

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, August 17, 2023 @5:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, August 17, 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
Marc Platizky
Steven Kurs

The following Members were present via zoom:

Leonard Millner
Michael Shifman

Absent: Marc Lippman

Also present:

Richard Brand, Executive Director
Susan Pretz, Board Secretary

Also Absent: Ron Ghrist

Also present via zoom:

Kevin O'Brien, 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 August 8, 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, August 11, 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 #2023-26 Approval to award bid of Well#6 building addition. 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 NO. 2023-26

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") has replaced Well #6 due to a failed casing and is in need to install an addition to the existing well building to house the new well pump; and

WHEREAS, on or about October 4, 2022 and December 5, 2022, bids were solicited to undertake and complete this work 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 work, the Authority followed the Fair and Open process in accordance with *N.J.S.A. 19:44A-20.4*; and

WHEREAS, two bids were received to undertake and complete said work; and

WHEREAS, having reviewed said bids, the Authority has determined that the lowest responsible bidder is Hand Gold Construction, LLC.

WHEREAS, Hand Gold Construction, LLC could not obtain a performance bond and the second bidder was too high in price; and

WHEREAS, East Windsor MUA staff continued to request for quotes, Windsor Builders LLC. Submitted a quote for \$200,000; and

WHEREAS, Windsor Builders LLC quote was \$5,000.00 higher from the disqualified bidder but lower than all other bids and quotes;

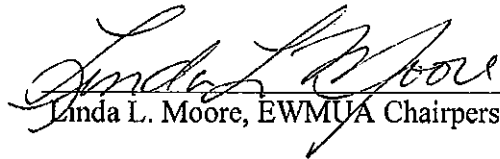
NOW THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority as follows:

1. The Chairperson and Secretary of the East Windsor Municipal Utilities Authority are hereby authorized and directed to enter into an agreement with Windsor Builders, LLC to

undertake and complete the specified new addition work to the Authority's well #6 Twin Rivers Treatment Plant for a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00). The nature and scope of services to be provided are as set forth in the Windsor Builders, LLC proposal on file with the Authority.

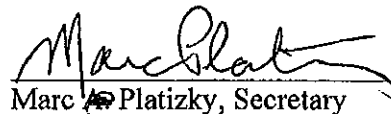
2. A notice of the award of this contract shall be published in a newspaper of general circulation within the Township of East Windsor as required by law.

Dated: 8/17/2023


Linda L. Moore, EWMUA Chairperson

CERTIFICATION

The undersigned, Secretary of the East Windsor Municipal Utilities Authority, does hereby certify that above resolution was adopted by the Authority at its regular meeting held on the 17th day of August, 2023.


Marc Platizky, Secretary

Chairperson Moore asked for approval of resolution #2023-27 Approval to Engineering services for an Environmental Impact Study Level 1 & 2 for new administration building. Mr. Kurs made the motion seconded by Mr. Platizky and unanimously carried.

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
COUNTY OF MERCER, STATE OF NEW JERSEY**

**RESOLUTION TO APPROVE ENGINEERING SERVICES FOR AN
ENVIRONMENTAL IMPACT STUDY LEVEL 1 AND LEVEL 2 FOR THE NEW
ADMINISTRATION, MAINTENANCE AND WATER TREATMENT PLANT
INFRASTRUCTURE PROJECTS**

Resolution # 2023-27

WHEREAS, East Windsor Municipal Utilities Authority ("Authority") is in need of engineering services for Environmental Impact Study Level 1 and Level 2 to meet the requirements with NJ I Bank and NJDEP ("state Agencies) in order to obtain funding for the new administration, maintenance and water treatment plant infrastructure projects ("Projects". These projects are necessary to protect the health and safety of the public and increase the efficiencies of the operation of the Authority; and

WHEREAS, the Authority received several bids (RFP's) in which two firms were interviewed by a committee and P.S.& S, 1450 State Route 34, Wall Twp. N.J. 07753 was selected as the most advantageous bidder for East Windsor MUA; 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; and

WHEREAS, ENGINEER and OWNER wish to entered into the Agreement for \$24,540.00 (not to exceed) to execute the proper paper work and attend the necessary meetings and to perform the work necessary so that the Authority will be able to obtain the "Planning Document Decision" from NJDEP/NJIB ("State Agencies") so that the East Windsor MUA may qualify for low interest and possibly principal forgiveness on these "projects" from certain "state agencies"; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and signed by the parties.

