

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, January 18, 2018 @7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, January 18, 2018 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
Marc Lippman
Leonard Millner
William Lawler
Michael Shifman
Steven Kurs
Michael Shifman

Absent: Clark Wolverton, Operations Manager

Also present:

Edwin W. Schierer, Esq., of Mason Griffin & Pierson
David Klemm, Mott Mac Donald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
James Mackie, Assistant Operation 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 January 9, 2018. 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, 2018. 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 if there was anything Mr. Brand wanted to mention before moving into the approvals. Mr. Brand spoke about the Pine Lane Tank painting project, and that the punch list isn't completed in full yet he also stated that one of the three dumpsters at the site

Chairperson Moore asked Mr. Brand to speak about the Risk Management Agreement Resolution 2018-01. Mr. Brand stated that he recommended staying with Rue Insurance as they have been very receptive towards our needs. They also offer safety training classes for our staff. Chairperson Moore asked for a motion. Mr. Platizky made the motion, seconded by Mr. Lawler and unanimously carried.

Resolution 2018-01

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION APPROVING RISK MANAGEMENT CONSULTANT'S AGREEMENT

RESOLUTION NO. 2018-01

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 1st day of ___ January ____, 2018 ____, between the ___ East Windsor Municipal Utilities Authority ____ (hereinafter referred to as AUTHORITY) and ___ Chas E. Rue & Son, Inc. t/a Rue Insurance ____ (hereinafter referred to as the CONSULTANT).

WHEREAS, the CONSULTANT has offered to the AUTHORITY professional risk management consulting services as required in the bylaws of the New Jersey Utility Municipal Joint Insurance Fund, and;

WHEREAS, the AUTHORITY desires these professional services pursuant to the resolution adopted by the governing body of the AUTHORITY at a meeting held __ January 18, 2018 ____ and;

NOW, THEREFORE, the East Windsor Municipal Utilities Authority ("MUA" or "Authority") and Chas E. Rue & Son, Inc. t/a Rue Insurance ("Consultant"), that the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

- I. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - a) Assist the AUTHORITY in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss.
 - b) Assist the AUTHORITY in understanding the various coverages available from the New Jersey Utility Authority Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.
 - c) Review with the AUTHORITY any additional coverages that the CONSULTANT feels should be carried but are not available from the FUND and subject to the AUTHORITY's authorization, place such coverages outside the FUND.

- d) Assist the AUTHORITY in the preparation of applications, statements of values, and similar documents requested by the FUND, it being understood that this Agreement does not include any appraisal work by the CONSULTANT.
- e) Review Certificates of Insurance from contractors, vendors and professionals when requested by the AUTHORITY.
- f) Review the AUTHORITY's assessment as prepared by the FUND and assist the AUTHORITY in the preparation of its annual insurance budget.
- g) Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives. Also, attend no less than one (1) authority safety committee meeting per annum to promote the safety objectives and goals of the AUTHORITY and the FUND.
- h) Assist where needed in the settlement of claims, with the understanding that the scope of the CONSULTANT's involvement does not include the work normally done by a public adjuster.
- i) Perform any other risk management related services required by the FUND's bylaws.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

- a) The CONSULTANT shall be paid by the AUTHORITY a fee as compensation for services rendered, an amount equal to six percent (6%) of the AUTHORITY's annual assessment as promulgated by the FUNDS. Said fee shall be paid to the CONSULTANT within thirty (30) days of payment of the AUTHORITY's assessment.
- b) For any insurance coverages authorized by the AUTHORITY to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee outlined in 2 (a).
- c) If the AUTHORITY shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the AUTHORITY a fee at the rate of ___ 0 ___ per hour, in addition to actual expenses incurred.

3. The term of this Agreement shall be one (1) year. However, this Agreement may be terminated by either party at any time by mailing to the other written notice, certified mail return receipt, calling for termination at not less than thirty (30) days thereafter. In the event of termination of this Agreement, the CONSULTANT's fees outlined in 2 (a) above shall be prorated to date of termination.

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. The Authority is hereby authorized and directed to incorporate the Risk Management Agreement Dated January 1, 2018.
2. 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 18th day of January, 2018.

Marc Platizky, Secretary

ATTEST:


RUC Insurance

CONSULTANT:


RUC Insurance

CERTIFICATION

I, Marc Platizky, the Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Authority at its regular meeting held on the 18th day of January, 2018.

Marc Platizky, Secretary

Chairperson Moore asked Mr. Brand for an update on FEMA. Mr. Brand said FEMA finally closed out the Sandy claim and we will be receiving \$5,935.94 in funds.

Chairperson Moore asked Mr. Brand to speak about the Water main 2018 project. Mr. Brand recommended doing the whole section. Mr. Brand also recommended being the interest rate is so low, funding the project with a loan from NJEIT makes better sense.

Chairperson Moore requested a motion to approve the January 2018 Payment of the Bills. Operating in the amount of \$415,001.74; Payroll for 01/03/2018 \$82,040.48; Mr. Millner made the motion, seconded by Mr. Kurs and unanimously carried.

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

Chairperson Moore asked for a motion to approve the Development Report for December 2017 and Mr. Kurs made the motion, seconded by Mr. Lawler and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for December 2017 Mr. Lawler made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for a motion to approve the Engineer's Report for December 2017. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

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

Chairperson Moore asked for a motion to approve the following minutes; November 16, 2017 Regular Meeting minutes and November 16 2017 Executive Session minutes, Mr. Lawler made the motion, seconded by Mr. Millner and unanimously carried. December 13, 2017 Executive Meeting minutes, Mr. Lawler made the motion, seconded by Mr. Millner, and unanimously carried. December 21, 2017 Regular Meeting minutes and December 21, 2017 Executive Session minutes. Mr. Lawler made the motion, seconded by Mr. Platizky and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting and asked for roll call to go into Closed Session

Respectfully submitted,


Marc Platizky, Secretary