



**Lambertville Municipal Utilities Authority  
Regular Meeting  
Wednesday, October 2, 2013, 6:00 PM  
Lambertville Wastewater Treatment Facility,  
Lambert Lane Extended  
Meeting Minutes**

The meeting was called to order at 6:06 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 21, 2013 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.

**Pledge of Allegiance.**

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

**Roll Call.**

Mrs. Ege called the roll as follows:

Members Present Included:

LMUA Board: Eric Richard-Chairman, Frank Kramer-Secretary, Robert Hayes-Treasurer, Vince Uhl-Member Paul Rotondi-Alternate 1

Let the record show that Janine MacGregor-Vice Chairwoman entered the meeting after roll call at 6:07 p.m.

Also Present:

Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Greg Watts-Attorney, Watts, Tice and Skowronek

**Minutes.**

The minutes of the September 4, 2013 meeting were approved on a motion made by Mrs. MacGregor and seconded by Mr. Rotondi followed by a unanimous roll call vote except for Mr. Kramer, Mr. Hayes and Mr. Uhl who abstained as they were absent. MOTION CARRIED.

**Public Comment.**

There was no public in attendance.

**Correspondence.**

1. Odor Update to the City: The Board reviewed Mr. Richard's update to the City detailing their work on odor remediation.
2. BCWSA approval letter dated September 13, 2013 allowing the addition of two parcels to the wastewater management plan.

**Chairman's Report.**

The Chairman asked Mr. Horn to update the Board on his odor action plan. Mr. Horn reviewed the spread sheets he had prepared entitled *Odor Call Summary and Sludge Levels* with the Board for the month of September. Mr. Richard commented that "there were no odors to take action on" for the past month. He also noted that there had been a couple of articles in the Beacon and the Democrat highlighting the decreased odor related calls due to the

completion of the Biosolids Plan. Mr. Richard stated that the articles did not accurately depict the amount of work and dedication put in by Mr. Horn and the plant staff to accomplish this.

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

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

**Annual Report:** The Board had received an electronic copy of the report for review before the meeting. Mr. Horn discussed Mr. Matteson's report, dated September 2013. He explained that there were some minor housekeeping recommendations made but overall Mr. Matteson found the plant, collection system and pumping stations acceptable.

At this time Mr. Horn asked the Board if they have had sufficient amount of time to review the report. Mr. Richard asked if anyone had any questions or concerns. Seeing none, he then asked that the Board move to accept the report.

In agreement, Mrs. MacGregor made a motion to accept the *2013 Annual Inspection* report as submitted by CDM-Smith dated September 2013. Mr. Uhl seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

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

**October 2013 Operations and Maintenance:** Mr. Horn reports that sludge processing was normal this past month. The staff continues to fix the problem areas detected by the infrared testing done in August. JCP&L has started replacing the transformers. They are scheduled to be out next week to finish. The level sensor at N. Union St. pump station had failed and was replaced by staff.

**Swan St. Pump Station:** NJ Water Supply Authority is currently using the site for staging of a construction project and equipment storage. Once their work is completed the Authority will begin work on the by-pass.

Mr. Horn reports our lab certification has been received. The DEP visited the plant to test our effluent levels and the results were found to be within limits.

**WMP Amendment:** The Authority had received statements of consent from the DRBC and Bucks County Water & Sewer Authority.

**Regulatory Issues:** CDM-Smith is revising the application for the biofilter air permit.

**Plant Construction:** CDM-Smith continues to work on revision to the Operations and Maintenance manual.

**FEMA:** The LMUA has not received an update.

**SHREC:** Brad Campbell is currently working on the Hydro Study.

**Environmental Commission:** There have been no new developments this past month.

Cooperative Pricing Agreement Rider: The City had sent out the agreement to all participating agencies requesting two original signatures on the SHREC rider to be submitted by November 1. The Board had approved the agreement for a 5 year contract via Resolution 036-2013, August 7, 2013. Therefore by means of Resolution 036-2013 Chairman Richard and Secretary Kramer executed the agreement.

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

Mrs. MacGregor made a motion to approve the bill lists for September. Mr. Uhl 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 updated the Board on the ongoing litigation involving Black River Western. Except for a minor issue, all parties have reached a final settlement agreement. Mr. Watts expects to have a draft lease from the State for the Board to review and vote on by the November meeting.

Rules & Regulations Amendment: Mr. Watts reviewed the new language for the back-billing amendment. He explained that the new language is broad and would allow the Board more discretion. Since the Board had no concerns or comments on the new language Mr. Watts requested the Board move Resolution 038-2013 approving the amendment.

Resolution 038-2013: Approving the Amendments to Sewer Use Rules & Regulations

#### **LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

#### **Resolution 038-2013**

#### **Approving the Amendment to Sewer Use Rules & Regulations**

**Effective October 2, 2013**

**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 the same; 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 October 2, 2013 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.

MOTION: Mr. Richard

SECOND BY: Mr. Hayes

Governing Body	Recorded Vote			
Member:	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 038-2013* authorizing the amendment to the sewer use rules & regulations. Mr. Hayes seconded the motion. A unanimous roll call was taken in favor of the motion by all members present. MOTION CARRIED

### **Closed Session.**

Union Contract: Mr. Watts advised the Board to go into closed session for the purpose of discussing personnel contracts. He also noted that the Board does not expect to take any formal action.

*Resolution 039-2013” Authorizing a Closed Session at the October 2, 2013 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Contracts”*

### **LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

#### **Resolution 039-2013**

*“Authorizing a Closed Session at the October 2, 2013 Regularly Scheduled Meeting of the Lambertville Municipal Utilities Authority to Discuss Contracts”*

**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, October 2, 2013 at The LMUA

Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing contracts pertaining to union and 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. Uhl

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 made a motion approving Resolution 039-2013 *Authorizing a Closed Session to Discuss Contracts*. Mr. Uhl 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 6:21 p.m.

The LMUA Board re-convened in regular session at 6:52 p.m.

The Board having made no decisions asked that Mr. Watts and the Personnel Committee keep them informed on the ongoing negotiations.

### **Adjournment.**

The meeting adjourned at 6:53 p.m. with a motion made by Mr. Kramer 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 November 6, 2013.*