



Lambertville Municipal Utilities Authority
Tuesday, June 4, 2019, 6:00 PM
Wastewater Treatment Facility,
3 Bridge Street
Corrected 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 Saturday, May 11, 2019 to The Times of Trenton, also noticed The Hunterdon County Democrat. 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 (entered after roll call at 6:16 p.m.), Paul Rotondi-Treasurer, Russell Lambert-Secretary, Helen Pettit-Member, Jacqueline Middleton-Alternate I & Michael Gaudio-Alternate II (entered after roll call at 6:08 p.m.)

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Greg Watts-Attorney, Watts, Tice and Skowroneck, Christopher Langhart, Esq.-Bond Counsel, McManimon, Scotland & Baumann, LLC & Jacqueline Klapp-Stenographer

Pledge of Allegiance.

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

Bond Counsel Report – McManimon, Scotland & Baumann, LLC

Collection System Work-2019B Project Mr. Langhart addressed the Board and thanked them for the appointment to Bound Counsel. He then explained the process of loan financing with the New Jersey Infrastructure Bank (NJIB). The NJIB acts as the bank and lends funds directly to the Authority at a very low interest rate. He explained that Resolution 029-2019 if passed tonight will authorize the Authority to apply for a loan for the Collection System Work Project at 75/ 25% rate which expires June 30, 2019. This means that 75% of the loan is paid back at a 0% interest rate and 25% at market rate, so when you combine the two you're getting a really low rate at about 1%." The process has many steps; the first involves our Engineer, Attorney and Bond Counsel putting together a package to apply for the loan. The first loan is for short term financing which is called a Construction Loan or "Bridge Loan" then we do our project and enter into permanent financing later on.

The bids for the Collection System Work Project are due in on Thursday, June 6, 2019. If acceptable, the Authority will pass a resolution with the intention to award a contract and submit the bid to DEP for their final approval or "project certification." Mr. Langhart advised that there is a possibility that this project may not get final certification prior to the June 30th deadline. As long as the bids come in acceptable the Authority would look to award on June 11th. The Board took a moment to ask Mr. Langhart a few questions in regards to the notice for 75/25% funding deadline, term definitions and the specific details on the project that we would be

funding. The Board requested that Mr. Langhart include a summary at the end of the resolution to define the specific project details that the bond would be funding.

Treatment Plant Work-2019A Project Mr. Langhart advised the Board that the Plant Improvements Project will not be eligible for the 75/25% financing as it did not score high enough on the NJ DEP's priority list. Mr. Horn added that the DEP has finished their environmental review and feels that this will be ready to award by August/ September.

At this time Mrs. MacGregor made a motion to approve Resolution 029-2019 authorizing sewer revenue bonds in an amount not to exceed \$550,000 to finance the 2019B Project through the New Jersey Infrastructure Bank with the addition of a summary paragraph at the end of the resolution including the project type and the amount of the loan and referencing the attachments. Mr. Rotondi seconded the motion. An affirmation roll call was taken by all members present. MOTION PASSED

Mr. Langhart excused himself from remainder of the meeting after the roll call and confirmed that he will send the additional summary to be included in the resolution and minutes tomorrow.

**2019 SUPPLEMENTAL BOND RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$550,000 SEWER REVENUE BONDS OF THE LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY THROUGH THE NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM
RESOLUTION 029-2019**

WHEREAS, The Lambertville Municipal Utilities Authority (formerly known as the Lambertville Sewerage Authority, and the "Authority" herein) is a public body corporate and politic of the State of New Jersey, organized pursuant to the Municipal and County Utilities Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1957 of the State of New Jersey, and the acts amendatory thereof and supplemental thereto (the "Act"); and

WHEREAS, the Authority adopted a general bond resolution on February 16, 1982 entitled "Resolution Authorizing the Issuance of Sewer Revenue Bonds of The Lambertville Sewerage Authority", as supplemented on February 16, 1982 and as amended on March 16, 1982 (said resolution as so amended and supplemented is hereinafter referred to as the "1982 Bond Resolution"); and

WHEREAS, the Authority, in order to finance projects for the Authority's Sewerage System (the "System"), has issued Sewer Revenue Bonds, or refunding bonds therefor, in 1982, 1983, 1988 and 1996, which have all fully matured and been paid; and

WHEREAS, pursuant to certain supplemental resolutions the Authority has issued bonds for capital improvements in 2002, 2003 and 2010 through the New Jersey Environmental Infrastructure Trust Financing Program which are currently outstanding as set forth in Attachment A hereto; and

