



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

The meeting was called to order at 6:00 p.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 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: Janine MacGregor-Vice Chairwoman, Frank Kramer-Secretary, Robert Hayes-Treasurer, Vincent Uhl-Member, Paul Rotondi-Alternate 1

Absent: Eric Richard-Chairman

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

**Pledge of Allegiance.**

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

**Minutes.**

The regular minutes, the first and second closed sessions of the June 4, 2014 meeting were approved on a motion made by Mr. Hayes and seconded by Mr. Kramer followed by a unanimous roll call vote by all members present. MOTION CARRIED.

**Public Comment.**

There were no members of the public in attendance.

**Correspondence.**

1. Sewer Facilities Capacity & Availability: Mr. Horn in his letter dated June 30, 2014 verified capacity for the project located block 1054, lot 6, Lambertville, NJ 08530.
2. Hazard Mitigation Grant Program: The LMUA received notice of \$75,000 fund availability through the HMGP, Lifeline/ Life Safety Energy Resilience Program for hardening of critical facilities. Mr. Horn is currently working on the application and expects to have it submitted by early September. Based on Mr. Horn's estimated costs for the rehabilitation of the Swan Street pump station, if awarded the grant will help to cover the generator replacement.

3. City's request for \$72,000 of Authority Fund Balance was received the 18 of July and has been accounted for in the budget. The LMUA shall pay the City in three equal payments through the current fiscal year so as not to create a shortage in funds.

### **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 months of June and July.

June: During the beginning of the month the Authority received an odor complaint from the north end of town. After investigating we found that Stockton's bioxide feed was experiencing problems which resulted in increased odors. The two calls in the middle of the week on the south side of town are a result of increased odors at the plant due to the belt for the belt filter press breaking and causing a delay in sludge processing.

July: The call concerning odors on the south side of town on the 31<sup>st</sup> was not confirmed.

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

There was no activity for the months of June and July therefore CDM-Smith did not submit a report.

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

Mr. Matteson conducted an annual inspection of all facilities, his report is forthcoming.

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

July-August 2014 Operations and Maintenance:

Treatment Facility: Mr. Horn reports that the semi-annual cleaning of the tanks are complete. The plant did encounter trouble with the grit screen and staff is working on correcting the issue.

Collection System:

Swan St. Generator: Mr. Horn has been working with the contractor on installing the first phase of the bypass.

The staff began TVing our lines located on Cottage Hill for water infiltration. They have not found the source but will continue their review until completed.

Vac Truck: The staff continues to use the truck for routine maintenance.

Administrative Issues:

Hurricane Sandy: No new developments.

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

Personnel: One of the plant staff have been out on sick leave for over the past month. Mr. Horn has been adjusting the staff's schedules as needed.

The DCA has issued their final approval on the 2015 budget.

Heritage Village:

At our last meeting the Board had decided to offer Heritage Village a payback period of three and a half years for the full back charges of \$71,497.00 not subject to interest with no reduced rate. Upon receipt of LMUA's offer letter Heritage contacted the Authority asking to reconsider a payback period of seven years. After further discussion on this matter the Board decided to allow them to pay over seven years, not subject to interest. Mr. Watts at this time recommended that the Board review the resolution prepared outlining the terms and authorizing Mr. Horn to sign the final agreement. The Board following Mr. Watt's recommendation stated as per the resolution the agreement shall stipulate that the full amount will be considered a lien until paid and will be due upon sale of the property.

**Resolution 036-2014 "Authorizing an Agreement with Community Investment Strategies, LLC on Behalf of Heritage Village of Lambertville"**

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**  
**Resolution 036-2014**  
**Authorizing an Agreement with Community Investment Strategies, LLC**  
**on Behalf of Heritage Village of Lambertville**

WHEREAS, the Lambertville Municipal Utilities Authority ("LMUA") provides sewer service to Lambertville and Stockton, NJ and New Hope and Soleberry, PA; and

WHEREAS, Community Investment Strategies, Inc. ("CIS") owns an 87 unit age restricted, low income rental community known as Heritage Village at Lambertville ("Heritage"); and

WHEREAS, Heritage is located within the LMUA's service area located at 258 Brunswick Avenue, Lambertville NJ 08530; and

WHEREAS, the LMUA charges a flat rate based on equivalent dwelling units "EDUs"

WHEREAS, the amount of billable units at this property is based on the City of Lambertville Landlord Registration list; and

WHEREAS, during the month of June 2013 the LMUA conducted an in house review of rental property accounts; and

WHEREAS, as a result of that review found that Heritage was under billed by 53 residential units; and

WHEREAS, at the time the billing error was discovered LMUA's Rules and Regulations allowed the Authority to back bill an income producing property for up to three years; and

WHEREAS, the total back billed amount is \$71,497.00 which covers the service period between June 30, 2010 through March 31, 2013; and

WHEREAS, the LMUA and CIS have negotiated a settlement agreement that is amicable to both parties; and

WHEREAS, the LMUA Attorney has advised the Authority to accept the settlement and sign an agreement between both parties; and

WHEREAS, the LMUA staff concurs with the Attorney's recommendation.

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority that Thomas F. Horn, Executive Director is hereby authorized to sign the Settlement Agreement with Community Investment Strategies, Inc. on behalf of Heritage Village of Lambertville for the following terms and conditions:

1. The \$71,497.00 back charge shall be exempt of all interest.
2. The total amount due shall remain a lien on the property until paid.
3. Community Investment Strategies, Inc. is permitted to pay back the amount due over a period of seven years.
4. The amount is to be paid in 28 equal payments and will be due starting September 30, 2014 at the same time as the regular quarterly bill.
5. Failure to make these payments will cause an acceleration of the total amount due.
6. The outstanding balance shall be due upon sale of the property.

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon adoption

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

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			

Mrs. MacGregor made a motion approving Resolution 036-2014 authorizing an agreement with Community Investment Strategies, LLC on behalf of Heritage Village of Lambertville. Mr. Rotondi seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

Hazard Mitigation Grant: The LMUA has been awarded a \$75,000 grant from the State's Lifeline/ Life Safety Energy Resilience Program. The Authority plans on using this money towards the rehab of the Swan Street Pump Station, including a more energy efficient generator. Mr. Horn had met with Mr. Testa, Hazard

Mitigation Unit Manager from NJ State Police Office of Emergency Management. Mr. Horn is currently working on the application paperwork for the grant. The application is due by no later than October 24, 2014.

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

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

Mr. Hayes made a motion to approve the bill list for July. Mr. Kramer 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.**

Mr. Watts reports that there are new documents being distributed between Black River & Western and the State. The settlement documents should be forthcoming.

**Adjournment.**

The meeting adjourned at 6:21 p.m. with a motion made Mr. Kramer and seconded by Mr. Hayes. 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 September 3, 2014.*