



**Lambertville Municipal Utilities Authority
Regular Meeting
Wednesday, August 7, 2013, 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 Chairman, Eric Richard 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.

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

Roll Call.

Mrs. Ege called the roll as follows:

Members Present included:

LMUA Board: Eric Richard-Chairman, Robert Hayes-Treasurer, Paul Rotondi-Alternate 1

Janine MacGregor-Vice Chairwoman entered meeting via conference call at 6:01 p.m. and exited at 6:36 p.m.

Absent: Frank Kramer-Secretary, Vince Uhl-Member

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Greg Watts-Attorney, Watts, Tice and Skowronek, Jacqueline Klapp-Court Reporter

Minutes.

The minutes of the June 5, 2013 meeting were approved on a motion made by Mr. Richard and seconded by Mr. Hayes, followed by a unanimous roll call vote except for Mr. Rotondi who abstained as he was absent.

MOTION CARRIED.

The closed session minutes of the June 5, 2013 meeting were approved on a motion made by Mr. Richard and seconded by Mr. Hayes, followed by a unanimous roll call vote except for Mr. Rotondi who abstained as he was absent. MOTION CARRIED.

Public Hearing.

Hook Up Fees:

At this time the matter of the hookup fees were discussed: Mr. Watts stated for the record that there were no members of the public in attendance. In a letter submitted by Bowman & Company, LLP, dated May 31, 2013 using the parameters contained in P.L. 1986, c. 526 shows that the LMUA follows the legislation limits on the amount charged for the connection fees. Mr. Watts reviewed Schedule A titled, *Maximum Connection Fee Calculation for the Year July 1, 2013 through June 30, 2014*. Stating the maximum allowed amount calculated

would be \$5,070.00, up by \$300.00 from last year's rate. Mr. Richard requested a motion to approve Resolution 034-2013 approving the connection fee to \$5, 070.00 effective July 1, 2013.

Resolution 034-2013 "Approving the Connection Fee"

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 034-2013

Approving the Connection Fee

Effective July 1, 2013

WHEREAS, after a public hearing held by the Lambertville Municipal Utilities Authority ("Authority") on August 7, 2013, pursuant to the provisions of N.J.S.A. 40:14A-8, sewer connection fees were determined by the Authority; and

WHEREAS, the hookup fee for the fiscal year from July 1, 2013 through June 30, 2014 was prepared by Bowman & Company, LLP, Special Projects Auditor to the Authority using the parameters contained in P.L. 1986, c. 526 shows that the LMUA is in accordance with legislation limits to increase the connection fee to \$5,070.00.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2013 sewer connection fees are hereby established at \$5,070.00 per equivalent dwelling unit (EDU); and

BE IT FURTHER RESOLVED that a schedule of the aforesaid connection fees shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, Lambert Lane Extended, Lambertville, New Jersey, and shall at all reasonable times be open to public inspection.

The Resolution was adopted by a call of ayes and nays as follows:

Moved: Mr. Richard

Seconded: Mr. Hayes

Governing Body Member:	Recoded Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer				X
Robert Hayes	X			
Vincent Uhl				X

In a motion made by Mr. Richard and seconded by Mr. Hayes with a unanimous roll call vote by the Board supporting Resolution #034-2013 as outlined for the amount to be charged for the connection fee for the fiscal year July 1, 2013 through June 30, 2014 will be \$5,070.00. The user fees for the coming year will remain the same.

Resolution 037-2013 "Approving the User Charge Amounts"

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 037-2013
Approving the User Charge Amounts
Effective July 1, 2013

WHEREAS, after a public hearing held by the Lambertville Municipal Utilities Authority (“Authority”) on August 7, 2013, pursuant to the provisions of N.J.S.A. 40:14A-8, user charge amounts were determined by the Authority; and

WHEREAS, the user charge system is reviewed by the Authority every year to ensure proper charges for users so that the Authority may operate, manage and maintain the sewerage facilities in an efficient manner; and

WHEREAS, after review the Special Projects Auditor does not recommend a change in user charge amounts.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2013 sewer use charge amounts will remain the same and are hereby established at \$452.00 per equivalent dwelling unit (EDU) per year for residential use, \$340.00 per EDU, per year for Senior Citizens; \$562.00 per EDU per year for commercial use and increased proportionally for all other rates as per the Rate Schedule dated July 1, 2013 through June 30, 2014.

