

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, July 19, 2011 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; Raymond A. Ferrara Ph.D., on behalf of Omni Environmental, LLC,; Hans Kaszuba, ELSA Operations Supervisor; Michael Post, ELSA Laboratory Supervisor and Vance Stephens, ELSA Administrative Officer.

Mr. Colavita called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Colavita 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. 77:11. On motion of Mrs. Zamonski and seconded by Mr. Geter it was moved that the June 21, 2011 minutes be adopted:

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

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

Nays: None.

Abstain: Mr. Vereen

Res. 78:11. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the March 15, 2011 minutes be adopted:

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

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

Nays: None.

Abstain: Messrs. DiFrancesco and Geter

Res. 79:11. On motion of Mr. Geter and seconded by Mr. Cermele the June 2011 Flow, Maintenance and Connection Reports were ordered 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.

Res. 80:11. On motion of Mr. Cermele and seconded by Mr. Geter and unanimously carried, the Schedule of Bills in the total amount of \$741,910.12 was 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.

There was no public participation.

Mr. Filler reported that the Regional Sludge Management Committee is moving forward.

Raymond Ferrara, Ph.D., of Omni Environmental. LLC was asked to report to the Board on the status of copper pursuant to his letter of June 29, 2011. That letter requested a budget increase of \$18,000.00 for completion.

Res. 81:11. On motion of Mrs. Zamonski and seconded by Mr. DiFrancesco, Omni Environmental LLC was awarded a budget increase of \$18,000.00 for completion of the copper study as requested in their letter of June 29, 2011.

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

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

Nays: None.

Dr. Ferrara was also asked to report on Phosphorous. He advised that the report would be submitted to the NJDEP with the hopes that the Assunpink would be delisted.

Dr. Ferrara was also asked to report on Nitrates. He advised that Nitrates will become a NJPDES permit issue for us in November, 2014. Dr. Ferrara believes that for the time being we should keep an eye on the issue and in November 2011 we should begin taking some action.

Dr. Ferrara was asked to report on the Solar project. He advised that he has Mr. Rank's comments on the Purchase Power Agreement which are being reviewed. It was suggested that the Authority negotiate the rate in the Agreement to achieve \$.09 or 70% of market value "whichever is less".

Mr. Rank advised that the Authority will have to complete a Phase I Environmental Study on the properties owned by the Township and Mr. Andrew as well as title searches and the procurement of Title Insurance.

The Board requested that they be kept apprised of the ongoing costs associated with these recommendations.

Mr. Filler reported that the Authority received a proposal from Ed Rockel, Ph.D., for the completion of the 2011 Environmental Survey.

Res. 82:11. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski 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 2010 Studies have been completed; and

WHEREAS, the maximum amount estimated for the 2011 contract is as follows:

1. Continuation of routine annual investigation----\$12,000

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 \$12,000 with a due date for the 2011 report of March 31, 2012 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, Vereen and
Mrs. Zamonski.

Nays: None.

Mr. Stephens reported that the Authority received a renewal quote from the Authority's current carrier for dental insurance, Delta Dental of New Jersey. Delta's quote was for no increase for a one year period and after negotiation Delta revised their quote to reflect the same premium for a two year period.

Res. 83:11. On motion of Mr. DiFrancesco and seconded by Mr. Cermele it was moved that the Authority accept the proposal submitted by Delta Dental of New Jersey to continue providing dental insurance coverage for two years.

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

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

The Board requested an update concerning Hopewell contract negotiations. After discussion the Board requested that Mr. Rank draft a letter to Hopewell with a copy to the Authority members advising Hopewell that if the discussions were not finalized by October 31, 2011 all offers were off the table.

Res. 84-11. On motion of Mr. Cermele seconded by Mr. DiFrancesco it was moved that Mr. Rank shall draft a letter to Hopewell advising that if their discussions with the Authority were not finalized by October 31, 2011 all offers were off the table,

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, DiFrancesco, Geter, Vereen and
Mrs. Zamonski.
Nays: None.

Mr. Filler reported to the Board on the following matters:

1. The letter received from Van Cleef Engineering concerning Brandon Farms;
2. Mt. View ACO reporting;
3. The Authority's Appeal to the NJEIT;
4. That he would be setting up an engineering committee meeting for interviews with the short listed firms for the Facilities Upgrade Project; and
5. That he needed some dates and times from the members of the personnel committee for a meeting to discuss personnel matters.

Mr. Rank reported that there is a conference on July 21, 2011 to discuss the Consent Order for the BEMS lawsuit.

Res. 85:11. On motion of Mrs. Zamonski and seconded by Mr. DiFrancesco and unanimously carried, the meeting was adjourned at 1:15 P.M.

Submitted by Mary Colavita for the
Ewing-Lawrence Sewerage Authority