

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, April 20, 2010 at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

Present: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and Mrs. Zamonski; S. Robert Filler, Executive Director and W. Barry Rank, Esquire.

Also attending: Allan Jacobs of Jacobs Environmental Consulting; David Sopronyi, ELSA Staff Engineer; and Tom Perrillo, Phil Voorhees, Jim Zaleski and Julie Ayers representing Rider University.

Mr. DiFrancesco called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. DiFrancesco advised that all requirements of the Local Public Meetings Act have been met. He also advised that any contracts awarded this evening would comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27).

Res. 43:10. On motion of Mr. Colavita and seconded by Mr. Geter it was moved that the minutes of March 16, 2010 be approved as presented.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and Mrs. Zamonski.

Nays: None.

Absent: None

Res. 44:10. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that the March 2010 Flow, Maintenance and Connection Reports be filed.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and Mrs. Zamonski.

Nays: None.

Absent: None

Res. 45:10. On motion of Mr. Geter and seconded by Mr. Colavita it was moved that the Schedule of Bills in the total amount of \$1,308,853.03 be accepted.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and Mrs. Zamonski.

Nays: None.

Absent: None.

There was no public participation.

Mr. Filler reported that the Regional Sludge Management Committee is still waiting for a response from NJDEP.

Mr. Jacobs reported that he has reviewed the application submitted by Rider University for construction of a 21,845 square foot, two-story academic building and renovation of the two-story 11,000 square foot theater located on their campus. Mr. Jacobs recommended granting preliminary approval subject to the comments in his letter dated April 16, 2010. These comments include a recommendation for a net increase in the EDU's of 9 based information provided by Rider University that existing classroom seating will be reduced to comply with current fire code. The Board discussed this recommendation and agreed that Rider should provide verification that these numbers represent a reduction in classroom seating from their original approvals.

Res. 46:10. On motion of Mrs. Zamonski and seconded by Mr. Geter the following resolution was adopted:

WHEREAS, RIDER UNIVERSITY proposes construction of a 21,845 square foot, two-story academic building and a two-story 11,000 square foot theater located on their campus in Lawrence Township; and

WHEREAS, the EWING-LAWRENCE SEWERAGE AUTHORITY (the "Authority") considered the application of the Developer to connect its proposed facility to the Authority's sewerage system;

NOW, THEREFORE BE IT RESOLVED that the proposed connection for the Developer's proposed Development to the Authority's sewerage system is approved, subject to the following conditions:

1. The connection to the Authority's sewerage system is subject to a determination by the Authority and any responsible regulatory agency (e.g., the United States Environmental Protection Agency and the New Jersey Department of Environmental Protection) at the time of connection that there is adequate capacity in such system to serve the Developer's proposed Development.

2. In the event that the Authority is unable to serve the Developer's proposed development at the time of connection because of inadequate capacity or for any other reason, the Developer shall have no right of action or recourse against the Authority.

3. The Developer, at its own cost, shall provide "as-built" plans for the sewerage system in a manner acceptable to the Authority's Engineer prior to the issuance of a Certificate of Occupancy by the Township.

4. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.

5. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.

6. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.

7. The Authority hereby endorses this project and further certifies that said project meets the 201 Agency requirements and expects to continue to meet the NJPDES Permit requirements.

8. This preliminary approval granted pursuant to this Resolution shall expire ninety (90) days from the date hereof.

9. The Developer shall pay the appropriate connection and inspection fees.

10. The sewers shall conform to the Authority's Rules and Regulations.

11. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated April 16, 2010 and subject to a EDU final determination based on information to be provided by Rider University.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and
Mrs. Zamonski.

Nays: None.

Absent: None.

Mr. Filler reported that the Authority received a letter from Ewing Township requesting ELSA's approval to defer payment of \$839,853.28 of the present invoice due June 1, 2010 to July 1, 2010. Edward McManimon, ELSA's Bond Counsel, reported to Mr. Filler that he addressed this issue in 1999 and advises that this is not something that should be authorized by ELSA. Mr. Filler was directed to send a copy of Mr. McManimon's letter to Ewing Township and tell them that they should be advised accordingly.

Mr. Filler reported that bids were received on April 7, 2010 for furnishing and installing Two Channel Type Sewage Grinders. The bids received are as follows:

C&T Associates	\$378,950
Municipal Maintenance Co.	\$397,100
GMH Associates	\$502,600
D&D Utility Contractors	\$558,250

Joseph Jingoli & Son

\$594,000

The Authority's budget for this project was \$200,000, therefore he recommends that all bids be rejected. Mr. Filler reported that the Authority will modify these specifications and re-bid the project.

Res. 47:10. On motion of Mr. Colavita and seconded by Mr. Vereen it was moved that the Authority reject all bids received on April 7, 2010 for Two Channel Type Sewage Grinders due to exceeding the Authority's budget and that modifications will be made to the specifications and the project will be re-bid.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and
Mrs. Zamonski.

