

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, February 16, 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; Vance Stephens, ELSA Administrative Officer; Manuel Ponte of Arcadis; Lawrence Township Councilmen Greg Puliti and Jim Kownacki.

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. 22:10. On motion of Mr. Geter and seconded by Mrs. Zamonski it was moved that the minutes of December 15, 2009 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. 23:10. On motion of Mr. Geter and seconded by Mrs. Zamonski it was moved that the minutes of January 26, 2010 be approved as presented.

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

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

Nays: None.

Absent: None.

Abstain: Mr. Vereen.

Res. 24:10. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that the January 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. 25:10. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that the Schedule of Bills in the total amount of \$652,629.65 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 expects to receive approval from NJDEP of the remediation plan. Planet Fuel will then have ten days to write a check.

Mr. Ponte reviewed the status of the Riverview Drive Relief Sewer, the Mountain View Force Main design and the Level 2 Environmental Review for the Mountain View Force Main. He also reviewed ITTG's offer to furnish three new Flygt dry-pit submersible pumps to replace the existing ITTG pumps at the Mountain View Pump Station that have been the source of vibration problems since they were installed. ITTG's offer does not include the construction cost to remove the existing pump, motors and intermediate shafting, nor the piping changes required to match the new pumps' geometry, nor the electrical work for connecting the new motors (at the Pump Level) to the Variable Frequency Drives located at the First Floor Level (where the motors are currently located). In addition there would be the cost of bypass-pumping the influent sewage flow while the piping modifications are taking place. Mr. Ponte requested informal construction costs estimates for Piping Alternative D-2 from seven contractors. Those estimates ranged from \$30,000 to \$300,000, including bypass pumping @ \$50,000. After review by ELSA Staff and Engineers it has been decided that it would be in ELSA's best interest to accept ITTG's offer to furnish new pumps.

Res. 26:10. On motion of Mr. Geter and seconded by Mr. Cermele it was moved that the Executive Director, with input and approval from ELSA's Attorney and Engineers, is authorized to execute an agreement with ITTG accepting their offer to furnish three new Flygt dry-pit submersible pumps to replace the existing ITTG pumps at the Mountain View Pump Station. ITTG's offer does not include the construction cost to remove the existing pump, motors and intermediate shafting, nor the piping changes required to match the new pumps' geometry, nor the electrical work for connecting the new motors (at the Pump Level) to the Variable Frequency Drives located at the First Floor Level (where the motors are currently located). In addition there would be the cost of bypass-pumping the influent sewage flow while the piping modifications are taking place.

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 asked Mr. Rank if the Authority needs a written agreement with Mercer County for use of the Navy Line. Mr. Rank will review.

Mr. Filler reported that bids were received on February 11, 2010 for furnishing Sodium Hypochlorite. The bids received are as follows:

JCI Jones Chemicals, Inc. Merrimack, NH	\$.73 per gallon \$173,192.50 Annual Cost
Univar USA, Inc. Middletown, PA	\$.76 per gallon \$180,310.00 Annual Cost
Miracle Chemical Co. Farmingdale, NJ	\$.897 per gallon \$212,813.25 Annual Cost
Kuehne Chemical Company South Kearny, NJ	\$.95 per gallon \$225,387.50 Annual Cost
George S. Coyne Chemical Croydon, PA	\$1.05 per gallon \$249,112.50 Annual Cost

Hans Kaszuba recommends that the contract be awarded to JCI Jones Chemicals, Inc. as the lowest, responsible, responsive bidder.

Res. 27:10. On motion of Mr. Colavita and seconded by Mrs. Zamonski it was moved that the contract for furnishing Sodium Hypochlorite be awarded to JCI Jones Chemicals, Inc. for a one-year period at \$.73 per gallon in accordance with their bid received February 11, 2010 as the lowest, responsible, responsive bidder.

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. Stephens presented the 2010 Annual Charge to the Township of Ewing and the Township of Lawrence. The Annual Charge to the Townships after adjustments is \$6,736,599.20 to Ewing and \$4,471,237.80 to Lawrence.

Res. 28:10. On motion of Mr. Geter and seconded by Mr. Cermele it was moved that the Authority set the 2010 Annual Charge at \$6,736,599.20 to Ewing and \$4,471,237.80 to Lawrence and that the following be approved:

- A. Setting the 2009 Actual Average Flow at 7.408227 (59.6049%) for Ewing and 5.020663 (40.3951%) for Lawrence (including the Plant Sewer Usage).

- B. Establishing the 2010 Estimated Flow at 59.1% Ewing and 40.9% Lawrence.
- C. Authorize the Secretary to file the 2010 Annual Charge with the Townships.

Mr. Geter left the meeting at 1:10 P.M.

The Personnel Committee recommended changes to the Authority's Administrative Manual and Union Contract regarding retirement benefits for new employees. Local 172 has approved the changes to the Union contract.

