

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting

Thursday September 20, 2018 @ 7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday September 20, 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
Leonard Millner
Steve Kurs
Marc Platizky
Bill Lawler
Michael Shifman

Absent: Marc Lippman

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
James Mackie, Assistant 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 Tuesday September 11, 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 Friday, September 14, 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 today's agenda. Hearing no one Chairperson Moore closed the public portion of the meeting.

Chairperson Moore asked for approval of the Capacity Allocation Agreement for 269 Wyckoff Mills Road Resolution #2018-20. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

RESOLUTION APPROVING A CAPACITY ALLOCATION AGREEMENT AND
DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT

WITNESSETH

WHEREAS, 269 WMR EW3, LLC, (hereinafter the "Developer") is the owner of a parcel of land located within the Township of East Windsor more particularly described as Block 12, Lot 2 on the Official Tax Map of the

Township of East Windsor; and

WHEREAS, the Developer has submitted to the East Windsor Municipal Utilities Authority (hereinafter "Authority" of "EWMUA") for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on and in the vicinity of Block 12, Lot 2 on the Official Tax Map of the Township of East Windsor for providing sanitary sewer and water service to that development known as "269 WMR" (the "Development"), consisting of a building with a footprint of 159,974 square feet containing 120,326 square feet of warehouse and 9,174 square feet of office and 30,474 square feet of mezzanine, more particularly described on plans on plans entitled "Preliminary and Final Major Site Plan and Minor Subdivision Plan for 269 WMR, Lot 2, Block 12, East Windsor Township, Mercer County, New Jersey" and "Pump Station, Force Main and Water Main Plans for 269 Wyckoff Mills Road" prepared by Maser Consulting, P. A., dated June 14, 2017, latest revisions dated September 10, 2018, for the site plans, and dated June, 2017, with latest revisions dated September 10, 2018 for the pump station, force main and water main plan, as approved by the Authority ("Approved Plans and Specifications") and any other agency with jurisdiction; 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 12, 2018 and memorialized on April 9, 2018 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 269 WMR EW3, 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 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.

Linda L. Moore, EWMUA Chairperson

I hereby certify this to be a true and accurate copy of the Resolution adopted by the East Windsor Municipal Utilities Authority, Mercer County, New Jersey at a public meeting held on September 20, 2018.

Marc Platizky, EWMUA Secretary

The Board approved the 2018/2019 Authority Water Budget on a motion made by Mr. Kurs, seconded by Mr. Platizky and unanimously carried.

2018 AUTHORITY BUDGET RESOLUTION

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

RESOLUTION 2018-21A

FISCAL YEAR: FROM DECEMBER 1, 2018 TO NOVEMBER 30, 2019

WHEREAS, the Annual Budget and Capital Budget for the East Windsor Municipal Utilities Authority for the fiscal year beginning, December 1, 2018 and ending, November 30, 2019 has been presented before the governing body of the East Windsor Municipal Utilities Authority at its open public meeting of September 20, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$3,413,611, Total Appropriations, \$3,390,333 including any Accumulated Deficit if any, of \$NONE Total Unrestricted Net Position utilized of \$NONE, and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$2,822,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$1,447,000; 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 document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the East Windsor Municipal Utilities Authority, at an open public meeting held on September 20, 2018 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, 2018 and ending, November 30, 2019 is hereby 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 15, 2018.

Marc Platizky, Secretary

September 20, 2018

(Date)

Governing Body

Recorded Vote:

Member:	<u>Aye</u>	<u>Nay</u>	<u>Abstane</u>	<u>Absent</u>
<u>Moore</u>	X			
<u>Lippman</u>				X
<u>Platizky</u>	X			
<u>Kurs</u>	X			
<u>Millner</u>	X			
<u>Lawler</u>	X			
<u>Shifman</u>	X			

The Board approved the 2018/2019 Authority Wastewater Budget on a motion made by Mr. Millner, seconded by Mr. Kurs and unanimously carried

2018 AUTHORITY BUDGET RESOLUTION
EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
RESOLUTION #2018-21B

FISCAL YEAR: FROM DECEMBER 1, 2018 TO NOVEMBER 30, 2019

WHEREAS, the Annual Budget and Capital Budget for the East Windsor Municipal Utilities Authority for the fiscal year beginning, December 1, 2018 and ending, November 30, 2019 has been presented before the governing body of the East Windsor Municipal Utilities Authority at its open public meeting of September 20, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$5,192,423, Total Appropriations, \$4,600,321 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 \$593,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$593,000; 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 document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the East Windsor Municipal Utilities Authority, at an open public meeting held on September 20, 2018 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, 2018 and ending, November 30, 2019 is hereby

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approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding 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 15, 2018.

