



**Lambertville Municipal Utilities Authority
Regular Meeting
Wednesday, October 7 2015, 6:00 PM
Lambertville Wastewater Treatment Facility,
Lambert Lane Extended
Meeting Minutes**

The meeting was called to order at 6:02 p.m. by Mrs. 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, Robert Hayes-Secretary, Paul Rotondi-Treasurer, Joseph Polizzi-Member, Russell Lambert Alternate-1 and Megan Ruf-Alternate-2

Absent: Vincent Uhl-Vice Chairperson

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

Pledge of Allegiance.

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

Minutes.

The regular minutes and the closed session minutes of the September 2, 2015 meeting were approved on a motion made by Mr. Rotondi and seconded by Mr. Hayes followed by a unanimous roll call vote by all members present, except for Mr. Polizzi who abstained as he was not present. MOTION CARRIED.

Public Comment.

There were no members of the public in attendance.

Correspondence.

1. LMUA: In a letter dated September 3, 2015 the authority notified Mayor and City Counsel regarding approval of the Swan Creek Flood/ Force Main Project by adoption of Resolution 041-2015 that authorized the application for a loan from New Jersey Environmental Infrastructure Trust.
2. LMUA: Letter to NJ DEP sent September 23, 2015 with the enclosed executed settlement agreement for the Lab NOV.
3. ACUA: A letter was received September 30, 2015 to advise the LMUA that in accordance with our agreement for sludge disposal fees the rate for the following year shall not increase.

Chairpersons Report.

Odor Summary: Mrs. MacGregor stated for the record that there was one odor call this month that was not confirmed and that it did not appear to be a direct result of the sludge levels.

Engineers Report – CDM Smith, Inc.

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

Mr. Matteson continues to work on updating the Operations and Maintenance manual. Mr. Horn will arrange for Mr. Matteson to begin his annual inspection this month.

Executive Directors Report – Thomas Horn.

OCTOBER 2015 OPERATIONS & MAINTENANCE:

Treatment Facility: Mr. Horn reported that a part had been replaced in the grit removal system.

ACUA was down for their by-yearly cleaning between September 12 and September 27. During this period we arranged for our sludge to be hauled to Stony Brook.

ODOR ISSUES: The spreadsheets summarizing the sludge levels and the odor calls for September were reviewed by the Board during the Chairwoman's report.

COLLECTION SYSTEM: The staff has continued routine cleaning of our mains.

UNION/ PERSONNEL ISSUES: None to report.

REGULATORY ISSUES: The Authority continued monitoring of the biofilter and carbon unit.

ADMINISTRATIVE ISSUES: Energy Savings: Installation has begun on the energy saving units. Mr. Horn went over the process and he expects that each should take our staff minimal time to complete.

Plant Flow Diagram: This should be available next meeting as Howard is now finished with the NJ EIT planning document for our loan application.

SWAN STREET PUMPING STATION: Hazard Mitigation Plan: CDM-Smith continues to work on the engineering work for resizing the pumps at the North Union pump station.

LAB NOV: Resolution 045-2015 was adopted to memorialize the Board's decision at the September 2, 2015 meeting to authorize a settlement for the lab NOV with NJ DEP.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 045-2015
Consenting to the Settlement Agreement
Laboratory Notice of Violation

WHEREAS, the Lambertville Municipal Utilities Authority (LMUA) owns and operates the Lambertville Wastewater Treatment Plant which discharges treated wastewater to the Delaware River under NJPDES permit number NJ0020915; and

WHEREAS, the above permit requires that all monitoring of influent and effluent parameters be analyzed by a New Jersey Certified Laboratory and the results reported on Discharge Monitoring Reports; and

WHEREAS, the LMUA operates a certified laboratory under the Laboratory ID# 10444; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) Office of Quality Assurance suspended LMUA’s laboratory certification effective February 17, 2012; and

WHEREAS, the NJDEP Northern Bureau of Enforcement conducted an investigation and subsequently issued a Notice of Violation (NOV) dated February 25, 2015; and

WHEREAS, in the interest of resolving this matter the NJDEP proposed a settlement of the NOV; and

WHEREAS, the LMUA’s attorney and staff recommended accepting the settlement agreement; and

WHEREAS, the LMUA Board at the meeting of September 2, 2015 agreed with this recommendation.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of October, 2015, by the governing body of the Lambertville Municipal Utilities Authority that;

1. The Board of Commissioners hereby memorializes their decision of September 2, 2015 to accept the terms of the settlement agreement.
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

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

Mr. Hayes made a motion to memorialize their decision on September 2, 2015 and adopt Resolution 045-2015 to accept the terms of the settlement agreement with NJ DEP for the Lab NOV. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

Afterwards the Board agreed that the Authority would pay the Lab NOV penalty against Mr. Horn’s license as discussed at the September 2, 2015 meeting.

