

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting

Thursday, February 18, 2021@5:00 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, February 18, 2021 at the Administration Building on Wiltshire Drive and called to order by Chairperson Moore at 5:00 p.m.

The following Members were present via zoom:

Linda L. Moore  
Marc Platizky  
Marc Lippman  
Steven Kurs  
Leonard Millner  
William Lawler  
Michael Shifman

Absent:

Also present via zoom:

David Klemm, Mott Mac Donald  
Ryan Scerbo Esq., DeCotiis, Fitzpatrick, Cole & Giblin, LLP  
Richard Brand, Executive Director  
Ron Ghrist, Finance Officer  
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 Cranbury Press Windsor Hights Herald and Trenton Times on February 9, 2021. 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, February 12, 2021. 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 declared the nominations open for chairperson. Mr. Platizky nominated Linda Moore for Chairperson, A motion to approve and adopt the appointment of chairperson was made by Mr. Lippman, seconded by Mr. Kurs. and carried with the following vote:

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

NOES: None ABSENT: Mr. Millner

Linda 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 2022.

Mr. Brand then turned the meeting back over to Chairperson Moore to continue the nomination of Board members and the reorganization.

Chairperson Moore declared the nominations open for Vice Chairperson. Mr. Platizky nominated Marc Lippman for Vice Chairperson, A motion to approve and adopt the appointment of Vice Chairperson was made by Mr. Kurs, seconded by Mr. Millner. and carried with the following vote:

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

Marc 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 2022.

Chairperson Moore declared the nominations open for Secretary of the Authority. Mr. Kurs nominated Mr. Platizky for Secretary, A motion to approve and adopt the appointment of Secretary was made by Mr. Lippman, seconded by Mr. Kurs. and carried with the following vote:

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

Marc 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 2022.

Chairperson Moore declared the nominations open for Treasurer of the Authority. Mr. Kurs nominated Mr. Millner for Treasurer, A motion to approve and adopt the appointment of Treasurer was made by Mr. Platizky, seconded by Mr. Lippman. and carried with the following vote:

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

Mr. Millner was declared Treasurer for a Term to run until a successor is appointed at the annual reorganization meeting of the Authority to be held in February 2022.

Chairperson Moore declared the nominations open for Assistant Secretary/Treasurer of the Authority. Mr. Millner nominated Mr. Kurs for Assistant Secretary/Treasurer, A motion to approve and adopt the appointment of Assistant Secretary/Treasurer was made by Mr. Platizky, seconded by Mr. Lippman. and carried with the following vote:

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

NOES: None ABSTAIN: None

Steve 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 2022.

Chairperson Moore started the nominations 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.

The Board awarded and Approved the following professional services for 2021-2022; **Consulting Engineer** to Mott McDonald Resolution#2021-03; **Consulting Pool Engineers** (consisting of 16 Engineers) Resolution #2021-04; **Auditor** to Mercadien Group Resolution# 2021-05; **Legal Service Attorney** to Decotiis, Fitzpatrick, Cole & Giblin Resolution#2021-06; **Labor Attorney** to Hatfield, Schwartz Resolution #2021-07; **Conflict Attorney** to Cleary, Giacobbe, Alfieri & Jacobs LLC, Resolution#2021-08; **Bonding Attorney** to McManimon, Scotland & Baumann Resolution#2021-09. A motion was made by Mr. Lippman to accept the nominations for a term to run until the reorganization meeting in February 2022, seconded by Mr. Millner and unanimously carried with the following vote:

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

NOES: None ABSTAIN: None

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER,**

**STATE OF NEW JERSEY**

**Resolution No. 2021-03**

**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 **2021**; 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 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices, and

WHEREAS, six proposals for these services was received, **Mott MacDonald**, 111 Wood Ave. South, Iselin, NJ 088730-4112; **Van Cleef Engineers**, 4 AAA Drive, Suite 103 Hamilton NJ 08691, **CDM Smith**, 110 Fieldcrest Ave., 6<sup>th</sup> Floor, Edison, NJ 08837, **Suburban Consulting Engineers Inc.**, 96 US Highway 206, Suite 101, Flanders, NJ 07836; **T & M Consulting Engineers**, 200 Century Parkway, Suite B, Mount Laurel, NJ 08054 and **Van Note-Harvey**, 103 College Road East, Princeton, NJ 08540, 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 2021**; and

WHEREAS, the maximum hourly rate charge is **\$185.00** 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 2022**.

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: 2/18/2021

  
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, 2021**.

