this Resolution replaces Resolution 16-02-C; and

**WHEREAS**, the Washington Township Municipal Utilities Authority (Authority) occasionally finds that customers have used an abnormally large quantity of water for which is attributed to a leak; and,

**WHEREAS**, billing for such Excessive Water Use 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 procedure for the reduction of certain water bills for excessive water use from leaks shall be as follows:
  - a. At the discretion of the Authority and guided by the policies set forth below, a water bill may be adjusted when, within 20 days of the bill date, a customer provides a written claim that there was a leak and the amount of water used was excessive when compared to historic use during similar seasonal billing periods; and
  - b. Upon the receipt of a claim, the Authority shall datalog the meter if the technology is available and re-read the meter to confirm that water meter readings are accurate; and
  - c. Install a radio-read meter if not in place at the residence; and
  - d. The final meter reading and datalog reports will be used to determine if the use of water was "excessive" by examining actual meter readings for past and current water use patterns and an estimate of the leak volume will be calculated; and
  - e. If a water leak is confirmed and repaired, it is demonstrated that the excessive use is no longer occurring, a radio-read meter has been installed at the property, and the customer's account is current notwithstanding the billing quarter in question, a billing adjustment may be offered to the customer for one quarter only. In the case of more than one affected quarter, only the highest billing quarter shall be adjusted.
  - f. The Authority reserves the right to modify these adjustments to account for water use for irrigation, swimming pools, landscaping and other water uses.
- II. As a result of the procedures followed above, an adjustments may be considered under the following conditions:
  - a. **Billing Adjustment Option I:** If the Customer has a water meter located in a pit at the end of the property and the excess usage is a result of a service line leak, the bill may be adjusted by a reduction to an amount based on 125% of the water use for the same billing quarter of the previous year provided the customer repairs the service line leak and signs, within 45 days of the bill, a certification to the following:
    - (1) The customer made diligent efforts to repair the leak once discovered or was unaware of the leak or excess usage until alerted by the Authority or through review of his/her bill, and
    - (2) There was a service line leak found between the meter pit and the pipe entry point to the home, and
    - (3) No surface water as a result of the leak was present and it was reasonably beyond their knowledge or control to have discovered the service line leak, and
    - (4) Customer shall attach and certify receipts for repairs from a contractor, or, in the case of a do-it-yourself repair, receipts for materials purchased confirming that the leak has been repaired.
  - ii. **Billing Adjustment Option II:** In the event the customer contends that there was a leak within the home, including any water lines extending beyond the home (i.e. hose bibs, irrigation systems, accessory buildings, etc.), the customer may have their bill adjusted one time only during the period of their residency in the home. This reduction, based on 150% of the water use for the same billing period of the previous year, which may be adjusted for actual use determined through the datalogging reports or other means but shall in no case exceed \$600.00 without extraordinary circumstances and Board approval. To be eligible to receive this

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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billing adjustment, the Customer must also certify, within 45 days of the bill date, to the following:

- (1) The customer made diligent efforts to repair the leak once discovered or they were unaware of the excess water usage until alerted by the Authority or through review of his/her bill, and
- (2) No surface or running water was present as a result of the leak, and it was reasonably beyond their knowledge or control to have discovered the leak, and
- (3) They acknowledge that such settlement shall be a one-time adjustment for one quarter only and no further adjustments under this provision shall be available during the Customer's occupancy of the premises.
- (4) Customer shall attach and certify receipts for repairs from a contractor, or, in the case of a do-it-yourself repair, receipts for materials purchased confirming that the leak has been repaired.

