

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, June 16, 2016 @7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, June 16, 2016 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 Lippman
Marc Platizky
Leonard Millner
Steven Kurs
William Lawler
Michael Shifman

Absent: None

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
Dolores Borosko, Board Secretary

Chairperson Moore 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 June 10, 2016. 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 June 10, 2016. Chairperson Moore then asked for a roll call after which she asked if any Member had any objection to holding this meeting as advertised. No one objected.

Chairperson Moore asked if there was anyone present that would like to speak on any issue not on tonight's agenda. Hearing no one Chairperson Moore closed the public portion of the meeting.

Chairperson Moore asked Mr. Brand to speak about the Capacity Allocation Agreement with Hovione. Mr. Brand asked the Board for approval of the Capacity Allocation Agreement with Hovione Pharmaceutical. Mr. Brand explained that the Hovione development was an existing building that they owned and was seeking an 28,000 sq ft expansion for office, lab, warehouse and

process functions. Mr. Brand explained that the East Windsor Township Planning Board granted preliminary, final major subdivision and site plan approval on March 8, 2016 and memorialized on April 18, 2016. Hovione has gone through our technical review process including review of plans, square footage of facility and head count of additional employees. Mr. Brand explained Hovione was utilizing their existing service connections. The agreement consisted of 650 gallons per day for water and wastewater service requirement. Connection and Off Tract Fees total \$30,088.00. Mr. Kurs asked if any harmful chemicals will be discharged into the sewer system and will it have an adverse effect to our treatment process. Mr. Brand explained the majority of the discharge will be domestic waste and the process waste which we have been receiving for many years is a consumable product in which we have not witnessed any type of impact to our system or environment. We also have a sampling man hole in which we sample without notification.

A motion to approve resolution # 2016-19 approving the Capacity Allocation Agreement was made by Mr. Lippman, seconded by Mr. Millner and unanimously carried.

Resolution 2016-19

WHEREAS, HOVIONE, LLC (hereinafter the "Applicant") is the owner of a parcel of land located within the Township of East Windsor more particularly described as Block 20.01, Lot 23 on the Official Tax Map of the Township of East Windsor and more specifically located at 40 Lake Drive; and

WHEREAS, the Applicant has submitted to the East Windsor Municipal Utilities Authority (hereinafter "Authority" or "EWMUA") for approval Plans and Specifications for the construction of a 28,000 square foot expansion to the existing building located at 40 Lake Drive (the "Expansion Project" or "Project"), which will contain a variety of uses including administrative office, lab, warehouse and process functions; and

WHEREAS, the Planning Board of the Township of East Windsor ("Approving Board" or "Board") granted amended preliminary and final site plan approval on March 8, 2016 and memorialized on April 18, 2016 for the subject property; and

WHEREAS, the Applicant 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 Applicant.

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 Hovione, LLC, 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 Applicant 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.
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authorize and directed to execute a release of the Capacity Allocation and Developer's On-Tract and Off-Tract Agreement between East Windsor Municipal Utilities Authority and Conair Corporation dated November 11, 2014 and recorded December 5, 2014 in Deed Book 6207, Page 1644.

2. A Certified true copy of this resolution together with the executed release shall be furnished by the Authority's Secretary to the attorney for the Conair Corporation: Robert N. Ridolfi, Esq., 26 Harbourton-Woodsville Road, Pennington, New Jersey 08534.

Chairperson Moore asked Mr. Brand to speak about the Water Main Replacement Project in Twin Rivers. Mr. Brand Asked the Board to award the bid of the water main replacement project for Twin Rivers – Nettleton Drive and Twin Rivers Drive North to Reivax Construction who is located in East Orange as the lowest responsible bidder. The cost of the project being \$360,000. Attached in your Board packet is a spread sheet showing you the five (5) bidders and there pricing.

Mr. Kurs asked if this contractor is capable of completing the project on time. Mr. Brand stated that he called several references including a HDPE project they did in Monroe Twp which all came back very positive. Mr. Shiftman asked Mr. Brand when is the contractor planning on starting the project. Mr. Brand stated we were planning on September, after labor day. Mr. Platizky asked if Mr. Brand would discuss this with the Twin River Trust. Mr. Brand stated that he has had several discussions with the Trust Executive Director and Maintenance Manager. They will be invited to attend the pre - construction meeting.

A motion to approve resolution # 2016-20 approving the awarding of the water main replacement – Twin Rivers Drive North and Nettleton Drive for \$360,000 to Reivax Construction was made by Mr. Millner, seconded by Mr. Lawler and unanimously carried.

Resolution 2016-20

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined through its long term planning and Asset Management Plan that the 20 year water main replacement project was budgeted to begin in 2016; and

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined the water mains located in the Twin Rivers section, specifically Twin Rivers Drive North, Court 689 – 712 and Nettleton Drive, Court 542-561 is in need of replacement; and

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined the soils in this area are of the corrosive type (Clay, Black Loom) and the use of

Ductile Iron Cement Lined Pipe (DICLP) has a 40 year life cycle Vs. High Density Poly Ethylene Pipe (HDPE) which has a life cycle of 120 years+; and

WHEREAS, on or about May 11, 2016, bids were solicited to undertake and complete this work as required by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, in soliciting bids for said work, the Authority followed the Fair and Open process in accordance with *N.J.S.A. 19:44A-20.4*; and

WHEREAS, four bids were received to undertake and complete said work; and

WHEREAS, having reviewed said bids, the Authority has determined that the lowest responsible bidder is Reivax Contracting Corporation.

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

1. The Chairperson and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to enter into an agreement with Reivax Contracting Corporation to undertake and complete the specified replacement of Ductile Iron Pipe with High Density Poly Ethylene pipe for a sum not to exceed Three Hundred Forty Six Thousand One Hundred Seventy Five Dollars (\$346,175.00). The nature and scope of services to be provided are as set forth in the Reivax Contracting Corporation proposal on file with the Authority.
2. A notice of the award of this contract shall be published in a newspaper of general circulation within the Township of East Windsor as required by law.

Chairperson Moore asked Mr. Brand to speak about the Public Hearing on the Connection Fees. Mr. Brand asked the Board for the approval to schedule a Public Hearing on Connection Fees for July 21, 2016, at our next board meeting. Mr. Brand explained that we calculate connection fees every year and it's based on the cost of the debt service. Mr. Brand stated that the preliminary calculations appear that the connections fees will rise approximately \$100.00 for both water and sewer. Mr. Shiftman asked how much the Connection fees went up the previous year. Mr. Brand

stated to the best of his knowledge, the increase was approximately \$100.00. Mr. Brand stated he would get them the exact amount prior to next meeting.

A motion to approve the scheduled date of the public hearing for the connection fees was made by Mr. Lippman, seconded by Mr. Lawler and unanimously carried.

Chairperson Moore asked for a motion on the Operating Bill list. Mr. Millner made a motion to accept/approve the Operating Bill List with Operating Bills of \$220,504.30; Payroll 5/25/16 of \$65,059.29 and payroll 6/08/16 of \$81,811.43. The motion was seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for May and Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

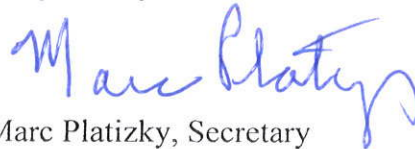
Ms. Moore asked for a motion to approve the Development Report and Mr. Lawler made the motion seconded by Mr. Shiftman and unanimously carried.

Mr. Lippman made the motion to approve the Finance Officer's Report for May, seconded by Mr. Millner and unanimously carried.

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

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary