
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 20, 2018**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:34 PM on February 20, 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, Babb, Sparone*
Alt. Members Present: Messrs. Autry
Members Absent: Messrs. Akin
Alt. Members Absent: Messrs. Whitmore
Liaison Present: Messrs. Forsbry
Staff Members Present: Executive Director (ED) Spencer, Executive Secretary Waller, Attorney Gregory, Former Executive Director Spencer

*arrived at 7:38 pm

REORGANIZATION MEETING

SALUTE THE FLAG

REAPPOINTMENT OF BOARD COMMISSIONERS

Mark Napolitano was sworn in as a Regular Member of the Authority.

MUA BOARD APPOINTMENTS

RESOLUTION WTMUA BOARD APPOINTMENTS

No. 18-02-R1

WHEREAS, it is in the interest of the Authority to appoint a Chairman, Vice Chairman and Executive Secretary/Treasurer to the Washington Township Municipal Utilities Authority Committee; and

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 20th day of February 2018 the following appointments are hereby made:

1. Chairman: Walter Cullen
2. Vice Chairman: Mark Napolitano
3. Secretary/Treasurer: E. Jill Waller

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Babb, and seconded by Mr. Autry, to approve Resolution 18-02-R1. Motion was carried by the following vote:

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

EXECUTIVE DIRECTOR

RESOLUTION WTMUA Executive Director Appointment

No. 18-02-R2

WHEREAS, it is in the interest of the Authority to appoint Craig T Spencer as the Executive Director of the WTMUA; and

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 20th day of February 2018 the following appointments were made:

1. Upon the terms and conditions set forth on his appointment on February 20, 2018, Craig T Spencer is hereby appointed as the Executive Director of the Washington Township Municipal Utilities Authority.
2. This resolution shall take effect according to law.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Babb, and seconded by Mr. Napolitano, to approve Resolution 18-02-R2. Motion was carried by the following vote:

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

CUSTODIAN OF GOVERNMENT RECORDS

**RESOLUTION
APPOINTING CUSTODIAN OF GOVERNMENT RECORDS
No. 18-02-R3**

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") is a public agency created by the Township of Washington; and

WHEREAS, the Open Public Records Act requires the Authority to designate, by formal action, a "Custodian of Government Records".

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 20th day of February 2018 as follows:

1. E. Jill Waller, is hereby designated as the Custodian of Government Records for the Authority.
2. This resolution shall take effect according to law.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R3. Motion was carried by the following vote:

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

PUBLIC AGENCY COMPLIANCE OFFICER

**RESOLUTION
DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER
No. 18-02-R4**

WHEREAS, all public agencies that award contracts are required to comply with N.J.S.A. 10:5-31 et seq. (Administering Equal Employment Opportunity in Public Contracts) and its implementing regulations at N.J.A.C. 17:27-1.1 et seq. (Equal Employment Opportunity and Affirmative Action Rules); and

WHEREAS, in accordance with N.J.A.C. 17:27-3.2, the Washington Township Municipal Utilities Authority ("Authority") must designate a Public Agency Compliance Officer as the person responsible for implementing the conditions of these regulations on behalf of the Authority.

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 20th day of February 2018 as follows:

Craig T Spencer, WTMUA Executive Director, is hereby designated as the Public Agency Compliance Officer.

This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R4. Motion was carried by the following vote:

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

JIF MUA COMMISSIONER

**RESOLUTION
APPOINTING COMMISSIONER
FOR THE
NEW JERSEY UTILITIES AUTHORITIES JOINT INSURANCE FUND**

No. 18-02-R5

WHEREAS, the Washington Township Municipal Utilities Authority (WTMUA) is a member of the New Jersey Utilities Authorities Joint Insurance Fund (Fund); and

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WHEREAS, the bylaws of said Fund require that each member of the Fund is required to appoint a Fund Commissioner to represent the member concerning matters undertaken by the Fund.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey on this 20th day of February, 2018 as follows:

1. The WTMUA does hereby appoint Craig T Spencer, WTMUA Executive Director, as Fund Commissioner to the New Jersey Utilities Authorities Joint Insurance Fund.
2. The Secretary is directed to forward copies of this resolution to the New Jersey Utilities Authorities Joint Insurance Fund.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R5. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

