

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

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, November 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 Moore
Marc Platitzky
Leonard J. Millner
Marc Lippman
William Lawler
Michael Shifman

Absent: Steven Kurs

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
Carlin Lovejoy, Water Superintendent
Dolores Borosko, Board Secretary

Chairperson Moore requested that 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 November 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 November 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 anyone in the audience wanted to make comments on any matter not on tonight's agenda. Clark Wolverton, Wastewater Superintendent stood introduced himself for the record and stated that he just wanted to comment both the wastewater and water department staff for all their hard work both during Hurricane Sandy and the cleanup after. Mr. Lippman added that he also wanted to add his acknowledgment of a job well done by MUA and township staff during and after this storm.

Chairperson Moore turned the meeting over to Mr. Schmierer for the purpose of conducting the rate hearing. Mr. Schmierer stated that the purpose of this rate hearing was to present information to the public on a purposed increase in the water charges which if approved would become effective on December 1, 2012. Notice and publication of this hearing were given as required by law. Mr. Schmierer called upon Mr. Brand, Executive Director to testify with regard to the purposed water charges. The entire testimony for this rate hearing was recorded by a stenographer and a full transcript will be available in the MUA administration office. After the testimony was complete, Mr. Schmierer returned control of the meeting to Chairperson Moore who asked if anyone in the audience wished to comment. Hearing no one Chairperson Moore closed the public session. Mr. Millner moved the resolution to raise rates, seconded by Mr. Lippman and approved with the following vote: AYES: Chairperson Moore, Mr. Platitzky, Mr. Lippman, Mr. Millner, Mr. Lawler, Mr. Shifman. NOES: None. ABSTAIN: None. ABSENT: Mr. Kurs.

Resolution 2012-29

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has adopted Rules

and Regulations to provide for water and sewer service and establish rate and fee schedules (“Rules and Regulations”) pursuant to *N.J.S.A. 40:14B-1 et seq.*; and

WHEREAS, Section 1, Chapter 3, Subchapter 3-7.0100 of said Rules and Regulations provides that the Authority reserves the right to change or amend, from time to time, these Rules and Regulations with the approval of a majority of all members of said Authority; and

WHEREAS, the Authority desires to review said Rules and Regulations by amending the schedule for water fees; and

WHEREAS, public notice as required by *N.J.S.A. 40:14B-23* has been provided; and

WHEREAS, on November 15, 2012, the Authority conducted a public hearing on the foregoing water fees, and it is of the opinion that the proposed revision of the fees set forth in Schedule A should be adopted.

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

1. Schedule III of the Authority’s Rules and Regulations establishing said water fees is hereby amended as set forth on Schedule A attached hereto and made a part hereof.
2. The water fees hereby adopted and set forth on Schedule A attached hereto and made a part hereof shall take effect on December 1, 2012. Said fees have been approved by the adoption of this Resolution by a majority of the members of the Authority and the signatures of the Chairperson and Secretary of the Authority hereon, which shall serve as conclusive evidence of the fact that this Resolution was reviewed and approved by a majority of the members of said Authority.
3. Except as otherwise provided herein, the Rules and Regulations of the Authority as from time to time amended shall remain unchanged and in full force and effect.
4. There shall be no change to sewer fees charged by the Authority.
5. This Resolution shall take effect immediately upon its adoption.

Chairperson Moore moved to a discussion of approving Resolution No. 2012-30 appointing PNC Bank as depositories for the funds of the MUA. Mr. Ghrist stated that PNC Bank had approached the MUA requesting the opportunity to give quotes on rates for CD’s. Chairperson Moore asked is there were any questions from the Board Members and hearing none requested a motion to adopt the resolution. Mr. Platizky made the motion, seconded by Mr. Slifman and unanimously approved.

