

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting

Thursday April 16, 2020 @ 7:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday April 16, 2020 at the Administration Building on 7 Wiltshire Drive and called to order by Chairperson Moore at 7:30 P.M.

The following Members were present:

Linda Moore
Leonard Millner
Steve Kurs
Marc Platizky
Marc Lippman
Bill Lawler
Michael Shifman

Absent:

Also present: Ryan Scerbo, - of DeCotiis, FitzPatrick, Cole & Giblin, LLP
David Klemm, Mott Mac Donald
Ronald Ghrist, Finance Officer
Richard Brand, Executive Director
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 Cranbury Press-Windsor Hights Herald and Trenton Times on Tuesday April 7, 2020. 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 Friday April 10, 2020. Chairperson Moore then asked for a roll call after which she asked if any member had any objection to holding this meeting as advertised. No one objected.

Chairperson Moore asked if there was anyone present that would like to speak on any issue not on today's agenda. Hearing no one Chairperson Moore closed the public portion of the meeting.

Chairperson Moore asked for approval of Resolution #2020-17 Roadway Material. Mr. Millner made the motion, seconded by Mr. Platizky and unanimously carried. Mr. Millner also requested a spread sheet of the last couple of years for a comparison.

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY
RESOLUTION AWARDDING CONTRACTS FOR ROADWAY MATERIALS
RESOLUTION NO. 2020-17**

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for Roadway Materials on March 20, 2020; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, four (4) bidders submitted bids for Roadway Materials which were received on April 7, 2020; and

WHEREAS, after review of the bids submitted:

- 1) Trap Rock Industries LLC, PO Box 419, Kingston, NJ 08528 was the lowest bidder for bid line items #: A1-A6.
- 2) American Bituminous Company, Inc., 100 Main Street, West Collingswood Heights, NJ 08059 was the lowest bidder for bid line items #: B1-B3.

WHEREAS, it is the recommendation of the Executive Director that Trap Rock Industries LLC and American Bituminous Company, Inc. be awarded contracts for Roadway Materials 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 these contracts;

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 contracts for Roadway Materials be awarded to Trap Rock Industries LLC and American Bituminous Company, 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 products and unit prices to be included in the contracts are as set forth on the bid tabulation attached hereto and made a part hereof.
3. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all actions necessary, to effectuate the terms and intent hereof.

Dated: 4/16/2020

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 April 16, 2020.

Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2020-18 Furnishing and Delivery of GRUNDFOS CR125 Booster Pump. Mr. Millner made the motion, seconded by Mr. Platizky and unanimously carried.

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY
RESOLUTION AWARDDING CONTRACT FOR FURNISHING
AND DELIVERY OF GRUNDFOS CR125 BOOSTER PUMP
RESOLUTION NO. 2020-18**

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for furnishing and delivery of Grundfos CR125 Booster Pump on March 20, 2020; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, three (3) bidders submitted bids for furnishing and delivery of Grundfos CR125 Booster Pump which were received on April 7, 2020; and

WHEREAS, after review of the bids submitted there was one (1) low bidder as indicated in boldface on the attached bid tabulation:

1) A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 for the furnishing and delivery of Grundfos CR125 Booster Pump in the amount of \$8,050.00.

WHEREAS, it is the recommendation of the Executive Director that A.C. Schultes, Inc. be awarded the contract for furnishing and delivery of Grundfos CR125 Booster Pump as the lowest responsible bidder; and

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

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 bid of A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 for the furnishing and delivery of Grundfos CR125 Booster Pump in the amount of \$8,050.00 is hereby accepted and the contract awarded.
3. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all actions necessary, to effectuate the terms and intent hereof.

Dated: 04/16/20

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 April 16, 2020.

Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2020-19 Lease of East Windsor Municipal Utilities Authority Parcel for Farming. Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER STATE OF NEW JERSEY
AWARD OF BID – LEASE OF EAST WINDSOR
MUNICIPAL UTILITIES AUTHORITY PARCEL FOR FARMING
RESOLUTION NO. 2020-19**

WHEREAS, the East Windsor Municipal Utilities Authority (“Authority”) is the owner of certain farmland known as Pollution Control Facility tract, Block 1, Lots 2, 5.01 and 5.02; and

WHEREAS, the East Windsor Municipal Utilities Authority in Mercer County, New Jersey, requested Bids in accordance with the provisions of *N.J.S.A. 19:40A:12-14*, leasing of a portion of real property owned by the East Windsor Municipal Utilities Authority located at 101 Millstone Road, known as Block 1, Lots 2, 5.01 and 5.02, on the East Windsor Township Tax Map; and

WHEREAS, the Bid will be awarded to the highest responsible bidder in accordance with the provisions of *N.J.S.A. 40A:12-14*, leasing of a portion of real property; and

WHEREAS, on or after March 20, 2020 contract documents were inspected by prospective bidders at the East Windsor Municipal Utilities Authority Administrative Office located at 7 Wiltshire Drive, East Windsor, New Jersey 08520, during regular business hours. Contract documents were furnished upon request; and

