

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

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

Absent and excused: Mr. Colavita.

Also attending: Allan Jacobs of Jacobs Environmental Consulting; Jerry Mitchell of Arcadis; Gene Elias of Mercadien; Vance Stephens, ELSA Finance Officer; David Sopronyi, ELSA Staff Engineer; William Hill, ELSA Maintenance Supervisor.

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. 70:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski and unanimously carried the public hearing on the Authority's Construction Rules and Regulations Application, Design Instructions and Standard Details was opened.

There were no public comments.

Mr. Jacobs outlined the significant changes to the Construction Rules and Regulations. Mr. DiFrancesco suggested some changes with regard to the connection fees regarding affordable housing.

Res. 71:12. On motion of Mr. Cermele and seconded by Mr. DiFrancesco and unanimously carried the public hearing on the Authority's Construction Rules and Regulations Application, Design Instructions and Standard Details was closed.

Res. 72:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Authority adopt its revised Construction Rules and Regulations Application, Design Instructions and Standard Details subject to the changes in the wording regarding connection fees for affordable housing.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski

Nays: None.

Absent: Mr. Colavita.

Res. 73:12. On motion of Mrs. Zamonski and seconded by Mr. Cermele it was moved that the June 19, 2012 minutes be approved as presented.

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The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski
Nays: None.
Absent: Mr. Colavita.

Res. 74:12. On motion of Mr. Vereen and seconded by Mr. Cermele it was moved that the June 2012 Flow, Maintenance and Connection Reports be filed.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski
Nays: None.
Absent: Mr. Colavita.

Res. 75:12. On motion of Mr. DiFrancesco and seconded by Mr. Vereen it was moved that the Schedule of Bills in the total amount of \$1,097,882.07 be accepted.

The above resolution was adopted on the following roll call vote:
Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski
Nays: None.
Absent: Mr. Colavita.

There was no public participation.

Mr. Filler reported that Trenton Fuel Works continues to make timely payments for operating costsw.

Mr. Filler reported that the Authority received a proposal from Ed Rockel, Ph.D., for the completion of the 2012 Environmental Survey (Assunpink Creek Study).

Res. 76:12. On motion of Mr. Cermele and seconded by Mrs. Zamonski 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 2011 Studies have been completed; and

WHEREAS, the maximum amount estimated for the 2012 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 2012 report of March 31, 2013 to Edward G. Rockel, 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.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski

Nays: None.

Absent: Mr. Colavita.

Mr. Rank advised that since the Authority would be exceeding 20% of the original contract with Underground Utilities Corporation for the Mountain View Pump Station there are certain certifications required by the contractor and ELSA. The Authority has received the necessary certifications from Underground Utilities Corporation for Change Orders #4 and #5 which have been reviewed and approved by Mr. Rank.

Res. 77:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Authority approve Change Order #4 to the contract with Underground Utilities Corporation for the Mountain View Pump Station in the total amount of \$563,000.00. This change order was not foreseeable by the contractor and was in the best interest of the Authority because NJDEP advised that this change order would be funded by the NJEIT.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski

Nays: None.

Absent: Mr. Colavita.

Res. 78:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski it was moved that the Authority approve Change Order #5 to the contract with Underground Utilities Corporation for the Mountain View Pump Station in the total amount of

\$103.103.15 This change order was not foreseeable by the contractor and was in the best interest of the Authority because NJDEP advised that this change order would be funded by the NJEIT. This approval is subject to final review of the change order by ELSA Staff.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski

Nays: None.

Absent: Mr. Colavita.

Gene Elias presented the Annual Audit for the year ending December 31, 2011 and thanked the Authority's staff for their cooperation in preparation of the audit.

Res. 79:12. On motion of Mr. DiFrancesco and seconded by Mrs. Zamonski 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, 2011 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, 2011, 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.

It is hereby certified that this is a true copy of the resolution passed at the meeting held on July 17, 2012.

The above resolution was adopted on the following roll call vote:

Ayes: Messrs. Cermele, DiFrancesco, Geter and Vereen
and Mrs. Zamonski

Nays: None.

Absent: Mr. Colavita.

The Board took a break from 12:30 PM to 1:00 PM to look at the Authority's new TV Truck.

Mr. Rank advised that an agreement is needed with Hopewell Township in connection with the Hamptons (Briar Cliffe) project to insure payment and maintenance by Hopewell Township.

Res. 80:12. On motion of Mr. Cermele and seconded by Mr. DiFrancesco and unanimously carried, the Authority went into Executive Session at 1:05 PM.

Mr. Geter reconvened the meeting at 1:15 PM and Mr. Rank advised that the only items discussed in Executive Session were the amendments to the rules and regulations and a project that will be brought before the Board at the August meeting.

Res. 81:12. On motion of Mr. DiFrancesco and seconded by Mr. Cermele and unanimously carried, the meeting was adjourned at 1:15 PM.

Anne M. Zamonski, Secretary