



**Lambertville Municipal Utilities Authority
Regular Meeting
Wednesday, November 2, 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 Chairwoman MacGregor 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: Janine MacGregor- Chairwoman, Paul Rotondi-Treasurer and Megan Ruf-Alternate 2

Absent: Vincent Uhl-Vice Chairman, Robert Hayes-Secretary, Joseph Polizzi-Member and Russell Lambert-Alternate 1

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO & C. Gregory Watts, Watts Tice & Skoronek

Pledge of Allegiance.

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

Minutes.

The minutes of the October 5, 2016 regular session meeting were not approved as Mrs. MacGregor, Mr. Rotondi and Mrs. Ruf were not able to vote as they were absent. This will be on the agenda for the December 7, 2016 regular meeting.

Public Comment.

There was no public in attendance.

Correspondence.

1. Confined Space Rescue Team: The Authority had sent a letter to the Lambertville Fire Department dated October 14, 2016 to begin negotiating an updated agreement as our designated confined space rescue team. Once an agreement is in place we can begin annual rescue drills as required by OSHA. Mr. Horn will keep the Board updated on new developments.

2. ACUA Sludge Hauling & Processing Rate Increase: In a letter dated October 19, 2016 the Authority was advised that as per our contract agreement with ACUA our costs for sludge disposal will increase .35% effective February 1, 2017.

Chairwoman's Report.

Thanksgiving Turkeys: Mrs. MacGregor made a motion to approve the purchase of Thanksgiving turkeys for the LMUA employees in an amount not to exceed \$300.00. Mr. Rotondi seconded the motion. A unanimous roll call vote was taken by all members present.
MOTION CARRIED

Engineers Report – CDM Smith, Inc.

CDM Smith did not submit a report as Mr. Horn has outlined their work for October in his Operations Report.

Executive Directors Report – Thomas Horn.

OPERATIONS & MAINTENANCE:

Mr. Horn reported that an automatic valve failed in the clarifiers. A vender is in to repair this now. No other issues of concern for the month of October.

COLLECTION SYSTEM: The Authority is currently working on repairing the grinder pump at the Swan Street pump station.

ODOR ISSUES: The Authority received one call concerning odors on October 17, 2016 from a resident on S. Main Street. The caller detected an odor for about an hour and utility personnel responded within a half hour but could not confirm.

UNION/ PERSONNEL ISSUES: Mr. Horn continues to work on finding a replacement for the open entry level position.

There are two issues before the Board for action. Mr. Horn's contract ends this month and Mrs. Ege's request for vacation time will be discussed in closed session.

REGULATORY ISSUES: The Authority continues monitoring the biofilter and carbon unit.

AUDIT: Suplee Clooney has started their annual audit review this week for FY 2015-2016.

ADMINISTRATIVE ISSUES: Mr. Horn is working on updating our agreement with the Fire Department for our confined space program.

SWAN STREET PUMPING STATION: The replacement pumps are ordered and are expected to be delivered in mid-January.

Mr. Horn Memo: Mr. Horn continues to work on other aspects of the rehab project. He has asked that CDM Smith prepare a proposal for the engineering work that needs to be done. The Board reviewed the memo dated October 27, 2016 outlining CDM's proposal for the engineering work at the Swan Street pump station. He explained that the generator portion will be funded by our FEMA grant. He does not expect the costs to reach the total proposal amount. The LMUA utility personnel will be handling most of the installations.

CDM's Proposal for Professional Engineering: Mr. Horn reviewed CDM's proposal dated October 25, 2016 for engineering work for the Swan Street pumping station rehabilitation. The services included in the proposal are HVAC, plumbing, mechanical, electrical and instrumentation improvements, as well as tie in to existing plant SCADA.

HAZARDOUS MTIGATION GRANT: There are no new updates on the generator. Once portions of the rehab project are complete we can begin work on the generator.

Mr. Horn recommended the Authority award the contract for the engineering work to CDM Smith.

Resolution 031-2016 Awarding a Contract to CDM Smith for the Swan Street Pump Station Rehabilitation

WHEREAS, the Lambertville Municipal Utilities Authority ("LMUA") is currently rehabilitating the Swan Street Pumping Station; and

WHEREAS, as part of the rehabilitation the LMUA requires assistance to specify the new equipment Swan Street pump station; and

WHEREAS, CDM Smith submitted a proposal for professional engineering services for pump station rehabilitation dated October 25, 2016; and

WHEREAS, the LMUA staff has reviewed the proposal and recommend awarding a contract to CDM Smith.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 2, 2016 as follows:

1. CDM Smith is hereby awarded the Contract for professional engineering services for the Swan Street pump station rehabilitation as per their proposal dated October 25, 2016 in the amount not to exceed \$25,000.

2. Thomas F. Horn, P.E., Executive Director is hereby authorized and directed to execute any and all documents and to take any and all actions necessary to implement this Resolution.
3. The Resolution shall be effective immediately upon adoption.

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			

Mrs. Ruf made a motion to approve Resolution 031-2016 awarding a contract for CDM Smith for the engineering work for the Swan Street pump station rehabilitation. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

The next action item for the pump station is the installation of the SCADA system. Mr. Watts recommended that the Board pass a resolution authorizing a contract with Instrument Technology Systems of Pumping Services, Inc. as the SCADA software and hardware are proprietary.

Resolution 032-2016 *Authorizing a Contract for the Support and Maintenance of the Authority’s SCADA, Controls and Instrumentation Systems*

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) has upgraded its control and instrumentation systems through the use of SCADA software and hardware provided by Schneider Electric Corporation; and

WHEREAS, the Authority is renovating its Swan Street pumping station; and

WHEREAS, this SCADA software and hardware is propriety software and hardware; and

WHEREAS, the Authority periodically requires the services of an authorized vendor for the support and maintenance of said software and hardware for its SCADA, controls and instrumentation systems; and

WHEREAS, the Authority believes that, pursuant to the provisions of N.J.S.A. 40A:11-5(1)(dd), the aforesaid services can be contracted for without the need for open public bidding because the Contract is for the support or maintenance of proprietary computer hardware and software; and

WHEREAS, Instrument Technology Systems of Pumping Services, Inc. (“Vendor”), previously provided and is authorized to service, support and maintain said SCADA software and hardware; and

WHEREAS, the Authority staff and Attorney have reviewed the statutes regarding this exception; and

WHEREAS, the Authority has received a proposal dated October 21, 2016 from the Vendor for supplying the aforesaid services at a total cost of \$700.00 per half day, \$1,400 per full day and a hourly overtime rate of \$225.00; and

WHEREAS, the Authority Board of Commissioners believes it is in the best interests of the Authority and its users that the proposal of the Vendor be accepted; and

WHEREAS, funds exist for this purpose.

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

1. Instrument Technology Systems of Pumping Services Inc., is hereby awarded the Contract for the supplying of services for the support and maintenance of said software and hardware for its SCADA, controls and instrumentation systems, in the amount of \$700.00 per half day, \$1,400.00 per full day and a hourly overtime rate of \$225.00, a true copy of which Contract is annexed hereto.
2. Thomas F. Horn, P.E., Executive Director, is hereby authorized and directed to execute any and all documents and to take any and all actions necessary to implement this Resolution.
3. The Resolution shall be effective immediately upon adoption.

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			

Mr. Rotondi made a motion to award Resolution 032-2016 authorizing a contract for the support and maintenance of the Authority’s SCADA, Controls and Instrumentation Systems to Instrument Technology Systems of Pumping Services, Inc. Mrs. Ruf seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

SWAN CREEK P.S. RESILIENCY PROJECT: Mr. Horn last met with DEP representatives in September where it was determined that they needed more details on the project and associated environmental impacts. It was decided that T& M Associates would handle the engineering work and the City would contract with them directly. Mr. Horn has remained involved and has been communicating with T&M Associates at each phase. The next DEP meeting is scheduled for November 18th. T&M has sent additional details for the State. Should the State decide to lease us the land then we will need to discuss and decide who will do the design work. The most important concern the Board has at this point is maintaining open communication between the City, the LMUA, our engineers and the City’s engineers. Mr. Horn will report any new developments on this.

Resolution 033-2016 Authorizing a Shared Services Agreement with the City of Lambertville for the Use of Fuel Pumps at Public Works

NOW THEREFORE, BE IT RESOLVED that the Commissioners of the Lambertville Municipal Utilities Authority hereby agree to sign the Memorandum of Agreement with the City of Lambertville as written and dated November 2, 2016 for the use of the fuel pumps at public works located at 120 Quarry Street, Lambertville, New Jersey.

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			

Mrs. Ruf made a motion to authorize a shared services agreement with the City of Lambertville for the use of fuel pumps at public works. Mr. Rotondi seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

Resolution 034-2016 *Authorize a Shared Services Agreement Between the Lambertville Municipal Utilities Authority & the City of Lambertville.*

WHEREAS, the Lambertville Municipal Utilities Authority, (LMUA) is a separate public entity created by adoption of Ordinance No. 2009-04 by the City of Lambertville on March 16, 2009, under the Utility Authorities Law, N.J.S.A. 40:14B-4D; and

WHEREAS, this agreement will memorialize the past and future practice of the LMUA’s continuance of supplementing the City’s public works department during storms, emergencies and times of need; and

WHEREAS, the LMUA will provide equipment and employees to the City of Lambertville and the City will cover or reimburse the LMUA for the cost of fuel to operate the equipment.

NOW THEREFORE, BE IT RESOLVED that the Commissioners of the Lambertville Municipal Utilities Authority hereby authorize a shared services agreement with the City of Lambertville.

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			

Mr. Rotondi made a motion to authorize a shared services agreement for emergency services between the Lambertville Municipal Utilities Authority & the City of Lambertville. Mrs. Ruf seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

Chief Financial Officer’s Report - Kathy Leary.

Mr. Rotondi made a motion to approve the bill list for October. Mrs. MacGregor 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 had nothing new to report.

Closed Session.

Resolution 035-2016 *Authorizing a Closed Session at the November 2, 2016 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Personnel Issues*

WHEREAS, the Board of the Lambertville Municipal Utilities Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A. 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED that the Board of the Lambertville Municipal Utilities Authority hereby moves to go into closed session on Wednesday, November 2, 2016 at The LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing personnel issues.

BE IT FURTHER RESOLVED that it is anticipated that action will be taken at the conclusion of the closed session.

BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

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			

Mrs. MacGregor made a motion to pass Resolution 035-2016 authorizing a closed session for personnel matters. Mr. Rotondi seconded the motion. An affirmative roll call was taken by all members present in favor of the motion. MOTION CARRIED

The LMUA Board convened in closed session at 6:27 p.m.

The LMUA Board re-convened in regular session at 6:42 p.m.

Resolution 036-2016 *Approving a Contract with Thomas F. Horn, Executive Director*

WHEREAS, at the regularly scheduled Board meeting of the Lambertville Municipal Utilities Authority (LMUA) the matter of the renewal of a three (3) year Employment Contract for Executive Director, Thomas F. Horn was reviewed; and

WHEREAS, the current Employment Contract's three (3) year term is through November 15, 2016; and

WHEREAS, the Board agreed that they would like to renew Mr. Horn's Employment Contract for an additional three (3) years; and

NOW, THEREBY, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 2, 2016 hereby approve a three year Employment Contract with Thomas F. Horn, Executive Director for the period of November 16, 2016 through November 15, 2019.

BE IT FURTHER RESOLVED, that all contract terms and conditions currently in effect except for Mr. Horn's salary, shall remain the same.

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

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			

Mrs. MacGregor made a motion to approve Resolution 036-2016 renewing a three year employment contract with Thomas F. Horn, Executive Director. Mr. Rotondi seconded the motion. An affirmative roll call vote was taken in favor of the motion. MOTION CARRIED

Resolution 037-2016 *Adopting an Amendment to the Personnel Policies and Procedures*

WHEREAS, the Commissioners of the Lambertville Municipal Utilities Authority (LMUA) authorized Resolution 027-2016 adopting Personnel Policies and Procedures effective August 3, 2016; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the LMUA that the following amendment to the Personnel Policies and Procedures Manual is hereby adopted.

1. All administrative employees are hereby eligible for 15 vacation days from the start of their fifth (5th) year of service through the completion of the tenth (10th) year of service.
2. This Resolution shall be effective immediately upon adoption.

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			

Mrs. MacGregor made a motion to approve Resolution 037-2016 amending the Personnel Policies and Procedures. Mr. Rotondi seconded the motion. An affirmative roll call vote was taken by all members present. MOTION CARRIED

Adjournment.

The meeting adjourned at 6:43 p.m. with a motion made Mrs. Ruf and seconded by Mr. 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 January 3, 2016