WHEREAS, in accordance with the provisions of Sections 315 and 316 of the 1982 Bond Resolution the Authority has determined to authorize one or more series of Additional Bonds of the Authority, to

be designated "Sewer Revenue Bonds of The Lambertville Municipal Utilities Authority", with such further designation as the Authority may determine and possibly notes which may be issued in anticipation thereof, (hereinafter collectively referred to as the "Sewer Revenue Bonds") in the principal amount of not to exceed \$550,000 to provide for (i) the Costs associated with the work as listed on Exhibit A hereto (the "2019B Project") and (2) the payment of all or a portion of the costs associated with the issuance of the Sewer Revenue Bonds pursuant to this Supplemental Resolution (as defined herein); and

WHEREAS, the Authority wishes to provide terms and conditions with respect to such Sewer Revenue Bonds in addition to those which have been previously established under and pursuant to the 1982 Bond Resolution and delegate the sale of such Sewer Revenue Bonds to the Executive Director of the Authority;

WHEREAS, the Sewer Revenue Bonds are to be issued as Additional Bonds under the 1982 Bond Resolution, provided that funding of the Debt Service Reserve Fund to meet the requirements of the Bond Resolution shall be effected over a three (3) year period; and

WHEREAS, the Authority is permitted under Sections 315 and 316 of the 1982 Bond Resolution to issue Additional Bonds to finance the 2019B Project; and

WHEREAS, the Authority desires to adopt this 2019 Supplemental Bond Resolution to supplement and amend the 1982 Bond Resolution in order to authorize the issuance of the Sewer Revenue Bonds as "Additional Bonds" within the meaning of the 1982 Bond Resolution and thereby finance the 2019B Project;

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

ARTICLE I

Definitions and Authority for Supplemental Resolution

Section 101. Definitions. All terms used as defined terms in the 1982 Bond Resolution are used with the same meaning herein unless expressly given different meanings or unless the context clearly otherwise requires. All terms used herein which are defined in the recitals hereto shall have the meaning given to the same in such recitals unless the context clearly otherwise requires.

In this 2019 Supplemental Bond Resolution:

"2019 Financing Program" means the 2019 New Jersey Infrastructure Bank Financing Program.

"2019 Supplemental Bond Resolution" means this supplemental bond resolution of the Authority adopted on June 4, 2019.

"Bank" means the New Jersey Infrastructure Bank.

"Bank Loan Agreement" means that certain loan agreement to be entered into by and between the Authority and the Trust, pursuant to the 2019 Financing Program.

"Cost" or "Costs" shall have the same meaning as set forth in the Act.

"Escrow Agreement" means that certain escrow agreement to be entered into by and between the Authority, the Bank, the State and the escrow agent named in such agreement (the "Escrow Agent"), as trustee for the holders of the Sewer Revenue Bonds issued pursuant to the 2019 Financing Program.

"Escrow Trustee" shall have the meaning assigned to such term in the Certificate referenced herein.

"Financing Documents" means the Bank Loan Agreement, the Fund Loan Agreement and the Escrow Agreement, as defined herein.

"Fund Loan Agreement" means that certain loan agreement to be entered into by and between the Authority and the State, pursuant to the 2019 Financing Program.

"Herein," "hereunder," "hereby," "hereto," and "hereof" and any similar terms refer to this Supplemental Bond Resolution; the term "heretofore" means before the adoption of this 2019 Supplemental Bond Resolution; and the term "hereafter" means after the adoption of this 2019 Supplemental Bond Resolution.

"Paying Agent" shall mean such financial institution, appointed by the Authority pursuant to an Officers Certificate, to carry out its duties and obligations as set forth in the Financing Documents.

"Registrar" shall mean such financial institution, appointed by the Authority pursuant to an Officers Certificate, to carry out its duties and obligations as set forth in the Financing Documents;

"Sewer Revenue Bonds" means the Authority's Sewer Revenue Bonds, or any notes issued in anticipation thereof in a principal amount not to exceed \$550,000 pursuant to this 2019 Supplemental Bond Resolution.

"State" means the State of New Jersey, and when used in reference to the 2019 Financing Program, the State, acting by and through the New Jersey Department of Environmental Protection.

"Trustee" shall mean such financial institution, appointed by the Authority by the Officers Certificate, to carry out its duties and obligations as set forth in the Financing Documents.

Section 102. Incorporation of Resolution. This 2019 Supplemental Bond Resolution supplements and amends the 1982 Bond Resolution. The 1982 Bond Resolution is incorporated herein by reference thereto.

Section 103. Severability of Invalid Provisions. If any one or more of the covenants or agreements provided in this 2019 Supplemental Bond Resolution, on the part of the Authority, the Bank, the State, the Escrow Agent or the Trustee, to be performed should be contrary to law, then such covenant or covenants, agreement or agreements, shall be deemed separable from the remaining covenants and agreements and shall in no way affect the validity of the other provisions of this 2019 Supplemental Bond Resolution or of any Sewer Revenue Bond.