GOV CONNECT OFFICIAL

RESOLUTION APPOINTING OFFICIAL FOR GOVCONNECT

No. 18-02-R6

WHEREAS, the State of New Jersey has developed an Internet site, known as GovConnect, to facilitate interaction and the exchange of information between and among State government and local authorities;

WHEREAS, in order to participate in GovConnect, the Washington Township Municipal Utilities Authority ("Authority") must designate an Authority Official as the person responsible for accessing the GovConnect system and receiving email on behalf of the Authority.

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey as follows:

1. E. Jill Waller, WTMUA Executive Secretary, is hereby designated as the District Official to be enrolled in the GovConnect program.
2. Upon enrollment, the designated Authority Official agrees to accept and uphold GovConnect usage policies on behalf of the Authority.
3. This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R6. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

REGULAR MEETING SCHEDULE

RESOLUTION Regular Meeting Schedule

No. 18-02-R7

BE IT RESOLVED that the regular meetings of the Washington Township Municipal Utilities Authority be held, per the attached schedule, at 7:30 p.m. at the Washington Township Municipal Utilities Authority Administration Building at 46 East Mill Road, Long Valley, New Jersey, for the year of 2018.

NOTICE OF SCHEDULED MEETINGS FOR THE YEAR 2018

PLEASE TAKE NOTICE, that the Washington Township Municipal Utilities Authority will meet to discuss or take formal action upon business at 7:30 p.m. on each of the dates set forth below, at the Washington Township Municipal Utilities Authority Administration Building, 46 East Mill Road, Long Valley, New Jersey:

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March 7, 2018	July 11, 2018	November 20, 2018
March 20, 2018	August 1, 2018	December 5, 2018
April 4, 2018	August 21, 2018	December 18, 2018
April 17, 2018	September 5, 2018	January 2, 2019
May 2, 2018	September 18, 2018	January 14, 2019
May 15, 2018	October 3, 2018	February 6, 2019
June 6, 2018	October 16, 2018	February 19, 2019
June 19, 2018	November 7, 2018	

Notice of any additions to the above schedule, or changes in the time, date or place of any scheduled meeting, will be posted, in advance, in this location, delivered to the Daily Record and Courier News and filed with the Clerk in those Municipalities in which the Authority has jurisdiction, as required by law. Advanced notice will not be provided for qualified emergency meetings as per the provisions of N.J.S.A. 10:4-9.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R7. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OPEN PUBLIC MEETINGS ACT

RESOLUTION

Open Public Meetings Act

No. 18-02-R8

WHEREAS, Chapter 231 of the Public Laws of the State of New Jersey for 1975, known as and hereinafter designated as the "Open Public Meetings Act", requires notification of meetings of public bodies, as therein defined, in the amount therein set forth;

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, for purposes of compliance with the "Open Public Meetings Act" aforesaid, the Washington Township Municipal Utilities Authority hereby makes the following designations:

- (1) The Daily Record and Courier News are hereby designated as the newspapers to receive notice of meetings as required by any and all sections of the Open Public Meetings Act, it appearing that those newspapers are more likely to inform the local public of such meetings.
- (2) The notice of meetings shall be prominently posted in a space reserved for such posting in the Washington Township Municipal Building, 43 Schooley's Mountain Road, Long Valley, New Jersey.
- (3) The notice of meetings shall be filed with the clerks of the Township of Washington, Chester Township and the Township of Tewksbury.
- (4) The sum of \$15.00 is hereby fixed as the amount to be paid by any person requesting individual notice of meetings as provided in Section 14 of the Open Public Meetings Act.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R8. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUDITING SERVICES CONTRACT

The dates of services on the Proposal were discussed and will be reviewed with the Auditor and adjusted as needed.

