

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, August 16, 2022, at 12:00 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

Present: Messrs. Geter, Kownacki, Lee, Muzaffar, Ryan, Vereen, S. Robert Filler, Executive Director, Vance Stephens, Administrative Officer and W. Barry Rank, Esquire.

Absent and Excused: None

Also attending: Allan Jacobs of Jacobs Environmental Consulting; Warren Broudy and Matthew Daly of the Mercadien Group.

Mr. Muzaffar called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Muzaffar 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. 70:22. On motion of Mr. Geter and seconded by Mr. Vereen and unanimously carried it was moved that the July 19, 2022 Minutes be approved.

Res. 71:22. On motion of Mr. Kownacki and seconded by Mr. Geter and unanimously carried it was moved that the June 2022 Flow, Maintenance and Connection Reports be filed.

Res. 72:22. On motion of Mr. Kownacki and seconded by Mr. Geter and unanimously carried it was moved that the August 16, 2022, Schedule of Bills in the total amount of \$846,867.84 be accepted.

There were no public comments.

Mr. Filler advised that the Regional Sludge Management Committee would be meeting September 21, 2022, at 9:30 AM and that Trenton Bio-Gas was looking at Phase II and raising money to use the Trenton Digesters. Payments are up to date.

Messrs. Broudy and Daly presented the 2020 Audit to the Board and advised that they have provided an unmodified, clean opinion.

Res. 73:22. On motion of Mr. Kownacki and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2020 has been completed and filed with the Ewing-Lawrence Sewerage Authority pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Ewing-Lawrence Sewerage Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2020, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the Authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

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

Mr. Filler reported that bids were received on July 27, 2022 for furnishing polymers. The only bid received was as follows:

Polydyne, Inc.	\$2.12 per pound
Riceboro, GA	

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

Res. 74:22. On motion of Mr. Kownacki and seconded by Mr. Vereen and unanimously carried it was moved that the contract for furnishing Polymers be awarded to Polydyne, Inc. for a one-year period in accordance with their bid received July 27, 2022 as the lowest, responsible, responsive bidder. Funds are available per the Availability of Funds certification of the Administrative Officer.

Mr. Filler advised that Drs. Rockel and Shevlin had submitted a proposal to continue the ELSA Environs and Stream Biota Chemical and Physical Study for 2022 in the amount of \$25,000.00.

Res. 75:22. On motion of Mr. Kownacki and seconded by Mr. Geter and unanimously carried the following resolution was presented for adoption:

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 2021 Studies have been completed; and

WHEREAS, the maximum amount estimated for the 2022 contract is as follows:

1. Continuation of routine annual investigation----\$25,000

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 \$25,000 with a due date for the 2022 report of March 31, 2023 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.

Mr. Filler advised that the Authority has the opportunity to purchase certain goods and services at more favorable pricing by becoming a Member Participant in a Cooperative Pricing System with Education Services Commission of New Jersey.

Res. 76:22. On motion of Mr. Lee and seconded by Mr. Vereen and unanimously carried the following resolution was presented for adoption:

**RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

A RESOLUTION AUTHORIZING THE EWING LAWRENCE SEWERAGE AUTHORITY
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

RESOLUTION NUMBER

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on August 16, 2022 the governing body of the Ewing Lawrence Sewerage Authority, County of Mercer, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Ewing Lawrence Sewerage Authority.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Executive Director is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

Mr. Filler advised that bids were received on August 10, 2022 for a PACO 52-41515 Pump Complete Rotating Assembly or Equal Replacement for the Cold Soil Pump Station. The bid received was as follows:

Potter & Parsons, Inc.,

Pump Complete Rotating Assembly \$22,744.00

Martin Gliem recommends that the contract be awarded to Potter & Parsons, Inc., as the lowest, responsible, responsive bidder.

Res. 77:22. On motion of Mr. Geter and seconded by Mr. Lee and unanimously carried it was moved that the contract for a PACO 52-41515 Pump Rotating Assembly or Equal Replacement for the Cold Soil Pump Station be awarded to Potter & Parsons, Inc., as the lowest, responsible, responsive bidder for a one year period in accordance with their bid received August 10, 2022 as the lowest, responsible, responsive bidder. Funds are available per the Availability of Funds certification of the Administrative Officer.

Mr. Filler advised the Board that the Authority's Foreman were compensated for their licenses at a lesser rate than that of the Union employees and requested that the Board increase the rate of compensation for the Foreman for their Licenses as follows:

For existing Foreman, newly achieved licenses C-3/C-4 would be compensated at the rate of 1.99 per hour retroactive to August 1, 2022;

For newly appointed Foreman the rate of compensation for C-1/C-2 licenses would be 1.32 per hour and C-3/C-4 licenses would be compensated at the rate of 1.99 per hour;

Res. 78-22. On motion of Mr. Lee and seconded by Mr. Kownacki and unanimously carried it was moved that the Authority increase the rate of compensation for the Foreman as follows:

For existing Foreman, newly achieved licenses C-3/C-4 would be compensated at the rate of 1.99 per hour retroactive to August 1, 2022;

For newly appointed Foreman the rate of compensation for C-1/C-2 licenses would be 1.32 per hour and C-3/C-4 licenses would be compensated at the rate of 1.99 per hour;

Mr. Filler updated the board as follows:

1. Nitrates – Matthew Krantz and George Tyler were preparing letters to be sent to our Mayors and legislators;
2. National Water Main Co, was delaying Manhole work at Denow and Jacobs Creek Road due to drought conditions and decreased flow;
3. The electrical aggregate had opened bids and no reasonable bid had been received for the Pump Stations but had accepted a bid received for Fourth Street for 8 months; 50% Block, 50% Market \$.1126/KWH

4. Synnergy – Bob Chilton was still reviewing the new contract document received from a new entity. The Authority still has the 2015 contract in place.
5. Woodmont- Starting construction in 2 weeks;
6. Hopewell Parc – TWA was still pending;
7. American Properties – the Enourato piece – the Authority was reviewing a non-specific Will Serve Request.

Mr. Rank advised the Motion to Amend its Complaint adding the Townships of Ewing, Lawrence and Hopewell filed by Deer Valley was still pending but that the DEP denied the petition to add Deer Valley to the Sewer Service Area.

Res. 79:22. On motion of Mr. Lee and seconded by Mr. Kownacki and unanimously carried, the meeting was adjourned at 1:30 PM

Submitted by Susan Dorio for the
Ewing Lawrence Sewerage Authority