

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, June 16, 2011

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, June 16, 2011 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
Leonard J. Millner
Marc Lippman
William Lawler

Absent: Marc Platizky
Steven Kurs
Michael Shifman

Also present:

Edmond Konin, Esq., of Mason Griffin & Pierson
James Farry, of Hatch Mott MacDonald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Skip 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 Hights Herald, Trenton Times and Trentonian on June 10, 2011. 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 June 10, 2011. 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.

Chairperson Moore asked if any member of the audience wanted to speak on a topic not on tonight's agenda. Hearing no one, Chairperson Moore moved to the first item on the agenda Review of the Audit Report. Mr. Broudy of Mercadien spoke briefly regarding findings in the annual audit review. Mr. Broudy thanked management and staff for their assistance with the audit and stated that the Authority had received a Qualified Audit Opinion which is the highest level of opinion. During the audit Mercadien only found one adjustment which indicates that information given to the Board throughout the year is accurate. Mr. Patel also of Mercadien stated that only one recommendation was made during the review and that was for all employees to sign their time cards and the supervisor to sign as an approval. Mr. Brand sated that Mr. Wolverton and Mr. Lovejoy had both been informed of this recommendation and the procedure will be followed. Chairperson Moore thanked Mr. Broudy and Mr. Patel for their report and added that the findings in the audit report speaks to the professionalism of the MUA. Mr. Broudy responded that when you come into an audit you look for recommendations for efficiencies and that is the type of comment they have made. Mr. Broudy continued by stating the MUA records are in good condition. Mr. Millner made a motion to accept the annual audit report and approve the resolution, seconded Mr. Lippman and carried with the following vote:
AYES: Chairperson Moore, Mr. Millner, Mr. Lippman and Mr. Lawler. NOES: None. Abstain: None.

Resolution

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and;

WHEREAS, the Annual Report of Audit for the year November 30, 2010 has been filed by a Certified Public Accountant with the Commissioner as per the requirements of N.J.S.A.

40A:5-6, and a copy has been received by each member of the governing body, and;

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and;

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each Authority shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

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and;

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled;

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as evidenced by the group affidavit form of the governing body, and;

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board, and;

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and;

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit;

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the East Windsor Township Municipal Utilities Authority, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Mr. Brand informed the Members that H&H Gas had submitted a letter seeking approval from the Authority to proceed with an engineering study to extend the sewer line from Hankins Road. Mr. Brand stated that the Authority would have no objection but the sewer line must be large enough to accommodate other properties in the area. After H&H Gas receives the engineering study the MUA staff and Mr. Farry will review the report and make recommendations.

Mr. Brand did a power point presentation including photos of the upgrades at Well #7. After a brief discussion Chairperson Moore stated she had taken a tour of the facility and it was very interesting and suggested that other Board Members might want to schedule a tour.

Mr. Farry and Mr. Brand did a power point presentation of the upgrades at the Wastewater Treatment Plant during which Board Members asked questions and there was a brief discussion of some of the changes being made at the plant.

Mr. Brand spoke to the Members about alternate energy suppliers. Mr. Brand informed the Members that he had received quotes from Hess Engery, Constellation New Energy and First Energy Solutions and taking an average of the three quotes the Authority could realize a savings of 27.7% per kWh rate which would represent a direct savings of \$193,730 on an annual basis. Mr. Brand also wants to investigate the cost of energy through the co-op because if we can get a better rate through the coop we would not have to go out to bid saving both time and money. Mr. Brand asked for Board approval to pursue either purchase through the co-op or going out to bid for alternate energy supply. Mr. Milner made a motion to authorize Mr. Brand to proceed to seek lower energy cost, seconded by Mr. Lawler and unanimously carried.

During a discussion of the Automatic Meter Reading System Mr. Brand informed the Members that Sensus the company that supplies all of our water meters had come out and surveyed the township to find the best location to place an antenna that will pick up a signal from any where in the township. The best location was near St. James Village. The Automated Meter Reading System will help with customer service, and better use of manpower and better efficiencies in reading and billing. Mr. Brand stated he was seeking Board approval to go out to bid for an Automatic meter Reading System. A motion was made by Mr. Millner to direct Mr. Brand to proceed with purchase of system, seconded by Mr. Lawler and unanimously carried.

Mr. Brand referenced a letter to Lisa Navarro, PE with the New Jersey Turnpike Authority which states that the Authority and the Turnpike will enter into an agreement to install a water pipe under the turnpike at the location of Wyckoff Mills Road and that the Authority will totally fund the project. Mr. Schmierer has prepared a resolution which gives Mr. Brand the authority to execute on behalf of the Authority the attached letter dated June 17, 2011 and commits the Authority to paying the cost of the water main portion of the project. The resolution was approved on a motion made by Mr. Lawler, seconded by Mr. Millner and unanimously carried.

Resolution

WHEREAS, the New Jersey Turnpike Authority has undertaken improvements to the roadway infrastructure at the area of Interchanges 6 and 9 of the New Jersey Turnpike as a part of the NJTA Interchanges 6 to 9 Widening Program ("Program"); and

WHEREAS, in conjunction with said Program the East Windsor Municipal Utilities Authority ("EWMUA") wishes to install a fourteen (14") HDPE water pipe which will cross under the New Jersey Turnpike at the location of Wyckoff Mills Road within the Township of East Windsor; and

WHEREAS, said Program also involves the replacement of the EWMUA force sewer main due to the Program work located at Wyckoff Mills Road crossing also known as N.J.T.P.A. section 7, contract 702. Said work to be undertaken by the New Jersey Turnpike Authority; and

WHEREAS, the New Jersey Turnpike Authority has approved a request from the EWMUA to have the above-referenced water main project bid specifications incorporated in with the force sewer main bid specifications so that said program can be bid separately as to permit the EWMUA the ability to reject the bid in the event the bid price is deemed overly excessive. In the event that the bid is accepted the EWMUA shall be responsible for the total cost not to exceed one million one hundred thousand (\$1,100,000.00) dollars which includes engineering design and construction management costs for the water main portion of the Program; and

WHEREAS, the EWMUA has been requested to pass a Resolution committing funding for the water main portion of the Program for a sum not to exceed one million one hundred thousand (\$1,100,000.00) dollars and to furnish a letter to the New Jersey Turnpike Authority authorizing the New Jersey Turnpike Authority to proceed to bid the water main crossing portion of the Program.

NOW, THEREFORE, BE IT RESOLVED by the EWMUA as follows:

1. The EWMUA hereby authorizes and requests that the New Jersey Turnpike Authority include in the Program bid referenced hereinabove the installation of fourteen (14") inch HDPE water pipe which will cross under the New Jersey Turnpike at the location of Wyckoff Mills Road.
2. The EWMUA further agrees to be responsible for the payment of the entire cost of this portion of the Program including the engineering design and construction management costs for a sum not to exceed one million one hundred thousand (\$1,100,000.00) dollars.
3. The Authority Executive Director, Richard Brand, is hereby authorized and directed to execute and attach to this Resolution a letter dated June 17, 2011 directed to the New Jersey Turnpike Authority committing the EWMUA to the cost of the above-reference water main portion of the Program.

4. A certified true copy of this Resolution together with the attached June 17, 2011 letter shall be furnished by the EWMUA Secretary to the following: New Jersey Turnpike Authority, Administration Building – 581 Main Street, PO Box 5042, Woodbridge, NJ 07095-5042, Attention: Lisa Navarro, P.E.

Mr. Brand spoke briefly regarding the work of the Software Committee. Three companies gave presentations to the committee and at this point the committee feels that Edmunds would be the best software for our needs and cost. We are also looking into the possibility of the outsourcing our payroll to save money. Mr. Lippman requested that we look into the unit pricing for annual maintenance cost with the Township since they use an Edmunds module. Mr. Lippman also requested information on outsourcing payroll. Purchasing of new software will require going out to bid for application software services. Mr. Millner made a motion to proceed with advertizing and bidding, seconded by Mr. Lippman and unanimously carried.

Mr. Brand spoke briefly regarding correspondence from David Bock of 619 Greenwich Ct. in Twin Rivers. There was a sewer back up at his residence on August 20, 2010. EWMUA employees did enter the house and did not notice much in the way of damage. Mr. Bock did not have pictures of damages but was requesting reimbursement of \$100.00 for shirts. Mr. Lippman spoke stating that we don't want to set a precedent in this matter by allowing this reimbursement since the MUA is not responsible or negligent in this matter. The Board Members agreed and will not reimburse Mr. Bock for any damages.

Mr. Christ informed the Board that he had recently been approached regarding the purchase of our cell tower leases paying approximately \$100,000 per year. Mr. Christ stated that currently we have 4 cell tower operating leases. The interested party has made a preliminary offer 1.3 to 1.7 million dollars to purchase the leases. Mr. Christ will research the issue more and update the Board on findings.

Mr. Brand updated the Members on both the Tractor and Utility Truck. The tractor was bid, awarded and will be delivered shortly. The Utility Truck should be delivered in two weeks.

Mr. Millner suggested that other Members read the last AEA magazine because it contained some very interesting topics which he believes the Board should begin to discuss.

Mr. Millner made a motion to approve Operating bills in the amount of \$408,327.69 and payrolls in the amount \$57,019.19 and \$65,060.06; Prepaid to Wyckoff Mills Road NJ Turnpike Water Main Crossing - NJDEP Permit - \$750.00; Prepaid to North Main Street Interconnection Water Main - NJDEP Wetlands Permit - \$600.00; NJEIT Clean Water Loan Construction Fund Requisition #27 - \$28,049.77; NJEIT Drinking Water Loan Construction Fund Requisition #26 - \$68,00 and the ARRA Millstone Road Water Pollution Control Misc. Improvement Requisition #16 - \$33,140.44, seconded by Mr. Lippman and approved with the following vote: AYES:Mr. Millner, Mr. Lippman, Chairperson Moore; NOES: None. ABSTAIN: Mr. Lawler.

The Operating Report was approved on a motion made by Mr. Lippman, seconded by Mr. Lawler and unanimously carried. Mr. Millner requested an update on Shiseido and Mr. Brand responded that there had been a meeting with Shiseido and Hatch Mott MacDonald will prepare the new pretreatment limits. Shiseido has agreed to pay a share of the cost to Hatch Mott MacDonald.

Chairperson Moore requested a motion on the Development Report and Mr. Millner made a motion to accept, seconded by Mr. Lawler and unanimously approved.

A motion was made by Mr. Lawler to approve the Finance Officer's report, seconded by Mr. Lippman and unanimously carried.

The Attorney's Report for June was approved on a motion made by Mr. Millner, seconded by Mr. Lawler and unanimously carried.

The Engineer's Report was approved on a motion made by Mr. Lawler, seconded by Mr. Lippman and unanimously carried.

A motion to approve the minutes of the April 21, 2011 Regular Board Meeting was made by Mr. Lawler, seconded by Mr. Millner and unanimously carried.

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

Respectfully,



Marc Platizky, Secretary