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**RESOLUTION
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR AUDITING SERVICES**

No. 18-02-R9

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Auditing Services for fiscal year ending 2016; and,

WHEREAS, Nisivoccia & Company has submitted a proposal dated December 1, 2017 indicating they will provide the Auditing Services for the not to exceed price of \$28,995 for fiscal year 2018, attached hereto as Schedule A; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract for said services must be made available for public inspection; and,

WHEREAS, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the Executive Director has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Nisivoccia & Company has submitted a Business Entity Disclosure Certification which certifies that Nisivoccia & Company has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and (3) the Contract will prohibit Nisivoccia & Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Executive Director hereby certifies that adequate funds are available for these purposes; and,
WHEREAS, the term of this contract is one year.

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

1. The Executive Director is hereby authorized and directed to accept the proposal of Nisivoccia & Company as the form of Professional Services Contract ("Contract") not to exceed \$28,995 for 2018 Auditing Services
2. A copy of this Resolution and the Contract engaging Nisivoccia & Company shall be kept on file and available for public inspection at the office of the WTMUA, 46 East Mill Road, Long Valley, New Jersey.
3. This contract are made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:22-5(1)(a)(i) of the Local Public Contracts Law, because it involves the services of recognized professionals.
4. A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael P. Pucilowski, Executive Director

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve Resolution 18-02-R9 pending resolution of proposal dates. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

LEGAL SERVICES CONTRACT

**RESOLUTION
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR LEGAL SERVICES**

No. 18-02-R10

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Legal Services; and

WHEREAS, the following proposals have been submitted indicating they will provide Legal Services in accordance with the rate schedules submitted:

- Norris McLaughlin & Marcus ("Norris") has submitted a proposal dated January 31, 2018
- Cleary, Jacobbe, Alfieri, Jacobs, LLC ("Cleary") has submitted a proposal dated January 5, 2018; and

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WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract for said services must be made available for public inspection; and,

WHEREAS, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the Executive Director has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Norris McLaughlin & Marcus has submitted a Business Entity Disclosure Certification which certifies that Norris McLaughlin & Marcus has not made any reportable contributions to a political or candidate committee in Township of Washington in the previous year, and (3) the Contract will prohibit Norris McLaughlin & Marcus from making any reportable contributions through the term of the contract; and

WHEREAS, the Executive Director hereby certifies that adequate funds are available for these purposes; and,
WHEREAS, the anticipated term of this contract is one year.

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

1. The Executive Director is hereby authorized and directed to execute a form of professional services contract with Norris McLaughlin & Marcus for legal services as approved by our attorney, attached hereto as Schedule A.
2. A copy of this Resolution and the Contract engaging Norris McLaughlin & Marcus shall be kept on file and available for public inspection at the office of the WTMUA, PO Box 226, 46 East Mill Road, Long Valley, New Jersey.
3. This contract are made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:22-5(1)(a)(i) of the Local Public Contracts Law, because it involves the services of recognized professionals.
4. A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael P. Pucilowski, Executive Director

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Sparone, to approve Resolution 18-02-R10. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

ENGINEERING SERVICES CONTRACT

The rate for Word Processing included in the Proposal was discussed and requested to be removed from the Proposal.

RESOLUTION

AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR ENGINEERING SERVICES

No. 18-02-R11

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Engineering Services; and

WHEREAS, the following proposals have been submitting indicating they will provide engineering services in accordance with the rate schedule submitted:

- David J. Egarian, P.E. of D.J. Egarian & Associates, Inc. ("Egarian") has submitted a proposal dated January 31, 2018
- Suburban Consulting Engineers, Inc. ("Suburban") has submitted a proposal dated January 26, 2018 and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract for said services must be made available for public inspection; and,

WHEREAS, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the Executive Director has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Both Egarian and Suburban have submitted Business Entity Disclosure Certifications which certifies that both Egarian and Suburban have not made any reportable contributions to a political

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or candidate committee in Township of Washington in the previous year, and (3) the Contract will prohibit both Egarian and Suburban from making any reportable contributions through the term of the contract; and

WHEREAS, the Executive Director hereby certifies that adequate funds are available for these purposes; and,

