

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting

Thursday, February 15, 2018, @7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, February 15, 2018 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 Platizky  
Marc Lippman  
William Lawler  
Michael Shifman  
Steven Kurs

Absent: Leonard Millner

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 Operation 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 Hights Herald and Trenton Times on February 9, 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 February 9, 2018. Chairperson Moore then asked the Secretary 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 turned the meeting over to Mr. Brand to begin the reorganization portion of the meeting. Mr. Brand began by nominating the following:

Linda Moore for Chairperson  
Marc Lippman for Vice Chairperson

Marc Platizky for Secretary  
Steve Kurs for Assistant Secretary/Treasurer  
Leonard Millner for Treasurer

A motion to approve and adopt the appointments of the Board was made by Mr. Kurs, seconded by Mr. Platizky and carried with the following vote:

AYES: Mr. Lippman, Mr. Platizky, Mr. Kurs and Ms. Moore. NOES: None ABSTAIN: None

Mr. Brand turned the meeting back over to Chairperson Moore. Chairperson explained that each of the Board Members had agreed to continue their position for another year and thanked them.

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 Mott MacDonald for the position of Consulting Engineer. A motion was made by Mr. Lawler to accept the nomination of Mott MacDonald for Consulting Engineer for a term to run until the reorganization meeting in February 2019, seconded by Mr. Kurs and unanimously carried with the following vote:

AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES: None, ABSTAIN: None

### **Resolution No. 2018-03**

#### **Resolution Awarding Contract for Professional Engineering Services**

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Engineering services for 2018; 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 the official designated daily newspaper of the Authority on January 15, 2018; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 11:00 a.m. on Tuesday, January 30, 2018 at the Authority offices, and

WHEREAS, two proposal for these services was received, one from Hatch Mott MacDonald, 27 Bleeker St., Millburn, NJ 07041; and Van Cleef Engineers, 4 AAA Drive, Suite 103, Hamilton NJ 08691 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 Mott MacDonald for 2018; and

WHEREAS, the maximum hourly rate charge is \$180.00 per hour for a Senior Professional Engineer for capital projects, and

WHEREAS, the Annual Report lump sum is \$9,800.00, and

WHEREAS, adequate funds are available in an amount sufficient to defray the expenditure of money as evidenced by the Financial Officer's Certification, and

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 the 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. David Klemm of 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 2019.

2018-03

**Resolution Awarding Contract for Professional Engineering Services**

3. 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 Mott MacDonald for engineering services for the Authority.
5. Notice of this contract award shall be published as required by law.

Dated: 2/15/18

Linda Moore, Chairperson

**CERTIFICATION**

I, Marc Platizky, secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on February 15, 2018.

Dated: 2/15/18

\_\_\_\_\_  
Marc Platizky, Secretary

Chairperson Moore made the motion of Mercadien Group to serve as the Authorities Auditors for a term to continue until the reorganization meeting in February 2019. Mr. Kurs made the motion to accept the nomination, seconded by Mr. Platizky and unanimously carried with the following vote:  
AYES: Mr. Lippman, Mr. Platizky, Mr. Kurs, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None.

## Resolution Awarding Contract for Professional Auditing Services

### Resolution #2018-04

WHEREAS, N.J.S.A. 40:14A-7.1 requires that every utility's Authority will cause an annual audit of the accounts of the Authority to be made by a registered municipal accountant or certified public accountant 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 in the official designated daily newspaper of the Authority on January 19, 2018; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 11:00 a.m. on Tuesday, January 30, 2018 at the Authority offices, and

WHEREAS, one proposals for these services were received, The Mercadien Group, 3625 Quakerbridge Road, Hamilton, NJ 08619 in which the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for the Authorities Annual Audit to The Mercadien Group and Financial Services; and

WHEREAS, the maximum amount of the contract is \$15,100.00 to The Mercadien Group for the Annual Audit and \$400.00 per hour for principal and \$250.00 per hour for Senior Manager for all other Financial Services, adequate funds are available in the Operating Account No. 01-201-6202-2 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 15, 2018 to the annual reorganization meeting to be held in February 2019.

2. The Authority hereby specifically determines that the procedures followed in connection with the 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.

2018-04

### Resolution Awarding Contract for Professional Auditing Services

3. The Mercadien Group is required to comply with the Affirmative Action Requirements of N.J.A.C. 17:27.

4. It is hereby directed that notice of the award of a contract be published once in the official designated newspaper of the Authority within ten (10) days of the date hereof.

5. This Resolution will take effect immediately.

Dated: 02/15/2018

\_\_\_\_\_  
Linda Moore, Chairperson

### CERTIFICATION

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on February 18, 2016.

Dated: 2/15/2018

\_\_\_\_\_  
Marc Platizky, Secretary

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 2019. A motion was made by Mr. Platizky, seconded by Mr. Kurs and unanimously carried with the following vote:  
AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None.

## **Resolution Awarding Contract for Professional Legal Services**

### **Resolution #2018-05**

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Legal services for 2018; 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 in the official designated daily newspaper of the Authority on January 19, 2018; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 11:00 a.m. on Tuesday, January 30 2018 at the Authority offices, 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 2018; and

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, and

WHEREAS, the hourly rate charge is \$170.00 per hour for routine legal services and a hourly rate charge of \$175.00 per hour for litigation (including bankruptcy) and capital projects, and

WHEREAS, adequate funds are available in an amount sufficient to defray the expenditure of money as evidenced by the Financial Officer's Certification, and

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 the 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 2018.

**2018-05**

3. Mason Griffin & Pierson is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.

**Resolution Awarding Contract for Professional Legal Services**

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. Notice of this contract award will be published as required by law.

Dated: 02/15/2018

\_\_\_\_\_  
Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on February 15, 2018.

Dated: 02/15/2018

\_\_\_\_\_  
Marc Platizky, Secretary

Chairperson Moore made the nomination to appoint Tod Fryer to serve as Public Agency Compliance Officer (PACO) for a term to run until the reorganization meeting in February 2019. A motion was made by Mr. Kurs, seconded by Mr. Platizky and unanimously carried with the following vote:  
AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None.

### **Resolution #2018-06**

#### 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 the said mandate with the appointment of Tod Fryer, as the Authority PACO officer.

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 2018 until a successor is elected at the annual reorganization meeting of the Authority to be held in February 2019
2. This Resolution shall take effect immediately

Dated: 2/15/18

\_\_\_\_\_  
Linda Moore, Chairperson

#### CERTIFICATION

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on February 15, 2018.

Dated: 2/15/18

\_\_\_\_\_  
Marc Platizky, Secretary



Chairperson Moore made the nomination 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 2019. A motion was made by Mr. Kurs, seconded by Mr. Lawler and unanimously carried with the following vote:

AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None.

**Resolution #2018-07**

**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 2018, until the reorganization meeting February 2019, and

1. This resolution shall take effect immediately

Dated: 2/15/18

\_\_\_\_\_  
Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at the meeting held on February 15, 2018.

Dated: 2/15/18

\_\_\_\_\_  
Marc Platizky, Secretary

Chairperson Moore made the nomination to appoint Wells Fargo, Fulton Bank and Bank of New York as Depositories for a term to run until the reorganization meeting in February 2019. A motion was made by Mr. Lawler, seconded by Mr. Lippman and unanimously carried with the following vote:  
AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None.

### **Resolution Appointing Depositories for the Authority**

#### **Resolution 2018-08**

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority that Wells Fargo, Fulton Bank and the Bank of New York hereby are, appointed as the depositories for the funds of the East Windsor Municipal Utilities Authority for 2018, until the reorganization meeting in February 2019, and

1. This Resolution will take effect immediately.

Dated: 02/15/2018

\_\_\_\_\_  
Linda Moore, Chairperson

#### **CERTIFICATION**

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting on February 15, 2018.

Dated: 02/15/2018

\_\_\_\_\_  
Marc Platizky, Secretary

Chairperson Moore made the nomination to appoint East Windsor Herald and the Trenton Times as the Official Newspaper for a term to run until the reorganization meeting in February 2019. A motion was made by Mr. Platizky, seconded by Mr. Kurs and unanimously carried with the following vote:  
AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None.

**Resolution #2018-09**

Resolution Appointing the Official Newspaper for the East Windsor Municipal Utilities Authority

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that the Trenton Times and the Windsor Hights Herald, hereby are, appointed as the official newspapers for 2018, until the reorganization meeting on February 2019, and

1. This resolution shall take effect immediately,

Dated: 2/15/18

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Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on February 15, 2018.

Dated: 2/15/2018

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Marc Platizky, Secretary

Chairperson Moore made the nomination to approve the Regular Meeting Dates for a term to run until the reorganization meeting in February 2019. A motion was made by Mr. Lawler, seconded by Mr. Platizky and unanimously carried with the following vote:  
AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Lawler, Mr. Shifman and Chairperson Moore.  
NOES; None. ABSTAIN: None

**Resolution 2018-10**

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

1. During the year 2018/19 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 15, 2018  
March 15, 2018  
April 19, 2018  
May 17, 2018  
June 21, 2018  
July 19, 2018  
August 16, 2018  
September 20, 2018  
October 18, 2018  
November 15, 2018  
December 20, 2018  
January 17, 2019  
February 21, 2019

2. This Resolution shall take effect immediately.

Dated: 02/15/2018

\_\_\_\_\_  
Linda Moore, Chairperson

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the East Windsor Municipal Utilities Authority at a meeting on February 15, 2018.

Dated: 02/15/2018

\_\_\_\_\_  
Marc Platizky, Secretary

Chairperson Moore asked Mr. Brand to speak about the Pine Lane Tank change order Resolution #2018-11. Mr. Brand stated that back in 1970 when the tank was painted the paint back then contained lead and PCB's, when Pine Lane had the removed paint tested it came back testing positive for PCB's. We also privately had the waste tested and it did come back testing positive for PCB's so the disposal of this container has to be done differently. Chairperson Moore asked for a motion to approve resolution 2018-11. Mr. Lawler made the motion, seconded by Mr. Lippman and unanimously carried.

### RESOLUTION NO. 2018-11

**WHEREAS**, East Windsor Municipal Utilities Authority has determined that the Pine Lane Elevated Water Tank (Sphere) is in need of repair and having its interior and exterior surfaces painted; and

**WHEREAS**, pursuant to the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* bid specifications were prepared and advertised for said work; and

**WHEREAS**, East Windsor Municipal Utilities Authority went to public notification on June 15, 2017 to accept bids for the purpose of painting Pine Lane Tank; 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**, in accordance with a properly advertised Notice to Bidders, Four (4) bidders submitted bids for the provision of Pine Lane Tank Painting which were received on July 11, 2017; and

**WHEREAS**, after review of the bids submitted Brave Industrial Painting was awarded the bid on July 20, 2017 for \$489,998.00; and

**WHEREAS**, East Windsor Municipal Utilities Authority was aware of the waste sand blasting material having possible lead contamination; and

**WHEREAS**, the waste sand blasting material was required to be tested prior to entering the land fill; and

**WHEREAS**, the waste sand blasting material was test by a certified lab four (4) times and found to contain PCB's in one of the four containers; and

**WHEREAS**, the cost to dispose of the one container was an additional \$41,388.15 over the bid price of \$489,998.00; and

**WHEREAS**, Brave Industrial Painting has requested that a change order in the amount of \$41,388.15 be approved for the disposal of the PCB tainted sand blasting material; and

**WHEREAS**, the East Windsor Executive Director and MBA Associates (Tank Consultants) has reviewed all documents and agrees that it is in the best interest of the East Windsor

Municipal Utilities Authority to except this change order for an additional \$41,388.15 bringing the total cost of the project to \$531,386.15; and

**WHEREAS**, the Financial Officer has certified that sufficient funds are available for the award of this contract; 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. The change order no. 1 be approved for payment for the removal and disposal of PCB tainted sand blasting waste material in the additional amount of \$41,388.15.
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 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 15<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Marc Platizky, Secretary

Chairperson Moore asked Mr. Brand to speak about Green Grounds Maintenance Policy Resolution #2018-12. Mr. Brand stated that this is great for the MUA and the for the community to know we not just meet but exceed the environmental expectations in our green policies. Chairperson Moore asked for a motion. Mr. Lawler made the motion, seconded by Mr. Lippman and unanimously carried.

