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**WASHINGTON TOWNSHIP MUA**  
**Regular Meeting**  
**Closed Session**  
**June 7, 2017**

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The Closed Session portion of the W.T.M.U.A. Meeting began at 8:06 PM on May 16, 2017.

Members Present: Messrs. Cullen, Napolitano, Babb, Sparone, Autry\*, Whitmore  
Alt. Members Present: Messrs. none  
Members Absent: Messrs. Akin  
Alt. Members Absent: Messrs. none  
Twp Liaison Absent: Messrs. Forsbrey  
Staff Members Present: Executive Director Pucilowski, Executive Secretary Waller, Attorney Gregory

\*left meeting between 8:56 pm to 9:02 pm

**CLOSED SESSION** \_\_\_\_\_

**EMPLOYEE ASSOCIATION**

The Memorandum of Agreement was ratified by the Employee Association. The Attorney summarized the changes. Another title can be added at any time but the salary must be negotiated with the Association. It can be done as a side bar after the Agreement is signed. The Employee Association has shown no interest in making any changes to address the Operator of Record duties. It was suggested to create a new title of Sewer Operator without the duties of the Operator of Record with a salary 5% lower than the Sewer Operator who is the Operator of Record. It was suggested to ratify the Agreement and deal with this issue later.

**LVSPT OPERATOR**

Discussion of this item was tabled since the employees were not given a RICE notice.

**LITIGATION**

A summary was provided of the suit which claims failure to comply with Open Public Records Act and Open Meetings Act. Attorney invoices and 18 months of minutes were requested. Not all the Closed Minutes had been approved. The attorney has a history of filing numerous suits against municipalities and authorities in New Jersey. He may succeed on a technical violation which could require the Authority paying legal fees for both sides. At the meeting in mid-May, the Authority approved the last 18 months of closed minutes. The order to show cause was extended to the end of the month. The Authority can go to court or negotiate the bill. The plaintiff provided is a bill for \$5,600 in attorney fees. It is the Authority's opinion that a few areas of the bill has high hours, rates appear about average and \$5,600 is relatively low. The attorney's recommendation is to give the Executive Director authority to settle up to the \$5,600 and try and negotiate the cost down. If the Authority fights the claim in court, the Authority's Attorney cost could be close to the \$5,600 or possibly even higher.

Naming Board members in this suit is considered inappropriate. It is one of the points that could be used against them. This is not one of those situations when the Board members are hiding anything. A frivolous claim letter would be used to try to fee shift. The attorney advised that it is appropriate for him to represent the named members.

**CLOSED SESSION MINUTES**

The unapproved minutes for this meeting were discussed. The opening of these minutes were discussed with relation to the Employee Associations Agreement. The rules emphasize approve minutes quickly. It

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was recommended to approve the minutes with the understanding that the Executive Director and the Executive Secretary will redact items with the Attorney's approval.

**EASEMENT APPRAISALS FOR SM23 WELL ACCESS**

To be discussed in Open Session

**ADJOURNMENT OF CLOSED SESSION**

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Motion was made by Mr. Whitmore, and seconded by Mr. Babb, that the closed session portion of this meeting be adjourned. Motion was carried by the following vote:

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

Closed Session adjourned at 9:06 PM

Respectfully Submitted,  
E. Jill Waller  
Executive Secretary