WHEREAS, the anticipated term of this contract is one year; and

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

1. The Executive Director is hereby authorized and directed to execute a form of professional services contract with D.J. Egarian & Associates, Inc. as the Authority engineer for engineering services and Suburban Consulting Engineers, Inc. for engineering services as determined to be necessary by the Authority. The form of contracts to be approved by our attorney, attached hereto as Schedule A.
2. A copy of this Resolution and the Contracts engaging Egarian and Suburban shall be kept on file and available for public inspection at the office of the WTMUA, PO Box 226, 46 East Mill Road, Long Valley, New Jersey.
3. These contracts are made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:22-5(1)(a) of the Local Public Contracts Law, because it involves the services of recognized professionals.
4. A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Michael P. Pucilowski, Executive Director

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Autry, and seconded by Mr. Sparone, to approve Resolution 18-02-R11 with the removal of the Word Processing rate from the Proposal. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL NEWSPAPER

RESOLUTION Official Newspaper

No. 18-02-R12

BE IT RESOLVED that the official newspaper of the Washington Township Municipal Utilities Authority for the year 2016 shall be the Daily Record.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R12. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL DEPOSITORIES

RESOLUTION Official Depositories
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No. 18-02-R13

BE IT RESOLVED by the Washington Township Municipal Utilities Authority that the following be designated as official depositories for the Authority's funds for the year 2016:

PNC Bank, N.A., U.S. Bank

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R13. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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MEL PERSONNEL ADMINISTRATOR

RESOLUTION DESIGNATION of a MEL PERSONNEL ADMINISTRATOR
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No. 18-02-R14

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 all members designate a Personnel Administrator to assist the Executive Director in the implementation of personnel practices; and,

WHEREAS, E. Jill Waller has, as part of her duties as the Executive Secretary, been assigned human resource responsibilities; and,

WHEREAS, it is the best interest of the Authority to appoint E. Jill Waller as the MEL Personnel Administrator.

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

1. E. Jill Waller hereby appointed as the Authority's MEL Personnel Administrator.
2. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R14. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PAYMENT OF BILLS EXCEPTION

RESOLUTION Authorization of Bills Exception

No. 18-02-R15

WHEREAS, the Washington Township Municipal Utilities Authority requires goods and services, and commitment for payment for such goods and services at various times during any given month; and,

WHEREAS, it is to the benefit of the Authority to secure the goods and services on a timely basis, and thereby committing payment for such goods and services, in order to maintain the operations of the Authority.

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

1. The Executive Director is authorized to commit the Authority's financial resources for certain goods and services prior to review by the MUA Committee except hiring decisions which shall not be made without MUA Board approval.
2. To qualify authorization of funds prior to Committee review, vouchers for such goods and services shall be:
 - Less than \$6,000 in the aggregate, and in accordance with applicable law,
 - Covered by a contract previously approved by the Committee,
 - For goods or services received from regulated utilities (e.g. - Electricity or Telephone) and required in the ongoing operation of the sewer and water systems, or
 - Sludge removal and disposal.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R15. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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RESOLUTION

Payment of Bills Exception

No. 18-02-R16

WHEREAS, the Washington Township Municipal Utilities Authority receives goods and services, and invoices for such goods and services at various times during any given month; and,

WHEREAS, it is to the benefit of the Authority to make payments for goods and services on a timely basis to retain good relations with vendor, avoid interest amounts on overdue payments, and to take advantage of discounts.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority that the Executive Secretary is authorized to make payments for certain goods and services, with voucher approval from the Executive Director or MUA Chairman and authorized staff, prior to review by the MUA Committee.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R16. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

APPOINT NJ SUSTAINABLE ENERGY MEETING REPRESENTATIVE

RESOLUTION

APPOINTING OFFICIAL REPRESENTATIVE FOR
NEW JERSEY SUSTAINABLE ENERGY MEETING

No. 18-02-R17

WHEREAS, the New Jersey Sustainable Energy Meeting (NJSEM) was formed as a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq, and;

WHEREAS, the Authority became a member of the NJSEM on April 15, 2011, and;

WHEREAS, in order to participate in the NJSEM, the Washington Township Municipal Utilities Authority ("Authority") must designate an NJSEM Representative as liaison for all communication between the NJSEM and the Authority.

NOW, THEREFORE BE IT RESOLVED, by the Washington Township Municipal Utilities Authority in the County of Morris and in the State of New Jersey as follows:

1. Christine Kattermann, Authority Billing/Bookkeeping Clerk, is hereby designated as the Official Representative for the NJSEM.
2. Upon enrollment, the designated Authority Official Representative agrees to act as liaison between the Authority and the NJSEM advising both parties of pertinent communications with regard to the procurement of natural gas, electricity and other forms of energy.
3. This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R17. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUTHORIZING PURCHASES UNDER PURCHASE COOPERATIVES AND NJSEM

RESOLUTION

**AUTHORIZING PURCHASES UNDER
THE NJ COOPERATIVE PURCHASING PROGRAM, THE MORRIS COUNTY COOPERATIVE COUNCIL
(MCCC), THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM (SOCCP) and THE NEW JERSEY
SUSTAINABLE ENERGY JOINT MEETING (NJSEM)**

No. 18-02-R18

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WHEREAS, the Washington Township Municipal Utilities Authority (the "Authority"), pursuant to N.J.S.A. 40A:11-10 – 40A:11-12 and N.J.A.C. 5:34-7 may by resolution and without advertising for bids, purchase goods or services under the State of New Jersey Cooperative Purchasing Program, the Morris County Cooperative Council ("MCCC"), the Somerset County Cooperative Pricing System (SOCCP) and the New Jersey Sustainable Energy Joint Meeting (NJSEM) for any contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury, the MCCC, the SOCCP and the NJSEM; and,

WHEREAS, The Authority has the need on a timely basis to purchase goods or services utilizing State, MCCC, SOCCP and NJSEM contracts; and

WHEREAS, The Authority intends to enter into contracts with State Division of Purchase and Property, MCCC, SOCCP and NJSEM contract vendors through this resolution and properly executed purchase orders.

NOW, THEREFORE, BE IT RESOLVED that the Authority authorizes the purchase of goods and services from the New Jersey State contract, MCCC, SOCCP and NJSEM vendors, pursuant to all the conditions of the individual contracts; and

BE IT FURTHER RESOLVED that the Authority intends to authorize the purchase of the following items as indicated below:

1. New Jersey State Contract:

- a. ultra low sulfur diesel and biodiesel fuel (T1845)
- b. office supplies & equipment (M0052)
- c. environmental testing instruments (T0983)
- d. automotive parts & accessories (G8022)
- e. auctioneering services: internet auctions to sell surplus property (T2581)
- f. NJDEP laboratory analysis of drinking water samples (T2688)
- g. Light duty trucks and cargo vans (T2754)

- h. industrial MRO supplies (M0002)
- i. WSCA computer contract (M0483)
- j. vehicles, trucks, class 2, pickup/ utility, with snow plow option (T2100)
- k. preventative maintenance and testing of emergency standby generators (T2848)
- l. walk-in building supplies (M8001)

2. MCCC

- a. #2 fuel oil (for heating) (C-2)
- b. #2 ultra low sulfur diesel fuel (C-12)
- c. catch basins & manhole castings (C-14)
- d. utility vehicles (C-15c)
- e. office supplies (C-16)
- f. water treatment chemicals (C-17)
- g. tree removal/trimming/stump grinding services (C-18)
- h. DPW uniforms/work shoes/boots (C-22)
- i. janitorial supplies (C-25)
- j. pest control services (buildings) (C-29)
- k. office paper supplies (C-30)
- l. calcium chloride bags (C-31)
- m. light bulbs (C-35)
- n. preventative maintenance/repair of communications equip. (radios) (C-38)

- o. personal protection items & equip. for Emergency personnel (C-40)
- p. purchase of communications equipment (radios) (C-41)
- q. propane gas (C-43)
- r. septic pumping/sludge removal & disposal services (C-45)
- s. preventive maintenance/repair of emergency generators (C-46)
- t. water meters/data recorders & radio frequency meter interface units (C-47)
- u. fencing materials & install (C-53)
- v. fire equipment services (C-13-A)
- w. crushed stone, gravel & sand (C-9)

3. SOCCP

- a. Industrial & Commercial Equipment & Supplies – Catalog Sales

4. NJSEM

- a. natural gas
- b. electricity
- c. other forms of energy

BE IT FURTHER RESOLVED that, pursuant to the N.J.A.C. 5:30-5.5(b), the certification of available funds shall be completed by the Authority's Chief Financial Officer prior to placing an order for goods and services from the New Jersey State contract, SOCCP and MCCC vendors and said certification shall be in the form of an authorized purchase order; and

BE IT FURTHER RESOLVED that the duration of this authorization shall be until February 28, 2019.

