

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY  
Minutes of Regular Meeting  
Thursday April 15, 2021 @ 5:00pm

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday April 15, 2021 at the Administration Building located on 7 Wiltshire Drive and called to order by Chairperson Moore at 5:00pm

The following Members were present via zoom:

Linda Moore  
Steve Kurs  
Len Millner  
Marc Platizky  
Marc Lippman  
Bill Lawler  
Mike Shifman

Present: Ronald Ghrist, Finance Officer  
Richard Brand, Executive Director  
Jim Mackie, Assistant Operations Manager  
Susan Pretz, Board Secretary

Also present via zoom:

Ryan Scerbo Esq., DeCotiis, Fitzpatrick, Cole & Giblin, LLP  
David Klemm, Mott Mac Donald

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 6, 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 April 9, 2021. 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 who 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 #2021-19, Approval of Capacity Allocation Agreement-30 Lake Drive, Lake Drive Properties, LLC. Mr. Lippman made the motion, seconded by Mr. Lawler and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

RESOLUTION FOR APPROVAL OF A CAPACITY ALLOCATION AGREEMENT  
AND DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH LAKE  
DRIVE PROPERTIES, LLC

**RESOLUTION # 2021-19**

**W I T N E S S E T H**

WHEREAS, the Developer is the owner of one parcel of land consisting of 388,800 square foot lot of vacant land more particularly described as Block 20.01, Lot 18.01 (hereinafter referred to as the "Property") and more specifically located along Lake Drive with Lake Drive being to the east, existing buildings to the north and south, and existing woodlands and farmlands to the west. The Property is also located in an area of Township of East Windsor designated as PUD-8; and

WHEREAS, the Developer has submitted to the Authority for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on the Property for providing sanitary sewer and water service to that development known as "30 Lake Drive" (the "Development") consisting of a building with a footprint of 168,436 square feet containing 163,436 square feet of warehouse space and 5,000 square feet of office space, more particularly described on plans entitled "Preliminary And Final Site Plan Prepared For 30 Lake Drive, LLC, Block

20.01, Lot 18.01, East Windsor Township, Mercer County” prepared by Houser Engineering, LLC dated December 12, 2018, with latest revisions dated March 19, 2020 for the site plans approved by the Authority ("Approved Plans and Specifications") and any other governmental entity having jurisdiction thereover;

WHEREAS, the Planning Board of the Township of East Windsor ("Approving Board" or "Board") granted Preliminary and Final Site Plan approval on September 23, 2019 which approval was memorialized in resolution of Approval 2019-20, adopted by the Planning Board on October 28, 2019, for the subject Property; and

WHEREAS, the Developer and the Authority desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the construction of the water and sanitary sewer utility improvements related to said Development, including off-tract improvement obligations of the Developer.

NOW, THEREFORE, BE IT RESOLVED BY THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY as follows:

1. The EWMUA hereby approves the Capacity Allocation Agreement and Developer’s On-tract and Off-tract Agreement with LAKE DRIVE PROPERTIES, LLC, and
2. The EWMUA directs the EWMUA Chairperson and Secretary to execute the Capacity Allocation Agreement and Developer’s On-

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



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 15, 2021.



Marc Platizky. EWMUA Secretary

Chairperson Moore asked for approval of Resolution #2021-20, Approval of Capacity Allocation Agreement-Capital Health & 557 Rt 130. Mr. Brand explained that the signed agreement was on its way. The Board approved the resolution pending signatures. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

RESOLUTION FOR APPROVAL OF A CAPACITY ALLOCATION AGREEMENT  
AND DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH  
CAPITAL HEALTH AND 557 RT 130 IN EWT, LLC

**RESOLUTION # 2021-20**

**W I T N E S S E T H**

WHEREAS, the Owner owns and Lessee leases one parcel of land consisting of 1.31 acres of developed land located in the HC zone within the Township of East Windsor more particularly described as Block 53.04, Lot 10 (hereinafter referred to as the "Property") and more specifically located along US Route 130 North, also known as 557 US Route 130. The Property is also located in an area of Township of East Windsor designated as a Highway Commercial; and

WHEREAS, the Lessee has submitted to the Authority for approval Plans and Specifications for the construction of certain water and sanitary sewer facilities to be located on the Property for providing sanitary sewer and water service to that development known as "Physician's Office" (the "Development") consisting of a building with a footprint of 5,100 square feet more particularly described on plans entitled "Physician's Office, 557 US 130 Hightstown, New Jersey 08520" prepared by Furlow Associates, dated May 27, 2020 with latest revisions dated November 18, 2020 made to the "Site Utility Plan Prepared For Block 53.04, Lot 10" by Van Cleef

Engineering Associates approved by the Authority ("Approved Plans and Specifications") and any other governmental entity having jurisdiction thereover;

WHEREAS, the Owner, Lessee 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 Lessee.

NOW, THEREFORE, BE IT RESOLVED BY THE EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY as follows:

1. The EWMUA hereby approves the Capacity Allocation Agreement and Developer's On-tract and Off-tract Agreement with CAPITAL HEALTH AND 557 RT. 130 IN EWT, LLC and
2. The EWMUA directs the EWMUA Chairperson and Secretary to execute the Capacity Allocation Agreement and Developer's On-tract and Off-tract Agreement with CAPITAL HEALTH AND 557 RT. 130 IN EWT, LLC, and
3. The EWMUA further directs that a certified copy of this resolution be delivered to The New Jersey Department of Environmental Protection as evidence of its approval of the Development, and


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



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 15, 2021.



Marc Platizky, EWMUA Secretary

Chairperson Moore asked for an update on the new water treatment plant. Mr. Brand explained the water quality came back good so the next step is to go out for bid for production well. Mr. Brand is going to put together a schedule of up and coming events to give the board.

Chairperson Moore asked for any update on the new well at Well six (6). Mr. Brand said its coming along. The well is drilled and casings were installed, getting ready to redevelop the well then the pump and pump test. Late May early June should be up and running.

Chairperson Moore asked about the tree replacement at the wastewater plant. The signed agreement hasn't been received as of yet. Our attorney, Ryan Scerbo said Mr. Goldfingers attorney is overnighting the signed contract agreement today and we should have it by tomorrow.

Chairperson Moore asked for approval of the payment of bills for April 15, 2021. Mr Millner made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the Operating report from March 2021. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore requested a motion to approve the Development report for April 2021. Mr. Lippman made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to approve the Finance Officers report for March 2021 Mr. Kurs made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore requested a motion to approve the Attorneys report for March-April 2021 2020, Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore requested a motion to approve the Engineers report for March 2021, Mr. Millner made the motion, seconded by Mr. Platizky and unanimously carried.

The minutes from the March 18, 2021 meeting were approved on a motion made by Mr. Lippman seconded by Mr. Platizky and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,

  
Marc Platizky, Secretary