

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday August 20, 2020 @ 5:00pm

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday August 20, 2020 at the Administration Building on 7 Wiltshire Drive and called to order by Chairperson Moore at 5:00pm

The following Members were present:

Linda Moore
Len Millner
Steve Kurs
Marc Platizky
Marc Lippman
Bill Lawler
Mike Shifman

Absent:

Also present: Ryan Scerbo Esq., DeCotiis, Fitzpatrick, Cole & Giblin, LLP
David Klemm, Mott Mac Donald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Jim Mackie, Assistant Operations Manager
Robin Pruitt-Assistant Board Secretary

Chairperson Moore requested that the Public Notice be read. The assistant secretary read the statement stating that the agenda for this meeting was e-mailed to the Cranbury Press-Windsor Hights Herald and Trenton Times on Tuesday August 12, 2020. 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 August 14, 2020. 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 to open the public rate hearing and asked Mr. Brand and Mr. Ghrist to speak about the request to increase connection fees. Mr. Brand stated that Mr. Ryan Scerbo Esq. of DeCotiis, Fitzpatrick, Cole & Giblin, LLP had served all the proper statutory notices required by N.J.S.A. 40:14b-1. Mr. Brand stated that every year we evaluate the connection fee's which is required by law to determine the cost for a single dwelling unit equivalent. A single dwelling unit equivalent by definition of the

NJDEP is equal to 300 gallons per day or a single-family dwelling. Mr. Brand stated that Mr. Ghrist, the financial officer had made the computation for the connection fees and determined an increase in the connection fees for both water and sewer were necessary.

Mr. Brand referenced to Mr. Ghrist to explain the computation that he performed to the board. Mr. Ghrist explained our debt service for water that was paid through up until December 1, 2019 was \$30,893,679.02 and \$6,420,018.39 that came out of the general and operating fund for capital improvements with a total of \$37,313,697.41. The Authority has 13,024 connections to the water system. With that being said plus \$100.00 administrative fee the new connection fees for water will be **\$2,965.00**. Mr. Ghrist explained our debt service for sewer that was paid through up until December 1, 2019 was \$69,397,991.43 and \$4,816,649.79 that came out of the general and operating fund for capital improvements and \$111,400.00 which was transferred to debt service reserve fund from the general fund with a total of \$74,326,041.22. The Authority has 11,953 connections to the sewer system. With that being said plus \$100.00 administrative fee the new connection fees for sewer will be **\$6,320.00**. The new connection fee will take effect September 1, 2020.

Mr. Scerbo, Esq. asked Mr. Ghrist to raise his right hand and to answer the questions to the best of his ability. Mr. Ghrist answered all the questions that are required for the rate hearing.

A motion to approve resolution #2020-28 approving the increase in connection fees was made by Mr. Kurs, seconded by Mr. Lippman and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

RESOLUTION AMENDING THE RULES AND REGULATIONS

OF THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

WITH RESPECT TO SEWER AND WATER CONNECTION FEES EFFECTIVE

SEPTEMBER 1, 2020

RESOLUTION NO. 2020-28

WHEREAS, the East Windsor Municipal Utilities Authority (“Authority”) has adopted Rules and Regulations to provide for water and sewer service and establish rate and fee schedules (“Rules and Regulations”) pursuant to *N.J.S.A. 40:14B-1 et seq.*; and

WHEREAS, Section 1, Chapter 3, Subchapter 3-7.0100 of said Rules and Regulations provides that the Authority reserves the right to change or amend, from time to time, these Rules and Regulations with the approval of a majority of all members of said Authority; and

WHEREAS, the Authority desires to review said Rules and Regulations by amending the schedule for water fees; and

WHEREAS, public notice as required by *N.J.S.A. 40:14B-23* has been provided; and

WHEREAS, on August 20, 2020 the Authority conducted a public hearing on the foregoing sewer and water connection fees, and it is of the opinion that the proposed revision of the fees set forth in Schedule A should be adopted.

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority, in the County of Mercer, State of New Jersey, as follows:

1. Schedule III of the Authority's Rules and Regulations establishing said sewer and water connection fees is hereby amended as set forth on Exhibit A attached hereto and made a part hereof.
2. The sewer and water connection fees hereby adopted and set forth on Schedule A attached hereto and made a part hereof shall take effect on September 1, 2020. Said fees have been approved by the adoption of this Resolution by a majority of the members of the Authority and the signatures of the Chairperson and Secretary of the Authority hereon, which shall serve as conclusive evidence of the fact that this Resolution was reviewed and approved by a majority of the members of said Authority.
3. Except as otherwise provided herein, the Rules and Regulations of the Authority as from time to time amended shall remain unchanged and in full force and effect.
4. This Resolution shall take effect immediately upon its adoption.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

By: Linda L. Moore, Chairperson

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 20th day of August, 2020.

Marc Platizky, Secretary

EXHIBIT A
EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COMPUTATION OF CONNECTION FEES

DEBT SERVICE	WATER	SEWER
Paid through December 1, 2019	\$ 30,893,679.02	\$ 69,397,991.43
Transfer to Debt Service Reserve from General Fund		\$ 111,400.00
Expenditures made from Authority's General and Operating Funds for Capital Improvements	\$ 6,420,018.39	\$ 4,816,649.749
TOTAL	\$ 37,313,697.41	\$ 74,326,041.22
Dwelling Unit Equivalents (DUE) (SCHEDULE 1)	\$ 13,024.00	\$ 11,953.00
Debt Service and Capital Improvement Charge	\$ 2,865.00	\$ 6,218.00
Administration and Inspection Charges	\$ 100.00	\$ 100.00
*TOTAL PROPOSED 2020 CONNECTION FEES	\$ 2,965.00	\$ 6,320.00
*rounded to the nearest \$5.00		
Prior Fee's Effective 7/1/2019	\$ 2,885.00	\$ 6,125.00

