

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, July 16, 2013 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, Jacobs Environmental Consulting; Vance Stephens, ELSA Administrative Officer; Warren Broudy and Ann Zawartkay of Mercadien; Timothy Bradley of Kleinfelder Omni and David Sopronyi, ELSA Staff Engineer and James McManimon, Ewing Township Administrator.

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. 72:13. On motion of Mr. Colavita and seconded by Mr. Geter and unanimously carried, the June 18, 2013 meeting minutes were approved.

Res. 73:13. On motion of Mr. Colavita and seconded by Mr. DiFrancesco and unanimously carried, the June 2013 Flow, Maintenance and Connection Reports were ordered filed.

Res. 74:13. On motion of Mr. Colavita and seconded by Mr. DiFrancesco it was moved that the Schedule of Bills for July 16, 2013 in the total amount of \$661,787.52 was accepted.

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

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

Nays: None.

Absent: Mr. Cermele.

There was no public participation.

Mr. Cermele arrived at 12:10 P.M.

Mr. Filler updated the Board on the status of the Regional Sludge Facility.

Mr. Filler reported that bids were received on June 26, 2013 for furnishing sulfur dioxide. Bids received are as follows:

JCI Jones Chemicals, Inc. Merrimack, NH	\$.445 per lb 2000# delivery \$64,080.00 Est Annual Cost
Univar USA, Inc. Middletown, PA	\$.4559 per lb 2000# delivery \$65,649.00 Est Annual Cost

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

Res. 75:13. On motion of Mr. DiFrancesco and seconded by Mr. Geter it was moved that the contract for furnishing Sulfur Dioxide be awarded to JCI Jones Chemicals, Inc. of Merrimack, NH for a one-year period in accordance with their bid submitted June 26, 2013 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 also received on June 26, 2013 for Emergency Service, Replacements and/or Additions of the Authority's Mechanical Equipment. The bids received are as follows:

Municipal Maintenance	\$64.40 per hr – regular rate
Cinnaminson, NJ	\$80.00 per hr – overtime
	\$80.00 per hr – double time
	10% Material Handling Charge
	-0- Performance Bond
	\$42,050.00 Estimated Annual Cost

Longo Elec/Mechanical	\$70.00 per hr – regular rate
Wharton, NJ	\$80.00 per hr – overtime
	\$80.00 per hr – double time
	10% Material Handling Charge
	-0- Performance Bond
	\$44,850.00 Estimated Annual Cost

William Hill recommends that the contract be awarded to Municipal Maintenance as the lowest, responsible, responsive bidder.

Res. 76:13. On motion of Mr. DiFrancesco and seconded by Mr. Geter it was moved that the contract for Emergency Service, Replacements and/or Additions of the Authority's Mechanical Equipment be awarded to Municipal Maintenance Co. of Cinnaminson, NJ for a one-year period in accordance with their bid submitted June 26, 2013 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 recommended acceptance of the proposal submitted Ed Rockel, Ph.D. for the continuation of the annual Assunpink Study in the amount of \$14,000. Mr. Filler noted that this was the first increase in price since 2008.

Res. 77:13. On motion of Mr. DiFrancesco and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, the Ewing-Lawrence Sewerage Authority has determined by Resolution 92:77 to implement the Assunpink Creek Sanitary biological and Microbiological Study Program; and

WHEREAS, the 1977 thru 2012 Studies have been completed; and

WHEREAS, the maximum amount estimated for the 2013 contract is as follows:

1. Continuation of routine annual investigation----\$14,000

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Executive Director is hereby authorized and directed to award the contract in an amount not to exceed \$14,000 with a due date for the 2013 report of March 31, 2014 to Edward G. Rockel, Ph.D.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) of the Local Public Contracts Law because this work is specialized and qualitative in nature requiring expertise and extensive training in the field of environmental sciences, which includes Ecology, Vertebrate biology, Botany-Phycology, Invertebrate ecology and Microbiology.

3. A copy of this notice will be printed once in the Trenton Times.

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.

Warren Broudy and Ann Zawartkay presented the Annual Audit for the year ending December 31, 2012 and thanked the Authority's staff for their cooperation in preparation of the audit.

Res. 78:13. On motion of Mr. Colavita and seconded by Mr. DiFrancesco the following resolution was presented for adoption:

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2011 has been completed and filed with the Ewing-Lawrence Sewerage Authority pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Ewing-Lawrence Sewerage Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2012, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

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 for two new restaurants at the site of the former Chevy restaurant at Mercer Mall. The first restaurant will be a Bonefish Grill and the second as Outback. The total square footage of the two restaurants is 9,294 square feet. The former restaurant was 10,223 square feet. The Outback restaurant will have a seating capacity of 196 and Bonefish Grill will have a seating capacity of 210. The Chevy restaurant had 380 seats resulting in an increase of 4 EDU's. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated July 15, 2013.

Res. 79:13. On motion of Mr. DiFrancesco and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, MERCER MALL (OUTBACK STEAKHOUSE/BONEFISH GRILL) proposes construction of two new restaurants at the site of the former Chevy restaurant at Mercer Mall 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 July 15, 2013.

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 quotes for renewal of its dental insurance from Delta Dental and Bollinger, Inc. Although Bollinger's quote is slightly lower than Delta Dental their usual and customer rates are lower than Delta Dental, therefore the benefits provided by Bollinger are lesser than those provided by Delta Dental. In addition Delta Dental's quote for a two year contract is 3.5% lower than their current price.

Res. 80:13. On motion of Mr. DiFrancesco and Mr. Vereen it was moved that the Authority award a two-year contract to Delta Dental at \$6,793.41 per month (based on the Authority's current census).

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. Bradley of Kleinfelder Omni requested an amendment to their agreement for the Main Wastewater Treatment Plant Upgrade Design for engineering services in the amount of \$165,210 for the addition of an algae screening system.

Res. 81:13. On motion of Mr. DiFrancesco and seconded by Mr. Geter it was moved that the Authority approve an amendment to the agreement with Kleinfelder Omni for the Main Wastewater Treatment Plant Upgrade Design for engineering services for the addition of an algae screening system in the amount of \$165,210.

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:

1. The Hamptons has paid their capacity fee and held their pre-construction meeting on July 15, 2013.
2. Flows from Merrill Lynch have increased substantially this year.

Mr. Geter recommended that the Authority follow-up with Hopewell regarding the pumps at the Brandon Farms Pump Station.

Mr. Rank advised that he has prepared the draft agreement for 20 Brandon Road in Hopewell.

Res. 82:13. On motion of Mr. Cermele and seconded by Mr. DiFrancesco and unanimously carried, the meeting was adjourned at 1:00 P.M.