- III. The customer may have the meter replaced and tested. The customer shall sign an agreement providing that:
  - a. If the meter is found to be operating properly or reading less flow than acceptable for such equipment, the customer will be responsible for the total amount of the disputed bill and the cost associated with replacing and testing the original meter, or
  - b. If the meter is found to be reading flow at a rate greater than acceptable for such equipment, the disputed bill will be adjusted, in the next regular billing cycle, to account for the excess rate indicated by the testing. In which case, the Authority will be responsible for the cost associated with replacing and testing the original meter.
- IV. In the event that the contested bill is not resolved within 45 days of the bill date under the options set forth above, the full amount of the bill shall be due, with accumulated interest, at the next regular billing cycle. If unpaid, it shall be treated as a delinquent account.
- V. This Resolution replaces Resolution 16-02-C, Resolution Excessive Unaccounted for Water Use / Bill Policy.
- VI. This Resolution applies to all identified leak situations after the date of this Resolution.

This Resolution shall take effect as provided by law.

**INTRODUCED AND PASSED:** December 7, 2016

Motion was made by Mr. Popper, and seconded by Mr. Babb, to approve Resolution 16-12-A. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**52 FAWNDRIDGE DRIVE PAYMENT PLAN**

Customer's written request for a payment plan was discussed. It was estimated that if the customer paid \$450.00 per month, beginning January 2017, his account would be current by June 2017. Since the customer did not attend the meeting, the Executive Director will advise the customer that the Board agreed to a payment plan of \$450.00 per month beginning January 2017. If the customer cannot adhere to the payment plan, he must attend the January 2017 Board Meeting or his water will be shut off.

Motion was made by Mr. Popper, and seconded by Mr. Whitmore, to approve a payment plan of \$450.00 per month with first payment to be made before January 15, 2017. If this is a problem for the customer, he will need to attend the Board meeting in January 2017. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: Autry

**SERVICE LINE DEFINITION FOR EXCESSIVE WATER USE / BILL POLICY**

The Executive Director requested a definition of a service line for applying leak adjustments. The situation includes a junction chamber that connects the water from the street out to several structures. In this situation, it needs to be

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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determined if the service line includes the line before and after the junction box or only from the street to the junction box.

Motion was made by Mr. Autry, and seconded by Mr. Whitmore, to define a service line from the street to a building. A junction box does not define a building. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Popper, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**6 & 8 BROOKSIDE MAIN BREAK COMPENSATION**

Motion was made by Mr. Babb, and seconded by Mr. Autry, to deny the request for additional compensation for the water main break beyond compensation for water used in conjunction with the break. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**107 BARTLEY ROAD – PUMP STATION EASEMENT**

Motion was made by Mr. Autry, and seconded by Mr. Whitmore, to approve to prepare for the easement. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry, Whitmore  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: None

**WASHINGTON TOWNSHIP BOE VEHICLE MAINTENANCE AGREEMENT**

Motion was made by Mr. Babb, and seconded by Mr. Autry, to authorize the Executive Director to proceed with negotiations with the Board of Education Vehicle Maintenance Agreement. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry  
NAYS: Messrs.: None  
ABSTAIN: Messrs.: Whitmore

**POLICES AND PROCEDURES MANUAL**

<b>RESOLUTION ADOPTION OF PERSONNEL POLICIES AND PROCEDURES MANUAL</b>
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No. 16-12-G

**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 the Authority maintain a Personnel Policies and Procedures Manual (Manual); and,

**WHEREAS**, the Authority adopted an amended Personnel Policies and Procedures Manual on July 6, 2016; and,

**WHEREAS**, it is in the Authority's best interest to further amend the Manual as follows:

1. Under Attendance Policy, the word "administrative" will be removed from the last sentence
2. Under Holiday Policy, item number eight will be changed from Election Day to "Floating Holiday (with approval of Executive Director)"
3. Under Vacation Leave Policy, the last paragraph will be revised to read: "At the Executive Director's discretion, based upon merit, service and extenuating circumstances, extension of sick leave up to five (5) working days may be provided beyond the employee's earned balance. Any extensions shall be deducted from the employee's following year sick allowance."
4. The Bereavement Leave Policy will be revised to include step-parents, step-brother and step-sister
5. Under Educational Assistance and Training Policy the following sentence will be added to the end



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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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of the section: "Educational classes and studies that are not required for the employee's job title will be scheduled during non-work hours unless prior approval is provided by the Executive Director.

