

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, May 18, 2023 @5:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, May 18, 2023 at the Administration Building on Wiltshire Drive and called to order by Chairperson Moore at 5:30 p.m.

The following Members were present:

Linda L. Moore
Steven Kurs

The following Members were present via zoom:

Leonard Millner
Marc Platizky
Mike Shifman
Marc Lippman

Also present:

Richard Brand, Executive Director
Ron Ghrist, Finance Officer
Susan Pretz, Board Secretary

Also present via zoom:

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

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, May 9, 2023. 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, May 12, 2023. 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 asked for approval of resolution #2023-22, Approval to release performance Bond for 30 Lake Drive. Mr. Kurs made the motion seconded by Mr. Shifman and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BONDS
POSTED BY LAKE DRIVE PROPERTIES, LLC FOR THE 30 LAKE DRIVE
DEVELOPMENT**

RESOLUTION NO. 2023 - 22

WHEREAS, Lake Drive Properties, LLC received approval from the East Windsor Township Planning Board for a development known as "30 Lake Drive" consisting of a warehouse to be constructed on Block 20.01, Lots 18.01 East Windsor Township Tax Map; and

WHEREAS, said development required both sanitary sewer and water service from the East Windsor Municipal Utilities Authority; and

WHEREAS, Lake Drive Properties, LLC entered into a Capacity Allocation and Developers On-Tract and Off-Tract Agreement wherein performance bonds were required to be posted to ensure the completion of various improvements associated with 30 Lake Drive; and

WHEREAS, all said improvements have been completed to the satisfaction of the East Windsor Municipal Utilities Authority and said Authority wishes to authorize the release of said performance bonds and return to Lake Drive Properties, LLC any inspection fees, permit fees, project review fees and escrow deposits associated with the 30 Lake Drive Development.

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

1. The East Windsor Municipal Utilities Authority is hereby releasing the following performance surety bonds:

A. NGM Insurance Company Bond No. 06-03087335

B. Any remaining inspection fees, project permit fees, project review fees or any escrow deposits posted with the Authority in connection with 30 Lake Drive.

2. A certified true copy of this Resolution shall be furnished upon its adoption to Alex Balan with Lake Drive Properties, LLC


EAST WINDSOR MUNICIPAL

UTILITIES AUTHORITY

By: 
Linda L. Moore, Chairperson

CERTIFICATION

The undersigned, Secretary to the East Windsor Municipal Utilities Authority does hereby certify that this Resolution was considered and adopted by the Authority at its regular meeting held on the 18th day of May 2023.


Marc Platizky, Secretary

Chairperson Moore asked for approval of resolution #2023-23, Approval to Accept 2-year Maintenance Bond for 30-Lake Drive. Mr. Shifman made the motion seconded by Mr. Lippman and unanimously carried

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A MAINTENANCE
GUARANTEE POSTED BY LAKE DRIVE PROPERTIES, LLC FOR THE 30 LAKE
DRIVE DEVELOPMENT**

RESOLUTION NO. 2023 - 23

WHEREAS, Lake Drive Properties, LLC received approval from the East Windsor Township Planning Board for a development known as "30 Lake Drive" consisting of a warehouse to be constructed on Block 20.01, Lots 18.01 East Windsor Township Tax Map; and

WHEREAS, said development required both sanitary sewer and water service from the East Windsor Municipal Utilities Authority; and

WHEREAS, Lake Drive Properties, LLC entered into a Capacity Allocation and Developers On-Tract and Off-Tract Agreement wherein a maintenance guarantee was required to be posted to ensure the maintenance of the connection to the Authority's 12-inch water main associated with 30 Lake Drive; and

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

1. The Developer acknowledges that he has posted a Maintenance Guarantee pursuant to the Rules and Regulations of the Authority, in the amount of \$12,924.00 in cash.
2. Pursuant to the procedures established in the Rules and Regulations of the Authority, said sum shall be used as a source of payment for any monies for the repair or replacement of improvements to the water connection for 30 Lake Drive, for a period of two (2) years from the date of the adoption of the Resolution accepting said Maintenance Guarantee.
3. At the expiration of the two (2) year period herein described, the Authority shall, by formal resolution, release the Maintenance Guarantee herein described to the Developer, provided that the Authority ascertain that the permitted improvements for which the Maintenance

Guarantee has been posted are acceptable. Said release of said Maintenance Guarantee shall be provided in accordance with the Rules and Regulations of the Authority.

4. In the event that the cost for the maintenance exceeds the amount deposited by the Developer herein, the Developer shall be required to pay the Authority any excess monies expended by the Authority to maintain said permitted improvements during the term of this Agreement.
5. In the event that any charge is made against the Maintenance Guarantee established during the two (2) year period hereof, the Developer agrees to reestablish the Maintenance Guarantee in the full amount thereof until its release.
6. A certified true copy of this Resolution shall be furnished upon its adoption to Alex Balan with Lake Drive Properties, LLC

EAST WINDSOR MUNICIPAL

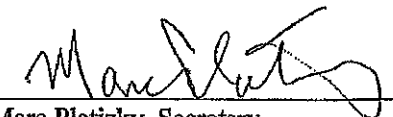
UTILITIES AUTHORITY

By: 

Linda L. Moore, Chairperson

CERTIFICATION

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Marc Platizky, Secretary

Chairperson Moore asked for update on the new water treatment plant Well#10. Mr. Brand said the well drillers mobilized today and are expected to start drilling next week.

Chairperson Moore asked for update on Well #6 addition. Mr. Brand said the contractor who was awarded the job backed out because he couldn't obtain a performance bond. Now we are going to have to go back out to bid. We are also looking into other options as well.

Chairperson Moore asked for update on the power washing project for the water tower on Conover Road. Mr. Brand said they are coming out on June 1st to finish up power washing the water tower.

Chairperson Moore requested a motion to approve the May 18, 2023 Payment of the Bills. Mr. Kurs made the motion, seconded by Mr. Shifman and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for April 2023 Mr. Kurs made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for May 2023 and Mr. Shifman made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for April 2023 Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

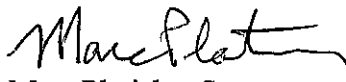
Chairperson Moore asked for a motion to approve the Attorney's Report for April-May 2023. Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore asked for a motion to approve the Engineer's Report for April 2023. Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore asked for approval of the April 20, 2023 Minutes. Mr. Shifman 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