

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, September 28, 2017 @7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, September 28, 2017 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
Len Millner
Marc Platizky
Michael Shifman

Absent: Marc Lippman
Steven Kurs
Bill Lawler

Also present:

Edwin W. Schierer, Esq., of Mason Griffin & Pierson
David Klemm, Mott Mac Donald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Clark Wolverton, Operations Manager
Susan Pretz, Board Secretary

Chairperson Moore requested that the Public Notice be read. The secretary read the statement stating that the agenda for this meeting was e-mailed to the Windsor Hights Herald and Trenton Times on September 22, 2017. 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 September 22, 2017. 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 Jason and Frank from First Bank to proceed with their presentation to the Board. Jason presented the Board with their proposal portfolio which also included a comparison to Fulton bank for review. Chairperson Moore thanked them for coming and advised that they would be in touch.

The Board Approved the 2017/2018 Authority Water Budget on a motion made by Mr. Platizky, seconded by Mr. Millner.

Resolution 2017-25A

2017 AUTHORITY BUDGET RESOLUTION

RESOLUTION #2017-25A

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

FISCAL YEAR: FROM DECEMBER 1, 2017 TO NOVEMBER 30, 2018

WHEREAS, The Annual Budget and Capital Budget for the East Windsor Municipal Utilities Authority for the fiscal year beginning, December 1, 2017 and ending, November 30, 2018 has been presented before the governing body of the East Windsor Municipal Utilities Authority at its open public meeting of September 28, 2017: and

WHEREAS, The Annual Budget as introduced reflects Total Revenue of \$3,220,393. Total Appropriations, \$3,663,337 including any Accumulated Deficit if any, of \$NONE Total Unrestricted Net Position utilized of \$442,944, and

WHEREAS, The Capital Budget as introduced reflects Total Capital Appropriations of \$2,440,000 and Total Unrestricted Net Position planned to be utilized as funding of \$1,065,000, and

WHEREAS, The schedule of rates , fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves. All as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, The Capital Budget/Program, pursuant to N.J.A.C. 5:31-2 does not confer any authorization to raise or expend funds; rather it is a documents to be used as part of the said Authority's planning and management objectives. Specific authorization to extend funds for the purpose described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement by resolution appropriating funds from Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED; by the governing body of the East Windsor Utilities Authority at an open public meeting held on September 28, 2017 that the Annual Budget, including all related schedules and the Capital Budget/Program of the East Windsor Municipal Utilities Authority for the fiscal year beginning, December 1, 2017 and ending November 30, 2018 is hear by approved: and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements: and

BE IT FURTHER RESOLVED, that the governing body of the East Windsor Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on November 216, 2017.

September 28, 2017

Date

(Secretary's Signature)

Governing Body: Members:	Recorded Vote:			
	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Moore	X			
Lippman				X
Platizky	X			
Kurs				X
Millner	X			
Lawler				X
Shifman	X			

The Board approved the 2017-2018 Authority Budget for wastewater. Mr. Shifman made the motion, seconded by Mr. Platizky.

Resolution 2017-25B

2017 AUTHORITY BUDGET RESOLUTION

RESOLUTION #2017-25B

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

FISCAL YEAR: FROM DECEMBER 1, 2017 TO NOVEMBER 30, 2018

WHEREAS, The Annual Budget and Capital Budget for the East Windsor Municipal Utilities Authority for the fiscal year beginning, December 1, 2017 and ending, November 30, 2018 has been presented before the governing body of the East Windsor Municipal Utilities Authority at its open public meeting of September 28, 2017: and

WHEREAS, The Annual Budget as introduced reflects Total Revenue of \$4,794,066. Total Appropriations, \$4,576,588 including any Accumulated Deficit if any, of \$NONE and Total Unrestricted Net Position utilized of \$NONE, and

WHEREAS, The Capital Budget as introduced reflects Total Capital Appropriations of \$365,000 and Total Unrestricted Net Position planned to be utilized as funding of \$365,000, and

WHEREAS, The schedule of rates , fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves. All as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, The Capital Budget/Program, pursuant to N.J.A.C. 5:31-2 does not confer any authorization to raise or expend funds; rather it is a documents to be used as part of the said Authority's planning and management objectives. Specific authorization to extend funds for the purpose described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement by resolution appropriating funds from Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED; by the governing body of the East Windsor Utilities Authority at an open public meeting held on September 28, 2017 that the Annual Budget, including all related schedules and the Capital Budget/Program of the East Windsor Municipal Utilities Authority for the fiscal year beginning, December 1, 2017 and ending November 30, 2018 is hear by approved: and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts and other pledged agreements: and

BE IT FURTHER RESOLVED, that the governing body of the East Windsor Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on November 16, 2017.