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 20, 2018**

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R18. Motion was carried by the following vote:

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

APPOINT RISK MANAGER

RESOLUTION APPOINTING A RISK MANAGER

No. 18-02-R19

WHEREAS, the Washington Township Municipal Utilities Authority (Authority) is a member of the New Jersey Utilities Authorities Joint Insurance Fund (Fund); and,

WHEREAS, members of the Fund typically appoint a Risk Management Consultant to perform insurance consultations services as outlined in the proposed form of Agreement attached hereto; and

WHEREAS, the standard rate utilized by the Fund's for consultation services is six percent (6%) of the Authority's assessment, payable by the Fund; and

WHEREAS, the Local Public Contracts Law allows for the retention insurance consultants without competitive bidding recognizing that it is impracticable to undertake competitive bidding for insurance consultants; and,

WHEREAS, *Stanford Risk Management Services, Inc.* of Lafayette, New Jersey has provided Risk Management Consultant's services to the Authority for several years.

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

- (1) The firm of *Stanford Risk Management Services, Inc.*, 10 Thomas Rd., Lafayette, NJ be appointed as its Risk Management Consultant.
- (2) That the Executive Director is hereby authorized and directed to execute the Risk management Consultant's Agreement annexed hereto.
- (3) This contract is awarded without competitive bidding in accordance with 40A:II-5(m) of the Local Public Contracts Law.
- (4) A copy of this resolution shall be published in the Authority's Official Newspaper as required by law within ten (10) days of its passage.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-R18. Motion was carried by the following vote:

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

REGULAR MEETING

SALUTE THE FLAG

OPEN TO THE PUBLIC 7:52PM

70 HACKLEBARNEY

Mr. Carfaro requested to have the penalty on his account waived.

A motion was made by Mr. Autry, and seconded by Mr. Napolitano, to waive his penalty for one-time only. Motion was carried by the following vote:

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

6 ELM COURT

Mr. Ciccone received a permit for watering a new lawn. He was not aware of how high the water cost would be. Also, a toilette leak was repaired by a plumber. He requested a one-time forgiveness for the watering cost.

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 20, 2018**

Motion by Mr. Babb, seconded by Mr. Sparone, to allow the customer to pay off the current balance over 12 months while keeping current with his quarterly billing. A payment plan must be signed, and if the account is paid in full after the 12 month period, the penalty will be waived. Motion was carried by the following vote:

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

ZION CHURCH

A representative of Zion Church requested a waiver of the cost of the meter that froze. The meter was installed in a utility room with a vented outside door. The Rules and Regulations require that the customer is responsible for protecting the meter.

Motion was made by Mr. Autry, and seconded by Mr. Sparone, to prorate the replacement meter cost based on a 20 year lifespan for the meter. Motion was carried by the following vote:

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

APPROVAL OF 12/6/17, 12/19/17 & 1/03/18 MEETING MINUTES

Tabled until next meeting

JANUARY CHECKBOOK REGISTER

The purchase of a new handheld meter reader was discussed.

Motion was made by Mr. Babb, and seconded by Mr. Autry, to approve the January Checkbook Registers. Motion was carried by the following vote:

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

VOUCHERS OVER \$6,000

Motion was made by Mr. Napolitano, and seconded by Mr. Autry, to approve the voucher for Toby Barkman Excavation dated 12/30/17 for \$6,134.28; Pumping Services dated 1/26/18 for \$7,694.65 and Rio Supply dated 12/27/17 for \$55,950.00. Motion was carried by the following vote:

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

BILLING ADJUSTMENTS NOVEMBER, DECEMBER

Motion was made by Mr. Autry, and seconded by Mr. Babb, to approve the November and December Billing Adjustments. Motion was carried by the following vote:

