

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

Minutes of Regular Meeting

Thursday March 20, 2025 @ 5:30pm

The regular monthly meeting of the East Windsor Municipal Utilities Authority was held on Thursday March 20, 2025 at the Administration Building located on 7 Wiltshire Drive and called to order by Chairperson Moore at 5:30pm

The following Members were present:

Linda Moore
Steve Kurs
Lewis Meixler

The following Members present via zoom:

Marc Platizky
Marc Lippman
Matt Kohut

The following Members were absent:

Present: Richard Brand, Executive Director
Susan Pretz, Administration Board Secretary
Matthew J. Krantz, Esq. Tyler, Aversano & Krantz. P.C

Present via zoom:
Megan Thompson, CFO

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 March 11, 2025. 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 March 14, 2025. Chairperson Moore then asked 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 who would like to speak on any issue not on today's agenda. Hearing no one Chairperson Moore closed the public portion of the meeting.

Chairperson Moore advised that Resolution #2025-03 Consulting Engineer, Resolution #2025-06 Labor Attorney, Resolution#2025-07 Conflict Attorney and Resolution 2025-19 Engineering pool are all tabled until our next board meeting.

Chairperson Moore asked for approval of Resolution #2025-04 Auditor, Steve Kurs made the motion seconded by Lewis Meixler and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution No. 2025-04

Resolution Awarding Contract for Professional Auditing Services

WHEREAS, N.J.S.A. 40:14A-7.1 requires that every utility's Authority will cause an annual audit of the accounts of the Authority to be made by a registered municipal accountant or certified public accountant of New Jersey, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be made available for public inspection; and

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site and in the official designated daily newspaper of the Authority on **December 30, 2024**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 3, 2025** at the Authority offices, and

WHEREAS, one proposal for these services were received, **The Mercadien Group**, 3625 Quakerbridge Road, Hamilton, NJ 08619, the Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for the Authorities Annual Audit to **The Mercadien Group and Financial Services**; and

WHEREAS, the maximum amount of the contract is **\$23,000.00** to **The Mercadien Group** for the Annual Audit and **\$400.00** per hour for principal and **\$245.00** per hour for Senior for all other Financial Services, adequate funds are available in the Operating Account No. 01-201-6202-2 entitled Basic Contract - Auditor as evidenced by the Chief Financial Officer's Certification.

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

1. That the Chairperson and Secretary are hereby authorized to award this agreement for annual audit service with The Mercadien Group, registered municipal accountants in the State of New Jersey, for the period of **March 20, 2025** to the annual reorganization meeting to be held in **February 2026**.

2. The Authority hereby specifically determines that the procedures followed in connection with the award of this contract were in full compliance with the Fair and Open process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.

3. The Mercadien Group is required to comply with the Affirmative Action Requirements of N.J.A.C. 17:27.

4. It is hereby directed that notice of the award of a contract be published once in the official designated newspaper of the Authority within ten (10) days of the date hereof.

5. This Resolution will take effect immediately.

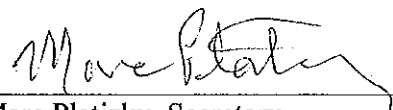
Dated: 3/20/2025


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 **March 20, 2025**

Dated: 3/20/2025


Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2025-05 General Attorney, Steve Kurs made the motion seconded by Marc platizky and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution Awarding Contract for Professional Legal Services

Resolution # 2025-05

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for General Counsel Legal services for **2025**; and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site and in the Cranbury Press Windsor Hights Herald, Trenton Times and Trentonian the official designated daily newspaper of the Authority on **December 30, 2024**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 3, 2025** at the Authority offices, and

WHEREAS, six (6) proposal for these services were received. The Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for General Counsel legal service to **Tyler, Aversano & Krantz**, 1 AAA Drive, Suite 204, Robbinsville, NJ 08691 for **2025**; 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, the hourly blended rate charge is **\$175.00** per hour for routine legal services 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

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

1. The Authority hereby specifically determines that the procedures followed in connection with the award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.

2. Tyler, Aversano & Krantz, is hereby appointed as the General Counsel for the Authority until a successor is appointed at the annual reorganization meeting of the Authority to be held in **February 2026**.

3. Tyler, Aversano & Krantz, is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.

4. The chairperson of the Authority is hereby authorized to execute a professional services agreement with Tyler, Aversano & Krantz, for General Counsel legal services for the Authority.

5. Notice of this contract award will be published as required by law.

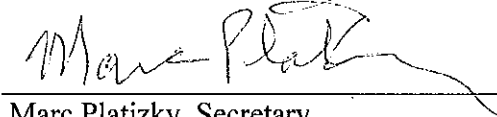
Dated: **03/20/2025**


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 **March 20, 2025**.

