



**Lambertville Municipal Utilities Authority
Regular Meeting
Wednesday, August 3, 2016, 6:00 PM
Lambertville Wastewater Treatment Facility,
Lambert Lane Extended
Meeting Minutes**

The meeting was called to order at 6:01 p.m. by Secretary Hayes with a statement of compliance with the Open Public Meetings Act, providing the required legal notice published on Thursday, February 11, 2016 to The Hunterdon County Democrat, also noticed The Trenton Times. 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: Robert Hayes-Secretary, Paul Rotondi-Treasurer, Joseph Polizzi-Member and Russell Lambert-Alternate 1 and Megan Ruf-Alternate 2

Absent: Janine MacGregor- Chairwoman, Vincent Uhl-Vice Chairman, C. Gregory Watts, Watts Tice & Skoronek

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO

Pledge of Allegiance.

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

Minutes.

The minutes of the June 1, 2016 regular and closed session meetings were approved on a motion made by Mr. Rotondi and seconded by Mr. Polizzi followed by a unanimous roll call vote by all members present except for Mrs. Ruf who abstained as she was not present. MOTION CARRIED.

Public Comment.

There was no public in attendance.

Correspondence.

1. LMUA Memo: Mr. Horn's memo dated June 15, 2016 to request for City reimbursement for the NJEIT loan application.
2. LMUA: Letter to DEP dated June 23, 2016 sending the required permit readiness checklist for the Swan Creek Pump Station Resiliency Project.

3. LMUA: Letter dated June 29, 2016 confirming capacity for 8 N. Union Street for the proposed use changes.
4. Michael Burns Architects: Letter dated June 29, 2016 requested capacity for the proposed age restricted housing at 14 Lambert Lane.
5. LMUA: Letter dated July 5, 2016 confirming capacity for a new connection at 14 Lambert Lane.
6. LMUA: Letter dated July 5, 2016 confirming capacity for a new connection at 244 S. Sagan Road, New Hope, PA.
7. LMUA: Letter dated July 19, 2016 confirming capacity for a slight addition to 333 N. Main Street.

Chairwoman's Report.

The Board reviewed the newly replaced plant flow schematic now hanging in the conference room.

ODOR ISSUES: There were no odor complaints to report for June and one call in July. The Authority received one call at the end of July which coincided with the time the staff dumped the grit into the dumpster. The grit was treated with bleach and the dumpster lid covered.

Engineers Report – CDM Smith, Inc.

CDM-Smith is working on a few projects but nothing requiring a report.

Executive Directors Report – Thomas Horn.

OPERATIONS & MAINTENANCE: Treatment Facility: There were no plant issues to report. Staff completed painting several buildings at the main plant. Staff replaced a drainage valve on one of the RBCs and installed steel plates in the garage.

COLLECTION SYSTEM: Mr. Horn reported that the staff worked on normal maintenance of the stations. The Swan Street pumping station is nearly painted except for the last floor which has to wait for the rehab work to be completed. The staff fixed a problem with the level control at the N. Union Street pump station.

REGULATORY ISSUES: The Authority continues monitoring the biofilter and carbon unit. Mr. Horn continues to update our spill prevention plan.

ADMINISTRATIVE ISSUES:

Winter Storm Jonas: The Authority had submitted their public assistance request and all required back up documentation to FEMA on May 12, 2016. FEMA considered the Authority eligible for the force account labor, equipment, a manhole replacement and direct administrative costs associated with the first 48 hours of the storm totaling \$8,331.86. The check is forthcoming.

SWAN STREET PUMPING STATION: CDM-Smith has completed the replacement pump design and Mr. Horn will solicit for bids on August 4th with the opening date set for August 26th. He is continuing to work on other aspects to keep the project on target.

HAZARDOUS MITIGATION GRANT: No changes on the generator.

SWAN CREEK P.S. RESILIENCY PROJECT: NJ DEP has determined that the project is eligible. Mr. Horn with CDM Smith's assistance filled out a permitting questionnaire. Mr. Horn and CDM Smith will meet with the DEP permit's coordinator on August 9th to determine the appropriate permits. Mr. Horn will keep the Board updated on any new developments.

PENNEAST PIPELINE: Mrs. Ruf took a moment to discuss concerns about the proposed PennEast Pipeline as its planned path will go through preserved open space and next to the City's reservoir in West Amwell Township. The potential environmental impact the proposed gas pipeline could have on our community has raised many concerns. The Authority's main concern would be increased runoff due to deforestation needed to install the pipe on a steep slope near the reservoir and Swan Creek. Mr. Horn explained that the increased runoff could impact the size of the pump used in our Swan Creek P.S. Resiliency Project. The project which is under DEP review would help to decrease flooding around our pump station next to Swan Creek and our treatment plant between the creek and the river. Mr. Horn will communicate our concerns to the City and follow up on new developments.

GRINDER PUMPS: In a memo distributed to the Board Mr. Horn outlined the grinder pump project history beginning in 2001. He explained it has been past practice to enter into an agreement with the property owners who utilize grinder pumps and loan out a spare while their failed pump was repaired. After the most recent pump repair we reviewed our records that showed not all of the current owners had agreements in place. Mr. Horn spoke to Attorney Watts prior to the meeting and questioned whether new agreements should be executed. It was Attorney Watts recommendation as per his letter dated July 8, 2016 that the Authority stop offering to loan a pump out and give complete responsibility to the owner. The Authority should then record each pump on the properties' account and supply the owner with contact information

for emergency service. The Board was in agreement with Mr. Watt's recommendation and voted to move the below resolution.

