



**Lambertville Municipal Utilities Authority
Reorganization Meeting
Tuesday, February 7, 2017, 6:00 PM
Lambertville Wastewater Treatment Facility,
Lambert Lane Extended
Meeting Minutes**

The meeting was called to order at 6:04 p.m. by Chairwoman MacGregor with a statement of compliance with the Open Public Meetings Act, providing the required legal notice published on Thursday, January 12, 2017 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, Vincent Uhl-Vice Chairman, Paul Rotondi-Treasurer, Joseph Polizzi-Member, Russell Lambert-Alternate 1 and Megan Ruf-Alternate 2

Absent: Robert Hayes-Secretary

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

Pledge of Allegiance.

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

Minutes.

The minutes of the January 3, 2017 regular meeting was approved on a motion made by Mr. Rotondi and seconded by Mr. Uhl followed by a unanimous roll call vote by all members present, except for Mr. Uhl who abstained as he was absent. MOTION CARRIED.

Oath of Office.

The oath of office to Paul Rotondi, Treasurer was administered by Attorney Watts to fill a five year term expires February 1, 2022.

The oath of office to Megan Ruf, Alternate II was administered by Attorney Watts to fill a five year term expires February 1, 2022.

Reorganization.

Resolutions:

Election of Authority Positions: At this time Attorney Watts stated that he would like to open the table for nominations for the position of Chairperson. Mr. Rotondi stated that he would like to nominate Janine MacGregor for Chairperson. There being no other nominations, the following action was taken.

1. **Appointment of Chairperson:** Mr. Rotondi made a motion authorizing **Resolution 001-2017** electing Janine MacGregor as Chairperson of the Authority. Mr. Uhl seconded the motion. An affirmative voice vote was taken in favor by all members present. **MOTION CARRIED**

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 Chairperson for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

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

Thereafter, Chairwoman MacGregor assumed the chair of the meeting.

Mrs. MacGregor nominated Mr. Uhl for the position of Vice Chairperson. There being no other nominations, the following action was taken.

2. **Appointment of Vice Chairperson:** Mrs. MacGregor made a motion authorizing the nomination of Mr. Uhl as Vice Chairperson of the Authority. Mr. Lambert seconded the motion. An affirmative voice vote was taken in favor by all members present. **MOTION CARRIED**

WHEREAS, Vincent Uhl 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 Vincent Uhl as Vice Chairperson for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor nominated Mr. Hayes for the position of Secretary. There being no other nominations, the following action was taken.

3. **Appointment of Secretary:** Mrs. MacGregor made a motion authorizing the nomination of Mr. Hayes as Secretary of the Authority. Mr. Uhl seconded the motion. An affirmative voice vote was taken in favor by all members present. **MOTION CARRIED**

WHEREAS, Mr. 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 Mr. Hayes as Secretary for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor nominated Mr. Rotondi for the position of Treasurer. There being no other nominations, the following action was taken.

4. **Appointment of Treasurer:** Mrs. MacGregor made a motion authorizing the nomination of Mr. Rotondi as Treasurer for the Authority. Mr. Uhl seconded the motion. An affirmative voice vote was taken in favor by all members present. **MOTION CARRIED**

WHEREAS, Paul Rotondi 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 Paul Rotondi as Treasurer for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Governing Body Member	Voice Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes				X
Paul Rotondi	X			

Joseph Polizzi X
 Russell Lambert X

Other Resolutions

1. Resolution 005-2017 “Establishing 2017 Board Meeting Schedule 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.

The regular meetings of the Lambertville Municipal Utilities Authority to be held during the period from February 7, 2017 through February 6, 2018 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 Tuesday of the month unless otherwise advertised on the dates set forth below:

March 7, 2017	September 5, 2017
April 4, 2017	October 3, 2017
May 2, 2017	November 7, 2017
June 6, 2017	December 5, 2017
July (time to be determined)	January 2, 2018
August 8, 2017	February 6, 2018

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*” to meet time requirements pursuant to N.J.S.A.40:53-1 et seq.

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.

This resolution shall take immediate effect.