Dated: **3/20/2025**


Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2025-08 Bonding Attorney. Steve Kurs made the motion seconded by Marc Platizky and unanimously carried

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER,

STATE OF NEW JERSEY

Resolution Awarding Contract for Professional Legal Services-Bonding Attorney

Resolution #2025-08

WHEREAS, the East Windsor Municipal Utilities Authority (Authority) desires to award a professional services contract for Bonding Attorney's services for 2025 and

WHEREAS, the Authority is awarding this contract under a Fair and Open Process, pursuant to N.J.S.A. 19:44A-20 et seq.; and

WHEREAS, in accordance with the legal requirements for the Fair and Open Process, the proposal for these services was posted on the Authority's web site and in the official designated daily newspaper of the Authority on **December 30, 2024**; and

WHEREAS, proposals received in response to the web site notification were opened and publicly read at 2:00 p.m. on Thursday, **February 3, 2025** at the Authority offices, and

WHEREAS, two (2) proposals for these services were received. The Authority has determined, price and other factors considered, that it is in the best interest of the Authority to award a contract for Bonding Attorney Legal services to **MS&B McManimon, Scotland & Baumann**, 75 Livingston Ave, Second Floor, Roseland, NJ 07068, for 2025; 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, adequate funds are available in an amount sufficient to defray the expenditure of money as evidenced by the Financial Officer's Certification, and

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

1. The Authority hereby specifically determines that the procedures followed in connection with the award of this contract were in full compliance with the Fair and Open Process for awarding such contracts, as set forth in N.J.S.A. 19:44A-20.5.

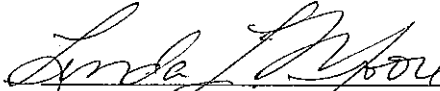
2. That the Law Firm of **MS&B McManimon, Scotland & Baumann** is hereby appointed as Bonding Attorney until a successor is appointed at the annual reorganization meeting of the Authority to be held in **February 2026**.

3. i MS&B McManimon, Scotland & Baumann is required to comply with the Affirmative Action requirements of N.J.A.C. 17:27.

4. The chairperson of the Authority is hereby authorized to execute a professional service agreement for Bonding Attorney with f MS&B McManimon, Scotland & Baumann for Bonding Attorney services for the Authority.

5. Notice of this contract award will be published as required by law.

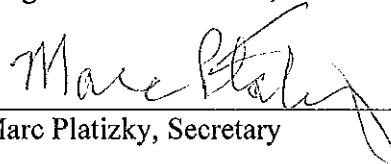
Dated: 03/20/2025


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 **March 20, 2025**

Dated: 3/20/2025


Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2025-20 Release of Performance Guarantees-Innovation Park, Mr. Meixler made the motion seconded by Mr. Kurs and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

Resolution # 2025-20

**AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES AND
INSPECTION ESCROW FOR SANITARY SEWER AND WATER FACILITIES
FOR THE DEVELOPMENT PROJECT GENERALLY KNOWN AS
"INNOVATION PARK"**

WHEREAS, NE Metro Trammel Crow, (hereinafter referred to as "Developer") installed certain sanitary sewer and water facilities to serve a warehouse project generally known as Innovation Park; and,

WHEREAS, the Developer has requested a complete release of Surety Bond nos. 674215074 (Sanitary Sewer System) and 674215075 (Water Distribution System) issued on March 20th, 2021 by Black Creek Group with an address at 518 17th St, Denver, CO 80202 and Cash Performance Bonds in the amount of \$71,626.95 and \$22,136.13, and an Inspection Escrow account in the amount of \$8,768.14 inclusive of interest; and,

WHEREAS, the Developer has satisfactorily constructed the sanitary sewer and water facilities, as required; and,

WHEREAS, the East Windsor Municipal Utilities Authority desires to release the aforementioned performance guarantees and inspection escrow account subject to certain conditions which shall be more fully described hereinafter.

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

1. The request of the Developer to release the aforementioned performance guarantees and inspection escrow account is hereby approved and said bonded and cash performance guarantees and inspection escrow account is hereby released.

2. This resolution shall take effect immediately.

Dated: 3/20/2025


Linda Moore, Chairperson

CERTIFICATION

I, Marc Platizky, Secretary of the East Windsor Municipal Utilities Authority, do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the EWMUA at a regularly scheduled meeting held on March 20, 2025.


Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2025-21 Authorization to executive a contract with Payargo. Mr. Meixler made the motion seconded by Mr. Kurs and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

RESOLUTION NO. 2025-21

**AUTHORIZATION TO EXECUTE A CONTRACT WITH PAYARGO, INC. IN CONNECTION
WITH PROCESSING ONLINE BANKING PAYMENTS**

WHEREAS, East Windsor Municipal Utilities Authority ("Authority") is in need of services for the processing of online banking payments. This service is necessary for the timely and efficient processing of online banking payments. A copy of the Agreement is attached to this resolution as Schedule A and made a part hereof.

WHEREAS, funds for this agreement for the service with Payargo, Inc. for 2025 in the estimated amounts are as follows:

	Utility Payments
One-time set-up fee	\$995.00
Estimated number of checks processed per quarter	1,750
Estimated number of checks processed per year	7,000
Estimated yearly cost	\$1,750.00
Estimated fiscal year cost (pro-rated 4/1/25-11/30/25)	\$1,166.67
Total estimated cost for 2025 fiscal year	\$2,161.67
**Funds to come from respective budget	


WHEREAS, adequate funds are available in an amount sufficient to defray the expenditure of money as evidenced by the Financial Officer's Certification. A year-end analysis is to be done to receive an actual count of the checks received for the year to more accurately plan the subsequent year's budget; and

WHEREAS, the term of this Agreement shall be two (2) years and shall renew automatically for one (1) year terms unless either party provides at least sixty (60) days written notice of non-renewal prior to the end of the then-current term. Either party may terminate this Agreement, effective ten (10) days after sending written notice to the other party, for any reason, or for no reason at all.

