



**Lambertville Municipal Utilities Authority  
Regular Meeting  
Wednesday, April 3, 2013, 6:00 PM  
Lambertville Wastewater Treatment Facility,  
Lambert Lane Extended  
Meeting Minutes**

The meeting was called to order at 6:02p.m. by the Vice Chairwoman, Janine MacGregor 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.**

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

**Roll Call.**

Mrs. Ege called the roll as follows:

Members Present included:

LMUA Board: Janine MacGregor-Vice Chairwoman, Frank Kramer-Secretary, Robert Hayes-Treasurer, Vince Uhl-Member, Paul Rotondi-Alternate 1

Chairman Eric Richard entered the meeting at 6:05 p.m.

Absent:

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

**Public Comment.**

There was no one in attendance.

**Minutes.**

The minutes of the March 6 , 2013 meeting were approved on a motion made by Mr. Rotondi and seconded by Mr. Hayes, followed by a unanimous roll call vote except for Mr. Kramer who abstained as he was absent at the March meeting. MOTION CARRIED.

The minutes of the March 6, 2013 closed sessions 1 & 2 were approved on a motion made by Mr. Rotondi and seconded by Mr. Hayes, followed by a unanimous roll call vote except for Mr. Kramer who abstained as he was absent at the March meeting. MOTION CARRIED.

**Correspondence.**

1. Preston Klingseis letter of Resignation was received March 12, 2013 effective immediately. In his letter to the Board he expressed his appreciation for the opportunity to serve and *“improve the quality of life in Lambertville.”*

2. Union letter of intent to commence negotiations: The Union representative held the first meeting with the Union members on April 3. Once they have submitted a proposal a meeting will be scheduled with the attorney and personnel officers to begin negotiations.
3. DEP letter of compliance from March 14, 2013 inspection: Mr. Horn reported that there were two issues cited on the report. One was that a daily log must be kept and submitted for the amount of water reused. The second is to institute a protocol for the reuse. The report has been submitted and he is now working on the protocol.
4. DEP letter for LMUA's renewed physical connection permit for the current year.
5. Sewer Capacity and Availability for 9 Douglas St was granted in a letter dated April 2, 2013. They have requested capacity for three separate houses/ units.

### **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 March. Mr. Horn summarized from the sludge spread sheet that the levels were maintained at or below 10 and that there were no odor complaints received. Mr. Richard expressed his appreciation and recognized Mr. Horn and the staff for all of their hard work over the past year for implementing new operating procedures to the installation of new more effective equipment and chemicals. He also requested that Mr. Horn send a letter to the Mayor and City Counsel updating them on the biosolids project's progress. He will also schedule a time to meet with the City after the cover is completely installed and the tank is operational.

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

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

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

April 2013 Operations and Maintenance: Mr. Horn reported there were no issues this past month and that sludge was processed and transported regularly when ACUA was shut down for two weeks. LMUA sludge was delivered to Stony Brook for processing during these weeks. The North Union St. pumping station's pump was repaired and reinstalled with no issues. Staff continued routine maintenance on the facility and the wet wells at Coryell, Ferry and Union were cleaned. Hatch Mott & MacDonald have received the necessary data for the Swan St. pump station and are in the process of completing their evaluation. Mr. Richard noticed that the holding tank levels look the best they have since we started collection data. Mr. Horn attributes the levels to coordinating sludge pickups with sludge processing. Siemens will be adding another feed location for Bucks.

Sludge tank cover installation began March 21<sup>st</sup>. The staff worked on an issue with the supports with no effect on MBE contractors. Mr. Horn has also been working with HMT on an issue with the duct alignment. He explained that the manufacturer is responsible for the error as they did not come out to the plant for

measurements before its construction. LMUA has purchased a pump with enough capacity to accommodate the tanks and should arrive by the week of April 22<sup>nd</sup> to complete the installation. Mr. Horn expects them to be operational by the end of April.

Combination Truck contract was awarded via Resolution 023-2013 and purchased last month. Mr. Horn informed the Board that the truck could take up to six months to be delivered. Once the biosolids plan is complete he will be working on soliciting other agencies for service through interlocal agreements.

Official depository: Mrs. Leary is currently working on the transition between Wells Fargo and the Bank of Princeton. She reports that the transition should be complete by the end of the month.

Mrs. Ege has completed all the new requirements from the state to our website.

Mr. Horn requested that the Commissioners complete the NJ MEL JIF online training so that the Authority could receive the maximum credit on their insurance premium for this year.

Financial Disclosure: The Board reviewed the memo regarding the new electronic forms and will wait on more specific instructions on filling them as they are received from the DCA.

Hurricane Sandy: LMUA has submitted all required documentation and Mr. Horn will be attending the Hunterdon County meeting on the 5<sup>th</sup>.

The City has continued to research and develop possible options for digesting food waste. Mr. Horn will keep the Board updated on current developments.