Resolution 028-2016 *"Adopting a Policy on Grinder Pumps"*

WHEREAS, the Lambertville Municipal Utilities Authority "Authority" owns certain sewer facilities the "System" which provide public sewer service to Lambertville and Stockton, New Jersey and Bucks County, Pennsylvania; and

WHEREAS, certain properties were connected to the Authority System as part of the extension of sanitary sewers to the southern portion of the City through the use of grinder pumps; and

WHEREAS, the Authority provided the owners of these properties with grinder pumps at no cost as part of that sanitary sewer extension project; and

WHEREAS, the Authority stipulated that the owner of each property was responsible for installation and maintenance/repair of the grinder pump; and

WHEREAS, the Authority purchased two spare grinder pumps as part of the project with the intention that they would be available to be loaned to a property owner should their grinder pump fail and the Authority would repair the failed grinder pump and bill the property owner for the cost of that repair; and

WHEREAS, the Authority has provided this service to the four property owners over the fifteen years since the project was put into operation; and

WHEREAS, the Authority has determined that it should no longer provide this service due to possible liability issues, availability of replacement pumps and repair issues

WHEREAS, the Authority Board of Commissioners concur with this recommendation.

NOW, THEREFORE, be it resolved by the Authority Board as follows:

1. The Authority will stop the practice of loaning a grinder pump to property owners that experience a failed grinder pump.
2. The Authority Executive Director shall notify all property owners whose property is serviced by a grinder pump of this policy and provide the contact information of a company or companies that service and/or repair grinder pumps.
3. The Authority's records shall be updated as necessary to note those properties serviced by a grinder pump.
4. The Authority Executive Director is directed and authorized to auction the spare grinder pumps.
5. This resolution shall take effect immediately.

Mr. Rotondi made a motion to approve Resolution 028-2016 adopting a policy on grinder pumps. Mr. Polizzi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

Governing Body Member	Recorded Vote		Abstain	Absent
	Aye	Nay		
Janine MacGregor				X
Vincent Uhl				X
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			
Russell Lambert	X			
Megan Ruf	X			

UNION/ PERSONNEL ISSUES: Attorney Watts has completed his review of the updated Personnel Manual. A list of the required changes to this has been included in the packet. The Board took a moment to review these. Mrs. Ruf discussed the importance of random drug testing of all employees as well as performing a driving check prior to employment. Mr. Horn will discuss this with Attorney Watts and our risk manager to get their opinion. The Authority will then need to update their policies. Having no other concerns the Board moved the below resolution authorizing the required changes to our personnel policies and procedures.

Resolution 027-2016 “Adopting Personnel Policies and Procedures”

WHEREAS, it is the policy of Lambertville Municipal Utilities Authority “LMUA” to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the LMUA has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the LMUA that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Authority officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Authority employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the LMUA.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Authority shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that the Executive Director and all managerial/supervisory personnel are responsible for these employment practices. The Personnel Officers and the Legal/ Labor Attorney shall assist the Executive Director in the implementation of the policies and procedures in this manual.

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

Mrs. Ruf made a motion to adopt Resolution 027-2016 adopting the personnel policies and procedures as submitted. Mr. Rotondi seconded the motion. An affirmative roll call vote was taken by all members present. MOTION CARRIED

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor				X
Vincent Uhl				X
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			
Russell Lambert	X			
Megan Ruf	X			

PURCHASE OF A FORD F-350:

Mr. Horn’s last agenda item was the purchase of a 2017 Ford F-350 to replace the 2003 Ford F-350 as budgeted because of high mileage and increasing repairs.

Resolution 029-2016 *“Authorizing the Purchase of a 2017 Ford F-350”*

WHEREAS, the Lambertville Municipal Utilities Authority has a need to acquire a replacement vehicle for daily plant use due to the high mileage and age it is in need of major repair; and

WHEREAS, the Commissioners agree with the recommendation; and

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, on behalf of the State by the Division of Purchase and Property in the Department of the Treasury N.J.S.A. 40A:11-12(a) to purchase goods or services under State contract; and

WHEREAS, the Authority has determined that it is necessary and advisable to enter into a State agreement for the purchase of a 2017 Ford F-350, as the most cost-effective method of procurement; and

WHEREAS, it is the intent of the Authority to make a contact award to Cherry Hill Winner Ford pursuant to the proposal submitted indicating they will provide the 2017 Ford F-350, State Contract number A88758 for \$33,239.00; and

WHEREAS, the Authority’s CFO has certified that funds are available for this contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority, as follows:

1. Thomas F. Horn is hereby authorized and directed to enter into a contract with Cherry Hill Winner Ford as described herein.
2. The Resolution shall be effective immediately upon adoption.

Mr. Rotondi made a motion to approve Resolution 029-2016 authorizing Mr. Horn to purchase a 2017 Ford F-350 for \$33,239.00. Mr. Polizzi seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

Governing Body Member	Recorded Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor				X
Vincent Uhl				X
Robert Hayes	X			
Paul Rotondi	X			
Joseph Polizzi	X			
Russell Lambert	X			
Megan Ruf	X			

Chief Financial Officer's Report - Kathy Leary.

Mrs. Ruf made a motion to memorialize the bill list for June and approve the bill list for 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.

Attorney Watts was not in attendance.

Adjournment.

The meeting adjourned at 6:34 p.m. with a motion made Mr. Rotondi and seconded by Mr. Polizzi. 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 7, 2016.