

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, February 21, 2019

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, February 21, 2019 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
William Lawler
Michael Shifman

Absent:

Also present:

Edwin Schmierer, Esq., of Mason Griffin & Pierson
David Klemm, Mott MacDonald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
Clark Wolverton, Wastewater Superintendent
James Mackie, Assistant Operations Manager
Susan Pretz, Board Secretary

Chairperson Moore requested the Public Notice statement be read announcing that the notice and agenda of this meeting were e-mailed to the Cranbury Press-Windsor Hights Herald and Trenton Times on Tuesday February 12, 2019. 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 15, 2019. The Board Secretary then called the roll after which the Chairperson asked if any Member had an objection to holding this meeting as advertised. No one objected.

Chairperson Moore stated that she was going to change the agenda items around and address the Capacity Allocation Agreement for Windsor Castle project. Mr. Brand stated that the Applicant has advised that the entire Agreement is acceptable, and will present signed copies of the Agreement to the Board for its approval and execution. Chairperson Moore asked for a motion to approve the Capacity Allocation Agreement for Windsor Castle resolution#2019-12. A motion was made by Mr. Kurs, seconded by Mr. Platizky and unanimously carried.

Resolution #2019-12

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
RESOLUTION APPROVING A CAPACITY ALLOCATION AGREEMENT AND
DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH WINDSOR

CASTLE ASSOCIATES, LLC

RESOLUTION # 2019-12

W I T N E S S E T H

WHEREAS, WINDSOR CASTLE ASSOCIATES, LLC (hereinafter the "Developer") is the owner of parcels of land located within the Township of East Windsor with an address of 229 Dorchester Drive and more particularly described as Block , Block 87, Lots 11, 12 and 13 on the Official Tax Map of the Township of East Windsor consisting of 15.21 acres; and

WHEREAS, the Developer has submitted to the East Windsor Municipal Utilities Authority (hereinafter "Authority" of "EWMUA") for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on and in the vicinity of Block 87, Lots 11, 12 and 13 on the Official Tax Map of the Township of East Windsor for providing sanitary sewer and water service to that development known as "Windsor Castle Associates" (the "Development"), consisting of 22 one-bedroom apartments and 6 two-bedroom apartment units within three (3) two-story buildings and a clubhouse on approximately 15.21+ acres, more particularly described on plans entitled entitled "Windsor Castle Associates" prepared by CME Associates, dated August 01, 2017, with latest revisions dated February 2, 2019, and consisting of 17 sheets, 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 by Resolution No. 2018-11 on January 22, 2018 and memorialized on April 9, 2018 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 Improvement

Agreement with WINDSOR CASTLE ASSOCIATES, 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 the Executive Director shall take all necessary steps to expedite the directions specified in this resolution, as appropriate, and
4. This resolution shall take effect immediately.

Linda L. Moore, EWMUA Chairperson

I hereby certify this to be a true and accurate copy of the Resolution adopted by the East Windsor Municipal Utilities Authority, Mercer County, New Jersey at a public meeting held on February 21, 2019.

Marc Platizky, EWMUA Secretary

Chairperson Moore turned the meeting over to Mr. Brand to begin the reorganization portion of the meeting.

Mr. Brand declared the nomination open for the position of Chairperson. Mr. Lippman nominated Ms. Moore for position of chairperson, seconded by Mr. Kurs. Mr. Brand requested roll call for the appointment of Ms. Moore for Chairperson of the Authority. The vote went as follows:

AYES: Mr. Millner, Mr. Platizky, Mr. Kurs, Mr. Lippman and Ms. Moore.

NOES: None ABSTAIN: None.

Ms. Moore was declared Chairperson of the Authority for a term to run until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020. Mr. Brand then turned the meeting back to Chairperson Moore.

Chairperson Moore announced that nomination for Vice Chairperson was open. Mr. Kurs nominated Mr. Lippman, seconded by Mr. Platizky. Chairperson Moore requested roll call for the appointment of Mr. Lippman as Vice Chairperson of the Authority with the following results:

AYES: Mr. Millner, Mr. Platizky, Mr. Kurs, Mr. Lippman and Ms. Moore

NOES: None ABSTAIN: None. Mr. Lippman was declared Vice Chairperson of the Authority for a term to run until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020

Chairperson Moore announced that nomination for Secretary was open. Mr. Kurs nominated Mr. Platizky, seconded by Mr. Millner. Chairperson Moore requested roll call for the appointment of Mr. Platizky as Secretary of the Authority with the following results:

AYES: Mr. Millner, Mr. Platizky, Mr. Kurs, Mr. Lippman and Ms. Moore

NOES: None ABSTAIN: None. Mr. Platizky was declared Secretary of the Authority for a term to run until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020

Chairperson Moore announced that nomination for Treasurer was open. Mr. Platizky nominated Mr. Millner, seconded by Mr. Kurs. Chairperson Moore requested roll call for the appointment of Mr. Millner as Treasurer of the Authority with the following results:

AYES: Mr. Millner, Mr. Platizky, Mr. Kurs, Mr. Lippman and Ms. Moore

NOES: None ABSTAIN: None. Mr. Millner was declared Treasurer of the Authority for a term to run until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020

Chairperson Moore announced that nomination for Assistant Secretary/Treasurer was open. Mr. Platizky nominated Mr. Kurs, seconded by Mr. Millner. Chairperson Moore requested roll call for the appointment of Mr. Kurs as Assistant Secretary/Treasurer of the Authority with the following results:

AYES: Mr. Millner, Mr. Platizky, Mr. Kurs, Mr. Lippman and Ms. Moore

NOES: None ABSTAIN: None. Mr. Kurs was declared Assistant Secretary/Treasurer of the Authority for a term to run until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020

Before Chairperson Moore started the nomination for professional consultants, she noted that each of the professional consultants had submitted an RFQ 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. Platizky to accept the nomination of Mott MacDonald for consulting engineer for a term to run until the reorganization meeting in February 2020, seconded by Mr. Millner and unanimously carried with the following vote:

AYES: Mr. Millner, Mr. Kurs, Mr. Platizky, Mr. Lippman, Chairperson Moore.
NOES: NONE. ABSTAIN: None.

Resolution Awarding Contract for Professional Engineering Services

Resolution No. 2019-01

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 9, 2019; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 11:00 a.m. on Thursday, February 7, 2019 at the Authority offices, and

WHEREAS, two proposal for these services was received, one from 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, 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 Kleem 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 2020.

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.

Chairperson Moore announced that nominations were open for the appointment of the Special Project Consulting Engineers of the Authority.

Chairperson Moore nominated Van Cleef, Suburban Engineers, H2M Architects, PS & S and CDM Smith for the position of Special Project Consulting Engineer. A motion was made by Mr. Kurs to accept the nomination of Van Cleef, Suburban Engineers, H2M Architects, PS & S and CDM Smith for Special Project Consulting Engineer for a term to run until the reorganization meeting in February 2020, seconded by Mr. Millner and unanimously carried with the following vote:

AYES: Mr. Millner, Mr. Kurs, Mr. Platizky, Mr. Lippman, Chairperson Moore.

NOES: NONE. ABSTAIN: None

Resolution Awarding Contract for Professional Engineering Services-Special Project Pool

Resolution No. 2019-02

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 9, 2019; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, February 7, 2019 at the Authority offices, and

WHEREAS, thirteen proposal for these services was received, in which during the review process, five were determined to be in the best interest of the Authority considering price and other factors for special projects: Van Cleef Engineers, 4 AAA Drive, Suite 103, Hamilton, NJ 08691; CDM Smith, 110 Fieldcrest Ave, #8 6th Floor, Edison, NJ 08837; H2M Associates, 2380 Route 9 South, Building C, Suite 1, Howell, NJ 07731; PS&S, 67 B Mountain Blvd. Extension PO Box 4039, Warren, NJ 07059; and Suburban Consulting Engineers, 96 US Highway 206, Suite 101, Flanders, NJ 08736; 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. Van Cleef Engineers, 4 AAA Drive, Suite 103, Hamilton, NJ 08691; CDM Smith, 110 Fieldcrest Ave, #8 6th Floor, Edison, NJ 08837; H2M Associates, 2380 Route 9 South, Building C, Suite 1, Howell, NJ 07731; PS&S, 67 B Mountain Blvd. Extension PO Box 4039, Warren, NJ 07059; and Suburban Consulting Engineers, 96 US Highway 206, Suite 101, Flanders, NJ 08736 are hereby appointed as Special Project Engineers until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020.
3. All firms are 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.

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 2020. Mr. Platizky made a motion to accept the nomination, seconded by Mr. Millner and unanimously carried with the following vote:

AYES: Mr. Lippman, Mr. Platizky, Mr. Kurs, Mr. Millner, Chairperson Moore.
NOES; NONE. ABSTAIN: NONE.

Resolution Awarding Contract for Auditor

RESOLUTION #2019-03

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 \$15,770.00 to The Mercadien Group for the Annual Audit and \$301.00 per hour for principal and \$150.00 per hour for Senior for all other Financial Services, adequate funds are available in the Operating Account No. 01-201-6202 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 21, 2019 to the annual reorganization meeting to be held in February, 2020.

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. It is hereby directed that notice of an 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.

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 2020. A motion to accept the nomination was made by Mr. Platizky, seconded by Mr. Kurs and carried with the following vote:

AYES: Mr. Kurs, Mr. Millner, Mr. Platizky, Chairperson Moore.

NOES: Mr. Lippman. ABSTAIN: NONE.

Resolution Awarding Contract for Professional Legal Services

Resolution # 2019 - 04

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Legal services for 2019; 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 9, 2019; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, February 7, 2019 at the Authority offices, and

WHEREAS, nine proposal for these services were received. 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, 101 Poor Farm Road, Princeton, New Jersey 08540 for 2019; 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 2020.
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. Notice of this contract award will be published as required by law.

Chairperson Moore announced that nominations were open for the appointment of Conflict Attorney. Mr. Millner made the nomination of Decotis, Fitzpatrick, Cole & Giblin, LLP; CapeHart & Scarchard PA; and Parker McCay PA, to serve as the Authorities Conflict Attorney for a term to continue until the reorganization meeting in February 2020, seconded by Mr. Kurs, and unanimously carried with the following vote:
AYES: Mr. Kurs, Mr. Millner, Mr. Platizky, Mr. Lippman, Chairperson Moore.
NOES: NONE ABSTAIN: NONE.

Resolution Awarding Contract for Professional Legal Services-Conflict Attorney

Resolution # 2019- 05

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Conflict Attorney (Pool) services for 2019; 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 9, 2019; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, February 7, 2019 at the Authority offices, and

WHEREAS, Nine proposal for these services were received. The Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for conflict Attorney legal service to:

- Decotis, Fitzpatrick, Cole, and Giblin LLP 500 Frank W Burr Boulevard, Suite31 Teaneck, New Jersey 07666
Hourly Rate \$ \$175 per Hour (Blended)
- CapeHardt & Scatchard, 142 West State Street, Trenton New Jersey 08608
Hourly Rate \$\$180 per Hour
- Parker McCay PA, 9000 Midtlantic Drive, Suite 300, P.O. Box 5054, Mount Laurel New Jersey 08054-5054
Hourly Rate \$180 per Hour (Blended)

for 2019; 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 for routine legal services and 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. That the Law Firms listed above are hereby appointed as Authority Conflict Attorney until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020.

3. All Law firms listed above are 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, Conflict Attorney with Decotis, Fitzpatrick, Cole, and Giblin LLP, CapeHardt & Scatchard and Parker McCay PA for Conflict Attorney services for the Authority.

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

Chairperson Moore announced that nominations were open for the appointment of Bonding Attorney. Mr. Millner made the nomination of Decotis, Fitzpatrick, Cole & Giblin, LLP; CapeHart & Scarchard PA; and McManimon, Scotland and Baumann, to serve as the Authorities Bonding Attorney for a term to continue until the reorganization meeting in February 2020, seconded by Mr. Platizky, and unanimously carried with the following vote:
AYES: Mr. Kurs, Mr. Millner, Mr. Platizky, Mr. Lippman, Chairperson Moore.
NOES: NONE. ABSTAIN: NONE.