ARTICLE II

Determinations By and Obligations of the Authority

Section 201. Authority for 2019 Supplemental Bond Resolution. This 2019 Supplemental Bond Resolution is adopted pursuant to the Act and the 1982 Bond Resolution and the Authority has ascertained and hereby determines that each and every act, matter, thing or course of conduct as to which provision is made in this 2019 Supplemental Bond Resolution is appropriate in order to carry out and effectuate the purposes of the Authority in accordance with the Act and the 1982 Bond Resolution to further secure the payment of the principal or redemption price of and interest on the Sewer Revenue Bonds hereby authorized.

Section 202. Sewer Revenue Bonds to Constitute Additional Bonds. The Sewer Revenue Bonds shall constitute Additional Bonds as such term is defined in the 1982 Bond Resolution and shall be issued pursuant to and in accordance with the 1982 Bond Resolution.

Section 203. Resolution to Constitute Contract. In consideration of the purchase and acceptance of the Sewer Revenue Bonds by those who shall hold the same from time to time, the provisions of the 1982 Bond Resolution shall be deemed to be and shall constitute a contract between the Authority, the Trustee Bank and the holders from time to time of the Sewer Revenue Bonds; the pledge made in the 1982 Bond Resolution and the covenants and agreements herein set forth to be performed by or on behalf of the

Authority shall be for the equal benefit, protection and security of the holders of any and all of the Sewer Revenue Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction of any of the Bonds over any other thereof except as expressly provided in or pursuant to the 1982 Bond Resolution.

Section 204. Estimated Cost of 2019B Project. The Authority hereby determines that the aggregate estimated Cost of the 2019B Project shall not exceed \$550,000.

ARTICLE III

Authorization, Purpose, Execution and Issuance of Sewer Revenue Bonds

Section 301. Authorization and Purpose of the Sewer Revenue Bonds. The Sewer Revenue Bonds of the Authority in the principal amount of not to exceed \$550,000 are hereby authorized to be issued pursuant to Sections 315 and 316 of the 1982 Bond Resolution, such Bonds to be entitled "Sewer Revenue Bonds, Series ____ of The Lambertville Municipal Utilities Authority" or such other title as the Authority may designate. The Sewer Revenue Bonds are authorized and will be issued to provide funds for the Cost of the 2019B Project.

Section 302. Description of the Sewer Revenue Bonds; Delegation of Sale of the Sewer Revenue Bonds.

(A) Term. The Sewer Revenue Bonds shall be fixed in number and issued to the State and the Bank, respectively, with interest rates fixed to maturity, shall be dated, numbered and shall bear interest at the rate or rates, and shall mature over a term not exceeding thirty (30) years, shall mature but shall be payable at such dates and in the amounts as provided for by the Financing Documents, the Certificate pursuant to subparagraph (B) of this Section.

(B) Delegation to Issue Sewer Revenue Bonds. The Authorized Officer (as hereinafter defined) of the Authority is hereby designated as the individual who shall have the power to sell and to award the Sewer Revenue Bonds (of the same or different series) on behalf of the Authority, to the State and Bank, respectively, pursuant to the 2019 Financing Program, including the power to determine (giving due consideration to the terms and conditions of the preceding paragraph and any applicable rules or restrictions of the 2019 Financing Program), among other things (i) the amount of Sewer Revenue Bonds to be issued, provided such amount does not to exceed \$550,000, (ii) the time and the manner of sale of the Sewer Revenue Bonds and the Escrow Closing (as hereinafter defined) in connection therewith, (iii) the denominations and rate or rates of interest to

be borne by the Sewer Revenue Bonds, and (iv) such other terms and conditions as may be necessary or related to the sale of the Sewer Revenue Bonds. Such sale, award, terms and conditions of the Sewer Revenue Bonds issued pursuant to the 2019 Financing Program shall be determined and evidenced by the Financing Documents, to be executed by the Authorized Officer on behalf of the Authority, subject to the rules, conditions, maturity schedule and interest rate established by the Program, with respect to the Sewer Revenue Bond being issued to the Bank, with such interest rate on such Sewer Revenue Bond being based upon the pass through interest rates received by the Bank in connection with its sale of bonds (plus administrative fees) (the "Bank Loan Bond"), combined with the cash funds received from the State in connection with the Program, with respect to the Sewer Revenue Bond being issued to the State (the "Fund Loan Bond"). Such sale and award provisions of the Sewer Revenue Bonds, as set forth herein, may be further evidenced by a certificate of the Authorized Officer (the "Certificate"), executed as of the date of sale and award of the Sewer Revenue Bonds. The Certificate is hereby deemed to satisfy the requirements of Section 316(b) of the 1982 Bond Resolution. The Financing Documents and the Certificate, to the extent one is required, shall be presented by the Executive Director to the Members of the Authority at the next regular meeting of the Authority following such sale and award as evidence of the terms and details of the sale of such Sewer Revenue Bonds.