WHEREAS, the East Windsor Municipal Utilities Authority received one (1) sealed Bid at 2:00 p.m. on April 8, 2020. The sealed Bid was opened and read in public by the Executive Director as follows:

Integrity Ag. LLC
c/o Roger Jany
222 Chamberlin Ave.
Hightstown, New Jersey 08520 2

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

1. The Chair and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to execute the "Leasing of Real Property" known as "Pollution Control Facility tract", Block 1, Lots 2, 5.01 and 5.02, with Integrity Ag. LLC, c/o Roger Jany, 225 Chamberlin Avenue, Hightstown, New Jersey 08520 in consideration for the payment of a sum of Three Thousand (\$3,000.00) dollars to the Authority to farm the above-mentioned parcel. A certified true copy of this Resolution shall be furnished to Integrity Ag. LLC upon its adoption.

Dated: 4/16/2020

Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, Secretary to the East Windsor Municipal Utilities Authority, do hereby certify that this Resolution was adopted by the Authority at its Regular Meeting held on this 16th day of April, 2020.

Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2020-20 Promenade at East Windsor. Before the motions were made, Mr. Platizky and Mr. Shifman excused themselves from voting or giving any opinion since they live in the Twin Rivers community. Mr. Lippman made the motion, seconded by Mr. Lawler and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
RESOLUTION APPROVING A CAPACITY ALLOCATION AGREEMENT AND
DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH PAREC
CONSTRUCTION CORPORATION FOR A DEVELOPMENT PROJECT KNOWN
AS "PROMENADE AT EAST WINDSOR"

RESOLUTION # 2020-20

WITNESSETH

WHEREAS, PAREC CONSTRUCTION CORPORATION (hereinafter the “ Developer”) is the owner of a parcel of land located within the Township of East Windsor with an address of 671 Route 33, East and more particularly described as Block 14, Lots 977 on the Official Tax Map of the Township of East Windsor consisting of 9.67 acres; and

WHEREAS, the Developer has submitted to the EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY (hereinafter “Authority” or “EWMUA”) for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on and in the vicinity of Block 14, Lot 977 on the Official Tax Map of the Township of East Windsor for providing sanitary sewer and water service to that development known as "Promenade at East Windsor" (the "Development"), consisting of a mixed use commercial/retail shopping center of 91,462.13 square feet on approximately 9.67± acres, more particularly described on plans entitled “Major Site Plan Drawings for the Promenade at East Windsor, Sheets 1-17, prepared by Sharif H. Aly, P. E.” prepared by Ameritech Engineering, dated April 01, 2013, with latest revisions dated November 20, 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 site plan approval by Resolution No. 2017-16 on July 27, 2017 and memorialized on September 25, 2017 for the subject property; and

WHEREAS, the Developer and the Authority desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the construction of the water and sanitary sewer utility improvements related to said Development, including off-tract improvement obligations of the Developer, with certain conditions attached to the EWMUA’s approval, as set forth

more fully below.

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 PAREC CONSTRUCTION CORPORATION, and
2. The EWMUA directs the EWMUA Chairperson and Secretary to execute the aforementioned Agreement on behalf of the EWMUA and cause the same to be delivered to the Developer and all other parties having jurisdiction in this matter, and
3. The EWMUA directs that the Executive Director shall take all necessary steps to expedite the directions specified in this resolution, as appropriate, and
4. The approval of the Capacity Allocation Agreement and Developer's On-Tract and Off-Tract Agreement between the parties is accompanied by certain specific conditions of approval also written within the Agreement, as follows:
Condition One: NJDEP Approval of All Capacity Allocations by EWMUA is required.
Condition Two: If required by the NJDEP, proof of authorization to connect any adjoining property owner, sewer or water systems shall be provided.

This resolution shall take effect immediately.

Dated: April 16, 2020

Linda L. Moore, EWMUA Chairperson

CERTIFICATION

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 April 16, 2020.

Marc Platizky, EWMUA Secretary

Mr. Brand gave an update on the new Water treatment plant location. They just resampled the well and the test came back even higher in gross alpha than before. Mr. Brand discussed a few options. Option 1 could be to drill a sample pilot test well on property, option 2 drill a second well at well 5, option 3 look for another site. Hopefully we have an answer by the end of the month.

Mr. Brand updated everyone on the Twin Rivers Watermain replacement section H project, Reivax is tying in the service and doing landscaping, should be out of there by the end of the month.

Chairperson Moore asked for approval of the Bill list for April 16, 2020. Mr. Millner made the motion seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the Operating report March 2020. Mr. Millner made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore requested a motion to approve the Development report for April 2020, Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.


Chairperson Moore requested a motion to approve the Finance Officer's report for March 2020, 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 March 2020. Mr. Lippman made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore requested a motion to approve the Engineer's report for March 2020, Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully Submitted,


Marc Platizky, Secretary