6. Under Open Public Meetings Act Procedure concerning Personnel Matters, the first sentence will be revised as follows: Discussion by the Authority Board of Commissioners or any body of the authority concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline or any current or prospective officer or employee shall be in closed session. Unless the individual requests in writing that the discussion be held in open session.
7. The title of the Employee Handbook Manual policy will be changed to "Employee Personnel Policies and Procedures Manual". Additionally the word Handbook in each appearance in this section will be changed to "Personnel Policies and Procedures Manual".
8. Under Performance Evaluation Procedure policy, the second sentence will be revised as follows: "In addition to day-to-day feedback to the employee, a performance evaluation must be conducted for all employees annually."
9. The following will be deleted from the Employment Application: "Have you ever pleaded guilty or been found guilty of a crime or disorderly persons offense: \_\_Yes \_\_No. Employment is conditional upon the results of the criminal background check. An answer of "Yes" may disqualify you from employment depending upon the circumstances involved. If "Yes", please explain below". In addition, under the Understandings and Agreements section of the Employment Application, the following sentence will be revised as follows: I understand that the Washington Twsp. MUA will make reasonable accommodations as required by the Americans with Disabilities Act and New Jersey Law Against Discrimination."

**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 revised July 6, 2016, attached hereto is hereby amended.
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:** December 7, 2016

Motion was made by Mr. Babb, and seconded by Mr. Autry, to approve Resolution 16-12-G. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry, Whitmore

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**PURCHASE AUTHORIZATION FOR ONE ITEM OVER \$5,000**

The Executive Director requested authorization to expend Capital Funds over \$5,000 for an Archaeological Survey for SM23 as required by the EPA.

Motion was made by Mr. Babb, and seconded by Mr. Whitmore, to authorize the purchase of an archaeological survey, up to \$7,500 through the capital budget. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry, Whitmore

NAYS: Messrs.: None

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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
December 7, 2016**

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ABSTAIN: Messrs.: None

**DIRECTORS REPORT**

- There was a watermain break on Brookside on Thursday December 1<sup>st</sup>. The Executive Director has almost completed work on specs for the watermain replacement. There a couple of corrections that need to be made. He expects to go out to bid in January. He would like to start work when the schools are closed in March.
- 70 Hacklebarney has been making payments but he has not signed and returned the letter of intent.
- The quotes are being collected for pillow block bearing
- The Executive Director is behind on cyber security
- Egarian is working on the Sm23 applications
- The Musconetcong Sewerage Authority is currently going through the energy audit process. Once completed the Authority will decide if it is advantageous to participate.
- Excavation contract changes are being made. Expect to go out to bid in January.

**SHUT OFF POLICY**

Mr. Cullen advised that he feels there are a number of customers that appear to ignore the notification of delinquency. He is recommending that if someone is late by two quarters, they receive a letter requesting the customer to come to the meeting or there water will be shut off. The Executive Director will provide a list of customers that are more than two quarters behind for the next meeting. It was recommended that the letter's first action be to shut off water rather than to fill the Board Meeting with requests for payment extensions. It was recommended that the volume of work may require additional hours for the Billing Clerk that her part-time status will not allow. The current policy to be provided at the next meeting for discussion.

**CLOSED SESSION – 10:16 PM**

<b>RESOLUTION CLOSED SESSION</b>
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No. 16-12-B

**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 aforesated matter will be discussed.

**INTRODUCED AND PASSED:** July 6, 2016

Motion was made by Mr. Babb, and seconded by Mr. Autry, to approve Resolution 16-12-B. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Babb, Autry, Whitmore

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**OUT OF CLOSED – 10:24PM**

**ADJOURNMENT**

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

AYES: Messrs.: Cullen, Babb, Autry, Whitmore

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned 10:25PM

Respectfully Submitted, E. Jill Waller, Secretary