



Lambertville Municipal Utilities Authority
Wednesday, February 6, 2013, 6:00 PM
Lambertville Wastewater Treatment Facility,
Lambert Lane Extended
Reorganization Meeting
Meeting Minutes

The meeting was called to order at 6:01 p.m. by the Chairman, Eric Richard with a statement of compliance with the Open Public Meetings Act, providing the required legal notice published on Thursday December 20, 2012 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, Janine MacGregor-Vice Chairwoman, Frank Kramer-Secretary, Vince Uhl-Member, Paul Rotondi-Alternate 1, Preston Klingseis-Alternate 2

Absent: Robert Hayes-Treasurer

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

Public Comment.

Mr. & Mrs. Franzini were in attendance to discuss the odor/noise issues at the Swan St. pumping station. Mr. Horn in review of his memo discussed some of the proposed solutions from the generator contractor. These modifications included installation of a insulated duct on the inlet side of the generator and a cover over most of the outlet damper with insulation. The Board reviewed this proposal along with some other options discussed in prior meetings. Mrs. Franzini had discussed the options and her concerns as a neighbor to the pump station. She requested that the Board do a more in-depth analysis on both the fumes and noise issues. Mr. Richard noted that the LMUA would like to do a cost benefit analysis on the station. Mrs. MacGregor suggested that the Authority's Engineer prepare an extensive report with long term effects. Mayor DeVecchio who was also in attendance suggested that Mr. Horn give the City Clerk a call to discuss grant funding made available from FEMA for flood plain areas to assist with the costs. At this time the Board was in agreement to report back in March with a study from the Engineer.

Mr. Richard then took a moment to formally acknowledge the Mayor's presence. At this time the Mayor on behalf of the community and the governing body expressed his gratitude towards the Board and staff for their work on odor remediation and continued efforts on the plant improvements. "The jobs of the volunteer Boards and Commissions are just as important as emergency services" he said "as they all contribute a valuable service to this community".

Minutes.

The minutes of the January 2 , 2013 meeting were approved on a motion made by Mr. Kramer and seconded by Mrs. MacGregor, followed by a unanimous roll call vote except for Mr. Rotondi who abstained as he was absent at the January meeting. MOTION CARRIED.

Oath of Office.

Attorney Watts administered the oath of office to Janine MacGregor.

Reorganization.

Resolutions:

Election of Authority Positions

At this time the meeting was turned over to Attorney Watts for the purpose of accepting nominations for the position of Chairman.

1. **Appointment of Chairman:** Mrs. MacGregor made a motion authorizing Resolution 001-2013 electing Eric Richard as Chairman of the Authority. Mr. Rotondi seconded the motion. Followed by a unanimous voice vote by all members present. MOTION CARRIED

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 001-2013
Resolution to Appoint Eric Richard as Chairman

WHEREAS, Eric Richard was appointed by the Mayor and City Counsel of Lambertville to serve as a commissioner of the Lambertville Municipal Utilities Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Eric Richard as Chairman for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Thereafter, Chairman Richard assumed the chair of the meeting.

2. **Appointment of Vice Chairman:** Mr. Richard made a motion authorizing Resolution 002-2013 electing Janine MacGregor as Vice Chairman of the Authority. Mr. Kramer seconded the motion. Followed by a unanimous voice vote by all members present. MOTION CARRIED

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 002-2013
Resolution to Appoint Janine MacGregor as Vice Chairwoman

WHEREAS, Janine MacGregor was appointed by the Mayor and City Counsel of Lambertville to serve as a commissioner of the Lambertville Municipal Utilities Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Janine MacGregor as Vice Chairwoman for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

3. **Appointment of Secretary:** Mr. Richard made a motion authorizing Resolution 003-2013 electing Frank Kramer as Secretary of the Authority. Mr. Uhl seconded the motion. Followed by a unanimous voice vote by all members present. MOTION CARRIED

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 003-2013
Resolution to Appoint Frank Kramer as Secretary

WHEREAS, Frank Kramer was appointed by the Mayor and City Counsel of Lambertville to serve as a Commissioner of the Lambertville Municipal Utilities Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Frank Kramer as Secretary for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

4. **Appointment of Treasurer:** Mr. Richard made a motion authorizing Resolution 004-2013 electing Robert Hayes as Treasurer of the Authority. Mr. Kramer seconded the motion. Followed by a unanimous voice vote by all members present. MOTION CARRIED

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 004-2013
Resolution to Appoint Robert Hayes as Treasurer

