

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

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February 8, 2012

MINUTES

Following are the minutes of the regularly scheduled meeting of the Lambertville Municipal Utilities Authority held at the site of the Lambertville Municipal Utilities Authority located at Lambert Lane Extended on February 8, 2012.

The Statement of Compliance was read by Mr. Richard followed by the Pledge of Allegiance.

Roll call of those present was as follows: Eric Richard, Chairman; Janine MacGregor, Vice Chairwoman; Robert Hayes, Treasurer; Frank Kramer, Secretary; Paul Rotondi, Alternate One and Preston Klingseis, Alternate Two.

Vince Uhl was not in attendance.

Also in attendance were Thomas F. Horn, P. E., Executive Director and C. Gregory Watts., Esq., Watts, Tice and Skowronek.

**REORGANIZATION:**

At this time the meeting was turned over to Attorney Watts for the purpose of accepting nominations for the position of Chairman for the coming year. In a motion made by Ms. MacGregor and seconded by Mr. Kramer with a unanimous roll call vote, Mr. Richard will remain as Chairman.

Mr. Richard thanked the Board for their votes of confidence.

The meeting was returned to Mr. Richard who made a motion to nominate Janine MacGregor to the position of Vice Chair. That motion was seconded by Mr. Kramer and with a unanimous roll call vote, Ms. MacGregor was appointed to the position of Vice Chair.

In a motion made by Ms. MacGregor and seconded by Mr. Hayes followed by a roll call vote from the Board, nomination was made to appoint Frank Kramer as Secretary.

In a motion made by Ms. MacGregor and seconded by Mr. Kramer followed by a roll call vote from the Board, nomination was made to appoint Robert Hayes as Treasurer.

Mr. Richard asked for a motion to close the nominations. In a motion made by Ms. MacGregor and seconded by Mr. Kramer followed by a unanimous roll call vote, the nomination portion of re-organization was closed.

Mr. Richard asked for a motion to appoint Mr. Kramer and Mr. Hayes as EOE and Personnel Officers for the coming year. Motion was made by Ms. MacGregor and seconded by Mr. Rotondi followed by a roll call vote to appoint Mr. Kramer and Mr. Hayes as EOE and Personnel Officers for the coming year.

Mr. Richard asked for a motion to appoint the Hunterdon County Democrat as weekly newspaper and the Trenton Times as a daily paper for all legal and official announcements. In a motion made by Ms. MacGregor and seconded by Mr. Kramer with a unanimous roll call vote the motion was carried.

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Mr. Richard asked for a motion that meeting dates and times be the first Wednesday of each month commencing at 6:30 PM. Unless otherwise voted upon prior to that change. In a motion made by Ms. MacGregor and seconded by Mr. Kramer with a unanimous roll call vote the following are the dates:

February 8, 2012	August 1, 2012
March 7, 2012	September 5, 2012
April 4, 2012	October 3, 2012
May 2, 2012	November 7, 2012
June 6, 2012	December 6, 2012
July (time to be determined)	January 3, 2013

Mr. Richard asked for a motion to appoint Barbara Parsons to the position of custodian of Records for the coming year. In a motion made by Ms. MacGregor and seconded by Mr. Kramer followed by a roll call vote that motion was accepted.

Mr. Richard asked for a motion to appoint the following list of names that will be submitted as representatives to the Joint Insurance fund for the coming year. In a motion made by Ms. MacGregor and seconded by Mr. Kramer followed by a roll call vote that motion was accepted.

Thomas Horn, P. E., Executive Director	Commissioner
Barbara Parsons, Administrative Asst	Alternate Commissioner
Thomas Horn, P. E., Executive Director	Safety Coordinator
Barbara Parsons, Administrative Asst.	Alternate Safety Coordinator

Mr. Richard asked for a motion that the following Resolution shall be adopted by the Lambertville Municipal Utilities Authority. **NOW THEREFORE BE IT RESOLVED** that Thomas F. Horn, P. E., Executive Director of the Lambertville Municipal Utilities Authority be authorized to sign any New Jersey Department of Environmental Protection forms and reports pertaining to Sludge Permits, Sewer Extension Permits and others. The Resolution was so moved in a motion made by Mr. Hayes and seconded by Ms. MacGregor followed by a unanimous roll call vote all voting in the affirmative.

Mr. Richard asked in a motion that he, Eric Richard, Chairman and Thomas F. Horn, P. E., Executive Director have authorization to endorse the CP1 Form and Sewer Application forms and others. In a motion made by Mr. Kramer and seconded by Ms. MacGregor with a unanimous roll call vote, that motion was approved.

