



**Lambertville Municipal Utilities Authority**  
**Tuesday, April 7, 2020, 6:00 PM**  
**Phone: 978-990-5000, Access Code: 381264**  
**Telephonic Regular 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, April 2, 2020 to The Hunterdon County Democrat, also noticed The Times of Trenton. A copy of the agenda and minutes were posted on the web sites 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, Russell Lambert-Secretary Helen Pettit-Member & Michael Gaudio- Alternate II

Absent: Jacqueline Middleton-Alternate I

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

**Minutes.**

Mrs. MacGregor made a motion to approve the Minutes from the March 3, 2020 regular meeting. Mr. Uhl seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

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

**Public Comment.**

At this time Mrs. MacGregor asked if there was any public in attendance. Hearing none, the Board moved on to correspondence.

## **Correspondence.**

1. 26 S. Main Street-Capacity verification was sent in a letter dated March 12, 2020 for the proposed addition of one affordable three bedroom unit located on the second and third floors with the main residence on the first floor.
2. Wilson Street, Block: 1053 Lots 2&3-Capacity verification sent in a letter dated March 24, 2020 for the proposed addition of up to (9) nine, three bedroom townhouses.
3. NJDEP Authorization to award the contract for the Disinfection Facilities & Drainage Improvements to DeMaio Electrical Co., Inc. was given in a letter dated March 30, 2020.

## **Chairpersons Report-Janine MacGregor.**

Mrs. MacGregor sent out her wishes for continued good health and asked that the Board take a moment of silence in memory of Tim Korzun who passed away yesterday. Mr. Korzun had served on Planning Board and held many volunteer positions with the City. Mrs. MacGregor spoke to Mr. Horn, Mrs. Leary and Mrs. Ege about minimizing their time spent in the office and to work as much as possible from home.

Mr. Horn reviewed his memo dated April 3, 2020 describing the steps he has initiated in response to COVID-19. As of March 16<sup>th</sup> the Authority has closed the office to the public, outside contractors, and deliveries to help minimize exposure. All sump pump inspections have been postponed until further notice but are being logged into a scheduling list for future appointments. The operations staff have been working in (2) two man split shifts to minimize their contact. The office staff has split their days to cover the office. We are working on setting up remote access so they can continue to work from home. The office, plant common areas and two utility trucks have been deep cleaned on April 2<sup>nd</sup>. Mr. Horn will decide if additional cleanings are needed.

MacGregor suggested that if they have masks they should be wearing them at work. Mr. Horn said that we have only a few masks but he is working on getting more.

## **Executive Directors Report-Thomas Horn.**

### OPERATIONS REPORT FOR APRIL 2020.

**TREATMENT FACILITY:** The garage heater was replaced. Semi –annual tank cleaning was started. ACUA was shut done from March 19<sup>th</sup> through April 7<sup>th</sup>. We contracted with Russell Reid to haul sludge to Stony Brook twice during this time.

**COLLECTION SYSTEM:** The staff continues to work on the Ferry pump station. The pumps and controls are almost done.

**ODOR CONTROL:** There were no calls concerning odors for March.

**UNION/ PERSONNEL:** There were no issues besides the necessary operational changes in response to COVID-19 health crisis.

REGULATORY: Biofilter and carbon unit continue to be monitored. The lab proficiency tests for our certification have been completed.

**ADMINISTRATIVE ISSUES:**

FY 2021 Budget: A draft budget was sent via email prior to this meeting for the Board's review and action. This needs to be submitted to the State by the end of April.

The NJIB is working on refunding our 2003 bonds and the Authority may be able to save money.

Annual Inspection: CDM Smith has put their inspection on hold due to the COVID-19 crisis.

**NJMEL: 2020 Elected Officials Online Training-Due May 1<sup>st</sup>**

A link with the training information has been sent to the Board members via email. Each member to complete the online training will earn a \$250.00 credit towards the Authority's insurance premium. Currently five members have completed the course.

**Memo-2020 Financial Disclosure Statements.**

Directions and a link to access the online filing system with the Department of Community Affairs was sent via email on April 3, 2020 to the Board, Attorney and Engineer. The filing deadline is April 30, 2020.

**Memo-CDM Smith Recommendations Update 3/31/20:**

Mr. Horn updated the recommendations list outlining the completed projects and their costs for the Board. Mr. Horn has postponed the current annual inspection due to social distancing concerns to limit exposure.