Resolution 2012-30

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that PNC Bank, hereby are, appointed as depositories for the funds of the East Windsor Municipal Utilities Authority, until the reorganization meeting February 2013, and

1. This Resolution shall take effect immediately.

Mr. Brand updated the Members on the turnpike crossing project stating that the contractor had started work on the final 36" force main tonight and would pull the final casing for the sanitary sewer tomorrow.

Mr. Brand informed the Board that the Authority had received bids for the hauling of sludge and staff was recommending the awarding of the bid to Russell Reid Co. for delivery of domestic sludge to Stoney Brook Regional Sewage Authority for two years and to Accurate Waste Systems Inc. For the delivery of domestic sludge to Somerset Raritan Regional Sewage Authority for two years. Mr. Millner made a motion to approve Resolution 2012-28 for Sludge Hauling Service, seconded by Mr. Platizky and unanimously carried.

Resolution 2012-28

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to except bids for the purpose of Sludge Hauling Services on August 29, 2012; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, five (5) bidders submitted bids for the provision of Sludge Hauling Service which were received on October 11, 2012; and

WHEREAS, pursuant to the "Quantities" section on page PIB 9 of the Bid Specifications the East Windsor Municipal Utilities Authority may award a contract for one (1) or two (2) years; and

WHEREAS, after review of the bids submitted there were two (2) apparent low bidders:

- 1) **Russell Reid Waste Hauling & Disposal Service Co., Inc., 200 Smith Street, Keasbey, NJ 08832** for the provision of Sludge Hauling Service from East Windsor MUA to Stony Brook RSA in 2013 and 2014 at \$0.0244 per gallon; and
- 2) **Accurate Waste Systems Inc., 226 Prospect Point Road, Lake Hopatcong, N.J. 07849-1202** for the provision of Sludge Hauling Service from East Windsor MUA to Somerset Raritan Valley Sewerage in 2013 at \$0.0246 per gallon and \$0.025 per gallon in 2014; and

WHEREAS, it is the recommendation of the Executive Director that Russell Reid Waste Hauling & Disposal Service Co. Inc. be awarded the contracts for the provision of Sludge Hauling Service for two (2) years from East Windsor to Stony Brook RSA and Accurate Waste Systems Inc be awarded the contracts for the provision of Sludge Hauling Service for two (2) years from East Windsor to Somerset Raritan Valley Sewerage as the lowest responsible bidder; 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 bids of Russell Reid Waste Hauling & Disposal Service Co., Inc., 200 Smith Street, Keasbey, NJ 08832 for the provision of Sludge Hauling Service from East Windsor MUA to Stony Brook RSA in 2013 and 2014 at \$0.0244 per gallon and Accurate Waste Systems Inc., 226 Prospect Point Road, Lake Hopatcong, N.J. 07849-1202 for the provision of Sludge Hauling Service from East Windsor MUA to Somerset Raritan Valley Sewerage in 2013 at \$0.0246 and 2014 at \$0.025 per gallon are hereby accepted and the contracts awarded to Russell Reid Waste Hauling & Disposal Service Co and Accurate Waste Systems Inc., for two (2) year.
3. The Authority Chairperson and Secretary are hereby authorized and directed to sign any documents necessary, and the Authority staff and professionals are authorized and directed to undertake any and all actions necessary, to effectuate the terms and intent hereof.

Mr. Brand stated that the staff did an excellent job during hurricane Sandy and after the storm with clean up. The electric company however was not as responsive as staff would have liked. The Wastewater Treatment Plant was without electricity for 11 days. The Authority ran well on generator power but electric response was very slow and we were not given priority status and a complaint has been filed with the BPU and the NJDEP. Mr. Wolverton stated that PSE&G workers were not concerned with the Wastewater Plant because the plant was on generator power. In addition to clean up and work at MUA sites Mr. Brand stated that the township had requested assistance after normal EWMUA work hours with clean up and MUA staff members have been assisting township public works employees with debris clean up throughout East Windsor Township.

