

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting
Thursday, December 18, 2014

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, December 18, 2014 at the Administration Building on Wiltshire Drive and called to order by Chairperson Moore at 7:30 p.m.

The following Members were present:

Linda L. Moore
Marc Lippman
Steven Kurs
William Lawler

Absent: Marc Platizky
Leonard Millner
Michael Shifman

Also present:

Edwin Schmierer, Esq., of Mason Griffin & Pierson
James Farry, of Hatch Mott MacDonald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Clark Wolverton, Wastewater Superintendent
Skip Lovejoy, Water Superintendent
Dolores Borosko, Board Secretary

Chairperson Moore requested the Public Notice statement announcing that the notice and agenda of this meeting were mailed to the Windsor Hights Herald, Trenton Times and Trentonian on December 12, 2014. An agenda was posted on the official bulletin board of the Authority and delivered to the Township Clerk for posting on the bulletin board at the East Windsor Township Municipal Complex on December 12, 2014. The Board Secretary then called the roll after which the Chairperson asked if any Member had an objection to holding this meeting as advertised. No one objected.

Chairperson Moore asked Mr. Brand for an update on Pro Specs painting of the Twin Rivers standpipe. Mr. Brand informed the Board that Pro Spec has begun to paint and there must have been some condensation under the paint which caused the tank to look yellowish. Now Pro Spec would have to power wash the newly painted section of the tank and apply a solvent on the tank before it could be painted again. When asked about payment to Pro Spec Mr. Brand stated that he would recommend a good faith payment to the contractor. Mr. Brand

continued by saying between balance of contract, performance bond, retain age and three year guarantee there was no issue for covering cost and finishing the job.

Chairperson Moore moved to the payment of bills requesting a motion and a second. Mr. Kurs made a motion to pay \$318,583.30 in operating bills plus \$33,481.00 to Pro Spec for a total of \$352,064.30; Payroll for 11/26/14 of \$71,621.33; and Payroll for 12/10/14 of \$88,792.56. A second to Mr. Kurs motion was made by Mr. Lawler and unanimously carried with vote of the Members.

Chairperson Moore asked for a motion to approve the November Operating Report. Mr. Lippman made the motion to approve and a seconded was made by Mr. Lawler and the motion was unanimously carried.

Mr. Lawler made a motion to approve the December Development Report. There was a brief discussion of some concerns expressed by various Board Members regarding the Shiseido America project. In response to their concern about pre-treatment Mr. Wolverson explained to the Members that Shiseido America would have to follow both NJDEP permit requirements as well as MUA Rules and Regulations. Mr. Lippman seconded Mr. Lawler's motion to approve the Development Report and it was unanimously carried.

Mr. Lippman made a motion to approve the November Finance Officer's Report, seconded by Mr. Lawler and unanimously carried.

Mr. Kurs made a motion to approve the November Attorney's Report. In response to Members question regarding ongoing litigation Mr. Schmierer responded that everything has been dismissed with the exception of some health issue related to one child. Mr. Lippman seconded the motion to approve and the Attorney's Report for November was unanimously carried.

The Engineer's December Report was approved with a motion made by Mr. Lawler, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for a motion to approve the September 18, 2014 minutes. Mr. Kurs made a motion approving the September Regular Meeting Minutes, seconded by Mr. Lippman and unanimously carried.

There being no other items for discussion during the Regular Session of this meeting Chairperson Moore asked for a motion to approve the Resolution to enter into Executive Session. Mr. Lippman made the motion, seconded by Mr. Lawler and unanimously carried.

Resolution

WHEREAS, Section 7 of the Open Public Meetings Act, ("Act") C. 231, P.L. 1975 the (N.J.S.A. 10:4-12B) permits the exclusion of the public from a meeting of the East Windsor Municipal utilities Authority ("Authority") under certain circumstances; and

WHEREAS, the Authority is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from that portion of the meeting in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority, in the county of Mercer, State of New Jersey, as follows:

1. The public shall be excluded from discussion and action upon the specified subject matter as set forth in Exhibit "A" attached hereto and made a part hereof.
2. The general nature of the subject matter to be discussed as set forth in Section 7b of the Act (N.J.S.A. 10:4-12b) is set forth next to the subject matter in the attached Exhibit "A".
3. It is anticipated at this time that the stated subject matter will be made public on or about the time set forth next to the subject matter in attached Exhibit "A".
4. This Resolution shall take effect immediately.

Exhibit "A"

<u>General Subject Matter</u>	<u>Basis Under For Exclusion of Public</u>	<u>Anticipated Date when Discussion Will Be Disclosed to Public</u>
Personnel	Attorney/Client Privilege	Certain information at the discretion of the Board tonight. Other information will remain confidential.

Respectfully submitted,

Marc Platizky, Secretary