

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Wednesday December 20, 2023 @5:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Wednesday, December 20, 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
Steve Kurs

The following Members present via zoom:

Michael Shifman
Marc Lippman

Absent: Leonard Millner

Also present:

Richard Brand, Executive Director

Absent: Ron Ghrist-Finance Officer
Susan Pretz-Board Secretary

Also present via zoom:

David Klemm, Mott Mac Donald
Frank Warren Esq., DeCotiis, Fitzpatrick, Cole & Giblin, LLP

Chairperson Moore requested that the Public Notice be read. The Chairwomen 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 December 12, 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, December 15, 2023. Chairperson Moore then asked the Executive Director 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 #2023-38 Approval to the Personnel Policy update. Mr. Kurs made the motion seconded by Mr. Lippman and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

**RESOLUTION TO APPROVE NECESSARY UPDATES TO THE PERSONNEL
POLICY MANUAL AND EMPLOYEE HANDBOOK**

Resolution # 2023-38

WHEREAS, East Windsor Municipal Utilities Authority Board (“Authority”) has a fiduciary responsibility to its rate payers and staff; and

WHEREAS, the Authority realizes that an updated personnel policy is a crucial element when it comes to the performance of its employees and to minimize and/or eliminate the risk management of the of the Authority; and.

WHEREAS, the Authority is committed to maintaining a highly skilled and professional staff; and

WHEREAS, the Authority realizes its responsibility to promote a safe work environment which will increase growth of its staff within the departments, promotions to staff are necessary to increase motivation, dedication, and loyalty among staff and allows staff to strive for a critical career path; and

WHEREAS, the Executive Director made some changes to its personnel policy to reflect changes in the law which included;

- Sick Leave Policy

In accordance with COVID-19-related updates to the Earned Sick Leave Law, an additional reason for which sick leave may be used was added in both the Personnel Policy Manual (also known as PPM) and Employee Handbook. In addition, a note was added in both the PPM and Employee Handbook to clarify that employers may choose to require up to seven (7) days’ notice for foreseeable sick leave usage under the Earned Sick Leave Law.

- Alcohol and Drug-Free Workplace

Changes were made in the PPM to account for the legalization of recreational cannabis, including the addition of language relating to the requirement that there be documentation of physical signs of impairment in addition to a positive drug test in order to subject an employee to adverse action. Language was also added to provide that applicant cannot be denied employment based solely on a pre-employment positive drug test for cannabis, with some listed exceptions. In the Policy Prohibitions section, cannabis was added to the portion discussing alcohol, as it would no longer fit under the illegal drugs portion that precedes it.

Language that is no longer applicable due to the legalization of cannabis was also removed throughout the policy. On the Pre-Employment Consent and Release Form, the language “for certain employment positions” was added after “Cannabinoids” because employers will no longer need to test for cannabis in pre-employment panels for most positions. In the Employee Handbook, the word “unlawful” was removed before “drugs” in order to make clear that the use of cannabis in the workplace is still prohibited.

- Domestic Violence Policy

Letter (E) under the Domestic Violence Reporting Procedures in the PPM was removed due to it only being applicable to issues between State employees.

- Personal Day Policy

More details were added to the Personal Day Policy in the PPM in order to match the language included in the same policy found in the Employee Handbook.

- Equal Employment Opportunity Policy and Americans with Disabilities Policy

The protected categories of pregnancy, breastfeeding and childbirth were added to make the policy uniform with the Employee Handbook policy. An additional paragraph regarding breastfeeding accommodations was also added to the Americans with Disabilities Policy to further explain necessary accommodations.

- Family and Medical Leave Policy

Language was added in the PPM to clarify that the employer may choose to include in their policy that employees are required to use accrued paid leave during an FMLA-covered leave. A “utilization of paid leave” section was added to the Employee Handbook to mirror the PPM. In addition, the Family Temporary Disability section was updated to remove the “six weeks” and “effective July 2020” language.

