

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, February 21, 2013

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, February 21, 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 L. Moore
Marc Platizky
Steven A. Kurs
Marc Lippman
William Lawler
Michael Shifman

Absent: Leonard Millner

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
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 Hights Herald, Trenton Times and Trentonian on February 15, 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 February 15, 2013. Chairperson Moore then asked for a roll call after which she asked if any Member had an objection to holding this meeting as advertised. No one objected.

This being the annual reorganization meeting, Chairperson Moore stated that since Board Members positions were not changing this year Mr. Kurs made the suggestion that the appointments of all Board Members be approved with one vote. Mr. Schmierer had no objection to handling the vote in this manner so Chairperson Moore appointed Mr. Brand as Chairman Pro-tem. Mr. Brand declared the nominations open for all Board positions. Mr. Brand nominated Linda Moore, Chairperson; Mr. Lippman, Vice Chairperson; Mr. Kurs, Secretary; Mr. Millner, Treasurer; Mr. Platizky, Assistant Secretary/Treasurer, motion was seconded by Mr. Lippman. The Chairman Pro-tem called the roll for the election of Members with the following results:

AYES:	Steven Kurs
	Marc Lippman
	Marc Platizky
	William Lawler
	Linda Moore

NOES: None

There being 5 ayes and 0 noes, the Members were declared elected for each of the positions of the Authority for a term to run until a successor is elected at the annual reorganization meeting of the Authority to be held in February 2014.

Mr. Brand then turned the meeting over to Chairperson Moore. Chairperson Moore announced that nominations were open for the position of Consulting Engineer of the Authority. After a brief discussion Mr. Platizky nominated James Farry of Hatch Mott MacDonald as Consulting Engineer, seconded by Mr. Lippman. The Chairperson then called the roll for the

appointment of James Farry of Hatch Mott MacDonald as Consulting Engineer of the Authority and adoption of the following resolution:

AYES: Michael Shifman
Marc Lippman
Steven Kurs
Marc Platizky
Linda Moore

NOES: None

There being 5 ayes and 0 noes, James Farry of Hatch Mott MacDonald was appointed Consulting Engineer of the Authority, for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-03

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Engineering services for 2013; and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the EWMUA's web site on January 15, 2013, and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, February 5, 2013 at the Authority offices, and

WHEREAS, two proposals for these services were received, from Hatch Mott MacDonald, 27 Bleeker St., Millburn, NJ 07041 and Remington, Vernick and Arango, 101 Route 130, Cinnaminson, NJ 08077, and the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for engineering service to Hatch Mott MacDonald for 2013; and

WHEREAS, the maximum hourly rate charge is \$175.00 per hour for a Senior Professional Engineer to attend Board meetings of the Authority, and

WHEREAS, funds are available in the Operating Account 01-201-6205 entitled Basic Contract - Engineering as evidenced by the Chief Financial Officer's Certification, and

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A11-1 et seq. authorizes the award of this contract without public bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals and are specifically exempted under N.J.S.A. 40A:11-5.

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

1. The Authority hereby specifically determines that the procedures followed in connection with an award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
2. James Farry of Hatch Mott MacDonald is hereby appointed as Authority Engineer's until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2014.
3. Hatch Mott MacDonald is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.

4. The chairperson and secretary of the Authority are hereby authorized to execute a professional services agreement with Hatch Mott MacDonald for engineering services for the Authority.

5. Notice of this contract award shall be published as required by law.

Chairperson Moore than announced that nominations were opened for the position of Auditor for the Authority. Mr. Lawler nominated Mercadien Group for the annual audit and John Maley on an as needed basis for special financial projects. The motion was seconded by Mr. Kurs. The Chairperson then called the roll for the appointment of Mercadien Group as Auditors for the annual audit and Mr. Maley on an as needed basis for special financial projects of the Authority and for adoption of the following resolution.