WHEREAS, Robert Hayes was appointed by the Mayor and City Counsel of Lambertville to serve as a Commissioner of the Lambertville Municipal Utilities Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Robert Hayes as Treasurer for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to close all Board nominations. Mr. Kramer seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

Other Resolutions

1. Resolution 006-2013 *“Establishing 2013 Board Meeting Schedule and Designating Official Newspapers”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 006-2013

ESTABLISHMENT OF MEETING DATES AND TIMES AND DESIGNATING OFFICIAL NEWSPAPERS

BE IT RESOLVED by the Lambertville Municipal Utilities Authority (the “Authority”) that the following matters are hereby determined in accordance with the provisions of the Open Public Meetings Act, N. J. S. A. 10-4-6 et seq.

1. The regular meetings of the Lambertville Municipal Utilities Authority to be held during the period from February 6, 2013 through February 5, 2014 are to be held at the Authority’s office located at Lambert Lane Extended, Lambertville New Jersey at 6:00 p.m. on the first Wednesday of the month unless otherwise advertised on the dates set forth below:

March 6, 2013	September 4, 2013
April 3, 2013	October 2, 2013
May 1, 2013	November 6, 2013
June 5, 2013	December 4, 2013
July (time to be determined)	January 1, 2014
August 7, 2013	February 5, 2014

2. The *“Hunterdon County Democrat”*, be designated as the official newspaper and that official notices may also be published in the daily newspaper, *“The Trenton Times”* or *“The Beacon”* to meet time requirements pursuant to N.J.S.A. 40:53-1 et seq.
3. A certified copy of this resolution shall, within seven (7) days of its adoption, be posted, until modified, in the office of the Authority at Lambert Lane Extended, Lambertville, New Jersey, the Authority’s web site, and provided to the Lambertville City Clerk’s office.
4. This resolution shall take immediate effect.

Mr. Richard made a motion to authorizing Resolution 006-2013 establishing the meeting schedule and designating *“The Hunterdon County Democrat”* as the official newspaper and the daily newspapers *“The Trenton Times”* or *“The Beacon”* as alternates. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

2. Resolution 007-2013 *“Appointing Melissa Ege as the Custodian of Records and Recording Secretary to the Board”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 007-2013

Resolution Appointing Melissa Ege as the Custodian of Records and Recording Secretary to the Board

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoint Melissa Ege as Custodian of Records and Recording Secretary to the Board for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to authorize Resolution 007-2013 appointing Melissa Ege as the custodian of records and recording secretary to the Board for (1) one year. Mr. Kramer seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

3. Resolution 008-2013 *“Designating the Chief Financial Officer as Custodian of Funds”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 008-2013

Designation of Chief Financial Officer as Custodian of Funds

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that the Chief Financial Officer be designated as Custodian of all funds for the Authority for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to authorize Resolution 008-2013 appointing the CFO as custodian of funds for (1) one year. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

4. Resolution 009-2013 *“Designation of Official Depository”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Resolution 009-2013

Designation of Official Depository

WHEREAS, section N.J.S.A. 40A:5-14 of New Jersey Administrative Code requires that each public agency shall annually adopt a cash management plan designating official depositories being in this State and organized under the laws of the United States; and

WHEREAS, the official depository shall file with the Chief Financial Officer a statement indicating that the bank is a public depository as defined by the Governmental Unit Deposit Protection Act N.J.S.A. 17:9-41.

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

1. That the following named banks shall be allowed to be used as Depositories for all Authority Funds:

PNC Bank
Bank of Princeton
Wells Fargo Bank
New Jersey Cash Management Fund

2. The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to authorize Resolution 009-2013 designating any of the three listed as the official depository for the Authority. Mr. Kramer seconded the motion. A unanimous voice vote was taken in favor of the motion by all members present. **MOTION CARRIED**

5. Resolution 10-2013 *“Authorizing Signatures on Authority Bank Accounts”*

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 010-2013
Authorizing Signatures on Authority Bank Accounts**

WHEREAS, on February 6, 2013 the Commissioners of the Lambertville Municipal Utilities Authority met to hold the annual reorganization; and

WHEREAS, they designated the following employees as signers on Authority Bank Accounts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that through February 1, 2014 checks drawn or withdraws from these accounts be signed as follows:

Collection Account:
Kathy Leary-CFO or Thomas F. Horn-Executive Director

Pay Roll Account:
Kathy Leary-CFO, Thomas F. Horn-Executive Director or Melissa S. Ege-Administrative Assistant

State of NJ Cash Management Account:
Kathy Leary-CFO or Thomas F. Horn-Executive Director

BE IT FURTHER RESOLVED that the accounts listed below be signed by two of the following officers, requiring that one be either the Chairman or Vice Chairman and one be either the Secretary or Treasurer:

Eric Richard, Chairman
Janine MacGregor, Vice Chairman
Frank Kramer, Secretary
Robert Hayes, Treasurer

Combination Sewer Cleaner Account
Improvement Fund
Operating Account

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 010-2013 authorizing signatures on Authority Bank Accounts. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken in favor of the motion by all members present. MOTION CARRIED

6. Resolution 011-2013 “*Appointing Certifying Officer for PERS and Supervisor of the Certifying Officer*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 011-2013
Resolution Appointing Kathy Leary as Certifying Officer for PERS and Thomas F. Horn as Supervisor of the Certifying Officer

WHEREAS, under the procedures of the New Jersey Division of Pensions and Benefits there states a requirement to designate a Certifying Officer for PERS and a Supervisor to the Certifying Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that Kathy Leary, CFO is hereby appointed as Certifying Officer for PERS and Thomas F. Horn, Executive Director is hereby appointed as Supervisor to the Certifying Officer for a term of one (1) year

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to authorize Resolution 011-2013 designating Mrs. Leary as Certifying Officer for PERS and Mr. Horn as the Supervisor to the Certifying Officer. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken in favor of the motion by all members present. MOTION CARRIED

7. Resolution 012-2013 *“Appointing 2013 JIF Representatives”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 012-2013
Resolution to Appoint 2013 NJUA JIF Representatives

WHEREAS, pursuant New Jersey Joint Utilities Authority Law each participating utility authority shall appoint one Commissioner and one Safety Coordinator. In addition, each member may appoint one alternate to attend either regular or special meetings on behalf of the utility authority in the absence of the Fund Commissioner and one alternate safety coordinator; and

WHEREAS, the Fund Commissioner is authorized to cast one vote and endorse all necessary paperwork pertaining to the fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Thomas F. Horn, P.E. as the Commissioner and Safety Coordinator and Melissa S. Ege as Alternate Commissioner and Alternate Safety Coordinator for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to authorize Resolution 012-2013 appointing Mr. Horn as the Commissioner and Safety Coordinator and Mrs. Ege as the Alternate Commissioner and Alternate Safety Coordinator for a term of (1) one year. Mr. Kramer seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

8. Resolution 013-2013 *“Authorizing Mr. Richard and Mr. Horn to endorse the CP1 Form, Sewer Application forms and others”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 013-2013
Authorizing Eric Richard and Thomas F. Horn to Endorse the CP1 Form, Sewer Application Forms and all Other Forms

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby authorizes Eric Richard and Thomas F. Horn to endorse the CP1 Form, Sewer Application forms and others for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 013-2013 authorizing Mr. Richard and Mr. Horn to endorse the CP1 Form, sewer application forms and others. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

9. Resolution 014-2013 *“Appointing Mr. Kramer and Mr. Hayes as Personnel Officers”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 014-2013
Resolution to Appoint Frank Kramer and Robert Hayes as Personnel Officers

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Frank Kramer and Robert Hayes as Personnel Officers for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 014-2013 appointing Mr. Kramer and Mr. Hayes as Personnel Officers for a term on (1) one year. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

10. Resolution 015-2013 *“Authorizing Mr. Horn to endorse all New Jersey Department of Environmental Protection Forms, Sludge Permits, Sewer Extension Permits and all Other Permits”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 015-2013
Authorizing Thomas F. Horn to Endorse all New Jersey Department of Environmental Protection Forms, Sludge Permits, Sewer Extension Permits and all other Permits

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby authorizes Thomas F. Horn to endorse all New Jersey Department of Environmental Protection forms, Sludge Permits, Sewer Extension Permits and all other permits for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 015-2013 authorizing Mr. Horn to endorse all New Jersey Environmental Protection forms, sludge permits, sewer extension permits and all other permits. Mr. Kramer seconded the motion. A unanimous voice vote was taken by all members present. MOTION CARRIED

Appoint Professionals

1. Resolution 016-2013 *“Authorizing Professional Service Contracts for Engineer, Special Projects Engineer and Alternate Engineer”*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 016-2013
Authorizing Professional Service Contracts for Engineer, Special Projects Engineer and
Alternate Engineer

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

WHEREAS, the Authority has determined that it is necessary and advisable that it retain the services of Professional Engineers to serve as Engineer, Special Projects Engineer and Alternate Engineer; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process bids were received on January 18, 2013 for Engineer, Special Projects Engineer and Alternate Engineer; and

WHEREAS, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and other factors considered; 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 execute an agreement with the following individuals for the period through January 31, 2014.
 - a. Howard S. Matteson, P.E., BCEE of CDM-Smith to serve as Engineer not to exceed \$87.50 hourly rate (range \$28.00-87.50) and \$9,000.00 a year as specified in contract amount.
 - b. Hatch Mott MacDonald to serve as Special Projects Engineer not to exceed \$150.00 hourly rate (range \$79.00-\$150.00) as specified in contract.
 - c. T&M Associates to serve as Alternate Engineer not to exceed \$159.00 hourly rate (range \$66.00-159.00) as specified in contract.
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 016-2013 awarding the professional service contracts for Engineer to CDM-Smith for Special Projects Engineer to Hatch Mott MacDonald and for Alternate Engineer to T&M Associates through January 31, 2014. Mr. Kramer seconded the motion. A unanimous voice vote was taken by all members present. **MOTION CARRIED**

2. Resolution 017-2013 “*Authorizing Professional Service Contracts for Auditor and Special Projects Auditor*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 017-2013
Authorizing Professional Service Contracts for Auditor and Special Projects Auditor

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

WHEREAS, the Authority has determined that it is necessary and advisable that it retain the services of Professional Auditors to serve as Auditor and Special Projects Auditor; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process bids were received on January 18, 2013 for Auditor and Special Projects Auditor; and

WHEREAS, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and qualified; 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 execute an agreement with the following individuals for the period through January 31, 2014.
 - a. Robert J. Butvilla of Suplee, Clooney & Company, to serve as Auditor not to exceed \$150.00 hourly rate, \$19,900.00 Statutory Audit as specified in contract.
 - b. Bowman & Company LLP to serve as Special Projects Auditor not to exceed \$208.00 hourly rate (range 50.00-208.00), \$15,000.00 assistance with Local finance Board and Bonds yearly and other as specified in contract.
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 017-2013 awarding the professional service contracts for Auditor to Suplee, Clooney & Co., and Special Projects Auditor to Bowman & Co. LLP through January 31, 2014. Mr. Kramer seconded the motion. A unanimous voice vote was taken by all members present. **MOTION CARRIED**

4. Resolution 018-2013 “*Authorizing Professional Service Contract for Financial Advisor*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 018-2013
Authorizing Professional Service Contracts for Financial Advisor

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

WHEREAS, the Authority has a need to acquire financial services; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process bids were received on January 18, 2013 for Financial Advisor; and

WHEREAS, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and qualified; 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 execute an agreement with Acacia Financial Group to serve as Financial Advisor, not to exceed \$250.00 hourly rate (range \$50.00-250.00) as specified in contract for the period through January 31, 2014.
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 018-2013 awarding the professional service contract for Financial Advisor to Acacia Financial Group through January 31, 2014. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken by all members present.

MOTION CARRIED

5. Resolution 019-2013 “*Authorizing Professional Service Contracts for Legal/Labor Attorney, Special Projects Attorney and Bond Counsel*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 019-2013
Authorizing Professional Service Contracts for Legal/ Labor Attorney, Special Projects Attorney and Bond Counsel

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

WHEREAS, the Authority has determined that it is necessary and advisable that it retain the services of Professional Attorney to serve as Legal/ Labor Attorney, Special Projects Attorney and Bond Counsel; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process bids were received on January 18, 2013 for Auditor and Special Projects Auditor; and

WHEREAS, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and qualified; 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 execute an agreement with the following individuals for the period through January 31, 2014.
 - a. C. Gregory Watts of Watts, Tice & Skowronek, to serve as Legal/ Labor Attorney not to exceed \$170.00 hourly rate as specified in contract
 - b. Bradley M. Campbell of Bradley M. Campbell LLC to serve as Special Projects Attorney not to exceed \$250.00 hourly rate (range \$75.00-250.00) as specified in contract.
 - c. Capehart & Scatchard to serve as Bond Counsel not to exceed \$205.00 blended hourly rate, \$35,000.00 plus \$1.10 per thousand dollars of bonds issued and other as specified in contract. Position is awarded with the provision that no work may occur until the ongoing litigation with Black River & Western is settled.
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 019-2013 awarding the professional service contracts for Legal/Labor Attorney to Watts, Tice & Skowronek, Special Projects Attorney to Bradley M. Campbell LLC and Bond Counsel to Capehart & Scatchard through January 31, 2014. Bond Counsel awarded with the provision that no work may occur until the ongoing litigation with Black River & Western is settled. Mr. Rotondi seconded the motion. A unanimous voice vote was taken in favor of the motion by all members present. **MOTION CARRIED**

6. Resolution 020-2013 “*Authorizing Professional Service Contracts for Risk Manager Consultant*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 020-2013
Authorizing Professional Service Contract for Risk Manager

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

WHEREAS, the Authority has determined that it is necessary and advisable that it retain the services of Risk Manager; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process bids were received on January 18, 2013 for Risk Manager; and

WHEREAS, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and qualified; 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 execute an agreement with Fairview Insurance Agency to serve as Risk Manager, not to exceed six percent (6%) of LMUA’s annual assessment as stipulated by New Jersey Municipal Utilities Joint Insurance Fund for the period through January 31, 2014.
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.

Mr. Richard made a motion to approve Resolution 020-2013 awarding the professional service contract for Risk Manager to Fairview Insurance Agency through January 31, 2014. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken in favor of the motion by all members present. **MOTION CARRIED**

Mr. Richard made a motion to close all nominations and appointments for 2013 and to continue with the regular monthly meeting. Mrs. MacGregor seconded the motion. A unanimous voice vote was taken in favor of the motion by all members present. **MOTION CARRIED**

Correspondence.

1. Letter to the DRBC for Docket No. D-1969-150 CP-2 submitting sampling results for 2012.

2. LMUA received The Governor's Occupational Safety and Health Award for 2012.
3. Letter approving sewer capacity and availability through the next five years for the proposed Academy Hill Subdivision.
4. Letter approving sewer capacity and availability through the next five years for 18 Mechanic St., New Hope, PA.

Chairman's Report.

The Chairman read a letter of appreciation from the Mayor and City Counsel of Lambertville for LMUA's contribution towards Hurricane Sandy clean up costs.

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 January. The Odor Call sheet shows that there were no calls for this month. Compared to the amount of calls received last December there has been a significant decrease. He reviewed all of the physical and operational changes the Board has implemented and feels that because of them the LMUA has improved the air quality in and around the surrounding area of the plant.

Engineers Report – CDM Smith, Inc.

Mr. Horn reviewed Mr. Matteson's report dated February 4, 2013 outlining his work this month. CDM Smith continues to review and submit the close out documentation for the Improvement Project. There was no other activity for this month.

Executive Directors Report – Thomas Horn.

February 2013 Operations and Maintenance: Mr. Horn reported that the plant staff had fixed and replaced some broken pipes due to freezing. This had a minimal impact on sludge processing.

Union/Personnel Issues: Mr. Horn recommended that the Board prepare for negotiations for the Union contract which expires July 1, 2013. Before this we will need to put together a negotiating committee. He also would like to make the Board aware that when this contract expires all employees will start paying a percentage of the health care benefits.

Plant Construction: Mr. Matteson is completing the record drawings and O&M manual for the Improvement Project close out. Mr. Horn then reviewed the memo he prepared on the sludge storage tank cover project. In his memo he had listed three quotes from different companies for the job. Mr. Horn recommended that the Board award the project to MBE Mark III as it was the most advantageous quote.

Resolution 022-2013 “*Authorizing the Award of the Sludge Storage Tank Cover Installation*”

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 021-2013
Authorizing the Award of the Sludge Storage Tank Cover Installation

WHEREAS, the Lambertville Municipal Utilities Authority has a need to acquire a contractor for the installation of the Sludge Storage Tank Cover; and

WHEREAS, the Authority solicited three proposals for the installation work; and

WHEREAS, MBE Mark III has submitted a proposal dated January 21, 2013 indicating they will provide the installation of the sludge storage tank cover for \$14,000.00; and

WHEREAS, the Authority staff recommends awarding a contract to MBE; and

WHEREAS, the commissioners agree with the recommendation; and

WHEREAS, pursuant to *N.J.A.C. 5:30-5.4* the Authority’s CFO has certified that funds are available for this contract.

NOW THEREFORE, BE IT RESOLVED that the Commissioners of the Lambertville Municipal Utilities Authority authorizes Thomas F. Horn to enter into a contract with MBE Mark III as described herein; and

BE IT FURTHER RESOLVED that the Resolution shall be effective immediately upon adoption.

Moved: Mr. Richard

Seconded: Mrs. MacGregor

Governing Body Member:	Voice Vote			
	Aye	Nay	Abstain	Absent
Eric Richard	X			
Janine MacGregor	X			
Frank Kramer	X			
Robert Hayes				X
Vincent Uhl	X			
Paul Rotondi	X			
Adopted: February 6, 2013				

Mr. Richard made a motion to approve Resolution 021-2013 to award the sludge storage tank cover project to MBE Mark III not to exceed the amount specified in the quote dated January 21, 2013 for \$14,000.00. Mrs. MacGregor seconded the motion. A unanimous roll call vote was taken in favor by all members present.

MOTION CARRIED

Hurricane Sandy: LMUA has submitted the FEMA Form 90-91 showing the total reimbursement to be 75% of the total submission of \$58,613.86. We are now waiting for the close out paperwork on this.

Audit: The 2012 Audit has been received and reviewed by the Board prior to tonight's meeting. Mr. Horn requested that the Board move to except it if there are no notes or corrections. The Board decided at this time to except the 2012 Audit.

Mrs. MacGregor made a motion to accept the 2012 Audit. Mr. Kramer seconded the motion. A unanimous roll call vote was taken by all members present. **MOTION CARRIED**

Combination Truck: Mr. Horn explained that if LMUA purchased the smaller truck option that would not require a CDL license and we can purchase the truck through the National Coop. After some discussion the Board decided to go ahead with the public notice so that this contract could be awarded at the March 6 meeting.

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.

Replace Ford Escape: The Executive Director's car is in need of major repair or replacement. The vehicle is available through a state contract at \$24,708.00. The Board discussed the current issues and the amount of use the vehicle has for being a 2004.

Resolution 022-2013 *"Authorizing the Purchase of 2013 Ford Explorer"*

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Resolution 022-2013
Authorizing the Purchase of a 2013 Ford Explorer

WHEREAS, the Lambertville Municipal Utilities Authority has a need to acquire a replacement vehicle for the Executive Director 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 2013 Ford Explorer, as the most cost-effective method of procurement; and

WHEREAS, it is the intent of the Authority to make a contact award to Beyer Warnock Fleet pursuant to the proposal submitted indicating they will provide the 2013 Ford Explorer, State Contract number 83013 for \$25,173.00; 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 Beyer Warnock Fleet as described herein.
2. The Resolution shall be effective immediately upon adoption.

Moved: Mr. Richard
 Seconded: Mr. Kramer

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

Adopted: February 6, 2013

Mr. Richard made a motion to approve Resolution 022-2013 authorizing the purchase of a replacement vehicle for the Executive Director not to exceed \$24,708.00. Mr. Kramer seconded the motion. A unanimous roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

Chief Financial Officer’s Report - Kathy Leary.

Mrs. MacGregor made a motion to approve the bill list for January. Mr. Kramer seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED.

The Board then took a moment to sign the group affidavit form entitled Certification of “*Governing Body of the Annual Audit*” affirming that they have all reviewed the 2012 Audit Report and specifically the “*Comments and Recommendations*” section. The form is then to be submitted to the New Jersey Local Finance Board.

Attorney’s Report – Greg Watts.

Mr. Watts reviewed his letter to the Authority on the new local Authorities Fiscal Control Law. He explained that the state of New Jersey is requiring more information be made available on the Authorities’ web site. Mr. Horn explained that we have been maintaining a web site and would only have to make a few additions and changes to be in compliance. The Board will be updated on the web site’s progress at the March 6th meeting.

Mr. Watts updated the Board on the ongoing litigation between Black River Western and the State. He reported that the Railroad and the State are still in negotiations and he will keep the board informed of any new developments.

Adjournment.

The meeting adjourned at 7:28 p.m. with a motion made by Mr. Richard and seconded by Mrs. MacGregor. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Lambertville Municipal Utilities Authority
Reorganization Meeting
Wednesday, February 6, 2013, 6:00 PM
Lambertville Wastewater Treatment Facility, Lambert Lane Extended
Meeting Minutes
Page 19

Melissa S. Ege

Melissa S. Ege, Administrative Assistant

Approved at the regularly scheduled Lambertville MUA Board meeting held on Wednesday March 6, 2013.