

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday November 29, 2018 @ 7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday November 29, 2018 at the Administration Building on 7 Wiltshire Drive and called to order by Chairperson Moore at 7:30 P.M.

The following Members were present:

Linda L. Moore
Leonard Millner
Marc Lippman
Marc Platizky
Steve Kurs
Bill Lawler
Michael Shifman

Absent:

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 Heights Herald and Trenton Times on Tuesday November 20, 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 Wednesday, November 21, 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 if anyone had any questions or concerns in regards to the Solar agreement. After a brief discussion, Chairperson moved for approval of the Solar Power Purchase Agreement Resolution #2018-24. Mr. Millner made the motion, seconded by Mr. Lippman and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

RESOLUTION FOR POWER PURCHASE AGREEMENT FOR SOLAR PHOTOVOLTAIC
GENERATION FACILITIES AT MILLSTONE ROAD WASTEWATER TREATMENT
PLANT

RESOLUTION NO. 2018-24

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") had by Motion of the Board indicated its willingness to explore a solar photovoltaic generation system at its Millstone Road Wastewater Treatment Facility ("Facility") in order to generate solar energy to reduce the Authority's annual electric expense as well as to provide good stewardship to the environment; and

WHEREAS, the Authority has set up a Solar Committee to further study the purchase of the solar photovoltaic generation system at this time; and

WHEREAS, the value of Solar Renewable Energy Certificates ("SREC") have declined dramatically over the past several years such that the energy cost savings to the Authority may not be realized as originally projected through ownership; and

WHEREAS, upon further study, the Authority with its Solar Committee wishes to explore a Power Purchase Agreement ("PPA") so that the responsibility for all aspects, including equipment and construction costs of the solar generating system would be handled by a contractor vendor; and

WHEREAS, the Authority was advised in 2017 that the volatility of pricing for a PPA is at its lowest price per kilowatt (\$.04 - \$.05 /Kw hour); and

WHEREAS, the Authority has the opportunity to reduce its electrical cost by approximately 40%; and

WHEREAS, The East Windsor MUA on July 31, 2018 went out to public bid with an Request for Proposal on a Power Purchase Agreement for the supply of solar electricity; and

WHEREAS, on September 12, 2018, East Windsor Municipal Utilities Authority received nine (9) Request for Proposals which were evaluated by Alternative Energy Consultant based on the criteria set forth in the Request for Proposal which was price, technical design and installation, and experience and qualifications; and

WHEREAS, Alternative Energy Consultant submitted its bid evaluation report recommending four (4) companies based on the criteria set forth in the Request for Proposal which was price, technical design and installation, and experience and qualifications; and

WHEREAS, on October 16, 2018, East Windsor Municipal Utilities Authority solar sub - committee met with Alternative Energy Consultant and evaluated the Four (4) companies based on the criteria set forth in the Request for Proposal which was price, technical design and installation, and experience and qualifications; and

WHEREAS, the East Windsor Municipal Utilities Authority solar sub - committee recommends that Solar Landscape, 44 highway 35 North, Neptune N.J. 07753 based on the criteria set forth in the Request for Proposal which was the lowest price of \$.03/Kw hour and no escalator for 15 years, technical design and installation, and experience and qualifications; and

WHEREAS, Advance Solar Products was the second lowest bidder in price at \$.036 / Kw hour with a 1.5% escalator every year for 15 years; HESP Solar LLC was the third lowest bidder in price at \$.037 / Kw hour with a 2.2% escalator every year for 15 years; EZNergy was the fourth lowest bidder in price at \$.0415 / Kw hour with a 2.2% escalator every year for 15 years; and

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

1. The East Windsor Municipal Utilities Authority hereby has determined that in the best financial interest of the East Windsor MUA and its ratepayers that the East Windsor MUA enter into a Power Purchase Agreement with Solar Landscape for the amount not to exceed price of \$.03/Kw hour for the purchase and supply of solar electrical energy at the Pollution Control Facility (Wastewater Treatment Plant).
2. That Solar Landscape sign the Power Purchase Agreement within 15 days of receipt of the Notice of Award
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 to East Windsor Municipal Utilities Authority, do hereby certify that this Resolution was adopted by the Authority at its Regular meeting held on this 29th day of November 2018.