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

Mrs. MacGregor made a motion approving Resolution 005-2017 establishing the 2017 meeting schedule and official

news paper. Mrs. Ruf seconded the motion. An affirmative voice vote was taken in favor by all members present. MOTION CARRIED

2. Resolution 006-2017 “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.

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

Mrs. MacGregor made a motion authorizing Resolution 006-2017 appointing Melissa Ege as Records Custodian and Recording Secretary for 2017. Mr. Rotondi seconded the motion. An affirmative voice vote was taken in favor by all members present. MOTION CARRIED

3. Resolution 007-2017 “Designating Kathy Leary as Custodian of Funds”

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that Kathy Leary 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.

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

Mrs. MacGregor made a motion authorizing Resolution 007-2017 designating Kathy Leary as Custodian of Funds for 2017. Mr. Polizzi seconded the motion. An affirmative voice vote was taken in favor by all members present. MOTION CARRIED

4. Resolution 008-2017 “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 bank shall be allowed to be used as Depositories for all Authority Funds:

Bank of Princeton

The Resolution shall be effective immediately upon adoption.

Governing Body Member	Voice Vote			
	Aye	Nay	Abstain	Absent
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes				X
Paul Rotondi	X			
Joseph Polizzi	X			

Mrs. MacGregor made a motion authorizing Resolution 008-2017 designating the Bank of Princeton as the official depository. Mr. Polizzi seconded the motion. An affirmative voice vote was taken by all members present. MOTION CARRIED

5. Resolution 009-2017 “Authorizing Signatures on Authority Bank Accounts”

WHEREAS, on February 7, 2017 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 6, 2018 checks drawn or withdraws from these accounts be signed as follows:

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

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

Bank of Princeton, LMUA Improvement Savings 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 Chairperson or Vice Chairperson and one be either the Secretary or Treasurer:

- Vice Chairperson
- Chairperson
- Secretary
- Treasurer

Improvement Fund
 Operating Account

The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor made a motion to approve Resolution 009-2017 authorizing signatures on Authority bank accounts. Mrs. Ruf seconded the motion. An affirmative voice vote was taken by all members present. MOTION CARRIED

6. Resolution 010-2017 “Appointing Certifying Officer for PERS and 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.

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

Mrs. MacGregor made a motion to pass resolution 010-2017 appointing Certifying Officer for PERS and Supervisor of the Certifying Officer. Mr. Rotondi seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED

7. Resolution 011-2017 “Appointing 2017 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.

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

Mrs. MacGregor made a motion approving Resolution 011-2017 appointing the 2017 JIF representatives. Mr. Polizzi seconded the motion. An affirmative voice vote was taken by all members present. MOTION CARRIED

8. Resolution 012-2017: “Appointing Robert Hayes and Joseph Polizzi as Personnel Officers”

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

The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor made a motion to appoint Robert Hayes and Joseph Polizzi as Personnel Officers. Mr. Uhl seconded the motion. An affirmative voice vote was taken by all members present. MOTION CARRIED

9. **Resolution 013-2017** *“Authorizing Mr. 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.

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

Mrs. MacGregor made a motion to approve Resolution 013-2017 Authorizing Mr. Horn to endorse all New Jersey Department of Environmental Protection Forms, Sludge Permits, Sewer Extension Permits and all Other Permits. Mr. Lambert seconded the motion. An affirmative voice vote was taken by all members present.
MOTION CARRIED

Appoint Professionals

Mrs. MacGregor stated for the record that each of these contracts are awarded through the “Fair and Open” process.

The contract for Alternate Engineer was not awarded at this meeting as there were no submittals received for this position.

Mrs. MacGregor asked the Board if there were any questions. Mr. Rotondi asked what criteria the Authority looks at when making their determination to award the Engineering contracts. Mr. Horn discussed the Fair and Open bid process and handed out bid tabulations showing all bids received for the advertised positions. He recommended that the Board award the Engineering contract to CDM Smith due to the fact that they have had a good work history with the Authority and their fees are comparable. Mr. Horn also recommended that the Board award two positions for Special Projects Engineers to T and M Associates and Remington, Vernick & Arrango based on the same factors and because we are not awarding an Alternate Engineer. Mr. Rotondi feels that as long as the Authority bases their decisions on merit and financial reasons that we are making a just decision. Seeing no more questions or concerns Mrs. Macgregor moved the below resolution as per Mr. Horn’s recommendations.

