

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, November 17, 2015 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: Vance Stephens, ELSA Administrative Officer; David Sopronyi, ELSA Staff Engineer; Tim Bradley and Felipe Contreras of Kleinfelder.

Mr. Vereen called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Vereen 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. 112:15. On motion of Mr. Colavita and seconded by Mrs. Zamonski the October 20, 2015 minutes 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. 113:15. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the October 2015 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. 114:15. On motion of Mrs. Zamonski and seconded by Mr. Colavita the Schedule of Bills for November 17, 2105 in the total amount of \$2,760,683.78 was presented and accepted.

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. Stephens presented the proposed 2016 Budget to the Board. He advised that there is a decrease of \$989,500 from the 2015 to the 2016 budget.

Res. 115:15. On motion of Mrs. Zamonski and seconded by Mr. Colavita the following resolution was presented for adoption:

2016 AUTHORITY BUDGET RESOLUTION

Ewing Lawrence Sewerage Authority

FISCAL YEAR: FROM: January 1, 2016 TO: December 31, 2016

WHEREAS, the Annual Budget and Capital Budget for the Ewing Lawrence Sewerage Authority for the fiscal year beginning, January 1, 2016 and ending, December 31, 2016 has been presented before the governing body of the Ewing Lawrence Sewerage Authority at its open public meeting of November 17, 2015; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 13,754,803.00, Total Appropriations, including any Accumulated Deficit if any, of \$ 13,754,803.00 and Total Unrestricted Net Position utilized of -0-; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$ 10,790,000.00 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$790,000.00; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Ewing Lawrence Sewerage Authority, at an open public meeting held on November 17, 2015 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Ewing Lawrence Sewerage Authority for the fiscal year beginning, January1, 2016 and ending, December 31, 2016 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants,

terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Ewing Lawrence Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 15, 2015.

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 bids will be accepted on November 20, 2015 by the NJSMUAESA. The Authority is including all of its pumping stations this time, but not the Plant because of the contract with Synnergy for solar power for the Plant.

Res. 116:15. On motion of Mr. Geter and seconded by Mr. Cermele it was moved that the Authority approve its participation in the NJSMUAESA for the purpose of securing bids for electric generation service from licensed electric power suppliers for a contract to replace the existing contract with CNE that is expiring in May 2016 and that the Authority's Executive Director is authorized to act in his sole discretion as the Authority's designated representative to award a contract to the low, qualified 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.

Mr. Filler reported that bids were received on November 10, 2015 for the Bristol Myers-Squibb Princeton Pike Sewer Relining project. Only one bid was received from SAK Construction, LLC in the amount of \$259,200, which was below the engineer's estimate. Mr. Jacobs recommended that the contract be awarded to SAK Construction, LLC in the amount of \$259,200 as the lowest, responsible, responsive bidder. Mr. Jacobs has also contacted Bristol-Myers Squibb since they will be paying for the project and they concur with the award.

Res. 117:15. On motion of Mr. Colavita and seconded by Mr. Geter it was moved that the contract for the Bristol-Myers Squibb Princeton Pike Sewer Lining Project be awarded to SAK Construction, LLC in the amount of \$259,200 as the lowest, responsible, responsive bidder subject to receipt of escrow being posted by Bristol-Myers Squibb in the amount of the award of the contract.

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.

The Engineering Committee recommended approval of the following change orders to the contract with Pact Two for the Wastewater Treatment Plant Upgrade project:

CHANGE ORDERS:

#7	Electrical revisions for MgOH chemical metering Pumps	32,908.16
#8	New 36" gate valve for Ewing bypass	47,368.00
#9A	Labor for ultrasonic (Doppler) flow meter Installation (Ewing & Lawrence)	15,249.00
#10	Trickling Filter Additional Wall Height	112,824.00

Res. 118:15. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the following change orders to the contract with Pact Two for the Wastewater Treatment Plant Upgrade project be approved:

CHANGE ORDERS:

#7	Electrical revisions for MgOH chemical metering Pumps	32,908.16
#8	New 36" gate valve for Ewing bypass	47,368.00
#9A	Labor for ultrasonic (Doppler) flow meter Installation (Ewing & Lawrence)	15,249.00
#10	Trickling Filter Additional Wall Height	112,824.00

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 authorization to make application for supplemental funding for the Wastewater Treatment Plant Upgrade Project for additional work to be added under the contract with Pact Two.

Res. 119:15. On motion of Mr. Colavita and seconded by Mrs. Zamonski the following resolution was presented for adoption;

RESOLUTION OF THE EWING-LAWRENCE SEWERAGE AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR AND PROFESSIONALS AND STAFF OF  
THE AUTHORITY TO TAKE THE ACTIONS NECESSARY TO OBTAIN

SUPPLEMENTAL FINANCING FOR CERTAIN IMPROVEMENTS ON BEHALF OF THE AUTHORITY AND DETERMINING OTHER MATTERS IN RELATION THERETO.

WHEREAS, the Ewing-Lawrence Sewerage Authority (the “Authority”) is currently implementing certain capital improvements for the benefit of the Authority, including but not limited to, (a) construction of a new UV disinfection facility to enable compliance with a new DCBM effluent limitation, (b) replacement of various equipment and systems that are at or near the end of their useful service life, (c) correcting hydraulic bottlenecks that during severe wet weather conditions can cause the primary clarifiers to overflow, and (d) construction of new preliminary treatment facilities to provide screening of influent wastewater and improved grit removal, and all work necessary and ancillary thereto (the “Project”); and

WHEREAS, the Authority has obtained low-interest loans from the New Jersey Environmental Infrastructure Trust (“NJEIT”) in an amount of \$27,895,071 for the Project, and has received another \$947,467 in principal forgiveness from the NJEIT to finance the Project; and WHEREAS, it is anticipated that the total cost of the Project will ultimately be higher than anticipated due in part to (i) delays in construction because of inclement weather, (ii) change orders resulting from unforeseen soil conditions, and (iii) a determination by the Authority that alternative construction designs and the procurement of additional equipment will ultimately make the Project more viable for the efficient operation of the Authority; and

WHEREAS, the staff and professionals of the Authority are currently determining the increased costs associated with the Project; and

WHEREAS, the Authority would like to start the application process to obtain supplemental financing from available sources, including the NJEIT, to finance the increased costs of the Project, and the amount of such financing will be subject to the approval of the Board of Directors of the Authority;

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

1. The Executive Director and the professionals and staff of the Authority are directed to determine the increased costs of the Project.
2. The Executive Director and the professionals and staff of the Authority are directed to take all necessary action to apply for, and obtain supplemental financing for the Project, including financing available through the NJEIT.
3. Such supplemental financing shall not be completed until the amount of such supplemental financing is presented to, and approved by, the Board of Directors.
4. This resolution shall take effect immediately.

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 a meeting will be scheduled with Remington Vernick to discuss the Ewing Flow Study.

Mr. Rank reported that the proposed settlement agreement on the Authority's Permit from 2010 looks like it is going to be resolved.

Res. 120:15. On motion of Mr. Cermele and seconded by Mr. Colavita and unanimously carried, the meeting was adjourned at 11:47 A.M.

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Pasquale Colavita, Secretary