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

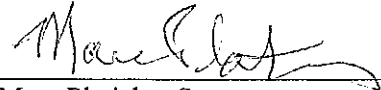
Authority Chairperson and Secretary are hereby authorized and directed to sign any necessary documents, and the Authority staff and professionals are authorized and directed to undertake any and all actions necessary to effectuate the terms and intent hereof.

Dated: 3/20/25


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 March 20, 2025.

A handwritten signature in cursive script, appearing to read "Marc Platizky", written over a horizontal line.

Marc Platizky, Secretary

Chairperson Moore asked for approval of Resolution #2025-22 Purchasing Policy adoption. Mr. Kurs made the motion seconded by Mr. Kohut and unanimously carried.

EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY

COUNTY OF MERCER

STATE OF NEW JERSEY

RESOLUTION NO. 2025-22

PURCHASING POLICY ADOPTION

WHEREAS, the East Windsor Municipal Utilities Authority ("Authority") desires to establish a policy and manual for purchases of equipment, services, and material for the operations of the Authority in accordance with the Local Public Contracts law, N.J.S.A. 40A:11-1 et seq.; and

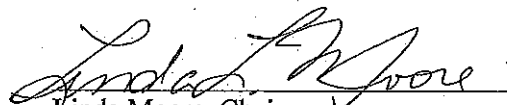
WHEREAS, the attached Purchasing Policy has been written to establish procedures that maximize the purchasing power and value of public funds and ensure the purchasing process is conducted in accordance with N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the guidelines in this policy promote efficiency, effectiveness, equity, and fairness in public purchasing.

NOW, THEREFORE, BE IT RESOLVED by the East Windsor Municipal Utilities Authority that it hereby approves and adopts the Purchasing Policy in the form attached hereto and revokes all prior policies in their entirety effective upon the passing of this resolution.


BE IT FURTHER RESOLVED, that changes or revisions to the procedures hereby adopted shall be made only by resolution of the Governing Body.

Dated: 3/20/25


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 March 20, 2025.


Marc Platizky, Secretary

Chairperson Moore asked for update on the water main from Hidden Springs Lane and Disbrow Hill Rd. Mr. Brand stated that the ordered material is being stored by job site and we are expecting to start mid-April. He MUA is doing the work ourselves.

Chairperson Moore asked about the sewer main replacement for Cypress Drive. Mr. Brand said it is finished and was completed by J. Fletcher Creamer.

Mr. Brand gave an update on the dewatering system for sludge at the wastewater plant. He is going on a tour at the lower Twp sewer plant to see the process and to see what the maintenance is and will discuss his findings.

Chairperson asked for an update on the Administration, Maintenance and Water treatment plant. Mr. Brand said per DEP we had to split the project between the admin building and maintenance building, then resubmit for approval to the Dep. We are waiting to hear.

Chairperson asked about the Clarifier rehabilitation at the wastewater plant. Mr. Brand told the board it is in dire need of painting and the mixers need to be replaced. We are looking at approximately \$400,000 and it really needs to be done.

Chairperson Moore asked for information on the Disc Filters. Mr. Brand said the Sand filters are a nightmare. The Disc Filters can handle a lot more and will help meet the new regulations.

Chairperson Moore asked for approval of the payment of bills for March 30, 2025 . Mr Kurs made the motion, seconded by Mr. Meixler and unanimously carried.

Chairperson Moore asked for approval of the Operating report from February 2025. Mr. Lippman made the motion, seconded by Mr. Meixler and unanimously carried.

Chairperson Moore requested a motion to approve the Development report for March 2025 Mr. Kohut made the motion, seconded by Mr. Lippman and unanimously carried.

Chairperson Moore requested a motion to approve the Finance Officers report for February 2025. Mr. Platizky made the motion, seconded by Mr. Lippman and unanimously carried.

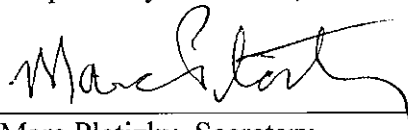
Chairperson Moore requested a motion to approve the Attorneys report for February 2025-March 2025. Mr. Kurs made the motion, seconded by Mr. Kohut and unanimously carried.

Chairperson Moore requested a motion to approve the Engineers report for February 2025, Mr. Kurs made the motion, seconded by Mr. Lippman and unanimously carried.

The minutes from the February 21, 2025 meeting were approved on a motion made by Mr. Meixler seconded by Mr. Platizky and unanimously carried.

Having nothing further to discuss Chairperson Moore adjourned the meeting.

Respectfully submitted,



Marc Platizky, Secretary