

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, May 17, 2012

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, May 17, 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

Absent: 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 May 11, 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 May 11, 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 anyone in the audience wanted to make a comment on anything not on this evenings agenda and hearing no one the Chairperson moved to the first item on the agenda a discussion of Hankins Road and Route 130 realignment project. Mr. Brand handed out a drawing of the new alignment and informed the Board that Mr. Farry had given a cost estimate for a Jack and Bore of \$320,000 for both water and sewer. Mr. Brand stated that it would be considerably less if the State would allow the MUA to open cut across Route 130. Mr. Farry stated it would be somewhere around \$250,000. Mr. Brand added that at this point most of the burden would fall on the MUA. Mr. Brand suggested it might be better for the Authority to wait to see if a viable business comes along and would be willing to pay some of the cost. The Board had a brief discussion of the benefits of installing water and sewer to this area. The decision was that there was more of a benefit to the Authority for water while the sewer would only benefit a few businesses along Route 130. The Board agreed and decided to hold the project. Chairperson Moore asked if any Board Member had an objection to not proceeding any further with this project and no one objected.

Chairperson Moore began a discussion of the memorializing Resolution # 2012-23 for the Well #8 Pump Repair bid. Mr. Brand stated that the Board had approved the award of the bid to A.C. Schultes with a bid price of \$59,452.00, not to exceed \$68,692.00 during a special phone conference held on May 2, 2012 at 2:30 p.m.. After some discussion of the status of the project Chairperson Moore requested a roll call vote for adopting Resolution #2012-23. A motion was made by Mr. Millner, seconded by Mr. Lippman and unanimously approved.

Resolution #2012-23

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") requires for Well #8 a Maintenance Contract and new pump discharge; and

WHEREAS, the Authority has solicited bids in accordance with the requirements of the Fair and Open Process as required by *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 website and in the official daily newspaper of the Authority; and

WHEREAS, the Authority received bids in compliance with the Fair and Open Process referenced hereinabove; and

WHEREAS, the lowest responsible bidder was A.C. Schultes, Inc.; and

WHEREAS, funds are available for this purpose in the Authority's 2012 Capital Budget under Account No. 01-301-68-01-2 as evidenced by the Authority's Finance Officer's Certification in an amount not-to-exceed sixty-eight thousand six hundred ninety-two (\$68,692.00) dollars.

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

1. The Authority hereby memorializes and confirms the award of a Contract to A.C. Schultes, Inc., 664 South Evergreen Avenue, Woodbury Heights, New Jersey 08097 for a sum not-to-exceed sixty-eight thousand six hundred ninety-two (\$68,692.00) dollars for Well #8 maintenance and new pump discharge. The Contract authorized by this Resolution is on file with the Authority's Secretary and may be inspected during regular office hours.
2. The Chairperson of the Authority is hereby authorized to execute said Agreement with A.C. Schultes.

Mr. Brand updated the Board on the McGraw Hill project. Mr. Brand stated that McGraw Hill had submitted final drawings and a spec sheet for review and MUA staff along with Hatch Mott MacDonald would be meeting with Van Note Harvey to discuss concerns regarding the 12" water main extension. Mr. Brand distributed a memo from Mr. Farry with the staff comments on the McGraw Hill project. Mr. Brand requested Board direction on how to handle collecting fees from McGraw Hill as per their agreement. Chairperson Moore directed Mark Lippman to speak with the Township on this matter since it was a Township Resolution with McGraw Hill. Mr. Lippman stated that he would work with Mr. Brand on this issue. Mr. Millner suggested that a letter be sent to the Township Council regarding the Township's Resolution with McGraw Hill and then Mr. Lippman follow-up with them as to how to approach McGraw Hill on the fees. The Members agreed with Mr. Millner's recommendation that a letter be sent first to Township Council and Mr. Lippman follow-up.