- New Jersey Family Leave

An additional reason that NJFLA leave may be taken was added in both the PPM and Employee Handbook, in accordance with COVID-19 related updates to the law. Changes were also made in the PPM Policy to reinforce and clarify that NJFLA leave may be taken consecutively, intermittently or on a reduced schedule with little restriction, and to clarify the notice requirements for intermittent leave.

- Policy for Use of Employer Vehicles (Non-Law Enforcement) –

A provision regarding employees driving their own vehicles for employer business providing the employer with

a copy of their current certificate of insurance was added in the PPM in order to make this policy uniform with the Employee Handbook policy.

- Overtime

Language was added to clarify that the employer may choose to include in its policy that only time actually worked is considered for purposes of determining overtime compensation.

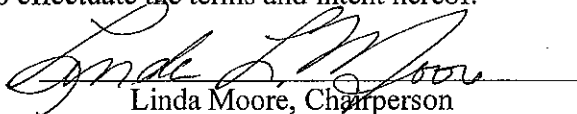
NOW THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority ("MUA" or "Authority") and in consideration of the mutual understandings and Agreements contained herein, the parties agree to the changes in the Personnel Policy Manual and Handbook as follows:

1. The preamble to this Resolution shall be incorporated herein as if fully restated.
2. The Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority Executive Director is authorized and directed to undertake all action's necessary, to effectuate the terms and intent hereof.

IN WITNESS WHEREOF, the parties hereto have executed this agreement 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 Executive Director is authorized and directed to undertake all action's necessary, to effectuate the terms and intent hereof.

Dated: 12/20/23


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 December 20, 2023


Marc Platizky, Secretary

Chairperson Moore asked for approval of resolution #2023-39 Approval of the Easement from levcom (Shop Rite). Mr. Platizky made the motion seconded by Mr. Kurs and

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF UTILITY EASEMENTS FOR
THE OLD CRANBURY STATION ROAD - PUMP STATION 1 SEWER RELIEF
INTERCEPTOR EXTENSION PROJECT**

RESOLUTION NO. 2023 -- 39

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") wishes to undertake a capital improvement project involving the installation of a sewer interceptor main from Old Cranbury Station Road to Pump Station # 1; and

WHEREAS, the Authority has been offered utility easements over the following properties in order to facilitate the sewer interceptor extension: Block 9.01, Lot 1, East Windsor Township Tax Map and also known as Town Center Plaza; and


WHEREAS, the Authority wishes to authorize the acceptance of said utility easements.

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

1. The Authority is hereby authorized to accept utility easements over the following properties in order to facilitate the sewer interceptor Capital Project: Block 9.01, Lot 1, East Windsor Township Tax Map and also known as Town Center Plaza.
2. The form and content of said utility easements has been reviewed and approved by the Authority Attorney. Said easements shall be recorded in the Office of the Mercer County Clerk.
3. This Resolution shall take effect immediately upon its adoption.


EAST WINDSOR MUNICIPAL
UTILITIES AUTHORITY

December 20, 2023

By: 
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 20th day of December, 2023.


Marc Platizky, Secretary

Chairperson Moore asked for update on Well #6 addition. Mr. Brand said we have issues. We hired a non-union contractor, and local 77 came out and now has the job stopped. The job in under review with the labor board.

Chairperson Moore asked Mr. Brand to update the board on the Administration Building. Mr. Brand said the DEP was out on December 6th. There were a couple of minimal deficiencies, but the one that can be an issue is they want us to put a retaining wall over there. We have CME looking at it to see what we else can be done.

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

Chairperson Moore asked for a motion to approve the Development Report for October-November 2023. Mr. Kurs made the motion seconded by Mr. Platizky and unanimously carried.

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

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

Chairperson Moore asked for approval of the November 16, 2023 Minutes. Mr. Platizky made the motion seconded by Mr. Millner and unanimously carried.

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

Chairperson Moore, asked for a motion to go into executive session, Mr. Kurs made the motion, seconded by Mr. Lippman and unanimously carried.

Respectfully submitted,


Marc Platizky, Secretary