AYES: Marc Platizky
Steven Kurs
William Lawler
Marc Lippman
Linda Moore

NOES: None

There being 5 ayes and 0 noes, Mercadien Group and Mr. Maley were appointed for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-02

WHEREAS, N.J.S.A. 40:14A-7.1 requires that every utility's Authority shall cause an annual audit of the accounts of the Authority to be made by a registered municipal accountant or certified public accountant of New Jersey, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be made available for public inspection; and

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site on January 15, 2013; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 10:00 a.m. on Thursday, February 5, 2013 at the Authority offices, and

WHEREAS, three proposals for these services were received from The Mercadien Group, 3625 Quaker Bridge Road, Hamilton, NJ 08619; Withum Smith and Brown, 3040 Route 22 West, Suite 110, Somerville, NJ 08876 and John Maley, 6 East Park Street, Bordentown, NJ 08505 in which the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract to perform the annual audit to The Mercadien Group and to John Maley on an as needed basis for special Financial projects; and

WHEREAS, the maximum amount of the contract is \$14,700.00 to The Mercadien Group for the Annual Audit and \$140.00 per hour for principal and \$110.00 per hour for Senior manager to John Maley on an as needed basis for special Financial projects, adequate funds are available in the Operating Account No. 01-201-6202 entitled Basic Contract - Auditor as evidenced by the Chief Financial Officer's Certification.

WHEREAS, adequate funds are available in an amount sufficient to defray the expenditure of money in account No. 01-201-6201 as evidenced by the Financial Officer's Certification, and

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

1. That the Chairperson and Secretary are hereby authorized to award this agreement for annual services to The Mercadien Group and Mr. Maley registered municipal accountants in the State of New Jersey, for the period of February 21, 2013 to the annual reorganization meeting to be held in February 2014.
2. The Authority hereby specifically determines that the procedures followed in connection with an award of this contract were in full compliance with the Fair and Open process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
3. The Mercadien Group and Mr. Maley are required to comply with the Affirmative Action Requirements of N.J.A.C. 17:27.
4. It is hereby directed that notice of an award of a contract be published once in the official designated newspaper of the Authority.
5. This Resolution shall take effect immediately.

Chairperson Moore then announced that nominations were open for the position of Attorney of the Authority. Mr. Kurs made a motion to nominate Mason, Griffin & Pierson as Attorney's for the Authority and adopt the following resolution, seconded by Mr. Platizky and approved by the following vote:

AYES: Steven Kurs
Marc Lippman
Marc Platizky
William Lawler
Linda Moore

NOES: None

There being 5 ayes and 0 noes, Mason, Griffin & Pierson was appointed as Authority Attorney, for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-01

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Legal services for 2013; and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site; and

WHEREAS, one proposal for these services was received, from Mason Griffin & Pierson, 101 Poor Farm Road, Princeton, New Jersey 08540, and the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for legal service to Mason Griffin & Pierson for 2013; and

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of this contract without public bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals and are specifically exempted under N.J.S.A. 40A:11-5.

WHEREAS, the hourly rate charge is \$165.00 per hour for routine legal services and an hourly rate of \$170.00 per hour for litigation (including bankruptcy) and capital projects, and

WHEREAS, adequate funds are available in an amount sufficient to defray the

expenditure of the money in account No. 01-201- 6204 as evidenced by the Financial Officer's Certification, and

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

1. The Authority hereby specifically determines that the procedures followed in connection with an award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
2. Mason Griffin & Pierson is hereby appointed as Authority Attorney until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2014.
3. Mason Griffin & Pierson is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.
4. The chairperson of the Authority is hereby authorized to execute a professional services agreement with Mason Griffin & Pierson for legal services for the Authority.
5. Notice of this contract award shall be published as required by law.

Chairperson Moore announced that Tod Fryer would act as liaison to the Affirmative Action Office as Public Agency Compliance Officer (PACO). Mr. Kurs made a motion appointing Tod Fryer as Public Agency Compliance Officer (PACO) and moved to adopt the following resolution, seconded by Mr. Lawler. The Chairperson then called for a roll call vote for the appointment of Tod Fryer as PACO Officer with the following results:

AYES: Steven Kurs
Marc Platizky
William Lawler
Marc Lippman
Linda Moore

NOES: None

There being 5 ayes and 0 noes, Tod Fryer was appointed as Public Agency Compliance Officer of the Authority, for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-04

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) is a local government unit of the State of New Jersey; and

WHEREAS, all local government units are required to implement the Affirmative Action Rules, N.J.A.C. 17:27 et seq., promulgated pursuant to P.L. 1975, C.127; and

WHEREAS, pursuant to the Affirmative Action rules, each unit is to designate a person to serve as a Public Compliance Officer (PACO); and

WHEREAS, the Authority desires to comply with a said mandate with the appointment of Tod Fryer, as the Authority PACO Officer.