Some of the items have been done over the last few months except for the pavement. Some things are currently not included in our Asset Management plan. Ms. Pettit asked what "RPZ" is under the sludge pumping station. Mr. Horn explained that CDM recommends installing a back flow preventer as per code. He is currently questioning whether we need potable water at the pump station. Mr. Horn continued to review the pending items on CDM's report stating that some are included in projects already awarded. Ms. Pettit asked if there are items included under the (AMP) Asset Management Plan. Some items are operational budget items. Ms. Pettit asked what if they are not done in that budget time frame. What is the protocol on the dollar amounts? There appears to be a mix of different formats. We need to be able to see what is already covered out of our current loan and what will fall under the Operating or Capital Budgets. Mr. Horn will reorganize this recommendations list to clearly show how each project is to be funded, anticipated time of completion and estimated amount in a different format.

**Memo-Status of Capital Improvements.**

Collection system work: The State is waiting on the final release of retainage/ final payment so they can schedule a final inspection to close-out the project.

Plant & road paving & roof replacement: Both projects started March 20<sup>th</sup> and continued into the following week. The roof contractor has removed and replaced all of the roofs. The one remaining item to be completed is the trim installation along the top of the buildings. The repaving contractor has completed the road and plant parking lot. The entire area was milled and re-paved. During the milling the contractor found that some areas of the road and plant parking lot did not have the appropriate base and needed four inches of base material before paving. The entire area was paved with two inches of top pavement as originally planned. Mr. Horn authorized the changes needed as recommended by Suburban's inspector. Suburban will prepare a change order to adjust the quantities once the work is completed for the Board's action. The inspector is tracking all of the work and will recommend a contract closeout and payment once work is completed, pending NJIB approval. Mr. Horn reported that he expects a net decrease of about \$2,500.

Clarifier parts replacement will begin in the spring. Mr. Horn and Suburban Consultants are working on the contract documents.

The NJIB short term loan closed on April 1<sup>st</sup>. We can now submit requests for loan reimbursements to pay the roof and road contractor.

Drain lines & chemical building bids were received March 10<sup>th</sup> and Resolution 029-2020 with a recommendation to award the contract to the lowest bidder is prepared for the Board's action.

**Engineering Contract for Disinfection Facilities and Drainage Improvements:** Suburban has resubmitted their proposal dated March 9 and March 10, 2020 per the Board's requests amending their hours of inspection and providing a more detailed breakdown of the proposed project engineers with their job descriptions and a price breakdown.

At the March 3<sup>rd</sup> meeting the Board decided the final contract approval for the bid and construction services were subject to Mr. Uhl and Mrs. MacGregor's approval. The proposed contract price has been decreased and Mr. Horn recommends this for award. Ms. Pettit noted that on page 3 of the revised contract discussed "proposed sewer distribution system rehabilitation". It should say drainage and facilities improvements. Similarly page 5, item 8 refers to "sewer rehabilitation". The two items should be noted as mistakes. Ms. Pettit asked if there are any work progress photos. Mr. Horn confirmed that a requirement of the contractor is to do preconstruction, work progress and completed pictures. A motion was made with the two mistakes corrected by Ms. Pettit.

***Resolution 025-2020 Authorizing Contract Amendment #3 for Phase 002 to the Capital Improvements to the Treatment Plant and Collection System Professional Services Contract***

**WHEREAS**, the Lambertville Municipal Utilities Authority ("LMUA") on November 6, 2018 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 in an amount not to exceed \$127,320; and

**WHEREAS,** The LMUA authorized Contract Amendment #1 on May 7, 2019 via Resolution 025-2019, awarding an additional not to exceed amount of \$47,490 for bidding, construction inspection & administration services for collection system improvements; and

**WHEREAS,** The LMUA authorized Contract Amendment #2 on November 5, 2019 via Resolution 040-2019 approving an additional not to exceed amount of \$75,510 for bidding, construction inspection & administration services for the following wastewater treatment plant projects: roof replacement, repaving of plant area & access road & purchase of rectangular clarifier collectors; and

**WHEREAS,** Suburban submitted a proposal dated March 9, 2020 in an amount not to exceed \$61,145 as Amendment #3 to their original professional services agreement to include bidding, construction inspection & administration services for the rehabilitation of disinfection facilities and drainage improvements; and

**WHEREAS,** upon acceptance of contact Amendment #3, the new contract fee shall not exceed \$311,465; 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 April 7, 2020 as follows:

1. Suburban Consulting Engineers, Inc. proposal for contract Amendment #3 dated March 9, 2020 is hereby authorized for bidding, construction inspection and administration services for rehabilitation of disinfection facilities and drainage improvements, in an amount not to exceed \$61,145.
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: Mr. Rotondi**

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

**Recommended Contract Award for Disinfection Facilities and Drainage Improvements:**

Mr. Horn reported that the bid did come in under the Engineers estimate and they do know the contractor and recommend them for contract approval. The State has already approved us to award the contract. The LMUA

will wait to issue the notice to proceed until June. This project will not be completed quickly. Material fabrication will take some time for the chemical building. We have 180 days from award for work to begin. Mr. Horn does not see this as impedance. It did not happen with road or roof jobs. Should there be a change in laws for the state of emergency we will need to reevaluate at that time before notice to proceed.