  
Marc Platizky, Secretary

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER,**

**STATE OF NEW JERSEY**

**Resolution No. 2021-04**

**Resolution Awarding Contract for Professional Engineering Services-Special Project Pool**

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Engineering services for **2021**; 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 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices, and

WHEREAS, Sixteen proposals for these services was received, in which during the review process, 16 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 6<sup>th</sup> 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; **T & M**, 2000 Century parkway, Suite B, Mount Laurel, NJ 08054; **BH Buchart Horn, Inc.**, 2 Eves Drive, Suite 110, Marlton, NJ 08053; **Arcadis U.S. Inc.**, 17-7 route 208 N, Fairlawn, NJ 07410; **Keystone Engineering Group**, 3836 Quakerbridge Rd., Suite 103, Hamilton, NJ 08619; **Van Note-Harvey**, 103 College Road East, Princeton, NJ 08540; **Morehouse Engineering Inc.**, 43 Railroad place, Hopewell, NJ 08525; **Kleinfelder**, 150 College Road West, Suite 1000, Princeton, NJ 08540; **Greeley & Hansen**, 1700 Market Street, Suite 2130, Philadelphia, Pa 19103; **Environmental Resolutions, Inc.**, 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054; **Suburban Consulting Engineers**, 96 US Highway 206, Suite 101, Flanders, NJ 08736; **Boswell Engineering**, 330 Phillips Ave., P.O. Box 152 South Hackensack, NJ 07606-1722 and **On-Board Engineering**, 50 Millstone Rd., Building 500, Suite 110, East Windsor, NJ 08520, 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 6<sup>th</sup> 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; **T & M**, 2000 Century parkway, Suite B, Mount Laurel, NJ 08054; **BH Buchart Horn, Inc.**, 2 Eves Drive, Suite 110, Marlton, NJ 08053; **Arcadis U.S. Inc.**, 17-7 route 208 N, Fairlawn, NJ 07410; **Keystone Engineering Group**, 3836 Quakerbridge Rd., Suite 103, Hamilton, NJ 08619; **Van Note-Harvey**, 103 College Road East, Princeton, NJ 08540; **Morehouse Engineering Inc.**, 43 Railroad place, Hopewell, NJ 08525; **Kleinfelder**, 150 College Road West, Suite 1000, Princeton, NJ 08540; **Greeley & Hansen**, 1700 Market Street, Suite 2130, Philadelphia, Pa 19103; **Environmental Resolutions, Inc.**, 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054; **Suburban Consulting Engineers**, 96 US Highway 206, Suite 101, Flanders, NJ 08736; **Boswell Engineering**, 330 Phillips Ave., P.O. Box 152 South Hackensack, NJ 07606-1722 and **On-Board Engineering**, 50 Millstone Rd., Building 500, Suite 110, East Windsor, NJ 08520, and 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 2022**.

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 all 16 Engineers for Professional Engineering Services-Special Project Pool for the Authority.

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

Dated: 2/18/2021

  
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, 2021**

  
Marc Platizky, Secretary

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution No. 2021-05

Resolution Awarding Contract for Professional Auditing Services

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 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices; and

WHEREAS, one proposal for these services were received, **The Mercadien Group**, 3625 Quakerbridge Road, Hamilton, NJ 08619, 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 **\$15,750.00** to **The Mercadien Group** for the Annual Audit and **\$330.00** per hour for principal and **\$210.00** per hour for Senior 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 18, 2021** to the annual reorganization meeting to be held in **February 2022**.



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.

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: 2/18/21

  
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, 2021**.

Dated: 2/18/21

  
Marc Platizky, Secretary

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER,**

**STATE OF NEW JERSEY**

**Resolution Awarding Contract for Professional Legal Services**

**Resolution # 2021-06**

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for General Counsel Legal services for **2021**; 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 Cranbury Press Windsor Hights Herald, Trenton Times and Trentonian the official designated daily newspaper of the Authority on **January 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices, and

WHEREAS, four 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 General Counsel legal service to Decotlis, FitzPatrick, Cole & Giblin, LLP, 61 South Paramus Road, Paramus, NJ 07652 for **2021**; 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 blended rate charge is \$175.00 per hour for routine legal services 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. **Decotiis, FitzPatrick, Cole & Giblin, LLP** is hereby appointed as the General Counsel for the Authority until a successor is appointed at the annual reorganization meeting of the Authority to be held in **February 2022**.

3. **Decotiis, FitzPatrick, Cole & Giblin, LLP** 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 **Decotiis, FitzPatrick, Cole & Giblin, LLP** for General Counsel legal services for the Authority.

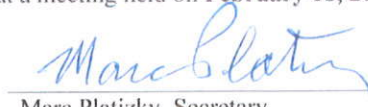
5. Notice of this contract award will be published as required by law.

Dated: **02/18/2021**

  
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, 2021**.