Mr. Richard asked for a motion giving authorization to appoint Kathy Leary as the Custodian of Funds for the coming year. A motion was made by Mr. Kramer and seconded by Mr. Hayes followed by a unanimous roll call vote Kathy Leary was appointed Custodian of Funds.

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Mr. Richard asked that a motion be made to appoint Barbara Parsons as Recording Secretary for the coming year. In a motion made by Ms. MacGregor and seconded by Mr. Kramer followed by a unanimous roll call vote Barbara Parsons was appointed Recording Secretary for the coming year.

In a motion made by Mr. Richard and seconded by Mr. Kramer followed by a unanimous roll call vote, all nominations and appointments for the coming year were closed and will proceed with the regular monthly meeting.

The minutes of the January 11, 2012 meeting were approved as read with a motion made by Mr. Hayes and seconded by Mr. Kramer followed by a unanimous roll call vote.

There was no one in attendance for public comment.

**CORRESPONDENCE:**

In a letter dated January 18, 2012, the City of Lambertville thanked Chairman Richard, Mr. Horn, Mr. Rotondi and Mr. Matteson for attending the Council meeting. Mr. Richard went on to say that the Mayor appreciates that we are dealing with the odor problem. Mr. Richard stated that is the goal of everyone at the LMUA to solve the odor problem. Mayor DeVecchio has also requested that the LMUA reappear at the April 16 meeting to discuss further progress on the issue.

In a letter dated January 27, 2012 from the State of New Jersey which indicated that an inspection was conducted at the LMUA precipitated in part by the newspaper articles on the odors. In that letter, the inspector determined that this facility was in compliance with applicable Department regulations and/or Permit conditions and now considers the inspection closed.

In a letter dated February 2, 2012, the New Jersey Water Supply Authority stated that they are planning to start the next phase of the rehabilitation work of the Swan Creek Aqueduct in July and wished to request from the LMUA approval to use the area behind the Swan Street pumping station as a construction staging area. Chairman Richard asked Attorney Watts about liability. Mr. Horn indicated that the property that they are referring to is not the LMUA property but State of NJ property instead. Mr. Horn stated that he will suggest that the Water Supply Authority call the City concerning the access.

**CHAIRMAN'S REPORT:**

The Chairman reported that he would like to reiterate the April 16, 2012 re-visit to the City of Lambertville Council meeting for a progress report on the odor issue. He also stated that Phase Two of the monitoring program has been implemented. Approximately mid February the data will be analyzed by the Engineers and put together recommendations from the data and submit to the Authority for everyone to review. Subsequent to that, the Board will discuss and possibly take action at the March meeting. Depending on costs, recommendations and variables, March is going to be the month when things need to be implemented. Prior to the LMUA March meeting, there will be a meeting with Mr. Richard, Ms. MacGregor, Mr. Horn, Mr. Matteson and Mayor DeVecchio to discuss the possible recommendations and resolution to the issue. Ms. MacGregor wished to look at the report that was prepared by CMD prior to construction. Mr. Horn reported that most items have been put into action.

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Ms. MacGregor questioned a “drop dead” date for a resolution. Mr. Hayes suggested a wind gauge for the responding plant personnel to aid in their detection of the odor. Mr. Horn stated that he has been inundated with calls regarding resolution to the odor issues. Ms. MacGregor stated that perhaps we should have them come in and listen to their dissertation. Mr. Horn stated that until the data has been gathered, there is no need to have them come to the LMUA. Chairman Richard asked Mr. Horn to have Mr. Matteson price out the various options for the meeting with the Mayor.

**ENGINEERS REPORT:**

Mr. Horn reported for Mr. Matteson that the WWMP has been submitted in triplicate and that as soon as it is received by the State it should be approved and then will be finalized.

**OPERATIONS REPORT:**

Mr. Horn reported that ACUA have dropped off the first container for sludge disposal. The contract has been reviewed by Mr. Horn and Attorney Watts and will now be reviewed by the ACUA Board for final approval.

The DRBC has drafted a docket for review for the March 2012 meeting. There has been no response from the DRBC to our comments.

Mr. Horn reported that it appears that the LMUA has one too many air permits. Mr. Horn will be working with the DEP to eliminate any unnecessary permits and their associated fees.