(C) Execution of the Financing Documents. The Financing Documents are hereby authorized to be executed and delivered in connection with the 2019 Financing Program. Such Financing Documents may be executed and delivered on behalf of the Authority by either the Chairman, the Vice Chairman, the Executive Director or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Authority (collectively, the "Authority Consultants"), and after further consultation with the Bank, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", together with the Authority Consultants, the "Consultants") shall determine, with such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Secretary or Assistant Secretary of the Authority is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Authority as determined hereunder, and to affix the corporate seal of the Authority to such Financing Documents.

(D) Escrow Closing. The Authorized Officers of the Authority are hereby authorized to execute the Financing Documents and any additional certificates and opinions as may be required by the 2019 Financing Program or Bond Counsel to the Authority, as further described in subsection (F) herein (together, the "Escrowed Documents") on or before the date when the Authority is scheduled to close the loans in escrow with the 2019 Financing Program (the "Escrow Closing"), such Escrowed Documents to be delivered to Bond Counsel to the Authority and held by Bond Counsel to the Authority until such time as an Authorized Officer of the Authority authorizes release of same. Bond Counsel to the Authority is hereby authorized to accept and hold the Escrowed Documents in escrow on or before the Escrow Closing and to release same from escrow and deliver same upon direction of an Authorized Officer of the Authority.

(E) Form of Sewer Revenue Bonds. The Sewer Revenue Bonds shall be in substantially the form described herein with such changes as may be required by the Financing Documents.

(F) Further Authorizations. The Authorized Officers of the Authority are hereby further severally authorized to (i) execute and deliver, and the Secretary or Assistant Secretary of the Authority is hereby further authorized to attest to such execution and to affix the corporate seal of the Authority to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers, the Secretary or Assistant Secretary of the Authority, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution thereof.

Section 303. Issuance of the Sewer Revenue Bonds and Application of Proceeds of Sale. The Sewer Revenue Bonds authorized by Section 301 herein, are hereby directed to be executed by or on behalf of the Authority by its Authorized Officer and delivered to the State and the Bank, respectively. All of the proceeds of sale of the Sewer Revenue Bonds, including accrued interest (if any) received upon delivery thereof, shall, simultaneously with the issuance of the Sewer Revenue Bonds, be paid and applied by the Authority in accordance with the 1982 Bond Resolution and the Financing Documents and as provided in an Order or Certificate of the Authority executed by the Chairman or the Executive Director of the Authority consistent with the 1982 Bond Resolution and the Financing Documents.

Section 304. No Recourse on the Sewer Revenue Bonds. No recourse shall be had for the payment of the principal of or the interest on the Sewer Revenue Bonds or for any claim based thereon or on this 2019 Supplemental Bond Resolution or the 1982 Bond Resolution against any member or other officer of the Authority or any person executing the Sewer Revenue Bonds. The Sewer Revenue Bonds are not and shall not be in any way a debt or liability of the State of New Jersey or of any county or municipality and do not and shall not create or constitute any indebtedness, liability or obligation of said State or of any county or municipality, either legal, moral or otherwise.

Section 305. Execution of Sewer Revenue Bonds. The Chairman or Executive Director of the Authority is hereby authorized to execute by the manual or facsimile signature the Sewer Revenue Bonds in the name and on behalf of the Authority attested by the manual or facsimile signature of its Secretary or Assistant Secretary.

Section 306. Appointment of Trustee, Paying Agent and Registrar. In accordance with the provisions of Article 11 of the General Bond Resolution, a certain financial institution (the "Trustee Bank") shall be appointed Trustee (the "Trustee"), Paying Agent (the "Paying Agent"), and Registrar (the "Registrar") for the Sewer Revenue Bonds. The Trustee Bank shall accept and shall carry out its duties and obligations as Trustee, Paying Agent and Registrar as provided in and as required by the terms of the 1982 Bond Resolution.