**RESOLUTION 029-2020**  
**AWARD BID FOR**  
**THE REHABILITATION OF DISINFECTION FACILITIES AND**  
**DRAINAGE IMPROVEMENTS**  
**LAMBERTVILLE WASTEWATER TREATMENT PLANT**  
**DEP Project No. S340882-09**

**WHEREAS**, Lambertville Municipal Utilities Authority (“Authority”), determined a need to rehabilitate and improve its Disinfection and Drainage Facilities; and

**WHEREAS**, the Authority’ Engineer, Suburban Consulting Engineers, Inc. (“Engineer”) has prepared plans and specifications for completion of the rehabilitation of Disinfection Facilities and Drainage Improvements at the Lambertville Wastewater Treatment Plant Project dated November 2019 and revised to January 2020 (“Project”); and

**WHEREAS**, the Authority previously applied to the New Jersey Department of Environmental Protection (“NJDEP”) for funding for the Project through the New Jersey Environmental Infrastructure Financing Program (“NJIB”); and **WHEREAS**, on January 24, 2020 the NJDEP issued authorization to advertise for bids for the Project, DEP File No. S340882-09; and

**WHEREAS**, the Authority advertised for bids for the Project on February 10, 2020 in the Times of Trenton; and

**WHEREAS**, two (2) bids were received and publicly opened and read aloud on March 10, 2020; and

**WHEREAS**, the apparent low bidder was DeMaio Electrical Company, Inc. with a bid amount of \$513,800.00; and

**WHEREAS**, the LMUA staff, Engineer, and Attorney have reviewed the bid; and

**WHEREAS**, the bid documentation from the apparent low bidder was found to be in order and acceptable from a legal and technical standpoint; and

**WHEREAS**, the LMUA Board of Commissioners concur with the recommendation of the LMUA’s Attorney, Engineer and staff; and

**WHEREAS**, authorization to award the bid to DeMaio Electrical Company, Inc. was received from the NJDEP on March 30, 2020; and

**WHEREAS**, the Authority hereby designates its Executive Director to execute any and all documents necessary to proceed with the Project; and

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Lambertville Municipal Utilities Authority hereby approve the following:

1. The Executive Director is hereby authorized to execute a Contract with DeMaio Electrical Company, Inc. in the amount of \$513,800.00, and execute all documents that are required for the Project.
2. This Resolution is effective in accordance with applicable laws.

**Motion: Mrs. MacGregor**

**Second: Mr. Lambert**

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

**Proposed 2021 Budget.**

**Memo-Proposed 2021 Proposed Budget.** Mr. Horn prepared a memo dated March 10, 2020 outlining the proposed 2021 budget. The net is down and is reflecting costs we are seeing from savings from previous years. Health insurance is up and reflects what the cost is for the State health plan. Salary is up based on the Union Contract. The trustee fees are up due to the new loan. Chemicals are up a bit and this is due to our grease control chemicals we have started using this past year and Mr. Horn expects to use this again. We had not done this before doing a trial. Once we did complete the trial we noticed a substantial difference in our grease.

Review of the revenue and a discussion occurred. The amount on the lawn mower is just a rough estimate at this time. The amount on the cost estimate for upgrading the billing software is the same vendor the City uses. The maintenance contract is ongoing as it is for all software support. Hearing no other comments or concerns Mrs. MacGregor moved Resolution

**2021 AUTHORITY BUDGET RESOLUTION  
 RESOLUTION 030-2020  
 LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**FISCAL YEAR: FROM: JULY 1, 2020 TO: JUNE 30, 2021**

WHEREAS, the Annual Budget and Capital Budget for the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2020 and ending, June 30, 2021 has been presented before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of April 7, 2020; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$2,085,544, Total Appropriations, including any Accumulated Deficit if any, of \$2,042,272 and Total Unrestricted Net Position utilized of 72,000; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$592,800 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$79,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Lambertville Municipal Utilities Authority, at an open public meeting held on April 7, 2020 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2020 and ending, June 30, 2021 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Lambertville Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on June 2, 2020.