The hydro study has been delayed because of issues with SHREC. Mr. Campbell is expected to submit an update soon.

Introduction of 2014 Budget: Mr. Horn introduced the 2014 Budget to the Board for their review and approval to submit to the DCA. He summarized in his memo dated March 28, 2013 that there is a slight increase in the overall budget. This increase includes salary changes with the cost of living, dept service, pension contribution and sludge removal costs. The Authority will receive money back from the employees paying back part of their health insurance costs in this coming fiscal year. There is also a decrease in carbon and hypochlorite purchases, electricity, maintenance and equipment replacement. He also informed the Board that the accountants did not expect a rate increase but we could see the hookup fee increase this coming fiscal year. The Board reviewed the introduced budget and the attached memo and decided it was expectable.

Resolution 028-2013 *"Introducing the 2014 Budget"*

WHEREAS, the Annual Budget and Capital Budget for the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2013 and ending, June 30, 2014 has been presented before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of April 3, 2013; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 2,107,900, Total Appropriations, including any Accumulated Deficit if any, of \$1,972,367 and Total Unrestricted Net Assets utilized of \$147,150; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$77,000 and Total Unrestricted Net Assets planned to be utilized as funding thereof, of \$72,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Lambertville Municipal Utilities Authority, at an open public meeting held on April 3, 2013 that the Annual Budget, including appended Supplemental Schedules, and the Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2013 and ending, June 30, 2014 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Lambertville Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on June 5, 2013.

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 (Secretary's Signature) 04/03/2013  
(Date)

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 to approve Resolution 028-2013 to introduce the proposed 2014 budget as submitted. Mrs. MacGregor seconded the motion. An affirmative roll call 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 list for March, excluding the bill from HMT until the cover issue is resolved. Mr. Hayes 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 between Black River Western and the State. He reported that the Railroad and the State have agreed on settlement terms. The settlement costs which would release the Authority from all liability and total \$11,666.67 payable over three years to Black River & Western. It is Attorney Watts recommendation to accept the settlement terms by adopting a Resolution approving the payments.

Resolution 029-2013 *“Approving the Settlement Agreement between BR&W and LMUA”*

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY  
Resolution 029-2013  
Approving the Settlement Agreement between BR&W and LMUA**

WHEREAS, Black River & Western (BR&W) is an independently owned common-carrier railroad located in Hunterdon County New Jersey; and

WHEREAS, the Lambertville Municipal Utilities Authority (LMUA) is a New Jersey municipal authority providing sewage treatment services within Hunterdon County; and

WHEREAS, LMUA owns and operates the sewerage treatment plant in the City of Lambertville, New Jersey; and

WHEREAS, LMUA owns a 10” force main that services the City of Lambertville and the Borough of Stockton; and

WHEREAS, an approximate 60’ portion of the force main is located on land owned by BR&W; and

WHEREAS, LMUA has a lease agreement with the State for the force main that expired in 2004; and

WHEREAS, under a lease agreement between the State and BR&W certain rights were reserved; and

WHEREAS, BR&W had brought a claim against LMUA and Bucks County Water and Sewer Authority for compensation of that easement; and

WHEREAS, LMUA and BR&W entered into settlement discussions to resolve the matter; and

WHEREAS, the Parties wish to resolve their disagreement without the burden and expense of further process; and

WHEREAS, a Settlement Agreement has been drafted to reconcile both parties disagreements; and

WHEREAS, the LMUA Attorney recommend that the Board accept the Settlement Agreements; and

WHEREAS, the Board of Commissioners of the LMUA concur with the recommendation of the Attorney.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Lambertville Municipal Utilities Authority, at an open public meeting held on April 3, 2013 as follows:

1. The Settlement Agreement is hereby accepted.
2. The acceptance of the Settlement Agreement is subject to the approval of the State and Bucks County Water & Sewer Authority without revision.
3. The LMUA, upon acceptance of the Settlement Agreement by BR&W, agrees to remit payment of the easement fee in the amount of \$10,666.66 in four equal payments with the first payment due upon execution of the agreement.
4. The LMUA additionally agrees to pay another \$1000.00 at a rate of \$250.00 per year to release them from all liability for the utility line for a total sum of \$11,666.67 in four equal payments payable over three years.
5. The LMUA agrees to enter into a Lease Agreement with the State of New Jersey for the 10” sanitary sewer force main located on State lands which are no longer encumbered by Easements in favor of BR&W.

Moved: Mr. Richard  
Seconded: Mr. Hayes

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 to adopt a resolution approving the settlement agreement between Black River & Western and Lambertville Municipal Utilities Authority by compensating them a total of \$11,666.67 in four equal payments over a three year period releasing all liability for the utility line. Mr. Hayes seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

### **Adjournment.**

The meeting adjourned at 6:53 p.m. with a motion made by Mr. Richard and seconded by Mr. Kramer. 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 May 1, 2013.*