

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, July 20, 2010 at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

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

Also attending: Allan Jacobs of Jacobs Environmental Consulting;

Mr. DiFrancesco called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. DiFrancesco advised that all requirements of the Local Public Meetings Act have been met. He also advised that any contracts awarded this evening would comply with the requirements of P.L. 1975, c. 127 (N.J.A.C. 17:27).

Res. 81:10. On motion of Mr. Geter and seconded by Mr. Colavita and unanimously carried, the minutes of June 22, 2010 were approved as presented.

Res. 82:10. On motion of Mr. Colavita and seconded by Mrs. Zamonski and unanimously carried, the June 2010 Flow, Maintenance and Connection Reports were ordered filed.

Res. 83:10. On motion of Mr. Cermele and seconded by Mr. Vereen it was moved that the Schedule of Bills in the total amount of \$844,730.99 be accepted.

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.

There was no public participation.

Mr. Filler reported that the Regional Sludge Management Committee is still waiting for NJDEP's approval.

Mr. Filler presented a proposal from Dr. Ed Rockel and Dave Rose for continuation of the Assunpink Creek Stream Study for 2010. Mike Post has reviewed the proposal and recommends approval of it in the amount of \$12,000.

Res. 84:10. On motion of Mr. Cermele and seconded by Mrs. Zamonski 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 2009 Studies have been completed; and

WHEREAS, the maximum amount estimated for the 2010 contract is as follows:

1. Continuation of routine annual investigation----\$12,000

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 \$12,000 with a due date for the 2010 report of March 31, 2011 to David M. Rose and Edward G. Rockel.

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. Cermele, Colavita, DiFrancesco, Geter and Vereen and  
Mrs. Zamonski.

Nays: None.

Absent: None.

Mr. Jacobs reported that he has reviewed the application submitted by Joe's Crab Shack. The project consists of a 633 Square Foot Addition to the existing restaurant on Route 1 which will add 48 seats. Mr. Jacobs recommended granting final approval subject to the comments in his letter dated June 29, 2010.

Res. 85:10. On motion of Mrs. Zamonski and seconded by Mr. Cermele the following resolution was presented for adoption:

WHEREAS, JOE'S CRAB SHACK proposes construction of a 633 square foot addition to their existing restaurant on Route 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 connection to the Authority's sewerage system is subject to a determination by the Authority and any responsible regulatory agency (e.g., the United States Environmental Protection Agency and the New Jersey Department of Environmental Protection) at the time of connection that there is adequate capacity in such system to serve the Developer's proposed Development.

2. In the event that the Authority is unable to serve the Developer's proposed development at the time of connection because of inadequate capacity or for any other reason, the Developer shall have no right of action or recourse against the Authority.

3. 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.

4. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.

5. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.

6. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.

7. 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.

8. This final approval granted pursuant to this Resolution shall expire two (2) years from the date hereof.

9. The developer shall pay the appropriate connection and inspection fees.

10. The sewers shall conform to the Authority's Rules and Regulations.

11. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated June 29, 2010.

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. Filler reported that bids were received on July 7, 2010 for furnishing polymers. The only bid received is as follows:

Pollu-Tech, Inc.	\$1.60 per pound
Richboro, PA	Est Annual Cost - \$48,880

Hans Kaszuba recommends that the contract be awarded to Polydyne, Inc. as the lowest, responsible, responsive bidder.

Res. 86:10. On motion of Mr. Geter and seconded by Mr. Vereen it was moved that the contract for furnishing Polymers be awarded to Polydyne, Inc. of Richboro, PA for a one-year period in accordance with their bid received July 7, 2010 as the lowest, responsible, responsive bidder.