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

ADOPTION OF 2018 APPROVED BUDGET

<p>RESOLUTION 2018 AUTHORITY WATER AND SEWER UTILITY ADOPTED BUDGET WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY OPERATING and CAPITAL BUDGETS for the FISCAL YEAR: from JANUARY 1, 2018 to DECEMBER 31, 2018</p>

No. 18-02-E

WHEREAS, the Annual Budget and Capital Budget/Program for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2018 and ending December 31, 2018, has been presented for adoption before the Commissioners of the Authority at its open public meeting of February 7, 2018 and,

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
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WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and,

WHEREAS, the Annual Budget as introduced reflects Total Anticipated Revenues of \$4,295,883, Total Appropriations, including any Accumulated Deficit if any, of \$4,295,883 and Total Unrestricted Net Assets utilized to Balance Budget of \$0; and,

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$2,187,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$2,187,000; and,

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Washington Township Municipal Utilities Authority, at an open public meeting held on February 7, 2018 that the Annual Budget and Capital Budget/Program of the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2018 and ending December 31, 2018 is hereby adopted and shall constitute an appropriation for the purposes stated; and,

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-E. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

JOINT EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY CO-OP

RESOLUTION AUTHORIZING PARTICIPATION IN THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (# 65MCECCPS)
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No. 18-02-A

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on February 7, 2018 the governing body of the Washington Township Municipal Utilities Authority ("Authority"), County of (Morris), State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Authority;

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Executive Director is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

This resolution shall take effect immediately upon passage.

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 18-02-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

EMPLOYEE ASSOCIATION SIDEBAR AGREEMENT

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 20, 2018**

**RESOLUTION
RATIFYING THE COLLECTIVE NEGOTIATIONS SIDEBAR AGREEMENT BETWEEN THE WASHINGTON
TOWNSHIP MUNICIPAL UTILITIES AUTHORITY AND THE WASHINGTON TOWNSHIP MUNICIPAL
UTILITIES AUTHORITY EMPLOYEES ASSOCIATION**

No. 18-02-c

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") was ratified, by the Authority on July 10, 2017 for the period of January 1, 2014 through December 31, 2018; and

WHEREAS, the Authority recognize that the Association as the exclusive bargaining representatives for certain positions within the Authority; and

WHEREAS, the Authority has a created a new position, Plant Operator, which will be a recognized title within the bargaining unit for the Association; and

WHEREAS, the Authority and the Association have negotiated and agreed to a salary for the title of Plant Operator in a Sidebar Agreement of the Collective Negotiations Agreement; 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 Sidebar Agreement of the Collective Negotiations Agreement executed by the Association on January 23, 2018 between the Washington Township Municipal Utilities Authority and the Washington Township Municipal Utilities Authority Employees Association for the period from January 1, 2014 through December 31, 2018.

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

INTRODUCED AND PASSED: February 20, 2018

Motion was made by Mr. Napolitano, and seconded by Mr. Babb, to approve Resolution 18-02-C. Motion was carried by the following vote:

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

PLANT OPERATOR NEW HIRE

Lester Wright requested to be paid \$1.00 per hour for his backflow preventer license that is being utilized by the Authority. The ED was informed today of the Administrative Stipend that Lester is receiving and he is unsure if the backflow preventer responsibilities should be included as part of that Stipend. The ED would like some time to look into this more.

**RESOLUTION
AUTHORIZE HIRE OF LESTER WRIGHT
AS LONG VALLEY SEWER PLANT OPERATOR**

No. 18-02-D

WHEREAS, there exists a need for the Washington Township Municipal Utilities Authority to hire an Long Valley Sewer Plant Operator; and

WHEREAS, Lester Wright, a current an employee of the Washington Township Municipal Utilities Authority ("the Authority"), has met all the qualifications including possession of sewer licenses as required by the NJDEP.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, in the County of Morris and State of New Jersey, as follows:

1. Lester Wright shall be hired as the Long Valley Sewer Plant Operator under the terms of the Employee Association Agreement with an initial salary of \$31.47 per hour.
2. To the maximum extent permitted by law, the employment practices of the Authority shall operate under the legal doctrine known, as "employment at will." Consistent with Federal and State law, and any applicable bargaining unit agreement, the Authority shall have the right to terminate an employee at any time and for any reason, with or without notice, except the Authority shall comply with all Federal and State legal requirements requiring notice and an opportunity to be heard in the event of discipline or dismissal.

