



**Lambertville Municipal Utilities Authority**  
**Wednesday, April 1, 2015, 6:00 PM**  
**Lambertville Wastewater Treatment Facility,**  
**Lambert Lane Extended**  
**Meeting Minutes**

The meeting was called to order at 6:03 p.m. by Chairperson MacGregor with a statement of compliance with the Open Public Meetings Act, providing the required legal notice published on February 12, 2015 to The Hunterdon County Democrat and also noticed The Trenton Times. A copy of the agenda and minutes were posted on the bulletin board and web site of the LMUA and the City of Lambertville.

**Roll Call.**

Mrs. Ege called the roll as follows:

LMUA Board:

Present: Janine MacGregor- Chairperson, Vincent Uhl-Vice Chairperson, Robert Hayes-Secretary, Paul Rotondi-Treasurer, Joseph Polizzi-Member, Russell Lambert Alternate-1 and Megan Ruf-Alternate 2 entered after roll call.

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO and C. Gregory Watts-Watts Tice & Skoronek

**Pledge of Allegiance.**

Mrs. MacGregor led the public in the Pledge of Allegiance.

**Minutes.**

The minutes of the March 4, 2015 regular meeting and the closed session were approved on a motion made by Mr. Polizzi and seconded by Mr. Uhl followed by a unanimous roll call vote by all members present except for Mr. Uhl and Mr. Hayes who abstained as they were not present at that meeting. MOTION CARRIED.

**Public Comment.**

There was no public in attendance.

**Correspondence.**

1. LMUA: Letter advising the Chamber that the Board approved the requested shad Fest contribution of up to \$2,000 towards comfort stations.
2. NJUA JIF: Annual safety inspection report dated February 19, 2015 was issued with no recommendations.
3. LMUA: Mr. Horn's letter advising CIS, Inc. of the Board's agreement offer dated March 17, 2015.
4. NJDEP: Notice of lab recertification dated March 18, 2015 was received.

5. City of Lambertville: An agreement for the use of the City's DPW diesel fuel pump was received March 18, 2015.
6. FEMA: Notice from the State of New Jersey, Office of the Governor's decision to rescind their first appeal of DR 4086 and issue the LMUA the obligated funds.
7. LMUA: A letter verifying capacity and availability for 64 Perry Rd. was sent April 1, 2015.

### **Chairwoman's Report.**

Odor remediation: Mr. Horn reviewed the call history shown on the *Odor Call Summary* sheet for the month of March. There were no calls regarding odors. Mr. Horn is planning on changing the carbon in the air unit located outside the press room.

*Sludge Level* sheet: Levels in the sludge holding tank have been kept below the suggested maximum.

### **Engineers Report – CDM Smith, Inc.**

There was no activity for the month of March therefore CDM-Smith did not submit a report.

Mr. Matteson continues to work on updating the Operations and Maintenance manual. He continues to update the plant schematic in the conference room.

### **Executive Directors Report – Thomas Horn.**

#### 1. April 2015 Operations Report:

Treatment Facility: Mr. Horn reported that staff worked on normal maintenance. Atlantic County Utilities Authority was down between March 10 and March 23. During this time the LMUA sent sludge to Stony Brook once.

Collection System: Staff worked on normal pump station maintenance.

Union/ Personnel Issues: Nothing at this time.

Regulatory Issues: The Authority continues monitoring of the biofilter and carbon unit. The DEP has reinstated our lab certification as of March 18, 2015.

Hurricane Sandy: Mr. Horn reported that the LMUA has received the full amount obligated.

2. Hazardous Mitigation Grant: Mr. Horn reported that there has been no new developments on the project but expects to see the contractor finish installing the bypass this spring.
3. Energy Audit: Mr. Horn received authorization at the February meeting to advertise for bids. He expects to have a recommendation for the May meeting.

4. **JIF Elected Officials Training:** Board members who complete the training online will earn \$250.00 each towards the insurance bill. An email with the link and instructions was sent out this month.
5. **Financial Disclosure Memo:** A memo from Mrs. Ege was reviewed by the Board giving instructions for filling their 2014 statements. The filing period is between March 30 and April 30, 2015. Mr. Horn explained that all returning members need to do is login using their user name and password set up last year. All new Board members were given a pin number to validate and create a login through the DCA. Mr. Horn asked members to call if they needed any assistance.
6. **Electronic Payments:** Mrs. Ege reviewed the memo she prepared for electronic sewer payments. After researching other companies she recommended a company called MuniPay to provide electronic payment services to our rate payers. There are no fees for the Authority to use their services but a small convenience fee would apply to the rate payers. For credit and debit card transactions of up to \$123.00 a \$3.00 flat fee would be charged. Amounts more than \$123.00 would be charged at a fee of 2.45% of the value of each transaction. E check payments would be charged a flat fee of \$1.50 per transaction. Notice of all convenience fees would be posted on the Authority's website next to the MuniPay link for users to read prior to making a payment. Once a payment has been made email verification would be sent to the customer and the Authority would be notified of the pending transaction. Payment would be processed by the second business day. After a discussion the Board agreed that it would be at the benefit of both the Authority and the rate payers to offer an electronic means of payment.

Mr. Rotondi made a motion to allow Mr. Horn to sign any documentation authorizing the Authority to use MuniPay for electronic payment services. Mr. Polizzi seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

7. **2016 Budget Memo:** Mr. Horn outlined his proposed 2016 budget sent via email to the Board on March 23, 2015 for their review. Overall the budget shows an increase of \$25,191. After review of our projected revenue the Authority should meet the proposed budget with no rate increases. The contributing factors to the budget increase are broken down on the memo as operating budget and capital budget. Increases under the operating expenses are cost of living wages, office expenses and plant expenses. There was a decrease in the Authority's dept service because of the Vac truck downgrade. Increases under the capital budget include collection system repairs, electrical rehabilitation and replacing doors and windows at the Swan Street pump station. Repairs needed to the concrete walls of the influent chamber and the floor in the garage at the plant. Mrs. MacGregor requested an extra column be placed in the budget spread sheet next year to include the current actual money spent to compare against the budgeted amount. After a lengthy discussion the Board agreed to accept the 2016 Budget as written and moved the below resolution.

**Resolution 023-2015** *"Introduction of the 2016 Budget"*

WHEREAS, the Annual Budget and Capital Budget for the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2015 and ending, June 30, 2016 has been presented before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of April 1, 2015; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$1,909,741, Total Appropriations, including any Accumulated Deficit if any, of \$1,921,384 and Total Unrestricted Net Assets utilized of \$72,000; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$145,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$145,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Lambertville Municipal Utilities Authority, at an open public meeting held on April 1, 2015 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2015 and ending, June 30, 2016 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Lambertville Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on June 3, 2015.

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			

Mr. Hayes made a motion to approve Resolution 023-2015 to introduce the proposed 2015 budget as submitted. Mr. Rotondi seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

**8. Resolution 024-2015 “Authorizing an Agreement with the city of Lambertville for the Use of Fuel Pumps at Public Works”**

NOW THEREFORE, BE IT RESOLVED that the Commissioners of the Lambertville Municipal Utilities Authority hereby agree to sign the Memorandum of Agreement with the City of Lambertville for the use of the fuel pumps at public works located at 120 Quarry Street, Lambertville, New Jersey.

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			

Mr. Polizzi made a motion to approve Resolution 024-2015 authorizing an agreement with the City of Lambertville for the use of fuel pumps at Public Works. Mr. Hayes seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

**9. Resolution 025-2015 “Approving the Amendment to Section 7-5 in the Sewer Use Rules & Regulations”**

**WHEREAS**, the Lambertville Municipal Utilities Authority (LMUA or the “Authority”), provides sanitary sewer service to various customers of the Authority under the terms and conditions set forth in the Authority’s Rules and Regulations; and

**WHEREAS**, NJAC 40:14 B et. seq. authorizes the Authority to adopt and amend the Rules and Regulations; and

**WHEREAS**, the LMUA’s Attorney and staff have reviewed the Sewer Use Rules and Regulations and recommend revisions to Section 7-5; and

**WHEREAS**, the LMUA’s Board of Commissioners have reviewed recommended revisions; and

**WHEREAS**, said revisions to the Rules and Regulations are acceptable to the Board of Commissioners; and

**WHEREAS**, the Board of Commissioners of the LMUA deemed it necessary and advisable that LMUA amend its Rules and Regulations.

**NOW, THEREFORE BE IT RESOLVED** by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of April 1, 2015 as follows:

1. The revisions to the Sewer Use Rules and Regulations as attached here to and made a part of this Resolution are approved.
2. A copy of the Revised Sewer Use Rules and Regulations shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, Lambert Lane Extended, Lambertville, New Jersey, and shall at all reasonable times be open to public inspection.
3. The Resolution shall be effective immediately upon adoption.

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			

Mr. Rotondi made a motion to approve Resolution 025-2015 approving the changes to the Sewer Use Rules and Regulations in Section 7-5 as attached. Mr. Uhl seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

Mrs. MacGregor noted that by making this adjustment to the Authority's Rules and Regulations we are following New Jersey Administrative Code by allocating the number of units charged at like facilities based on reduced flows.

**10. Resolution 026-2015 "Authorizing a Revised Agreement with CIS, Inc. on Behalf of Heritage Village of Lambertville, LLC"**

WHEREAS, at the Lambertville Municipal Utilities Authority ("LMUA") meeting held on August 6, 2014 the Commissioners passed a motion approving Resolution 036-2014 authorizing an agreement with Community Investment Strategies, Inc. ("CIS") on behalf of Heritage Village of Lambertville, LLC; and

WHEREAS, at the LMUA meeting held on December 1, 2014 the Commissioners agreed to amend their proposed agreement with CIS, Inc. and adjust the number of billing units from 87 to 65; and

WHEREAS, the LMUA further agreed to institute a reduced income, age restricted facility rate based on 75% of the total units; and

WHEREAS, the LMUA and CIS, Inc. have negotiated a settlement agreement that is amicable to both parties; and

WHEREAS, the LMUA Attorney has advised the Authority to accept the settlement and sign an agreement between both parties; and

WHEREAS, the LMUA staff concurs with the Attorney's recommendation.

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority that Thomas F. Horn, Executive Director is hereby authorized to sign the Settlement Agreement with Community Investment Strategies, Inc. on behalf of Heritage Village of Lambertville for the following terms and conditions:

1. Commencing on April 1, 2013, the property shall be allocated 65 units and Owner will be billed based upon that number.
2. The total back billed amount of \$71,497.00 shall be waived.
3. A credit shall be issued in the amount of \$17,440.41 for the difference billed from June 30, 2013 and December 31, 2015.

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon adoption.

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			

Mr. Hayes made a motion to memorialized Resolution 026-2015 approving a revised settlement agreement with CIS, Inc. on behalf of Heritage Village of Lambertville, LLC. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

The Board had discussed the discrepancy in Mr. Horn's letter to Heritage dated March 17, 2015. He explained that at our March 4, 2015 meeting when the Board moved the new agreement with CIS, Inc. they did not specify the amount and rate of credit that would be applied to their account. By memorializing their decision via Resolution 026-2015 they are clarifying their conditions.

**Chief Financial Officer's Report - Kathy Leary.**

Mr. Rotondi made a motion to approve the bill list for March. Mr. Hayes seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED.

**Attorney's Report – Greg Watts.**

Mr. Watts did not have anything new to report.

**Adjournment.**

The meeting adjourned at 6:52 p.m. with a motion made Mr. Hayes and seconded by Mr. Rotondi. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

*Melissa S. Ege*

Melissa S. Ege, Administrative Assistant

*Approved at the regularly scheduled Lambertville MUA Board meeting held on \_\_\_\_\_ 2015.*