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**WASHINGTON TOWNSHIP MUA**  
**Regular Meeting Minutes**  
 January 03, 2024

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The Regular Meeting of the W.T.M.U.A. was called to order at 7:30 pm on January 03, 2024. 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 Marino			X
V Chairman Napolitano	X			Exec Dir McAndrew	X		
Babb	X			Exec Secr Waller	X		
Drake	X			Attorney Napolitano	X		
Sparone	In at 7:41pm						
Sehnal	X						
Caetano	X						

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**REGULAR MEETING**

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**SALUTE THE FLAG**

**APPROVAL OF 12/06/2023 & 12/20/2023**

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

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

**DECEMBER 2023 CHECKBOOK REGISTER**

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

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

**BILLING ADJUSTMENTS – NOVEMBER & DECEMBER 2023**

Nothing at this time.

**VOUCHERS OVER \$6,600**

Motion was made by Mr. Napolitano, and seconded by Mr. Sehnal, to approve the following vouchers over \$6,600: Barkman Excavating, dated 12/05/2023, for \$8,360.32; Harrington Construction, dated 11/14/2023, for \$31,765.90; Hawkins, Delafield & Wood, dated 09/13/2023, for \$17,533.93 and JIF, dated 12/11/23, for \$42,033.00. Motion was carried by the following vote:

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

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**PURCHASES OVER \$6,600**

Motion was made by Mr. Sehnal, and seconded by Mr. Babb, to authorize the Executive Director to expend over \$6,600 for a replacement of the overhead door for the SMSTP RBC through the North Jersey Pricing. Motion was carried by the following vote:

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

**WINTER TERMINATION PROGRAM**

<b>RESOLUTION</b> <b>AUTHORIZING WINTER TERMINATION PROGRAM</b>
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No. 24-01-B

WHEREAS, the Washington Township Municipal Utilities Authority (hereinafter referred to as "Authority") is responsible for providing water services and sewer discharge services to select residents of Washington Township, Morris County, Chester Township and Tewksbury within the state of New Jersey; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40:14 A-7(11) the Authority is charged with making and enforcing rules and regulations for the management and regulation of its business and affairs and for the use, maintenance, and operation of the sewerage system and any other of its properties, and to amend the same; and

WHEREAS, the Rules and Regulations of the Authority, Section 5, Part B.4 provides the Authority with remedies for collection of charges provided by NJSA 40:14B and Section 7, Part A.8, allows for termination of service for "...violations of the provisions of...regulations..."; and

WHEREAS, The State of New Jersey, Department of Community Affairs (hereinafter referred to as DCA) has instituted a Winter Termination Program (hereinafter referred to as WTC), N.J.A.C. 5:45 effective August 7, 2023; and

WHEREAS, the WTC prohibits the Authority from terminating service from November 15<sup>th</sup> through March 15<sup>th</sup> for residential customers that meet certain requirements;

NOW, THEREFORE, BE IT RESOLVED, that the Authority will not terminate service for residential users for non-payment during the period of November 15, 2023, through March 15, 2024; and

BE IT FURTHER RESOLVED, that all other aspects of the Rules and Regulations remain in effect.

INTRODUCED AND PASSED: January 3, 2024

Motion was made by Mr. Babb, and seconded by Mr. Caetano, to approve Res 24-01-B. Motion was carried by the following vote:

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

**WASHINGTON TWP INTERLOCAL AGREEMENT**

<b>RESOLUTION</b> <b>INTERLOCAL SERVICES AGREEMENT WITH WASHINGTON TOWNSHIP</b> <b>FOR THE INSTALLATION OF DRAINAGE ON FAWN RIDGE DRIVE</b>
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No. 24-01-C

WHEREAS, it has been determined that the high-water table below the street on Fawn Ridge Drive may undermine the new water main that was installed by Washington Township Municipal Authority ("Authority") as well as the repavement of the street by Washington Township ("Township"); and

WHEREAS, it is in the parties' mutual interest to install additional drainage to protect the water pipeline and Fawn Ridge Drive; and

WHEREAS, the parties wish to enter into an Interlocal Agreement for the Authority to install the underground drainage ("work") through the Authority's existing contractor; and

WHEREAS, the Township has agreed to reimburse the Authority with cost of the work; 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 as follows:

1. The Executive Director is hereby authorized to execute the attached Interlocal Services Agreement with Washington Township regarding the installation of drainage on Fawn Ridge Drive.