The SHREC organization is working on third party energy purchasing. A meeting was held on January 12, 2012 to discuss the next steps. Tentatively, an online auction for purchasing of electricity is scheduled for April 1. If the bids are good, the LMUA would change to the new supplier about two months later.

The Rules and Regulations must be discussed, but this matter will be tabled until the April-May meeting.

The application for FEMA reimbursement is complete for costs associated with Hurricane Irene. On February 6 a representative of FEMA came here to review outstanding items. The prognosis is good for receiving reimbursement.

The property located at 4 N. Union Street and 47 Bridge Street have sent letters asking that we reimburse them for the cost of clearing a blockage in their lateral. After a lengthy discussion, the request was denied for both properties.

Mr. Horn stated that he was called to Delevan Street by Acting Public Works Director Lester Myers who showed Mr. Horn a sink hole. Mr. Myers indicated that sheathing that was put in place during the 1950's when the sewers were installed is rotting and causing the sink hole. This makes the sink hole the responsibility of the MUA according to the City. The City will be sending a bill for the repair.

**APPOINTMENTS OF PROFESSIONALS:**

Mr. Richard stated that understanding some of the concerns raised about CDM Smith Inc., Mr. Richard asked that Mr. Horn convey some of the concerns shared by the Board, most specifically he and Ms.

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MacGregor. Having said that, the LMUA does have faith in CDM Smith Inc. and therefore would like to nominate CDM Smith Inc. as Engineers for the coming year. In a motion made by Ms. MacGregor and seconded by Mr. Kramer with a unanimous roll call vote, CDM Smith Inc. was appointed Engineer for the coming year.

Mr. Richard stated that he would like to nominate Suplee Clooney as Auditor for the coming year. In a motion made by Mr. Hayes and seconded by Mr. Kramer with a unanimous roll call vote, Suplee Clooney was appointed Engineer for the coming year.

Mr. Richard stated that he would like to nominate Bowman and Company as Special Projects Auditor for the coming year. In a motion made by Mr. Kramer and seconded by Mr. Rotondi with a unanimous roll call vote, Bowman and Company was appointed as Special Project Auditor for the coming year.

Mr. Richard stated that he would like to nominate Watts, Tice and Skowronek as Legal/Labor Attorney for the coming year. In a motion made by Mr. Kramer and seconded by Mr. Hayes, Watts, Tice and Skowronek was appointed as Legal/Labor Attorney for the coming year.

Mr. Richard stated that he would like to nominate Acacia Financial Group Inc. as Financial Advisor for the coming year. In a motion made by Mr. Kramer and seconded by Mr. Hayes with a unanimous roll call vote Acacia Financial Group, Inc. was appointed as Financial Advisor for the coming year.

Mr. Richard stated that he would like to nominate Bradley M. Campbell, LLC. as Special Projects Attorney. In a motion made by Mr. Hayes and seconded by Mr. Kramer with a unanimous roll call vote, Bradley M. Campbell, LLC was appointed as Special Projects Attorney for the coming year.

Mr. Richard stated that he would like to nominate T & M Associates as Alternate Engineer. In a motion made by Mr. Rotondi and seconded by Mr. Kramer with a unanimous roll call vote, T & M Associates was appointed as Alternate Engineer for the coming year.

Mr. Richard stated that he would like to nominate Hatch Mott MacDonald as Special Project Engineer for the coming year. In a motion made by Mr. Hayes and seconded by Mr. Kramer with a unanimous roll call vote, Hatch Mott Macdonald was appointed as Special Project Engineer for the coming year.

Mr. Richard stated that he would like to nominate Bradley M. Campbell, LLC. as Bond Counsel. In a motion made by Mr. Hayes and seconded by Mr. Kramer with a unanimous roll call vote, Bradley M. Campbell, LLC was appointed as Bond Counsel for the coming year.

Mr. MacGregor departed. Mr. Klingses joined the table. Time 7:25 PM.

**CHIEF FINANCIAL OFFICERS REPORT:**

The bills were approved as presented in a motion made by Mr. Kramer and seconded by Mr. Hayes followed by a roll call vote.

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**ATTORNEY REPORT:**

Mr. Watts reported that there is a conference with the court scheduled for February 14, 2012 where the State may have an update as to the acquisition funding to purchase Black Rivers interest.

In a motion made by Mr. Kramer and seconded by Mr. Richard with a unanimous roll call vote, the meeting was adjourned.

Respectfully submitted,

Barbara Parsons, Recording Secretary

Time: 7:30 PM