
**WASHINGTON TOWNSHIP MUA
REGULAR MEETING
May 15, 2018**

The Regular Meeting of the W.T.M.U.A. was called to order at 7:31 PM on May 15, 2018. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News on March 2, 2018. Notice was also posted on the Municipal Building Bulletin Board.

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

*in at 8:30pm

REGULAR MEETING

SALUTE THE FLAG

OPEN TO THE PUBLIC: 7:32PM

3 HARMONY COURT

Motion was made by Mr. Akin, and seconded by Mr. Babb, to authorize a one-time adjustment over the \$600 limit and to the full amount of the calculated adjustment. Motion was carried by the following vote:

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

CLOSED TO THE PUBLIC: 7:40 PM

APPROVAL OF 3/20/18 & 4/17/18 MEETING MINUTES

Tabled until next meeting

APRIL CHECKBOOK REGISTER

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

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

VOUCHERS OVER \$6,000

Motion was made by Mr. Akin, and seconded by Mr. Babb to approve Nisivoccia invoice dated 4/10/18 for \$12,215.00 and Toby Barkman Excavating dated 4/15/18 for \$9,620.97. Motion was carried by the following vote:

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

BILLING ADJUSTMENTS JANUARY, FEBRUARY, MARCH, APRIL

Tabled until next meeting.

NON-FAIR AND OPEN PURCHASE OF IT COMPLIANCE PROJECT

It was suggested that the agreement should protect the Authority's ownership of the data that the company will be backing up off site.

<p>RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR IT NETWORK EQUIPMENT COMPLIANCE</p>
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No. 18-05-E

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WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has the need to update IT network equipment and subscriptions to remain in compliance with the Water Quality Accountability Act and the Joint Insurance Fund which insures the Authority; and

WHEREAS, proposals were solicited and three vendors provided price quotes; and

WHEREAS, All Covered submitted the most advantageous proposal dated March 20, 2018 indicating they shall provide the IT network equipment compliance; and,

WHEREAS, the proposal is estimated to be over \$17,500, but under the bid threshold of \$40,000; and

WHEREAS, the "Pay-to-Play" Law (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of a contract over \$17,500 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 Qualified Purchasing Agent has determined and hereby certifies in writing that the value of the IT network equipment compliance is anticipated to exceed \$17,500, (2) All Covered will submit a Business Entity Disclosure Certification, (3) All Covered will submit a certification that All Covered has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous year, and (4) the Contract will prohibit All Covered 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 will expire December 31, 2018; and

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

1. Subject to attorney review, the Executive Director is hereby authorized and directed to execute the attached Proposal Agreement with All Covered to provide IT network equipment compliance.
2. A copy of this Resolution and the Agreement engaging All Covered 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 is made without competitive bidding as the value is under the bid threshold in accordance with N.J.S.A. 40:11-3(a) and (c) of the Local Public Contracts Law.
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.
5. This Resolution will take effect immediately pursuant to law.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Craig T. Spencer, Executive Director

INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Babb, and seconded by Mr. Akin, to approve Resolution 18-05-E. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

NON-FAIR AND OPEN PURCHASE OF IT MANAGEMENT SERVICES AGREEMENT

RESOLUTION

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

No. 18-05-F

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has the need for IT Management Services to remain in compliance with the Water Quality Accountability Act and the Joint Insurance Fund which insures the Authority; and

WHEREAS, proposals were solicited and three vendors provided price quotes; and

WHEREAS, All Covered submitted the most advantageous proposal dated March 6, 2018 indicating they shall provide the IT Management Services; and,

WHEREAS, the proposal is estimated to be over \$17,500, but under the bid threshold of \$40,000; and

WHEREAS, the "Pay-to-Play" Law (N.J.S.A. 19:44A-20.4 et seq) requires that the resolution authorizing the award of a contract over \$17,500 without competitive bids and the contract for said services must be made available for public inspection; and,

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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 Qualified Purchasing Agent has determined and hereby certifies in writing that the value of the IT network equipment compliance is anticipated to exceed \$17,500, (2) All Covered will submit a Business Entity Disclosure Certification, (3) All Covered will submit a certification that All Covered has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous year, and (4) the Contract will prohibit All Covered 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 will expire May 15, 2019; and

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

1. Subject to attorney review, the Executive Director is hereby authorized and directed to execute the attached Proposal Agreement with All Covered to provide IT Management Services.
2. A copy of this Resolution and the Agreement engaging All Covered 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 is made without competitive bidding as the value is under the bid threshold in accordance with N.J.S.A. 40:11-3(a) and (c) of the Local Public Contracts Law.
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.

