

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, April 20, at 12:00 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

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

Absent and Excused: Mr. Colavita

Also attending: Allan Jacobs of Jacobs Environmental Consulting and Vance Stephens, ELSA Administrative Officer.

Mr. Kownacki called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, 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. 42:21. On motion of Mr. Geter and seconded by Mr. Muzaffar and unanimously carried it was moved that the March 16, 2021 Meeting minutes be approved as presented.

Res. 43:21. On motion of Mr. Muzaffar and seconded by Mr. Vereen and unanimously carried it was moved that the March 2021 Flow, Maintenance and Connection Reports be filed.

Res. 44:21. On motion of Mr. Vereen and seconded by Mr. Geter it was moved that the April 2021 Schedule of Bills in the total amount of \$2,108,639.04 be accepted.

There were no public comments.

Mr. Filler advised that the next meeting of the Regional Sludge Management Committee had met remotely on March 17, 2021, that all payments are current and the next meeting would be three (3) months from March 17th.

Mr. Filler reported that bids were received on April 7, 2021 for Welding & Lathe. The only bid received was as follows:

A.C. Schultes, Inc.,
Woodbury Heights, New Jersey

At Owner's Shop:

Labor (regular rate)	\$53.00/hr
Labor (overtime)	\$63.00/hr
Labor (double time)	\$63.00/hr

At Authority's Facilities

Labor (regular rate)	\$117.00/hr
Labor (overtime)	\$137.00/hr
Labor (double time)	\$147.00/hr
Material Handling Charge	10%
Estimated Annual Cost	\$15,765.00

William Hill recommends that the contract be awarded to A.C. Schultes, Inc., as the lowest, responsible, responsive bidder.

Res. 45:21. On motion of Mr. Vereen and seconded by Mr. Muzaffar and unanimously carried it was moved that the contract for Welding & Lathe be awarded to A.C. Schultes, Inc., for a one-year period in accordance with their bid received April 7, 2021 as the lowest, responsible, responsive bidder. Funds are available per the Availability of Funds certification of the Administrative Officer.

Mr. Jacobs advised that he had reviewed the application submitted by Justice Grown Cultivation Facility proposing conversion of a 75,000 square foot, two story office building located at 1474 Prospect Street into a medical cannabis cultivation and processing facility in Ewing Township.

Res. 46:21. On motion of Mr. Muzaffar and seconded by Mr. Geter and unanimously carried the following resolution was presented for adoption:

WHEREAS, JUSTICE GROWN proposes to convert a 75,000 two story foot office building located at 1474 Prospect Street into a medical cannabis cultivation and processing facility 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 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 March 29, 2021 (Revised).

Mr. Jacobs advised that he had reviewed the application submitted by Lawrence Shopping Center Associates, LLC proposing to add a 1529 square foot addition to an existing 3839 square foot building located at the northeast corner of Lawrence Shopping Center. The building will house a Starbucks and Aspen Dental in Lawrence Township; and

Res. 47:21. On motion of Mr. Vereen and seconded by Mr. Geter and unanimously carried the following resolution was presented for adoption:

WHEREAS, LAWRENCEVILLE SHOPPING CENTER ASSOCIATES, LLC, proposes to add a 1529 square foot addition to an existing 3839 square foot building located at the northeast corner of Lawrence Shopping Center. The building will house a Starbucks and Aspen Dental 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 April 19, 2021.

Mr. Filler presented the Board with two proposals from Jacobs Environmental Consulting requested by the Authority in continuation of the need to address Inflow & Infiltration issues in both Ewing and Lawrence Township.

The first project is located in the Jacobs Creek area in Ewing Township and identified as areas 2 and 3. Jacobs' proposal is for the preparation of drawings and specifications for cleaning, root cutting, video inspection and grouting of the identified areas. The budget request is \$10,000.00.

The second project is located in the sewer tributary to Denow Road in Lawrence Township. Jacobs' proposal is for the preparation of drawings and specifications for cleaning, root cutting, video inspection and grouting of the identified areas. The budget request is \$12,000.00.

