

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, February 18, 2016

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, February 18, 2016 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 Lippman
Marc Platizky
Steven Kurs
Leonard Millner
Michael Shifman

Absent: William Lawler

Also present:

Edwin Schmierer, Esq., of Mason Griffin & Pierson
James Farry, of Hatch Mott MacDonald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Clark Wolverton, Wastewater Superintendent

Chairperson Moore called the meeting to order and read the Public Notice statement announcing that the notice and agenda of this meeting were mailed to the Windsor Hights Herald, Trenton Times and Trentonian on February 12, 2016. 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 February 12, 2016. A roll call was taken and Chairperson Moore asked if any Member had an objection to holding this meeting as advertised. No one objected.

Chairperson Moore stated that she was going to reorganize the meeting agenda. The Chairperson moved the discussion of the Capacity Allocation Agreement for 329 & 359 Wyckoff Mills LLC (formerly the NJL site) to the first item on the agenda to be discussed. Mr. Brand spoke about the project stating that the developer was going to run water line from Probasco Road to connection under the turnpike and then on the other side of the turnpike to Cranbury Station Road to complete the loop. Mr. Millner asked how long it would take to complete the connections and Mr. Kainer, representative of Wyckoff Mills, LLC, replied it would take around a year and a half. They would be demolishing the water tank and other structures, then running the lines to the project and then they will run the loop. Mr. Brand stated that OTIF and Connection Fees of over

\$547,000 would be paid. Mr. Kurs made the motion to adopt the capacity Allocation Agreement and Developer's On-Tract and Off-Tract Agreement, seconded by Mr. Lippman and unanimously carried.

Resolution 2016-12

Resolution Approving a Capacity Allocation Agreement and On-Tract and Off-Tract Agreement for 329 & 359 Wyckoff Mills

WHEREAS, 329 WYCOFF MILLS, LLC AND 359 WYCOFF MILLS ROAD, 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 20.208 acres of land on Wyckoffs Mills Road; and

WHEREAS, the Developer has submitted to the East Windsor Municipal Utilities Authority (hereinafter "Authority" or "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 and Off-tract Agreement with 329 WYCOFF MILLS, LLC AND 359 WYCOFF MILLS ROAD, 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.
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Mr. Brand spoke briefly regarding the Aurobindo Pharma USA project a parcel of land surrounded by Windsor Center Drive, Princeton-Hightstown Road and Old Trenton Road. Mr. Brand stated that both staff and Hatch Mott MacDonald have fully reviewed the Developer's engineer's submittal and after some revisions find them technically sufficient. Mr. Brand stated that Aurobindo has agreed to bring the 12" water line from Windsor Center Drive down Old Trenton Road across from the JCP&L power line sub-station. There will be an extension for Season's to connect into but this part of work has not been designed at this time. Aurobindo will get reimbursement from Season's for completing their portion of the loop. Mr. Brand stated that staff was looking for conditional approval from the Board so Aurobindo could forward technical documents to NJDEP for their processing and approval. Mr. Miller, attorney representing Aurobindo stated that Aurobindo was willing to take on the obligation of looping the line with reimbursements from Seasons and the MUA. A motion was made by Mr. Lippman, seconded by Mr. Kurs and unanimously carried to conditionally approve the technical documents so Aurobindo could submit their application to NJDEP.

Having completed this portion of the meeting Chairperson Moore thanked the developers for their input and turned the meeting over to Mr. Brand to begin the reorganization. Mr. Brand requested a nomination for Chairperson and Mr. Lippman nominated Linda Moore for Chairperson. Mr. Platizky made the motion to accept and approve the nomination of Ms. Moore as Chairperson. The motion was seconded by Mr. Kurs and unanimously carried.

Mr. Platizky nominated Mr. Lippman for Vice Chairman and Mr. Kurs made a motion to accept and approve the nomination. The motion was seconded by Mr. Platizky and unanimously carried.

Mr. Lippman nominated Mr. Platizky for Secretary and made the motion to accept and approve the nomination. The motion was seconded by Mr. Kurs and unanimously carried.