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

1. The Authority hereby appoints Tod Fryer, to act as liaison to the Affirmative Action Office of the New Jersey Department of the Treasury as Public Agency Compliance Officer for the Authority until a successor is elected at the annual reorganization meeting of the Authority to be held in February 2014.
2. This Resolution will take effect immediately.

Chairperson Moore announced that Mary Ann Costabile of Rue Insurance and Donald D. Gallo, Jr. of Gallo Benefits Consulting would serve as the Insurance Agents of Record for the Authority. Mr. Platizky moved to appoint Mary Ann Costabile of Rue Insurance and Donald D. Gallo, Jr. of Gallo Benefits Consulting and to adopt the following resolution, seconded by Mr. Lippman. Chairperson Moore called for a roll call vote to appoint the Insurance Agents of Record and adopt the following resolution.

AYES: Marc Platizky
 Marc Lippman
 Steven Kurs
 William Lawler
 Linda Moore

NOES: None

There being 5 ayes and 0 noes, Mary Ann Costabile of Rue Insurance and Donald D. Gallo, Jr. of Gallo Benefits Consulting, were appointed as the Insurance Agents of Record of the Authority, for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-05

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that Mary Ann Costabile of Rue Insurance and Donald D. Gallo, Jr. of Gallo Benefits Consulting, hereby are, appointed as Insurance Agents of Record for the East Windsor Municipal Utilities Authority, until the annual reorganization meeting of the Authority to be held in February 2014.

This Resolution shall take effect immediately.

The Chairperson announced that the Bank of New York, Wells Fargo, PNC Bank and Fulton Bank of New Jersey be appointed depositories for the funds of the East Windsor Municipal Utilities Authority. Mr. Lippman made a motion to appoint the Bank of New York, Wells Fargo, PNC Bank and Fulton Bank of New Jersey as depositories for the funds of the East Windsor Municipal Utilities Authority and to adopt the following resolution, seconded by Mr. Kurs. The Chairperson then called the roll for the appointment of the Bank of New York, Wells Fargo, PNC Bank and Fulton Bank of New Jersey and to adopt the following resolution.

AYES: Steven Kurs
 William Lawler
 Marc Platizky
 Marc Lippman
 Linda Moore

NOES: None

There being 5 ayes and 0 noes, the Bank of New York, Wells Fargo, PNC Bank and Fulton Bank of New Jersey, were appointed as the depositories for the funds of the Authority, for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-06

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that the Bank of New York, Wells Fargo, PNC Bank and Fulton Bank of New Jersey be, and hereby are, appointed depositories for the funds of the East Windsor Municipal Utilities Authority, until the annual reorganization meeting of the Authority, to be held in February 2014.

The Chairperson announced that the Trenton Times and Windsor Hights Herald be designated as the official newspapers of the Authority. Mr. Kurs moved to appoint the Trenton Times and Windsor Hights Herald as the official newspapers of the Authority and adopt the following resolution, seconded by Mr. Platizky. The Chairperson called the roll for the designation of the Trenton Times and Windsor Hights Herald as the official newspapers of the

Authority and adopt the resolution.

AYES: William Lawler
Marc Lippman
Steven Kurs
Marc Platizky
Linda Moore

NOES: None

There being 5 ayes and 0 noes, the Trenton Times and Windsor Hights Herald , were designated as the official newspapers of the Authority, for a term to run until a successor is appointed at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-07

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that the Trenton Times and Windsor Hights Herald be designated as the official newspapers for the East Windsor Municipal Utilities Authority, until the annual reorganization meeting of the Authority, to be held in February 2014.

This Resolution shall take effect immediately.

The Chairperson announced that the Schedule of the Regular Meetings of the Authority was set. Mr. Kurs made a motion to approve the schedule and adopt the following resolution, seconded by Mr. Lippman. The Chairperson called for a vote to approve the schedule and adopt the resolution.

AYES: Marc Lippman
Marc Platizky
William Lawler
Steven Kurs
Linda Moore

NOES: None

There being 5 ayes and 0 noes, the Schedule of the Regular Meetings of the Authority, was approved, for a term to run until the new schedule is approved at the annual reorganization meeting of the Authority, to be held in February 2014.

Resolution 2013-08

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

1. During the year 2013/2014 the Regular Meetings of the East Windsor Municipal Utilities Authority Board will be held at 8:00 p.m., in the Administration Building at 7 Wiltshire Drive, in accordance with the dates listed below.