  
Marc Platizky, Secretary

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution #2021-07

**Resolution Awarding Contract for Professional Legal Services-Labor Law Attorney**

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Labor Attorney services for **2021** 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 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices, and

WHEREAS, three 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 Labor Attorney service to Hatfield Schwartz, 240 cedar Knoll Rd, Suite 303, Cedar Knolls, NJ 07927 for **2021**; 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 **\$160.00/hour** for Labor Law 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 Firm of **Hatfield Schwartz** is hereby appointed as Labor Attorney until a successor is appointed at the annual reorganization meeting of the Authority to be held in **February 2022**.

3. **Hatfield Schwartz** 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, Labor Attorney with **Hatfield Schwartz** Attorney service for the Authority.

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

Dated: **02/18/2021**

  
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, 2021**.

  
Marc Platizky, Secretary

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution # 2021-08

Resolution Awarding Contract for Professional Legal Services-Conflict Attorney

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Conflict Attorney services for **2021**; 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 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices, and

WHEREAS, six 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 services to: **Cleary, Giacobbe, Alfieri, Jacobs, LLC, 169 Ramapo Valley Road, UL 105, Oakland, NJ 07436**, for 2021; 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 of **\$185.00/hour** is for routine legal services and for litigation 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 Firm of **Cleary, Giacobbe, Alfieri, Jacobs, LLC**, 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 2022**.

3. **Cleary, Giacobbe, Alfieri, Jacobs, LLC**, 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 service agreement, Conflict Attorney **Cleary, Giacobbe, Alfieri, Jacobs, LLC**, for Conflict Attorney services for the Authority.

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

Dated: **2/18/2021**

  
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, 2021**.

  
Marc Platizky, Secretary

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

**Resolution Awarding Contract for Professional Legal Services-Bonding Attorney**

**Resolution #2021-09**

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Bonding Attorney's services for **2021** 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 11, 2021**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 2, 2021** at the Authority offices, and

WHEREAS, four 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 Bonding Attorney Legal services to **McManimon, Scotland, & Baumann**, 75 Livingston Ave, Second Floor, Roseland, NJ 07068, for **2021**; 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, 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 Firm of **McManimon, Scotland and Bauman for Bonding** is hereby appointed as Bonding Attorney until a successor is appointed at the annual reorganization meeting of the Authority to be held in **February 2022**.



3. McManimon, Scotland and Bauman for Bonding 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 service agreement for Bonding Attorney with McManimon, Scotland and Bauman for Bonding Attorney services for the Authority.

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

Dated: 02/18/2021

  
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, 2021**.

  
Marc Platizky, Secretary

The Board awarded and Approved the following professional services for 2021-2022; **Public Agency Compliance Officer (PACO)** to Mr. Brand resolution #2021-10; **Insurance Agents of Record** to Rue Insurance and Don Gallo, Jr. of Gallo Benefits Consulting Resolution #2021-11; **Depositories** to Wells Fargo, Fulton Bank & Bank of New York Resolution #2021-12; **Official Newspaper** to Trenton Times and Cranbury Press-Windsor Hights Herald Resolution #2021-13. A motion was made by Mr. Lippman to accept the nominations for a term to run until the reorganization meeting in February 2022, seconded by Mr. Platizky and unanimously carried with the following vote:

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

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER,**

**STATE OF NEW JERSEY**

**Resolution #2021-10**

**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 Richard Brand, 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 Richard Brand, to act as liaison to the Affirmative Action Office of the New Jersey Department of the Treasury as Public Agency Compliance Officer for **2021** until a successor is elected at the annual reorganization meeting of the Authority to be held in **February 2022**.
2. This Resolution shall take effect immediately

Dated: 02/18/21

  
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, 2021**

Dated: 2/18/21

  
Marc Platizky, Secretary

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution #2021-11

**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 2021, until the reorganization meeting **February 2022**, and

1. This resolution shall take effect immediately

Dated: 2/18/2021

  
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 18, 2021**

Dated: 2/18/2021

  
Marc Platizky, Secretary

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER,**

**STATE OF NEW JERSEY**

**Resolution #2021-12**

**Resolution Awarding Contract for Depository Services**

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 **2021**, until the reorganization meeting in **February 2022**, and

1. This Resolution will take effect immediately

Dated: **2/18/2021**

  
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 a resolution by the East Windsor Municipal Utilities Authority at a meeting on **February 18, 2021**

Dated: **2/18/2021**

  
Marc Platizky

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

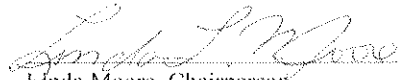
Resolution #2021-13

**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 Cranbury Press Windsor-Hights Herald, hereby are, appointed as the official newspapers for **2021**, until the reorganization meeting on **February 2022**, and

1. This resolution shall take effect immediately.

Dated: 2/18/2021

  
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 18, 2021**.

