



**Lambertville Municipal Utilities Authority
Regular Meeting
Monday, December 1, 2014, 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 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, Robert Hayes-Treasurer, Vincent Uhl-Member, Paul Rotondi-Alternate 1 and Joseph Polizzi-Alternate 2

Absent: Janine MacGregor-Vice Chairwoman, Frank Kramer-Secretary

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-Chief Financial Officer and C. Gregory Watts-Attorney of Watts, Tice and Skowronek

Pledge of Allegiance.

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

Minutes.

The regular and the closed session minutes of the November 3, 2014 were approved as amended in a motion made by Mr. Hayes and seconded by Mr. Uhl. Followed by a unanimous roll call vote by all members present except for Mr. Rotondi who abstained as he was absent at the meeting. MOTION CARRIED.

Public Comment.

There were no members of the public in attendance.

Correspondence.

1. Bucks County Water & Sewer Authority revised bill for capital projects: Mr. Horn upon the request of Bucks County amended this bill to not include Mrs. Ege's billing printer as it does not directly apply to them.
2. NJDEP Compliance Inspection Report: Mr. Horn reviewed the report based off of the findings from a compliance inspection done on the plant on November 5, 2014.

3. LMUA Compliance Inspection Response: There were a few areas of recommendation Mr. Horn addressed in his letter to NJDEP dated November 17, 2014 that are in the process of being resolved.
4. Talbot Homes, LLC: Wilson St. Connections: As per the LMUA's conditional connection approval a letter requesting payment in full was submitted on November 21, 2014 shortly after receiving notice of Planning Board's approval of the three condo units.

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 November. Mr. Richard observed that the sludge levels had only went above 10 ft. for one day during the month. There were also no odor complaints to report.

Mr. Richard requested that Mr. Horn write a press release updating the residents on their ongoing efforts to remediate odors.

Year End Bonuses: At this time Mr. Richard recommended the Board discuss bonuses for the staff based on overall performance over the past year in closed session.

Mr. Richard moved to adopt Resolution 044-2014 in order to discuss personnel matters with regard to year-end bonuses. Mr. Uhl seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

Closed Session.

Resolution 044-2014 "Authorizing a Closed Session at the December 1, 2014 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Personnel Bonuses"

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 Monday, December 1, 2014 at The LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing year-end personnel bonuses.

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:

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

The LMUA Board convened in closed session at 6:12p.m.

The LMUA Board re-convened in regular session at 6:19 p.m.

Mr. Richard opened by saying that the Board “wanted to give a heartfelt thank you and show the staff how much they are appreciated and valued”. He also requested that the Authority should come up with a standard way of administering bonuses in order to keep them on an “equitable level” by the following year. Upon his recommendations the Board moved the below resolution.

Mr. Richard made a motion to approve the year-end bonuses for the staff as written in Mr. Horn’s memo dated December 2, 2014. Mr. Uhl seconded the motion. A unanimous roll call vote was taken by all members present in favor of the motion. MOTION CARRIED

Engineers Report – CDM Smith, Inc.

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

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

Executive Directors Report – Thomas Horn.

December 2014 Operations and Maintenance:

Treatment Facility: Mr. Horn reported that there were no treatment issues this month.

Collection System: There have been no issues with the collection system.

Swan St. Pumping Station: The Water Authority contractor appears to have stopped work for the season but has left some equipment out hindering our access to the bypass area. Mr. Horn will contact the Authority in order to facilitate our access to this.

Personnel Issues: There are none to report.

Regulatory Issues: Mr. Horn continues to test and monitor the biofilter and carbon unit.

Administrative Issues:

Hurricane Sandy: No new developments.

Hazard Mitigation Grant Program: There have been no new developments.

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

Audit of FY 2014: The Auditor has completed the onsite work for the annual audit review and expects to complete his report shortly.

Public Agency Compliance Officer: Mr. Richard made a motion to pass Resolution 044-2014 appointing Thomas F. Horn as Public Agency Compliance Officer for 2015. Mr. Uhl seconded the motion. A unanimous roll call vote taken in favor of the motion by all members present. **MOTION CARRIED**

Resolution 046-2014 *“Appointing Thomas F. Horn as the Public Agency Compliance Officer”*

WHEREAS, section 17:27-3.5 of the New Jersey Administrative EEO Code requires that each public agency shall annually appoint a Public Agency Compliance Officer to ensure that municipal contracts comply with the policy of the State of New Jersey to promote equal employment opportunity and affirmative action with regard to public contracts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Thomas F. Horn as the Public Agency Compliance Officer for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

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

Sodium Bisulfite: Mr. Horn recommended that it would be in the best interest of the Authority to extend the contract for the supply of the sodium bisulfite with Main Pool & Chemical Co. set to terminate December 31, 2014 for an additional six months. Mr. Richard then opened the floor for discussion on the extension. The Board took a moment to review this resolution and having seen no objections decided to award the extension to Main Pool & Chemical Co.

Mr. Richard made a motion to pass Resolution 047-2014 approving a six month extension to the contract with Main Pool and Chemical Co. Inc. for the supply of sodium bisulfite. Mr. Uhl seconded the motion. A unanimous roll call vote taken in favor of the motion by all members present. **MOTION CARRIED**

Resolution 047-2014 *“Approving a Six Month Extension to the Contract for the Supply of Sodium Bisulfite”*

WHEREAS, the Lambertville Municipal Utilities Authority (“LMUA”) awarded a contract to Main Pool & Chemical Co., Inc. on December 4, 2013 for the supply of sodium bisulfite solution for sewage treatment for the period of January 1, 2014 through December 31, 2014 pursuant to the Local Public Contracts Law, N.J.S.A. 11-1, et seq. (the “LPCL”); and

WHEREAS, the LMUA will continue to require sodium bisulfite for treatment uses at the main plant past the term of the contract; and

WHEREAS, the LPCL, N.J.S.A. 40A:11-15, provides that a contract with an initial term of one (1) year may be extended for a period of up to one (1) additional year; and

WHEREAS, Main Pool & Chemical Co., Inc. has agreed to continue to comply with all of the terms and conditions of the original contract, subject only to a six (6) month extension to the term of the contract; and

WHEREAS, the LMUA has determined that extending the Main Pool & Chemical Co., Inc. contract for an additional period of six (6) months would be in the best interest of the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of December 1, 2014 as follows:

1. Main Pool & Chemical Co., Inc. is hereby awarded a six (6) month extension for the supply of sodium bisulfite solution and shall be required to sign an amendment agreement to continue to provide services under the contract at the unit price of \$2.01 per gallon.
2. Thomas F. Horn, P.E., Executive Director is hereby authorized and directed to execute any and all documents and to take any and all actions necessary to implement this Resolution.
3. The Resolution shall be effective immediately upon adoption.

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

Electrical Savings Study: The Board reviewed the attached memo prepared by Mr. Horn dated November 26, 2014. He had spent time reaching out to some of the references used on the study to obtain their results and views on how well they felt the device worked. He found that all the current users were pleased with the savings and overall performance of the device. There were some who utilized in house installation and others who used Adirondack Energy. Mr. Horn also spoke more with Adirondack to better understand how the devices work to improve electrical efficiency. Some of the locations were able to request quotes rather than going through the bidding process but because they recommend the Authority install three units the total amount would go over

the mandatory bid threshold. Mr. Horn explained further that if we were to cut down on the amount of units installed we would be decreasing the energy benefits. Mr. Watts recommended that the Board bid this project out due to the size and overall price.

Mr. Horn at this time recommended that the Authority go forward and start putting together information for the bid specs. Once this is done he will bring it to the Board at the next meeting.

Heritage Village at Lambertville:

At this time Mr. Richard requested that this item be discussed in closed session shortly after review of the November bills and the Attorney's Report.

Chief Financial Officer's Report - Kathy Leary.

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

Attorney's Report – Greg Watts.

Agreement between Black River & Western Railroad and the State of New Jersey: Mr. Watts and Mr. Horn have reviewed and made their revisions on the final settlement documents.

Closed Session.

Resolution 043-2014 "Authorizing a Closed Session at the December 1, 2014 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Contractual Matters and Possible Litigation"

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 Monday, December 1, 2014 at The LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing contractual matters and possible litigation regarding Heritage Village at Lambertville.

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:

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			

Janine MacGregor		X
Frank Kramer		X
Robert Hayes	X	
Vincent Uhl	X	
Paul Rotondi	X	
Joseph Polizzi	X	

Mr. Richard moved the motion to go to closed session due to contractual matters and possible litigation regarding Heritage Village at Lambertville. 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 6:34 p.m.

The LMUA Board re-convened in regular session at 6:46 p.m.

Having made no decisions during closed session the Board directed Mr. Horn to communicate the Board's efforts with CIS, Inc. to accommodate Heritage Village at Lambertville and other like facilities while remaining fair and equitable to all the rate payers. Mr. Horn will submit the Board's proposal to CIS, Inc. The Board feels very strongly that the Authority has reached a conclusion in this and that their disagreements have been fully met.

Adjournment.

The meeting adjourned at 6:50 p.m. with a motion made Mr. Richard and seconded by Mr. Uhl. 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 February 5, 2015.