

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, April 19, 2022 at 12:00 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

Present: Messrs. Geter, Kownacki, Lee, Muzaffar, Vereen and S. Robert Filler, Executive Director; W. Barry Rank, Esquire.

Absent and Excused: John T. Ryan

Also attending: Allan Jacobs of Jacobs Environmental Consulting; Jim Burd, resident of Hopewell Township, NJ.

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

Mr. Burd was greeted by the Board. Mr. Burd asked that the Board confirm that Deer Valley was not being considered by the Board for connection to the ELSA system. Mr. Rank advised that no further action was being taken by the Board on that development at this time.

After discussion the minutes for the March 22, 2022 Board meeting were not approved by the Board and revisions were requested.

There were no public comments.

Res. 35:22. On motion of Mr. Vereen and seconded by Mr. Lee and unanimously carried it was moved that the March 2022 Flow, Maintenance and Connection Reports be filed.

Res. 36:22. On motion of Mr. Kownacki and seconded by Mr. Lee and unanimously carried it was moved that the April 19, 2022, Schedule of Bills in the total amount of \$1,835,948.99 be accepted.

There were no public comments.

Mr. Filler advised that the Regional Sludge Management Committee would be meeting again in Mid-June. There was no new information to report at this time.

Mr. Jacobs advised that he had reviewed the application submitted by Heritage Court Phase 3 proposing construction of 5 apartment buildings consisting of 7 studio apartments, 74 one bedroom apartments, 52 two bedroom apartments and 5 three bedroom apartments on Railroad Avenue in Ewing Township; and

Res. 37:22. On motion of Mr. Lee and seconded by Mr. Geter and the following resolution was presented for adoption:

WHEREAS, HERITAGE COURT proposes to construct 5 apartment buildings consisting of 7 studio apartments, 74 one bedroom apartments, 52 two bedroom apartments and 5 three bedroom apartments in at Railroad Avenue in Ewing 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 final approval granted pursuant to this Resolution shall expire two (2) years 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 April 6, 2022.

The above resolution was unanimously carried.

Mr. Filler updated the Board as follows:

1. The meeting with the DEP and the AEA on the Nitrates matter was not successful and the DEP again suggested that the Authorities affected borrow money.
2. Gabel associates had gone out to bid on February 28, 2022 as part of the electrical aggregate program. Bids were received on April 7, 2022. All bids received were over 10 KW/hr. All bids were rejected by the aggregate members.
3. There was a pre-bid meeting on April 15, 2022 on the Trunk Sewer Cleaning Contract. The Bid opening will be May 11, 2022 at the Authority's offices.
4. Fourth Street Force Main – There is a permitting meeting coming up.
5. Jacobs Creek Area Sewer Rehabilitation – There are an Easement and laterals to do.
6. Denow Road Area Sewer Rehabilitation – Phase B is nearing completion; Phase A is still to be done.
7. There was an overflow on Jacobs Creek Road of about 12,000 gallons and that the DEP was not happy to hear about the overflow.
8. Scotch Road – Cleaning and CCTV would be starting soon for evaluation of the Sewer Main between Manholes D-102 and D-94 within the jurisdiction of the Mercer-Trenton Airport along the Railroad.
9. The NJWEA Annual conference was being held on May 9 through May 13 at Harrah's in Atlantic City.

Res. 37:22. On motion of Mr. Geter and seconded by Mr. Lee and unanimously carried the Authority went into Executive Session.

WHEREAS, the Ewing-Lawrence Sewerage Authority must discuss items dealing with (labor negotiations, land acquisition, pending or on-going litigation, etc.); and

WHEREAS, the aforesaid subjects to be discussed are not appropriate for a public meeting; and

WHEREAS, the aforesaid subjects to be discussed are within the exemptions which are permitted to be discussed and acted upon in closed executive session pursuant to N.J.S.A. 10:4-12b;

NOW, THEREFORE, BE IT RESOLVED by the Ewing-Lawrence Sewerage Authority that a closed session of the Authority shall be held;

BE IT FURTHER RESOLVED that the information pertaining to the aforesaid matters will be made available to the public as soon as possible and once the reasons for non-disclosure no longer exists.

Mr. Muzaffar reconvened the meeting and Mr. Rank advised that the only item discussed in Executive Session was ongoing negotiations and review of contract with Synnergy.

Res. 38:22. On motion of Mr. Lee and seconded by Mr. Vereen and unanimously carried, the meeting was adjourned at 1:05 PM.

Submitted by Susan Dorio for the  
Ewing Lawrence Sewerage Authority