Mr. Millner was nominated for treasurer. A motion was made by Mr. Lippman to accept and approve the nomination, seconded by Mr. Kurs and unanimously carried

Mr. Kurs was nominated for assistant secretary/treasurer. Mr. Millner made a motion to accept and approve the nomination, seconded by Mr. Platizky and unanimously carried.

Before Chairperson Moore started the nomination for professional consultants, she noted that each of the professional consultants had submitted an RFP for the position and Mr. Brand had reviewed the submittals and made recommendations for award. Chairperson Moore nominated Hatch Mott MacDonald for the position of Consulting Engineer. A motion was made by Mr. Kurs to accept the nomination of Hatch Mott MacDonald for consulting engineer for a term to run until the reorganization meeting in February 2017, seconded by Mr. Lippman and unanimously carried.

RESOLUTION #2016-2

Resolution Appointing Hatch Mott MacDonald as Consulting Engineers

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Engineering services for 2016; and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the EWMUA's web site; and

WHEREAS, one proposal for these services was received, from Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830; and the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for engineering service to Hatch Mott MacDonald for 2016; and

WHEREAS, the maximum amount of the contract is \$12,000.00 and funds are available in the Operating Account No. 01-201-6205 entitled Basic Contract – Engineering as evidenced by the Chief Financial Officer's Certification.

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A11-1 et seq. authorizes the award of this contract without public bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals and are specifically exempted under N.J.S.A. 40A:11-5.

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

1. The Authority hereby specifically determines that the procedures followed in connection with award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
2. James Farry of Hatch Mott MacDonald is hereby appointed as Authority Engineer until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2017.
3. Hatch Mott MacDonald is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.
4. The chairperson of the Authority is hereby authorized to execute a professional services agreement with Hatch Mott MacDonald for engineering services for the Authority.

5. This resolution shall take effect immediately and notice of this contract award will be published as required by law.

Chairperson Moore made the nomination of Mercadien Group to serve as the Authorities auditors for a term to continue until the reorganization meeting in February 2017. Mr. Platizky made a motion to accept the nomination, seconded by Mr. Kurs and unanimously carried.

RESOLUTION #2016-3
Resolution Appointing Mercadien Group as Auditors

WHEREAS, N.J.S.A. 40:14A-7.1 requires that every utilities Authority shall cause an annual audit of the accounts of the Authority to be made by a registered municipal accountant or certified public account of New Jersey, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be made available for public inspection; and

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site; and

WHEREAS, one proposal for these services was received, from The Mercadien Group, 3625 Quakerbridge Road, Hamilton, NJ 08619 and the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for Financial Auditing Services to The Mercadien Group; and

WHEREAS, the maximum amount of the contract is \$15,100.00 and funds are available in the Operating Account No. 01-201-6201 entitled Basic Contract - Auditor as evidenced by the Chief Financial Officer's Certification.

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

1. That the Chairperson and Secretary are hereby authorized to award this agreement for annual audit service with The Mercadien Group, registered municipal accountants in the State of New Jersey, for the period of February 18, 2016 to the annual reorganization meeting to be held in February, 2017.
2. The Authority hereby specifically determines that the procedures followed in connection with an award of this contract were in full compliance with the Fair and Open process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
3. The Mercadien Group is required to comply with the Affirmative Action Requirements of N.J.A.C. 17:27.
4. This Resolution will take effect immediately and notice of this contract award will be published as required by law...

Chairperson Moore made the nomination of Mason, Griffin & Pierson to serve as the Authorities consulting attorney for a term to continue until the reorganization meeting in February 2017. A motion to accept the nomination was made by Mr. Kurs, seconded by Mr. Millner and unanimously carried.

RESOLUTION #2016-4
Resolution Appointing Mason, Griffin & Pierson as Authority Attorney

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Legal services for 2016; and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site; and

WHEREAS, one proposal for these services was received, from Mason Griffin & Pierson, 101 Poor Farm Road, Princeton, New Jersey 08540 and the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for legal service to Mason Griffin & Pierson for 2016; and

WHEREAS, the maximum amount of the contract is \$30,000.00 and funds are available in the Operating Account #01-201-6204 entitled Basic Contract – Legal as evidenced by the Chief Financial Officer's Certification.