Marc Platizky, Secretary

September 20, 2018
(Date)

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

Chairperson Moore asked for approval of awarding Chemical bid 2018/2020, Resolution #2018-22. Mr. Millner made the motion, seconded by Mr. Kurs and unanimously carried

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY

RESOLUTION AWARDING CONTRACTS FOR THE PROVISION OF
CHEMICALS FOR WASTEWATER AND WATER TREATMENT

RESOLUTION #2018-22

WHEREAS, in accordance with a properly advertised Notice to Bidders, seven (7) bidders submitted bids for the provision of Chemicals for Wastewater and Water Treatment, which were received on September 5, 2018; and

WHEREAS, after review of the bids submitted there were seven (7) bidders, with six (6) apparent low bidders: and

- 1) USALCO., 2601 Cannery Avenue, Baltimore, MD 21226 for the provision of DelPac (polyaluminum chloride) in 2019 at \$0.1775 per lb., in 2020 at \$0.1775 per lb. and in 2021 \$0.1775 per lb.; and
- 2) JCI Jones Chemicals Inc., 103 River St., Warwick, NY 10990 for the provision of Chlorine in 2019 at \$133.33 per 100lb. and 2020 at \$150.00.00 per 100lb.; and
- 3) Miracle Chemical, 1151 B Hwy. 33, Farmingdale, NJ 07727 for the provision of Sodium Hypochlorite in 2019 at \$1.667 per gallon, in 2020 at \$1.727per gallon and in 2021 at \$1.787 per gallon; and
- 4) Premier Magnesia, LLC, 75 Giles Place, Waynesville, NC 28786 for the provision of Magnesium Hydroxide in 2019 at \$624.00 per dry ton, in 2020 at \$624.00 per dry ton and in 2021 at \$682.00 per dry ton; and
- 5) Reed & Perrine, P.O. Box 100, 393 Main Street, Tennent, NJ 07763 for the provision of Lime in 2019 at \$15.40 per cwt, in 2020 at \$16.20 per cwt and 2021 at \$17.06 per cwt; and
- 6) George S. Coyne Chemical Company Inc., 3015 State Road, Croydon, Pa 19021-6997 for the provision of Hydrofluosilicic Acid in 2019 at \$42.4400 per cwt, in 2020 at \$42.7867 per cwt and in 2021 at \$43.1333 per cwt;

WHEREAS, it is the recommendation of the Executive Director that Miracle Chemical, Coyne Chemical, JCI Jones Chemical, USALCO Chemical, Premier Magnesia and Reed & Perrine be awarded the contracts for the provision of Chemicals for Wastewater and Water Treatment as the lowest responsible bidders; and

WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of these contracts; and

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

The preamble to this Resolution shall be incorporated herein as if fully restated.

1. The Bid of USALCO for the provision of DelPac in 2019 at \$0.1775 per lb., 2020 at \$0.1775 per lb. and in 2021 at \$0.1775 per lb. is hereby accepted and the contract awarded to USALCO.
2. The Bid of JCI Jones Chemicals Inc. for the provision of Chlorine in 2019 at \$133.33 per 100lb. and 2020 at \$150.00 per 100lb. is hereby accepted and the contract awarded to JCI Jones Chemicals Inc.
3. The Bid of Miracle Chemical, for the provision of Sodium Hypochlorite in 2019 at \$1.667 per gallon, 2020 at \$1.727 per gallon and 2021 at \$1.787 per gallon is hereby accepted and the contract awarded to Miracle Chemical.
4. The Bid of Reed & Perrine, for the provision of Lime in 2019 at \$15.40 cwt, 2020 at \$16.20 per cwt and 2021 at \$17.06 per cwt is hereby accepted and the contract awarded to Reed Perrine.
5. The Bid of Premier Magnesia, LLC for the provision of Magnesium Hydroxide in 2019 at \$624.00 per dry ton, 2020 at \$624.00 per dry ton and 2021 at \$682.00 per dry ton; is hereby accepted and the contract awarded to Premier Magnesia LLC.
6. The Bid of George S. Coyne Chemical Company Inc., for Hydrofluosilicic Acid in 2019 at \$42.44 per cwt, 2020 at \$42.7867 per cwt and 2021 at \$43.1333 per cwt; is hereby accepted and the contract awarded to Coyne Chemical.

