



Lambertville Municipal Utilities Authority
Tuesday, November 5, 2019, 6:00 PM
Wastewater Treatment Facility,
3 Bridge Street
Meeting Minutes

The meeting was called to order at 6:02 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 14, 2019 to The Hunterdon County Democrat, also noticed The Times of Trenton. 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, Vincent Uhl-Vice Chairman, Helen Pettit-Member, Jacqueline Middleton-Alternate I & Michael Gaudio-Alternate II

Absent: Paul Rotondi-Treasurer, Russell Lambert-Secretary

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Greg Watts-Attorney, Watts, Tice and Skowroneck

Pledge of Allegiance.

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

Public Comment.

None.

Minutes.

The minutes of the October 1, 2019 regular session meeting were approved with the correction of a typo on page 2 replacing "citation" for "situation" in a motion made by Ms. Pettit and seconded by Mrs. MacGregor and followed by a unanimous roll call vote by all members present except for Mr. Uhl who abstained as he was absent. MOTION CARRIED

Correspondence.

1. 17 N. Franklin Street: In a letter dated October 2, 2019 the Board notified 17 N. Franklin Street of their decision to issue a billing credit on account 30060.
2. 7 N. Main Street-Rear: The Authority received capacity verification on October 1st for the proposed addition of a café/ bakery in the front building at 7 N. Main Street. In response to their request the Authority asked for unit/ use information from the property owner on both buildings. After reviewing the paperwork the owner had supplied along with a copy of the building permit from the construction office we concluded that sanitary sewer facilities had been installed in the rear building without a connection permit.

In a letter dated October 18, 2019 the Authority advised the owner of their decision to withhold capacity verification for the café/ bakery in the front building until all issues can be resolved with the back building. These issues include providing plans showing the separately installed lateral, permit application along with the \$6,198 fee and payment for sewer services received but not billed totaling \$2,614.44. As of today no formal response has been received. The City building department has been notified and will hold off on the issuance of a final CO until the sewer issues are resolved.

3. NJ DEP: In a letter dated October 29, 2019 authorization to advertise the wastewater treatment plant rehabilitation projects was given for the following three projects: purchase of the rectangular clarifier collectors, repaving of wastewater treatment plant area and access road and treatment plant roof replacement. The RFP for the three projects was published on October 29th with the three bids opening on November 26th. The work for the road and roofs would be awarded to begin work in the spring due to weather.

Chairpersons Report.

Mrs. MacGregor made a motion to pass Resolution 039-2019 to provide turkeys for the employees for Thanksgiving, in an amount not to exceed \$300.

Resolution 039-2019 Thanksgiving Turkeys for Authority Employees

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) would like to recognized and show their appreciation for their employees by providing turkeys for Thanksgiving; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority, approve the purchase of Thanksgiving turkeys for the Authority employees in an amount not to exceed \$300.00.

The Resolution shall be effective immediately upon adoption.

Moved: Mrs. MacGregor

Second: Ms. Middleton

Governing Body Member	Recorded Vote:		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi					X
Russell Lambert					X
Helen Pettit	X				
Jacqueline Middleton	X				
Michael Gaudio	X				

Executive Directors Report – Thomas Horn.

TREATMENT FACILITY: Mr. Horn reported that maintenance on the grit chamber and the bi-annual tank cleaning was completed. The staff needed to repair one of the belt filter press pumps.

COLLECTION SYSTEM: Staff continues to work on issues at the Ferry Street pump station. We are having some problems with the two pumps there.

ODOR CONTROL: There were no calls concerning odors in October.

UNION/ PERSONNEL: Mr. Horn's contract is up for renewal November 15th. The Board will go into closed session to discuss this issue at the end of the regular meeting.

REGULATORY: Biofilter and carbon unit are being tested routinely.

ADMINISTRATIVE ISSUES: The Authority's yearend Audit for FY2019 has begun. The Auditor has started gathering all the information needed to do the audit report.

PEOSH INSPECTION 9/23/19: The citation from the inspection on September 23 has been received and we are addressing the issues within the allowed time frames. There are three issues remaining that need to be finished. These are the installation of three railings, eight plates to cover the trip hazards by the RBC's and two cranes need to be inspected. Mr. Horn ensured that these will be addressed prior to the deadlines.

