

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, February 21, 2012 at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

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

Also attending: Allan Jacobs of Jacobs Environmental Consulting; Vance Stephens, ELSA Administrative Officer; David Sopronyi, ELSA Staff Engineer.

Mr. Geter called the meeting to order and 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).

Res. 20:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the January 24, 2012 minutes 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. 21:12. On motion of Mrs. Zamonski and seconded by Mr. Colavita it was moved that the January 2012 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. 22:12. On motion of Mr. Cermele and seconded by Mr. Vereen it was moved that the Schedule of Bills in the total amount of \$919,449.27 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.

Mr. Filler requested approval of payment #6 to Underground Utilities for the Mountain View Pump Station Force Main in the amount of \$480,817.81.

Res. 23:12. On motion of Mr. DiFrancesco and seconded by Mr. Cermele it was moved that the Authority approve payment #6 to Underground Utilities for the Mountain View Pump Station Force Main in the amount of \$480,817.81.

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 has been advised by Planet Fuels that they only have one customer for their product. If Planet Fuels does not get a commitment from that customer within 60 days, there will be no project.

Mr. Stephens presented the 2012 Annual Charge to the Township of Ewing and the Township of Lawrence. The Annual Charge to the Townships after adjustments is \$7,995,503.39 to Ewing and \$5,170,865.83 to Lawrence.

Res. 24:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Authority set the 2012 Annual Charge at \$7,995,503.39 to Ewing and \$5,170,865.83 to Lawrence and that the following be approved:

- A. Setting the 2011 Actual Average Flow at 8.256267 (60.2587%) for Ewing and 5.445041 (39.7413%) for Lawrence (including the Plant Sewer Usage).
- B. Establishing the 2013 Estimated Flow at 59.4% Ewing and 40.6% Lawrence.
- C. Authorize the Secretary to file the 2012 Annual Charge with the Townships.

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 bids were received on January 25, 2012 for furnishing Sodium Hypochlorite. The bids received are as follows:

Univar USA, Inc. Middletown, PA	\$.739 per gallon \$175,327.75 Annual Cost
Surpass Chemical Albany, NY	\$.74 per gallon \$175,565.00 Annual Cost

JCI Jones Chemicals, Inc. Merrimack, NH	\$.77 per gallon \$182,682.50 Annual Cost
--	--

Kuehne Chemical Company South Kearny, NJ	\$1.05 per gallon \$249,112.50 Annual Cost
---	---

Hans Kaszuba recommends that the contract be awarded to Univar USA, Inc. as the lowest, responsible, responsive bidder.

Res. 25:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the contract for furnishing Sodium Hypochlorite be awarded to Univar USA, Inc. of Middletown, PA for a one-year period in accordance with their bid submitted January 25, 2012 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. Filler also reported that bids were received on February 1, 2012 for Maintenance, Emergency Repair Service, Replacements and/or Additions for Sewerage Lines. Two bids were received as follows:

Joseph Jingoli & Son, Inc. Lawrenceville, NJ	\$123,429.00
---	--------------

Waters & Bugbee, Inc. Trenton, NJ	\$140,319.18
--------------------------------------	--------------

Ed Crutchley recommends that the contract be awarded to Joseph Jingoli & Son, Inc. as the lowest responsible, responsive bidder.

Res. 26:12. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the contract for Maintenance, Emergency Repair Service, Replacements and/or Additions for Sewerage Lines be awarded to Joseph Jingoli & Son, Inc. of Lawrenceville, NJ for a one-year period in accordance with their bid submitted February 1, 2012 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. Filler reported that bids were received on February 15, 2012 for Maintenance, Emergency Service, Replacements and/or Additions to the Authority's Generators. Bids received are as follows:

Power Equipment Co. Moorestown, NJ	\$900.00 per semi-annual inspection \$ 95.00 per hr (regular rate) \$110.00 per hr (overtime) \$120.00 per hr (double time) Material Handling Charge – 10% \$18,000.00 Estimated Annual Cost
Johnson & Towers Mt. Laurel, NJ	\$1,680 per semi-annual inspection \$ 85.00 per hr (regular rate) \$100.00 per hr (overtime) \$115.00 per hr (double time) Material Handling Charge – 10% \$18,310.00 Estimated Annual Cost
Foley, Inc. Piscataway, NJ	\$5,255 per semi-annual inspection \$130.00 per hr (regular rate) \$195.00 per hr (overtime) \$260.00 per hr (double time) Material Handling Charge – None \$33,010.00 Estimated Annual Cost

Edward Crutchley recommends that the contract be awarded to Power Equipment Co., Inc. as the lowest, responsible, responsive bidder.

Res. 27:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the contract for Maintenance, Emergency Repair Service, Replacements and/or Additions for Generators be awarded to Power Equipment Company of Moorestown, NJ for a one-year period in accordance with their bid submitted February 15, 2012 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.

Award of the contract Maintenance on Trucks over 11,000 lbs and Semi-Trailers was held for the March 2012 meeting.

Mr. Filler requested authorization to execute a Utility Agreement with the State of New Jersey for Project #UECA-5-Rt1 Business/Brunswick Circle to Lake Drive-043160.

Res. 28:12. On motion of Mr. DiFrancesco and seconded by Mr. Colavita it was moved that the Executive Director be authorized to execute the Utility Agreement with the State of New Jersey for Project #UECA-5-Rt1 Business/Brunswick Circle to Lake Drive-043160.

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 a budget of \$3,000 for Arcadis to perform a Biennial Certification of CEA and \$5,000 for the Initial Receptor Evaluation.

Res. 29:12. On motion of Mr. Colavita and seconded by Mr. DiFrancesco it was moved that the Authority approve a budget of \$3,000 for Arcadis to perform a Biennial Certification of CEA and \$5,000 for the Initial Receptor Evaluation.

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 adoption of the Resolution of the Ewing-Lawrence Sewerage Authority Concerning Review of Findings and Recommendations of the Local Finance Board Made at a Meeting of said Board on September 14, 2011, in Accordance with N.J.S.A. 40A:5A-6 and N.J.S.A. 58:11-B-9(a).

Res. 30:12. On motion of Mr. Colavita and seconded by Mrs. Zamonski the following resolution was presented for adoption:

**RESOLUTION OF THE EWING-LAWRENCE
SEWERAGE AUTHORITY CONCERNING REVIEW
OF FINDINGS AND RECOMMENDATIONS OF THE
LOCAL FINANCE BOARD MADE AT A MEETING
OF SAID BOARD ON SEPTEMBER 14, 2011, IN
ACCORDANCE WITH N.J.S.A. 40A:5A-6 AND
N.J.S.A. 58:11-B-9(a).**

WHEREAS, the findings and recommendations issued by the Local Finance Board (the "Board") at a meeting held by said Board on September 14, 2011, relating to the issuance of not to exceed \$2,100,000 in bonds (the "Bonds") by The Ewing-Lawrence Sewerage Authority (the "Authority") through the New Jersey Environmental Infrastructure Trust (the "NJEIT") to permanently finance the construction costs associated with certain capital improvements of the Authority (the "Project") and to pay

the costs of issuance associated with the Bonds, have been filed with the Secretary of the Authority, and a copy of such has been received by each member of the governing body; and

WHEREAS, N.J.S.A. 40A:5A-7 requires that the governing body of the Authority, within 45 days of receipt of the Local Finance Board's findings and recommendations, shall certify by resolution to the Local Finance Board that the members thereof have personally reviewed the findings and recommendations; and

WHEREAS, the members of the governing body of the Authority have personally reviewed the form of Local Finance Board's findings and recommendations on the proposed project financing as evidenced by group affidavit of the governing body; and

WHEREAS, failure to comply with this requirement may subject the members of the Authority to the penalty provisions of R.S. 52:27BB-52.

NOW THEREFORE, BE IT RESOLVED that the governing body of the Authority hereby states that it has complied with the requirements of N.J.S.A. 40A:5A-7 and does hereby submit a certified copy of this resolution and the required affidavit to the Board to show evidence of said compliance.

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 approval of Change Order No. 2 to the contract with Underground Utilities Corp for the Mountain View Pump Station Force Main in the total amount of \$61,492.55.

Res. 31:12. On motion of Mr. Colavita and seconded by Mrs. Zamonski it was moved that the Authority approve Change Order No. 2 to the contract with Underground Utilities Corp for the Mountain View Pump Station Force Main in the total amount of \$61,492.55.

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 approval to enter into a one-year agreement with Metro Employee Assistance Service (MEAS) at an annual cost of \$1,500.

Res. 32:12. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the Authority enter into a one-year agreement with Metro Employee Assistance Service (MEAS) at an annual cost of \$1,500.

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. 33:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski and unanimously carried, it was moved that the Authority go into Executive Session to discuss litigation.

Chairman Geter reconvened the meeting and Mr. Rank reported that the only item discussed in Executive Session was the ongoing Hamptons litigation and a possible resolution of the litigation.

Mr. Sopronyi reported that seven pits were excavated at the proposed site for the solar panels. Garbage was found from 1' to 12' down. The contractor also found a sheen on some of the water and it has been submitted for analysis. Results from the testing have not been received.

Mr. Jacobs met with the contractor for the Cheesecake Factory. They expect to open the restaurant in November 2012.

Res. 34:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the meeting be adjourned at 1:10 P.M.

Anne M. Zamonski, Secretary