

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, August 16, 2012

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, August 16, 2012 at the Administration Building on Wiltshire Drive and called to order by Vice Chairman Lippman at 8:00 p.m..

The following Members were present:

Leonard J. Millner
Steven Kurs
Marc Lippman
William Lawler
Michael Shifman

Absent: Linda Moore
Marc Platizky

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

Vice Chairman Lippman read the statement announcing that the notice and agenda of this meeting were mailed to the Windsor Hights Herald, Trenton Times and Trentonian on August 10, 2012. 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 August 10, 2012. Vice Chairman Lippman then asked for a roll call after which he asked if any Member had an objection to holding this meeting as advertised. No one objected.

Vice Chairman Lippman asked for comments from the audience on any item not on tonight's agenda. Mr. Wolverton presented the Board with the new aerial photo of the wastewater treatment plant.

Mr. Brand presented a power point presentation regarding the current water rates and requested direction from the Board on which option the Board wished to proceed with for preparing for water rate increases. After completing his presentation Mr. Brand stated that in order to least impact senior citizens and low to moderate income residence staff was recommending a two-year incremental increase in both fixed fees and water rates over a two-year period. Mr. Ghrist stated that the best approach for the Authority would be to do a one time increase which would save the Authority reserves. Mr. Ghrist added that the unrestricted reserves would be used to finance Capital projects which need to be done. Mr. Ghrist agreed that the two-year approach would be best for the customers. After a brief period of questions from the Board it was decided that the Authority would conduct rate hearings recommending the two-year approach.

Mr. Brand informed the Board that Hatch Mott MacDonald had completed a report/study of our Industrial User Limits and the report was sent to and approved by the NJDEP. Mr. Brand stated that this report will require industrial users who discharge into our sewer systems, parameters, which may require pretreatment to prevent any discharge that may cause harm or disrupt our process, which could cause a violation in our discharge permit. This is a requirement for our NJPDES' permit so with Board approval and adoption it can be incorporated into the MUA Rules and Regulations manual and the Authority will then be in compliance with our Permit. A motion was made by Mr. Shifman, seconded by Mr. Millner to accept the report

prepared by Hatch Mott MacDonald for Industrial User Limits and approved with the following vote: AYES: Mr. Kurs, Mr. Millner, Mr. Shifman and Mr. Lippman. NOES: None. ABSTAIN: Mr. Lawler.

Resolution 2012-24

WHEREAS, the East Windsor Municipal Utilities Authority (“Authority”) is the owner of the Water Pollution Control Facility, Block 1, Lots 2, 5.01 and 5.02 on the East Windsor Township Tax Map, Also known as 101 Millstone Road; and

WHEREAS, the East Windsor Municipal Utilities Authority in Mercer County, New Jersey, requested Hatch Mott McDonald to prepare a Industrial Local Limits Survey on May 19,2011 in accordance with the provisions of *New Jersey Pollution Discharge System Permit (NJPDSE)*; and

WHEREAS, on January 31,2012, Hatch Mott McDonald submitted the Industrial Local Limits Survey to the New Jersey Department of Environmental Protection (NJDEP) for their review and approval; and

WHEREAS, on July 19, 2012, the New Jersey Department of Environmental Protection (NJDEP) approved the Industrial Local Limits; and

WHEREAS, East Windsor Municipal Utilities Authority will modify its current Rules and Regulations to reflect the changes necessary to have enforceable limits; and

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority as follows:

1. The Chair and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to execute the “Approval of the Industrial Local Limits Survey” that was completed by Hatch Mott McDonald and approved by the New Jersey Department of Environmental Protection (NJDEP).

The next item on the agenda was a discussion of replacing the Vactor Truck. Mr. Brand stated that the current truck is 10 years old and used every day by our Collections Department. Over the last two years we have spent \$33,000.00 in repairs. The Authority could purchase a new Vactor Truck through the National Co-op for \$275,513.41. This is just an FYI for the Board that the wastewater plant will be replacing the Vactor Truck in 2013. Mr. Shifman asked if there was money in the budget for purchase to which Mr. Brand replied that there was.

Mr. Lippman stated that Mr. Brand had given him a couple of items not listed on the agenda one was approval of Revised Resolution 2012-22 and asked for an explanation. Mr. Brand responded that the resolution was for the land lease agreement for farming on Millstone Road at Wastewater Treatment Plant. Mr. Brand stated that the original resolution did not include the block and lot numbers. Mr. Millner asked if there were any changes to the lease agreement and Mr. Brand stated that there were none. Mr. Lippman asked for a motion to approve the revised resolution and Mr. Lawler made a motion, seconded by Mr. Shifman. The motion was unanimously approved.