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
 Resolution 046-2015
 Authorizing Payment of the Lab NOV Penalty Against
 Thomas F. Horn’s Operator License**

WHEREAS, The Board of Commissioners memorialized their decision of September 2, 2015 by adoption of Resolution 045-2015 to accept the terms of the DEP settlement for the Lab NOV against the Lambertville Municipal Utilities Authority (Authority); and

WHEREAS, the NJDEP also issued a NOV against Thomas F. Horn, Executive Director as the Licensed Operator in Charge; and

WHEREAS, in the interest of resolving this matter the NJDEP proposed a settlement of the NOV against his license; and

WHEREAS, part of the settlement terms were issuing a penalty fee against Mr. Horn’s Operator License; and

WHEREAS, the Board felt that the Authority should pay for Mr. Horn’s penalty so as not to create a financial hardship.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of October, 2015, by the governing body of the Lambertville Municipal Utilities Authority that;

1. The Lambertville Municipal Utilities Authority hereby agrees to pay the penalty fees against Thomas F. Horn’s Operator License in an amount not to exceed \$5,000.
2. This resolution shall take effect immediately.

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

Mr. Hayes made a motion to move Resolution 046-2015 authorizing payment of the Lab NOV penalty against Thomas F. Horn's operator license in an amount not to exceed \$5,000. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

EXECUTIVE DIRECTOR'S VEHICLE:

At the September 2, 2015 meeting the Board passed a motion to approve the purchase of a replacement vehicle for the Executive Director. The Board would now like to memorialize Resolution 043-2015 authorizing the purchase of a 2015 Jeep Patriot under State contract.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 043-2015
Authorizing the Purchase of a 2015 Jeep Patriot

WHEREAS, the Lambertville Municipal Utilities Authority ("Authority") has a need to acquire a replacement vehicle for the Executive Director due to the amount of damage that incurred from an accident on August 5, 2015; and

WHEREAS, after the vehicle was appraised by the Authority's insurance provider, it was found to be a total loss, and

WHEREAS, the Authority expects to receive an insurance payment of \$23,479.75; and

WHEREAS, the Authority will be responsible for \$1,000.00 deductible; and

WHEREAS, the Authority is authorized to purchase goods or services under State contract; and

WHEREAS, the Authority has determined that the most cost-effective method of procurement is through a State agreement for the purchase of a 2015 Jeep Patriot, as the; and

WHEREAS, it is the intent of the Authority to make a purchase from Hertrich of Pocomoke, Inc. pursuant to the proposal submitted indicating they will provide the 2015 Jeep Patriot under State Contract number A83011 for \$19,211.50; and

WHEREAS, the Commissioners at the September 2, 2015 meeting agreed with the recommendation; and

WHEREAS, the Authority's CFO at the September 2, 2015 meeting certified that funds were available for this contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority, as follows:

1. The Board of Commissioners hereby memorializes their decision of September 2, 2015 to authorize Thomas F. Horn to enter into a contract with Hertrich of Pocomoke, Inc. as described herein.
2. 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			
Russell Lambert	X			

Mr. Hayes made a motion to memorialize Resolution 043-2015 authorizing the purchase of a 2015 Jeep Patriot in an amount not to exceed \$19,211.50. Mr. Rotondi seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

Chief Financial Officer’s Report - Kathy Leary.

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

SWAN CREEK FLOOD ISSUE:

At the September 2, 2015 meeting the Board passed Resolution 040-2015 awarding a contract to CDM Smith for professional engineering services and Resolution 041-2015 authorizing the application for a loan from NJEIT and NJDEP for the Swan Creek Flood/ Force Main Project.

The Board reviewed the Environmental Planning Document for the NJEIT Financing Program entitled the “Swan Creek Flood Protection Project” dated October 2015. CDM-Smith had collaborated with the City’s engineer, T&M Associates to finalize this. Mr. Horn had emailed a copy to the Board in advance for their review and comments. Once these changes were made, the planning document was uploaded and submitted through NJEIT’s online portal to complete the first step of the application process. He explained that now the Authority waits for comments from NJEIT and DEP before proceeding to the design and permitting part of the application.

Mr. Horn discussed in detail the design aspects of the City’s proposed project that includes a flood gate, pump station and culvert. The Authority’s proposed location for the new force main was drawn out and details of the installation process were discussed. Mr. Watts expressed that location of the new force main will necessitate a change in our new agreement with Black River & Western and the State of New Jersey. The NJDEP has been contacted to arrange a pre-application meeting.

The Board discussed the importance of having a shared services agreement with the City should the Authority get approved for the loan. Mr. Watts recommended that the Board have an agreement in place before the final approval. He does not recommend the Board start discussions until we receive notice that the project is fundable from NJEIT. Mr. Horn stated that the Authority would start negotiations before the next phase which will include the design and permitting.

Attorney's Report – Greg Watts.

Mr. Watts has nothing new to report in regards to the agreement between Black River & Western v. Bucks County Water & Sewer.

Adjournment.

The meeting adjourned at 6:35p.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 November 4, 2015.