- February 21,2013
- March 21,2013
- April 18,2013
- May 16,2013
- June 20,2013
- July 18,2013
- August 15,2013
- September 19,2013
- October 17,2013
- November 21,2013
- December 19,2013
- January 16,2014
- February 20,2014

2. This Resolution shall take effect immediately.

Chairperson Moore asked for comments from the audience and seeing none moved to a discussion of the Award of Chemical Supplies. Mr. Brand presented the Members with charts which showed a comparison of rates between current and new 2013/14 rates. Mr. Brand's recommendation was to award the following Jones Chemical Inc. for chlorine; Miracle Chemical for Sodium Hypochlorite, Univar USA Inc. For Sulfur Dioxide, USALCO for Alum Sulfate, Yardville Supply for Lime, Coyne Chemical for Hydro Fluosillicic Acid and Accu-Tab Chlorine. Mr. Brand recommended that Magnesium Hydroxide be rebid since the price was over our budget allocation. A motion was made by Mr. Platizky to accept the bids for chemicals as presented and recommended by the Executive Director, seconded by Mr. Lippman and unanimously approved.

Resolution 2013-10

WHEREAS, in accordance with a properly advertised Notice to Bidders, seven (7) bidders submitted bids for the provision of Chemicals for Wastewater and Water Treatment, which were received on February 5, 2013; and

WHEREAS, after review of the bids submitted there were six (6) apparent low bidders and one bid being rejected as the price of the bid came in excess of funds appropriated for that chemical: and

- 1) USALCO, 2601 Cannery Avenue, Baltimore, MD 21226 for the provision of Aluminum Sulfate in 2013 at \$369.01 per dry ton and 2014 at \$369.01 per dry ton; and
- 2) JCI Jones Chemicals Inc., 40 Railroad Avenue, Merrimack, NH 03054 for the provision of Chlorine in 2013 at \$40 cwt. and 2014 at \$40 cwt.; and
- 3) Miracle Chemical, 1151 B Hwy. 33, Farmingdale, NJ 07727 for the provision of Sodium Hypochlorite in 2013 at \$1.515 per gal. and 2014 at \$1.515 per gal.; and
- 4) Univar USA Inc., 532 E. Emaus Street, Middletown, PA 17057 for the provision of Sulfur Dioxide in 2013 at \$46.00 cwt. and 2014 at \$46.00 cwt; and
- 5) Yardville Supply, 47 Yardville-Groveville Road, Yardville, NJ 08620 for the provision of Lime in 2013 at \$14.42 cwt and 2014 at \$14.42 cwt; and
- 6) Coyne Chemical, 3015 State Road, Croydon Pa. 19021, for the provision of Hydro Fluosilicic Acid in 2013 at \$53.7878 cwt. and 2014 at \$53.7878 cwt; and for the provision of Accu-Tab/chlorine in 2013 at \$2.0695/lb and 2014 at \$2.0695/lb; and

WHEREAS, Univar USA Inc., 532 E. Emaus Street, Middletown, PA 17057, for the provision of Magnesium Hydroxide in 2013 at 569.90 per dry ton and 2014 at \$569.90 per dry ton be rejected as;

1. the price of the bid came in excess of funds appropriated for Magnesium Hydroxide; and
2. the Executive Director be directed to rebid the provision of Magnesium Hydroxide chemical; and

WHEREAS, it is the recommendation of the Executive Director that USALCO, JCI Jones Chemical Inc., Miracle Chemical, Univar USA Inc., Coyne Chemical and Yardville Supply be awarded the contracts for the provision of Chemicals for Wastewater and Water Treatment as the lowest responsible bidders; and

WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of these contracts; and

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The bid of USALCO. for the provision of Aluminum Sulfate in 2013 at \$369.01 per dry ton and 2014 at \$369.01 per dry ton; is hereby accepted and the contract awarded to USALCO
3. The bid of Jones Chemicals Inc. for the provision of Chlorine in 2013 at \$40.00 cwt. and 2014 at \$40.00 cwt. are hereby accepted and the contract awarded to Jones Chemicals Inc.
4. The bid of Univar USA Inc. for the provision of Sulfur Dioxide in 2013 at \$46.00 cwt. and 2014 at \$46.00 cwt, are hereby accepted and the contract awarded to Univar USA Inc.
5. The Bid of Miracle Chemical, for the provision of Sodium Hypochlorite in 2013 at \$1.515 per gal. and 2014 at \$1.515 per gal. are hereby accepted and the contract awarded to Miracle Chemical.
6. The Bid of Yardville Supply, for the provision of Lime in 2013 at \$14.42 cwt and 2014 at \$14.42 cwt, are hereby accepted and the contract awarded to Yardville Supply.
7. The Bids of Coyne Chemical, for the provision of Hydro Fluosilicic Acid in 2013 at \$53.7878 cwt. and 2014 at \$53.7878 cwt; and for the provision of Accu-Tab/chlorine in 2013 at \$2.0695/lb and 2014 at \$2.0695/lb, are hereby accepted and the contract awarded to Coyne Chemical.
8. The Bid of Univar USA Inc, for the provision of Magnesium Hydroxide in 2013 at \$569.90 per dry ton and 2014 at \$569.90 per dry ton be rejected as:

