

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, March 15, 2012

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, March 15, 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
Marc Lippman (by phone)
Leonard J. Milner
Steven Kurs
Marc Platizky
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
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 March 9, 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 March 9, 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 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 the rate hearing and turned the meeting over to Mr. Schmierer. Mr. Schmierer introduced himself as the Attorney for the MUA with the law firm of Mason, Griffin and Pierson. Mr. Schmierer informed the Board that prior to tonight's meeting and pursuant to N.J.S.A. 40:14B-23 notices for this rate hearing had been published in the newspaper and served to the East Windsor Township Clerk and the Highstown Clerk 20 days prior to tonight's meeting as required by statute. Mr. Schmierer requested that Mr. Ronald Christ raise his right hand and be sworn in for the testimony he was about to give. After the testimony was completed, Mr. Schmierer turned the meeting back to Chairperson Moore to open for public discussion. Hearing no one Chairperson Moore closed the Public Session of the Rate Hearing and requested a motion approving the change in the rates for 2012 and adoption of Resolution 2012-19. A motion was made by Mr. Kurs to adopt the connection fee changes and Resolution 2012-19. A motion was changes in fees, seconded by Mr. Lawler. Chairperson Moore requested that in the future the Board be given a memo giving them the current rate, the proposed rate and the percent increase. Mr. Brand added that Mr. Shifman had contacted him and requested 5 years of history. Chairperson Moore felt that was a good idea and Mr. Christ agreed to provide information in the future. Mr. Schmierer requested that Mr. Christ read the rates into the record. Mr. Christ stated the connection fee rate for sewer \$5,525.00 and for water \$2,000.00 an overall increase of \$140.00. On a roll call vote of the Members the new connection fees and Resolution 2012-19 were approved by the following vote: AYES: Mr. Platizky, Mr. Kurs, Mr. Milner, Mr. Lippman and Chairperson Moore. NOES: None. ABSTAIN: None. There will be a full transcript of the hearing on file.

Resolution 2012-19 (see attached)

Mr. Brand spoke briefly regarding some changes being proposed by McGraw Hill in the meter pits and to the water main which runs from One Mile Road along Route 571 on McGraw Hill property. McGraw Hill indicated that when the work was completed they wanted the MUA to take it over. Mr. Brand explained that there was no benefit to the Authority to do this unless McGraw Hill would agree to extend the water line and grant the Authority an easement. McGraw Hill agreed to extend the line from 1,000 feet to 1,490 feet so they could avoid having to apply for DEP Water Main Extension Permit. Mr. Brand request McGraw Hill gives the Authority an easement which would run the entire length of their property from Route 571 to Windsor Center Drive to which Mc McGraw Hill also agreed. Mr. Brand informed the Members that Mr. Schmierer had prepared the standard easement agreement for McGraw Hill to review and once everyone was in agreement it would be signed by both parties. Mr. Brand also informed the Board that all changes being made including Meets and Bounds would be paid by McGraw Hill with no expense to the MUA.

A discussion of the resolution 2012-20 regarding changes to the MUA Personnel Policy Manual took place during which Mr. Brand explained to the Members that changes had to be made to update sections to agree with revisions in the law to Americans with Disabilities Act, FMLA, changes due to evolving Technology, access to Personnel Records and Flexible Spending Accounts. The insurance carrier had notified the MUA that the Personnel Policy Manual was out of date and without the Authority revising and adopting changes there would be a very large employee liability deductible. The changes have been made by the attorney's office and accepted by the insurance carrier. Mr. Brand stated that these changes were predominately to State and federal law requirements. Mr. Schmierer assured the Members that the changes tonight simply repeat and update the federal regulations in these categories. Mr. Brand added there would be more of a review of the manual and changes made by staff which would be presented to the Board at a later date for approval. A motion was made to approve and adopt the changes in the Personnel Manual and Resolution 2012-20, seconded by Mr. Kurs and unanimously carried.

Resolution 2012-20 (see attached)

Mr. Farry explained to the Members that the \$6,132.15 credit was the final adjustment to the Millstone Road WWTTP Expansion Contract 2008-1. The three changes included in the final adjustment were the elimination of the coating of the weir in the Clariflocculator, the final invoices for SCADA Allowance items and modifications to the metal roof on the Sludge Thickening Bldg. Chairperson Moore if there was any discussion on this change order and hearing none asked for a motion to approve. Mr. Millner made a motion to approve change order #6 - final cost reduction of \$6,132.15, seconded by Mr. Platizky and unanimously carried.

During General Discussion items from the Board Members Chairperson Moore asked the other Board members to take a look at the new home page on the MUA website. Chairperson Moore explained that while Mr. Millner, Mr. Brand, Ms. Borosko and I realize there is a lot more to be done on the site, we were happy with the progress and anxious to get the old site down and the new site online. Chairperson Moore requested input from the Board on additional information that should be posted. The hosting site has also been changed and the new site is very secure.

Chairperson Moore requested dates for a tour of new/improved facilities preferably on a Saturday for all Board Members. Mr. Brand will email everyone with available dates for the tour.

Mr. Brand informed the Board that he had attended a JIF meeting and the MUA would be receiving a plaque for a full year with the JIF insurance and no lost time due to work related accidents.

Mr. Millner made a motion to approve Operating bills in the amount of \$369,998.33 and payrolls in the amount \$73,731.95, \$61,804.96 and \$67,334.46; NJEIT Clean Water Loan Construction Fund Requisition #36 - \$106,194.35 and a hand check for NJDEP Examinations & Licensing - Brian Perry - \$70.00, seconded by Mr. Platizky and unanimously carried.

After a brief discussion of the Operating Report Mr. Kurs made a motion to accept the February Operating Report, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore requested a motion on the Development Report and Mr. Platizky made a motion to accept, seconded by Mr. Lippman and unanimously approved. There was a brief discussion of the Seasons Assisted Living Facility and the Americana Center projects.

There being no additional questions Chairperson Moore moved to approval of the Finance Officer's Report. Mr. Kurs expressed some concern over the loss of revenue from connection fees. Mr. Christ stated that any loss in revenue was a concern and he was working on information for the Board regarding the need for a rate increase. Mr. Brand also stated that the meter change overs are producing some increased revenue. When asked if there was some concern about the increase in the more than 90 days delinquent amount Mr. Christ responded he has more concern because of the number of delinquent accounts. Mr. Christ added that there were no really large outstanding balances. It is defiantly a sign of the struggling economy. Mr. Millner had a couple of other accounts that he questioned and Mr. Brand and Mr. Lovejoy responded.

A motion was made by Mr. Platizky, seconded by Mr. Lippman and unanimously carried to approve the Attorney's Report for February.

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

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

Respectfully,



Steven Kurs, Secretary