

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY  
Minutes of Regular Meeting  
Thursday, April 16, 2015

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, April 16, 2015 at the Administration Building on Wiltshire Drive and called to order by Chairperson Moore at 7:30 p.m.

The following Members were present:

Linda L. Moore  
Marc Platizky  
Leonard Millner  
William Lawler  
Michael Shifman

Absent: Marc Lippman  
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  
Skip Lovejoy, Water Superintendent

Chairperson Moore read the Public Notice statement announcing that the notice and agenda of this meeting were mailed to the Windsor Hights Herald, Trenton Times and Trentonian on April 10, 2015. 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 April 10, 2015. The roll was called and the Chairperson asked if any Member had an objection to holding this meeting as advertised. No one objected.

Chairperson Moore asked if there was any one present in the audience that would like to discuss an item not on tonight's agenda and hearing no one moved to the first item on the agenda the approval of the application for service and Resolution #2015-14 the Lightbridge Academy f/k/a Rainbow Academy. Mr. Brand stated that they had received all the necessary Township and MUA approvals and it would be a 9,994 sq. ft. daycare center located at 149 Route 130 N. Mr. Millner made a motion to adopt the Resolution #2015-14, seconded by Mr. Platizky and unanimously carried.

Resolution 2015-14

WHEREAS, East Windsor Realty, LLC (hereinafter the (Developer") is the owner of a

parcel of land located within the Township of East Windsor more particularly described as Block 9, Lot 1.01 on the Official Tax Map of the Township of East Windsor with an address at 149 Route 130 North; and

WHEREAS, the Developer has submitted to the East Windsor Municipal Utilities Authority (hereinafter "Authority" or "EWMUA") for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on and in the immediate vicinity of Block 9, Lot 1.01 on the Official Tax Map of the Township of East Windsor for providing sanitary sewer and water service to that development known as "Lightbridge Academy f/k/a Rainbow Academy" (the "Development"), consisting of a 9,994 sq. ft. daycare center, more particularly described on plans entitled "Preliminary and Final Site Plan for Proposed Childcare Center" prepared by Dynamic Engineering Consultants, LLC 1904 Main Street, Lake Como, New Jersey dated October 16, 2012 with latest revision dated April 7, 2015, as approved by the Authority ("Approved Plans and Specifications") and any other governmental entity having jurisdiction thereover; and

WHEREAS, the Planning Board of the Township of East Windsor ("Approving Board"

or "Board") granted amended preliminary and final site plan approval by Resolution 2013-16 on April 1, 2013, and memorialized on May 6, 2013 for the subject property; and

WHEREAS, the Developer and the Authority desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the construction of the water and sanitary sewer utility improvements related to said Development, including off-tract improvement obligations of the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY as follows:

1. The EWMUA hereby approves the Capacity Allocation Agreement and Developer's On-tract and Off-tract Agreement with Conair Corporation, and
2. The EWMUA directs the EWMUA Chairperson and Secretary to execute the aforementioned Agreement on behalf of the EWMUA and cause the same to be delivered to the Developer and all other parties having jurisdiction in this matter, and
3. The EWMUA further directs that a certified copy of this resolution be delivered to The New Jersey Department of Environmental Protection as evidence of its approval of the

Development, and

4. The EWMUA further directs that the Executive Director shall take all necessary steps to expedite the directions specified in this resolution, as appropriate, and
5. This resolution shall take effect immediately.

Mr. Brand began a brief discussion by stating that at the March meeting he had informed the Board that he had submitted an application to participate in the Local Government Energy Audit. Mr. Brand added that tonight he was seeking Board approval for Resolution 2015-12 which simply states that the MUA is interested in participating in the energy audit program. A motion to adopt Resolution 2015-12 was made by Mr. Millner, seconded by Mr. Platizky and unanimously carried.