Resolution Awarding Contract for Professional Legal Services-Bonding Attorney

Resolution #2019-06

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Bonding Attorney's services for 2019; 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 9, 2019; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, February 7, 2019 at the Authority offices, and

WHEREAS, five proposal for these services were received. The Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for conflict Attorney legal service to:

- Decotis, Fitzpatrick, Cole, and Giblin LLP 500 Frank W Burr Boulevard, Suite31
Teaneck, New Jersey 07666
Existing Bond Sale - \$12,500;
New Bond Sale - \$25,000
- CapeHardt & Scatchard, 142 West State Street, Trenton New Jersey 08608
Existing Bond Sale - \$\$25,000 +\$1.10 per \$1K
New Bond Sale - \$35,000 +\$1.10 per \$1K
- McManimon, Scotland, & Baumann
Existing Bond Sale - \$35,000 +\$1.10 per \$1K
New Bond Sale - \$45,000 +\$1.10 per \$1K

for 2019; 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 rate charge is for Bonding services for 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. That the Law Firms listed above are hereby appointed as Bonding Attorney's until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2020.
3. All Law firms listed above are 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, Bonding Attorney with Decotis, Fitzpatrick, Cole, and Giblin LLP; CapeHardt and Scatchard; and McManimon, Scotland and Bauman for Bonding Attorney services for the Authority.
5. Notice of this contract award will be published as required by law.

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 2020. A second was made by Mr. Millner and unanimously carried by the following vote:

AYES: Mr. Platizky, Mr. Kurs, Mr. Millner, Mr. Lippman, and Chairperson Moore.
NOES: NONE. ABSTAIN: NONE.

Resolution Appointing Affirmative Action Officer (PACO)

Resolution #2019-07

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 2019 until a successor is elected at the annual reorganization meeting of the Authority to be held in February 2020
2. This Resolution shall take effect immediately

Chairperson Moore announced that Rue insurance and Donald D. Gallo, Jr. of Gallo Benefits would serve as the Insurance Agents of Record for the Authority.

A motion was made by Mr. Platizky to appoint Rue Insurance and Donald D. Gallo, Jr., of Gallo Benefits as Insurance Agents of record for the Authority for a term to run until the reorganization meeting in February 2020. A second was made by Mr. Millner and unanimously carried by the following vote:

AYES: Mr. Platizky, Mr. Kurs, Mr. Millner, Mr. Lippman, and Chairperson Moore.
NOES: NONE. ABSTAIN: NONE

Resolution Appointing Insurance Agents of Record of the Authority

Resolution #2019-08

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 2019, until the reorganization meeting February 2020, and

1. This resolution shall take effect immediately

Chairperson Moore announced that The Bank of New York, Wells Fargo and Fulton Bank be appointed depositories for the funds of the East Windsor Municipal Utilities Authority.

Mr. Platizky made a motion to appoint Wells Fargo, Fulton Bank and Bank of New York as Depositories for a term to run until the reorganization meeting in February 2020. Mr. Kurs seconded the motion which was carried with the following vote:

AYES: Mr. Kurs, Mr. Platizky, Mr. Lippman, and Chairperson Moore.

NOES: Mr. Millner. ABSTAIN: None.

Resolution Appointing Wells Fargo, Fulton Bank and The Bank of New York as Depositories of the Authority

Resolution #2019-09

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 2019, until the reorganization meeting in February 2020, and

1. This Resolution will take effect immediately

Mr. Millner made a notion appointing the Cranbury Press-Windsor Hights Herald, Trenton Times as the official newspapers of the Authority. A second was made by Mr. Kurs and approved with the following vote:

AYES: Mr. Kurs, Mr. Millner, Mr. Lippman, Mr. Platizky, and Chairperson Moore.

NOES: NONE. ABSTAIN: NONE.

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

Resolution #2019-10

BE IT RESOLVED, by the East Windsor Municipal Utilities Authority, that the Trenton Times and the Cranbury Press Windsor-Hights Herald, hereby are, appointed as the official newspapers for 2019, until the reorganization meeting on February 2020, and

1. This resolution shall take effect immediately,

Mr. Kurs made the motion to approve the Schedule of Regular Meetings of the Authority, seconded by Mr. Platizky. The roll call vote was taken with the following results:

AYES: Mr. Millner, Mr. Kurs, Mr. Platizky, Mr. Lippman, Ms. Moore.

NOES: NONE. ABSTAIN: NONE

Resolution Schedule of 2019/2020 Regular Board Meeting Dates

Resolution #2019-11

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

1. During the year 2019/2020 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 21, 2019
March 21, 2019
April 18, 2019
May 16, 2019
June 20, 2019
July 18, 2019
August 15, 2019
September 19, 2019
October 17, 2019
November 21, 2019
December 19, 2019
January 16, 2020
February 20, 2020

2. This Resolution shall take effect immediately.

This ended the reorganization portion of the meeting and Chairperson Moore moved to discussion of new business. Chairperson Moore asked Mr. Brand to address the board in reference to Resolution #2019-14 Furnishing and delivery of water meters.

