

WASHINGTON TOWNSHIP MUA
Regular Meeting
February 7, 2024

The Regular Meeting of the W.T.M.U.A. was called to order at 7:31 pm on February 07, 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	X						
Sehnal	X						
Caetano	X						

REORGANIZATION MEETING 8:00pm

SALUTE THE FLAG

MUA BOARD APPOINTMENTS

RESOLUTION WTMUA BOARD APPOINTMENTS
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No. 24-02-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 7TH day of February 2024 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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R1. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

EXECUTIVE DIRECTOR

RESOLUTION WTMUA Executive Director Appointment
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No. 24-02-R2

WHEREAS, it is in the interest of the Authority to appoint Thomas McAndrew as the Executive Director of the WTMUA; and

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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 7th day of February 2024 the following appointments were made:

1. Upon the terms and conditions set forth on his appointment on April 21, 2020, Thomas McAndrew 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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R2. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

CUSTODIAN OF GOVERNMENT RECORDS

RESOLUTION APPOINTING CUSTODIAN OF GOVERNMENT RECORDS
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No. 24-02-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”.

WHEREAS, when the designated Custodian of Government Records becomes unavailable for a period of time, it is in the Authority’s best interest to appoint a Substitute 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 7th day of February 2024 as follows:

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

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R3. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PUBLIC AGENCY COMPLIANCE OFFICER

RESOLUTION DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER
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No. 24-02-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 7th day of February 2024 as follows:

- E. Jill Waller, WTMUA Executive Secretary, is hereby designated as the Public Agency Compliance Officer.
- This resolution shall take effect immediately according to law.

INTRODUCED AND PASSED: February 7, 2024

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Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R4. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

JIF MUA COMMISSIONER

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

No. 24-02-R5

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

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 7th day of February, 2024 as follows:

1. The WTMUA does hereby appoint Thomas McAndrew, 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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R5. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL FOR GOVCONNECT

RESOLUTION APPOINTING OFFICIAL FOR GOVCONNECT
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No. 24-02-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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R6. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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REGULAR MEETING SCHEDULE

RESOLUTION
Regular Meeting Schedule

No. 24-02-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 2024.

WASHINGTON TWP MUA
NOTICE OF SCHEDULED MEETINGS
FOR THE YEAR 2024

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:

March 6, 2024	July 3, 2024	November 6, 2024
March 20, 2024	July 17, 2024	November 20, 2024
April 3, 2024	August 7, 2024	December 4, 2024
April 17, 2024	August 21, 2024	December 18, 2024
May 1, 2024	September 4, 2024	January 8, 2025
May 15, 2024	September 18, 2024	January 15, 2025
June 5, 2024	October 2, 2024	February 5, 2025
June 19, 2024	October 16, 2024	February 19, 2025

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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R7. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OPEN PUBLIC MEETINGS ACT

RESOLUTION
Open Public Meetings Act

No. 24-02-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.

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(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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R8. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUDITING SERVICES CONTRACT

<p>RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR AUDITING SERVICES</p>

No. 24-02-R9

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") has a need to acquire Auditing Services for fiscal year ending 2024; and

WHEREAS, Nisivoccia & Company has submitted a proposal dated January 15, 2024 indicating they will provide the Auditing Services for the not to exceed price of \$31,390 for fiscal year 2024, 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. 20:44A-20.5 and as required thereby: (1) the Qualified Purchasing Agent 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 term of this contract is one year.

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

1. The Qualified Purchasing Agent is hereby authorized and directed to accept the proposal of Nisivoccia & Company as the form of Professional Services Contract ("Contract") not to exceed \$31,390 for 2024 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. These contracts are made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:23-5(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

Thomas McAndrew, Executive Director

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-03-R9. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

LEGAL SERVICES CONTRACT

<p>RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR LEGAL SERVICES</p>

No. 24-02-R10

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

WHEREAS, Cleary, Giacobbe, Alfieri, Jacobs, LLC ("Cleary") has submitted a proposal dated February 1, 2024 indicating they will provide Legal Services in accordance with the rate schedules submitted; 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. 20:44A-20.5 and as required thereby: (1) the Qualified Purchasing Agent has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Cleary has submitted a Business Entity Disclosure Certification which certifies Cleary 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 Cleary 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 Qualified Purchasing Agent is hereby authorized and directed to execute a form of professional services contract with Cleary, Giacobbe, Alfieri, Jacobs, LLC for legal services, attached hereto as Schedule A.
2. A copy of this Resolution and the Contract engaging Cleary 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 a "professional service" in accordance with N.J.S.A. 40:23-5(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

