

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, October 21, 2014 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; Vance Stephens, ELSA Administrative Officer, David Sopronyi, Staff Engineer, Timothy Bradley and Mark Bean of Kleinfelder/Omni.

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. 100:14. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the September 16, 2014 minutes 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.101:14. On motion of Mr. DiFrancesco and seconded by Mr. Vereen it was moved that the September 2014 Flow, Maintenance and Connection Reports be 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.

Absent: None.

Res.102:14. The Schedule of Bills for October 21, 2014 in the total amount of \$1,704,608.11 was presented and unanimously approved.

There was no public participation.

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

Mr. Stephens presented the 2015 Preliminary Budget to the Board in the amount of \$12,658,550 Operating Budget and \$12,932,000.00 Capital Program. The Operating Budget is approximately \$213,000 more than last year's budget. The Finance Committee met and reviewed the budget and recommends its approval. The Finance Committee thanked Mr. Filler and Mr. Stephens for doing a great job with the budget.

Res: 103:14 On motion of Mr. Vereen and seconded by Mr. Cermele the following resolution was presented for adoption:

It was moved that the 2015 Preliminary Budget be approved to be submitted to the State for approval, that the public hearing be set for the Authority's December 16, 2014 meeting and the following be adopted:

WHEREAS, the Annual Budget and Capital Budget for the Ewing Lawrence Sewerage Authority for the fiscal year beginning, January 1, 2015 and ending, December 31, 2015 has been presented before the governing body of the Ewing Lawrence Sewerage Authority at its open public meeting of October 21, 2014; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 13,756,561, total Appropriations, including any Accumulated Deficit if any, of \$13,756,561 and Total Unrestricted Net Assets utilized of -0-; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$12,932,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$932,000; 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 October 21, 2014 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Ewing Lawrence Sewerage Authority for the fiscal year beginning, January 1, 2015 and ending, December 31, 2015 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 16, 2014.

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.104:14. On motion of Mr. Cermele and seconded by Mr. DiFrancesco it was moved that the Authority approve the agreement between John P. Kukon, Helen Kukon; the Township of Hopewell, the Township of Ewing and the Ewing-Lawrence Sewerage Authority known as the Kukon Agreement and that the Executive Director is authorized to execute the agreement.

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. Jacobs reported that he has reviewed the application submitted by Auto Lenders. They propose construction of a 30,200 square foot used car showroom located on Brunswick Pike just south of the Lexus dealer with 16,000 square feet of sales and display area, 16 service bays and 2 car wash bays in Lawrence Township; and

Res:105:14. On motion of Mr. DiFrancesco and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, AUTO LENDERS proposes construction of a 30,200 square foot used car showroom located on Brunswick Pike just south of the Lexus dealer with 16,000 square feet of sales and display area, 16 service bays and 2 car wash bay 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 October 7, 2014.

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. Jacobs reported that he has reviewed the application submitted by Bristol-Myers Squibb – Princeton Pike Project. They propose to construction a 555,525 square foot office building complex and a 20,000 square foot child day care facility (for 210 children) at the intersection of Lewisville Road and Princeton Pike.

Res.106:14. On motion of Mr. Cermele and seconded by Mr. Vereen the following resolution was presented for adoption:

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 October 20, 2014.

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. Bradley from Kleinfelder/Omni reported the status of the Authority as the NJEIT continues with the project funding lists for 2015. The NJEIT will be funding 242 million in projects and he feels that most of the proposed projects will be funded as many of the original projects have been abandoned and that the Authority is now in the top 10% of the Priority Listing. Mr. Bradley feels that since the Authority received the Interim Loan for the Resiliency Portion of the Plant Upgrade project the Authority will be virtually guaranteed 2015 funding.

Mr. Sopronyi reported to the Board regarding the Plant Upgrade project as follows:

The Ewing flow meter is being temporarily relocated during construction of the headworks facility in order to maintain certified flow data. Change order costs for the relocation is approximately \$45,000. In order to eliminate the need for bypass pumping the Authority is adding a by-pass valve to divert Ewing Township flow during construction of the new headworks facility. The valve is to remain in place for future use by operations. Change order cost is estimated \$45,000.00 saving extraordinary bypass cost in excess of \$200,000.

Mr. Sopronyi also reported that with regard to the Algae Screening Device, that there will

Savings to the Authority that if we order fabrication of a second device now instead of in the future of approximately \$50,000.00.

Res.107:14. On motion of Mr. DiFrancesco and seconded by Mr. Cermele the following resolution was presented for adoption and unanimously approved:

WHEREAS, there will be savings to the Authority that if we order fabrication of a second Algae Screening Device now instead of the future of approximately \$50,000.00 and the Authority shall proceed accordingly with the ordering of the second Algae Screening Device.

Mr. Filler reported that:

1. The Authority has received a service request for Parkway Town Center which would be responded to forthwith;
2. The flow study at Broad Avenue has been initiated;
3. The engineering committee would be meeting within the next 30 days;
4. The new connection fee had been advertised;
5. The first union and management contract negotiation meeting was scheduled for November 5, 2014;
6. That some changes will also be made to the Authority's Administrative manual for consistency.

The Board requested that Mr. Filler obtain information regarding the construction ongoing at the old Party City location on Route 1 and apprise the board at the next meeting.

Res.108:14. On motion of Mr. Colavita and seconded by Mr. DiFrancesco and unanimously carried the meeting was adjourned at 12:50 pm.