

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE
SUBJECT TO CHANGE OR MODIFICATION BY THE AUTHORITY
AT ITS NEXT MEETING

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, November 20, 2012 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: David Sopronyi, ELSA Staff Engineer; Jerry of Mitchell of Arcadis and Edward Crutchley, Jr.

Mr. Geter called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Geter 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. 122:12. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that the October 16, 2012 meeting minutes 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.

Res. 123:12. On motion of Mr. Cermele and seconded by Mr. Colavita it was moved that the October 2012 Flow, Maintenance and Connection Reports be 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. 124:12. On motion of Mrs. Zamonski and seconded by Mr. Vereen it was moved that the Schedule of Bills in the total amount of \$1,482,093.86 be 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. DiFrancesco arrived at 12:10 P.M.

Mr. Filler reported that the Regional Sludge Management Committee meets on November 28, 2012. Trenton Fuel Works is in good standing thru December 31, 2012. A Danish company has expressed an interest in building three anaerobic digesters to produce electricity at the facility.

The PNC bank project was held for Executive Session.

Mr. Sopronyi reported that Mr. Jacobs has reviewed the application subject by Universal Display Corp. The applicant proposes to add a 17,262 square foot addition to its existing 40,412 square foot building located at 375 Phillips Drive in Ewing Township. Mr. Jacobs recommends granting final approval subject to the comments in his letter dated October 23, 2012.

Res. 125:12. On motion of Mr. Colavita and seconded by Mrs. Zamonski the following resolution was presented for adoption:

WHEREAS, UNIVERSAL DISPLAY CORPORATION proposes to add a 17,262 square foot addition to its existing 40,413 square foot building located at 375 Phillips Drive 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 October 23, 2012.

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. Sopronyi reported that Mr. Jacobs has reviewed the application submitted by Way of the Cross Holy Temple. The project consists of construction of a 7974 square foot church on Princess Diana Drive in Ewing Township. Mr. Jacobs recommends granting final approval subject to the comments in his letter dated November 9, 2012.

Res. 126:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski the following resolution was presented to adoption:

WHEREAS, WAY OF THE CROSS HOLY TEMPLE proposes construction of a 7974 square foot on Princess Diana Drive 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 November 9, 2012.

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. Sopronoyi reported that Mr. Jacobs has reviewed the application submitted by the Child Medical Day Care Facility at 1571 Sixth Street in Ewing Township. The project consists of construction of a 6480 square foot building to be used as a child medical day care facility. Mr. Jacobs recommends granting preliminary approval subject to the comments in his letter dated November 6, 2012.

Res. 127:12. On motion of Mr. DiFrancesco and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, the CHILD MEDICAL DAY CARE FACILITY proposes construction of a 6480 square foot building to be used as a child medical day care facility at 1571 Sixth Street 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 preliminary approval granted pursuant to this Resolution shall expire ninety (90) days 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 November 6, 2012.

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. Sopronyi reported that Mr. Jacobs has reviewed the application submitted by NJDOT to build a truck wash down facility at their Trenton Headquarters Complex at 1035 Parkway Avenue in Ewing Township. Mr. Jacobs recommends granting final approval subject to the comments in his letter dated November 16, 2012.

Res. 128:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski the following resolution was presented for adoption:

WHEREAS, NJDOT proposes construction of a truck wash down facility at their Trenton Headquarters Complex at 1035 Parkway Avenue 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 November 16, 2012.

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 presented a proposed Agreement between the Township of Hopewell and the Ewing-Lawrence Sewerage Authority Relating to the Subdivision Known as "The Hamptons at Hopewell" and a proposed Agreement between Ewing-Lawrence Sewerage Authority and Hamptons at Hopewell, LLC and Township of Ewing. These proposed agreements address the concerns raised by the Board at the October 16, 2012 meeting. Mr. Rank advised that several changes were made to address concerns raised by Mr. DiFrancesco to the agreement between ELSA, The Hamptons and Ewing and they are now in order and may be approved by the Board.

Res. 129:12. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the Agreement between the Township of Hopewell and the Ewing-Lawrence Sewerage Authority Relating to the Subdivision known as “The Hamptons at Hopewell” be approved as presented.

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.

Res. 130:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Agreement between Ewing-Lawrence Sewerage Authority and Hamptons at Hopewell, LLC and Township of Ewing be approved as presented.

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. A meeting is scheduled for November 27, 2012 at 4:00 PM with Lawrence Township to go over Phase I of the Facilities Upgrade project.
2. The Authority is advertising on November 28, 2012 for Requests for Qualifications for the Facilities Upgrade project.

Jerry Mitchell reported that the Mountain View Force Main project is complete and they are working on the pump station upgrades. He also advised that Arcadis expects to complete the engineering portion of the contract approximately \$25,000 under budget.

Res. 131:12. On motion of Mr. DiFrancesco and seconded by Mr. Colavita and unanimously carried the Board went into Executive Session.

Mr. Geter reconvened the meeting and Mr. Rank advised that the only items discussed in Executive Session was negotiations between ELSA, West Windsor, Lawrence Township and PNC Bank regarding the proposed PNC Bank site in West Windsor Township.

Res. 132:12. On motion of Mr. Cermele and seconded by Mr. DiFrancesco and unanimously carried, the meeting was adjourned at 1:00 PM.

Submitted by Mary Colavita for the
Ewing-Lawrence Sewerage Authority