Thomas McAndrew, Executive Director

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R10. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

ENGINEERING SERVICES CONTRACT

<p>RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES</p>
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No. 24-02-R11

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

WHEREAS, Suburban Consulting Engineers, Inc. ("Suburban") has submitted a proposal dated January 25, 2024 indicating they will provide engineering services in accordance with the rate schedule submitted; 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. 20:44A-20.5 and as required thereby: (1) the Qualified Purchasing Agent has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Suburban has submitted Business Entity Disclosure Certification which certifies that Suburban 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 Suburban from making any reportable contributions through the term of the contracts; 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

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

1. The Qualified Purchasing Agent is hereby authorized and directed to execute a form of professional services contract with Suburban Consulting Engineers, Inc. as the Authority's engineer for engineering services as determined to be necessary by the Authority. The form of contract to be approved by our attorney, attached hereto as Schedule A.
2. A copy of this Resolution and the Contract engaging Suburban Consulting Engineers, Inc. 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. These contracts are made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40:23-5(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

Thomas McAndrew, Executive Director

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R11. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL NEWSPAPER

RESOLUTION Official Newspaper

No. 24-02-R12

BE IT RESOLVED that the official newspaper of the Washington Township Municipal Utilities Authority for the year 2024 shall be the Daily Record.

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R12. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

OFFICIAL DEPOSITORIES

RESOLUTION Official Depositories
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No. 24-02-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 2024:

PNC Bank, N.A.

U.S. Bank

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R13. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

MEL PERSONNEL ADMINISTRATOR

RESOLUTION DESIGNATION of a MEL PERSONNEL ADMINISTRATOR

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No. 24-02-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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R14. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUTHORIZATION OF BILLS EXCEPTION

RESOLUTION Authorization of Bills Exception

No. 24-02-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 \$6,600 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,
 - insurance premiums.

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R15. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

PAYMENT OF BILLS EXCEPTION

RESOLUTION Payment of Bills Exception

No. 24-02-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.

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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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R16. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

APPOINT NJ SUSTAINABLE ENERGY MEETING REPRESENTATIVE

<p>RESOLUTION APPOINTING OFFICIAL REPRESENTATIVE FOR NEW JERSEY SUSTAINABLE ENERGY MEETING</p>
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No. 24-02-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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R17. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AUTHORIZING PURCHASES UNDER PURCHASE COOPERATIVES AND NJ SEM

<p>RESOLUTION AUTHORIZING PURCHASES UNDER COOPERATIVE PURCHASING PROGRAMS</p>

No. 24-02-R18

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 programs; and,

WHEREAS, The Authority has the need on a timely basis to purchase goods or services utilizing several cooperative purchasing programs; and

WHEREAS, The Authority intends to enter into contracts with the State of New Jersey Cooperative Purchasing Program ("State"), the Morris County Cooperative Council ("MCCC"), the Somerset County Cooperative Pricing System (SOCCP), The Educational Service Commission of NJ ("ESCNJ"), North Jersey Wastewater Cooperative Pricing System ("NJWCPS"), the New Jersey Sustainable Energy Joint Meeting (NJSEM) and US Communities ("USC") 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 the State, MCCC, SOCCP, ESCNJ, NJWCPS, NJSEM and USC 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
 - b. office supplies & equipment
 - c. environmental testing instruments
 - d. automotive parts & accessories
 - e. auctioneering services: internet auctions to sell surplus property
 - f. NJDEP laboratory analysis of drinking water samples
 - g. Light duty trucks and cargo vans
 - h. industrial MRO supplies
 - i. WSCA computer contract
 - j. vehicles, trucks, class 2, pickup/ utility, with snow plow option
 - k. preventative maintenance and testing of emergency standby generators
 - l. walk-in building supplies
 - m. electrical supplies
 - n. auction
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-23)
 - 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. preventive 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)
 - x. tree services (C-18)
3. SOCCP
 - a. Industrial & Commercial Equipment & Supplies – Catalog Sales
4. EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
5. NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM
 - a. pumps
 - b. pump installation
 - c. equipment and spare parts
 - d. industrial safety products
6. NJSEM
 - a. natural gas
 - b. electricity
 - c. other forms of energy
7. US COMMUNITIES
 - a. uniform rental

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 expire February 28, 2024.

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R18. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

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APPOINT RISK MANAGER

RESOLUTION
DESIGNATION of a
MEL PERSONNEL ADMINISTRATOR

No. 24-02-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 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R18. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

SAFETY COORDINATOR

RESOLUTION
SAFETY COORDINATOR APPOINTMENT

No. 24-02-R20

WHEREAS, Washington Township Municipal Utilities Authority and the Washington Township Municipal Utilities Authority Employees Association entered into a Sidebar Agreement, dated October 19, 2021; and

WHEREAS, the Sidebar Agreement includes the appointed position of Safety Coordinator; and

WHEREAS, it is in the interest of the Authority to appoint a Safety Coordinator.

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 7th day of February 2024 hereby appoints Lester Wright as Safety Coordinator; and

BE IT FURTHER RESOLVED that the anticipated term of this appointment will be one year.

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R20. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

BOND COUNSEL CONTRACT

RESOLUTION
AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS
FOR BOND COUNSEL

No. 24-02-R21

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

WHEREAS, Hawkins, Delafield & Wood LLP ("Hawkins") has submitted a proposal dated January 31, 2024 indicating they will provide Bond Counsel Services in accordance with the rate schedules submitted:

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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. 20:44A-20.5 and as required thereby: (1) the Qualified Purchasing Agent has determined and hereby certifies in writing that the value of the contract is anticipated to exceed \$17,500, (2) Hawkins has submitted a Business Entity Disclosure Certification which certifies Hawkins 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 Hawkins 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 Qualified Purchasing Agent is hereby authorized and directed to execute a form of professional services contract with Hawkins, Delafield & Wood LLP for bond counsel services, attached hereto as Schedule A.
2. A copy of this Resolution and the Contract engaging Hawkins 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 a "professional service" in accordance with N.J.S.A. 40:23-5(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.

INTRODUCED AND PASSED: February 7, 2024

Motion was made by Mr. Caetano, and seconded by Mr. Babb, to approve Resolution 24-02-R21. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

REGULAR MEETING

APPROVAL OF 01/03/2024

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

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

JANUARY 2024 CHECKBOOK REGISTER

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

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

BILLING ADJUSTMENTS – NOVEMBER & DECEMBER 2023

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

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

VOUCHERS OVER \$6,600

Motion was made by Mr. Napolitano, and seconded by Mr. Babb, to approve the following vouchers over \$6,600: Main Pool, dated 1/10/2024, for \$8,904.00; Toby Barkman Excavating, dated 1/22/2024, for \$7,210.51; and Rapid Pump & Meter Services, dated 1/21/2024, for \$7,795.43.

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Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

ADOPTION OF 2024 APPROVED BUDGET

RESOLUTION
2024 AUTHORITY WATER AND SEWER UTILITY ADOPTED BUDGET
WASHINGTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
OPERATING and CAPITAL BUDGETS
for the
FISCAL YEAR: from JANUARY 1, 2024 to DECEMBER 31, 2024

No. 24-02-B

WHEREAS, the Annual Budget and Capital Budget/Program for the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2024 and ending December 31, 2024, has been presented for adoption before the Commissioners of the Authority at its open public meeting of February 7, 2024 and,

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 \$5,134,434, Total Appropriations, including any Accumulated Deficit if any, of \$5,134,434 and Total Unrestricted Net Assets utilized to Balance Budget of \$0.00; and,

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$8,464,055 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$1,576,659; and Debt authorization of \$6,887,396; 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, 2024 that the Annual Budget and Capital Budget/Program of the Washington Township Municipal Utilities Authority for the fiscal year period beginning January 1, 2024 and ending December 31, 2024 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.

