
WASHINGTON TOWNSHIP MUA
Regular Meeting Minutes
November 21, 2023

The Regular Meeting of the W.T.M.U.A. was called to order at 7:32 pm on November 21, 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	X						
Sehnal	X						
Caetano	X						

REGULAR MEETING

SALUTE THE FLAG

APPROVAL OF 11/01/2023 MINUTES

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

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

VOUCHERS OVER \$6,600

Motion was made by Mr. Sehnal, and seconded by Mr. Caetano, to approve the following vouchers over \$6,600: Barkman Excavating, dated 10/5/23, for \$120,121.74; Barkman Excavating, dated 10/05/23, for \$95,863.01; Barkman Excavating, dated 10/27/23, for 50,793.25; Barkman Excavating, dated 11/14/23, for \$9,063.95; Motion was carried by the following vote:

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

PURCHASES OVER \$6,600

Motion was made by Mr. Caetano, and seconded by Mr. Sparone, to authorize a SM07 well replacement, engineering for PFAS project and engineering for Old Farmers Soil Mitigation over \$6,600. Motion was carried by the following vote:

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

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NON-FAR AND OPEN AWARD FOR OLD FARMERS SOIL MITIGATION

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT OLD FARMERS ROAD WATER TANK SOIL MITIGATION
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No. 23-11-B

WHEREAS, the Washington Township Municipal Utilities Authority (“Authority”) has the need to mitigate the soil at the Old Farmers Road Water Tank; and

WHEREAS, proposals were solicited and price quotes were provided by two vendors; and

WHEREAS, Harrington Construction Co, Inc. (“Harrington”) submitted the most advantageous pricing under the quote and Pay-To-Play thresholds; and,

WHEREAS, during the performance of the project, the scope of the volume of soil that needed to be mitigated increased due to the depth of the impurity; and

WHEREAS, the project is now estimated to be over \$17,500, but under the bid threshold of \$44,000; 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 Old Farmers Rd Water Tank Soil Mitigation is anticipated to exceed \$17,500, (2) Harrington will submit a Business Entity Disclosure Certification, (3) Harrington will submit a certification that Harrington 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 Harrington 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 will be for one (1) year; and

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

1. The Executive Director is hereby authorized and directed to contract with Harrington Construction Co, Inc. to provide complete Soil Mitigation above the original scope of the project.
2. A copy of this Resolution 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

Thomas McAndrew, Executive Director

INTRODUCED AND PASSED: November 21, 2023

Motion was made by Mr. Drake, and seconded by Mr. Sparone, to approved Resolution 23-11-B. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Drake, Sparone, Sehnal, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

2024 BUDGET

The provided budget and corresponding comparisons were reviewed. It was agreed to have a 2% increase for water and a 1.5% for sewer. The Wiff will remain in place.

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2024 RATE SCHEDULE & REVISIONS TO THE RULES AND REGULATION

The Rate Hearing will be scheduled for a Special Meeting on Wednesday, December 20, 2023

RESOLUTION
WATER AND SEWER 2024
RULES AND REGULATIONS
APPENDIX A - RATE SCHEDULE REVISION
AND AUTHORIZATION TO SCHEDULE PUBLIC RATE HEARING

No. 23-11-A

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") is authorized from time to time to revise its Rules and Regulations to ensure proper management of the Authority; and

WHEREAS, the Authority may update its Appendix "A" rate schedule of service charges to ensure revenues of the Authority will at all times be adequate to pay the expense of operation and maintenance of its utility system; and

WHEREAS, it is in the best interest of the Authority to provide adequate notice and proceed with the public hearing on the revised rate schedule as set forth below.

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

1. That adequate notice be provided and a public hearing be scheduled regarding the proposed changes Appendix "A" – Rate Schedule revision, for water and sewer services, attached hereto;
2. This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: November 21, 2023

Motion was made by Mr. Drake, and seconded by Mr. Caetano, to approved Resolution 23-11-A. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Drake, Sparone, Sehnal, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

EXCESSIVE WATER USAGE FROM LEAKS / BILL POLICY

RESOLUTION
EXCESSIVE WATER USE FROM LEAKS / BILL POLICY
REVISED

No. 23-11-F

WHEREAS, the Washington Township Municipal Utilities Authority (the Authority) approved Resolution 16-12-A on December 7, 2016; and

WHEREAS, the policy was amended on May 14, 2019 on Resolution 19-05-C; and

WHEREAS, it is in the Authority's best interest to amend the policy again; and

WHEREAS, this Resolution replaces Resolution 19-05-C; and

WHEREAS, the Washington Township Municipal Utilities Authority (Authority) occasionally finds that customers have used an abnormally large quantity of water for which is attributed to a leak; and,

WHEREAS, billing for such Excessive Water Use is often disputed by the customer; and,

WHEREAS, it is the best interest of the Authority to have a policy that will allow administrative disposition of such disputed bills in a uniform manner.