**Moved: Mrs. MacGregor**  
**Second: Mr. Rotondi**

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

**\$72,000 Payment to the City of Lambertville:**

Mr. Uhl would like to give some thought to our payment history with the City and perhaps recommend where the money can be used. Mr. Watts stated that the statute gives them the option of requesting more. Mr. Horn reported that they can take up to \$95,000 out of reserves. Mr. Watts recommended that the Board award this now and then we can discuss meeting with them in the future to appropriate it. Once this crisis has passed we should ask to sit down with the City and discuss our current situation and concerns. Mr. Horn discussed why we

needed to remove this amount from our Operating Budget and placed in Unrestricted Net Assets. Mrs. MacGregor expressed her concerns with our rate increase and with the City.

**Resolution 031-2020**  
**Authorizing Payment of \$72,000 of Authority**  
**Unrestricted Net Assets to the City of Lambertville**

WHEREAS, the Mayor and Council of the City of Lambertville passed Resolution 48-2020 on February 20, 2020 requesting \$72,000 from the Lambertville Municipal Utility Authority (LMUA); and

WHEREAS, as per N.J.S.A., 40A:5A-12.1, unreserved retained LMUA earnings, not to exceed 5% of the annual costs of operation can be appropriated for use in the City of Lambertville budget; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority authorize payment of \$72,000 from Unrestricted Net Assets to the City of the Lambertville in the proposed 2021 municipal budget.

BE IT FUTHER RESOLVED that the Authority shall pay the total sum of \$72,000 in three payments of \$24,000 throughout fiscal year 2021 so as not to create a strain on Authority funds.

Adopted: April 7, 2020

**Moved: Mrs. MacGregor**

**Second: Mr. Rotondi**

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

**New Jersey Wastewater Cooperative Pricing System.**

Mr. Horn is interested in joining this cooperative that is specifically for wastewater entities. They have a lot of things that we need available under the cooperative that would save the Authority from going out to bid. There is a no cost membership with a five year term. We could use it for our hypochlorite and bisulfite chemicals and would not have to bid them.

**Resolution 032-2020**  
**AUTHORIZING THE LAMBERTVILLE MUA TO ENTER INTO A**  
**COOPERATIVE PRICING AGREEMENT WITH THE NORTH JERSEY**  
**WASTEWATER COOPERATIVE PRICING SYSTEM**

**WHEREAS**, the N.J.S.A. 40A:11-11 (2) authorizes the governing bodies of two or more contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreement for the purchase of goods and services; and

**WHEREAS**, the Passaic Valley Sewerage Commission (PVSC) hereinafter referred to as the “Lead Agency” has offered voluntary participation in the North Jersey Wastewater Cooperative Pricing System (NJWCPS) for the purchase of goods and equipment; and

**WHEREAS**, on April 7, 2020 the governing body of the Lambertville MUA, County of Hunterdon, State of New Jersey expressed the desire to become a member of the NJWCPS, effective upon approval of the Director of the New Jersey Division of Local Government Services.

**NOW, THEREFORE BE IT RESOLVED** as follows:

1. Pursuant to the provision of N.J.S.A. 40A:11-11(2), Thomas F. Horn, Executive Director is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency subject to the approval of the Director of the New Jersey Division of Local Government Services.
2. The Lead Agency shall be responsible for complying with the provision of the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
3. The membership shall be for the period of five years and each renewal, thereafter of the system, unless the Lambertville MUA elects to formally withdraw from the system.
4. The Resolution shall be effective immediately upon adoption.

**Moved: Mrs. MacGregor**

**Seconded: Mr. Rotondi**

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

### **Chief Financial Officer's Report.**

Mrs. MacGregor made a motion to approve the bill list for March. Ms. Pettit seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED. Mrs. Leary noted that the list of expenditures does include the amount to pay the contractors under the NJIB loan.

### **Attorney's Report.**

Mr. Watts had no report for the month of March.

### **Adjournment.**

Mrs. MacGregor asked if there was anything else to report. Ms. Pettit asked about the sewer mark outs on Buttonwood Street and Clinton Street between Perry Street and Delaware Street. Mr. Horn reported that there was a lateral blockage on Buttonwood and upon TV investigation the contractor discovered a gas service that ran through the sewer main. There was a request for an emergency sewer mark out so the gas company could remove the service from our main.

The meeting adjourned at 7:14 p.m. with a motion made by Mrs. MacGregor followed by a unanimous voice vote 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 May 5, 2020.*