## RESOLUTION# 2018-12

### GREEN GROUNDS AND OUTSIDE FACILITY MAINTENANCE PROGRAM

WHEREAS, the East Windsor Municipal Utilities Authority owns and operates substantial grounds that are designated for our Water and Wastewater facilities; and

WHEREAS, it is the desire of the East Windsor Municipal Utilities Authority to upkeep its facilities; and

WHEREAS, the East Windsor Municipal Utilities Authority desires that such upkeep and maintenance be conducted in an environmentally sensitive manner, to promote the health and safety of the town's residents and environment; and

WHEREAS, the East Windsor Municipal Utilities Authority is committed to protecting the environment, and to finding ways to use our most precious resource wisely; and

WHEREAS, the East Windsor Municipal Utilities Authority is committed to conserving its water in the most sustainable way and leading by example so that others may follow; and

WHEREAS, The East Windsor Municipal Utilities Authority provides water and wastewater services to our customers, we also work to prevent pollution, promote sustainability, and enhance the natural environment; and

WHEREAS East Windsor Municipal Utilities Authority has a consistent history of complying with, and in many cases surpassing, the standards set by environmental laws and regulations; and

WHEREAS, this is the foundation on which East Windsor Municipal Utilities Authority builds its environmental performance, and strives to not just to meet, but exceed the environmental expectations of our ratepayers and establish new benchmarks by which others in our industry may be measured; and

Whereas, East Windsor Municipal Utilities Authority's commitment to the environment extends beyond the quality of our water but into the heart of who we are. We are stewards of the community in which we serve, and we are proud of the role we play in protecting their surroundings; and

NOW THEREFORE, BE IT RESOLVED BY THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY BOARD, COUNTY OF MERCER, STATE OF NEW JERSEY that the attached Green Grounds and Outside Maintenance Facility Maintenance Program is officially adopted.

**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. The Authority is hereby authorized and directed to incorporate the updated Green Grounds and Outside Facility Maintenance Program
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.

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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 15<sup>th</sup> day of February , 2018.

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Marc Platizky, Secretary



Chairperson Moore asked Mr. Brand about Green Grounds Environmentally Preferable Purchasing Policy Resolution #2018-13. Mr. Brand stated that this is the guidelines and expectations in more detail for the Green purchasing. Chairperson asked for a motion. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

## RESOLUTION NO. 2018-13

### ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (GREEN PURCHASING POLICY)

#### 1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING POLICY)

##### 1.1 STATEMENT OF THE POLICY

It is the policy & practice of the *(Insert Municipal Name)* to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness, and
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible.

##### 1.2 PURPOSE & OBJECTIVES OF THE POLICY

The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the *(Insert Municipal Name)*. By including environmental considerations in purchasing decisions, *(Insert Municipal Name)* can promote practices that improve public and worker health, conserve natural resources, and reward environmentally conscious manufacturers, while remaining fiscally responsible.

The policy objectives are to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets,
- Reduce materials that are routinely land filled or disposed of,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products & associated distribution systems,
- Reward manufacturers & vendors with contracts that reduce environmental impacts in their production & distribution systems or services,
- Collect & maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products,
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)**

**1.3 RESEARCH, EVALUATION & IMPLEMENTATION OF THE POLICY**

The *(Insert Municipal Name)* Purchasing *(Insert Department, Division or Office)* and members of the Green Team, which shall be composed of representatives from various *(Insert Borough, City or Township)* departments/divisions, commissions/committees and volunteer organizations shall research, evaluate, and implement the environmental purchasing objectives. The Green Team Committee shall focus its research, evaluation and the implementation of the Green Policy in the following areas:

- Recycled Content Products (e.g. paper products, playground/recreation equipment, toner/printer cartridges, motor oils & lubricants, furniture, carpets & flooring materials, matting, plastic/composite lumber/building materials, trash bags, parking stops, ceiling tiles, etc...)
- Less Harmful & Non-toxic Materials & Processes (e.g. janitorial/cleaning products, pest management chemicals, phosphates, paint, solvents, fuels & lubricants, etc...)
- Energy & Water Efficient Products & Processes (e.g. solar applications, energy efficient lighting, energy star appliances, water saving devices, vehicles & motorized equipment, etc...)
- Natural Resource & Landscaping Management (e.g. integrated pest and vegetation management, drought tolerant/indigence plants & shrubs, recycled mulches & natural composts, etc...)
- Renewable Products (e.g. FSC certified forests products, renewable energy resources, etc...)
- Disposal & Pollution Reduction (e.g. integrated waste management, duplex copies, retread tires, reusable holiday trees, recycling programs for used ceiling tiles & flooring materials, etc...)
- Packaging (e.g. bulk packaging, reusable boxes, recycled packing materials, shipping pallets, etc...)
- Green Building Program (e.g. using recycled products in the construction and renovation, disposal of building materials in an environmentally sensitive manner, designing and renovating for energy and resource conservation)

The Committee is aware that the evaluation and implementation phases of the project will require changes in awareness, behaviors, practices and operating procedures. To the extent possible, it is the Committee's intention to have a participative process as it researches, evaluates and implements the policy recommendations. It is also the Committee's intention to meet annually after implementation to monitor and evaluate the *(Insert Municipal Name)* progress in this area.