Mr. Brand informed the Members that our FEMA application has been filed and we will be contacted by a representative of FEMA. The MUA should be reimbursed for overtime and for fuel used to run the generators.

Adoption of the 2012/13 Fiscal Budget for water was approved on a motion made by Mr. Millner, seconded by Mr. Platizky with the following vote: AYES: Mr. Lawler, Mr. Platizky, Mr. Millner, Mr. Lippman and Chairperson Moore. NOES: None. ABSTAIN: None. ABSENT: Mr. Kurs.

Resolution

Adoption of the 2012/13 Fiscal Budget for wastewater was approved on a motion made by Mr. Platizky, seconded by Mr. Lawler and carried with the following vote: A YES: Mr. Millner, Mr. Lawler, Mr. Platizky, Mr. Lippman and Chairperson Moore. NOES: None. ABSTAIN: None. ABSENT: Mr. Kurs.

Resolution

During General Discussion/Topics from the Board Members Chairperson Moore requested a motion to approve \$500.00 for the Annual Employee Appreciation Luncheon. A motion approving the expenditure was made by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

Mr. Millner made a motion to approve Operating Bills in the amount of \$300,533.87 and payrolls in the amount \$61,835.14 and \$61,152.41; Prepaid - State of NJ - PWT - July-September for \$2,498.62, second by Mr. Lawler. After a brief question and answer period a roll call was taken and the Operating Bills were unanimously approved for payment.

The Operating Report was approved on a motion made by Mr. Platizky, seconded by Mr. Lawler. There was a brief discussion during which Mr. Brand responded to some questions from Board Members then Chairperson Moore requested a vote accepting the report. A roll call vote on the motion made by Mr. Platizky to accept the Operating Report was unanimously approved.

After some brief discussion regarding the location of some properties listed in the Development Report for November, it was unanimously approved on a motion made by Mr. Millner and seconded by Mr. Lippman.

A motion was made by Mr. Millner, seconded by Mr. Platizky to approve the Finance Officer's Report. After a brief discussion in response to Mr. Millner's questions regarding various line items on the Statement of Revenues & Expenditures Report the motion accepting the finance officer's report was unanimously approved.

A motion to accept the Attorney's Report was made by Mr. Lawler, seconded by Mr. Lippman. Mr. Millner questioned status of updates to the Employee Personnel Manual and Mr. Brand responded that staff needs to sit down and review policy and get back to Attorney's office with comments. After this discussion Chairperson Moore asked for approval of the Attorney's Report, which was unanimously accepted.

The Engineer's Report was approved on a motion made by Mr. Millner, seconded by Mr. Platizky. The Board asked that any of the projects listed on the report that have been completed be removed from the monthly report. Chairperson Moore asked for all those in favor of accepting the Engineer's Report and the response was unanimous.

The minutes for the Telephone Conference Meeting on Wednesday, May 2, 2012 were approved on a motion made by Mr. Shifman, seconded by Mr. Platizky and unanimously carried.

The minutes for the Regular Board Meeting on Thursday, May 17, 2012 were approved on a motion made by Mr. Platizky, seconded by Mr. Lippman and unanimously carried.

The minutes of the Executive Session held on Thursday, May 17, 2012 were approved on a motion made by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

The minutes of the Regular Board Meeting held on Thursday, June 21, 2012 were approved on a motion by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

The minutes of the Telephone Conference held on Wednesday, July 18, 2012 were approved on a motion made by Mr. Lawler, seconded by Mr. Lippman and unanimously carried.

The minutes of the Regular Board Meeting held on Thursday, August 16, 2012 were approved on a motion by Mr. Lippman, seconded by Mr. Shifman and unanimously carried.

The minutes of the Regular Board Meeting held on Thursday, September 13, 2012 were approved on a motion by Mr. Millner, seconded by Mr. Lawler 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". The signature is written in a cursive style with a large, stylized initial "S".

Steven Kurs, Secretary