NOW THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") and in consideration of the mutual understandings and Agreements contained herein, the parties agree to the Agreement as follows:

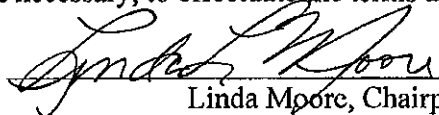
2023 - 27

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. That all applications and reports are the property of the Authority
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 action's necessary, to effectuate the terms and intent hereof.

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date indicated above for the purpose herein expressed.

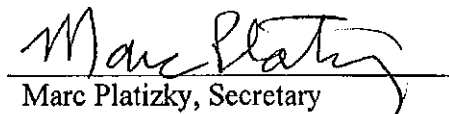
The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Dated: 8/17/23


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 August 17, 2023


Marc Platizky, Secretary

Chairperson Moore asked for approval of resolution #2023-28 Approval Awarding contracts for Furnishing and Delivering Water/Sewer Maintenance Materials. 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 AWARDING CONTRACTS FOR
FURNISHING AND DELIVERY OF WATER/SEWER MAINTENANCE MATERIALS**

RESOLUTION NO. 2023-28

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for Furnishing and Delivery of Water/Sewer Maintenance Materials on June 19, 2023; and

WHEREAS, in accordance with a properly advertised Notice to Bidders, three (3) bidders submitted bids for Furnishing and Delivery of Water/Sewer Maintenance Materials, which were received on July 12, 2023; and

WHEREAS, after review of the bids submitted:

- A. CORE & MAIN LP, 61 Gross Avenue, Edison, NJ 08837 was the lowest bidder for bid line items per attached spread sheet.
- B. RARITAN GROUP, INC., 301 Meadow Road, Edison NJ 08817 was the lowest bidder for bid line items per attached spread sheet.
- C. ISCO INDUSTRIES, 100 Witherspoon Street, 2 West, Louisville, KY 40202 was the lowest bidder for bid line items per attached spread sheet.
- D. FERGUSON WATERWORKS. 507 Oak Glen Road, Howell NJ, 07731 was the lowest bidder for bid line items per attached spread sheet.

WHEREAS, it is the recommendation of the Executive Director that CORE & MAIN LP, RARITAN GROUP, INC. ISCO INDUSTRIES and FERGUSON WATERWORKS be awarded contracts for Furnishing and Delivery of Water/Sewer Maintenance Materials for One (1) year 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;

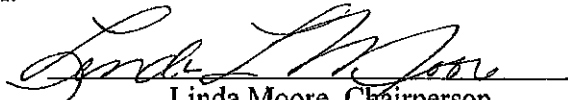
NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The contracts for Furnishing and Delivery of Water/Sewer Maintenance Materials be awarded to Core & Main LP, Raritan Group, Inc. ISCO Industries, and

Ferguson Waterworks for One (1) year 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.

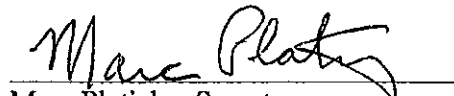
3. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all action's necessary, to effectuate the terms and intent hereof.