Motion was made by Mr. Caetano, and seconded by Mr. Sparone, to approve Resolution 24-02-B. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

AMEND 2023 FISCAL YEAR BUDGET

RESOLUTION
AMEND WTMUA WATER 2023 FISCAL BUDGET

No. 24-02-D

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Director, Division of Local Government Service may approve the amendment of the budget of any Authority to increase budgeted costs with corresponding increases in budgeted revenues; and

WHEREAS, the Washington Township MUA has amendments to the 2023 budget and seeks approval of the Director for said amendments;

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Municipal Utilities Authority, in the County of Morris and State of New Jersey, hereby request the Director of Local Government Service to approve the amendment to the 2023 budget as follows:

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Adjust Appropriations as follows:

	From	To	Difference
Sewer – Administrative Personnel – Salary & Wages	128,539	137,505	8,966
Sewer – Administrative Other	199,797	190,831	(8,966)
Water – Operating Other	491,150	552,750	61,600
Water – Operating Personnel – Salary & Wages	444,442	418,960	(25,482)
Water – Operating Personnel – Fringe Benefits	168,863	149,535	(19,328)
Water – Administrative Other	242,893	226,103	(16,790)

BE IT FURTHER RESOLVED, two certified copies of this budget amendment shall be transmitted to the Director within 3 days of the adoption of this Resolution.

Motion was made by Mr. Caetano, and seconded by Mr. Sparone, to approve Resolution 24-02-B. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

LONG VALLEY GARDEN CLUB

Motion was made by Mr. Babb, and seconded by Mr. Caetano, to allow the Garden Club use the parking lot and bathroom facilities to sell flowers for Mother’s Day.

Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

SURPLUS AUCTION

RESOLUTION
AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE
ON AN ONLINE AUCTION WEBSITE

No. 24-02-A

WHEREAS, the Washington Township Municipal Utilities Authority (The Authority) has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, The Authority intends to utilize the online auction services of Municibid located at 2401 Walnut Street, Philadelphia, PA 19103; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance as set forth in the Division of Local Government Services’ Local Finance Notice 2019-15,

NOW, THEREFORE, BE IT RESOLVED by The Washington Township Municipal Utilities Authority of the County of Morris, State of New Jersey, that The Authority is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled www.municibid.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between Municibid and The Authority are available at www.municibid.com and in The Authority’s Administrative office.

Motion was made by Mr. Napolitano, and seconded by Mr. Sparone, to approve Resolution 24-02-A. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

SM-03 WELL DECOMMISSIONING BID

RESOLUTION
REJECTION OF CONTRACT 158B.2
SM-03 WELL DECOMMISSIONING BID
AND AUTHORIZATION TO ADVERTISE FOR BIDS

No. 24-02-C

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WHEREAS, on January 31, 2024 the Washington Township Municipal Utilities Authority (“Authority”) opened and read aloud three (3) sealed bids for Contract 158B.2, SM03 Well Decommissioning Bid; and

WHEREAS, the lowest bid was reviewed by the attorney for the Authority and determined that the bid had two material defects and must be rejected; and

WHEREAS, the second lowest bid substantially exceeds the Authority’s budget for the project; and

WHEREAS, it is the opinion of the Purchasing Agent together with the finding of the Attorney that all bids should be rejected and the project be re-advertised.

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

(1) All bids received for the January 31, 2024 Contract 158B.2 SM03 Well Decommissioning Bid are hereby rejected.

(2) The Purchasing Agent is authorized to advertise for bid Contract 158B.2 SM03 Well Decommissioning Bid.

This Resolution shall take effect immediately upon passage according to law.

Motion was made by Mr. Caetano, and seconded by Mr. Shenal, to approve Resolution 24-02-C. Motion was carried by the following vote:

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

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

DIRECTOR’S REPORT

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

- A Commissioner’s tour of SMSTP will be scheduled in the Spring
- Suburban reviewed alternate sites for the High Ridge Tank and determined that any other site would be cost prohibitive.
- It was agreed to have the Elected Officials training on the second meeting of the month. The first attempt will be for the March meeting. If that doesn’t work then it will be scheduled for the April meeting.

ADJOURNMENT

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, Sparone, Sehna, Caetano

NAYS: Messrs.: None

ABSTAIN: Messrs.: None

Meeting Adjourned: 8:32 PM

Respectfully Submitted, E. Jill Waller, Secretary