

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, December 19, 2017 at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

Present: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen and S. Robert Filler, Executive Director; W. Barry Rank, Esquire.

Absent and excused: Mr. Lee.

Also attending: Allan Jacobs of Jacobs Environmental, Inc.; David Sopronyi, ELSA Staff Engineer; Joseph Maruca of Mercadien, P.C.; Vance Stephens, ELSA Administrative Officer.

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 today would comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27).

Res. 113:17. On motion of Mr. Geter and seconded by Mr. Muzaffar and unanimously carried the public hearing on the 2018 Budget was opened.

There were no public comments.

Res. 114:17. On motion of Mr. Geter and seconded by Mr. Muzaffar the public hearing on the 2018 Budget was closed.

Res. 115:17. On motion of Mr. Muzaffar and seconded by Mr. Vereen the following resolution was presented for adoption:

2018 ADOPTED BUDGET RESOLUTION

EWING-LAWRENCE SEWERAGE AUTHORITY

WHEREAS, the Annual Budget and Capital Budget for the Ewing-Lawrence Sewerage Authority for the fiscal period beginning January 1, 2018 and ending December 31, 2018 has been presented for adoption before the governing body of the Ewing-Lawrence Sewerage Authority at its meeting on December 19, 2017; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$14,852,049.00 Total Appropriations, including any Accumulated Deficit, if any, of \$15,252,049 and Total Unrestricted Net Position utilized of \$400,000.00; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$2,265,000.00 and Total Unrestricted Net Assets planned to be utilized of \$1,190,000.00; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Ewing-Lawrence Sewerage Authority, at an open public meeting held December 19, 2017 that the Annual Budget and Capital Budget Program of the Ewing-Lawrence Sewerage Authority for the fiscal period beginning January 1, 2018 and ending December 31, 2018 is hereby adopted and shall constitute an appropriation for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

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

Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.

Nays: None.

Absent: Mr. Lee.

Res. 116:17. On motion of Mr. Geter and seconded by Mr. Muzaffar and unanimously carried the public hearing on the revisions to the Connection Fee was opened.

There were no public comments.

Mr. Maruca advised that the connection fee has decreased \$19.00 this year to \$3,096.

Res. 117:17. On motion of Mr. Muzaffar and seconded by Mr. Cermele the public hearing on the revisions to the Connection Fee was closed.

Res. 118:17. On motion of Mr. Cermele and seconded by Mr. Geter 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 \$3,096 (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, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

Res. 119:17. On motion of Mr. Geter and seconded by Mr. Muzaffar it was moved that the November 14, 2017 minutes be approved as presented.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

Res. 120:17. On motion of Mr. Cermele and seconded by Mr. Vereen it was moved that the November 2017 Flow, Maintenance and Connection Reports be filed.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

Res. 121:17. On motion of Mr. Cermele and seconded by Mr. Vereen it was moved that the Schedule of Bills in the total amount of \$1,054,132.15 be accepted.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

There was no public participation.

Mr. Filler updated the Board on the status of the Regional Sludge Facility.

Res. 122:17. On motion of Mr. Cermele and seconded by Mr. Muzaffar the following was presented for adoption:

SCHEDULE OF REGULAR MEETING DATES

2018 - 2019

12:00 P.M.

2018 JANUARY 16TH

FEBRUARY 20th (REORGANIZATION & REGULAR)

MARCH 20th

APRIL 17TH

MAY 15TH

JUNE 19TH

JULY 17th

AUGUST 21st

SEPTEMBER 18TH

OCTOBER 16TH

NOVEMBER 20th

DECEMBER 18TH

2019 JANUARY 15TH

FEBRUARY 19TH (REORGANIZATION & REGULAR)

The above are the third Tuesdays of each month. All meetings will be held at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

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

Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.

Nays: None.

Absent: Mr. Lee.

Mr. Stephens reported that the Authority received proposals for renewal of its general and workers' compensation insurance for 2018. Five interested brokers started the process for the general insurance but four withdrew before completion. The current broker, Willis Towers Watson of NJ, was the only one to submit a proposal. The proposal amount was \$124,751.03 or an increase of \$6,518.87 over the current coverage. NJM Insurance Company's premium decreased \$3,644.00 from the 2017 policy year for a total cost of \$192,789.00. Mr. Stephens recommend accepting the proposals submitted by Willis of NJ and NJM Insurance Company.

Res. 123:17. On motion of Mr. Geter and seconded by Mr. Vereen it was moved that the Authority accept the proposal submitted by Willis Towers Watson of NJ to provide the 2018 general insurance coverage in the amount of \$124,751.03 and the proposal from New Jersey

Manufacturers Insurance Company to provide Workers Compensation coverage in the amount of \$192,789.00.

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

Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.

Nays: None.

Absent: Mr. Lee.

Mr. Filler presented a revised resolution for the Hopewell Water Quality Management which was approved by the Board Members by telephone.