WMP: Mr. Horn's has reported that this was submitted to the DEP for approval. Ms. Pettit would like Mr. Horn to review a copy of the plan once it is available with the Board. Mr. Horn said that there were only some minor changes made that included Mr. Corby's property and the end of S. Franklin Street. Ms. Pettit had attended a COAH meeting with the City where they discussed the possibility of Mr. Corby's property being identified as a potential COAH property to fulfill the City's affordable housing requirements. Ms. Pettit stated that intercommunication between City Boards is important to understanding "how you fit into the web of City government."

Memo-Status of Capital Improvements.

COLLECTION SYSTEM WORK-2019B PROJECT:

All collections system work is completed. The engineer is working on closing out the project. Mr. Horn believes that the final costs will come under contract price.

TREATMENT PLANT WORK-2019A PROJECT:

The RFP's for the Roof, clarifier parts, repaving the plant and access road were advertised October 29th with bid openings on November 26th. The drain line and chemical building are in the final stages of design. Mr. Horn is meeting with Suburban tomorrow to do a final review of the chemical building. Once they have completed the design Mr. Horn will update the Board on the final construction estimates. Once we get those final numbers, Mr. Horn will update our ten year plan spreadsheet with the final construction numbers. In December the Board can review the updated summary with the contract amounts for the three projects out to bid and construction

estimates for the last two in the design phase. The Authority should be ready to start the short term loan process for the plant projects in December. Contracts will be awarded after funding is in place.

CONTRACT AMENDMENT #2, CAPITAL IMPROVEMENTS:

Mr. Horn advised the Board on Suburban's three (3) contract amendments dated October 1st and 2,nd that will cover the bid services for clarifier parts and the bid plus onsite construction services for the roof replacements, and repaving of the plant and access road. Mr. Horn explained that the bid services include: preparation of bids, answering any questions that come up during, evaluating the bids, recommending an award and preparing the authorization to award. The onsite inspections include construction inspection and progress reports as needed. Amendment #2 proposes a total fee of \$75,510 which is in addition to their professional services agreement and Amendment #1 not to exceed \$176,810. Mr. Horn explained that these are anticipated costs that align with what the Authority has planned for engineering costs.

The Board reviewed the three contract amendments; specifically the amount of time allotted for construction inspections and asked if Mr. Horn could negotiate the amount of time for the road and roof projects. Mr. Horn will talk to Suburban to revise their inspection times. Mr. Horn further explained that the projected time is a limit amount, not to exceed. Having this in place gives the Authority flexibility in that if we need someone onsite we have them but will not necessarily need them for that total amount of time. Mr. Horn ensured the Board that he will oversee the inspector's hours as the projects progress.

The Board then discussed the timing of the bids and when they would be awarded as we have not authorized our "Bond Anticipation Note" or temporary financing for the wastewater treatment plant work through the NJ I-Bank. All three bids are due back November 26th and the Board will have 60 days from that to make their decision on the contracts. The bids are listed with the intention to award and begin in the spring of 2020.

Should the Board agree, Mr. Horn recommends that the Board approve Resolution 040-2019 authorizing Amendment #2 which is a not to exceed amount of \$75,510. Mr. Watts then recommended that the Board authorize the resolution but direct Mr. Horn to negotiate a better price and the Authority can always go back and amend this resolution with the new price but at least we will have something in place and can move forward. The Board agreed with Mr. Watt's recommendation and directed Mr. Horn to negotiate the amount of hours listed for site inspection on the road and roof contract amendments.

Resolution 040-2019 Authorizing Contract Amendment #2 to the 2019 Capital Improvements to the Treatment Plant and Collection System Professional Services Contract with Suburban Consulting Engineers, Inc. for Bidding Services, Construction Inspection & Administration

WHEREAS, the Lambertville Municipal Utilities Authority's ("LMUA") by virtue of Resolution 037-2018, awarded a contract to Suburban Consulting Engineers, Inc. ("Suburban") for professional engineering services for collection system and waste water treatment plant work to be funded through the NJ I-Bank; and

WHEREAS, Suburban submitted proposals dated October 1 and 2, 2019 as an amendment to their original professional services agreement to include bidding, construction inspection & administration services for the following wastewater treatment plant projects:

- Wastewater Treatment Plant Roof Replacement
- Repaving of Wastewater Treatment Plant Area and Access Road
- Purchase of Rectangular Clarifier Collectors

WHEREAS, the contact amendment proposes a total fee not to exceed \$75,510 which is in addition to their original professional services agreement fee and amendment #1 not to exceed \$176,810; and

WHEREAS, the Executive Director, has reviewed the amendment and recommends that the LMUA authorize the contract amendment as written.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 5, 2019 as follows:

1. Suburban Consulting Engineers, Inc. proposals for contract amendment #2 dated October 1 and 2, 2019 is hereby authorized for bidding, construction inspection and administration services, in an amount not to exceed \$75,510.
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.

Moved: Mrs. MacGregor
Seconded: Ms. Middleton

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi					X
Russell Lambert					X
Helen Pettit	X				
Jacqueline Middleton	X				
Michael Gaudio	X				

The Disinfection facilities and drain repairs: The drain lines for the belt filter press and the chemical building upgrade work are in the final design phase.

ASSET MANAGEMENT PLAN-CDM Smith continues to add to their asset inventory list.

DIESEL FUEL AGREEMENT

Mr. Horn explained that this agreement with the City is currently in place and the rates will remain the same for the coming year. The City currently utilizes the State’s rate for purchasing their fuel and is the best rate available to municipalities.

Resolution 041-2019 *Authorizing an 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 5, 2019 for the use of the diesel fuel pumps at public works facilities located at 120 Quarry Street, Lambertville, New Jersey effective January 1, 2020 through December 31, 2020.

BE IT FURTHER RESOLVED that the following rates have been renewed for another year effective October 8, 2019 through October 7, 2020 for Ultra-low Sulfur Diesel:

- Summer +0.1296
- Winter +1.1519

Moved: Mrs. MacGregor

Seconded: Mr. Uhl

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi					X
Russell Lambert					X
Helen Pettit	X				
Jacqueline Middleton	X				
Michael Gaudio	X				

2020 PROFESSIONAL SERVICES

Mrs. MacGregor made a recommendation that the Board form a subcommittee to review and discuss proposals received for professional services prior to the February 4th reorganization meeting. The Board unanimously agreed and Mrs. MacGregor appointed Ms. Pettit and Mr. Uhl as the Professional Services Subcommittee.

Resolution 042-2019 *Resolution to Solicit Proposals for 2020 Professional Services*

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) 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

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

1. Thomas F. Horn, Executive Director is hereby authorized and directed to publicly advertise for proposals for the following 2020 professional services:
 - Engineer
 - Auditor

- Special Projects Auditor
- Financial Advisor
- Legal/ Labor Attorney
- Bond Counsel
- Risk Manager

2. The Resolution shall be effective immediately upon adoption.

Moved: Mrs. MacGregor

Second: Ms. Pettit

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi					X
Russell Lambert					X
Helen Pettit	X				
Jacqueline Middleton	X				
Michael Gaudio	X				

Chief Financial Officer’s Report - Kathy Leary.

Mrs. MacGregor made a motion to approve the bill list for October. Mr. Uhl 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 no report for the Board.

Closed Session.

**Resolution 043-2019
 Authorizing a Closed Session 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 Tuesday, November 5, 2019 at The LMUA Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing personnel issues.

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.

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

Moved: Mrs. MacGregor
Seconded: Mr. Uhl

Governing Body Member	Recorded Vote:		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi					X
Russell Lambert					X
Helen Pettit	X				
Jacqueline Middleton	X				
Michael Gaudio	X				

The LMUA Board convened into closed session at 7:05 p.m.

The LMUA Board re-convened into regular session at 7:15 p.m.

EXECUTIVE DIRECTOR CONTRACT

Upon entering open session, Mrs. MacGregor made a motion to move Resolution 044-2019 authorizing a three year contract with Mr. Horn as the Executive Director of the LMUA. This authorization will include an increase in the payout of sick time from \$5,000 to \$10,000 upon his retirement.

**Resolution 044-2019
 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 14, 2019; and

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

WHEREAS, all contract terms and conditions currently in effect will remain the same except for the following:

- Upon retirement Mr. Horn shall be paid for one-half of his total accumulated unused sick time, up to a maximum of \$10,000.

NOW, THEREBY, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 5, 2019 hereby approve a three year Employment Contract with Thomas F. Horn, Executive Director for the period of November 15, 2019 through November 14, 2022.

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

Moved: Mrs. MacGregor
Seconded: Mr. Uhl

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi					X
Russell Lambert					X
Helen Pettit	X				
Jacqueline Middleton	X				
Michael Gaudio	X				

Adjournment.

The meeting adjourned at 7:16 p.m. with a motion made by Mrs. MacGregor and seconded by Mr. Gaudio and followed by a unanimous voice vote taken 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 December 3, 2019.