

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, June 21, 2012

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, June 21, 2012 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
Steven Kurs
Marc Platizky
Marc Lippman
William Lawler
Michael Shifman

Also present:

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

Chairperson Moore 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 15, 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 June 15, 2012. 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 moved to first item on the agenda the Audit Report and Mr. Broudy of the Mercadien Group spoke briefly to the Board. Mr. Broudy stated that the Authority received a Unqualified Audit Opinion which is the highest level of assurance you can receive. Mr. Broudy thanked Mr. Christ, Mr. Brand and the staff for their cooperation. Mr. Patel, Audit Supervisor, stated that as part of the audit this year they took a site visit of the new and upgraded facilities that were financed through the NJEET loan program. The tour was interesting and the facilities appeared to be operating properly. Mr. Broudy asked if the Board Members had any questions about the audit report and after a brief question and answer period Chairperson Moore asked for a motion to accept and approve the Audit Report. Mr. Kurs made a motion, seconded by Mr. Lippman and approved with the following vote: AYES: Chairperson Moore, Mr. Lippman, Mr. Platizky, Mr. Kurs, Mr. Millner, Mr. Lawler and Mr. Shifman. 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, 2011 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 spoke regarding an issue at Shady Rest Trailer Park located along Route 130 in East Windsor. Shady Rest is having problems with their internal sewer lines and Mr. Brand wanted to let the Board know that all MUA sewer lines which runs along Shady Rest area are clear and free of debris and the MUA is not responsible for lines located within the community. Mr. Brand also read a statement from a notice given to Shady Rest residents from the management company stating that residents should not contact the MUA with problems but should contact Shady Rest Management since they are responsible for maintenance and repair of the water and sewer lines.

Mr. Brand informed the members that he received a letter from one of the residence along One Mile Road near the Windsor Mill and Wyncrest area of the Township. The letter states that there are 8 residences in the area which have failing septic systems. The letter requesting MUA assistance but there is nothing that the MUA can do to assist. The letter is solutions for these residences would be to install lift pumps and header pipes and run them into the manhole by Wyncrest. The other solution is to seek permission from Windsor Mill to connect to their sewer main. The Board suggested that a letter be sent to the resident stating that the MUA is sorry but there is nothing that the Authority can do.

Mr. Brand informed the Board that we have joined the PJM Curtailment Group which basically means that during hot weather conditions the Authority could be asked to run their generators to shed power. The Authority will receive between \$140,000 and \$180,000 dollars for participating in this program even if we are not called upon to use the generators for the entire summer. The maximums the Authority would be asked to curtail use would be 10 times a year with the most someone has been asked to do so has been 3 to 4 times a year. Mr. Brand said he had called the DEP State Enforcement Bureau to inquire about being allowed to run our generators under MUA air permits for this program and the answer was yes. As a requirement

of participating in the program the MUA would be responsible for printing the PJM page declaring an emergency condition.

During the section of the meeting for questions from Board Members two questions arose. There was a question about the litigation mentioned in the audit report and Mr. Schmierer replied that was the ongoing Missak case and a brief discussion of a letter being sent to Township Council regarding McGraw Hill.

Mr. Millner made a motion to approve Operating bills in the amount of \$284,962.88 and payrolls in the amount \$70,296.42, \$70,605.62 and \$63,746.30; and a hand check to Postmaster for postage for Consumer Confidence Reports - \$2,000.00, seconded by Mr. Platizky and unanimously carried.

The Operating Report was approved on a motion made by Mr. Kurs and after a brief discussion of various issues in the report which included a question regarding the problem at Pestige Dinner with line deterioration, another regarding the pump station evaluation and the need for new larger impellers and last the Wastewater Treatment Plant flow limits. Mr. Lippman seconded the motion which was unanimously approved.

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

A motion was made by Mr. Millner, seconded by Mr. Kurs to approve the May Finance Officer's Reports which was unanimously approved. The Board stated that they would like to know the total number borrowed for the NJEIT Loan Program and asked for a report for the next meeting.


On a motion made by Mr. Platizky, seconded by Mr. Millner the Attorney's Report of May was unanimously approved.

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

The February 16, 2012 Regular Minutes were approved on a motion by Mr. Lawler, seconded by Mr. Platizky and unanimously carried.

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

Respectfully,

A handwritten signature in black ink, appearing to read "Steven Kurs".

Steven Kurs, Secretary