

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, June 15, 2017 @7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, June 15, 2017 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
Leonard Millner
William Lawler
Michael Shifman
Steven Kurs

Absent:

Also present:

Edwin W. Schierer, Esq., of Mason Griffin & Pierson
James Farry, Mott Mac Donald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
James Mackie, Assistant Operation Manager
Clark Wolverton, 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 mailed to the Windsor Hights Herald and Trenton Times on June 9, 2017. 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 June 9, 2017. 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 tonight's agenda. Hearing no one Chairperson Moore closed the public portion of the meeting.

Chairperson Moore asked for approval of the Developers Agreement for Seasons at East Windsor Resolution #2017-13. Mr. Lippman made the motion, seconded by Mr. Kurs and unanimously carried.

Resolution 2017-13

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EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

RESOLUTION FOR APPROVAL OF A CAPACITY ALLOCATION AGREEMENT AND
DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH
EAST WINDSOR ACQUISITION, LLC FOR THE DEVELOPMENT PROJECT
COMMONLY KNOWN AS THE "SEASONS AT EAST WINDSOR"

RESOLUTION # 2017-13

W I T N E S S E T H

WHEREAS, EAST WINDSOR ACQUISITION, LLC (hereinafter the "Developer"), is the owner of one parcel of land consisting of 2.96 acres located within the Township of East Windsor more particularly described as Block 3, Lot 3.01 (hereinafter referred to as the "Property") as depicted on the East Windsor Township Tax Map and more specifically located on the east-bound side of the Princeton-Hightstown Road (County Route 571). The address of the Property is 359 Princeton-Hightstown Road; and

WHEREAS, the Developer has submitted to the Authority for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on the Property for providing sanitary sewer and water service to that development known as "The Seasons at East Windsor" (the "Development") consisting of a three story building of 89,038 square foot assisted living facility of 120 beds more particularly described on plans entitled "Preliminary and Final Major Site Plan for The Seasons at East Windsor Assisted Living Facility, Lot 3.01 Block 3, East Windsor Township,

RESOLUTION FOR APPROVAL OF A CAPACITY ALLOCATION AGREEMENT AND DEVELOPER'S ON-TRACT
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Mercer County, New Jersey" prepared by Morgan Engineering and Surveying,
Toms River, New Jersey April 25, 2016, latest revisions dated May 8, 2017
for the site plans, 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 Preliminary and Final Major Site Plan
Approval on February 28, 2011, memorialized April 4, 2011, 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 East Windsor Acquisition, 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

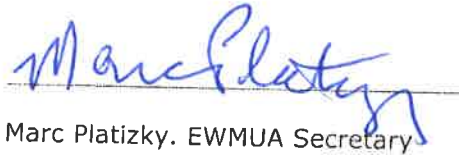
4. The EWMUA further directs that the Executive Director shall take all necessary steps to expedite the directions specified in this resolution, as appropriate, and

5. This resolution shall take effect immediately.

A handwritten signature in blue ink, appearing to read "Linda L. Moore", written over a horizontal line.

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 June 15, 2017.

A handwritten signature in blue ink, appearing to read "Marc Platizky", written over a horizontal line.

Marc Platizky, EWMUA Secretary

Chairperson Moore asked Mr. Brand to speak about Well Pump#6 replacement project. The project went out to bid June 13, 2017 a total of (4) bids were received. Being the lowest responsible bidder, the bid is being rewarded to A.C. Schultes. Chairperson Moore asked for approval. Mr. Millner made the motion, Seconded by Mr. Lippman.

Resolution 2017-15

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

RESOLUTION AWARDING CONTRACTS FOR THE PROVISION OF SUBMERSIBLE WELL PUMP #6 REPLACEMENT

RESOLUTION NO. 2017-15

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to except bids for the purpose of replacing well pump #6 located at Twin Rivers Water Treatment; 45 Twin Rivers Drive on May 19, 2017 ; and

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has determined the submersible well pump is due for inspection and maintenance and because of the long lead time for a replacement pump, has determined the purchase of a new submersible well pump is in the best interest of the Authority; and

WHEREAS, in accordance with a properly advertised Notice to Bidders by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A.* 40A:11-1 *et seq.*, two (4) bidders submitted bids for the provision of Submersible Well Pump #6 Replacement which were received on June 13, 2017; and

WHEREAS, in soliciting bids for said work, the Authority followed the Fair and Open process in accordance with *N.J.S.A.* 19:44A-20.4; and

WHEREAS, after review of the four (4) bids submitted there was one (1) low bidder:

- 1) **A.C. Schultes – 664 South Evergreen Avenue, Woodbury Heights, NJ 08097** - \$59,000 for the purchase of a 150 H.P., Two Stage, Submersible Well Pump; \$5,400.00 for the installation of the new well pump for a total Bid of \$64,400.00.