Marc Platizky, Secretary

Chairperson Moore asked for approval of the Exeter Wycoff Mills Urban Renewal Resolution #2018-25, Mr. Kurs made the motion, seconded by Mr. Lawler and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

RESOLUTION APPROVING A CAPACITY ALLOCATION AGREEMENT AND
DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH EXETER WYCOFF
MILLS URBAN RENEWAL, LLC

RESOLUTION # 2018-25

W I T N E S S E T H

WHEREAS, EXETER WYCOFF MILLS URBAN RENEWAL, LLC

(hereinafter the "Developer") is the owner of two parcels of land located

within the Township of East Windsor more particularly described as Block 13,

Lots 1.01 and 1.02 on the Official Tax Map of the Township of East Windsor

consisting of 49.934 acres of land on Wyckoffs Mills Road; 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 13, Lots 1.01 and 1.02 on the Official Tax Map of the Township of East Windsor

for providing sanitary sewer and water service to that development known as "Project Terra" (the "Development"), consisting of a building with a footprint of 634,495 square feet containing 600,495 square feet of warehouse and 34,000 square feet of office, more particularly described on plans entitled "Preliminary and Final Major Site Plan and Minor Subdivision Plan for Project Terra, Lots 1.01 and 1.02, Block 13, East Windsor Township, Mercer County, New Jersey" and "Pump Station and Off Site Force Main and Water Main Plans for Project Terra" prepared by Maser Consulting, P. A., dated August 13, 2015, latest revisions dated February 15, 2016 for the site plans, and dated October 19, 2015, with revisions dated February 15, 2016 for the pump station, force main and water main plan, as approved by the Authority ("Approved Plans and Specifications") and any other governmental entity having jurisdiction thereover; and

WHEREAS, the Planning Board of the Township of East Windsor ("Approving Board" or "Board") granted amended preliminary and final site plan approval on December 7, 2015 and memorialized on January 25, 2016 for the subject properties; 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 with EXETER WYCOFF MILLS URBAN RENEWAL, 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 the Executive Director shall take all necessary steps to expedite the directions specified in this resolution, as appropriate, and
4. 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 November 29, 2018

Marc Platizky. EWMUA Secretary

Chairperson Moore asked for a motion to adopt the 2018/2019 Water Budget Resolution #2018-26, Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

2018 ADOPTED BUDGET RESOLUTION

RESOLUTION #2018-26

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

AUTHORITY BUDGET

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

WHEREAS, the Annual Budget and Capital Budget/Program for the East Windsor Municipal Utilities Authority for the fiscal year beginning December 1, 2018 and ending, November 30, 2019 has been presented for adoption before the governing body of the East Windsor Municipal Utilities Authority at its open public meeting of **November 29, 2018**; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of **\$3,413,611.00**, Total Appropriations, **\$3,390,339.00** including any Accumulated Deficit, if any, of **\$NONE** and Total Unrestricted Net Position utilized of **\$NONE.**; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of **\$2,822,000.00** and Total Unrestricted Net Position planned to be utilized of **\$1,447,000.00** and

NOW, THEREFORE BE IT RESOLVED, by the governing body of East Windsor Municipal Utilities Authority, at

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an open public meeting held on **November 29, 2018** that the Annual Budget and 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 adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

 Marc Platizky, Secretary

 November 29, 2018
 (Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Moore	X			
Lippman	X			
Platizky	X			
Kurs	X			
Millner	X			
Lawler				
Shifman				

Chairperson Moore asked for a motion to adopt the 2018-2019 Wastewater Budget Resolution #2018-27, Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

2018 ADOPTED BUDGET RESOLUTION

RESOLUTION #2018-27

EAST WINDSOR MUNICIPAL UTILITIES

AUTHORITY

AUTHORITY BUDGET

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

WHEREAS, the Annual Budget and Capital Budget/Program for the East Windsor Municipal Utilities Authority for the fiscal year beginning December 1, 2018 and ending, November 30, 2019 has been presented for adoption before the governing body of the East Windsor Municipal Utilities Authority at its open public meeting of **November 15, 2018**; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of **\$5,192,423.00** Total Appropriations, **\$4,600,321.00** including any Accumulated Deficit, if any, of **\$NONE** and Total Unrestricted Net Position utilized of **\$NONE**; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of **\$593,000.00** and Total Unrestricted Net Position planned to be utilized of **\$593,000.00**; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of East Windsor Municipal Utilities Authority, at an open public meeting held on **November 29, 2018** that the Annual Budget and 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 adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Marc Platizky, Secretary
November 29, 2018
(Date)

Governing Body Member:	Recorded Vote			
	Aye	Nay	Abstain	Absent
Moore		X		
Lippman		X		
Platizky		X		
Kurs		X		
Millner		X		
Lawler				
Shifman				

Chairperson asked for a vote on the Employee appreciation luncheon. The date agreed upon was December 21, 2018 at 12:30 with a budget of \$600.00. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to approve the payment of bills for November 2018, Mr. Millner made the motion, Mr. Kurs seconded and unanimously carried.

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

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

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

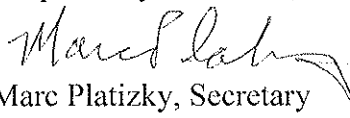
Chairperson Moore requested a motion to approve the Attorneys report for October 2018, Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

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

The minutes from October 2018 meeting was approved on a motion made by Mr. Platizky seconded by Mr. Shifman and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting and motioned to move into Executive session.

Respectfully submitted,


Marc Platizky, Secretary