This Resolution will take effect immediately pursuant to law. CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY

Craig T. Spencer, Executive Director

INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Babb, and seconded by Mr. Akin, to approve Resolution 18-05-F. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

SHARED SERVICES WITH WASHINGTON TOWNSHIP

<p>RESOLUTION APPROVING SHARED SERVICES AGREEMENT FOR FIRE HYDRANT MAINTENANCE AND EMERGENT ROAD MAINTENANCE</p>
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No. 18-05-A

WHEREAS, the New Jersey Water Quality Accountability Act requires that the Washington Township Municipal Utilities Authority (the "Authority") undertake annual testing and maintenance of hydrants; and

WHEREAS, to ensure the safety the Authority crews and the public, the Authority needs emergency road maintenance where there have been water or sewer main breaks or other situations requiring safe emergency road access to allow the required repairs and service; and

WHEREAS, the Authority and the Township of Washington (the "Township") have agreed that it is in the best interests of both the Township and the Authority to enter into the attached Shared Services agreement whereby the Township shall provide the services of the Department of Public Works for maintenance of municipal fire hydrants and emergency road maintenance to allow the Authority to make repairs of water or sewer main breaks or other situations requiring safe emergency road access; and

WHEREAS, it is in the best interest of the Authority to enter into this Shared Services agreement and sufficient funds are availability for all payments under this Shared Services Agreement.

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

- (1) The Executive Director of the Authority is hereby authorized and directed to execute a form of contract attached hereto and entitled: SHARED SERVICES AGREEMENT FOR FIRE HYDRANT MAINTENANCE AND EMERGENT ROAD MAINTENANCE BETWEEN THE TOWNSHIP OF WASHINGTON, MORRIS COUNTY AND THE WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, MORRIS COUNTY.
- (2) This Resolution shall take effect immediately upon passage according to law.

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INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Akin, and seconded by Mr. Babb, to approve Resolution 18-05-A. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

BID AUTHORIZATION FOR VALVE MACHINE

A few organization would be open to renting our machine. It was recommended that if the machine is rented, it includes an Authority personnel to run the machine to ensure that the machine is not abused. The impact if a valve breaks was reviewed.

RESOLUTION AUTHORIZING ADVERTISEMENT OF NOTICE TO BIDDERS FOR VALVE MAINTENANCE EQUIPMENT
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No. 18-05-D

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority"), is required to exercise all the Authority's valves as per the Water Quality Accountability Act that became effective in October 2017; and

WHEREAS, it is been determined that it is the Authority's best interest to purchase valve maintenance equipment to facilitate the requirement; and

WHEREAS, it is anticipated that the annual cost of this machine will exceed the bid threshold as set forth in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, for those contracts exceeding the bid threshold, the Local Public Contracts Law requires the public advertising for bids in the official newspaper of the contracting unit at least ten (10) days prior to the receipt of bids.

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

1. The Qualified Purchasing Agent is hereby authorized and directed to publish a Notice to Bidders in the Authority's Official Newspaper to receive bids for the valve maintenance equipment.

2. Sealed bids are to be received at a time and place to be set by the Qualified Purchasing Agent but in no case earlier than the time required by the Local Public Contracts Law.

3. The Qualified Purchasing Agent shall prepare a bid report of all bids received to be considered by the Authority at its next meeting following the receipt of bids and, in the Authority's discretion, a contract will be awarded to the lowest qualifying bidder.