**1.4 SPECIFICATIONS**

**1.4.1 Source Reduction**

- \* To the extent practicable the *(Insert Municipal Name)* shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or overall workplace quality.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.1 Source Reduction (Continued)

- \* To the extent practicable the *(Insert Municipal Name)* shall purchase remanufactured products such as toner/printer cartridges, retread tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness.
- \* To the extent practicable the *(Insert Municipal Name)* shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in the policy, when & where practicable.
- \* All buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes the evaluation of the total costs expected during the lifetime of the product, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.
- \* Products that are durable, long lasting, reusable or refillable shall be preferred whenever available & practicable.
- \* To the extent practicable the *(Insert Municipal Name)* requests vendors to eliminate excess packaging or to utilize the minimum amount necessary for product protection, to the greatest extent practicable.
- \* Packaging that is reusable, recyclable or compostable shall be preferred, when suitable uses and programs readily exist.
- \* Vendors shall be encouraged to take back and reuse wooden pallets and other shipping and packaging materials when & where practicable.
- \* Suppliers of electronic equipment, including but not limited to computers, monitors, printers, fax machines and photocopiers, shall be required to take back the equipment for reuse or environmentally safe recycling when the *(Insert Borough, City or Township)* discards or replaces such equipment, whenever & where practicable.
- \* To the extent practicable the *(Insert Municipal Name)* shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally safe recycling when the *(Insert Borough, City or Township)* discards or replaces such equipment, whenever practicable.
- \* All documents shall be printed and photocopied on both sides (duplex) to reduce the use and purchase of photocopy paper, whenever & where practicable.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)**

**1.4 SPECIFICATIONS (CONTINUED)**

**1.4.2 Recycled Content Products**

- \* All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines in the Agency's Comprehensive Procurement Guidelines, such as those for printing paper, photocopy paper, janitorial paper products, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous and non-paper office products, shall contain the highest postconsumer content practicable to the application, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.
- \* Photocopiers and printers purchased or leased by the *(Insert Borough, City or Township)* shall be compatible with the use of recycled content and remanufactured products.
- \* To the extent practicable, the *(Insert Borough, City or Township)* shall purchase re-refined lubricating and industrial oil for use in its vehicles and other motorized equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.
- \* When specifying asphalt concrete, aggregate base or Portland Cement Concrete for road construction projects, the *(Insert Borough, City or Township)* shall utilize recycled, reusable or reground materials when & where practicable.
- \* To the extent practicable the *(Insert Borough, City or Township)* shall specify and purchase recycled content transportation products, including signs, traffic cones, parking stops, delineators, channelizers and barricades, which shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- \* All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content of a minimum of thirty (30%) percent recycled postconsumer content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content that the paper contains.

**1.4.3 Energy & Water Savings**

- \* Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.
- \* When practicable, the *(Insert Borough, City or Township)* shall replace inefficient interior lighting with energy-efficient equipment and bulbs.
- \* When practicable, the *(Insert Borough, City or Township)* shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment and bulbs. Exterior lighting shall be minimized when and where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)**

**1.4 SPECIFICATIONS (CONTINUED)**

**1.4.3 Energy & Water Savings (Continued)**

- \* All products purchased by the *(Insert Borough, City or Township)* and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable and available. When Energy Star labels are not available, *(Insert Borough, City or Township)* shall choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.
- \* To the extent practicable the *(Insert Borough, City or Township)* shall purchase water-saving/conservation products. This includes, but is not limited to, high-performance fixtures such as toilets, low-flow faucets and aerators, and upgraded landscape irrigation systems.

**1.4.4 Green Buildings & LEED IM Ratings**

All building and renovations undertaken by the *(Insert Borough, City or Township)* shall follow Green Building Practices for design, construction, and operation, where appropriate and practicable, as described in the LEED IM Rating System. Architects and engineers for procured for said work shall be required to have LEED certified members on their staff assigned to the project when & where practicable.