BE IT FURTHER RESOLVED that a schedule of the aforesaid user charge amounts shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, Lambert Lane Extended, Lambertville, New Jersey, and shall at all reasonable times be open to public inspection.

The Resolution was adopted by a call of ayes and nays as follows:

Moved: Mr. Richard

Seconded: Mr. Hayes

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

In a motion made by Mr. Richard and seconded by Mr. Hayes with a unanimous roll call vote by the Board supporting Resolution #037-2013 as outlined approving the user charge amounts for the fiscal year July 1, 2013 through June 30, 2014.

Mr. Richard made a motion to close the public hearing. Mr. Hayes seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Swan St. Pump Station.

The Board reviewed Mr. Horn's memo dated June 12, 2013 which summarized the generator run time from 2003 through 2007 which totaled 33 ½ hours, and from 2008 to current totaled 266 ½ hours. He deduced that 94% of the run time was during three major events: Hurricane Sandy and Irene and the flood of June 2006.

In an updated memo Mr. Horn highlighted his professional opinion on the Swan St. pump station. He pointed out that due to the biosolids plan, this has not been top priority but it does need to be addressed in time due to its significance. Both Stockton's and Lambertville's flow travels directly from here to the plant before being processed. The station's age will contribute to an increase in future costs for repairs and replacement parts.

The memo entitled the "*Swan St. Pumping Station Rehabilitation Cost Estimate*" was reviewed and discussed along with the attached spread sheet. Mr. Horn discussed the process of rehabilitation in detail along with the possibility of completing it in various stages. The funding for the project was discussed in detail and after analysis it was determined that the Authority did not have sufficient funds to complete the project as a whole. It is Mr. Horn's opinion that the first stage of the Swan St. project could be started and after completion they could reevaluate. Mrs. McGregor asked Mr. Horn for a rough estimate on the overall time frame from the first stage to the fourth stage. Mr. Horn's best estimate is four years. The first step would be installation of a bypass system. Mrs. MacGregor expressed a concern on the comments in Hatch Mott's report regarding emergency generators and whether the DEP would accept natural gas as a fuel source. The Authority would need to obtain approvals from the State and the construction office before installation. Mr. Horn explained that natural gas produces significantly less fumes, noise and would be the most efficient option.

After a lengthy discussion on the overall benefits of rehabbing the station from the current condition, the Board decided to move forward with the by-pass project and after its completion reevaluate the remaining work. Mr. Richard requested to remove the bypass costs from Mr. Horn's estimate from the "*Rehabilitation Cost Estimate*" and to get more accurate numbers for cost and time of construction.

Mr. Richard then requested that Mr. Horn send a short letter to Mr. and Mrs. Franzini updating them on the generator report and the Board's plans for the station.

Mr. Richard made a motion in favor of authorizing Mr. Horn to start planning the by-pass project as part of the rehabilitation of the Swan St. pump station. Mrs. MacGregor seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

Hatch Mott MacDonald has revised their draft report on noise and odor remediation according to the Board's recommendations. Mr. Horn reviewed the requested changes with the Board. At this time the Board approved the final report as submitted by Hatch Mott MacDonald.

Mr. Richard made a motion to approve the Swan Street pump station report by Hatch Mott MacDonald, dated July 2013. Mr. Hayes seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

Public Comment.

There was no one in attendance.

Correspondence.