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A11-1 et seq. authorizes the award of this contract without public bidding on the basis that the services are to be performed by persons who are recognized as licensed and regulated professionals and are specifically exempted under N.J.S.A. 40A:11-5.

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

1. The Authority hereby specifically determines that the procedures followed in connection with an award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.
2. Mason Griffin & Pierson is hereby appointed as Authority Attorney until a successor is appointed at the annual reorganization meeting of the Authority to be held in February, 2017.
3. Mason Griffin & Pierson is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.
4. The chairperson of the Authority is hereby authorized to execute a professional services agreement with Mason Griffin & Pierson for legal services for the Authority.
5. This resolution shall take effect immediately and notice of this contract award will be published as required by law.

Chairperson Moore requested a motion to approve PACO Officer with corrections to dates in resolution. A motion was made by Mr. Platizky to appoint Tod Fryer as Public Agency Compliance Officer (PACO) for a term to run until the reorganization meeting in February 2017. A second was made by Mr. Lippman and unanimously carried.

Resolution #2016-5
Resolution Appointing Affirmative Action Officer (PACO)

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) is a local government unit of the State of New Jersey; and

WHEREAS, all local government units are required to implement the Affirmative Action Rules, N.J.A.C. 17:27 et seq., promulgated pursuant to P.L. 1975, C. 127; and

WHEREAS, pursuant to the Affirmative Action rules, each unit is to designate a person to serve as a Public Compliance Officer (PACO); and

WHEREAS, the Authority desires to comply with a said mandate with the appointment of Tod Fryer, as the Authority PACO.

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

1. The Authority hereby appoints Tod Fryer, to act as liaison to the Affirmative Action Office of the New Jersey Department of the Treasury as Public Agency Compliance Officer for 2016 until a successor is elected at the annual reorganization meeting of the Authority to be held in February 2017.
 2. This Resolution will take effect immediately.
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A motion was made by Mr. Lippman, seconded by Mr. Platizky to appoint Rue Insurance and Don Gallo, Jr. of Gallo Benefits Consulting as Insurance Agents for a term to run until the reorganization meeting in February 2017. The appointment for insurance agents was unanimously carried.

Resolution 2016-6

Resolution Appointing Insurance Agents of Record of the Authority

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that Rue Insurance and Donald D. Gallo, Jr. of Gallo Benefits Consulting, hereby are, appointed as Insurance Agents of Record for the East Windsor Municipal Utilities Authority for 2016, until the reorganization meeting February 2017, and

1. This Resolution will take effect immediately.
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Mr. Lippman made a motion to appoint Wells Fargo, Fulton Bank and Bank of New York Mellon as Depositories for a term to run until the reorganization meeting in February 2017. Mr. Kurs seconded the motion which was unanimously carried.

Resolution 2016-7

Resolution Appointing Depositories for Funds of the Authority

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that the Bank of New York Mellon, Wells Fargo and Fulton Bank, hereby are, appointed as depositories for the funds of the East Windsor Municipal Utilities Authority for 2016, until the reorganization meeting February 2017, and

1. This Resolution will take effect immediately.
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Mr. Lippman made a motion appointing the Windsor Hights Herald, The Times of Trenton and the Trentonian as the official newspapers of the Authority. A second was made by Mr. Platizky and unanimously carried

Resolution 2016-8
Resolution Appointing Official Newspapers for the Authority

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that The Times of Trenton and the Windsor Hights Herald, hereby are, appointed as the official newspapers for 2016, until the reorganization meeting in February 2017, and

1. This Resolution will take effect immediately.
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Mr. Lippman made the motion to approve the meeting dates for the EWMUA Regular Meetings. A second was made by Mr. Kurs and unanimously carried.