1. The price of the bid came in excess of funds appropriated for Magnesium Hydroxide.

2. The Executive Director be directed to rebid the provision of Magnesium Hydroxide chemical.

The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Mr. Brand spoke briefly about electrical suppliers. Mr. Brand informed the Members that by switching suppliers and going with the co-op the Authority has realized significant savings. Mr. Brand stated that now the DCA has approved reverse auctions which basically mean we go out onto the open market and put our kilowatt hours out there and energy suppliers bid to supply the service. Mr. Brand said we could expect to save \$30,000 to \$60,000 by participating in the reverse auction. Mr. Brand added that there is a company that would like to attend a Board Meeting and give a demonstration showing exactly how the auction works. Mr. Brand cautioned the Members that it would be best to wait and see what the co-op will be proposing for rates this year and use that figure as our bench mark before proceeding with the reverse energy auction.

Mr. Brand told the Board that we had received half of our monies \$93,949.69 from FEMA which paid half of Category B for the use of our generators. Mr. Brand stated he would follow up tomorrow to find out what happened to the other half of the check. FEMA also owes the Authority \$152,000.00 under Category A debris removal and labor which will cover 95% of employees salaries for the month of November.

Mr. Kurs made a motion to pay Operating bills in the amount of \$381,093.90; two payrolls of \$65,992.37 and \$69,104.93. Prepaid State of New Jersey Public Water Tax - Oct. - Dec. 2012 - \$2,033.46; Prepaid AFLAC Invoice #472737 - Back Payment from 10/15/12 - \$599.18. The motion was seconded by Mr. Platizky and unanimously approved.

Chairperson Moore requested a motion to accept the Operating Report. A motion to accept was made by Mr. Lippman, seconded by Mr. Lawler. After a brief discussion of the

repair work on an electric line outside of Well 5 the Board unanimously approved and accepted the Operating Report.

A motion was made by Mr. Platizky, seconded by Mr. Lawler to approve the Development Report which was unanimously accepted.

Mr. Platizky made a motion to accept the Finance Report, seconded by Mr. Kurs. After a brief discussion of the new financial software the Finance Report was unanimously approved.

The Attorney's Report was approved on a motion made by Mr. Lippman, seconded by Mr. Platizky and unanimously approved.

The Engineer's Report was approved on a motion made by Mr. Kurs, seconded by Mr. Platizky and unanimously approved.

A motion was made by Mr. Platizky to approve and accept the Regular and Closed Session minutes of December 20, 2012, seconded by Mr. Kurs and unanimously carried.

A motion was made by Mr. Lippman to approve and accept the Regular minutes of the January 17, 2013 meeting, seconded by Mr. Shifman and unanimously carried.

The Regular session of the meeting was adjourned and the Board moved into Executive Session to discuss personnel issues.

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 the Public</u>
Personal Matters	Attorney/Client Privilege	Certain information at the discretion of The Board tonight. Other information will remain confidential.

Respectfully,



Steven Kurs, Secretary

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Closed Session Meeting
Thursday, February 21, 2013

The following Members were present:

Linda L. Moore
Marc Lippman
Steven Kurs
Marc Platizky
William Lawler
Michael Shifman

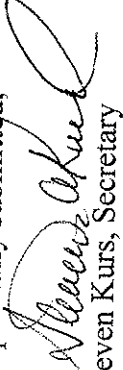
Absent: Leonard Millner

Also present:

Richard Brand, Executive Director

Chairperson Moore announced the purpose of the closed session was to discuss the termination of an employee. There was a brief discussion of the circumstances leading up to the termination and the meeting was adjourned.

Respectfully submitted,


Steven Kurs, Secretary