1. Phillips Barber Family Health Center WMP Amendment. Mr. Horn reviewed the letter updating the Board on the project explaining the building approval is dependent on updating the current sewer maps. He is currently working with CDM-Smith to include this site.
2. The Bucks & Stockton request for reimbursement for Capital Projects has been sent out and we have received confirmation that both will be paid within the month.
3. Sewer Capacity for 244 South Sugas Rd., New Hope, PA was approved in a letter dated July 15, 2013.
4. SHREC Hydro Study letter was sent July 15, 2013 with attached electricity bills for the past 12 months to Brad Campbell.
5. Sewer Capacity for Wagner Subdivision, New Hope, PA was approved in a letter dated July 29, 2013.
6. NJ DEP advised the Authority in a letter dated July 22, 2013 releasing us from our obligations from NJ DEP ACO# NEA090001-80392.
7. Lambertville Water Lofts WMP Amendment. Mr. Horn is working on including this site in the WMP and with CDM-Smith on revising the sewer maps.

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 months of June and July. Mr. Richard stated for the record that the Authority had not received any odor complaint calls over the summer months. Mr. Richard also noticed there were a few spikes in the sludge holding tank levels for July. Mr. Horn explained that since the Authority had switched to the new holding tank in July the levels were irregular as they were learning to use the new system. Mr. Richard requested that Mr. Horn work with CDM-Smith on a new maximum sludge level for the new holding tank.

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. Matheson has been working on the WMP maps for Phillips Barber and Lambertville Water Lofts projects.

Mr. Horn expects that the Annual Report should be completed for the September meeting.

Executive Directors Report – Thomas Horn.

July-August 2013 Operations and Maintenance: The staff replaced the pump to the drain system and continued draining tanks for our biannual maintenance. During the month of July we switched over from the old to the new tank completing the biosolids plan. Mr. Horn reports that everything is working well. The biofilter has adjusted to the new tank.

Union contract: Members of the Personnel committee reviewed the Union negotiations with the Board. Mr. Horn reported that they are waiting for information from the Union. Once the committee has a recommendation it will be brought before the Board.

WMP Amendment: CDM Smith is in the process of updating our current maps needed for the application. Mr. Horn has been working on the application and has sent letters out to Hunterdon Medical Center and Mr. Whitaker advising them of the costs.

FEMA: The appeal for Hurricane Sandy reimbursement costs have been submitted to FEMA and should receive an update shortly.

SHREC: At the committee meeting July 11th, T and M Associates was appointed as our new consultant for energy procurement. Brad Campbell began working on the Hydro Study. Mr. Horn directed the Board to pass the following Resolution appointing T and M Associates. He also advised the Board that the SHREC Contract Agreement was up for renewal the January and we should pass a Resolution in support.

Mr. Hayes made a motion to pass Resolution 035-2013 “Authorizing the Contract with T and M Associates for the Purchas of Electricity for the South Hunterdon Renewable Energy Cooperative.” Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

Resolution 035-2013 “*Authorizing the Contract with T and M Associates for the Purchas of Electricity for the South Hunterdon Renewable Energy Cooperative*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 035-2013

Authorizing the Contract with T and M Associates for the Purchase of Electricity
for the South Hunterdon Renewable Energy Cooperative

WHEREAS, the members of the South Hunterdon Renewable Energy Cooperative (SHREC) appointed Michael Mandzik of T and M Associates as the energy consultant on July 11, 2013; and

WHEREAS, T and M Associates is an approved provider of on-line auctions for the purchase of energy generation services by the Division of Local Government Services, Department of Community Affairs, State of New Jersey; and

WHEREAS, the SHREC's Board of Director has determined that the use of a reverse on-line auction for the purchase of electricity supply would enable the SHREC to obtain the most advantageous price for the commodity; and

WHEREAS, the City of Lambertville, in the County of Hunterdon, in the State of New Jersey is the Lead Agency of the SHREC; and

WHEREAS, the Department of Community Affairs, State of New Jersey permits the use of a reverse on-line auction for the purchase of energy generation services pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30.

NOW, THERFORE, BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority, State of New Jersey, the contract with T and M Associates is hereby authorized.

BE IT FUTHER RESOLVED, that the Mayor and Clerk are authorized to sign the contract.

