

**WASHINGTON TOWNSHIP MUA**  
**Regular Meeting Minutes**  
 May 03, 2023

The Regular Meeting of the W.T.M.U.A. was called to order at 7:31 pm on May 03, 2023. Adequate notice of this meeting of the W.T.M.U.A. was given to the Daily Record and the Courier News February 2, 2023. Notice was also posted on the Municipal Building Bulletin Board.

This is a remotely accessible public meeting that is being recorded. Members of the public wishing to comment during the public portion of meetings or during a public hearing may type in the Google Meet chat function that they have a comment or unmute their microphone and state that they have a comment. Public comment is limited to three minutes. A representative of the Authority ("Facilitator") will keep members of the public muted, except when they are selected to speak during the public portion of the meeting or during any public hearing. Members of the public may mute and unmute themselves by pressing the microphone button on Google Meet or pressing \*6 on the telephone keypad. Members of the public may also discontinue their video through the "Google Meet" platform.

**ROLL CALL:**

Members:	Present	Excused	Absent	Others:	Present	Excused	Absent
Chairman Cullen	X			WT Liaison Wall	X		
V Chairman Napolitano	X			Exec Dir McAndrew	X		
Babb	X			Exec Secr Waller	X		
Drake	X			Attorney Napolitano	X		
Sparone	In at 7:32pm						
Sehnal	X						
<vacant>							

**REGULAR MEETING**

**SALUTE THE FLAG**

**CLOSED SESSION – 7:33 pm**

**RESOLUTION  
CLOSED SESSION**

No. 23-05-C

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to receive legal advice regarding contract personnel and closed minutes as 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: April 5, 2023

Motion was made by Mr. Sehnal, and seconded by Mr. Drake, to approve Res 23-05-C. Motion was carried by the following vote:

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

**OUT OF CLOSED: 7:37 pm**

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**APPROVAL OF 4/18/2023 OPEN MINUTES & CLOSED MINUTES**

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

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

**APRIL 2023 CHECKBOOK REGISTER**

Motion was made by Mr. Babb, and seconded by Mr. Sehnal, to approve the presented checkbook registers. Motion was carried by the following vote:

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

**BILLING ADJUSTMENTS –MARCH & APRIL 2023**

Nothing at this time

**VOUCHERS OVER \$6,600**

Motion was made by Mr. Drake, and seconded by Mr. Sehnal, to approve the following voucher over \$6,600: Manda Corp, dated 4/25/2023, for \$143,692.72; Main Pool, dated 4/14/2023, for \$7,106.00; Shannon Chemical, dated 4/18/2023, for \$9,773.50. Motion was carried by the following vote:

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

**EMPLOYEE ASSOCIATION AGREEMENT**

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

No. 23-05-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, 2022; 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 Authority is desirous of executing the successor Collective Negotiations Agreement for the term of January 1, 2023 through December 31, 2025; 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 April 21, 2023 between the Washington Township Municipal Utilities Authority and the Washington Township Municipal Utilities Authority Employees Association for the period from January 1, 2023 through December 31, 2025.

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: May 3, 2023

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Res 23-05-A. Motion was carried by the following vote:

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

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**WASHINGTON TOWNSHIP SHARED SERVICES AGREEMENT**

RESOLUTION  
APPROVING SHARED SERVICES AGREEMENT BY DPW BETWEEN THE TOWNSHIP OF WASHINGTON,  
MORRIS COUNTY AND THE WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, MORRIS  
COUNTY

No. 23-05-B

WHEREAS, to ensure the safety of 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 requires road restoration follow the repair of water and sewer lines; and

WHEREAS, the Authority requires lawn maintenance and landscape management at Authority facilities.

WHEREAS, on April 1, 2021, the Authority approved a resolution entering into a Shared Services Agreement with Washington Township ("Township") for emergency road maintenance, road restoration and lawn/landscape management by the Township for Authority property; and

WHEREAS, the agreement with the Township expired on December 31, 2022; 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, emergency road maintenance to allow the Authority to make repairs of water or sewer main breaks or other situations requiring safe emergency road access, final paving for road openings for water and sewer main repairs and lawn maintenance/landscape management; 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 PROVISION OF SERVICES BY DPW 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.