**1.4.5 Landscaping & Hardscaping**

All landscape renovations, construction and maintenance performed by the *(Insert Borough, City or Township)*, including workers and contractors providing landscaping services for the *(Insert Borough, City or Township)*, shall employ sustainable landscape management techniques for design, construction and maintenance whenever & where possible, including, but not limited to, integrated pest management (IPM), grass recycling, drip irrigation, composting, and the procurement and use of mulch and compost that give preference to those products produced from regionally generated plant debris and/or food and sludge waste programs.

Plants should be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted to them, and perennials rather than annuals for color variations should be utilized. Native and drought-tolerant plants that require no or minimal watering once established are preferred over others when & where practicable.

Hardscapes and landscape structures constructed of recycled content materials are encouraged to be utilized. The *(Insert Borough, City or Township)* shall limit the amount of impervious surfaces in the landscape, when & where practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)**

**1.4 SPECIFICATIONS (CONTINUED)**

**1.4.6 Toxics & Pollution**

To the extent practicable, the *(Insert Borough, City or Township)* shall purchase, or require janitorial contractors to supply, industrial and institutional cleaning products that meet and/or exceed the Green Seal Certification Standards for environmental preferability and performance.

To the extent practicable, the *(Insert Borough, City or Township)* shall purchase, or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute "Green Label" Testing Program — Vacuum Cleaner Criteria, are capable of capturing 96% of particulates 0.3 microns in size, and operate with a sound level less than 70dBA. Where possible and as applicable, other janitorial cleaning equipment shall be capable of capturing fine particulates, removing sufficient moisture so as to dry within twenty-four (24) hours, operate with a sound level less than 70dBA, and use high-efficiency, low-emissions engines.

The use of chlorofluorocarbon, Halon & Freon containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.

All surfactants & detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.

When maintaining buildings and landscapes, *(Insert Borough, City or Township)* shall manage pest problems through prevention and physical, mechanical and biological controls. The *(Insert Borough, City or Township)* may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control method as a last resort.

When maintaining buildings, the *(Insert Borough, City or Township)* shall utilize products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde or lead when practicable when purchasing materials such as paint, carpeting, flooring materials, adhesives, furniture, filing cabinetry, ceiling tiles, coving, moldings and casework.

To the extent practicable, the *(Insert Borough, City or Township)* shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Photocopier paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever & where possible and that possess a minimum of thirty (30%) percent recycled postconsumer waste content.
- Prohibiting purchase of products that use halogens, polyvinyl chloride (PVC), lead, phthalates and asbestos such as, but not limited to, office binders, chair/floor mats, casework, moldings, furniture, carpeting, flooring materials, ceiling tiles and medical supplies whenever & where practicable.

## 1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

### 1.4 SPECIFICATIONS (CONTINUED)

#### 1.4.6 Toxics & Pollution (Continued)

To the extent practicable, the *(Insert Borough, City or Township)* shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, *(Insert Borough, City or Township)* shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

To the extent practicable, the *(Insert Borough, City or Township)* shall specify that desktop computers, notebooks and monitors purchased shall meet, at a minimum, all Electronic Product Environmental Assessment Tool (EPEAT) environmental criteria designated as "required" as contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, whenever practicable.

When replacing vehicles, the *(Insert Borough, City or Township)* shall consider less-polluting alternatives to diesel such as bio-based fuels, hybrids, electric batteries, and fuel cells, as may be available for the application.

#### 1.4.7 Forest Conservation

To the extent practicable, the *(Insert Borough, City or Township)* shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, *(Insert Borough, City or Township)* shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council (FSC) certification.

To the extent practicable, the *(Insert Borough, City or Township)* encourages the purchase or use of previously utilized and/or salvaged wood and wood products whenever practicable & where available.

#### 1.4.8 Bio-Based Products

Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever practicable and available.

Paper and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

Bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery, are encouraged whenever practicable.

Compostable plastic products purchased shall meet American Society for Testing and Materials (ASTM) standards as found in ASTM D6400-04. Biodegradable plastics used as coatings on paper and other compostable substrates shall meet ASTM D6868-03 standards.

Proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products shall be provided by vendors of such products, upon request. One acceptable proof of compliance for compostable plastic products shall be the certification by the Biodegradable Products Institute (BPI).

## **1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)**

### **1.5 PRIORITIES**

The health & safety of workers & citizens is of the utmost importance and takes precedence over all other policies and practices.

To the extent practicable, the *(Insert Borough, City or Township)* has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.

Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Nothing contained in this policy shall be construed as requiring the *(Insert Borough, City or Township)*, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

### **1.6 IMPLEMENTATION OF THE POLICY**

The Business Administrator, Purchasing Manager/Agent, Director of Finance, Director of Public Works and other responsible directors/managers shall implement this policy in coordination with other appropriate *(Insert Borough, City or Township)* personnel.

As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with New Jersey State Law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.

Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.

Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the *(Insert Borough, City or Township)*, where practicable.

### **1.7 PROGRAM EVALUATION**

The Business Administrator, Purchasing Manager/Agent, Director of Finance, the "Green Team" Committee and other positions responsible for implementing this policy, shall periodically meet and evaluate the success of this policy's implementation.



## 1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

### 1.8 DEFINITIONS

"American Society for Testing & Materials" means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.

"Bio-Based Products" means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

"Biodegradable Plastic" means the degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.

"Biodegradable Products Institute" (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.

"Buyer" means anyone authorized to purchase or contract for purchases on behalf of the (*Insert Borough, City or Township*) or its subdivisions.

"The Carpet & Rug Institute" (CR1) is the national trade association representing the carpet and rug industry. CR1 has developed and administered the "Green Label" indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners.

"Chlorine Free" means products processed without chlorine or chlorine derivatives.

"Compostable Plastic" means plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.

"Contractor" means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the (*Insert Borough, City or Township*) or serves in a subcontracting capacity with the (*Insert Borough, City or Township*) or with an entity having a contract with (*Insert Borough, City or Township*) for the provision of any goods or services.

"Degradable Plastic" means plastic that undergoes significant changes in its chemical structure under specific environmental conditions.

"Dioxins & Furans" are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the U.S. Environmental Protection Agency (EPA).

"Energy Star" means the U.S. EPA's energy efficiency product labeling program.

"Energy Efficient Product" means a product that is in the upper twenty-five (25%) percent of energy efficiency for all similar products, or that is at least ten (10%) percent more efficient than the minimum level that meets Federal standards and guidelines.

"Electronic Product Environmental Assessment Tool" (EPEAT) is a procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes.

## **1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)**

### **1.8 DEFINITIONS (CONTINUED)**

"Federal Energy Management Program" is a program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products.

"Forest Stewardship Council" (FSC) is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.

"Green Building Practices" means a whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED IM Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.

"Green Seal" is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products.

"Integrated Pest Management (IPM)" is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

"LEED IM Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED IM Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

"Organic Pest Management" prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of New Jersey Certified Organic Foods (NJOF).

"Postconsumer Material" means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

"Practical" & "Practicable" mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)**

**1.8 DEFINITIONS (CONTINUED)**

"Pre-consumer Material" means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Pre-consumer material does not include mill and manufacturing trim, scrap or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

"Recovered Material" means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and postconsumer material but does not include excess resources of the manufacturing process.

"Recycled Content" means the percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

"Recycled Content Standard" means the minimum level of recovered material and/or postconsumer material necessary for products to qualify as "recycled products."

"Recycled Product" means a product that meets *(Insert Borough's, City's or Township's)* recycled content policy objectives for postconsumer and recovered material.

"Remanufactured Product" means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.

"Reused Product" means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.

"Source Reduction" refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced packaging.

"U.S. EPA Guidelines" means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.

"Water-Saving Products" are those that are in the upper twenty-five (25%) percent of water conservation for all similar products, or at least ten (10%) percent more water-conserving than the minimum level that meets the Federal standards.

**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.

**1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING)  
(CONTINUED)**

2. The Authority is hereby authorized and directed to incorporate the Environmentally Preferable Purchasing Policy Dated February 15, 2018.
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 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 15<sup>th</sup> day of February , 2018.

\_\_\_\_\_  
Marc Platizky, Secretary

***ATTEST: CONSULTANT:***

\_\_\_\_\_

Chairperson Moore requested a motion to approve the February 2018 Payment of the Bills. Operating in the amount of \$220,514.94: Payroll for 01/17/2018 \$74,862.96, 1/17/1/8 \$54,886.13 and 1/31/18 \$79,948.57. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for January 2018 Mr. Platizky made the motion, seconded by Mr. Lawler and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for February 2018 and Mr. Lawler made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for January 2018 Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Attorney's Report for January 2018. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Engineer's Report for January 2018. Mr. Kurs made the motion, seconded by Mr. Lawler and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting and asked for roll call to go into Closed Session

Respectfully submitted,

  
Marc Platizky, Secretary