

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, March 19, 2024, at 12:25 P.M. at 600 Whitehead Road, Lawrenceville, New Jersey 08648.

Present: Messrs. Kownacki, Lee, Muzaffar, Vereen and S. Robert Filler, Executive Director.

Also attending: Vance Stephens, ELSA Administrative Officer; Dennis Yoder, PE of Remington Vernick, Engineers; Jaclyn Bentz; Administrative Clerk; Matthew Daly & Warren Broudy of the Mercadien Group.

Absent & Excused: Mr. Geter & Mr. Ryan

Mr. Lee called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Lee 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. 39:24. On motion of Mr. Muzaffar and seconded by Mr. Kownacki and unanimously carried it was moved that the Minutes of the Authority's February 20, 2024, Reorganization Board meeting be approved as presented:

Res. 40:24. On motion of Mr. Muzaffar and seconded by Mr. Vereen and unanimously carried it was moved that the Minutes of the Authority's February 20, 2024, regular meeting be approved as presented.

Res. 41:24. On motion of Mr. Kownacki and seconded by Mr. Muzaffar and unanimously carried it was moved that the February Flow, Maintenance and Connection Reports be filed.

Res. 42:24. On motion of Mr. Vereen and seconded by Mr. Muzaffar and unanimously carried it was moved that the March 19, 2024, Schedule of Bills in the amount of \$1,318,287.48 be accepted.

Mr. Filler advised that the meeting of the Regional Sludge Management Committee was held on March 20, 2024 and there were no changes to report at this time.

Mr. Filler advised Mr. Jacobs had reviewed the application for final approval submitted by Forti Warehouse to renovate the existing building at 331 Robbins Avenue, to produce marijuana in Ewing Township: and

43:24. On motion of Mr. Kownacki seconded by Mr. Vereen and unanimously carried the following Resolution was presented for adoption:

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 201 Agency 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 improvement, capacity, 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 January 12, 2024.

Mr. Daly presented the 2022 Audit to the Board and advised that they have provided an opinion that includes a Recommendation for review of existing polices, internal controls and staff needs and more timely account reconciliations and year end closing adjustments

Res. 44:24. On motion of Mr. Muzaffar and seconded by Mr. Kownacki 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, 2022 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, 2022, 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. Kownacki, Lee, Muzaffar and Vereen.

Nays: None.

Absent: Mr. Geter and Mr. Ryan.

Mr. Filler advised the Board as follows:

1. On March 22nd, Authority Staff, environmental consultants and lawyers will be meeting with representatives of the NJDEP, the DAG and Municipal Finance to discuss the Sewer Ban, lifting of the Ban, Financing, Administrative Consent Order, update on Exemption requests submitted regarding nitrate removal.
2. Mr. Filler attended the March 5th Lawrence Council meeting to discuss the Sewer Ban. Matthew Krantz and George Tyler also attended. The update was appreciated by Lawrence Council.

Mr. Rank advised the Board as follows:

1. Synnergy is buying the Railroad property and is awaiting a response from the BPU.
2. Deer Valley is considering removal of the commercial component of their project including the restaurant and gas station in an attempt to open potential settlement negotiations.

Mr. Rank stated that he had been advised (again) by Deer Valley that connecting to Trenton Sewer is not economically feasible.

Mr. Rank reminded ELSA members that the Wastewater Management Plan was last approved in 2013 and that the 2019 amended Management Plan has not been approved by the NJDEP.

Deer Valley has proposed to remove an I & I equivalent to their increase in sewer flow to ELSA for their project.

Mr. Yoder advised that he had nothing to report at this time.

Res. 43:24. On motion of Mr. Muzaffar and seconded by Mr. Vereen and unanimously carried the meeting was adjourned at 1:45 PM.

Submitted by Susan Dorio for the
Ewing Lawrence Sewerage Authority