September 28, 2017
Date

(Secretary's Signature)

Governing Body:	Recorded Vote:			
Members:	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Moore	X			
Lippman				X

Platizky	X	
Kurs		X
Millner	X	
Lawler		X
Shifman	X	

Chairperson Moore asked Mr. Brand to speak about the Amendment to the existing Verizon Wireless Lease in reference to Verizon installing a natural gas Generator on existing pad, to serve as backup power to Verizon wireless equipment. Mr. Brand explained that it is the best interest of the public and East Windsor MUA to grant a non-exclusive amendment. Chairperson Moore asked the Board for a motion of approval, Mr. Millner made a motion, seconded by Mr. Shifman and unanimously carried.

Resolution 2017-26
EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY
RESOLUTION APPROVING AMENDMENT TO THE EXISTING LEASE AGREEMENT
DATED NOVEMBER 15, 2007 FOR THE PROVISION OF
INSTALLING A NATURAL GAS GENERATOR ON AN EXISTING PAD FOR THE SOLE
PURPOSE OF SUPPLYING BACK UP POWER TO VERIZON WIRELESS EQUIPMENT
RESOLUTION NO. 2017-26

WHEREAS, the East Windsor Municipal Authority (“MUA” or “Authority”) presently owns property located at 76 Twin Rivers Drive , East Windsor Township , Mercer County, New Jersey and designated as Lot 15 in Block 20.01 on the East Windsor Tax Map (the “subject Property” or “Site”) , on which there currently exist an Water Storage Standpipe (the “Water Tower”); and

WHEREAS, on or about October 29, 2012, Hurricane Sandy made landfall in New Jersey, disrupting electrical power to the grid and causing wide spread power outages; and

WHEREAS, on or about May 10, 2015 East Windsor Municipal Utilities Authority was approached by Verizon wireless to allow the installation of a generator for backup power; and

WHEREAS, on or about July 3, 2017, Verizon Wireless filed for a permit with the East Windsor Township codes department and was granted approval for the installation of the generating equipment on July 20, 2017; and

WHEREAS, the East Windsor Municipal Utilities Authority has ascertained that space is available on a pad that was leased to Cingular Pennsylvania, LLC, who had vacated the site; and

WHEREAS, the East Windsor Municipal Utilities Authority wishes to utilize this space and to make an addendum to the existing lease agreement; and

WHEREAS, the East Windsor Municipal Utilities Authority would be compensated for the leasing of the subject property ; and

WHEREAS, the East Windsor Municipal Utilities Authority therefore believes that it would be in the best interest of both the public and the East Windsor Municipal Utilities Authority to grant a non – exclusive amendment to the current lease for a portion of the subject property for the installation of a Natural Gas Generator and associated equipment which will be located adjacent to the water tower and Verizon’s equipment; and

WHEREAS, the use of space adjacent to the water tower will not be detrimental to the portions of property which will continue to be used for public use; 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 Authority is hereby authorized and directed to incorporate the amendment to the lease agreement dated November 15, 2007 and located at 76 Twin Rivers Drive, East Windsor N.J. also known as Block 20.01, Lot 15.
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.

Linda Moore, Chairperson

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing Resolution was considered and adopted by said Authority at its regular meeting held on this 28th day of September , 2017.

Marc Platizky

Chairperson Moore asked Mr. Brand to speak about the rejection of bids for the New VAC/VALVE. Mr. Brand explained that we only received one bid and that it was not responsive or conforming to the specifications and asked the board to reject said bid and authorize receipt of new bids. Chairperson Moore asked the Board for a motion of approval, Mr. Millner made a motion, seconded by Mr. Shifman and unanimously carried.

Resolution 2017-27

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY
RESOLUTION REJECTING ALL BIDS FOR THE PROVISION OF
PURCHASING A NEW VAC/VALVE TURNING EQUIPPED TRAILER
RESOLUTION NO. 2017-27**

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to except bids for the purpose of the purchasing of a Vac/Valve Turning Trailer ; and

2. The contract of VGM Group, for the Maintenance Bldg. and the Hypochlorite Bldg. Roof Replacement at \$81,639.20 is hereby accepted and the contract awarded to VGM Group.
3. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Linda Moore

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing Resolution was considered and adopted by said Authority at its regular meeting held on September 28, 2017.

Marc Platizky

Chairperson Moore requested a motion to approve the September 2017 Payment of the Bills. Operating in the amount of \$403,541.06: Payroll for 8/30/2017 \$84,075.88: Payroll for 9/13/2017 \$69,728.01. Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for September 2017 and Mr. Millner made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for September 2017 and Mr. Shifman made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for September 2017, Mr. Shifman made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Engineer's Report for September 2017, Mr. Millner made the motion, seconded by Mr. Shifman and unanimously carried.

Chairperson Moore asked for a motion to approve the Attorney's Report for September 2017, Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for a motion for approval of the regular meeting minutes for February 16, 2017, Mr. Millner made the motion, seconded by Mr. Platizky and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary