

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, January 21, 2014 at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

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

Absent and excused: Mr. DiFrancesco

Also attending: Allan Jacobs of Jacobs Environmental; David Sopronyi, ELSA Staff Engineer and Timothy Bradley of Kleinfelder Omni.

Mr. Cermele called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Cermele 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. 1:14. On motion of Mr. Colavita and seconded by Mrs. Zamonski and unanimously carried, the December 17, 2013 meeting minutes were approved.

Res. 2:14. On motion of Mr. Colavita and seconded by Mr. Vereen and unanimously carried the December 2013 Flow, Maintenance and Connection Reports was ordered filed.

Res. 3:14. On motion of Mr. Colavita and seconded by Mrs. Zamonski and unanimously carried the Schedules of Bills for December 31, 2013 in the total amount of \$305,102.00 and January 21, 2014 in the total amount of \$499,164.19 were accepted.

There was no public participation.

Mr. Filler reported that the Regional Sludge Management Committee was moved to Friday, January 24, 2014.

Mr. Geter arrived at 12:04 P.M.

Mr. Jacobs reported that he has reviewed the final application submitted by The College of New Jersey for the Campus Town project. The applicant proposes to demolish 13 existing buildings and construct 9 new buildings and associated parking and roads. Seven of the buildings will consist of commercial uses on the ground/first floor and student dormitories on the upper floors. One hundred and thirty-two dwelling units; 8 one bedroom, 25 two bedroom and 97 four bedroom units and 81,078 square feet of commercial/retail space is planned for the project. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated December 23, 2013.

Res. 4:14. On motion of Mrs. Zamonski and seconded by Mr. Geter the following resolution was presented for adoption:

WHEREAS, THE COLLEGE OF NEW JERSEY proposes demolition of 13 existing buildings and constructing 9 new buildings and associated parking roads (Seven of the buildings will consist of commercial uses on the ground/first floor and student dormitories on the upper floors – 132 dwelling units; 8 one bedroom, 25 two bedroom and 97 four bedroom units and 81,078 square feet of commercial/retail space known as CAMPUS TOWN) on their campus 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 dated December 23, 2013.

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

Ayes: Messrs. Cermele, Colavita, Geter and Vereen and Mrs. Zamonski.
Nays: None.
Absent: Mr. DiFrancesco.

Mr. Jacobs also advised that he has reviewed the application submitted by Navinta, LLC. The applicant proposes construction of a two-story addition to the existing building located on the west side of Lower Ferry Road across from Charles Ewing Boulevard. The addition will consist of two stories, each having a floor area of 5700 square feet. The addition will be used for office, laboratory and storage. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated December 23, 2013.

Res. 5:14. On motion of Mr. Geter and seconded by Mrs. Zamonski the following resolution was presented for adoption:

WHEREAS, Navinta, LLC proposes to construct a two-story addition to the existing building located on the west side of Lower Ferry Road across from Charles Ewing Boulevard with 5700 square feet on each floor 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 dated December 23, 2013.

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

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

Nays: None.

Absent: Mr. DiFrancesco.

Mr. Filler requested approval to execute an agreement between the Ewing-Lawrence Sewerage Authority, Kevin Meara and Briana Cahill, the Township of Hopewell and the Township of Ewing which will allow the connection of 19 Brandon Road West in Hopewell Township to the ELSA system.

Res. 6:14. On motion of Mr. Colavita and seconded by Mrs. Zamonski it was moved that the Authority approve the connection of 19 Brandon Road West in Hopewell Township to the ELSA system and that the Executive Director is authorized to execute the agreement between the Ewing-Lawrence Sewerage Authority, Kevin Meara and Briana Cahill, the Township of Hopewell and the Township of Ewing.

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

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

Nays: None.

Absent: Mr. DiFrancesco.

Mr. Filler also requested approval to execute an agreement between the Ewing-Lawrence Sewerage Authority, Carl and Kelly Bornmann, the Township of Hopewell and the Township of Ewing which will allow the connection of 21 Brandon Road West in Hopewell Township to the ELSA system.

Res. 7:14. On motion of Mrs. Zamonski and seconded by Mr. Vereen it was moved that the Authority approve the connection of 21 Brandon Road West in Hopewell Township to the ELSA system and that the Executive Director is authorized to execute the agreement between the

Ewing-Lawrence Sewerage Authority, Carl and Kelly Bornmann, the Township of Hopewell and the Township of Ewing

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

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

Nays: None.

Absent: Mr. DiFrancesco.

Mr. Bradley advised that bids were received on December 12, 2013 for the Wastewater Treatment Plant Upgrade project. A total of eight bids were received ranging in price from \$22,743,000 to \$29,388,825. Kleinfelder Omni and Mr. Rank have reviewed the bids and recommend that the contract be awarded to the low bidder, PACT Two, LLC, in the amount of \$22,743,000 as the lowest, responsible, responsive bidder. Approval to award has been received from NJDEP.

Res. 8:14. On motion of Mr. Colavita and seconded by Mrs. Zamonski it was moved that the contract for the Wastewater Treatment Plant Upgrade be awarded to PACT Two, LLC in the amount of \$22,743,000 as the lowest, responsible, responsive bidder.

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

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

Nays: None.

Absent: Mr. DiFrancesco.

Res. 9:14. On motion of Mr. Colavita and seconded by Mr. Geter and unanimously carried, the Authority tabled approval of the Utility Agreement UECA-3-Rt-1-SB Nassau QB Overpass-013301 with NJDOT for work on Route 1 southbound from Nassau Park Blvd to Quakerbridge Mall overpass.

Mr. Jacobs reported that he has reviewed the final application submitted for Lawrence Corners. The applicant proposes construction of a mixed use commercial development at the southwest corner of U.S. Route 1 and Bakers Basin Road consisting of a 12,000 square foot two-story retail building (Mrs. G's Appliances), a 2,943 square foot bank (TD Bank), a 15,000 square foot retail building, a 5,067 square foot convenience store with a fueling station (WAWA) and a 3,911 square foot fast food restaurant (McDonald's). Mr. Jacobs recommended granting final approval subject to the comments in his letter dated January 9, 2014.

Res. 10:14. On motion of Mrs. Zamonski and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, LAWRENCE CORNERS proposes construction of a mixed use commercial development at the southwest corner of U.S. Route 1 and Bakers Basin Road consisting of a 12,000 square foot two-story retail building (Mrs. G's Appliances), a 2,943 square foot bank (TD Bank), a 15,000 square foot retail building, a 5,067 square foot convenience store with a fueling station (WAWA) and a 3,911 square foot fast food restaurant (McDonald's), 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 January 9, 2014.

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

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

Nays: None.

Absent: Mr. DiFrancesco.

Res. 11:14. On motion of Mr. Colavita and seconded by Mrs. Zamonski and unanimously carried, the meeting was adjourned at 12:25 P.M.

Secretary