Mr. Brand reviewed the history with Level 3 phone service. Level 3 had informed the Authority two weeks ago that they would be shutting down the switch station that provides service to our phone system. Level 3 did state that they could provide us service but at a much higher cost. Mr. Brand discussed the various options being investigated and the savings associated with each. Mr. Brand also discussed the upgrade of the phone system. Mr. Brand would like to make the changes in two phases. The main issue right now is to switch from Level 3. The Board instructed Mr. Brand to proceed with the first phase the switch from Level 3 and to keep the Board updated on options for the next phase of upgrading the phone system.

Mr. Brand reminded the Board that included with the bids received for the new/upgrade of financial software was the cost for outsourcing utility billing. The bid for the software was awarded but the outsourcing issue was held over for discussion. Mr. Brand stated that now the point had been reached were a decision had to be made as to what direction the Board wants to proceed by either outsourcing utility billing to Harris or continue billing in-house. Mr. Brand stated that staff was recommending out sourcing of the billing at a cost of \$.50 per bill which includes the cost of

postage to Harris. Mr. Brand explained that in addition to staff time saved the cost associated with the purchase of additional equipment and printed forms make's outsourcing a financial benefit to the Authority. The Board asked several questions about the outsourcing and if we had to make a commitment for multiple years for this service. Mr. Brand stated that there was no contract or commitment to multiple years so after a year if Board decided to go back to in house billing the Authority would only have to purchase the necessary equipment and order forms to resume in house service. There being no additional questions regarding the outsourcing the Board directed Mr. Brand will proceed with the outsourcing of billing to Harris.

Chairperson Moore asked if there were any topics of discussion from the Board. Mr. Millner expressed some concern over the way in which an issue was handled recently and asked that all Board Members respond to a request from the Chairperson as she requests. After some discussion it was decided that the Board Members would communicate with courtesy, full communication and transparency on all issues.

Mr. Millner made a motion to approve Operating bills in the amount of \$189,122.95 and payrolls in the amount \$61,389.50 and \$61,071.03: NJEIT Clean Water Loan Construction Fund Requisition #38 - \$574.40, seconded by Mr. Platizky and unanimously carried.

The Operating Report was approved on a motion made by Mr. Platizky and after a brief discussion of various issues in the report, Mr. Kurs seconded the motion which was unanimously approved. Mr. Millner expressed concern that the sewer plant keeps pumping more water and than water being produced. Mr. Brand answered that the wastewater department was looking into identifying sources of infiltration and corrected them. Mr. Millner asked about the reasons or source of call's report by water department and Mr. Lovejoy explained that the calls were more informational inquiries. Mr. Millner then inquired about the flow meter installed at the Pump Station and Mr. Wolverton responded stating that the meter was a replacement. Mr. Platizky inquired about use of water by contractors off of fire hydrants. Mr. Brand stated that they are allowed to use the hydrants if they have a hydrant meter attached. Mr. Brand added that if they see construction trucks taking water from a hydrant without the meter it should be reported. The Authority has issued estimated bills in these matters.

Chairperson Moore requested a motion on the Development Report and Mr. Platizky made a motion to accept, seconded by Mr. Millner and unanimously approved. Mr. Brand stated that he would like to add that the Wyncrest project is almost complete and the Authority will be receiving approximately \$310,000.00 in connection and OTTF fees.

A motion was made by Mr. Millner, seconded by Mr. Platizky to approve the Finance Officer's Reports which was unanimously approved. During the discussion period Mr. Christ spoke briefly about the interest rate being paid to the Authority.

On a motion made by Mr. Kurs, seconded by Mr. Platizky and a brief discussion regarding bankruptcies the Attorney's Report was unanimously approved.

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

The February 2, 2012 Special Meeting Minutes were approved on a motion by Mr. Kurs, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore requested a motion to enter into Executive Session and Mr. Millner made the motion, seconded by Mr. Kurs.

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"

General Subject <u>Matter</u>	Basis Under for Exclusion <u>of Public</u>	Anticipated Date when Discussion will be Disclosed to the <u>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