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

- I. The procedure for the reduction of certain water bills for excessive water use from leaks shall be as follows:
 - a. At the discretion of the Authority and guided by the policies set forth below, a water bill may be adjusted when, within 20 days of the bill date, a customer provides a written claim that there was a leak and the amount of water used was excessive when compared to historic use during similar seasonal billing periods; and*
 - b. Upon the receipt of a claim, the Authority shall datalog the meter if the technology is available and re-read the meter to confirm that water meter readings are accurate; and*
 - c. Install a radio-read meter if not in place at the property; and**

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- d. *The final meter reading and datalog reports will be used to determine if the use of water was "excessive" by examining actual meter readings for past and current water use patterns and an estimate of the leak volume may be calculated; and*
 - e. *If a water leak is confirmed and repaired, it is demonstrated that the excessive use is no longer occurring, a radio-read meter has been installed at the property, and the customer's account is current notwithstanding the billing quarter in question, a billing adjustment may be offered to the customer for one quarter only. In the case of more than one affected quarter, only the highest billing quarter may be adjusted.*
 - f. *The Authority reserves the right to modify these adjustments to account for water use for irrigation, swimming pools, landscaping and other water uses.*
- II. *As a result of the procedures followed above, adjustments may be considered under the following conditions:*
- a. *Billing Adjustment Option I: If the Customer has a water meter located in a pit at the end of the property and the excess usage is a result of a service line leak, the bill may be adjusted to a dollar amount that equals the current applicable metered Base Rate at the first gallon tier, plus the total number of metered gallons above the first gallon tier maximum charged at the second gallon tier Plus Rate provided the customer repairs the service line leak and signs, within 45 days of the bill, a certification to the following:*
 - (1) *The customer made diligent efforts to repair the leak once discovered or was unaware of the leak or excess usage until alerted by the Authority or through review of his/her bill, and*
 - (2) *There was a service line leak found between the meter pit and the pipe entry point to the home, and*
 - (3) *No surface water as a result of the leak was present and it was reasonably beyond their knowledge or control to have discovered the service line leak, and*
 - (4) *Customer shall attach and certify receipts for repairs from a contractor, detailing all materials and labor charges, or, in the case of a do-it-yourself repair, receipts for materials purchased confirming that the leak has been repaired.*
 - (5) *Customer acknowledges that this settlement shall be a one-time adjustment and no further adjustments under this provision shall be available during the Customer's occupancy of the premises, unless the entire service line is replaced in compliance with the most current plumbing code and pictures are provided of the trench bedding.*
 - b. *Billing Adjustment Option II: In the event the customer contends that there was a leak within the home, including any water lines extending beyond the home (e.g. hose bibs, irrigation systems, accessory buildings, etc.), the customer may have their bill adjusted one time only during the period of their residency in the home. The bill shall be adjusted to a dollar amount that equals the current applicable metered Base Rate at the first gallon tier, plus the total number of metered gallons above the first gallon tier maximum charged at the second gallon tier Plus Rate. To be eligible to receive this billing adjustment, the Customer must also certify, within 45 days of the bill date, to the following:*
 - (1) *The customer made diligent efforts to repair the leak once discovered or they were unaware of the excess water usage until alerted by the Authority or through review of his/her bill, and*
 - (2) *No surface or running water was present as a result of the leak, and it was reasonably beyond their knowledge or control to have discovered the leak, and*
 - (3) *They acknowledge that such settlement may be a one-time adjustment for one quarter only and no further adjustments under this provision shall be available during the Customer's occupancy of the premises.*
 - (4) *Customer shall attach and certify receipts for repairs from a contractor, detailing all materials and labor charges, or, in the case of a do-it-yourself repair, receipts for materials purchased confirming that the leak has been repaired.*
- III. *The customer may have the meter replaced and tested. The customer shall sign an agreement providing that:*
- a. *If the meter is found to be operating properly or reading less flow than acceptable for such equipment, the customer will be responsible for the total amount of the disputed bill and the cost associated with replacing and testing the original meter, or*