Resolution 2016-9
Resolution Schedule of 2015/2016 Regular Board Meeting Dates

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

1. During the year 2016/2017 the Regular Meetings of the East Windsor Municipal Utilities Authority Board will be held at 7:30 P.M., in the Administration Building at 7 Wiltshire Drive, in accordance with the dates listed below.
 - February 18, 2016
 - March 17, 2016
 - April 21, 2016
 - May 19, 2016
 - June 16, 2016
 - July 21, 2016
 - August 18, 2016
 - September 15, 2016
 - October 20, 2016
 - November 17, 2016
 - December 15, 2016
 - January 19, 2017
 - February 16, 2017

2. This Resolution will take effect immediately.
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After the reorganization portion of the meeting Chairperson Moore requested input from Mr. Brand regarding sewer service along Route 539 to residence currently on septic systems. Mr. Brand stated that the owner of Village Nursery had approached him on behalf of a couple of residence that would like sewer service from the MUA There is a stub that goes 200 feet back into property on Eastwood Drive. The Old York Road residence would like the MUA to extend the line. Mr. Brand explained that the residence would have to do a cost sharing to extend the line on the West side of Route 539. However that would still leave an issue for properties on the East side of the street. Mr. Brand stated that this was just an FYI for the Board because he believes at some point in the future these residence will approach the Board.

Next on the addenda was a discussion of the Camera Truck purchase. Mr. Brand stated that the Collection Department was in need of a new camera system and truck. The MUA has had the current truck for 25 years and there is money in the Capital Budget at this time to pay for the purchase. Chairperson Moore stated that there was a Resolution to be approved tonight and Mr. Platizky made the motion to proceed with the purchase of the Camera Truck. A second was made by Mr. Kurs and unanimously carried.

Resolution 2016-10
Purchase of 2016 Ford Transit Fitted with a Cobra Camera System

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined that the 1995 Camera Truck for its Collection Department is in need of replacement; and

WHEREAS, the East Windsor MUA is a member of the HGACBuy a nationwide government -to-government procurement service, and under N.J.S.A 40A:11-11 (5), the East Windsor MUA is authorized to purchase goods through a Cooperative Pricing Agreement; and

WHEREAS, on or about February 10, 2016, Quotes were solicited to replace the camera system and van as well as pricing from cooperative purchasing, state contract and national contracts as allowed by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, Four quotes were received to replace the 1995 camera system and truck, One in which is with Optical Robotics LLC dba Cobra Technologies through HGACBuy; and

WHEREAS, the East Windsor MUA has verified the documentation requirements to ensure Optical Robotics LLC dba Cobra Technologies complies with applicable New Jersey procurement requirements; and

WHEREAS, the East Windsor MUA, through its membership in HGACBuy, desires to purchase One (1) Cobra Mainline Sewer Inspection system and Van from Optical Robotics LLC dba Cobra Technologies via Quotation dated February 10, 2016 through the HGACBuy Contract SC01-15, at the price of \$164,018.00; and

WHEREAS, having reviewed said quotes and contracts, the Authority has determined that the lowest responsible quote was for the Cobra Mainline Sewer Inspection system and Van from Optical Robotics LLC dba Cobra Technologies through the HGACBuy for \$164,018.00.

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

1. The Chairperson and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to enter into a purchase agreement with Optical Robotics LLC dba Cobra Technologies., 4806 Wright Drive, Building C, Smyrna, Georgia 30082 in an amount not to exceed \$164,018 for the purchase of a One (1) Sewer Inspection system and Van through the HGACBuy to replace the 1995 Camera System and Van with a 2016 Ford Transit fitted with a Cobra Camera system for a total sum of One Hundred and Sixty Four Thousand Eighteen Dollars (\$164,018.00.00).
 2. A notice of the award of this contract shall be published in a newspaper of general circulation within the Township of East Windsor as required by law.
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The next item Mr. Brand wanted to discuss was the purchase of new financial software. Mr. Brand remarked that we have had many issues with the current software and support response time therefore we contacted Edmunds and they came and spoke to use about their software package. Mr. Ghrist informed the Board that Edmunds has a very good package and it is used in about 40% of the municipalities in the State. Mr. Brand stated it would take several months to upgrade, convert and train. The Members asked if with the new financial software customers would be able to make payments on line, use credit cards and receive electronic bills. Mr. Brand answered yes and then the Board asked if there would be a fee for credit card payments and Mr. Ghrist said yes to cover the bank fees to the MUA. Mr. Platizky asked if we were under contract with Harris and if switching to Edmunds would be a breach of contract. Mr. Schimierer responded no on the part of MUA because Harris never implemented and trained staff on some of the applications. Mr. Lippman made a motion to approve the resolution for purchase of new financial software, seconded by Mr. Kurs and unanimously carried.

