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**WASHINGTON TOWNSHIP MUA  
REGULAR MEETING  
July 12, 2017**

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The Regular Meeting of the W.T.M.U.A. was called to order at 7:35 PM on July 12, 2017. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News on February 2, 2017. Notice was also posted on the Municipal Building Bulletin Board.

Members Present: Messrs. Cullen, Napolitano, Akin, Babb  
Alt. Members Present: Messrs. Whitmore  
Members Absent: Messrs. Sparone  
Alt. Members Absent: Messrs. Autry  
Liaison: Messrs. Forsbry\*  
Staff Members Present: Executive Director (ED) Pucilowski, Executive Secretary Waller, Attorney Gregory

\*in at 8:59pm, left at 10:04pm

**REGULAR MEETING**

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**SALUTE THE FLAG**

**OPEN TO THE PUBLIC 7:36PM**

**67 BLACK RIVER RD LEAK ADJUSTMENT**

An electrician punctured the water line with a grounding rod. It was repaired as soon as they realized the problem. No mark out was called in. It was suggested that the licensed plumber's insurance should have covered the leak. The homeowner is not willing to put the responsibility on the plumber. There was no expectation that the line would have been where it is. This is an unusual situation since the Board has never provided an adjustment for an accident. One recommendation is that there are three parties, the Authority, the plumber and the homeowner and they should equally share the water cost. Another was to charge for all the water using the lowest rate.

Motion was made by Mr. Akin, and seconded by Mr. Whitmore, to bill the customer at the second tier multiplier per 1,000 gallons for all of the usage. An adjustment will be made to bring the bill down to the agreed upon calculation. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb, Whitmore  
NAYS: Messrs.: Napolitano  
ABSTAIN: Messrs.: Akin

CLOSED TO THE PUBLIC 8:06 PM

**SEWER OPERATOR FOR LVSTP**

Attorney Gregory advised that the topic is acceptable in open. Mr. Wright had no objection and Mr. Carpenter did not respond to his RICE notice. It was proposed to add to the Association Agreement a title of Operator of Record with a stipend. It was not negotiated by the Association and was not included in the final version of the Agreement. Mr. Wright would like to become the Sewer Operator and be the Operator of Record for LVSTP. The Executive Director recommends a chain of command with one person in charge of both plants even if he is not the Operator of Record for one of the plants. He has no objection for an Operator of Record stipend.

Mr. Napolitano provided a recommendation to change the Licensed System Operator job description to include the Operator of Record and add a new title of Licensed Operator–Sewer with a new rate and not include the Operator of Record responsibilities.

Mr. Wright would like to be the Operator of Record for the LVSTP. Mr. Carpenter advised that Mr. Wright is managing the Long Valley Plant and recommends that he be the Operator of Record for that Plant. The Operator of Record is responsible for everything within the Plant in the eyes of the DEP.

It was suggested that the Licensed System Operator/Supervisor would be responsible for managing the overall sewer systems and the Plant Operators would report for their own system. It was agreed that Mr. Wright should be paid more. The DEP would go to the Operator of Record and the Executive Director if there was an issue. When the spill happened, the DEP spoke to Mr. Carpenter, then Mr. Wright, then the Executive Director.

According to the understanding from the Labor Attorney, the title is up to the Authority. The Authority would advise that they want to add a title and salary. The Association would then negotiate the salary. Attorney Gregory advised that we

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should check with the Labor attorney but he feels that the Authority can continue with a new position if the Association says no. Attorney Gregory and the Executive Director will consult with the Labor Attorney.

Mr. Wright advised that the Association will not represent him. He has no objections to adding the position.

It was agreed that Mr. Carpenter would be the Licensed System Operator Supervisor of both sewer systems as well as the Plant Operator of the Schooley's Mountain Plant. Mr. Wright would be the Licensed Plant Operator of the Long Valley Plant. The Plant Operator would do the reporting for their plant. The Executive Director will provide job descriptions for the next meeting.

Attorney Gregory, Executive Director and Labor Attorney will work out the details with the Association and when the change would be affective.

The Authority's Plants are both S2 plants and the Operator of Record can operate multiple plants. If the Plant is an S3 then the Operator must be onsite at least 35 hours a week. An S4 Plant must have an Operator of Record for each shift.

It was suggested that there be two Plant Operators paid the same and provide backup for each other up. If there one is a supervisor then that position would receive higher compensation. It was also suggested to have two operators and then hire someone to oversee 2 plants, 2 operators and the water department. If Bob is no longer responsible for LVSTP, then he would reduce his pay.

It was agreed to have two Plant Operators that are the Operator of Record with one being a Supervisor. Mr. Carpenter will retain his supervisory title and salary with Operator of Record responsibilities for the Schooley's Mountain Plant only. Mr. Wright will have a new title with Operator of Record responsibilities for the Long Valley Plant.

Motion was made by Mr. Akin, and Mr. Napolitano, to implement Mr. Napolitano's recommendation with the pay increase for as soon as possible including retroactive subject to confirmation from the Labor Attorney with regard to the Association and good faith notice to the Association. The motion will be memorialized by Resolution at the next meeting with job descriptions. Motion was carried by the following vote:

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

Mr. Wright advised that he is already the backup per the DEP documentation. He is willing to train and work at the SMSTP plant as well as train any new personnel as he is planning on retiring in the next 3-4 years.

**JUNE 7 MEETING MINUTES**

Motion was made by Mr. Babb, and seconded by Mr. Napolitano, to approve the June Minutes. Motion was carried by the following vote:

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

**MAY & JUNE CHECKBOOK REGISTERS**

Motion was made by Mr. Babb, and seconded by Mr. Whitmore, to approve the May and June Checkbook Registers. Motion was carried by the following vote:

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

**VOUCHERS OVER \$6,000.**

Motion was made by Mr. Akin, and seconded by Mr. Whitmore, to approve the voucher for Toby Barkman dated 6/17/17 for \$8,704.14; Norris, McLaughlin dated 6/26/17 for \$7,814.50, R&R Construction (listed as Suburban Consulting in error) dated 7/11/17 for \$112,486.36 and Toby Barkman dated 7/3/17 for \$12,845.01. Motion was carried by the following vote:

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

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**RATIFY EMPLOYEE ASSOCIATION AGREEMENT**

Article III C. Should this be “not resolved” or “resolved”? It was recommended to ratify and bring it up to the Attorney. Less than 3 days for doctor’s note for sick can be negotiated later. The WEB was not taken out as requested and can be negotiated in the next agreement. The titles are not consistent in Article II and Article IV to be cleaned up at the next agreement.

<p><b>RESOLUTION RATIFYING THE COLLECTIVE NEGOTIATIONS AGREEMENT BETWEEN THE WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND THE WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY EMPLOYEES ASSOCIATION</b></p>
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No. 17-07-A

**WHEREAS**, the collective negotiations agreement between the Washington Township Municipal Utilities Authority (hereinafter referred to as “the Authority”) and the Washington Township Municipal Utilities Authority Employees Association (hereinafter referred to as “Association”) expired on December 31, 2013; and

**WHEREAS**, the Authority and the Association agreed upon and ratified a Memorandum of Agreement for the terms to a successor collective negotiations agreement; and

**WHEREAS**, the Association ratified and executed the successor Collective Negotiations Agreement on June 11, 2017 for the period of January 1, 2014 through January 1, 2018; and

**WHEREAS**, the Authority is desirous of executing the successor Collective Negotiations Agreement for the term of January 1, 2014 through December 31, 2018; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Washington Township Municipal Utilities Authority, State of New Jersey does hereby approve the successor Collective Negotiations Agreement executed by the Association on June 11, 2017 between the Washington Township Municipal Utilities Authority and the Washington Township Municipal Utilities Authority Employees Association for the period from January 1, 2014 through January 1, 2018.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners is hereby provided the consent to execute the successor Collective Negotiations Agreement on behalf of the Washington Township Municipal Utilities Authority.

**INTRODUCED AND PASSED: July 10, 2017**

Motion was made by Mr. Babb, and seconded by Mr. Whitmore, to approve Resolution 17-07-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**CLOSED SESSION – 9:40PM**

<p><b>RESOLUTION CLOSED SESSION</b></p>
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No. 17-07-B

**WHEREAS**, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matter relating to litigation 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: July 12, 2017**

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Motion was made by Mr. Whitmore, and seconded by Mr. Akin, to approve Resolution 17-07-B. Motion was carried by the following vote:

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

**OUT OF CLOSED 10:03 PM**

**CLOSED MINUTES**

A motion was made by Mr. Babb, and seconded by Mr. Whitmore to approve and release the June 7, 2017 minutes as provided by the Secretary with no redactions. Motion was carried by the following vote:

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

**EXCAVATION BID**

Attorney Gregory reviewed the apparent lowest bid and advised that did not include a qualifying bid bond. The options of rejected or accepting this bid were reviewed.

