

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

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday, July 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
Marc Platizky
Matthew Kohut

The following Members present via zoom:

Leonard Millner
Marc Lippman

Absent:

Also present:

Richard Brand, Executive Director
Ron Ghrist, CFO
Megan Thompson, Assistant CFO
Matthew J. Krantz, Esq. Tyler, Aversano & Krantz. P.C.

Also present via zoom:

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 July 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, July 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 for approval of Resolution 2024-22, Approval of Shiseido Developers Agreement. Mr. Platizky made the motion, seconded by Mr. Kurs and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

**RESOLUTION FOR APPROVAL OF A CAPACITY ALLOCATION AGREEMENT AND
DEVELOPER'S ON-TRACT AND OFF-TRACT AGREEMENT WITH
SHISEIDO AMERICA, INC**

RESOLUTION # 2024-22

W I T N E S S E T H

WHEREAS, the Owner owns one parcel of land developed land located in the RO zone within the Township of East Windsor more particularly described as Block 1, Lot 4 (hereinafter referred to as the "Property") and more specifically known as 366 Princeton-Hightstown Road and Shiseido America, Inc; 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 September 11, 2023, which approval was memorialized in Resolution of Approval 2023-19, duly adopted by the Planning Board on November 6, 2023 ("Site Plan Approval"); and

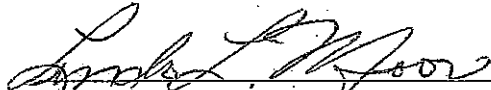
WHEREAS, the Developer and the Authority desire to enter into an agreement setting forth the rights, duties and obligations of the parties in connection with the construction of the water, sanitary sewer and fire service utility improvements related to said Development, including off-tract improvement 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 SHISEIDO AMERICA, INC, 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 SHISEIDO AMERICA, INC, 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.

July 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 July 18, 2024.


Marc Platizky, EWMUA Secretary

Chairperson Moore asked for approval of Resolution 2024-23, Approval of (RFP) PS&S Engineering for the design of the new Millstone Rd Water Treatment Plant. Mr. Lippman made the motion, seconded by Mr. Kurs and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

**RESOLUTION TO APPROVE ENGINEERING SERVICES FOR THE DESIGN OF THE
MILLSTONE ROAD WATER TREATMENT PLANT INFRASTRUCTURE PROJECT**

Resolution # 2024-23

WHEREAS, East Windsor Municipal Utilities Authority (“Authority”) is in need of engineering services for the Design of the Millstone Road Water Treatment Facility to meet the needs of the township. This project is necessary to protect the health and safety of the public and increase the efficiencies of the operation of the Authority; 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, East Windsor Municipal Utilities Authority went to public notification to accept RFPs for the design of the Millstone Road Water Treatment Plant on March 11, 2024; and

WHEREAS, the Authority received Five (5) bids (RFP’s) on April 17, 2024 in which the proposals ranged from \$850,000 - \$ 1,800,000. All 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, ENGINEER and OWNER wish to entered into the Agreement for \$1,072,500 (not to exceed) to execute the proper paper work for the design of the water treatment plant, execute the proper applications for permitting, attend the necessary meetings and to perform the work necessary so that the Authority will be able to obtain the funding from NJDEP/NJIB (“State Agencies”) so that the East Windsor MUA may qualify for low interest and possibly principal forgiveness on this “project” from certain “state agencies”; and

WHEREAS, East Windsor Municipal Utilities Authority wishes to obtain grant money (up to 75% of project cost) from Federal Emergency Management Agency (FEMA) from the Building Resilient Infrastructure Communities (BRIC) and any other grants available for this project; and

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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:

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: 7/18/24


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 July 18, 2024.


Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution 2024-24, Approval of Water/Sewer Maintenance Material 2024-2025. Mr. Lippman made the motion, seconded by Mr. Kurs 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. 2024-24

WHEREAS, East Windsor Municipal Utilities Authority went to public notification to accept bids for Furnishing and Delivery of Water/Sewer Maintenance Materials on May 6, 2024; 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 June 25, 2024; 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. CAPITAL SUPPLY CONSTRUCTION PRODUCTS; 149 Old Turnpike Road, Wayne, NJ 07470, was the lowest bidder for bid 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. CAPITAL SUPPLY CONST. PRODUCTS 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

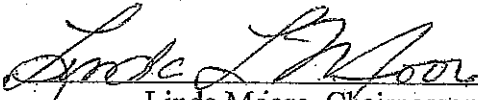
WHEREAS, the Financial Officer has certified that sufficient funds are available for the award of these contracts;

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.

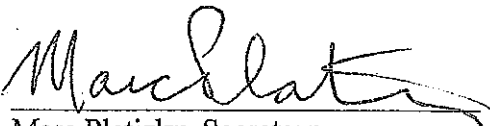
2. The contracts for Furnishing and Delivery of Water/Sewer Maintenance Materials be awarded to Core & Main LP, Raritan Group, Inc. Capital Supply Const., and Ferguson Waterworks for One (1) year with the option to extend for up to two (2) one-year extensions for their respective bid line items. The 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: 7/18/2024


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 July 18, 2024


Marc Platizky, Secretary

Chairperson Moore asked for an update on Well#6 addition. Mr. Brand said things are moving along slowly. The contractor just ordered the Doors. Once the doors are delivered, the contractor said he will be back on site in a couple of weeks.

Chairperson Moore asked Mr. Brand to update the Board an update if any on the Administration and Maintenance buildings. Mr. Brand showed the board a power point on the progress down at the site. Our Guys are doing a great job installing the mains and valves.

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

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

Chairperson Moore asked for approval of the Regular Minutes from June 20, 2024. Mr. Kurs made the motion seconded by Mr. Platizky and unanimously carried.

Having nothing further to discuss, Chairperson Moore adjourned the public board meeting and asked for a motion to go into closed session. Mr. Kurs made the motion, seconded by Mr. Platizky and unanimously carried.

Respectfully submitted,


Marc Platizky, Secretary