1. Resolution 014-2017 “Authorizing Professional Service Contracts for Engineer and Special Projects Engineers”

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 and Special Projects Engineers; 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 20, 2017 for Engineer and Special Projects 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 February 6, 2018.
 - a. Howard S. Matteson, P.E., BCEE of CDM-Smith to serve as Engineer not to exceed \$87.50 hourly rate (range \$30.50-91.50) as specified in contract.
 - b. Remington Vernick & Arango Engineers and T&M Associates to serve as Special Projects Engineers not to exceed \$165.00 hourly rate and \$193.00 hourly rate as specified in contract.
2. Contracts are awarded on the condition that Contractor complete and sign the *Statement of Ownership Disclosure*, N.J.S.A. 52:25-24.2 (P.L. 1977, c.33 as amended by P.L. 2016, c.43) and made a part of their agreement.
3. The Authority shall publish notice of this action as required by law.
4. 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			

Mrs. MacGregor made a motion to approve Resolution 014-2017 awarding the professional service contracts for Engineer to CDM-Smith and two positions for Special Projects Engineer to Remington Vernick & Arango

and T&M Associates, through February 6, 2018. Mr. Uhl seconded the motion. An affirmative roll call was taken in favor by all members present. **MOTION CARRIED**

2. Resolution 015-2017 “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 20, 2017 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 February 6, 2018.
 - a. Robert J. Butvilla of Suplee, Clooney & Company, to serve as Auditor not to exceed \$150.00 hourly rate, \$22,500.00 Statutory Audit as specified in contract.
 - b. Carol A. McAllister of Bowman & Company, LLP to serve as the Special Projects Auditor not to exceed an hourly range \$50.00-\$230.00) as specified in contract.
2. Contracts are awarded on the condition that Contractor complete and sign the *Statement of Ownership Disclosure*, N.J.S.A. 52:25-24.2 (P.L. 1977, c.33 as amended by P.L. 2016, c.43) and made a part of their agreement.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor made a motion to approve Resolution 015-2017 awarding the professional service contracts for Auditor to Suplee, Clooney & Co. and Special Projects Auditor to Bowman & Co. through February 6, 2018. Mr. Uhl seconded the motion. An affirmative roll call was taken in favor by all members present.
MOTION CARRIED

3. Resolution 016-2017 “Authorizing Professional Service Contract 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 20, 2017 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 \$225.00 hourly rate (range \$50.00-250.00) as specified in the contract for the period through February 6, 2018.
2. Contract is awarded on the condition that Contractor complete and sign the *Statement of Ownership Disclosure*, N.J.S.A. 52:25-24.2 (P.L. 1977, c.33 as amended by P.L. 2016, c.43) and made a part of their agreement.
3. The Authority shall publish notice of this action as required by law.
4. 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			

Mrs. MacGregor made a motion to approve Resolution 016-2017 awarding the professional service contract for Financial Advisor to Acacia Financial Group through February 6, 2018. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor by all members present. **MOTION CARRIED** connected.

4. Resolution 017-2018 “Authorizing a Professional Service Contract for Legal/Labor 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 Attorneys to serve as Legal/ Labor 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 20, 2017 for Legal/ Labor Attorney and Bond Counsel; 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 February 6, 2018.
 - a. C. Gregory Watts of Watts, Tice & Skowronek, to serve as Legal/ Labor Attorney not to exceed \$175.00 hourly rate as specified in the contract.
 - b. Capehart & Scatchard to serve as Bond Counsel, not to exceed \$205.00 blended hourly rate, \$35,000 plus \$1.10 per thousand dollars of bonds issued and others as specified in the contract. The position is appointed with the provision that no work may occur until the ongoing litigation with Black River & Western is settled.
2. Contracts are awarded on the condition that Contractor complete and sign the *Statement of Ownership Disclosure*, N.J.S.A. 52:25-24.2 (P.L. 1977, c.33 as amended by P.L. 2016, c.43) and made a part of their agreement.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor made a motion to approve Resolution 017-2017 awarding the professional service contracts for Legal/Labor Attorney to Watts, Tice & Skowronek and Bond Counsel to Capehart & Scatchard through

February 6, 2018. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor by all members present. MOTION CARRIED

The contract for Special Projects Attorney was not awarded as Mr. Horn did not feel this position would be needed currently.