Section 307. Funding of the Debt Service Reserve Fund. The Authority shall deposit one-third of the amount of the Debt Service Reserve Requirement for the Sewer Revenue Bonds in the Debt Service Reserve Fund on the first day of the twelfth month following the first day of the month following the date of their issuance, on the first day of the twenty-fourth month following the first day of the month following the date of their issuance and on the first day of the thirty-sixth month following the first day of the month following the date of their issuance, so that on the first day of the thirty-sixth month following the first day of the month following the date of issuance of the Sewer Revenue Bonds the amount on deposit in the Debt Service Reserve Fund shall equal the Debt Service Reserve Requirement. The amounts deposited in the Debt Service Reserve Fund shall be invested with such yield restrictions as are required by the terms of the Bank Loan Agreement and the Code. The Trustee Bank is hereby directed to establish a subaccount within the Debt Service Reserve Fund designated "2019 Sewer Revenue Bonds Subaccount" and to deposit in the subaccount the amounts, if any, required by this Section or the 1982 Bond Resolution, as amended hereby.

Section 308. Form of the Sewer Revenue Bonds. The Sewer Revenue Bonds shall be in substantially the form set forth in Section 1207 of the 1982 Bond Resolution and as provided in Section 302 of the 1982 Bond Resolution, with such omissions, insertions and variations as are appropriate and, in addition, shall include the following:

[FORM OF THE 2019 BOND FOR FUND]

FOR VALUE RECEIVED, THE LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY, a public body corporate and politic, with corporate succession duly created and validly existing under the Constitution and laws of the State of New Jersey (the "Authority"), hereby promises to pay to the order of the State of New Jersey (the "State") the principal amount of _____ DOLLARS (\$ _____), or such lesser amount as shall be disbursed to the Authority under the Loan Agreement (as hereinafter defined) at the times and in the amounts determined as provided in the Loan Agreement, plus any other amounts due and owing under the Loan Agreement at the times and in the amounts as provided therein. The Authority irrevocably pledges its Pledged Funds (as defined in the Loan Agreement) for the punctual payment of the principal of, and all other amounts due under, this 2019 Bond and the Loan Agreement according to their respective terms.

This 2019 Bond is issued pursuant to the Municipal and County Utilities Authorities Law, P.L. 1957, c.183 (N.J.S.A. 40:14B-1, et seq.), the Local Authorities Fiscal Control Law, P.L. 1983, c.313 (N.J.S.A. 40A:5A-1, et seq.), and other applicable laws and the Loan Agreement dated as of [November 1, 2019], by and between the State, acting by and through the New Jersey Department of Environmental Protection, and the Authority (the "Loan Agreement"). This 2019 Bond is issued in consideration of the loan made thereunder (the "Loan") and to evidence the payment obligations of the Authority set forth therein. Payments under this 2019 Bond shall, except as otherwise provided in the Loan Agreement, be made directly to the Loan Servicer (as defined in the Loan Agreement) for the account of the State. This 2019 Bond is subject to assignment or endorsement in accordance with the terms of the Loan Agreement. All of

the terms, conditions and provision of the Loan Agreement are, by this reference thereto, incorporated herein as part of this 2019 Bond.

Pursuant to the Loan Agreement, disbursements shall be made by the State to the Authority upon the receipt by the State of requisitions from the Authority executed and delivered in accordance with the requirements set forth in Section 3.02 of the Loan Agreement.

This 2019 Bond is entitled to the benefits and is subject to the conditions of the Loan agreement. The obligations of the Authority to make the payment required hereunder shall be absolute and unconditional without any defense or right of set-off, counterclaim or recoupment by reason of any default by the State under the Loan Agreement or under any other agreement between the Authority and the State or out of any indebtedness or liability at any time owing to the Authority by the State or for any other reason.

This 2019 Bond is subject to optional prepayment under the terms and conditions, and in the amounts, provided in Section 3.07 of the Loan Agreement. To the extent allowed by applicable law, this 2019 Bond may be subject to acceleration under the terms and conditions, and in the amounts, provided in Section 5.03 of the Loan Agreement.

Infrastructure Trust as to lien on and source and security for payment from the Pledged Funds of the Authority.

IN WITNESS WHEREOF, the Authority has caused this 2019 Bond to be duly executed, sealed and delivered, as of this [15th] day of [October], 2019.

(SEAL)

THE LAMBERTVILLE MUNICIPAL UTILITIES
AUTHORITY

ATTEST:

By: _____

By: _____

[FORM OF THE 2019 BOND FOR BANK]

FOR VALUE RECEIVED, THE LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY, a public body corporate and politic, with corporate succession duly created and validly existing under the Constitution and laws of the State of New Jersey (the "Authority"), hereby promises to pay to the order of the New Jersey Infrastructure Bank (the "Bank") (i) the principal amount of _____ DOLLARS (\$_____), or such lesser amount as shall be determined in accordance with Section 3.01 of the Loan Agreement (as hereinafter defined), at the times and in the amounts determined as provided in the Loan Agreement, together with (ii) Interest on the Loan constituting the Interest Portion, the Administrative Fee and any late charges incurred under the Loan Agreement (as such terms are defined in the Loan Agreement) in the amount calculated as provided in the Loan Agreement, payable on the days and in the amounts and as provided in the Loan Agreement, which principal amount and Interest Portion of the Interest on the Loan shall, unless otherwise provided in the Loan Agreement, be payable on the days and in the amounts as also set forth on Exhibit A attached hereto under the column headings respectively entitled "Principal" and "Interest," plus

(iii) any other amounts due and owing under the Loan Agreement at the times and in the amounts as provided therein. The Authority irrevocably pledges its Pledged Funds (as defined in the Loan Agreement) for the punctual payment of the principal of and the Interest on this 2019 Bonds (as defined in the Loan Agreement), and for the punctual payment of all other amounts due under this 2019 Bond and the Loan Agreement according to its terms.

This 2019 Bond is issued pursuant to the Municipal and County Utilities Authorities Law, P.L. 1957, c.183 (N.J.S.A. 40:14B-1, et seq.), the Local Authorities Fiscal Control Law, P.L. 1983, c.313 (N.J.S.A. 40A:5A-1, et seq.), and other applicable laws and the Loan Agreement dated as of [November 1, 2019], by and between the Bank and the Authority (the "Loan Agreement"). This 2019 Bond is issued in consideration of the loan made under the Loan Agreement (the "Loan") to evidence the payment obligations of the Authority set forth in the Loan Agreement. This 2019 Bond has been assigned to , as trustee (the "State Trustee") under the "Environmental Infrastructure Bond Resolution, Series 2019 [A]" adopted by the Bank {DATE}, as the same may be amended and supplemented in accordance with the terms thereof (the "Bond Resolution"), and payments hereunder shall, except as otherwise provided in the Loan Agreement, be made directly to the Loan Servicer (as defined in the Loan Agreement) for the account of the Bank pursuant to such assignment. Such assignment has been made as security for the payment of the [Bank] Bonds (as defined in the Loan Agreement) issued to finance or refinance the Loan and as otherwise described in the Loan Agreement. This 2019 Bond is subject to further assignment or endorsement in accordance with the terms of the Bond Resolution and the Loan Agreement. All of the terms, conditions and provisions of the Loan Agreement are, by this reference thereto, incorporated herein as part of this 2019 Bond.

Pursuant to the Loan Agreement, disbursements shall be made by the State Trustee to the Authority, in accordance with written instructions of the Bank, upon the receipt by the Bank and the State Trustee of requisitions from the Authority executed and delivered in accordance with the requirements set forth in Section 3.02 of the Loan Agreement.

This 2019 Bond is entitled to the benefits and is subject to the conditions of the Local Agreement. The obligations of the Authority to make the payments required hereunder shall be absolute and unconditional without any defense or right of set-off, counterclaim or recoupment by reason of any default by the Bank under the Loan Agreement or under any other agreement between the Authority and the Bank or out of any indebtedness or liability at any time owing to the Authority by the Bank or for any other reason.

This 2019 Bond is subject to optional prepayment under the terms and conditions, and in the amounts, provided in Section 3.07 of the Loan Agreement. To the extent allowed by applicable law, this 2019 Bond is subject to acceleration under the terms and conditions, and in the amounts, provided in section 5.03 of the Loan Agreement.

IN WITNESS WHEREOF, the Authority has caused this 2019 Bond to be duly executed, sealed and delivered, as of this [15th] day of [October], 2019.

(SEAL)

THE LAMBERTVILLE MUNICIPAL UTILITIES
AUTHORITY

ATTEST:

By: _____

By: _____

Section 309. Further Action. The Authority Officers are hereby further severally authorized to (i) execute and deliver, and the Secretary of the Authority is hereby further authorized to attest to such execution and to affix the corporate seal of the Authority to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authority Officers or the Secretary of the Authority, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such actions as the Authority Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 310. Financial Information. The Authority hereby authorizes the preparation and distribution of financial statements and demographic and other information concerning the Authority and any related government entity, if applicable, as may be required by the State or the Bank.

**ARTICLE IV
Miscellaneous**

Section 401. Sewer Revenue Bonds are Additional Bonds Under 1982 Bond Resolution. The Sewer Revenue Bonds shall constitute Additional Bonds under the 1982 Bond Resolution and after their authentication and delivery, the Sewer Revenue Bonds shall for all purposes of the 1982 Bond Resolution be deemed to constitute Bonds within the meaning of the 1982 Bond Resolution, shall be entitled to the pledge provided by the 1982 Bond Resolution and shall have equal rank with any other Bonds issued and outstanding under the 1982 Bond Resolution.