WHEREAS, it is the recommendation of the Executive Director that A.C. Schultes be awarded the contract for the provision of Well #6 Submersible Pump Replacement bid 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.

The bid of **A.C. Schultes – 664 South Evergreen Avenue, Woodbury Heights, NJ 08097** - \$59,000 for the purchase of a 150 H.P., Two Stage, Submersible Well Pump; \$5,400.00 for the installation of the new well pump for a total Bid of \$64,400.00 are hereby accepted and the contract awarded ; and

2. 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: 6/15/17


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 June 15, 2017.


Marc Platizky, Secretary

Chairperson Moore asked for approval for the release of the performance bond and amount held in escrow of \$5,536.59. Mr. Lippman made the motion, seconded by Mr. Kurs and unanimously carried.

Resolution 2017-12

Amended 6/14/2017

RESOLUTION 2017-12

AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES FOR SANITARY SEWER AND WATER FACILITIES FOR THE DEVELOPMENT PROJECT GENERALLY KNOWN AS "THE WOODS AT EAST WINDSOR"

WHEREAS, The Woods at East Windsor, LLC., (hereinafter referred to as "Developer") installed certain sanitary sewer and water facilities to serve 86 age-restricted, one and two bedroom rental units within three buildings in that development project known as The Woods at East Windsor, which facilities are more fully described herein as follows,

The Woods at East Windsor – Sanitary Sewer Facilities:

Sanitary Sewer facilities which serve The Woods at East Windsor are more fully described as 626 lineal feet of 8-inch PVC and 130 lineal feet of DIP sanitary sewer to serve 86 age restricted residential units in As-Built Plans for The Woods at East Windsor prepared by Maser Consulting, Jelena Balorda-Barone, PE, consisting of Sheet 4 of 13, Revision 7 dated April 14, 2015, all in accordance with NJDEP TWA (Sewer) Permit #06-0057a per certification of A. Maxwell Peters, NJPE, T & M Associates, Inc., dated June 21, 2016.

The Woods at East Windsor – Water Facilities:

Water Facilities which serve The Woods at East Windsor are more fully described as 1,125 lineal feet of 8-inch DIP water main extension to serve 86 age restricted residential units in As-Built Plans for The Woods at East Windsor prepared by Maser Consulting, Jelena Balorda-Barone, PE, consisting of Sheet 4 of 13, Revision 7 dated April 14, 2015, all in accordance with NJDEP BSDW (Water) Permit #WCP150002 per certification of A. Maxwell Peters, NJPE, T & M Associates, Inc., dated June 8, 2016; and,

WHEREAS, the Developer has requested a complete release of Performance Bonds nos. FP0022401 (Sanitary Sewer System) and FP0022400 (Water Distribution System) drawn on First Indemnity of America Insurance Company 119 Littleton Road Parsippany, NJ 07054 and Cash Performance Bonds in the amount of \$6,744.44 (sanitary sewer) and \$8,240.38 (water), exclusive of interest and Inspection Escrow Account in the amount of \$5,536.59, exclusive of interest; and,

WHEREAS, the Developer has satisfactorily constructed the sanitary sewer and water facilities, as required; and,

WHEREAS, the East Windsor Municipal Utilities Authority desires to release the aforementioned performance guarantees subject to certain conditions which shall be more fully described hereinafter.

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

1. The request of the Developer to release the aforementioned performance guarantees is hereby approved and said bonded and cash performance guarantees are hereby released.

2. The original bonded performance guarantees shall not be released to the Developer except upon the presentation of an acceptable maintenance guarantee bond in the amount of 15% of the engineer's estimate of the construction and related costs of the improvements.

3. This resolution shall take effect immediately.

EAST WINDOR MUNICIPAL UTILITIES AUTHORITY


Linda L. Moore, Chairperson

CERTIFICATION

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the EWMUA at a regularly scheduled meeting held on June 15, 2017.


Marc Platizky, Secretary

Chairperson Moore requested a motion to approve the June Payment of the Bills. Operating in the amount of \$139,180.09: Payroll for 5/24/17 \$73,525.05: Payroll for 06/07/17 \$77,397.97: Mr. Millner made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for June and Mr. Lippman made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for June and Mr. Kurs made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for June, Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.


Chairperson Moore asked for a motion to approve the Engineer's Report for June, Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore asked for a motion to approve the Attorney's Report for June, Mr. Lippman made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for a motion to approve the Regular Meeting minute for January 19, 2017, Mr. Platizky made the motion, seconded by Mr. Lawler and unanimously carried..

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,


Marc Platizky, Secretary