Dated: 2/18/2021

  
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 2022. A motion was made by Mr. Kurs, seconded by Mr. Millner and unanimously carried with the following vote:

AYES: Mr. Platizky, Mr. Kurs, Mr. Lippman, Mr. Millner, Chairperson Moore.  
NOES: None. ABSTAIN: No

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**Notice of Annual Meetings for 2021**

**Resolution #2021-14**

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

1. In compliance with the Open Public Meetings Act, P.L. 1979, c.231 (C10:4-6 et seq.), this notice shall serve as the Annual Meeting Notice of the **2021 Regular Meetings** of the Board of the East Windsor Municipal Utilities Authority pursuant to N.J.S.A. 10:4-18. In accordance with Governor Murphy's Executive Order 200 extending the Public Health Emergency first declared in Executive Order 103, and as authorized by N.J.S.A. 10:4-9.3 and in accordance with the Emergency Remote Meeting Regulations at N.J.A.C. 5:39.1 et seq., unless and until the **2021 Annual Meeting Notice** is revised by resolution of the Board and published in accordance with law, the meetings set forth below shall be conducted remotely and with limited in-person attendance.
2. During the year **2021/22** the Regular Meetings of the East Windsor Municipal Utilities Authority Board will be held at **5:00 p.m.**, in the Administration Building at 7 Wiltshire Drive, in accordance with the dates listed below:

February 18, 2021 (reorganization)  
March 18, 2021 (March meeting starting at 4:00pm)  
April 15, 2021  
May 20, 2021  
June 17, 2021  
July 15, 2021  
August 19, 2021  
September 23<sup>rd</sup>, 2021  
October 21, 2021  
November 18, 2021  
December 16, 2021  
January 20, 2022  
February 17, 2022 (reorganization)

3. Members of the public will be able to access and provide public comment at the meetings via computer, tablet or smartphone or telephonically by calling the telephone number and access code that will be posted on the MUA's website [www.Eastwindsormua.com](http://www.Eastwindsormua.com) prior to each meeting.
4. Formal action may be taken at any of the above-listed meetings. Portions of all meetings may be held in executive session to the extent allowed by law.
5. This Resolution shall take effect immediately.

Dated: 02/18/2021

  
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 18, 2021**.

Dated: 02/18/2021

  
Marc Platizky, Secretary

Chairperson Moore asked for Approval of Resolution#2021-15, Approval to extend water meter contract for 1-year. Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER,**

**STATE OF NEW JERSEY**

**RESOLUTION EXTENDING THE CONTRACT FOR FURNISHING AND DELIVERY  
OF WATER METERS 2019 – 2022**

**RESOLUTION NO. 2021-15**

**WHEREAS**, East Windsor Municipal Utilities Authority went to public notification to accept bids for Water Meters on January 22, 2019 as required by the provisions of the New Jersey Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

**WHEREAS**, in soliciting bids for said Water Meters, 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, Three (3) bidders submitted bids for Water Meters which were received on February 12, 2019; and

**WHEREAS**, after review of the bids submitted, Rio Supply, Inc; Core & Main LP; and Water Works Supply Co., Inc. were the lowest bidders for specific bid line items; and

**WHEREAS**, Rio Supply, Inc; Core & Main LP; and Water Works Supply Co., Inc. were awarded the contract pursuant to Authority Resolution 2019-14; and

**WHEREAS**, it is the recommendation of the Executive Director that the contract for Water Meters with Core & Main LP be extended for one (1) year, thru March 1, 2022, pursuant to the contract extension provision contained in the bid documents, with no change in contract pricing; and

**WHEREAS**, the Financial Officer has certified that sufficient funds are available for the extension 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.



The contract for Water Meters with Core & Main LP be extended one year thru March 1, 2022, with no change in contract pricing.

2. The Executive Director is 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.

Dated: **02/18/2021**

  
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 **18<sup>th</sup> day of February, 2021**.

  
Marc Platizky, Secretary

Chairperson Moore requested a motion to approve the February 18, 2021 Payment of the Bills. Mr. Millner made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for January 2021. Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for February 2021 and Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for January 2021. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for a motion to approve the Attorney's Report for January-February 2021. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

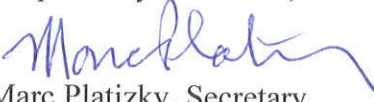
Chairperson Moore asked for a motion to approve the Engineer's Report for January 2021. Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for approval of the January 21, 2021 Minutes. Mr. Platizky made the motion seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the January 28, 2021 Minutes. Mr. Kurs made the motion seconded by Mr. Platizky 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