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- b. *If the meter is found to be reading flow at a rate greater than acceptable for such equipment, the disputed bill will be adjusted, in the next regular billing cycle, to account for the excess rate indicated by the testing. In which case, the Authority will be responsible for the cost associated with replacing and testing the original meter.*
- IV. *In the event that the contested bill is not resolved within 45 days of the bill date under the options set forth above, the full amount of the bill shall be due, with accumulated interest, at the next regular billing cycle. If unpaid, it shall be treated as a delinquent account.*
- V. *This Resolution replaces Resolution 16-12-A, Resolution Excessive Unaccounted for Water Use / Bill Policy.*
- VI. *This Resolution applies to all identified leak situations after the date of this Resolution.*

This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: November 21, 2023

Motion was made by Mr. Sehnal, and seconded by Mr. Drake, to approved Resolution 23-11-F. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Drake, Sparone, Sehnal, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AWARD CCTV BID

<p>RESOLUTION AWARD OF CONTRACT 53D 2023 SEWER SYSTEM CCTV INSPECTIONS</p>

No. 23-11-E

WHEREAS, on March 15, 2023 the Washington Township Municipal Utilities Authority (“Authority”) opened and read aloud sealed bids for Contract 53D, 2023 SEWAGE SYSTEM CCTV INSPECTIONS; and

WHEREAS, of the one bid received the apparent low bid was submitted by Arold Construction Co, Inc. (“Arold”); and

WHEREAS, the attorney for the Authority has reviewed the Arold bid and determined that said bid is responsive and may be accepted by the Authority; and

WHEREAS, the availability of funds for this expenditure have been certified in writing by the certifying finance officer.

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

- (1) The Purchasing Agent is hereby authorized and directed to issue a Notice of Award to Arold Construction Co, Inc. in accordance with its Bid for Contract 53D, 2023 SEWAGE SYSTEM CCTV INSPECTIONS.
- (2) Upon submission of all mandatory contract items and approval, as to form, by the Authority attorney, the Executive Director is authorized to sign Contract 53D with Arold.
- (3) This Resolution shall take effect immediately upon passage according to law.

INTRODUCED AND PASSED: November 21, 2023

Motion was made by Mr. Sparone, and seconded by Mr. Caetano, to approved Resolution 23-11-E. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Drake, Sparone, Sehnal, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OPEN AND CLOSED TO THE PUBLIC 8:13 PM

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CLOSED SESSION 8:14pm

RESOLUTION CLOSED SESSION

No. 23-11-C

WHEREAS, it is necessary for the Washington Township Municipal Utilities Authority to discuss Administrative Salaries 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: November 21, 2023

Motion was made by Mr. Sparone, and seconded by Mr. Drake, to approved Resolution 23-11-C. Motion was carried by the following vote:

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

OUT OF CLOSED - 8:42

ADMINISTRATIVE STAFF SALARY ADJUSTMENT

RESOLUTION NON-ASSOCIATION MEMBERS SALARY ADJUSTMENT 2024
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No. 23-11-D

WHEREAS, the Washington Township Municipal Utilities Authority (“the Authority”) employs personnel that are not members of the Washington Township Municipal Authority Employee Association; and

WHEREAS, the Authority Board has reviewed the recommendations of the Executive Director regarding performance and salary for these employees; and

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

1. Elizabeth Waller, Executive Secretary: salary adjusted to \$92,755.00 annually; and
2. Christine Kattermann, Billing/Bookkeeping Clerk; salary adjusted to \$29.83 hourly; and
3. Ellen Moranski, Office Assistant: salary adjusted to \$22.40 hourly; and
4. Thomas McAndrew, Executive Director: salary adjusted to \$150,255.00 annually; and
5. The terms and conditions of the existing and future collective bargaining agreements for the Washington Township Municipal Utilities Authority Employees Association regarding salary will not apply to these employees; and

BE IT FURTHER RESOLVED, that this resolution shall take effect with the first payroll in 2024.

INTRODUCED AND PASSED: November 21, 2023

Motion was made by Mr. Drake, and seconded by Mr. Sparone, to approved Resolution 23-11-d. Motion was carried by the following vote:

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

OTHER BUSINESS

- The TSS problem, at the SMSTP, appears to be with the sand filters. Mitigation of the problem is being done in-house.
- One employee is out on Worker’s Comp with a follow up appointment on December 6th. Staff has been reassigned to adjust the work load.

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ADJOURNMENT

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

AYES: Messrs.: Cullen, Drake, Sparone, Sehnal, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 8:48 PM

Respectfully Submitted, E. Jill Waller, Secretary