

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, December 17, 2019 at 12:00 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

Present: Messrs. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen and W. Barry Rank, Esquire.

Also attending: Vance Stephens, ELSA Administrative Officer and William Hill, ELSA Maintenance Supervisor.

Mr. Vereen called the meeting to order and Mr. Stephens gave the invocation and said a prayer for Cindy Filler's speedy recovery. 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. 101:19. On motion of Mr. Colavita and seconded by Mr. Muzaffar the November 19, 2019 Regular and Executive Session 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. 102:19. On motion of Mr. Colavita and seconded by Mr. Muzaffar and unanimously carried, the November 2019 Flow, Maintenance and Connection Reports were ordered filed.

Res. 103:19. On motion of Mr. Geter and seconded by Mr. Colavita it was moved that the December 17, 2019 Schedule of Bills in the total amount of \$874,004.18 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.

There was no public participation.

Mr. Stephens advised that the quarterly Regional Sludge Management meeting is scheduled for December and they will be looking into release of funds for the participants. Mr. Filler is also looking into a tour of the plant for the Board members.

Res. 104:19. On motion of Mr. Colavita and seconded by Mr. Geter the following meeting schedule was presented for adoption:

SCHEDULE OF REGULAR MEETING DATES

2020 - 2021

12:00 P.M.

2020 JANUARY 21st

FEBRUARY 18th (REORGANIZATION & REGULAR)

MARCH 17th

APRIL 21st

MAY 19th

JUNE 16TH

JULY 21st

AUGUST 18th

SEPTEMBER 15TH

OCTOBER 20TH

NOVEMBER 17th

DECEMBER 15TH

2021 JANUARY 19th

FEBRUARY 16TH (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. Colavita, Geter, Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: None.

Mr. Stephens requested approval of the proposal submitted by Edward Rockel, Ph.D and Dennis Shevlin, Ph.D to continue the annual Assunpink Study for 2019 in the amount of \$20,000.

Res. 105:19. On motion of Mr. Muzaffar and seconded by Mr. Lee it was moved that the following resolution be adopted:

WHEREAS, the Ewing-Lawrence Sewerage Authority has determined by Resolution 92:77 to implement the Assunpink Creek Sanitary biological and Microbiological Study Program; and

WHEREAS, the 1977 thru 2018 Studies have been completed; and

WHEREAS, the maximum amount estimated for the 2019 contract is as follows:

1. Continuation of routine annual investigation---\$20,000

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Executive Director is hereby authorized and directed to award the contract in an amount not to exceed \$20,000 with a due date for the 2019 report of March 31, 2020 to Edward G. Rockel, Ph.D and Dennis Shevlin, Ph.D.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) of the Local Public Contracts Law because this work is specialized and qualitative in nature requiring expertise and extensive training in the field of environmental sciences, which includes Ecology, Vertebrate biology, Botany-Phycology, Invertebrate ecology and Microbiology.

3. A copy of this notice will be printed once in the Trenton Times.

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

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

Nays: None.

Absent: None.

The Personnel Committee recommended that the Authority approve an increase in staff salaries for 2020 of 2.5%.

Res. 106:19. On motion of Mr. Colavita and seconded by Mr. Geter it was moved that the Authority approve an increase in staff salaries for 2020 of 2.5%.

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. Stephens reported that bids were received on December 11, 2019 for Maintenance on Trucks over 11,000 lbs and Semi-Trailers. The only bid received is as follows:

On-Site Fleet Services, Inc. E. Brunswick, NJ	\$102.00 per hr (regular) \$102.00 per hr (overtime) \$102.00 per hr (double) 10% Material Handling Charge Estimated Annual Cost - \$27,430.00
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William Hill, Maintenance Supervisor, recommends that this contract be awarded to On-Site Fleet Services, Inc. of E. Brunswick, NJ in accordance with their bid received December 11, 2019 as the lowest, responsible, responsive bidder.

Res. 107:19. On motion of Mr. Muzaffar and seconded by Mr. Geter it was moved that the contract for Maintenance on Trucks over 11,000 lbs and Semi-Trailers be awarded to On-Site Fleet Services, Inc. of E. Brunswick, NJ in accordance with their bid received December 11, 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. Jacobs reported that he has reviewed the final application submitted by Bristol-Myers Squibb for Buildings M and N at their Route 206 Campus in Lawrence Township. The project consists of two new office/laboratory buildings totaling 231,704 square feet, a new cooling tower and parking garage improvements. He reported that Bristol-Myers Squibb built these buildings prior to receiving prior approval from the Authority. The Board directed Mr. Jacobs to send a letter of reprimand to Bristol-Myers Squibb. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated December 11, 2019.

Res. 108:19. On motion of Mr. Muzaffar and seconded by Mr. Kownacki the following resolution was presented for adoption:

WHEREAS, Bristol-Myers Squibb proposes to construct two new office/laboratory buildings totaling 231,704 square feet, a new cooling tower and parking garage improvements at its Route 206 Campus 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 December 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. Stephens advised that proposals were received for the Authority's general insurance coverage. The process began with four interested brokers, three of which withdrew prior to the end of the process. In the end, only the incumbent broker, Willis Towers Watson submitted a proposal. This proposal offers coverage comparable to the Authority's current coverage with a premium increase of \$3,655.27 of which \$2,372.00 of the increase is for property insurance coverage. Mr. Stephens recommended that the Authority accept Willis' proposal at a cost of \$126,943.90.

In addition, Mr. Stephens recommend that the Authority continue with New Jersey Manufacturers Insurance Company for its Workers' Compensation Insurance at a cost of \$189,607 for 2020 representing a decrease of \$9,839.00 in comparison to the current years' premium. This decrease was due to a significant reduction in a claims experience year that is included in the calculation.

Res. 109:19. On motion of Mr. Muzaffar and seconded by Mr. Kownacki it was moved that the Authority accept the proposal from Willis Towers Watson for renewal of the Authority's property insurance coverage for 2020 in the amount of \$126,943.90 and accept the proposal submitted by New Jersey Manufacturers Insurance Company for its Workers' Compensation Insurance for 2020 in the amount of \$189,607.00.

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. Stephens reported:

1. Fact finding will begin on January 17, 2020 since the Union voted down the proposal after every effort was made to settle this matter.
2. Electrical bids were received and they are lower than what the Authority is currently paying.
3. The solar project will be going before Hamilton Township in the next 30-60 days.

Res. 110:19. On motion of Mr. Muzaffar and seconded by Mr. Colavita the following resolution was presented for adoption:

WHEREAS, the Ewing-Lawrence Sewerage Authority must discuss items dealing with pending or on-going litigation; and

WHEREAS, the aforesaid subjects to be discussed are not appropriate for a public meeting; and

WHEREAS, the aforesaid subjects to be discussed are within the exemptions which are permitted to be discussed and acted upon in closed executive session pursuant to N.J.S.A. 10:4-12b;

NOW, THEREFORE, BE IT RESOLVED by the Ewing-Lawrence Sewerage Authority that a closed session of the Authority shall be held;

BE IT FURTHER RESOLVED that the information pertaining to the aforesaid matters will be made available to the public as soon as possible and once the reasons for non-disclosure no longer exists.

Chairman Vereen reconvened the meeting and Mr. Rank advised that the only item discussed in Executive Session involved pending litigation with Pact Two.

Res. 111:19. On motion of Mr. Muzaffar and seconded by Mr. Colavita it was moved that the Authority alert Pact Two that ELSA will be going forward with litigation and authorized Mr. Rank to file a complaint.

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 advised that the Lawrence Flow Study should be completed by the end of January.

Mr. Jacobs also advised that a pre-construction meeting with the contractor for the Ewing Creek Easement project was held and the project should begin work in January 2020. Mr. Jacobs also requested an engineering budget of \$5,000.00 for this project.

Res. 112:19. On motion of Mr. Lee and seconded by Mr. Muzaffar it was moved that the Authority approved a budget of \$5,000.00 for Jacobs Environmental for the Ewing Creek Easement project.

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. 113:19. On motion of Mr. Muzaffar and seconded by Mr. Colavita and unanimously carried, the meeting was adjourned at 12:40 P.M.

Secretary