

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

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

RESOLUTION # 2014-36

W I T N E S S E T H

WHEREAS, Conair Corporation (hereinafter the "Developer") is the owner of a parcel of land located within the Township of East Windsor more particularly described as Block 20.06, Lot 4 on the Official Tax Map of the Township of East Windsor consisting of 27.568 acres of land on Milford 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 immediate vicinity of Block 20.06, Lot 4 on the Official Tax Map of the Township of East Windsor for providing sanitary sewer and water service to that development known as "Conair Warehouse Building" (the "Development"), consisting of a combined office/warehouse use composed of 20,000 sq. ft. of office use, 20,000 sq. ft. of warehouse/record storage, 3,500 sq. ft. of dock office use and 430,533 sq. ft. of warehouse use, more particularly described on

plans entitled "Conair Proposed Warehouse Building" prepared by Maser Consulting, P. A. dated October 10, 2003 with latest revision dated October 7, 2014, 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 July 2, 2012, and memorialized on July 16, 2012 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 Conair Corporation, 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

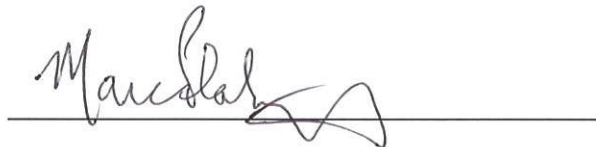
4. The EWMUA further directs that the Executive Director shall take all necessary steps to expedite the directions specified in this resolution, as appropriate, and

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 November 20, 2014.



Marc Platizky. Secretary