Nays: None.

Absent: None.

Mr. Jacobs reported that he has reviewed the application submitted by Edward D. and Edward M. Bucci. The project is located between Roxboro Road and Fieldsboro Drive in Lawrence Township and consists of construction of seven (7) single family dwelling units and a detention basin. Mr. Jacobs recommended granting preliminary approval subject to the comments in his letter dated March 29, 2010.

Res. 48:10. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the following resolution be adopted:

WHEREAS, EDWARD D. AND EDWARD M. BUCCI propose construction of seven (7) single family dwelling units and a detention basin on property located between Roxboro Road and Fieldsboro Drive in Lawrence Township; and

WHEREAS, the EWING-LAWRENCE SEWERAGE AUTHORITY (the "Authority") considered the application of the Developer to connect its proposed facility to the Authority's sewerage system;

NOW, THEREFORE BE IT RESOLVED that the proposed connection for the Developer's proposed Development to the Authority's sewerage system is approved, subject to the following conditions:

1. The connection to the Authority's sewerage system is subject to a determination by the Authority and any responsible regulatory agency (e.g., the United States Environmental Protection Agency and the New Jersey Department of Environmental Protection) at the time of connection that there is adequate capacity in such system to serve the Developer's proposed Development.

2. In the event that the Authority is unable to serve the Developer's proposed development at the time of connection because of inadequate capacity or for any other reason, the Developer shall have no right of action or recourse against the Authority.

3. The Developer, at its own cost, shall provide "as-built" plans for the sewerage system in a manner acceptable to the Authority's Engineer prior to the issuance of a Certificate of Occupancy by the Township.

4. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.

5. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.

6. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.

7. The Authority hereby endorses this project and further certifies that said project meets the 201 Agency requirements and expects to continue to meet the NJPDES Permit requirements.

8. This preliminary approval granted pursuant to this Resolution shall expire ninety (90) days from the date hereof.

9. The Developer shall pay the appropriate connection and inspection fees.

10. The sewers shall conform to the Authority's Rules and Regulations.

11. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated March 29, 2010.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and
Mrs. Zamonski.

Nays: None.

Absent: None.

Mr. Filler requested an additional allocation of \$21,000 for Arcadis for the Mountain View Pump Station pump vibration issue.

Res. 49:10. On motion of Mr. Cermele and seconded by Mrs. Zamsonki it was moved that the Authority approve an additional allocation of \$21,000 for Arcadis for the Mountain View Pump Station pump vibration issue.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and

Mrs. Zamonski.

Nays: None.

Absent: None.

Mr. Filler reported that ELSA has met twice in recent weeks with Hopewell. Mr. Rank will report in Executive Session.

Mr. Jacobs advised that he received a TWA application from Bristol Myers-Squibb for a modification to their Pretreatment System which includes the addition of a grinder. Mr. Jacobs reported that he has reviewed this application and recommends that the Authority authorize the Executive Director to endorse the application.

Res. 50:10. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the Executive Director be authorized to endorse the TWA Application submitted by Bristol Myers-Squibb for a modification to their Pretreatment System which includes the addition of a grinder.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and
Mrs. Zamonski.

Nays: None.

Absent: None.

Mr. Jacobs advised that the Authority is required to hold a public hearing on the Mountain View Force Main. He requested that the Authority's regular meeting in June be moved to June 22nd since he will be out of the country on June 15th.

Res. 51:10. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the Authority's regular June meeting be moved to June 22, 2010 at noon.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and
Mrs. Zamonski.

Nays: None.

Absent: None.

Res. 52:10. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that a public hearing on the Mountain View Force Main be scheduled for June 22, 2010 at 7:00 P.M.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen and
Mrs. Zamonski.

Nays: None.

Absent: None.

Res. 53:10. On motion of Mr. Cermele and seconded by Mr. Geter and unanimously carried, it was moved that the Authority go into Executive Session to discuss ongoing litigation and the Authority's Rules and Regulations.

Mrs. Zamonski left the meeting at 1:10 P.M.

Chairman DiFrancesco reconvened the meeting at 1:10 P.M. and Mr. Rank advised that the only items discussed in Executive Session involved the Hamptons ongoing litigation and the interpretation of the Authority's Rules and Regulations.

Res. 54:10. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that the Authority notify Rider University that the Authority accepts Mr. Jacobs's EDU recommendation of 9 new EDU's for their New Academic Building and BLC Theater Addition.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter and Vereen.

Nays: None.

Absent: Mrs. Zamonski.

Res. 55:10. On motion of Mr. Colavita and seconded by Mr. Vereen and unanimously carried the meeting be adjourned at 1:15 P.M.

Joseph Cermele, Secretary