

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, October 25, 2011 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 Consulting; David Sopronyi, ELSA Staff Engineer; Vance Stephens, ELSA Administrative Officer; Warren Broudy of Mercadien, P.C.

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. 98:11. On motion of Mr. Geter and seconded by Mr. Vereen and unanimously carried, it was moved that the public hearing on the Connection Fee be opened.

There was no public participation.

Res. 99:11. On motion of Mr. Cermele and seconded by Mr. Vereen and unanimously carried, it was moved that the public hearing on the Connection Fee be closed.

Res. 100:11. On motion of Mrs. Zamonski and seconded by Mr. Cermele the following resolution was presented for adoption:

WHEREAS, the Ewing-Lawrence Sewerage Authority, hereinafter "Authority", pursuant to N.J.S.A. 40:14A-2(2) and N.J.S.A. 40:14A-8 is authorized to establish, collect and enforce service charges to occupants or owners of property, within the area serviced by the Authority, for direct or indirect connection with, the use of products or services of said Authority; and

WHEREAS, public notice and a public hearing as required pursuant to N.J.S.A. 40:14A-8 have been provided; and

WHEREAS, at said public hearing the Authority has provided evidence showing that the proposed calculation of the connection fee is necessary and reasonable and has provided the opportunity for cross-examination of persons offering the evidence; and

WHEREAS, at said public hearing the Authority has considered the proposed definitions for the term "Equivalent Dwelling Unit" (EDU); and

WHEREAS, after examining the supporting documentation as presented and listening to the public comment, if any, the Authority is of the opinion that the following fees should be charged to sanitary sewer connection.

NOW, THEREFORE, BE IT RESOLVED that the Ewing-Lawrence Sewerage Authority shall assess, collect and enforce sewer connection fees as follows:

1. Connection Fee

The owner or occupant of any property within Ewing and/or Lawrence Township who may wish to, or is legally required to connect said property to a sanitary sewer line of the Authority for the purpose of the discharge of human and/or processed waste (including only those wastes acceptable pursuant to this Authority's Rules and Regulations or other applicable requirements of the State, Federal or Local Governments) shall pay a non-refundable connection fee in the amount of \$2,921 (minimum fee) for each EDU subject to rules and regulations established by the Ewing-Lawrence Sewerage Authority Board. The owner or occupant of any property not located within Ewing and/or Lawrence Township shall pay such costs, improvement contributions and connection fees as may be determined by the Authority.

2. "Equivalent Dwelling Unit"

"Equivalent Dwelling Unit" (EDU) shall mean each and every individual unit, whether in a single or multiple unit structure having a demand upon the sewer system equal to that of a 3-bedroom residential Dwelling Unit (300 GPD).

3. Determination of EDU's

For all connections the number of EDU's shall be calculated using the attached table entitled "Ewing-Lawrence Sewerage Authority, Connection Fee - Equivalent Dwelling Unit Determination". Multiple use properties and/or buildings shall determine the EDU for each action, and sum the results for a total assessment.

Any change in use or increase in flow from the same use of any existing property or facility shall be subject to review and re-evaluation of the sewer connection service and the number of EDU's assigned by the Authority. Any increase in the number of EDU's shall subject the applicant to additional connection fees.

4. Time of Payment

The sewer connection fee shall be due and payable to the Authority at the time a property owner requests sewer connection permits.

5. Effective Date

This Resolution shall take effect upon approval by a majority of all members of the Authority.

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

Approval of the September 20, 2011 minutes was held for the November meeting.

Res. 101:11. On motion of Mr. Cermele and seconded by Mr. Vereen the September 2011 Flow, Maintenance and Connection Reports were 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. 102:11. On motion of Mrs. Zamonski and seconded by Mr. Vereen and unanimously carried, the Schedule of Bills in the total amount of \$1,318,251.20 was 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 that the Regional Sludge Management Committee meets on October 26, 2011. He advised that the Standstill Agreement expires on October 31, 2011. Plant Fuel is seeking an extension on this agreement.

Mr. Filler reported that he spoke with the Hopewell Township Clerk this morning and was advised that the first reading was held last night and the second reading and final vote will be held on November 14, 2011.

Mr. Stephens presented the 2012 Preliminary Budget to the Board in the amount of \$12,339,330.00 Operating Budget and \$8,916,000 Capital Program. The Finance Committee met and reviewed the budget and recommend its approval.

Res. 103:11. On motion of Mrs. Zamonski and seconded by Mr. Vereen it was moved that the 2012 Preliminary Budget be approved to be submitted to the State for approval and that the public hearing be set for the Authority's December 20, 2011 meeting.

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: Mr. DiFrancesco.

Mr. Filler recommended entering into a contract with Omni Environmental for the Main Wastewater Treatment Plant Facilities Plan in an amount not to exceed \$126,890.

Res. 104:11. On motion of Mr. Cermele and seconded by Mr. Geter it was moved that the Authority entering into a contract with Omni Environmental for the Main Wastewater Treatment Plant Facilities Plan in an amount not exceed \$126,890 subject to changes recommended by the Authority's Attorney.

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

David Sopronyi, ELSA Staff Engineer, reported that the Mountain View Force Main project is moving forward. The slip lining is in place and being tested. Some excavation has been started on Parkway and Sunset Avenues.

Mr. Filler advised that Hudson Energy has offered to pay for the property necessary for the solar project, but they want the Authority to own the property before they proceed with the project. Mr. Filler asked the Board if they want the Authority to own this property if the solar project is not built. He advised that Mr. DiFrancesco has indicated that he is in favor of purchasing the property. After discussion the Board agreed that the Authority should own this property subject to an environmental review and subject to any recommendations made by the Authority's insurance company.

Res. 105:11. On motion of Mrs. Zamonski and seconded by Mr. Geter it was moved that the Authority purchase the property required for the solar project subject to an environmental review and subject to any recommendations made by the Authority's insurance company.

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: Mr. DiFrancesco.

Res. 106:11. On motion of Mrs. Zamonski and seconded by Mr. Cermele and unanimously carried, the meeting was adjourned at 1:05 P.M.

Anne M. Zamonski, Secretary