#### Resolution 2015-12

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and

WHEREAS, the Governing Body of East Windsor Municipal Utilities Authority has decided to apply to participate in the Local Government Energy Audit Program; and

WHEREAS, the facilities to be audited are in New Jersey, are owned by the East Windsor Municipal Utilities Authority, are served by a New Jersey regulated public utility, and that the East Windsor Municipal Utilities Authority has not already reserved \$100,000 in the Program this year as of this application; and

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and

WHEREAS, upon acceptance into the Program, the East Windsor Municipal Utilities Authority will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the Firm Selection Form; and

WHEREAS, the East Windsor Municipal Utilities Authority understands that energy audit work cannot proceed until a Application Approval Notice is received from the Program; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the East Windsor Municipal Utilities Authority, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.

Mr. Brand asked for approval of Resolution 2015-13 for A.C. Schultes to precede with the replacement of Pump #1 pipe column under Change Order 31 in the amount of \$18,218.00. Mr. Millner made a motion to adopt, seconded by Mr. Platizky and unanimously carried.

#### Resolution 2015-13

WHEREAS, pursuant to duly advertised Notice to Bidders in accordance with the requirements of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, bids were received and a contract awarded to A.C. Schultes, Inc. for repair to the Authority's Well #1 pumping equipment for a contract amount of \$144,435.00; and

WHEREAS, during the course of the well pumping equipment repairs it was determined that the column pipe was defective and requires replacement; and

WHEREAS, the Authority's staff has reviewed the recommendation to replace the column pipe and recommends that said pipe be replaced and a change order #1 in the amount

of \$18,218.00 be authorized.

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

as follows:

1. Change Order #1 in the amount of \$18,218.00 is hereby approved to A.C. Schultes, Inc. for the replacement of the column pipe for Well #1. The final contract amount therefore shall be \$162,653.00.

2. The Authority's Chief Finance Officer shall certify the availability for the additional funds for the aforementioned change order and the Authority's Executive Director is hereby authorized on behalf of the Authority to execute Change Order #1.

There was a discussion under the topic of Old Business regarding the pump station on Dutch Neck Road and security. Mr. Brand informed the Board that he was getting quotes for fencing around the property. There was some discussion of installing cameras around the building. Mr. Millner asked Mr. Brand to look into cost and report his findings to the Members at the April meeting. Chairperson Moore asked if the Members were in favor of moving forward with the fencing and they unanimously agreed.

Under the topic of General Discussion items from the Board Members Mr. Platizky requested progress on the notification system. Mr. Brand stated he was gathering information and Mr. Platizky asked that this project be expedited.

Mr. Platizky made a motion to approve Operating Bills in the amount of \$516,305.27; Payroll for 3/18/15 of \$71,803.95 and Payroll for 4/1/15 of \$71,155.06. Mr. Millner seconded the motion which was unanimously approved.

Chairperson Moore asked for a motion to approve the Operating Report. Mr. Lawler made the motion to approve; a second was made by Mr. Shifman and unanimously carried

Chairperson Moore asked for a motion and second to approve the Development Report for April. Mr. Shifman made the motion, seconded by Mr. Millner and unanimously carried.

Mr. Shifman made a motion to accept the Finance Officer's Report for March, seconded by Mr. Platizky. Mr. Ghrist reported that collections were good and Chairperson Moore called for approval of the Finance Officer's Report. The report was unanimously carried.

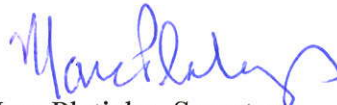
The Attorney's Report for March was unanimously approved after a motion to accept was made by Mr. Lawler, seconded by Mr. Millner.

The Engineers Report for April was unanimously approved after a motion to accept was made Mr. Platizky, seconded by Mr. Millner.

The March 19, 2015 Regular Meeting Minutes were adopted on a motion made by Mr. Platizky, seconded by Mr. Lawler and unanimously carried.

There being no other items for discussion Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary