

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, December 19, 2013

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, December 19, 2013 at the Administration Building on Wiltshire Drive and called to order by Chairperson Moore at 8:00 p.m.

The following Members were present:

Linda Moore
Marc Lippman (telephone)
Leonard Millner
Steven Kurs
Marc Platizky
William Lawler
Michael Shifman

Absent: None

Also present:

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

Chairperson Moore requested that the Public Notice be read. The Board Secretary read the statement announcing that the notice and agenda of this meeting were mailed to the Windsor Heights Herald, Trenton Times and Trentonian on Friday, December 13, 2013. 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 13, 2013. Chairperson Moore then asked for a roll call after which she asked if any Members had an objection to holding this meeting as advertised. No one objected.

Chairperson Moore asked if anyone in the audience would like to make a comment on something which was not on tonight's agenda. No one responded and Chairperson Moore closed the public portion of the meeting.

Having no Applications for Service, New Business or Old Business Chairperson Moore moved to General Discussion/Topics from Board Members and Mr. Millner questioned the recent problem with email. Mr. Brand explained that Princeton Computer came out to check

the system and decided that there must have been a virus at one point on the system that has been picked up by the Virus Protection software. However in the mean time because of the virus on the system some of the hosting companies like Comcast had blacklisted our emails. Not sending them forward to Comcast customers. Therefore Board Members who are also Comcast customers could not receive email from the MUA. We are monitoring the system at this time and will report to the Members if there are any additional problems.

Chairperson Moore reminded everyone that the Employee Appreciation Party was at noon on Friday, December 20, 2013.

Mr. Millner made a motion to approve the Operating Bills of \$215,020.25; Payroll 11/27/13 of \$65,793.20 and Payroll of 12/11/13 of \$76,472.71. A seconded for the motion was made by Mr. Platizky and unanimously accepted. Mr. Millner questioned a check to Harris Computer for software that was not on bill list. Mr. Brand explained that the payment had appeared on previous bill list but that the check was pulled and held to be sure software issues had been cleared up. Mr. Millner asked if everything was ok and working at this time and Mr. Ghrist responded that the programs currently in use have been ok with no major issues but that we had not begun to use the new payroll program at this time. Mr. Ghrist explained that this late in the year he did not want to have problems with payroll records so we were waiting to start program in the New Year.

A motion was made by Mr. Platizky, seconded by Mr. Millner and unanimously approved to accept the November Operating Report. Mr. Millner noticed that water use was down and had been going down and asked if there was any reason for the drop in use. Mr. Lovejoy responded there was no explanation for change. Generally water use, whether it is high or low, is usually related to weather conditions.

Chairperson Moore requested a motion to approve the Development Report. Mr. Millner made a motion, seconded by Mr. Platizky and unanimously carried. There was a brief discussion of the reviews of some of the applications for refunds of fees. Mr. Schmierer explained that Panera Bread (D&E Realty) had reduced the seating capacity and because of this decision have requested a reduction in fees based on this lower seating capacity. The MUA's position is that both parties made an agreement based on the original request made by Panera Bread (D&E Realty) for capacity and an allocation to accommodate that capacity was granted. Panera Bread (D&E Realty) has been given that allocation which they sought and can use at anytime. Therefore the Authorities position is that the agreed upon fees stand. The other development that is being reviewed is for the Americana Center and if it is determined by the Authority that they need to move the water line and if there is an expense to the developer to extend outside their own property than maybe the Authority recommendation would be to offer some sort of credit to their OTIF fees but it is too premature to state position at this time.

Mr. Millner requested update on McGraw Hill and Mr. Brand replied that the first thing they have to do is get their peak usage requirements for the NJDEP capacity allocation for the data processing facility. Mr. Brand stated that McGraw Hill is filing the submittal to NJDEP now. Once McGraw Hill receives the NJDEP capacity allocation then we will sit down with

them to discuss request.

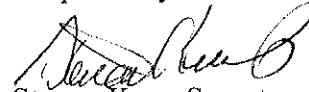
Mr. Millner made a motion to accept the Finance Officer's Report, seconded by Mr. Platizky and unanimously carried. Mr. Kurs questioned increase in revenues and Mr. Ghrist stated revenues are up about \$900,000.00 due to water rate increase and the over 90 day delinquent is lower due to new procedures lowering shut off amounts and shortening notice time. Mr. Ghrist also pointed out that connection fees were down this year. Mr. Millner requested that any columns in the Statement of Revenues and Expenditures Report that are identical or blank be removed. Mr. Millner would only like to see the columns that are important which according to Mr. Ghrist are the last three columns year to date. Several Board Members do not feel that this is an issue that requires us to spend money to have a customized report made. Mr. Platizky questioned the reserve monies and what are the bases for \$5,507,577.84. The Board would like staff to come back to them with explanation of these funds and a rational for the amount needed so that they have a better understanding of the financial status of the Authority and will be better prepared to make decisions on the need for future rate increases. Mr. Millner requested report on reason for over expended budget items. Mr. Ghrist agreed to include a statement with his monthly reporting.

Mr. Kurs made a motion to accept the Attorney's Report, seconded by Mr. Platizky and unanimously carried. Mr. Kurs questioned Mr. Schmierer about ongoing litigation. Mr. Schmierer stated that since Zurich Insurance Co. sent the reservation of rights letter and their position concerning the decline of coverage for the MUA with regard to mold or bacteria claims. The case has now been placed in the hands of the Authority attorney. Mr. Schmierer now needs to review and acquaint himself with all the discovery materials gathered concerning the Plaintiff's claim from the filing. Mr. Schmierer will update the Members as case progresses.

Mr. Millner made a motion to approve the Engineer's Report, seconded by Mr. Platizky and unanimously carried.

There being no additional information to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,



Steven Kurs, Secretary