

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, June 16, 2020 at 12:00 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648 via teleconferencing.

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

Also attending: Allan Jacobs of Jacobs Environmental Consulting; Vance Stephens, ELSA Administrative Officer; Warren Broudy and Matthew Daly of Mercadien; William Hill, Maintenance Supervisor; Felipe Contreras of Kleinfelder.

Mr. Lee called the meeting to order and Mr. Filler gave the invocation. Mr. Filler 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. 32:20. On motion of Mr. Colavita and seconded Mr. Vereen and unanimously carried the public hearing on the 2020 Connection Fee was opened.

Res. 33:20. On motion of Mr. Colavita and seconded by Mr. Geter and unanimously carried the public hearing on the 2020 Connection Fee was closed.

Matthew Daly reviewed the calculation with the Board.

Res. 34:20. On motion of Mr. Vereen and seconded by Mr. Colavita the following resolution was adopted:

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 \$3,272 (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. Colavita, Geter, Kownacki, Lee and Vereen.

Nays: None.

Absent: Mr. Muzaffar.

Res. 35:20. On motion of Mr. Geter and seconded by Mr. Vereen and unanimously carried, the May 19, 2020 minutes were approved.

Res. 36:20. On motion of Mr. Kownacki and seconded by Mr. Vereen and unanimously carried, the May 2020 Flow, Maintenance and Connection Reports were ordered filed.

Mr. Muzaffar arrived at 12:10 P.M.

Res. 37:20. On motion of Mr. Colavita and seconded by Mr. Kownacki it was moved that the May 19, 2020 Schedule of Bills in the total amount of \$1,048,415.69 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. Filler reported that Regional Sludge Management Committee now meets quarterly. Trenton Bio-Fuel will be begin to accept municipal solid waste. A company called BioEnergy Development may also be involved in this project. Mr. Filler will update the Board once he has more information.

Mr. Filler reported that bids were received on May 20, 2020 for removal of grit and screenings in 20 cubic yard containers. Bids received are as follows:

|                                   |  |
|-----------------------------------|--|
| Waste Management<br>Ewing, NJ     | \$ 655.00 per container<br>Est. Annual Cost \$34,060   |
| Russell Reid Waste<br>Keasbey, NJ | \$1,150.00 per container<br>Est. Annual Cost \$59,800  |
| Spectraserv Inc.<br>Audubon, PA   | \$1,970.00 per container<br>Est. Annual Cost \$102,440 |

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

Res. 38:20. On motion of Mr. Geter and seconded by Mr. Vereen it was moved that the contract for Removal of Grit and Screenings be awarded to Waste Management of New Jersey, Inc.. for a one-year period in accordance with their bid received May 20, 2020 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 application submitted by Chick-Fil-A. They propose to construction a 5,302 square foot restaurant at the Lawrence Corner shopping center at U.S. Route 1 and Bakers Basin Road. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated June 2, 2020.

Res. 39:20. On motion of Mr. Muzaffar and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, CHICK-FIL-A proposes construction of a 5,180 square foot building at the Lawrence Corner Shopping Center at Route 1 and Bakers Basin Road 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 June 2, 2020.

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 recommended approval of Change Order No. 1 in the amount of \$26,081.11 to the Silvia Street Sewer Extension project. ELSA is requesting a change to will allow both 18" force mains to enter into the manhole separately joining together and entering as a single pipe. He also requested approval of Change Order No. 2 in the amount of \$22,932.27 to Abandon and Concrete Fill Existing 15/25" Gravity Sewer.

Res. 40:20. On motion of Mr. Muzaffar and seconded by Mr. Colavita it was moved that Change Order No. 1 to the Silvia Street Sewer Extension project in the amount of \$26,081.11 to allow both 18” force mains to enter into the manhole separately joining together and entering as a single pipe. 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.

Res. 41:20. On motion of Mr. Geter and seconded by Mr. Kownacki it was moved that the Authority approved Change Order No. 2 to the Silvia Street Sewer Extension project in the not-to-exceed amount of \$22,932.27 to Abandon and Concrete Fill Existing 15/25” Gravity Sewer. Funds are available per the Availability of Funds certification of the Administrative Officer.

Mr. Filler reported that bids were received on June 10, 2020 for Roof Improvements. Eight bids were received as follows:

|                               |              |
|-------------------------------|--------------|
| Frank Cyrwus, Inc.            | \$356,210.00 |
| Weatherite Solutions, LLC     | \$359,700.00 |
| VMG Group                     | \$363,972.00 |
| JDS General Contracting, Inc. | \$368,700.00 |
| Jottan, Inc.                  | \$429,602.00 |
| D.A. Nolt, Inc.               | \$496,743.00 |
| Detwiler Roofing, LLC         | \$545,000.00 |
| Integrity Roofing, Inc.       | \$563,340.00 |

Felipe Contreras of Kleinfelder advised that he has reviewed the bids and recommends that the contract be awarded to Frank Cyrwus, Inc. of Pompton Lakes, NJ at \$356,210.00 as the lowest, responsible, responsive bidder.

Res. 42:20. On motion of Mr. Colavita and seconded by Mr. Geter the Authority awarded the contract for Roof Improvements to Frank Cyrwus, Inc. of Pompton Lakes, NJ at \$356,210.00 in accordance with their bid received on June 10, 2020 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 bids were received on June 12, 2020 for the Manhole Rehabilitation and Replacement project. Two bids were received as follows:

|                           |           |
|---------------------------|-----------|
| Hutton Construction, Inc. | \$333,214 |
| Waters & Bugbee           | \$589,530 |

Mr. Jacobs recommended awarding the contract to Hutton Construction, Inc. as the lowest, responsible, responsive bidder.

Res. 43:20. On motion of Mr. Colavita and seconded by Mr. Vereen the Authority awarded the contract for Manhole Rehabilitation and Replacement to Hutton Construction, Inc. of Cedar Grove, NJ at \$333,214.00 in accordance with their bid received on June 12, 2020 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 bids were received on June 12, 2020 for the Denow Road Relief Sewer. The following bids were received:

|                            |              |
|----------------------------|--------------|
| Earle Asphalt Co.          | \$509,613.13 |
| Mount Construction, Inc.   | \$548,331.00 |
| James R. Lentile, Inc.     | \$604,650.00 |
| Montana Construction, Inc. | \$621,111.00 |
| Waters & Bugbee, Inc.      | \$863,864.68 |

Mr. Jacobs recommended awarding the contract to Earle Asphalt Co. as the lowest, responsible, responsive bidder.

Mr. Vereen left the meeting at 12:40 P.M.

Res. 44:20. On motion of Mr. Colavita and seconded by Mr. Geter the Authority awarded the contract for the Denow Road Relief Sewer to Earle Asphalt Co. of Farmingdale, NJ

at \$509,613.13.00 in accordance with their bid received on June 12, 2020 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 and Muzaffar.

Nays: None.

Absent: Mr. Vereen.

Mr. Filler reported:

1. The Authority has settled with Sherwood Logan and Ovivo on the masts project.
2. On June 12, 2020 there was a break in the Sullivan Way Force Main.
3. The solar panel project may be wrapping up with the Zoning Board in July.

Mr. Rank reported:

1. The Authority is proceeding with litigation in Mercer County in the Pact Two matter. The attorneys are working a schedule for discovery
2. The Hopewell lawsuit could not be resolved with Zoom mediation. Their offer was \$20,000,000 and ELSA was requesting \$40,000,000. Another conference call is scheduled for next week followed by another Zoom mediation.

Res. 45:20. On motion of Mr. Colavita and seconded by Mr. Muzaffar and unanimously carries, the meeting was adjourned at 12:55 P.M.

Submitted by Mary Colavita for the  
Ewing-Lawrence Sewerage Authority