Revised Resolution 2012-22

WHEREAS, the East Windsor Municipal Utilities Authority (“Authority”) is the owner of certain farmland known as Pollution Control Facility tract, Block 1, Lots 2, 5.01 and 5.02; and

WHEREAS, the East Windsor Municipal Utilities Authority in Mercer County, New Jersey, requested Bids in accordance with the provisions of *N.J.S.A. 19:40A:12-14*, leasing of a portion of real property owned by the East Windsor Municipal Utilities Authority located at 101 Millstone Road, known as Block 1, Lots 2, 5.01 and 5.02, on the East Windsor Township Tax Map; and

WHEREAS, the Bid will be awarded to the highest responsible bidder in accordance with the provisions of *N.J.S.A. 40A:12-14*, leasing of a portion of real property; and

WHEREAS, on or after March 26, 2012 contract documents were inspected by prospective bidders at the East Windsor Municipal Utilities Authority Administrative Office located at 7 Wiltshire Drive, East Windsor, New Jersey 08520, during regular business hours. Contract documents were furnished upon request; and

WHEREAS, the East Windsor Municipal Utilities Authority received one (1) sealed Bid at 2:00 p.m. on April 17, 2012. The sealed Bid was opened and read in public by the Executive Director as follows:

Everett Brothers LLC
c/o Russell Everett, Jr.
2020 Old Trenton Road
West Windsor, New Jersey 08550

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority as follows:

1. The Chair and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to execute the "Leasing of Real Property" known as "Pollution Control Facility tract", Block 1, Lots 2, 5.01 and 5.02, with Everett Brothers LLC, c/o Russell Everett, Jr., 2020 Old Trenton Road, West Windsor, New Jersey 08550 in consideration for the payment of a sum of six thousand (\$6,000.00) dollars to the Authority to farm the above mentioned parcel. A certified true copy of this Resolution shall be furnished to Everett Brothers LLC upon its adoption.

Mr. Brand stated that he wanted the Board to know about the Eagle Scout Program taking place in the Centex area. The scouts are painting 40 teardrops with reflective coating in the streets and the bonnets will be color coded to the size of the water main.

On the topic of McGraw Hill Mr. Brand informed the Members that Mr. Farry, Mr. Fryer and he had a meeting with the McGraw Hill engineers and representatives of some prospective buyers to discuss the connection fees and OTIF monies that will be owed to the MUA. Also McGraw Hill is going to run the water line further along Route 571 past the driveway and add another fire hydrant for a total of about \$600,000 of upgrades that will benefit the Authority.

Mr. Brand informed the Members that he will begin to look into solar again because of some new State regulations.

Mr. Kurs questioned the reported problem with water in Hightstown and asked if the MUA could have a problem of this nature. Mr. Brand and Mr. Lawler responded that because the cause is unknown and it could be something as simple as the person taking the sample using a contaminated test tube at this time no one could say if the MUA could experience a similar problem. Currently the MUA water is safe and has not experienced any irregularities. Mr. Brand also stated that procedures for sampling are in place and if followed would reduce the chance of this happening.

Mr. Millner asked for an update on funds not used through NJEIT Loan Program to which Mr. Christ stated that he had received a new pay down schedule and it does appear that the Authority will not have to pay interest on that money.

Mr. Millner asked for explanation of a problem which had occurred at a pump station on Monmouth Street where generators came on but the pumps did not start up. Mr. Brand stated that Mr. Wolverton and a wastewater crew attempted to simulate the problem but could not have it reoccur. This problem was only one of several that occurred on a stormy night and produced multiple problems because of a lightning strike. Mr. Wolverton stated that the incident is still being investigated. The Board requested an update when the investigation has been completed.

Mr. Millner made a motion to approve Operating bills in the amount of \$228,532.95 and payrolls in the amount \$63,472.75 and \$63,704.23; NJEIT Clean Water Loan Construction Fund, Requisition #39 - \$1,050.90 and NJEIT Drinking Water Loan Construction Fund, Requisition #34 - \$51,931.20, seconded by Mr. Shifman and unanimously carried.

The Operating Report was approved on a motion made by Mr. Shifman, seconded by Mr. Millner and unanimously approved.

The Development Report was unanimously approved on a motion made by Mr. Platizky and seconded by Mr. Millner.

A motion was made by Mr. Kurs, seconded by Mr. Lawler to approve the Finance Officer's Report. The motion was unanimously approved.

On a motion made by Mr. Shifman, seconded by Mr. Kurs the Attorney's Report of was unanimously approved.

The Engineer's submitted two reports both were approved on a motion made by Mr. Millner, seconded by Mr. Lawler and unanimously approved.

The March 26, 2012 Regular Minutes were approved on a motion by Mr. Shifman, seconded by Mr. Kurs and unanimously approved.

The April 19, 2012 Regular Minutes were approved on a motion by Mr. Kurs, seconded by Mr. Lawler and unanimously approved.

Mr. Millner requested a report on the personnel policy manual status and Mr. Schmierer reported that there were two outstanding items and then the manual would be complete.

Mr. Ghrist stated that he had given to the Board copies of the Operating Budget for next year for their review. Mr. Ghrist asked that they review the document and contact him with any questions. The Budget will have to be approved in September.

There being no further items for discussion the meeting was adjourned.

Respectfully,

Steven Kurs, Secretary