

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, July 16, 2019 at 12:00 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

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

Also attending: Allan Jacobs of Jacobs Environmental, Inc., Timothy Bradley of Kleinfelder; Vance Stephens, ELSA Administrative Officer; Jim Burd of Nursery Road, Hopewell Township; Stephen Durst and Stephen Trumbo of Synnergy

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. 57:19. On motion of Mr. Colavita and seconded by Mr. Geter the June 17, 2019 minutes were presented for adoption.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Res. 58:19. On motion of Mr. Colavita and seconded by Mr. Muzaffar and unanimously carried, the June 2019 Flow, Maintenance and Connection Reports were ordered filed.

Res. 59:19. On motion of Mr. Muzaffar and seconded by Mr. Kownacki it was moved that the July 16, 2019 Schedule of Bills in the total amount of \$769,585.98 be accepted.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Jim Burd of Nursery Road, Hopewell Township, advised that he wants to find out the particulars (pipe size, gpd allocated, etc.) on the sewer service provided to Hopewell Township/Merrill Lynch. Mr. Filler explained that currently there is no agreement in place for ELSA to provide service to the West side of Scotch Road, but we are looking at the impact of additional flow from Hopewell on the Ewing system. Mr. Burd was directed to Hopewell to find out the details on the existing system.

Mr. Filler updated the Board on the Regional Sludge Facility and advised that a tour of the facility will be scheduled if anyone is interested.

Mr. Filler reported that bids were received on June 26, 2019 for Maintenance, Emergency Service, Repairs and Replacements to the Authority's Medium Voltage (formerly High Voltage) Electrical Equipment. The bids received are as follows:

Scott Testing Hamilton, NJ	\$ 7,818.72 per annual inspection 111.00 per hr regular 132.00 per hr overtime 187.00 per hr double time 7% Material Handling Charge \$14,923.72 Estimate Annual Cost
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Reuter & Hanney, Inc Ivyland, PA	\$9,640.00 per annual inspection 133.00 per hr regular 195.00 per hr overtime 225.00 per hr double time 8% Material Handling Charge \$18,140.00 Estimated Annual Cost
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Longo Electrical Wharton, NJ	\$13,800.00 per annual inspection 158.00 per hr regular 220.00 per hr overtime 285.00 per hr double time 10% Material Handling Charge \$23,745.00 Estimated Annual Cost
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Res. 60:19. On motion of Mr. Geter and seconded by Mr. Kownacki it was moved that the contract for Maintenance of Medium Voltage Electrical Equipment be awarded to Scott Testing, Inc. of Hamilton, NJ for a one-year period in accordance with their bid received June 26, 2019 as the lowest, responsible, responsive bidder. Funds are available per the Availability of Funds certification of the Administrative Officer.

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

Mr. Filler reported that bids were received on July 10, 2019 for carbon replacement. Bids received are as follows:

Nichem Co. Newark, NJ	\$17,500.00
General Carbon Corp.	\$19,525.00

Paterson, NJ

Mark Colavita recommends that the contract be awarded to Nichem as the lowest, responsible, responsive bidder.

Res. 61:19. On motion of Mr. Colavita and seconded by Mr. Muzaffar it was moved that the contract for Carbon Replacement be awarded to Nichem Co. of Newark, NJ in accordance with their bid received July 10, 2019 in the amount of \$17,500 as the lowest, responsible, responsive bidder. Funds are available per the Availability of Funds certification of the Administrative Officer.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Mr. Filler reported that bids were received on July 10, 2019 for Installation of Four (4) Rotary Distributors and Masts. Bids received are as follows:

JEV Construction LLC Clinton, NJ	\$187,000.00
GMH Associates Trenton, NJ	\$187,623.55
Municipal Maintenance Co. Cinnaminson, NJ	\$203,800.00

William Hill recommends that the contract be awarded to JEV Construction LLC as the lowest, responsible, responsive bidder.

Res. 62:19. On motion of Mr. Muzaffar and seconded by Mr. Kownacki it was moved that the contract for Installation of Four (4) Rotary Distributors and Masts be awarded to JEV Construction LLC of Clinton, NJ in accordance with their bid received July 10, 2019 in the amount of \$187,000 as the lowest, responsible, responsive bidder. Funds are available per the Availability of Funds certification of the Administrative Officer.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Mr. Filler advised that he received a request from Kleinfelder for an increase of \$73,800 in their contract amount with the Authority for the Main Wastewater Treatment Plant Upgrade Project to provide additional support to ELSA in connection with disputed change order requests which have resulted in mediation and to provide post startup support.

Res. 63:19. On motion of Mr. Muzaffar and seconded by Mr. Lee it was moved that the Authority approve an increase of \$73,800 in the contract amount for Kleinfelder for the Main Wastewater Treatment Plant Upgrade Project to provide additional support to ELSA in connection with disputed change order requests which have resulted in mediation and to provide post startup support. Funds are available per the Availability of Funds certification of the Administrative Officer.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Mr. Jacobs reported that he has reviewed the final application submitted by LA Fitness at Lawrence Shopping Center. The applicant proposes demolition of the existing building at the northeast corner of the site and construction of a free standing LA Fitness Center at the Lawrence Shopping Center on U.S. 1 in Lawrence Township. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated July 11, 2019.

Res. 64:19. On motion of Mr. Colavita and seconded by Mr. Kownacki it was moved that the following resolution be presented for adoption:

WHEREAS, LA FITNESS AT LAWRENCE SHOPPING CENTER proposes demolition of the existing building at the northeast corner of the site and construction of a free standing LA Fitness Center at the Lawrence Shopping Center on U.S. 1 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 208 Wastewater Management Plan 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 July 11, 2019.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Mr. Jacobs reported that he has reviewed the final application submitted by Shake Shack. The applicant proposes to construct a 3,622 square foot Shake Shack restaurant at 3303 U.S. Route 1 South in Lawrence Township. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated July 11, 2019.

Res. 65:19. On motion of Mr. Colavita and seconded by Mr. Kownacki the following resolution was presented for adoption:

WHEREAS, SHAKE SHACK proposes construction of a 3622 square foot building to house a Shake Shack restaurant at 3303 U.S. Route 1 South 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 208 Wastewater Management Plan 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 July 11, 2019.

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

Ayes: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Steve Durst and Steve Trumbo of Synnergy reported that they have filed suit against the Delaware River Gatekeeper, Hamilton Township and others with regard to the solar project rejection. They feel confident that they will be successful. They also asked that the Authority consider extending its contract with Synnergy from 15 years to 25 years.

Mr. Filler reported:

1. The Engineering Committee met on July 1, 2019 to discuss the trickling filter masts and the Ewing Creek project.
2. On July 15, 2019 ELSA representatives met with Ewing Township representatives to discuss Silvia Street and are looking into replacing the existing ELSA sewer line.
3. A meeting was held on July 10, 2019 with prospective developers from Hopewell Township.
4. The Union fact finding has been postponed to either September 23rd or 24th.

5. The Pact Two mediation has been postponed. A date has not been scheduled yet.
6. Mercadien is in the process of completing the 2018 audit.
7. Final offers from ELSA to the Union and the Union to ELSA were given to the fact finder on June 27, 2019.

Res. 66:19. On motion of Mr. Colavita and seconded by Mr. Lee and unanimously carried, the meeting was adjourned at 1:15 P.M.

Secretary