

The regular meeting of the Ewing-Lawrence Sewerage Authority was held on Tuesday, April 17, 2012 at 600 Whithead Road, Lawrenceville, New Jersey 08648.

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

Also attending: Allan Jacobs of Jacobs Environmental Consulting; Vance Stephens, ELSA Administrative Officer; David Sopronyi, ELSA Staff Engineer; William Hill, Foreman and Jerry Mitchell of Arcadis.

Mr. Geter called the meeting to order and Mr. Filler gave the invocation. After the Pledge of Allegiance, Mr. Geter 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. 48:12. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the March 20, 2012 minutes be approved as presented.

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.

Res. 49:12. On motion of Mr. Colavita and seconded by Mr. Cermele it was moved that the March 2012 Flow, Maintenance and Connection Reports be filed.

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. Hill reported that the Authority currently has Joseph Jingoli & Son, Inc. repairing the sewer line in front of Burger King on Olden Avenue in Ewing Township.

Res. 50:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Schedule of Bills in the total amount of \$1,029,535.70 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.

Mr. Filler requested approval of payment #8 to Underground Utilities for the Mountain View Pump Station Force Main in the amount of \$57,221.85.

Res. 51:12. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the Authority approve payment #8 to Underground Utilities for the Mountain View Pump Station Force Main in the amount of \$57,221.85.

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 met on March 28, 2012. Trenton Fuel Works (formerly Plant Fuel) is still moving forward.

Mr. Stephens recommended that the Authority switch its checking accounts from TD Bank to Sovereign Bank due to upcoming changes to TD Bank's fee schedules.

Res. 52:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Authority switch its checking accounts from TD Bank to Sovereign Bank due to upcoming changes to TD Bank's fee schedules.

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 recommended that the Authority approve the revised application for River Links. The project now consists of 124 two-bedroom units and a clubhouse on the south side of Scenic Drive.

Re. 53:12. On motion of Mr. Colavita and seconded by Mr. Vereen the following resolution was presented for adoption:

WHEREAS, River Links proposes construction of a project consisting of 124 two bedroom units and a clubhouse on the south side of Scenic Drive 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 April 12, 2012.

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 presented a recommendation from Arcadis for open-cut excavation. They recommend approving the proposal submitted by Underground Utilities Corp. for the Mountain View Force Main project as Change Order No. 3 in the amount of \$307,646.28.

Res. 54:12. On motion of Mr. Colavita and seconded by Mrs. Zamonski it was moved that the Authority approve Change Order No. 3 to the contract for the Mountain View Force Main project with Underground Utilities Corp. for open-cut excavation in the amount of \$307,646.28.

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 presented a proposal from Remington & Vernick Engineers to complete an environmental investigation of the former underground storage tank (UST) area of concern in accordance with NJAC 7:26E in the amount of \$7,920.

Res. 55:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Authority approve a proposal from Remington & Vernick Engineers to complete an environmental investigation of the former underground storage tank (UST) area of concern in accordance with NJAC 7:26E in the amount of \$7,920.

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 Omni is moving forward with the Plant Upgrade Evaluation. A meeting is schedule for April 19, 2012.

Mr. Colavita left at 12:30 P.M.

Mr. Rank reported that he received stipulations with prejudice with respect to both Hopewell lawsuits. The Board discussed distributing a press release to the local newspapers.

Res. 56:12. On motion of Mr. Cermele and seconded by Mr. DiFrancesco and unanimously carried, the meeting was adjourned at 12:40 P.M.

Anne M. Zamonski, Secretary