Resolution 2016-11
Purchase of Financial Software – Edmunds

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined that the Financial Software needs to be replaced; and

WHEREAS, on or about December 10, 2016, Quotes were solicited to replace the Financial Software system, specifically the Finance module, Electronic Requisition module, Utility Billing module, On-Line payment module and Data Vault module. Pricing from cooperative purchasing, state contract and national contracts were obtained as allowed by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, having reviewed said quotes and contracts, the Authority has determined that the lowest responsible quote was with Edmunds Associate, which is under State Contract for \$45,000.00.

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

1. The Chairperson and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to enter into a purchase agreement with SHI / Edmunds & Associates for purchase and installation of the MCSJ Finance Super Suite 1 (General Ledger, Revenue and expense tracking, Accounts payable, fixed assets and bank reconciliation), Finance module, Electronic Requisition module, Utility Billing module, On-Line payment module and Data Vault module in an amount not to exceed \$45,000.

2. A notice of the award of this contract shall be published in a newspaper of general circulation within the Township of East Windsor as required by law.

Mr. Millner made a motion to approve Operating Bills in the amount of \$170,334.59; Payroll 1/20/16 in the amount of \$73,585.09 and Payroll 2/3/16 \$80,478.15, seconded by Mr. Kurs and unanimously carried.

Mr. Platizky made a motion to approve the Operating Report for January, seconded by Mr. Lippman and unanimously carried.

Mr. Lippman made the motion to approve the Development Report for February, seconded by Mr. Kurs and unanimously carried.

Mr. Lippman made the motion to approve the Finance Officers Report for January, seconded by Mr. Platizky and unanimously carried.

Mr. Platizky made the motion to approve the Attorney's Report for January, seconded by Mr. Lippman and unanimously carried.

Mr. Kurs made a motion to approve the Engineer's January Report, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore announced that there was no other business for discussion in the regular session and asked for a motion to approve the resolution for Executive Session. Mr. Platizky made the motion to approve the resolution and enter into Executive Session, seconded by Mr. Kurs and unanimously carried.

Resolution

WHEREAS, Section 7 of the Open Public Meetings Act, ("Act") C. 231, P.L. 1975 the (N.J.S.A. 10:4-12B) permits the exclusion of the public from a meeting of the East Windsor Municipal utilities Authority ("Authority") under certain circumstances; and

WHEREAS, the Authority is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from that portion of the meeting in accordance with the Act.

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

1. The public shall be excluded from discussion and action upon the specified subject matter as set forth in Exhibit "A" attached hereto and made a part hereof.
2. The general nature of the subject matter to be discussed as set forth in Section 7b of the Act (N.J.S.A. 10:4-12b) is set forth next to the subject matter in the attached Exhibit "A".
3. It is anticipated at this time that the stated subject matter will be made public on or about the time set forth next to the subject matter in attached Exhibit "A".
4. This Resolution shall take effect immediately.

Exhibit "A"

<u>General Subject Matter</u>	<u>Basis Under For Exclusion of Public</u>	<u>Anticipated Date when Discussion Will Be Disclosed to Public</u>
Litigation	Attorney/Client Privilege	Certain information at the discretion of the Board tonight. Other information will remain confidential.

Respectfully submitted,


Marc Platizky, Secretary