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2. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: January 3, 2024

Motion was made by Mr. Drake, and seconded by Mr. Caetano, to approve Res 24-01-C. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**SHARED SERVICES – HMUA SEWER CLEANING & TV INSPECTION**

RESOLUTION SHARED SERVICES WITH HACKETTSTOWN MUNICIPAL UTILITIES AUTHORITY SEWER CLEANING AND TV INSPECTION SERVICES
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No. 24-01-A

WHEREAS, the Washington Township Municipal Utilities Authority (Authority) authorized a shared services agreement with the Hackettstown Municipal Utilities Authority (HMUA), on December 20, 2022, for the provision of Sewer Cleaning and TV Inspection Services; and

WHEREAS, the Authority has determined that it is advisable and beneficial to extend this Agreement; and

WHEREAS, shared services are permitted under the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.; and

WHEREAS, The Authority is agreeable to extend this Agreement with the Hackettstown Municipal Utilities Authority for the aforesaid purpose upon approval of the Authority Attorney.

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. The Executive Director is hereby authorized to execute the attached Shared Services Agreement with the Hackettstown Municipal Utilities Authority regarding the Sewer Cleaning and TV Inspection Services in the form attached hereto.

2. This Resolution shall take effect as provided by law.

INTRODUCED AND PASSED: January 3, 2024

Motion was made by Mr. Babb, and seconded by Mr. Sehnal, to approve Res 24-01-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**NON-FAIR AND OPEN AWARD FOR SM19 WELL PUMP SYSTEM REPLACEMENT**

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT SM19 PUMPING SYSTEM REPLACEMENT
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No. 24-01-D

WHEREAS, the Washington Township Municipal Utilities Authority (“Authority”) has the need to replace the pumping system for the SM19 well; and

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

WHEREAS, Highlands Water Wells (“Highlands”) submitted the most advantageous pricing under the quote and Pay-To-Play thresholds; and,

WHEREAS, the project is 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 SM19 well pump system replacement is anticipated to exceed \$17,500, (2) Highlands will submit a Business Entity Disclosure Certification, (3) Highlands will submit a certification that Highlands has not made any reportable contributions to a

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political or candidate committee in the Township of Washington in the previous year, and (4) the Contract will prohibit Highlands 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 Highlands Water Wells. to provide the replacement of the SM19 pumping system.
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: January 3, 2024

Motion was made by Mr. Napolitano, and seconded by Mr. Drake, to approve Res 24-01-D. Motion was carried by the following vote:

AYES: Messrs.: Cullen, Napolitano, Babb, Drake, Sparone, Sehna, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**NON-FAIR AND OPEN AWARD FOR REPLACEMENT OF SMSTP AERATION CHANNEL COVERS**

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT SMSTP AERATION CHANNELS REPLACEMENT COVER
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No. 24-01-E

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has the need to replace the cover for the aeration channels at the Schooley's Mountain Sewer Treatment Plant ("SMSTP"); and

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

WHEREAS, Lemna Environmental Technologies ("Lemna") submitted the most advantageous pricing under the quote and Pay-To-Play thresholds; and,

WHEREAS, the project is 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 SMSTP aeration channel replacement cover is anticipated to exceed \$17,500, (2) Lemna will submit a Business Entity Disclosure Certification, (3) Lemna will submit a certification that Lemna 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 Lemna 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 Lemna Environmental Technologies to provide the replacement of the SMST aeration channel covers.
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.

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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: January 3, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Sparone, to approve Res 24-01-E. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

**OPEN TO THE PUBLIC: 7:52 pm**

No comments were made by the Public

CLOSED TO THE PUBLIC: 7:52 pm

**DIRECTOR'S REPORT**

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

- The ED had a meeting with the Township regarding all common projects. An agreement for the land swap will be drafted and presented to the Township

**OPEN TO THE PUBLIC: 8:06 pm**

Comments were made regarding the improvement in the relationship between the Township and the Authority. He is pleased to see the positive discussions at each Committee's meetings.

CLOSED TO THE PUBLIC: 8:10 pm

**ADJOURNMENT**

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

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 8:12 PM

Respectfully Submitted, E. Jill Waller, Secretary