Section 402. Reimbursement of Costs of the 2019B Project.

A. The Authority reasonably expects to reimburse its expenditure of costs of the 2019B Project paid prior to the issuance of the Sewer Revenue Bonds.

B. The Authority hereby declares its official intent to reimburse the expenditure of costs of the 2019B Project paid prior to the issuance of the Sewer Revenue Bonds with the proceeds of a borrowing to be incurred by the Authority, in accordance with Treasury Regulations §1.150-2.

C. The costs of the 2019B Project to be reimbursed with the proceeds of the Sewer Revenue Bonds will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

D. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended. The proceeds of the Sewer Revenue Bonds used to reimburse the Authority for costs of the 2019B Project, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.1481), of the Sewer Revenue Bonds or another issue of debt obligations of the Authority, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1).

E. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the Sewer Revenue Bonds is paid, or (ii) the date the 2019B Project is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

Section 403. Supplemental Resolution to Govern. To the extent that the provisions of this 2019 Supplemental Bond Resolution are inconsistent with the provisions of the 1982 Bond Resolution, the provisions of this 2019 Supplemental Bond Resolution shall control.

Section 404. Effective Date. This 2019 Supplemental Bond Resolution shall take effect immediately upon the filing with the Trustee Bank of a copy thereof certified by the Secretary, all in accordance with Section 801 of the 1982 Bond Resolution.

EXHIBIT A

Description of the 2019B Project (NJIB S340882-10) :

The 2019B Project elements consist of the rehabilitation via cured-in-place lining approximately 1,450 linear feet of existing 8" VCP sanitary sewers in North Union Street between Delevan Street and York Street and Bridge Street and Church street and in Swan Street between South Union Street and South Franklin Street, , such work to include all work and costs ancillary and necessary therefor.

Executive Summary of Resolution 029-2019

The adoption of Resolution 029-2019 by the Board of Commissioners authorizes the issuance of bonds and/or notes of the Lambertville Municipal Utilities Authority (the "Authority") in an amount not to exceed \$550,000 to finance the rehabilitation via cured-in-place lining of approximately 1,450 linear feet of existing 8" VCP sanitary sewers in North Union Street between Delevan Street and York Street and Bridge Street and Church Street and in Swan Street between South Union Street and South Franklin Street, including all work and costs necessary and ancillary therefor. The bonds and/or notes of the Authority are authorized to be issued to the New Jersey Infrastructure Bank and such bonds and/or notes are subject to the terms and conditions set forth in the Articles of Resolution 029-2019.

Moved by: Mrs. MacGregor

Seconded by: Mr. Rotondi

RECORDED VOTE:

GOVERNING BODY MEMBER	YES	NO	ABSTAIN	NOT VOTING	NOT PRESENT
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi	X				
Russell Lambert	X				
Helen Pettit	X				
Jacqueline Middleton				X	
Michael Gaudio				X	

Public Hearing.

FY 2019-2020 Connection Fee:

Jaqueline Klapp, Court Reporter, is present for the Public Hearing concerning the proposed rates and fees for the coming fiscal year. A copy of the transcript shall be available to the public for a reasonable fee in the Authority's administration office. Mr. Watts explained that based on the recommendation of Bowman and Company, LLP the maximum statutory rate to increase the connection fee is \$6,198.00. This is \$165.00 more than the current fee of \$6,033.00. He continued to clarify that the fee was calculated in accordance with the provision of N.J.S.A. 40:14A-8(b). The Board may charge less than the maximum but cannot go over that calculated limit. Any property that wishes to connect to the sanitary sewer system of the Authority shall be charged a fee to represent a fair payment towards the cost of the system. Mrs. MacGregor asked if the Board had any comments or questions in regards to the proposed new connection fee.

Resolution 027-2019
Approving the Connection Fee
Effective July 1, 2019

WHEREAS, after a public hearing held by the Lambertville Municipal Utilities Authority ("Authority") on June 4, 2019, pursuant to the provisions of N.J.S.A. 40:14A-8, sewer connection fees were determined by the Authority; and

WHEREAS, the hookup fee for the fiscal year from July 1, 2019 through June 30, 2020 was prepared by Bowman & Company, LLP, Special Projects Auditor to the Authority using the parameters contained in P.L. 1986, c. 526 shows that the LMUA is in accordance with legislation limits to increase the connection fee to \$6,198.00.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2019 sewer connection fees are hereby established at \$6,198.00 per equivalent dwelling unit (EDU); and

BE IT FURTHER RESOLVED that a schedule of the aforesaid connection fees shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, Lambert Lane Extended, Lambertville, New Jersey, and shall at all reasonable times be open to public inspection.