Chairperson Moore asked for approval of Resolution #2020-31 FOG policy (Fats, Oil and Grease). Mr Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

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

**RESOLUTION TO APPROVE THE AMENDING OF THE RULES AND
REGULATIONS, LIMITATIONS ON WASTEWATER DISCHARGERS
(FATS, OIL AND GREASE – FOG POLICY)**

Resolution # 2020-31

WHEREAS, the East Windsor Municipal Utilities Authority deemed it necessary due to the potential growth of restaurants, assisted living and industrial users to update the rules and regulations, specifically the discharging of fats, oil and grease; and

WHEREAS, the East Windsor Municipal Utilities Authority (“EWMUA”) owns and operates a Water Pollution Control Plant (“WPCP”), also known as a Publicly Owned Treatment Works (“POTW”) ; and

WHEREAS, East Windsor Municipal Utilities Authority Water Pollution Control Plant (“EWMUA WPCP”) is designed to treat 4.50 million gallons per day (MGD) of wastewater on a monthly average basis. The EWMUA also manages a tributary sewer system for the EWMUA WPCP. The EWMUA WPCP is an advanced treatment system which includes a bar screen, grit removal, primary clarifiers, bio-aeration/oxidation, anoxic chambers, final clarifiers (and flocculation), sand/gravity filters and ultraviolet disinfection system. The sludge from the primary and secondary clarifiers is collected in sludge holding and thickener tanks prior to disposal offsite. The effluent from the EWMUA WPCP is discharged to the Millstone River. The sludge is transported offsite to the Stony Brook Regional Sewerage Authority (SBRSA) for incineration, with disposal by land application as a backup option. The EWMUA WPCP is regulated by the New Jersey Department of Environmental Protection (“NJDEP”) under a NJPDES permit, NJ0023787; and

WHEREAS, EWMUA Local Limits were established to regulate the introduction of pollutants from non-domestic sources into the POTW. POTW’s are generally designed to treat domestic wastewater and wastes compatible with the domestic waste. However, generally wastewater of non-domestic nature generated at industrial and/or commercial sites are also

discharged to a POTW along with the domestic wastewater. The Federal General Pretreatment Regulations, 40 CFR 403, were developed to protect a POTW from discharge of industrial or commercial wastewaters which may interfere or are incompatible with the operation of a POTW; and

WHEREAS, these regulations are established to regulate non-domestic dischargers to the WPCP and to prevent introduction of pollutants which may pass-through the treatment works; prevent introduction of pollutants to the POTW which may interfere with the operation, including interference with use or disposal of its municipal sludge; improve opportunities to recycle and reclaim municipal and industrial wastewater and sludge's; and

WHEREAS, after review of the Local Limits section, the East Windsor Municipal Utilities Authority updated its Fats, Oil and Grease policy (FOG) to better educate the business community in the removal of Fats, oil and grease from the domestic wastewater conveyance system and enforce the Rules and Regulations governing these discharges; 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. Chapter IV, Rules for Commercial/Industrial Wastewater Discharges be amended to include Fats, Oil and Grease (FOG) policy.

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: 8/20/20

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 August 20, 2020.

Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution 2020-32 Amend Agreement between CDM Smith and East Windsor MUA to update Off Tract Improvement Fee (OTIF) Program. Mr. Lippman made the motion seconded by Mr. Platizky and unanimously carried.

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

**RESOLUTION TO APPROVE THE AMENDING OF THE AGREEMENT BETWEEN CDM SMITH
AND EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY TO UPDATE OFF TRACT
IMPROVEMENT FEE (OTIF) PROGRAM**

Resolution # 2020-32

WHEREAS, an Agreement between CDM Smith Inc. (CDM Smith) ("ENGINEER") and East Windsor Municipal Utilities Authority ("OWNER") dated March 30, 2020, ("the Agreement"); and

WHEREAS, ENGINEER and OWNER entered into the Agreement for the Preliminary Document Review for Update of Off-Tract Improvement Fee (OTIF) Program, and

WHEREAS, the parties desire to amend the Agreement so as to amend the scope of work, time periods of performance and payment, and/or responsibilities of OWNER; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and signed by the parties.

NOW THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") and in consideration of the mutual understandings and Agreements contained herein, the parties agree to amend the Agreement as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The Basic Services of ENGINEER as described in the Agreement are amended and supplemented as follows:
 - a. As indicated in Engineer's letter to Owner dated August 3, 2020.
3. The responsibilities of OWNER as described in the Agreement are amended and supplemented as follows:
 - a. As indicated in Engineer's letter to Owner dated August 3, 2020.
4. The time periods for the performance of ENGINEER's services as set forth in the Agreement are amended and supplemented as follows:
 - a. Services will be provided as indicated in Engineer's letter to Owner dated August 3, 2020 and as needed until the budget is expended. The total cost of service being \$24,950.00.
5. The payment for services rendered by ENGINEER shall be as set forth below:
 - a. As indicated in Engineer's letter to Owner dated August 3, 2020. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above

for the purpose herein expressed.

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: 8/20/20

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 August 20, 2020.

Marc Platizky, Secretary

Chairperson Moore asked for approval of the Payment of Bills for August 20, 2020. Mr. Millner made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the Operating report from July 2020. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to approve the Development report for August 2020. Mr. Millner made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore requested a motion to approve the Finance Officers report for July 2020. Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to approve the Attorneys report for July-August 2020. Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore requested a motion to approve the Engineers report for July 2020. Mr. Kurs made the motion, seconded by Mr. Millner and unanimously carried.

The minutes from the July 16, 2020 meeting were 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