BE IT FURTHER RESOLVED that:

1. The Lambertville Municipal Utilities Authority authorizes Michael Mandzik of T and M Associates to conduct a reverse on-line auction for the purchase of electricity supply for the South Hunterdon Renewable Energy Cooperative.
2. That the Lambertville Municipal Utilities Authority does hereby authorize the receipt of bids for the purchase of natural gas through a reverse on-line auction for the South Hunterdon Renewable Energy Cooperative. The SHREC Board of Directors shall determine the time, date and place for the receipt of said bids.
3. The reverse on-line auction shall take place on the date to be set on the newspaper publication.
4. The City Clerk shall prepare a notice for a newspaper publication announcing the auction, indicating the internet address.
5. A certified copy of this resolution shall be filed with the Director, Division for Local Government Services, Department of Community Affairs, State of New Jersey, T and M Associates and with the City of Lambertville as Lead Agency for the SHREC.

ADOPTED: August 7, 2013

Moved: Mr. Hayes

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			

Mr. Hayes made a motion in favor of passing Resolution 036-2013 "Authorizing LMUA to Continue with the Cooperative Pricing System and Authorize the Cooperative Pricing Agreements with Other

Contracting Units.” Mr. Rotondi seconded the motion. An affirmative roll call vote was taken in favor by all members present. MOTION CARRIED

Resolution 036-2013 “*Authorizing LMUA to Continue with the Cooperative Pricing System and Authorize the Cooperative Pricing Agreements with Other Contracting Units*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 036-2013

Authorizing the Lambertville Municipal Utilities Authority to Continue With the Cooperative Pricing System and Authorize the Cooperative Pricing Agreements with Other Contracting Units

WHEREAS, *N.J.S.A. 40A:11-11(5)* authorizes two or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the City of Lambertville, West Amwell Township, the Lambertville Municipal Utilities Authority, the Lambertville Public School, West Amwell Elementary School and the South Hunterdon Regional High School formed the Cooperative Pricing System on October 20, 2008 for the provision of performance of goods and services, and

WHEREAS, the approval from the New Jersey Division of Local Government Services for 177SHRECPS will expire on January 21, 2014.

NOW, THEREFORE BE IT RESOLVED as follows:

1. COOPERATIVE PRICING SYSTEM ESTABLISHED. The Board of Commissioners of the Lambertville Municipal Utilities Authority hereby authorizes the renewal of the Cooperative Pricing System to be known as SOUTH HUNTERDON RENEWABLE ENERGY CO-OP with the CITY OF LAMBERTVILLE serving as the Lead Agency.
2. COOPERATIVE PRICING AGREEMENT. The Mayor is hereby authorized to enter into separate Cooperative Pricing Agreements with the participating contracting units and said Agreement shall be deemed a single Agreement.
3. A certified copy of each resolution adopted by the entity shall be forwarded to the Division of Local Government Services as part of the application for the registration of this Cooperative Pricing System.
4. This resolution shall extend the cooperative for an additional five years, ending January 21, 2019 pending approval from the State of New Jersey Division of Local Government Services.

ADOPTED: August 7, 2013

Moved: Mr. Hayes

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
Paul Rotondi

X

X

Heritage Village: The Board reviewed the letter to Heritage Village dated June 17, 2013 advising them of a billing error. The account was being under charged by 53 residential units since April of 2005. The billing has been corrected and they have since been billed for their third quarter. Mr. Watts advised the board that the statute of limitations allows the Authority a maximum of six years to back-bill. However due to the Authority's Rules and Regulations the maximum we can back-bill is three years. The Board then decided to back-bill Heritage Village for the missed units at the maximum three years but not to charge interest since it was the Authority's error. Mr. Richard requested that the Board review the three year rule and that Mr. Watts work on an amendment allowing the Authority to charge for the full six years as allowable by law. The Board will then review the new language and vote on it at the next meeting.

Environmental Commission: There have been no new developments this past month.

Chief Financial Officer's Report - Kathy Leary.

Mr. Hayes made a motion to approve the bill lists for June & July Mr. Rotondi 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 State and the Railroad have come to an agreement on all issues and he should receive the final settlement papers shortly.

Adjournment.

The meeting adjourned at 7:02 p.m. with a motion made by Mr. Richard 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 September 5, 2013.