Mr. Brand turned the floor to Mr. Mackie who handled the bidding process. Mr. Mackie said after review of the three bids submitted, he recommended that: Rios Supply, Core & Main and Water Works Supply be awarded contracts for furnishing and delivery of Water Meters for two years with the option to extend up to two (2) one-year extensions.

Chairperson Moore asked if there were any questions or concerns from the board, having none, Chairperson Moore asked for a motion to approve Resolution #2019-14 Furnishing and Delivery of Water Meters. Mr. Platizky made a motion to approve, seconded by Mr. Millner and unanimously carried.

**RESOLUTION AWARDING CONTRACTS FOR FURNISHING
AND DELIVERY OF WATER METERS 2019 - 2021**

RESOLUTION NO. 2019-14

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for Water Meters on January 22, 2019; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, three (3) bidders submitted bids for Furnishing and Delivery of Water Meters, which were received on February 12, 2019; and

WHEREAS, after review of the bids submitted:

1. Rio Supply, Inc., 100 Allied Parkway, Sicklerville, NJ 08081 was the lowest bidder for bid line items #: 5.02; 5.04; 5.06; 5.08; 5.11; 5.15; 7.01-7.04; and 7.15-7.17.
2. Core & Main LP, 61 Gross Avenue, Edison, NJ 08837 was the lowest bidder for bid line items #: 1.01-3.07; 4.04; 4.06; 4.08; 4.10; 6.01; 7.05-7.09; and 8.01-8.10.
3. Water Works Supply Co., Inc., 660 State Highway 23, P.O. Box 306, Pompton Plains, NJ 07444 was the lowest bidder for bid line items #: 5.01; 5.03; 5.05; 5.07; 5.10; 5.13; 5.14; 5.17; 5.19; 5.21; 5.23; 5.25; 7.12-7.15; and 7.18-7.22; and

WHEREAS, it is the recommendation of the Executive Director that Rio Supply, Inc.; Core & Main LP; and Water Works Supply Co., Inc. be awarded contracts for Furnishing and Delivery of Water Meters for two (2) years with the option to extend for up to two (2) one-year extensions for their respective bid line items; and

WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of this contract;

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

The preamble to this Resolution shall be incorporated herein as if fully restated.

The contracts for Furnishing and Delivery of Water Meters be awarded to Rio Supply, Inc.; Core & Main LP; and Water Works Supply Co., Inc. for two (2) years with the option to extend for up to two (2) one-year extensions for their respective bid line items. The types of meters and unit prices to be included in the contracts are as set forth on Exhibit A attached hereto and made a part hereof.

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.

Chairperson Moore asked if there was any other business topics for discussion. Mr. Brand informed the board about his meeting with Anthony Bonasera from East Latitude in reference to the potential site for the new MUA building. There are 3 sites being considered Site#1 being the most ideal in reference to location and space. After his meeting with the Mayor, Mr. Brand will inform the Board of status.

Chairperson Moore updated the board in reference to the shared service agreement. Chairperson Moore and Mr. Lippman met with the Mayor and discussed options. There are a few new hires at the township to ease the load on Mr. Brand. There will be a six (6) month trial to see how things work out. The new service agreement is in process of being written and will go to the attorney for review. Chairperson Moore and Mr. Lippman will report back once all is completed.

Chairperson Moore asked for approval of Payment of Bills for February 21, 2019. Mr. Millner made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the Operating report for January 2019. Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Mr. Lippman a motion to approve the Development report for February 2019, seconded by Mr. Millner and unanimously carried.

Mr. Platizky made a motion to approve the January 2019 Finance Officer's Report, seconded by Mr. Millner and unanimously carried

Mr. Platizky made a motion to approve the January 2019 Attorney's Report, seconded by Mr. Kurs and unanimously carried.

The Engineer's January 2019 Report was approved with a motion made by Mr. Millner, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore asked for a motion to approve the January 2019 Regular Board meeting minutes. Mr. Platizky made a motion to approve, seconded by Mr. Lippman and unanimously carried.

Having nothing further to discuss, Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary