

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, March 18, 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; Vance Stephens, Administrative Officer; Timothy Bradley of Kleinfelder/Omni; Chris Langhart of McManimon & Scotland.

Mrs. Zamonski called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mrs. Zamonski advised that all requirements of the Local Public Meetings Act have been met. She 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. 34:14. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the December 17, 2013 Executive Session and February 18, 2014 meeting minutes (reorganization, regular and Executive Session meetings) were approved as presented.

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. 35:14. On motion of Mr. Colavita and seconded by Mr. Vereen it was moved that the February 2014 Flow, Maintenance and Connection Reports be ordered filed.

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. 36:14. On motion of Mr. Cermele and seconded by Mr. Geter it was moved that the Schedule of Bills for March 18, 2014 in the total amount of \$782,307.56 be approved as presented.

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.

There was no public participation.

Mr. Filler reported on the status of the Regional Sludge Facility.

Mr. DiFrancesco joined the meeting via telephone to discuss the resiliency loan program. Mr. DiFrancesco advised that he did not think it was in the Authority's best interest to move forward with this program. The Board discussed the risk/reward aspect of the program and felt that the reward outweighed the risk. Chris Langhart advised that the savings to the Authority could be in the area of \$800,000. He advised that there were no guarantees, but believed that the risk to the Authority was very low. Mr. Bradley agreed with Mr. Langhart.

Res. 37:14. On motion of Mr. Colavita and seconded by Mr. Geter the following resolution was presented for adoption:

**RESOLUTION OF THE EWING-LAWRENCE SEWERAGE AUTHORITY MAKING
APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6
AND N.J.S.A. 58:11B-9(a)**

WHEREAS, the Ewing-Lawrence Sewerage Authority (the "Authority") desires to make application to the Local Finance Board for its review and findings in connection with a proposed resolution authorizing the financing of certain improvements through the issuance of one or more series of bonds, or any notes issued in anticipation thereof, through the New Jersey Environmental Infrastructure Trust Financing Program;

WHEREAS, the Authority believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED BY THE EWING-LAWRENCE SEWERAGE AUTHORITY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Authority's Bond Counsel and financial advisor, along with other representatives of the Authority, are hereby authorized to prepare such application and to represent the Authority in matters pertaining thereto.

Section 2. The Secretary of the Authority is hereby directed to prepare and file a copy of the proposed resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings and recommendations as provided by the applicable New Jersey Statute.

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

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

Nays: Mr. Vereen.

Absent: Mr. DiFrancesco.

Mr. Filler reported that bids were received on March 5, 2014 for Welding and Lathe. The bids received are follows:

Municipal Maintenance
Cinnaminson, NJ

At Owner's Shop:

Labor (regular rate)	\$57.00/hr
Labor (overtime)	\$87.00/hr
Labor (double time)	\$97.00/hr

At Authority's Facilities

Labor (regular rate)	\$ 97.00/hr
Labor (overtime)	\$127.00/hr
Labor (double time)	\$137.00/hr
Material Handling Charge	0%
Estimated Annual Cost	\$27,035.00

GMH Associates of America, Inc.
Trenton, NJ

At Owner's Shop:

Labor (regular rate)	\$ 55.00/hr
Labor (overtime)	\$ 82.50/hr
Labor (double time)	\$110.00/hr

At Authority's Facilities

Labor (regular rate)	\$110.00/hr
Labor (overtime)	\$172.50/hr
Labor (double time)	\$230.00/hr
Material Handling Charge	10%
Estimated Annual Cost	\$28,775.00

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

Res. 38:14. On motion of Mr. Colavita and seconded by Mr. Geter it was moved that the contract for Welding and Lathe Work be awarded to Municipal Maintenance Co. of Cinnaminson, NJ for a one-year period in accordance with their bid received March 5, 2014 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.

Tim Bradley of Kleinfelder-Omni requested a final amendment to their contract with the Authority for the Main Wastewater Treatment Plant Upgrade Design in the total amount of \$68,930 in accordance with their request dated March 11, 2014.

Res. 39:14. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the Authority approve the final amendment to the contract with Kleinfelder-Omni for the Main Wastewater Treatment Plant Upgrade Design in the total amount of \$68,930 in accordance with their request dated March 11, 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. 40:14. On motion of Mr. Colavita and seconded by Mr. Vereen it was moved that the Authority approve the connection of 24 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, Richard and Roberta Sferra, 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.

Res. 41:14. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that Authority table the agreement between Vito Badelemti, Joan Schwarzwald, Lee Gi Bok and Robert Wilson; the Township of Hopewell, the Township of Ewing and the Ewing-Lawrence Sewerage Authority known as the Pennington Circle Agreement.

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. Stephens reported that the Authority received quotes for renewal of prescription insurance coverage. After negotiations, Bollinger, Inc. agreed to lower their quote from a 9% increase to a 4% increase over their current rates.

Res. 42:14. On motion of Mr. Colavita and seconded by Mr. Geter it moved that the Authority accept the proposal submitted by Bollinger, Inc. for renewal of the Authority's prescription insurance coverage.

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 reported that the attorney for Campus Town (The College of New Jersey) has requested that the Authority revise its resolution of final approval. He advised that they are not able to get financing for their project with the following two conditions in ELSA's resolution:

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.

The Board agreed that these two conditions should be eliminated from the Authority's approval for Campus Town and from all future approvals.

Res. 43:14. On motion of Mr. Colavita and seconded by Mr. Cermele 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 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.

2. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.

3. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.

4. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.

5. 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.

6. This final approval granted pursuant to this Resolution shall expire two (2) years from the date hereof.

7. The developer shall pay the appropriate connection and inspection fees.

8. The sewers shall conform to the Authority's Rules and Regulations.

9. 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 reported that he has reviewed the application for the proposed expansion of the Mercer Mall on Route 1 in Lawrence Township. The applicant is proposing to add a 21,600 square foot addition to the existing building located at the west side of the Mall site. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated March 14, 2014.

Res. 44:14. On motion of Mr. Cermele and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, MERCER MALL proposes to add a 21,600 square foot addition to the existing building located at the west side of the Mall on Route 1 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 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.
2. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.
3. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.
4. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.
5. 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.
6. This final approval granted pursuant to this Resolution shall expire two (2) years from the date hereof.
7. The developer shall pay the appropriate connection and inspection fees.
8. The sewers shall conform to the Authority's Rules and Regulations.
9. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated March 14, 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.

Mr. Jacobs reported that he has reviewed the application submitted for Morris Hall Meadows (Phase 1). The applicant proposes to construct a skilled nursing facility consisting of six (6) 3500 square foot buildings each containing ten (10) beds at Mill Road and Franklin Corner Road in Lawrence Township. Mr. Jacobs recommended granting preliminary approval subject to the comments in his letter dated March 12, 2014.

Res. 45:14. On motion of Mr. Colavita and seconded by Mr. Cermele the following resolution was presented for adoption.

WHEREAS, MORRIS HALL MEADOWS (PHASE 1) proposes to construct a skilled nursing facility consisting of six (6) 3500 square foot buildings each containing ten (10) beds at Mill Road and Franklin Corner Road 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 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.
2. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.
3. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.
4. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.
5. 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.
6. This preliminary approval granted pursuant to this Resolution shall expire ninety (90) days from the date hereof.
7. The Developer shall pay the appropriate connection and inspection fees.
8. The sewers shall conform to the Authority's Rules and Regulations.
9. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated March 12, 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.

Mr. Filler reported:

1. They are still working on an agreement that is satisfactory to the Authority for work NJDOT is proposing on Route 1 near the Quakerbridge Mall.
2. PSE&G has advised that they will not be able to accept any new solar capacity on the circuit that supplies ELSA. Synnergy believes they can still go forward, but approvals for another grid could take over two years.
3. The NJSMUAESA Electric Supply Group is going out to bid for 6, 12, 18 and 24 month contracts.

Mr. Jacobs reported that Costco has just forwarded the pump station calculations for his review and they are in the process of preparing an agreement.

Res. 46:14. On motion of Mr. Colavita and seconded by Mr. Cermele and unanimously carried, the meeting was adjourned at 1:30 P.M.

Charles Geter, Secretary