

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY  
Minutes of Regular Meeting  
Thursday June 17<sup>th</sup>, 2021 @ 5:00pm

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday June 17, 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  
Bill Lawler  
Mike Shifman

Absent: Mr. Lippman

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 June 8, 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 June 11, 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 took a moment to congratulate Mr. Lawler on his retirement after 33 plus years on the MUA Board. The rest of the Board members expressed their gratitude for a job well done, and that he will be greatly missed.

Chairperson Moore asked for approval of Resolution #2021-25, Approval of Financial Advisor 2021. Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

RESOLUTION AUTHORIZING AND AWARDING A REQUEST FOR  
PROPOSAL (RFP) FOR FINANCIAL ADVISORY SERVICES

RESOLUTION NO. 2021-25

WHEREAS, East Windsor MUA is considering the development of a new water treatment plant/administration building and to recover additional cost associated with previous infrastructure projects; and

WHEREAS, the East Windsor MUA solicited proposals on May 4, 2021 and received one (1) proposal for financial advisory services by the receipt date of June 2, 2021; and

WHEREAS, the cost proposal received from Phoenix Advisory, LLC, was most responsive based on the expertise, knowledge and history of financial advisory services previously provided to East Windsor Township, other local governments and MUA's; and

WHEREAS, this contract is awarded in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, this contract is for a term of three (3) years with the option to extend for two (2) one (1) year terms at the Authorities sole discretion; and

WHEREAS, the East Windsor MUA Board has reviewed the East Windsor MUA Executive Directors recommendation; and

NOW, THEREFORE, BE IT RESOLVED by the East Windsor MUA Board, East Windsor Township, in the County of Mercer, State of New Jersey, as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated. The Request for Proposal be awarded to **Phoenix Financial Advisory, LLC** 625 Farnsworth Avenue, Bordentown, N.J. 08505, are hereby accepted and the contract awarded; and
2. The Authority Chairperson and Secretary is hereby authorized and directed to enter into the attached Agreement with **Phoenix Financial Advisory, LLC** 625 Farnsworth Avenue, Bordentown, N.J. 08505, to perform Financial Advisory for the East Windsor MUA based on the fee proposal submitted in the RFP.
3. This Contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1) (a) of the Local Public Contracts Law because the contract is for service performed by persons authorized by law to practice a recognized profession that is required by law, but in accordance with the Fair and Open Process as defined in N.J.S.A. 19:44A-20.5, et seq.

Dated: 6/17/2021

  
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 June 17, 2021.

  
Marc Platizky, Secretary

**EAST WINDSOR MUNICIPAL UTILITY AUTHORITY**

7 Wiltshire Drive  
East Windsor, New Jersey 08520  
(609) 443-6000

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To: East Windsor M.U.A. Board Members  
From: Richard Brand, Executive Director  
Date: June 17, 2021  
Subject: Recommendations for Approval of Financial Advisor

**Recommendations for Professional Services  
Financial Advisor  
June 17, 2021**

All Bids were posted on May 4, 2021 in the Trenton Times, and on our web site. This was done to have as much exposure as possible for the public to participate. The bid opening was held on Wednesday, June 2, 2021 at 2:00 p.m. No attendees were present during opening of proposals. Several RFP's were issued.

**I. Professional Services**

**Appraisal Services: -- Received 1 RFP**

- A. **Phoenix Advisors, LLC – 625 Farnsworth Avenue, Bordentown, N.J. 08505--**  
Has performed Financial Advisory services for many MUA's, local and county government throughout N.J. They are registered with the Municipal Securities Rulemaking Board (MSRB) and Securities and Exchange Commission (SEC) as a Municipal Advisor. This is a requirement in order to give advice to management concerning the issuance of municipal debt. Phoenix does not underwrite bonds and are not investment managers which eliminates them from any conflict of interest. They have approximately 50% of the market share of new issuance of bonds among the top five (5) Financial Advisors. Phoenix Advisors, LLC worked with East Windsor Township in 2019 on a financing of General Obligation Refunding Bonds in which Standard and Poor upgraded the Township rating to AA+. This was reflected when the township sold General Obligation Bonds in 2020.

**Recommendation:**

I am recommending the awarding of the RFP for Financial Advisor to Phoenix Advisors, LLC. I evaluated their proposals. I took into consideration the following factors:

- Experience with Municipalities and their ability to perform assigned task;
- Qualifications – Credentials of team;
- Cost.
- Knowledge of Township, NJIB and private financing
- Credit Ratings

It would be in the Authorities best interest to select Phoenix Advisors, LLC. Phoenix Advisors, LLC has performed financial advisory for many MUA's and municipalities throughout the state. The evaluation was as follows:

- 1) **Experience and Reputation:** They have good reputations and experienced based on the references that I have contacted and my personal dealings with them through the Township. Phoenix Advisors, LLC has been doing financial advisory since 2004 and has done an outstanding job.
- 2) **Knowledge of Water and Wastewater Utilities:** Phoenix Advisors, LLC has a wide variety of expertise in financial services. They have been referred to as one of the premier firms in the area.
- 3) **Knowledge of E.W.M.U.A. or the Township:** Phoenix Advisors, LLC has performed financial services to the township in 2019.
- 4) **Availability to meet the deadlines of the proposal:** They are able to meet the requirements of the proposal.
- 5) **Fee Proposal for Services:** See attachment.
- 6) **Responsiveness to R.F.P.:** They were responsive to R.F.P.
- 7) **Other Factors in the Best Interest of the Authority:** Reviewing the firms approach and knowing the delicate nature, timelines with project, and cost, Phoenix Advisors, LLC would best serve the MUA.
- 8) **References:** I Contacted several references regarding the firms performance. All references were very positive. All work was done within the guidelines of the proposal. I can personally vouch for them as I worked closely with them at East Windsor Township. They were very receptive to the needs of the township and were very easy to contact.

Chairperson Moore asked for an update on the new water treatment plant. Mr. Brand said they are waiting on DEP for the Aquafur plan. Once received will start moving quickly

Chairperson Moore asked for any update on the new well at Well Six (6). Mr. Brand said Well 6 is complete. They installed the new well pump and test went good. Took samples today to send to DEP. Hopefully will be on line in within two months. Mr Brand also spoke about the new DEP requirements for new wells, he said we are replacing an existing well, so hopefully the new guidelines will not apply in regards to the safe drinking act which was implimented.

Chairperson Moore asked for approval of the payment of bills for June 17, 2021 . Mr Millner made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the Operating report from May 2021. Mr. Lawler made the motion, seconded by Mr. Millner and unanimously carried.

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

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

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

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

The minutes from the May 20, 2021 meeting were approved on a motion made by Mr. Platizky seconded by Mr. Lawler and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,

  
Marc Platizky, Secretary