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. Filler reported that bids were received on July 7, 2010 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, Inc	\$7,565.00 per annual inspection
Ewing, NJ	100.00 per hr regular
	120.00 per hr overtime
	170.00 per hr double time
	7% Material Handling Charge
	\$14,085.00 Estimated Annual Cost

Reuter Hanney	\$7,6420.00 per annual inspection
Ivyland, PA	102.00 per hr regular
	115.00 per hr overtime
	153.00 per hr double time
	5% Material Handling Charge
	\$14,090.00 Estimated Annual Cost

North Central Electric	\$9,186.00 per annual inspection
Hulmeville, PA	95.00 per hr regular
	142.50 per hr overtime
	190.00 per hr double time
	5% Material Handling Charge
	\$15,698.50.00 Estimated Annual Cost

Carr & Duff, Inc.	\$11,000.00 per annual inspection
Huntingdon Valley, PA	110.00 per hr regular
	165.00 per hr overtime
	220.00 per hr double time
	7% Material Handling Charge
	\$18,395.00 Estimated Annual Cost

Edward Crutchley recommends that the contract be awarded to Scott Testing as the lowest, responsible, responsive bidder.

Res. 87:10. On motion of Mr. Geter and seconded by Mrs. Zamonski it was moved that the contract for Maintenance of Medium Voltage Electrical Equipment be awarded to Scott Testing, Inc. of Ewing, NJ for a one-year period in accordance with their bid received July 7, 2010 as the lowest, responsible, responsive bidder.

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 The College of New Jersey for a new School of Education building. The new building will be at the location of and replace the existing Forcina Hall. The new building will be 88,633 square feet and house 1279 classroom seats. The existing Forcina Hall is 26,609 square feet and has 829 classroom seats. Mr. Jacobs recommended granting preliminary approval subject to the comments in his letter dated July 6, 2010. Mr. Filler reported that a meeting is scheduled for July 21, 2010 with The College of New Jersey representatives to discuss their meter and flows. Mr. DiFrancesco recommended that the preliminary approval for this project be subject to The College of New Jersey granting ELSA an easement to install a meter to measure campus flows at a point to be determined by ELSA's engineer.

Res. 88:10. On motion of Mr. Cermele and seconded by Mr. Geter the following resolution was presented for adoption:

WHEREAS, the COLLEGE OF NEW JERSEY proposes construction of a new School of Education building (88,633 square feet/1279 classroom seats) to replace the existing Forcina Hall (26,609 square feet/829 classroom seats) in Ewing 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 connection to the Authority's sewerage system is subject to a determination by the Authority and any responsible regulatory agency (e.g., the United States Environmental Protection Agency and the New Jersey Department of Environmental Protection) at the time of connection that there is adequate capacity in such system to serve the Developer's proposed Development.

2. In the event that the Authority is unable to serve the Developer's proposed development at the time of connection because of inadequate capacity or for any other reason, the Developer shall have no right of action or recourse against the Authority.

3. 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.

4. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.

5. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.

6. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.

7. 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.

8. This preliminary approval granted pursuant to this Resolution shall expire ninety (90) days from the date hereof.

9. The Developer shall pay the appropriate connection and inspection fees.

10. The sewers shall conform to the Authority's Rules and Regulations.

11. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated July 6, 2010.

12. Subject to The College of New Jersey granting ELSA an easement to install a meter to measure campus flows at a point to be determined by ELSA's engineer.

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. Filler requested authorization to prepare and issue a Request for Proposals for Photovoltaic Electric Power at the Main Wastewater Treatment Plant and/or the Fourth Street Pump station.

Res. 89:10. On motion of Mr. Cermele and seconded by Mrs. Zamonski the following resolution was presented for adoption:

RESOLUTION AUTHORIZING ISSUANCE OF REQUEST FOR PROPOSAL  
FOR PHOTOVOLTAIC ELECTRIC POWER AT THE MAIN WASTEWATER  
TREATMENT PLANT AND/OR THE FOURTH STREET PUMP STATION

WHEREAS, the Ewing-Lawrence Sewerage Authority desires to enter into a Power Purchase Agreement (PPA) for purchase of photovoltaic-produced electric at the Main Wastewater Treatment Plant and/or the Fourth Street Pump Station; and

WHEREAS the Ewing-Lawrence Sewerage Authority wishes to issue a Request for Proposals using competitive contracting in accordance with Local Public Contracts Law Section 40A:11;

NOW, THEREFORE, BE IT RESOLVED that the Ewing-Lawrence Sewerage Authority hereby authorizes its Executive Director, Finance Officer, Consulting Engineer and Attorney to prepare and issue a Request for Proposals for said services.

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. Filler also requested an engineering allocation for Jacobs Environmental Consulting in the amount of \$7,500 for the Photovoltaic Electric Power project.

Res. 90:10. On motion of Mr. Cermele and seconded by Mrs. Zamonski it was moved that the Authority approve an engineering allocation for Jacobs Environmental Consulting in the amount of \$7,500 for the Photovoltaic Electric Power project.

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.

Chairman DiFrancesco reported that he has prepared the arbitrage calculation of ELSA's 1998 and 2002 Revenue Bonds.

Res. 91:10. On motion of Mr. Geter and seconded by Mrs. Zamonski it was moved that the Board acknowledges the arbitrage calculation review of ELSA's 1998 and 2002 Revenue Bonds has been completed and that no liabilities exist. The arbitrage report shall be maintained by ELSA.

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. Filler requested authorization to execute the agreement between ELSA and CSX Transportation, Inc. for the Mountain View Force Main railroad crossing.

Res. 92:10. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the Executive Director be authorized to execute the agreement between ELSA and CSX Transportation, Inc. for the Mountain View Force Main railroad crossing.

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. Filler reported that the Authority received qualifications from 14 engineering firms for the Scotch Road Extension Relief Sewer which have been reviewed by Staff and the Engineering Committee and reduced to the eight (8) most qualified firms. Requests for proposals for design will be sent out to those eight (8) firms.

Res. 93:10. On motion of Mr. Colavita and seconded by Mr. Geter it was moved that the Authority accept the recommendation of the Engineering Committee for the Scotch Road Extension Relief Sewer and authorizing sending Requests for Proposals to the eight (8) most qualified engineering firms.

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. Filler reported that bids were received on July 14, 2010 for (2) Channel type Sewage Grinders & Appurtenances. The bids received are as follows:

Electrical Design & Construction Corp., Shrewsbury, NJ	\$279,400.00 including 10% Miscellaneous Allowance
Heisey Mechanical LTD Columbia, PA	\$279,950.00 including 10% Miscellaneous Allowance
Municipal Maintenance Cinnaminson, NJ	\$294,900.00 including 10% Miscellaneous Allowance
C&T Associates Inc. Souderton, PA	\$288,530.00 including 10% Miscellaneous Allowance
GMH Associates Trenton, NJ	\$302,500.00 including 10% Miscellaneous Allowance

David Sopronyi recommends that the contract be awarded to Electrical Design & Construction Corp., as the lowest, responsible, responsive bidder.

Res. 94:10. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the contract for Maintenance of (2) Channel type Sewage Grinders & Appurtenances be awarded to Electrical Design & Construction Corp., Shrewsbury, NJ in accordance with their bid received July 14, 2010 as the lowest, responsible, responsive bidder.

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. Filler advised that the Authority is moving forward with the NJEIT funding and is reviewing construction oversight for the project.

Mr. Filler requested an allocation of \$5,000 for Jacobs Environmental Consulting for the Mountain View Force Main project.

Res. 95:10. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the Authority approve an allocation of \$5,000 for Jacobs Environmental Consulting for the Mountain View Force Main project.

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. Filler reported that Paul Pogorzelski apologized for not being able to attend today's meeting, but expects to be at the August or September meeting.

Mr. Rank advised that an offer was submitted by the defendants in the BEMS Landfill case. The State has rejected the offer and submitted a counter offer. The Municipal group will be submitting a counter offer.

Mr. Rank also advised that State statute was changed in 2005 and that the Authority will have to change its Rules and Regulations to reflect the following: "A county, regional or municipal sewerage authority shall establish within its rates or schedules a 50% reduction in the connection fee or tapping fee assessed pursuant to section 8 P.L. 1946, c. 138 (C.40:14A-8) for new connections to the sewerage system which is to be charged to public housing authorities and to non-profit organizations building affordable housing projects."

The Board requested that Mr. Filler re-confirm the Authority's travel policy.

Res. 96:10. On motion of Mr. Colavita and seconded by Mrs. Zamonski and unanimously carried, the meeting was adjourned at 1:15 P.M.

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Joseph M. Cermele, Secretary