

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting

Wednesday, January 14, 2015 @7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Wednesday, January 14, 2015 at the Administration Building on Wiltshire Drive and called to order by Vice Chairman Lippman at 7:30 p.m.

The following Members were present:

Marc Lippman
Steven Kurs
Leonard Millner
William Lawler
Michael Shifman

Absent: Linda L. Moore
Marc Platizky

Also present:

Edwin Schmierer, Esq., of Mason Griffin & Pierson
James Farry, of Hatch Mott MacDonald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Skip Lovejoy, Water Superintendent
Dolores Borosko, Board Secretary

Vice Chairman Lippman requested that the Public Notice be read. The secretary read the statement stating that the agenda for this meeting was mailed to the Windsor Hights Herald, Trenton Times and Trentonian on January 9, 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 January 9, 2015. Vice Chairman Lippman then asked for a roll call after which he asked if any Member had any objection to holding this meeting as advertised. No one objected.

Vice Chairman Lippman asked if there was anyone in the audience that would like to discuss a matter which was not on tonight's agenda and hearing no one Vice Chairman Lippman moved to the first item on the agenda approval of the Capacity Allocation Agreement – All Star/Retail Commercial/Rt. 130 & Maplestream Road. Mr. Brand stated that this was to be a 40,600 sq. ft. retail/commercial building on the corner of Route 130 and Maplestream Road which had already been approved under a different name. Mr. Smith representing the developer stated that connection fees and OTIF monies would be paid tomorrow. Mr. Lippman asked Mr. Schmierer if he had reviewed the agreement. Mr. Schmierer replied that he had reviewed the agreement with staff and everything was in order. Mr. Kurs made a motion to approve the Capacity Allocation agreement with the change in developer name, seconded by Mr. Shifman and unanimously carried.

Resolution #10

Capacity Allocation Agreement Allstar Route 130, LLC/Nijjar Realty, LLC

WHEREAS, there is an existing Capacity Allocation Agreement with Allstar Route 130 EW, LLC for the construction of a 40,600 sq. ft. retail/commercial shopping center near the intersection of Route 130 and Maplestream Road, and

WHEREAS, the EWMUA is advised that the shopping center has been sold to Nijjar Realty, LLC, and

WHEREAS, Nijjar Realty, LLC desires to enter into a new Capacity Allocation Agreement with the EWMUA which recognizes and approves all the rights and responsibilities associated with the existing Agreement, and

WHEREAS, the EWMUA is in agreement with this approach and also desires to enter into a new Agreement,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The terms and conditions of this new Capacity Allocation Agreement between the parties shall be reduced to a written agreement which shall be duly approved and executed by the respective parties, and
2. The EWMUA Board hereby approves the new Capacity Allocation Agreement and the EWMUA Chairperson and Secretary are hereby authorized to review and sign the Agreement, and
3. This resolution shall take effect immediately.

During a brief discussion of the Twin Rivers Tower painting project Mr. Brand informed the Members that the strange color of the tank was caused because the painter put the intermediate coat on the tank and condensation got on the tank. The entire tank now has to be whipped down with a solvent and rinsed down before paint can be applied. Mr. Brand further explained that

because of the time of the year and the type of paint to be used the job will be suspended until weather improves and warms. There will be no additional cost to the Authority. To a question about a warranty Mr. Brand responded that we have a 3 year warranty with Pro Spec.

During the General Discussion Items from the Board Mr. Millner mentioned that he had heard the cost of solar was down and asked if Mr. Brand was aware of that. Mr. Brand responded that he was and he was looking into the solar project at the Wastewater Treatment Plant again.

Mr. Kurs started a discussion of sump pumps running into the streets and causing an ice problem. Mr. Lippman responded that he would inquire at the Township but was not aware of any big issue at this time.

Mr. Kurs made a motion to approve the Payment of Operating Bills in the amount of \$237,813.01; 12/24/14 Payroll of \$69,864.96 and 1/7/15 Payroll of \$71,233.34. A second was made by Mr. Millner and the bill lists was unanimously approved.

Mr. Kurs made a motion to approve the Operating Report for December, seconded by Mr. Millner and unanimously carried. Mr. Brand was asked why the low pressure calls increased. He responded partially due to work on Twin Rivers Tank but the problem was mostly caused by a valve that was closed in Twin Rivers area. Once the value was opened the problem was corrected.

Mr. Lawler made a motion to approve the Development Report for January, seconded by Mr. Platizky and unanimously carried.

The Finance Officer's Report for December was unanimously approved with a motion made by Mr. Shifman, seconded by Mr. Kurs.

There was a brief discussion of the miscellaneous bankruptcies reported in the Attorney's Report for December. Mr. Schmierer reported that there was not a lot of money associated with these bankruptcies. A motion to approve the Attorney's Report was made by Mr. Shifman, seconded by Mr. Lawler and unanimously carried.

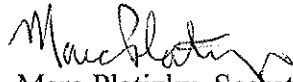
Mr. Millner requested information on biological phosphorus removal mentioned in the Engineer's Report for January 2015. Mr. Farry spoke stating that they had outlined a plan for additional testing of the treatment process to determine if the implementation of biological phosphorus removal would be practical. The feasibility of implementing biological phosphorus removal is being reviewed with the goal of reducing the cost of chemical addition. Once the testing is complete an evaluation will be presented to the Board. Vice Chairman Lippman requested a motion to approve the Engineer's Report for January. Mr. Lawler made the motion to approve, seconded by Mr. Kurs and unanimously carried.

Vice Chairman Lippman requested a motion to approve the October 14, 2014 regular meeting minutes. Mr. Lawler questioned the discussion in the minutes of the water mains in the Twin Rivers area. Mr. Brand responded to concerns and Vice Chairman Lippman asked Mr. Lawler if he would like to postpone approval of these minutes until changes are made to the

October minutes. Mr. Lawler agreed and the minutes will be amended and approved at the February meeting.

There being no additional topics for discussion Vice Chairman Lippman adjourned the meeting.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Marc Platizky", written in a cursive style.

Marc Platizky, Secretary