5. Resolution 018-2017 “Authorizing Professional Service Contracts for Risk Manager Consultant”

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 20, 2017 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 Manger, not to exceed six percent (6%) of LMUA’S annual assessment as stipulated by New Jersey Municipal Utility Joint Insurance Fund for the period through February 6, 2018.
2. Contract is awarded on the condition that Contractor complete and sign the *Statement of Ownership Disclosure*, N.J.S.A. 52:25-24.2 (P.L. 1977, c.33 as amended by P.L. 2016, c.43) and made a part of their agreement.
3. The Authority shall publish notice of this action as required by law.
4. 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				
Paul Rotondi	X			
Joseph Polizzi	X			
Russell Lambert	X			

Mrs. MacGregor made a motion to approve Resolution 018-2017 awarding the professional service contract for

Risk Manager to Fairview Insurance Agency through February 6, 2018. Mr. Polizzi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

Mrs. MacGregor then took a moment to review the spreadsheet entitled *Authority Professionals 2016* which detailed the total paid out against the budgeted amounts in 2016.

Public Comment.

There was no public in attendance.

Correspondence.

1. 85 North Main Street: Capacity verification was approved in a letter dated January 12, 2017. Confirming sufficient capacity for the proposed three unit apartment building.
2. NJDEP: In a letter dated January 24, 2017 Mr. Horn followed up his phone call reporting a missed ammonia test with the DEP enforcement. This test was a confirmed laboratory error as the Authority had the test listed on their laboratory chain of custody. Mr. Horn will keep the Board informed of DEP's response but does not feel the Authority will get penalized.
3. Delaware River Towns Chamber of Commerce: A request for funding of Shad Fest comfort stations was received and reviewed by the Board. The Board would like to continue their support for this community event and once again cover the costs of toilets.

Mrs. MacGregor made a motion to approve funding the portable comfort stations for Shad Fest 2017 up to \$2,000.00. Mr. Lambert seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED.

Chairwoman's Report.

1. Donation in Honor of Caren Franzini: Mrs. MacGregor said a few words in honor of the work Mrs. Franzini has done for our community. She had "so much care for our community and world." Mrs. MacGregor had attended her memorial services were they had spoken of her many accomplishments; most importantly her dedication towards resiliency projects.

The Board took a moment to discuss her family's request for donations to New Jersey Tree Foundation, Pinelands Preservation Alliance and Big Brothers Big Sisters of Mercer County. In honor of her memory, the Board thought it meaningful to help the New Jersey Tree Foundation by donating a fruit tree.

Resolution 019-2017 "Resolution on Behalf of Former Board Member Caren Franzini"

WHEREAS, the tireless work of citizen volunteers makes Lambertville an outstanding place to live and raise a family;
and

WHEREAS, Caren S. Franzini volunteered to serve on the Lambertville Municipal Utilities Authority Board (LMUA) for over eight years from January 7, 1992 to December 1, 2000 as a Member; and

WHEREAS, Caren S. Franzini helped to facilitate the LMUA’s Senior Citizen discount rate effective July 1, 1993 to help those in the community with limited fixed incomes; and

WHEREAS, Caren S. Franzini dedicated her time as Board Treasurer to help facilitate improvements to the Authority’s system while maintaining an affordable rate for residents; and

WHEREAS, the Commissioners and staff of the Lambertville Municipal Utilities Authority wish to recognize and honor her memory as a caring, dedicated volunteer to the Authority and citizens of Lambertville.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority wish to commemorate the life of Caren S. Franzini by making a donation in her honor to the New Jersey Tree Foundation.

BE IT FURTHER RESOLVED that the donation contribution shall be made in the amount of \$100.00 towards a fruit tree.

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			

Mrs. MacGregor made a motion to approve Resolution 019-2017 authorizing a donation to be made in honor of former Board Member Caren Franzini to the New Jersey Tree Foundation for \$100.00 towards a fruit tree. Mr. Uhl seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. **MOTION PASSED.**

- Mrs. MacGregor spoke about the memory of Sue Kramer and her family, wife of past Board member Frank Kramer and active community member. The Board decided that a donation to the Lambertville-New Hope Rescue Squad would be the best way to commemorate her life as a friend of the Authority and community.

Mrs. MacGregor made a motion authorizing a donation in honor of former Board Member Frank Kramer’s wife, Linda Sue Winans-Kramer to the Lambertville-New Hope Rescue Squad for \$100.00. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. **MOTION PASSED**

Engineers Report – CDM Smith, Inc.

There was no activity for the month of January therefore CDM-Smith did not submit a report.

Executive Directors Report – Thomas Horn.

FEBRUARY 2017 OPERATIONS & MAINTENANCE: Normal maintenance was performed.

TREATMENT FACILITY: No issues at the plant this past month. ACUA incinerator was down the last couple weeks of January to the first week of February. The Authority needed to rent a dumpster and contract Russell Reid for two sludge removals during this time period. This did not affect normal operations.

COLLECITON SYSTEM: Mr. Horn reported that the staff worked on normal maintenance of the stations.

UNION/ PERSONNEL ISSUES: There is a new representative from the CWA who plans to meet with the union personnel this month. Their contract will be up for renewal at the end of June this year.

REGULATORY ISSUES: Annual approval for our grit disposal was received. DEP was in for their annual inspection of the plant and had no issues to report.

ADMINISTRATIVE ISSUES: Tom continues to work on our confined space rescue team agreement.

The Auditor has completed the FY 2016 Audit report. This was emailed in advance to the Board to review. Mr. Horn recommends that the Board accepts the report as written if there are no issues. The synopsis will be advertised in the paper as per Local Finance Law.

Adirondack has submitted their report for the energy saving devices based on 2016 electricity bills. The Board reviewed the report showing an efficiency improvement of 6.7%.

Excavation Services: Due to the amount the Authority will be spending on this service for 2017 we will be over the bid limit. Mr. Horn recommended the Board move a motion to authorize him to solicit bids for an excavation contractor.

Resolution 021-2017 Resolution to Advertise for Bids for Excavation Services

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) has a need for excavation services; and

WHEREAS, as per Local Public Contracts Law N.J.S.A. 40A:11-1 et seq., the aggregate cost of excavation services is projected to exceed the bid threshold of \$17,500 and must be publicly advertised for bids.

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 bids for excavation services.
2. 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			

Mr. Rotondi made a motion to approve Mr. Horn to advertise for bids for excavation services for 2017. Mr. Polizzi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present.
MOTION CARRIED

SWAN STREET PUMPING STATION: All of the pumps have been delivered and the Authority is waiting on the control panel. Mr. Horn advised the Board that we may be eligible for energy rebates on some of the new equipment through NJ Clean Energy.

HAZARD MITIGATION GRANT: No new developments to report.

SWAN CREEK FLOOD PROTECTION PROJECT: All additional information has been provided to the DEP and we now have a follow up meeting scheduled for February 21st. At this meeting Mr. Horn hopes to have a decision from NJ Leases and Concessions as to whether they will approve the lease for the project. Mr. Horn will send the meeting information to the Board for those who wish to attend.

FY 2016 AUDIT REPORT: The final report was sent via email to the Board on Monday, January 30, 2017 for their review. Mr. Horn discussed the report with the Board. Income is down but he explained, "we do collect more than we spend". The Audit does show a deficit but only due to asset depreciation. The Board also reviewed our surplus and reserve funds. Seeing no additional questions the Board moved the below resolution and signed the Audit Affidavit form certifying that they have reviewed the report.

Resolution 020-2017 "Accepting the FY 2016 Audit"

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of every local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the Annual Audit Report for the fiscal year ended June 30, 2016 has been completed and filed with the Division of Local Government Services pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations", in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE BE IT RESOLVED, That the governing body of the Lambertville Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended June 30, 2016 and 2015, and specifically has reviewed the section of the audit report entitled "General Comment" and Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FUTHER RESOLVED, that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON FEBRUARY 7, 2017.

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			

Mr. Uhl made a motion to approve Resolution 020-2017 to accept the FY 2016 Audit Report as written. Mr. Rotondi seconded the motion. An affirmative roll call was made in favor of the motion by all members present. MOTION CARRIED

Chief Financial Officer’s Report - Kathy Leary.

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

Attorney’s Report – Greg Watts.

Mr. Watts had nothing to report at this time.

Adjournment.

The meeting adjourned at 7:01 p.m. with a motion made Mrs. MacGregor and seconded by Mr. Rotondi. An affirmative roll call 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 March 7, 2017.