Res. 124:17. On motion of Mr. Muzaffar and seconded by Mr. Vereen the following resolution was presented for approval:

The Authority hereby rescinds Resolution 111:17 and proposes the following:

WHEREAS, the Ewing-Lawrence Sewerage Authority desires to provide for the orderly development of wastewater conveyance and treatment facilities within its service area; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on October 16, 2017 entitled Proposed Amendment to the Mercer County Water Quality Management Plan has been prepared by Van Note Harvey Associates as noted in the public notice; and

WHEREAS, the proposed project plans to add 73 acres to the SSA and the projected wastewater flow for the proposed project, anticipated to be received by the Ewing-Lawrence Sewerage Authority is 135,000 gpd based on flow calculations in accordance with N.J.A.C. 7:14A-23.3.

NOW, THEREFORE, BE IT RESOLVED on this 19th of December 2017 by the governing body of the Ewing-Lawrence Sewerage Authority that:

1. The Ewing-Lawrence Sewerage Authority hereby consents to the aforesaid Amendment to the Mercer County Water Quality Management Plan publicly noticed on October 16, 2017 prepared by Van Note-Harvey Associates for the purpose of its incorporation into the applicable WQM plan(s).
2. Said consent is subject to the successful negotiation of an agreement between the Ewing-Lawrence Sewerage Authority, Hopewell Township, Ewing Township and the

- designated developer which agreement shall specify the flow, lots and blocks and charges and fees for acceptance of flows from Hopewell Township, Block, 93, Lots 5.01, 5.02 and a portion of 3.01, located on the west side of Scotch Road (County Route 611) and south of Washington Crossing-Pennington Road (County Route 546).
3. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(G)6.

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

Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.

Nays: None.

Absent: Mr. Lee.

Mr. Filler and the Personnel Committee recommended a 2% salary increase for 2018 for non-union ELSA employees. They also recommended that the Executive Director and Personnel Committee be authorized to finalize a deal with Local 172 for 2018 if an agreement is reached prior to the January 2018 meeting.

Res. 125:17. On motion of Mr. Muzaffar and seconded by Mr. Vereen it was moved that a 2% salary increase be approved for 2018 for non-union employees for 2018 and the Executive Director and Personnel Committee be authorized to finalize a deal with Local 172 for 2018 if an agreement is reached prior to the January 2018 meeting.

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

Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.

Nays: None.

Absent: Mr. Lee.

Mr. Filler reported:

1. ELSA is moving forward with the sewer evaluation paid for by Hopewell developers.
2. ELSA has received a favorable draft USEPA inspection report.
3. The State of New Jersey has advised that the deed for the parcel of land at the Katezenbach School is out for signatures.
4. A meeting on asset management is scheduled for December 20, 2017.

Mr. Filler recommended approval of a contract to provide sewer service between Anne Litecky, Ewing-Lawrence Sewerage Authority, the Township of Hopewell and the Township of Ewing for the property located at 17 Brandon Road West, Pennington, New Jersey be approved.

Res. 126:17. On motion of Mr. Cermele and seconded by Mr. Vereen it was moved that the contract between the Anne Litecky, Ewing-Lawrence Sewerage Authority, the Township of Hopewell and the Township of Ewing for the property located at 17 Brandon Road West, Pennington, New Jersey be approved.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

Mr. Filler recommended approval of a contract to provide sewer service between Kathleen Peterson, Ewing-Lawrence Sewerage Authority, the Township of Hopewell and the Township of Ewing for the property located at 293 Pennington-Lawrenceville Road be approved.

Res. 127:17. On motion of Mr. Cermele and seconded by Mr. Muzaffar it was moved that the contract between the Kathleen Peterson, Ewing-Lawrence Sewerage Authority, the Township of Hopewell and the Township of Ewing for the property located at 293 Pennington-Lawrenceville Road be approved.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

Mr. Jacobs reported that he has completed the annual inspection of the plant and collection system.

Mr. Jacobs recommended approval of Change Order No. 1 in the amount of \$22,845 to the contract with Allstate Power Vac for the Jacobs Creek Road Sewer Lining project. This change order provides for labor, materials, overhead and profit associated with creating a receiving pit needed for lining the 200-linear foot pipe reach between Jacobs Creek Road Manholes Nos. 33 and 34.

Res. 128:17. On motion of Mr. Muzaffar and seconded by Mr. Vereen it was moved that the Authority approve Change Order No. 1 in the amount of \$22,845 to the contract with Allstate Power Vac for the Jacobs Creek Road Sewer Lining Project. This change order provides for labor, materials, overhead and profit associated with creating a receiving pit needed for lining the 200-linear foot pipe reach between Jacobs Creek Road Manholes Nos. 33 and 34.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, Colavita, Geter, Muzaffar and Vereen.
Nays: None.
Absent: Mr. Lee.

Res. 129:17. On motion of Mr. Cermele and seconded by Mr. Muzaffar and unanimously carried, the meeting was adjourned at 1:00 P.M.