4. This Resolution shall take effect immediately.

INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Babb, and seconded by Mr. Akin, to approve Resolution 18-05-D. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PURCHASE OF GPS SERVICES

The option of having Suburban provide GPS services for the hydrants and hydrant valves versus purchasing the GPS Trimble unit as part of the valve machine purchase was discussed. It was agreed to include the Trimble unit in the valve machine bid.

AUDIT REVIEW

RESOLUTION Certification of FY 2017 Audit Review

No. 18-05-B

WHEREAS, Nisivoccia & Company, the Auditor for the Washington Township Municipal Utilities Authority (Authority) has prepared an Audit of the Authority's financial position for Fiscal Year 2017; and,

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) requires that each of the Authority's Commissioners certify that they have reviewed said FY 2017 Audit; and,

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WHEREAS, the five (5) below signed are of full age and duly appointed Commissioners (Members) of the Authority; and,

WHEREAS, by signing this instrument, each of the five (5) below signed certifies that they have personally reviewed the recommendation and comment section of the FY 2017 Audit as prepared by Nisivoccia & Company.

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

- (1) Upon adoption of this resolution, it shall be signed by each of the Authority's five Commissioners; and,
- (2) Upon signature, this resolution shall be attested by the Authority's Secretary who shall forward it to the NJDCA in compliance with its request.

INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Babb, and seconded by Mr. Akin, to approve Resolution 18-05-B. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb, Sparone

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

2017 AUDIT CORRECTIVE ACTION PLAN

RESOLUTION 2017 AUDIT CORRECTIVE ACTION PLAN ACCEPTANCE
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No. 18-05-C

WHEREAS, the 2017 Annual Audit of the Washington Township Municipal Utilities Authority (Authority), conducted by Nisivoccia & Company LLP, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Executive Director and the duly appointed Authority Board of Commissioners; and

WHEREAS, the Division of Local Government Services requires a corrective action plan to be prepared and submitted per N.J.A.C 5:31-7.6(i)

WHEREAS, the corrective action plan has been developed and covers all findings and recommendation in the audit report

NOW, THEREFORE, BE IT RESOLVED that the Authority Board of Commissioners hereby approves the corrective action plan and directs the Executive Secretary to transmit a certified copy of this resolution and the attached corrective action plan to the Division of Local Government Services.

INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Babb, and seconded by Mr. Akin, to approve Resolution 18-05-C. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb, Sparone

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

NCPA AND NPP PURCHASING SYSTEM AUTHORIZATION

RESOLUTION AUTHORIZING PURCHASES UNDER NCPA (National Cooperative Purchasing Alliance) and National Purchasing Partners (NPP)

No. 18-05-G

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 cooperative purchasing systems that comply with NJ Purchasing Laws; and,

WHEREAS, The Authority has the need on a timely basis to purchase goods or services utilizing NCPA and NPP contracts; and

WHEREAS, The Authority intends to enter into contracts with NCPA and NPP contract vendors through this resolution and properly executed purchase orders.

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NOW, THEREFORE, BE IT RESOLVED that the Authority authorizes the purchase of goods and services from NCPA and NPP 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. NCPA: IT equipment
2. NPP: Cellular services

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 NCPA and NPP 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.

INTRODUCED AND PASSED: May 15, 2018

Motion was made by Mr. Akin, and seconded by Mr. Sparone, to approve Resolution 18-05-G. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Akin, Babb, Sparone

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

DIRECTOR'S REPORT

The Director's Report was reviewed.

An update on the High Ridge tank was discussed. It has been determined that the ring wall and foundation cannot withhold raising the tank. The tank would have to be move in order to raise it. Additionally, baffling will need to be added to the tank. The Executive Director will review the options and advise.

A Board Member advised that near the intersection of Parkview and Buttonwood there is water running into the storm drain. The Executive Director will check into it.

ADJOURNMENT

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

AYES: Messrs.: Cullen, Akin, Babb, Sparone

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned 9:25 PM

Respectfully Submitted,
E. Jill Waller
Secretary