Res. 29:10. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the following changes be approved for the Administrative Manual and Union Contract with Local 172:

The Administrative Manual be amended to read:

(12) A. Insurance at retirement:

Tier 1 Employee – A Tier 1 employee is defined as an employee of the Authority who was hired prior to December 31, 2009.

Tier 2 Employee – A Tier 2 employee is defined as an employee of the Authority who was hired after December 31, 2009.

Tier 1 Employees will be entitled to the following:

Continuation of drug/prescription and dental programs after retirement upon qualifying as follows:

Veterans - 20 years of credited service in P.E.R.S. or at age 65 or older with 15 years of credited service in P.E.R.S.

Non-Veterans - 20 years of credited service in P.E.R.S.

Premium costs of the dental plan will be paid 100% by the Authority. Premium costs of the drug/prescription program will be paid 80% by the Authority and 20% by the retiree. These benefits will apply to all eligible present and future pensioners of the employer and their dependents, including surviving spouses.

Tier 1 and Tier 2 employees will be entitled to the following:

Health benefits premiums for retired employees who qualify will be provided in accordance with Chapter 88, Public Laws of 1974 as amended by Chapter 436, P.L. 1981 Chapter 48, P.L. 1999 adopted on the 20th day of September 2001 with an effective date of October 1, 2001.

Union Contact with Local 172 be amended to read:

ARTICLE X
INSURANCE AND RETIREMENT BENEFITS

Tier 1 Employee – A Tier 1 employee is defined as an employee of the Authority who was hired prior to December 31, 2009.

Tier 2 Employee – A Tier 2 employee is defined as an employee of the Authority who was hired after December 31, 2009.

A. The Employer shall provide, in full, the New Jersey State Health Benefit Plan, which includes Major Medical and Rider"J" for the employee and family for Tier 1 and Tier 2 employees.

B. Employer shall provide a drug prescription plan for Tier 1 and Tier 2 employees.

C. The Employer agrees to provide retirement benefits (PERS) in accordance with applicable New Jersey Statutes for Tier 1 and Tier 2 employees.

D. Employer shall provide a Dental Insurance Plan identical to that currently afforded its Administrative Staff for Tier 1 and Tier 2 employees.

E. Employer shall reimburse Tier 1 and Tier 2 employees up to a maximum of Two Hundred (\$200.00) Dollars per annum toward the cost prescription eyeglasses or hearing aids for employee and/or immediate family (immediate family shall be defined as spouse and dependent children). Said payment shall be made to employee upon satisfactory proofs of purchase of prescription eyeglasses by and for employee or immediate family being furnished to employer by employee.

F. Employer shall provide disability benefits in accordance with the State of New Jersey Disability Program for Tier 1 and Tier 2 employees.

G. Tier 1 employees will be entitled to the continuation of drug/prescription and dental programs after retirement in accordance with rules and regulations adopted by the Public Employees Retirement System upon qualifying as follows:

Veterans - 20 years of credited service in PERS

Non-Veterans - 25 years of credited service in PERS.

Premium costs of the dental plan will be paid 100% by the Authority. Premium costs of the drug/prescription program will be paid 80% by the Authority and 20% by the retiree.

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

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

Nays: None.

Absent: Mr. Geter.

Mr. Geter returned at 1:15 P.M.

Mr. DiFrancesco recommended and the Board concurred that the Authority should forego making any changes under GASB 45 until next year.

Mr. Jacobs reported that he has reviewed the application submitted by Villa Vianney . The project consists of construction of a two-story and one-story addition to the Villa Vianney site on the west side of Route 206 just north of I-95. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated February 9, 2010.

Res. 30:10. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the following resolution be adopted:

WHEREAS, VILLA VIANNEY/MORRIS HALL proposes construction of a two-story and one-story addition to their site 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 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 dated February 9, 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. Jacobs reported that he met with NJDEP Land Use regarding the Scotch Road Sewer Extension. ELSA should be able to meet all of their requirements to install this line.

Mr. DiFrancesco reported that the Engineering Committee met today and has determined a need to evaluate the flow from the Fourth Street Pump Station. The Engineering Committee recommends that the Executive Director send a letter to Hopewell Township asking if they want to participate in this evaluation. If not, ELSA will go ahead without them and Hopewell will not be permitted any additional flow.

Res. 31:10. On motion of Mr. Cermele and seconded by Mr. Geter it was moved that the Executive Director send a letter to Hopewell Township asking if they want to participate in an evaluation of the flow from the Fourth Street Pump Station.. If they are not interested, ELSA will go ahead without them and Hopewell will not be permitted any additional flow.

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. Rank reported that the mediator in the Hopewell case told him that Steve Goodell promised a response by the end of last week, but it was not received.

Mr. Rank also advised that he is working on the easements for the Navy line.

Mr. DiFrancesco appointed himself and the Personnel Committee to the Evaluation Committee of the Attorney's position.

Res. 32:10. On motion of Mr. Cermele and seconded by Mr. Colavita and unanimously carried, the meeting was adjourned at 1:35 P.M.

Joseph Cermele, Secretary