

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY
Minutes of Regular Meeting
Thursday, April 18, 2024 @5:30 P.M.

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, April 18, 2024 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 Moore
Steve Kurs

The following Members present via zoom:

Marc Platizky
Leonard Millner

Absent: Marc Lippman
Michael Shifman

Also present:

Richard Brand, Executive Director
Susan Pretz, Board Secretary
Ron Ghrist, CFO

Also present via zoom:

David Klemm, Mott Mac Donald
Matthew J. Krantz, Esq.-Tyler, Aversano & Krantz. P.C.

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 9, 2024. 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 12, 2024. 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 Mr. Brand to begin his presentation on East Windsor Township's Water Story. The presentation lasted about 1 hour. There were several zoom attendees.

Chairperson Moore asked for approval of Resolution#2024-18 Approval of Developer Agreement with the Place at East Windsor. Mr. Kurs 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
THE PLACE AT EAST WINDSOR, LLC**

RESOLUTION # 2024-18

W I T N E S S E T H

WHEREAS, THE PLACE AT EAST WINDSOR, LLC (hereinafter the "Developer") is the contract purchaser of parcels of land located within the Township of East Windsor more particularly described as Block 5, Lot 2.02 on the Official Tax Map of the Township of East Windsor; and

WHEREAS, the Developer has submitted to the East Windsor Municipal Utilities Authority (hereinafter "Authority" or "EWMUA") for approval Plans and Specifications for the construction of certain water, sanitary sewer and fire service improvements to be located on and in the vicinity of Block 5, Lot 2.02 on the Official Tax Map of the Township of East Windsor for the development known as "The Place at East Windsor" (the "Development"); and

WHEREAS, the Developer has submitted to the Authority for approval Plans and Specifications for the construction of certain sanitary sewer and water facilities to be located on the Property to provide sanitary sewer and water service to a proposed residential development known as "The Place at East Windsor" (the "Project"), which will include fifty six (56) affordable housing apartments in three (3) buildings containing three (3) stories each, being more particularly described and identified on plans entitled, "Preliminary

and Final Site Plan For The Place at East Windsor, Township of East Windsor, Mercer County, New Jersey Block 5 Lot 2.02," prepared by Menlo Engineering Associates Inc, dated February 15, 2019 with latest revisions dated October 5, 2023, approved by the Authority ("Approved Plans and Specifications"); and

WHEREAS, the Planning Board of the Township of East Windsor ("Planning Board") granted the Developer Preliminary and Final Site Plan approval for the Project on April 1, 2019, which approval was memorialized in Resolution of Approval 2019-12, duly adopted by the Planning Board on April 15, 2019 ("Site Plan Approval"); and

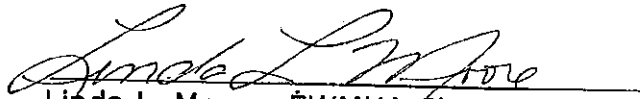
WHEREAS, in anticipation of the Developer closing title on the Property, the Developer and the Authority desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the construction of the water, sanitary sewer and fire service utility improvements 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 THE PLACE AT EAST WINDSOR, 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 THE PLACE AT EAST WINDSOR, 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.

Dated: 4/18/2024


Linda L. Moore, EWMUA Chairperson

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 18, 2024.


Marc Platizky, EWMUA Secretary

Chairperson Moore asked for approval of Resolution#2024-19 Authorization of Signatory for Certain Documents and Permits. 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. 2024 -19

AUTHORIZATION OF SIGNATORY FOR CERTAIN DOCUMENTS AND PERMITS

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") is a Municipal Utilities Authority empowered to enter into various contracts and agreements pursuant to N.J.S.A. 40: 14B-1 seq; and

WHEREAS, the Authority as the owner of the public water and sewer system infrastructure shall have an authorized signatory for New Jersey Department of Environmental Protection Agency, Department of Transportation and any other New Jersey Governmental Agency or Commission with regards to permits and forms; and

WHEREAS, the East Windsor Municipal Utilities Authority is determined that is necessary and appropriate grant authority to certain person (s) described hereunder to execute permit, forms and similar documents for submission to New Jersey Governmental Agencies and Commissions; and

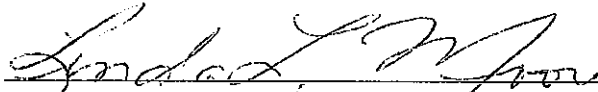
NOW THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority as follows:

1. The Authority hereby authorizes and directs its Chairperson, Secretary or Executive Director to execute certain permits, forms and similar documents to be submitted to New Jersey Governmental Agencies and Commissioners in connection with certain Board approved Developments within the Authority's service area.

2. With respect to any specific development, the Authority hereby conditions the above authorization upon the satisfaction by a Developer of all conditions precedent which are set forth in any related Board approved Developers Agreement, including but not limited to the payment of all fees and the conveyance of all necessary easements, to the satisfaction of the Authority's Executive Director, its General Manager, its Consulting Engineer and its Solicitor.

BE IT FURTHER RESOLVED that authorization from the East Windsor MUA Board for Authorization of Signatory take effective immediately.

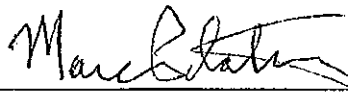
Dated: 04/18/2024



Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the East Windsor Municipal Utilities Authority at a meeting held on the 18th day of April, 2024.



Marc Platizky, Secretary

Chairperson Moore asked for an update on Well#6 addition. Mr. Brand said things are moving along. They are completing the roof and are in the process of ordering the windows and doors.

Chairperson Moore asked Mr. Brand to update the Board on the progress if any on the Administration and Maintenance buildings. Mr. Brand said we are waiting for the wetlands permits. We are making progress.

Chairperson Moore asked for the results of the Bid opening for RFP for Design of the Millstone Road Water Treatment Plant. Mr. Brand said we received 5-bids. Price ranging from 805,000.00 to almost 2,000,000.00. Mr. Brand explained that, Chairperson Moore, Mr. Platizky and Mr. Brand will review in the bids and bring the results and recommendations to the board.

Chairperson Moore requested a motion to approve the April 18, 2024 Payment of the Bills. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore requested a motion to accept the Operating Report for March 2024. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for a motion to approve the Development Report for April 2024. Mr. Platizky made the motion seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for a motion to approve the Finance Officers Report for March 2024. 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 March-April 2024. Mr. Platizky made the motion, seconded by Mr. Millner and unanimously carried.

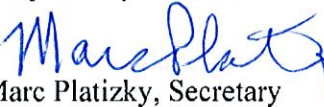
Chairperson Moore asked for a motion to approve the Engineer's Report for March 2024. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

Chairperson Moore asked for approval of the Executive Session Minutes from March 21, 2024. Mr. Kurs made the motion seconded by Mr. Platizky and unanimously carried.

Chairperson Moore asked for approval of the March 21, 2024 Regular Meeting Minutes. Mr. Kurs 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