INTRODUCED AND PASSED: May 2, 2023

Motion was made by Mr. Drake, and seconded by Mr. Napolitano, to approve Res 23-05-B. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sparone Sehnal

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**EXCAVATION CONTRACT**

RESOLUTION  
CONTRACT EXTENSION 21.03 (2021)  
ANNUAL SEWER AND WATER FACILITIES EXCAVATION,  
TRENCHING, PIPE REPAIR

No. 23-05-D

WHEREAS, on June 15, 2021, the Washington Township Municipal Utilities Authority (Authority) awarded Contract 21.03 (2021) SEWER AND WATER FACILITIES EXCAVATION, TRENCHING, PIPE REPAIR to Toby Barkman Excavating, Inc. of Califon, NJ (Barkman); and,

WHEREAS, the provisions of the Contract allow for an extension of Contract Period for one (1) or two (2) one-year extensions beyond its expiration date; and,

WHEREAS, On June 27, 2022 the Authority extended the Contract Period for one (1) year; and

WHEREAS, it has been determined that it is in the Authority's best interest to extend the Contract Period for one additional year; and,

WHEREAS, Barkman has agreed to such extension; and,

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*WHEREAS*, the availability of funds for this expenditure has been certified in writing by the certifying financial officer.

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

- (1) The Executive Director of the Authority shall be authorized to sign a Contract Extension Agreement with Toby Barkman Excavating Inc. for Contract 21.03 (2021) Annual Sewer & Water Excavation, Trenching, Pipe Repair under the same terms, conditions and price as set forth in the Contract and upon receipt and approval of all mandatory Contract forms (e.g. - Insurance and the like).
- (2) The Qualified Purchasing Agent is authorized to issue a Notice of contract Extension to Toby Barkman Excavating Inc.
- (3) This Resolution shall take effect immediately upon passage according to law.

*INTRODUCED AND PASSED:* May 3, 2024

Motion was made by Mr. Babb, and seconded by Mr. Sehnal, to approve Res 23-05-D. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sparone Sehnal

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**PROCUREMENT OF ELECTRICITY AUCTION**

<p>RESOLUTION AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE</p>
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No. 23-05-E

*WHEREAS*, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

*WHEREAS*, Washington Township Municipal Utilities Authority ("Authority") will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

*WHEREAS*, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

*WHEREAS*, the auction will be conducted pursuant to the Act.

*WHEREAS*, if the main load electricity supply auction achieves a price of \$0.097 kWh or less for any term; Washington Township Municipal Utilities Authority may award a contract to the winning supplier for the selected term.

*WHEREAS*, based upon the analysis of EMEX, LLC, it is anticipated that upon receipt of an approved bid, the use of the EMEX Reverse Auction Platform for an online electricity auction is in the best interest of the Authority and will provide better value for the purchase of electricity; and

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

1. The Executive Director of the Washington Township Municipal Utilities Authority is hereby authorized to execute on behalf of the Authority any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.097 kWh or less for any term; and
2. Washington Township Municipal Utilities Authority may award a contract to the winning supplier for the selected term; and
3. A certified copy of this Resolution be kept on file at the office of the Authority at 46 East Mill Rd, Long Valley, NJ.

*INTRODUCED AND PASSED:* May 3, 2023

Motion was made by Mr. Babb, and seconded by Mr. Sparone, to approve Res 23-05-E. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sparone Sehnal

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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**PURCHASES OVER \$6,600**

Motion was made by Mr. Babb, and seconded by Mr. Drake, to authorize the contract amendment of the water main replacement project to purchase Engineering Services for Fawnridge water main replacement project. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sparone, Sehnal

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**FAWNRIIDGE WATER PIPE REPLACEMENT**

The current correspondence and outstanding questions were reviewed. An emergency meeting will be set up for next Tuesday at noon if this week's meeting with the Township does not meet the terms of the following motion.

Motion was made by Mr. Sehnal, and seconded by Mr. Napolitano, to authorize the Executive Director, to move forward with the Fawnridge Watermain Replacement Project under the current terms of the Township ordinance.

Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sparone, Sehnal

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**DIRECTOR'S REPORT**

The Director's Report was reviewed. Other items discussed:

- The next facility tours will be scheduled in September
- At the May 16<sup>th</sup> meeting, the ED is planning a presentation from Suburban
- At the June 20<sup>th</sup> meeting, the Risk Manager will be providing the Officials training as provided by the JIF

**ADJOURNMENT**

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

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sehnal

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 9:19 PM

Respectfully Submitted, E. Jill Waller, Secretary