**WASHINGTON TOWNSHIP MUA
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3. This resolution shall take effect immediately pursuant to law.

INTRODUCED AND PASSED: February 20, 2017

Motion was made by Mr. Babb, and seconded by Mr. Sparone, to approve Resolution 18-02-D. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

VACATION & SICK PAID TIME OFF PAYOUT FOR TERMINATED EMPLOYEES

It was pointed out that the new Employee Association Agreement differs from Personnel Policies and Procedures Manual (PPPM). The intent is to update the PPPM to reflect the changes in the Agreement.

Motion was made by Mr. Autry, and seconded by Mr. Sparone, to pay Mr. Pucilowski 100% of his carry over sick and vacation time from 2017 and prorate his 2018 sick and vacation time based on the amount of time worked. Motion was carried by the following vote.

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

WASHINGTON TOWNSHIP HYDRANT FEES

The new Water Quality Accountability Act requires the Authority to inspect and test every hydrant, GIS the locations and perform annual servicing. The Township has not been billed the \$95.00 per hydrant for about 400 hydrants within the Township.

The WQAA also includes exercising Authority valves, which has not been done on a regular schedule.

Chester and Tewksbury have agreements with different dates to begin paying the hydrant fees.

The Township has offered to provide a DPW employee for the hydrant work rather than paying the hydrant fee. The ED would like to see Authority personnel handle the GIS. It was recommended that the agreement be for one or two years and then reassess. It was suggested that a schedule be set up as part of the agreement to ensure meeting the deadline.

WEEKEND DUTY ROTATION

Due to Jeff McNeel's night driving restrictions, the Association has agreed to a revised rotation schedule. A sidebar will be signed by the Association.

DIRECTOR'S REPORT

- Craig has been going out with all the operations staff and spent a fair amount of time with Mike. He provided his initial thoughts.
- 30 Pickle is using water from a well on the property that is in a water contamination area. The water valve from the Authority was shut off and locked to avoid cross contamination and due to lack of payment for the water bill. The Township Health Department does not have a record of the well being sealed.
- The new meter reader is in use. The intent is to send the unit to Suburban to add the GIS program. The ED will meet with Dave Egarian to determine if the past GIS work is viable.
- At a meeting in January, the proposed well house for SM23 was agreed to be moved closer to the road for less disturbance of the trees. The tree mitigation plan is almost complete.
- Waiting for a second quote for the impeller.
- The status on the Bartley Rd Pump Station easement acquisition was discussed. The Authority is waiting for the Metes and Bounds description for the Agreement.
- LVSTP draft permit is being reviewed. The ED doesn't expect any issues.
- The status of Christopher Drive was reviewed.

HIRING

**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
February 20, 2018**

The ED reviewed the two people he has interviewed.

CLOSED SESSION 10:10 PM

RESOLUTION CLOSED SESSION

No. 18-02-B

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to discuss a matters relating to the review of Closed Minutes are 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: February 20, 2018

Motion was made by Mr. Babb, and seconded by Mr. Sparone, to approve Resolution 18-02-B. Motion was carried by the following vote:

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

OUT OF CLOSED 10:21 PM

CLOSED SESSION MINUTES

Motion was made by Mr. Babb, and seconded by Mr. Napolitano, to approve all the minutes that were presented for the years 2009-2012. Motion was carried by the following vote.

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

ENVIRONMENTAL COMMISSION

The Environmental Commission has a customer that lives downstream of Stony Brook at 270 Fairview that reported a significant amount of foam on top of the river that comes and goes. The DEP requires the Authority to discharge directly into the Raritan River and nothing goes into the Brook. It was suggested that this should be addressed by the Health Officer.

ADJOURNMENT

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

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

Meeting Adjourned 10:28 PM

Respectfully Submitted,
E. Jill Waller
Secretary