Dated: 8/17/2023


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 August 17, 2023


Marc Platizky, Secretary

Chairperson Moore asked for approval of resolution #2023-29 Acknowledging Applicability of the Forgiveness of Repayment Requirements of Education Assistance Program. Mr. Kurs made the motion seconded by Mr. Platizky and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

RESOLUTION ACKNOWLEDGING APPLICABILITY OF THE FORGIVENESS OF THE REPAYMENT REQUIREMENTS OF EDUCATIONAL ASSISTANCE PROGRAM POLICY WITH RESPECT TO ANTHONY LAROCCA

RESOLUTION NO. 2023-29

WHEREAS, the East Windsor Municipal Utilities Authority (“Authority”) has adopted Rules and Regulations to provide for water and sewer service and establish rate and fee schedules (“Rules and Regulations”) pursuant to *N.J.S.A. 40:14B-1 et seq.*; and

WHEREAS, the Authority’s Board of Commissioners previously adopted an Educational Assistance Program Policy (the “Policy”); and

WHEREAS, the Policy, among other things, authorizes the Authority to provide employees with financial assistance to cover the cost of certain educational classes or licenses; and

WHEREAS, the Policy requires that employees availing themselves of the program and then subsequently leaving the Authority within 24 months of completing the class for which the Authority provided assistance are generally required to reimburse the Authority; and

WHEREAS, an Authority employee, Anthony LaRocca participated in the program and has recently advised the Authority of his need to resign from the Authority; and

WHEREAS, the Policy states in relevant part that “if separation of employment is due to a reason other than disciplinary . . . payment of educational assistance may be forgiven”; and

WHEREAS, given the circumstances under which Mr. LaRocca is resigning and the extended period of notice he provided to the Authority, the Authority desires to exercise its authority to forgive any reimbursement obligation that the Policy may impose on him; and

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

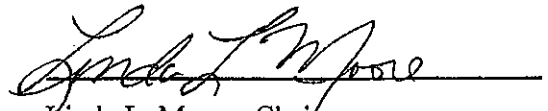
1. Pursuant to the Educational Assistance Program Policy, the Authority agrees to

waive any reimbursement obligation that the Policy would otherwise impose upon Mr. Anthony LaRocca.

2. This Resolution shall take effect immediately upon adoption.


EAST WINDSOR MUNICIPAL
UTILITIES AUTHORITY

Dated: 8/17/2023


Linda L. Moore, Chairperson

CERTIFICATION

I, Marc Platizky, the Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Authority at its regular meeting held on the 17th day of August, 2023.


Marc Platizky, Secretary

A motion was made to allow the executive director to review and present to the board, when necessary, the guidelines of the education assistance program particularly section 3d termination of employment. Mr. Shifman made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for update on the new water treatment plant Well#10. Mr. Brand said they had a few issues with the Drill all is ok now. Things are moving along.

Chairperson Moore asked for update on Well #6 addition. Mr. Brand they will be starting the addition on Well#6 within two weeks. All should be completed by November.

Chairperson Moore asked Mr. Brand to update the board on the Administration Building. Mr. Brand said we got the approval to move ahead from the planning board. We are moving along.

Chairperson Moore requested a motion to approve the August 17, 2023 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 July 2023 Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for July 2023 and August 2023. Mr. Platizky made the motion seconded by Mr. Millner and unanimously carried.

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

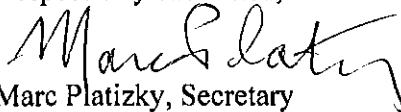
Chairperson Moore asked for a motion to approve the Attorney's Report for July-August 2023. Mr. Platizky made the motion, seconded by Mr. Shifman and unanimously carried.

Chairperson Moore asked for a motion to approve the Engineer's Report for July 2023. Mr. Kurs made the motion, seconded by Mr. Millner and unanimously carried.

Chairperson Moore asked for approval of the July 20, 2023 Minutes. Mr. Platizky made the motion seconded by Mr. Millner and unanimously carried.

Having nothing further to discuss, Chairperson Moore adjourned the meeting.

Respectfully submitted,


Marc Platizky, Secretary