A Motion was made by Mr. Whitmore, and seconded by Mr. Akin, to reject the bid for the apparent low bidder as per the advice of Attorney Gregory for failure to submit a qualifying bid bond that was a condition of the bid and to accept the next lowest bid subject to confirmation that the bid qualifies per the bid spec. This motion will be memorialized at the next meeting but effective immediately. Motion was carried by the following vote:

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

**2 NORTHRIDGE COURT LEAK ADJUSTMENT**

Motion was made by Mr. Babb, and seconded by Mr. Whitmore, to approve the leak adjustment for the full amount over \$600 per the policy. Motion was carried by the following vote:

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

**39 WELLINGTON LEAK ADJUSTMENT**

Motion was made by Mr. Napolitano, and seconded by Mr. Akin, to approve the leak adjustment for the full amount over \$600 per the policy. Motion was carried by the following vote:

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

**LEAK ADJUSTMENT POLICY**

This topic was tabled until the next meeting.

**AUTOMATIC DEFIBRILLATORS**

This topic was tabled until the next meeting.

**AUTHORIZATION TO EXPEND OVER \$6,000**

Last year the work for the Public Supply report was split between Suburban Consulting and DJ Egarian. Last year the, Egarian portion was more expensive. It is extremely important to show that the unaccounted for water is reducing and to keep the current allocation.

Motion was made by Mr. Akin, and seconded by Mr. Napolitano, to authorize the Executive Director to expend over \$6,000 on the Water Allocation Permit work through Suburban Consulting. Motion was carried by the following vote:

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

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**DIRECTOR'S REPORT**

- Waiting for results of chlorination on Brookside Drive line extension project. Once the results pass, the taps will begin. Today, the contractor began the watermain on a portion of S. Washington Valley rd. It is expected that installation of the water main on S Washington Valley will be done by Monday. A quote has been requested to do additional surveying to continue the remainder of S Washington Valley, Long Valley Blvd towards Mountain View, portion of N Washington Valley Rd to East Mill and Old Farmers between East Mill and Long Valley Blvd. There is a concern about possible water breaks due to ACP the piping.
- The DEP has required the observation wells for 7&8 to be sealed. Quotes were requested from Stoffoff and HDR with HDR being much less expensive. The Executive Director is meeting with HDR to verify the access is fine and to confirm that they have included everything in their quote. It is expected to cost \$16,000-18,000 when the project is completed.
- A new shut off list will be pulled for this quarter. Overall there are a few that are behind and are being addressed.
- The Executive Director contracted with a Cyber Security Firm to test vulnerability and penetration and is waiting for the schedule.
- The Executive Director met with school representatives about the Cucinella school easement. The Executive Director is waiting to hear from Board of Education. A meeting will be set up with the homeowner to also discuss an easement of their property.
- Friday the vendor will begin digging along the foundation of the High Ridge Tank to determine the thickness of the concrete to determine if it can be raised 16 feet.
- The Executive Director invited the Commissioners to volunteer at the Green Festival from 4-9 on September 9<sup>th</sup>.
- The Authority's current laboratory is not authorized to test for Radon. The Health Department advised there is a place in Mount Olive and this will be investigated. High readings of Radon were detected in private wells not in the Authority's system. A Board Member was interested in testing the Authority's wells. There are currently no DEP requirement to remediate if the level is high. Treatment options are being reviewed.
- A survey was delivered for the Christian's request to acquire an easement of the Bartley pump station property. A value of the easement will be obtained and discuss with the homeowner.
- The Authority had a direct number to the Morris County dispatch for emergency calls. Morris County changed their Centrix phone system and the line is no longer working. The County was not aware that Authority had a "private" number since no one was supposed to have it. The Authority's after hours message was changed to call the Washington Twp Police and hit zero for the operator to connect to the county dispatch.
- The final EPA testing from the Sunoco spill was performed. All testing has shown no issues. There should be a report that may require additional testing by the Authority at the well rather than the monitoring well.
- The OPRA issue was discussed and it was recommended to contact an assemblyman to get laws changed.
- New employee ads for Executive Director and Laborer will be submitted to the trade sites. It was recommended that the new Executive Director should start in November. Job description for laborer will be provided by the Executive Director.

**ADJOURNMENT**

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

AYES: Messrs.: Cullen, Napolitano, Babb, Sparone, Whitmore

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned 10:51 PM

Respectfully Submitted,  
E. Jill Waller  
Secretary