Res. 48:21. On motion of Mr. Muzaffar and seconded by Mr. Lee and unanimously carried the following resolution was presented for adoption:

The proposal submitted by Jacobs Environmental Consulting dated March 5, 2021, for the preparation of drawings and specifications for cleaning, root cutting, video inspection and grouting of the identified areas (2 and 3) in Jacobs Creek in Ewing Township with a budget requested in the amount of \$10,000.00 is hereby approved; and

The proposal submitted by Jacobs Environmental Consulting dated March 5, 2021 for the preparation of drawings and specifications for cleaning, root cutting, video inspection and grouting of the sewer tributary to Denow Road in Lawrence Township with a budget requested in the amount of \$12,000.00 is hereby approved.

Mr. Filler advised the Board that the Authority had received proposals from Remington Vernick Engineers for the Model Update to evaluate alternate connection points for the US Homes v. ELSA lawsuit in the amount of \$12,500.00 and from Jacobs Environmental Consulting for the evaluation of Pipe from Manhole H-43 to H-35 for the Woodmont/Hopewell Proposal in the amount of \$9,000.00.

Res. 49:21. On motion of Mr. Muzaffar and seconded by Mr. Lee and unanimously carried the following resolution was presented for adoption:

The proposal submitted by Remington Vernick Engineers for the Model Update to evaluate alternate connection points for the US Homes v. ELSA lawsuit with a budget requested of \$12,500.00 is hereby approved; and

The proposal submitted by Jacobs Environmental Consulting for the evaluation of pipe from Manhole H-43 to H-35 for the Woodmont/Hopewell Proposal with a budget requested of \$9,000.00 is hereby approved.

Mr. Filler reported that an error was made in the Authority's minutes from February, 2021 wherein it was reported that the change orders submitted by Hutton Construction were for the Ewing Creek Easement Project when they were actually for the Lawrence Manhole Rehabilitation and Replacement Project.

Res. 50:21. On motion of Mr. Lee and seconded by Mr. Geter and unanimously carried the following resolution was presented for adoption:

The minutes from the February 2021 Regular Meeting will be amended to reflect that the Change Orders submitted by Hutton Construction were for the Lawrence Manhole Rehabilitation and Replacement Project not the Ewing Creek Easement project.

Mr. Filler reported:

1. The Union held a meeting on 4/9/21 at which time an election of officers was held. Newly elected representatives are as follows:
Thomas Bodnar is the Shop Steward. Mr. Bodnar has been employed since 1997;
James Meissner is the representative for the Mechanics;
David Jolly is the representative for the Road Crew;
Dan Nowak is the representative for the Operators.
We anticipate meeting with the new representatives in the near future.
2. Synnergy's application did not move forward as anticipated as their notice was deemed defective. The next meeting is scheduled for May 21st for preliminary and final approval. Synnergy does not foresee any difficulties and anticipates breaking ground on June 21st. The Authority anticipates an overall savings of 35%.
3. The Engineering Committee met on April 16th and interviewed 5 engineering firms for the following upcoming projects:
4th Street Pump Station and Force Mains
Sullivan Way Pump Station and Force Main Projects
4. On April 5, 2021, the Diversion Chamber at Jacobs Creek Road was filled in with concrete pursuant to the ACO.

Mr. Kownacki advised the Board that William Higgins, the Authority's first Executive Director had passed away. Mr. Kownacki further advised that long after his retirement Mr. Higgins remained a fixture in the Wastewater Industry and kept in touch with Authority staff. A moment of silence was observed to honor his memory.

Mr. Rank advised the Board of the status of the US Homes litigation. Oral argument for pending motions is scheduled for May 21, 2021 before Judge Jacobsen. Mr. Rank also updated the Board on the status of the Deer Valley litigation.

Mr. Rank advised the Board that Executive Session was needed to discuss pending legal matters.

Res. 51:21. On motion of Mr. Lee and seconded by Mr. Muzaffar and unanimously carried the Board went into Executive Session.

Res. 52:21: On motion of Mr. Lee and seconded by Mr. Muzaffar and unanimously carried Executive Session ended and the regular meeting resumed.

Mr. Rank advised that the only matter discussed during Executive Session was settlement options and strategy concerning the PACT II litigation.

Res. 53:21. On motion of Mr. Lee and seconded by Mr. Muzaffar and unanimously carried, the meeting was adjourned at 1:55 pm.

Submitted by Susan Dorio for the
Ewing Lawrence Sewerage Authority