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.

Dated: 9/20/2018

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 September 20, 2018

Marc Platizky, Secretary

Chairperson Moore asked for approval of awarding Transportation of Sludge Removal bid 2018/2023, Resolution #2018-23. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY**

**RESOLUTION AWARDING CONTRACTS FOR THE PROVISION OF
SLUDGE HAULING SERVICE**

RESOLUTION NO. 2018-23

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for the purpose of Sludge Hauling Services on August 4, 2018; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, three(3) bidders submitted bids for the provision of Sludge Hauling Service which were received on September 5, 2018

WHEREAS, pursuant to the "Quantities" section on page PIB 9 of the Bid Specifications the East Windsor Municipal Utilities Authority may award a contract for one (1) or two (2) years; and

WHEREAS, after review of the bids submitted there was one (1) low bidder:

1) Accurate Waste Systems Inc., 226 Prospect Point Road, Lake Hopatcong, N.J. 07849-1202 for the provision of Sludge Hauling Service from East Windsor MUA to Stony Brook RSA 2019 at \$0.0265 per gallon and 2020 at \$0.0269 per gallon; and Somerset Raritan Valley Sewerage Authority in 2019 at \$0.0285 per gallon and 2020 at \$0.0289 per gallon.

WHEREAS, it is the recommendation of the Executive Director that Accurate Waste Systems Inc. be awarded the contract for the provision of Sludge Hauling Service for two (2) years from East Windsor to Stony Brook RSA and from East Windsor to Somerset Raritan Valley Sewerage Authority as the lowest responsible bidder; and

WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of these contracts; 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 bid of Accurate Waste Systems Inc., 226 Prospect Point Road, Lake Hopatcong, N.J. 07849-1202 for the provision of Sludge Hauling Service from East Windsor MUA to Stony Brook Regional Sewerage Authority in 2019 at \$0.0265 and 2020 at \$0.0269 per gallon and from East Windsor to Somerset Raritan Valley Sewerage Authority in 2019 at \$0.0285 per gallon and 2020 at \$0.0289 per gallon are hereby accepted and the contract awarded for the two (2) years.

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.

Dated: 09/20/2018

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 September 20, 2018.

Marc Platizky, Secretary

Chairperson Moore asked for an update on the Solar bids. Mr. Brand said we had the Solar bid opening on September 12, 2018. We received 12 bids and Casandra is compiling everything together. Mr. Brand also said we needed two (2) board members for a Solar committee to assist in going over the bids. Mr. Shifman and Mr. Millner volunteered and Mr. Lawler will be a sub to stand in if one of the members is unavailable.

Chairperson Moore requested a motion to approve the payment of bills for September 2018, Mr. Lawler made the motion, Mr. Platizky seconded and unanimously carried.

Chairperson Moore requested a motion to accept the Operating report for August 2018, Mr. Millner made the motion, Mr. Platizky seconded and unanimously carried.

Chairperson Moore requested a motion to approve the Development report for September 2018, Mr. Millner made the motion, seconded by Mr. Lawler and unanimously carried.

Chairperson Moore requested a motion to approve the Finance Officers report for August 2018, Mr. Lawler made the motion, Mr. Platizky seconded and unanimously carried.

Chairperson Moore requested a motion to approve the Attorneys report for August 2018, Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to approve the Engineers report for August 2018, Mr. Lawler made the motion, Mr. Platizky seconded and unanimously carried.

The minutes from August 2018 meeting was approved on a motion made by Mr. Shifman, seconded by Mr. Millner and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary