



**Lambertville Municipal Utilities Authority  
Regular Meeting  
Wednesday, June 4, 2014, 6:00 PM  
Lambertville Wastewater Treatment Facility,  
Lambert Lane Extended  
Meeting Minutes**

The meeting was called to order at 6:00 p.m. by the Chairman, Eric Richard with a statement of compliance with the Open Public Meetings Act, providing the required annual legal notice published on Thursday, February 13, 2014 to The Hunterdon County Democrat, also noticed The Trenton Times, and The Beacon News. 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: Eric Richard-Chairman, Janine MacGregor-Vice Chairwoman, Frank Kramer-Secretary, Robert Hayes-Treasurer, Vincent Uhl-Member, Paul Rotondi-Alternate 1

Absent: C. Gregory Watts-Attorney of Watts, Tice and Skowronek

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Jaqueline Klapp-Court Reporter

**Pledge of Allegiance.**

Mr. Richard led the public in the Pledge of Allegiance.

**Minutes.**

The minutes of the May 7, 2014 meeting were approved on a motion made by Mr. Hayes and seconded by Mrs. MacGregor followed by a unanimous roll call vote by all members present, except for Mrs. MacGregor, Mr. Kramer and Mr. Uhl who abstained as they were not present. MOTION CARRIED.

**Public Hearing.**

The Connection Fee:

Mr. Richard stated for the record that there were no members of the public in attendance. Mr. Richard asked the Board if there were any questions or comments for the proposed connection fee. Mr. Horn at this time reviewed the recommendation dated April 22 and presented by Bowman and Company, LLP for the new connection rate based on the Authority's capital base as defined by N.J.S.A 40:14B-21 et seq. This figure is calculated by dividing the total number of equivalent dwelling units (EDU) as of June 30, 2013 into the total capital cost incurred by the Authority overtime. The calculation is reflected in Schedule A titled *Maximum Connection Fee Calculation* showing a maximum allowable amount of \$5,328.00, up by \$258.00 from last year's rate. Mr. Horn explained there have typically been only a few new connections a year. Mr. Richard having observed no other questions or concerns requested the Board move to approve Resolution 032-2014 approving the total allowable amount of \$5,328.00 for all new connections beginning July 1, 2014.

**Resolution 032-2014** *“Approving the Connection Fee”*

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Resolution 032-2014**

**Approving the Connection Fee**

**Effective July 1, 2014**

**WHEREAS**, after a public hearing held by the Lambertville Municipal Utilities Authority (“Authority”) on June 4, 2014, pursuant to the provisions of N.J.S.A. 40:14A-8, sewer connection fees were determined by the Authority; and

**WHEREAS**, the hookup fee for the fiscal year from July 1, 2014 through June 30, 2015 was prepared by Bowman & Company, LLP, Special Projects Auditor to the Authority using the parameters contained in P.L. 1986, c. 526 shows that the LMUA is in accordance with legislation limits to increase the connection fee to \$5,328.

**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2014 sewer connection fees are hereby established at \$5,328 per equivalent dwelling unit (EDU); and

**BE IT FURTHER RESOLVED** that a schedule of the aforesaid connection fees 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.

Effective on June 4, 2015.

Moved: Mrs. MacGregor

Seconded: Mr. Kramer

<b>Governing Body Member</b>	<b>Recorded Vote</b>			
	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes	X			
Vincent Uhl	X			

Mrs. MacGregor made a motion to adopt Resolution 032-2014 approving a connection fee \$5,328.00 effective July 1, 2014. Mr. Kramer seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. **MOTION CARRIED**

The Rate Schedule:

Based on the Authority’s current financial information Bowman & Company, LLP did not recommend any rate increases for the upcoming fiscal year. Mr. Richard stated for the record that “the residential rate at \$113.00 per

quarter has now been consistent since 2010.” He believes this is due to Mr. Horn and the staff who are continually “holding the line by maintaining an efficient budget and saving where we can.” He thanked the staff for their diligence as it has greatly benefitted the residents of Lambertville. As such the Board would like to adopt Resolution 037-2014 maintaining the user amounts at the same rate for fiscal year 2015.

**Resolution 033-2014** “*Approving the User Charge Amounts*”

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**  
**Resolution 033-2014**  
**Approving the User Charge Amounts**  
**Effective July 1, 2014**

**WHEREAS**, after a public hearing held by the Lambertville Municipal Utilities Authority (“Authority”) on June 4, 2014, pursuant to the provisions of N.J.S.A. 40:14A-8, user charge amounts were determined by the Authority; and

**WHEREAS**, the user charge system is reviewed by the Authority every year to ensure proper charges for users so that the Authority may operate, manage and maintain the sewerage facilities in an efficient manner; and

**WHEREAS**, after review the Special Projects Auditor, Bowman & Company, LLP does not recommend a change in user charge amounts.

**NOW, THEREFORE BE IT RESOLVED**, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2014 sewer use charge amounts will remain the same and are hereby established at \$452.00 per equivalent dwelling unit (EDU) per year for residential use, \$340.00 per EDU, per year for Senior Citizens; \$562.00 per EDU per year for commercial use and increased proportionally for all other rates as per the Rate Schedule dated July 1, 2014 through June 30, 2015.

**BE IT FURTHER RESOLVED** that a schedule of the aforesaid user charge amounts 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.

Effective on June 4, 2014.

Moved: Mr. Richard

Seconded: Mrs. MacGregor

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes	X			
Vincent Uhl	X			

Mr. Richard made a motion adopting Resolution 033-2014 approving the rate schedule effective July 1, 2014 through June 30, 2015. Mrs. MacGregor seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

Mr. Richard made a motion to close the public hearing portion of the meeting. Mrs. MacGregor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

### **Public Comment.**

There were no members of the public in attendance.

### **Correspondence.**

1. Sewer Facilities Capacity & Availability: Mr. Horn in his letter dated May 29, 2014 verified capacity for the project located at 18 Mechanic St., New Hope PA 18938.
2. D&R Canal Commission: In response to the Authority's request for consent for the WMP Amendments the D&R Canal Commission did not take a position as the developments will require review on various impacts. Mr. Horn explained that they will require both projects to submit for their approval before proceeding.

### **Chairman's Report.**

Mr. Horn took a moment to review the odor action plan. The Board reviewed the spread sheets he had prepared entitled *Odor Call Summary and Sludge Levels* with the Board for the month of May. Mr. Horn reported that the level was up after the holiday but has been maintained at low levels throughout the rest of the month. There were no problems or complaints to report.

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

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

Mr. Matteson continues to work on updating the Operations and Maintenance manual.

Mr. Horn expects Mr. Matteson out to begin his annual inspection shortly.

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

June 2014 Operations and Maintenance:

Treatment Facility: The staff is performing routine maintenance on many of the tanks. There have been no issues to report.

Collection System:

Swan St. Generator: Mr. Horn has been able to locate the main line with the assistance of a contractor. The Authority can now begin work on installing the bypass.

Vac Truck: The staff completed some practical training this past month.

South Main St. Overflow: Mr. Horn has been recently notified by the JIF that the costs associated with the overflow clean up of the affected basements along with some minor damages have been covered by insurance.

Administrative Issues:

Hurricane Sandy: No new developments.

Environmental Commission: There have been no new developments on this.

WMP Amendment: Mr. Horn informed the Board that the Authority has received approval for the WMP amendment.

NJ MEL Elected Officials Online Training: The JIF has notified the Authority members that they will provide credit for the training up to May 30<sup>th</sup>, however if the training completed after this they may give partial credit.

Financial Disclosure Mr. Horn reminded the Board that the dead line for filing is Friday, June 13<sup>th</sup>. The Board had no questions or concerns at this time.

**Resolution 028-2014 “Adopt the 2015 Budget”**

Mr. Horn reviewed the important items in the approved 2015 budget with the Board one final time. He further explained that he expects the Authority will generate more revenue than appropriations and that the balance will be placed in reserves and then can be used for capital projects. Mr. Richard asked if there were any questions and if not requested a motion be made to adopt Resolution 028-2014.

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Resolution 028-2014**

***Resolution to Adopt the 2015 Budget***

***FISCAL YEAR: FROM JULY 1, 2014 TO JUNE 30, 2015***

WHEREAS, the Annual Budget and Capital Budget/Program for the Lambertville Municipal Utilities Authority for the fiscal year beginning July 1, 2014 and ending, June 30, 2015 has been presented for adoption before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of June 4, 2014; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$ 2,039,770, Total Appropriations, including any Accumulated Deficit, if any, of \$1,896,193 and Total Unrestricted Net Assets utilized of \$72,000; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$153,000 and Total Unrestricted Net Assets planned to be utilized of \$153,000; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of Lambertville Municipal Utilities Authority, at an open public meeting held on June 4, 2014 that the Annual Budget and Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2014 and, ending, June 30, 2015 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Effective on June 4, 2014.

Moved: Mr. Richard  
 Seconded: Mrs. MacGregor

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes	X			
Vincent Uhl	X			

Mr. Richard made a motion approving Resolution 028-2014 authorizing the adoption of the Budget for fiscal year 2014-2015. Mrs. MacGregor seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

**Heritage Village:**

At our last meeting Mr. Richard had requested additional information from CSI Management, Inc. supporting their proposed rate decrease. The Authority had received a letter dated May 28, 2014 from Heritage Village Realty, LLC outlining the impact their offer of payment dated May 6, 2014 would have on their current residents.

At this time Mr. Richard requested a motion to go into closed session for the purposes of discussing a possible settlement agreement with Heritage Village Realty, LLC.

**Closed Session.**

**Resolution 034-2014** *“Authorizing a Closed Session at the June 4, 2014 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Possible a Settlement Agreement.”*

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Resolution 034-2014**

*“Authorizing a Closed Session at the June 4, 2014 Regularly Scheduled Meeting of the Lambertville Municipal Utilities Authority to Discuss a Possible Settlement Agreement”*

**WHEREAS**, the Board of the Lambertville Municipal Utilities Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A. 10:4-12(b).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of the Lambertville Municipal Utilities Authority hereby moves to go into closed session on Wednesday, June 4, 2014 at The LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing a possible settlement agreement with Heritage Village Realty, LLC.

**BE IT FURTHER RESOLVED** that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

The Resolution was made effective immediately upon adoption.

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes	X			
Vincent Uhl	X			

Mrs. MacGregor moved the motion to go to closed session due to a possible settlement agreement. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present.

**MOTION CARRIED**

The LMUA Board convened in closed session at 6:18 p.m.

The LMUA Board re-convened in regular session at 6:36 p.m.

After reconvening from closed session Mr. Richard made a motion to approve Heritage Village Realty, LLC a payback period of three and a half years for the full back charges of \$71,497.00 not subject to interest with no reduced rate. Mrs. MacGregor seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED**

Union/ Personnel Issues:

The salary adjustments for non-union employees were discussed by the Board in closed session.

Mrs. MacGregor made a motion to go to closed session for the purpose of discussing personnel raises. Mr. Rotondi seconded the motion. An affirmative roll call vote was taken in favor by all members present.

**MOTION CARRIED**

**Resolution 035-2014** *“Authorizing a Second Closed Session at the June 4, 2014 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Personnel Salaries Pertaining to Non-Union Employees.”*

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Resolution 035-2014**

*“Authorizing a Closed Session at the June 4, 2014 Regularly Scheduled Meeting of the Lambertville Municipal Utilities Authority to Discuss Personnel Salaries Pertaining to Non-Union Employees”*

**WHEREAS**, the Board of the Lambertville Municipal Utilities Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A. 10:4-12(b).

**NOW, THEREFORE, BE IT RESOLVED** that the Board of the Lambertville Municipal Utilities Authority hereby moves to go into closed session on Wednesday, June 4, 2014 at The LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing personnel salaries pertaining to non-union employees.

**BE IT FURTHER RESOLVED** that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

The Resolution was adopted by a call of ayes and nays as follows:

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes	X			
Vincent Uhl	X			

The LMUA Board convened in closed session at 6:39 p.m.

The LMUA Board re-convened in regular session at 6:44 p.m.



After convening in open session Mr. Richard expressed that both Ms. Leary and Ms. Ege have received “high marks” from Mr. Horn on overall performance. Mr. Richard expressed the Board’s gratitude toward Ms. Leary and Ms. Ege for their hard work and based on this the following salary adjustments were awarded.

Mrs. MacGregor made a motion to adjust Ms. Ege’s salary to \$35,000 and Ms. Leary’s to \$56,000 yearly effective July 1, 2014. Mr. Rotondi seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

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

Mr. Richard made a motion to approve the bill lists for May. Mrs. MacGregor 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.**

Since Mr. Watts was not in attendance there was nothing to review.

**Adjournment.**

The meeting adjourned at 6:48 p.m. with a motion made Mr. Rotondi and seconded by Mrs. MacGregor. 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 August 6, 2014.*