Effective on July 1, 2019

Moved: Mrs. MacGregor
Seconded: Mr. Rotondi

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	

FY 2019-2020 Rate Schedule:

The Proposed User Rates Schedule showing an overall increase of 4.237% proportionally were reviewed by the Board for the coming 2019-2020 fiscal year. As per Ms. Pettit the word “qualified” senior citizens rate was added to the resolution and will be added to our new rate schedule.

Seeing no questions Mrs. MacGregor requested a motion to approve Resolution 028-2019.

Resolution 028-2019

**Approving the User Charge Amounts
 Effective July 1, 2019**

WHEREAS, after a public hearing held by the Lambertville Municipal Utilities Authority (“Authority”) on June 4, 2019, pursuant to the provisions of N.J.S.A. 40:14A-8, user charge amounts were determined by the Authority; and

WHEREAS, the user charge system is reviewed by the Authority every year to ensure proper charges for users so that the Authority may operate, manage and maintain the sewerage facilities in an efficient manner; and

WHEREAS, after review of our Capital Reserve Fund the Financial Advisor, Acacia Financial Group, Inc. recommended an increase of our user fees.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2019 sewer use charge amounts will increase by 4.237% proportionally and are hereby established at \$492.00 per equivalent dwelling unit (EDU) per year for residential use, \$369.00 per EDU, per year for qualified Senior Citizens; \$612.00 per EDU per year for commercial use and increased proportionally for all other rates as per the Rate Schedule dated July 1, 2019.

BE IT FURTHER RESOLVED that a schedule of the aforesaid user charge amounts shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, Lambert Lane Extended, Lambertville, New Jersey, and shall at all reasonable times be open to public inspection.

Effective on July 1, 2019

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

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	

Public hearing closed 6:24 p.m. Ms. Klapp excused herself from the remainder of the meeting.

Public Comment.

None.

Minutes.

The minutes of the May 7th regular meeting were approved in a motion made by Mrs. MacGregor and seconded by Mr. Rotondi followed by a unanimous roll call vote by all members present except for Mr. Uhl as he was absent. MOTION CARRIED

Correspondence.

- 69 S. Union St.: In a letter dated May 10, 2019 a billing adjustment was confirmed as the property was rezoned from two residential units to one residential unit.
- 22 N. Main St.: In a letter dated May 10, 2019 a billing adjustment will be effective the date of the final CO for their proposed change from one residential unit and one commercial unit to two residential units.
- Academy Hill Subdivision: In a letter dated May 14, 2019 capacity was verified for the proposed 350 town house development.
- The City of Lambertville Requested that the Authority cover the cost of portable comfort stations at We Are 1 Picnic set for June 9th in an amount not to exceed \$500. The Board decided to approve their request and will memorialize their decision by resolution.
- 41 Bridge Street: In a letter dated May 15, 2019 the unit change was verified to reflect the additional three residential units to be added to their account upon being issued a final CO from the City. Ms. Pettit requested that the Authority send clarification to include the second account’s bill (20330) in addition to the (20331) yearly billing.
- Rock Road East Sewer Lateral Extension: The Authority had sent a letter dated May 30, 2019 to Mr. Corboy advising him of the Board’s decision to approve the installation of a lateral extension from the main in the street to his property at Block 1072, Lots 3 & 3.01

Chairpersons Report.

The Board decided to hold a special meeting on June 11th at 6:00 p.m. in order to award the contract for the 2019 Sanitary Sewer Collections System Rehabilitation Project. Vice Chairman Uhl, Treasurer Rotondi and Secretary Lambert will be able to attend. A follow-up email will be sent out on June 8th along with the necessary notices to the City and the newspapers.

Executive Directors Report – Thomas Horn.

TREATMENT FACILITY: Mr. Horn reported that the plant is running well. Staff completed the semi-annual tank cleaning.

COLLECTION SYSTEM: The Swan replacement pumps have been delivered and are in the process of being installed.

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

UNION/ PERSONNEL: No issues.

REGULATORY: Biofilter and carbon unit are being tested routinely.

ADMINISTRATIVE ISSUES: The DCA has requested that the Authority pass a resolution to amend the FY 2020 Budget and authorize a resolution to adopt the FY 2020 budget.

Confined Space Rescue Agreement: Fire Commission agreed to new language Mr. Watts had drafted after our May meeting. There is a resolution on the Agenda to approve this.

EJIF Inspection: Mr. Horn reported that there were a few minor issues. The Authority needs to update their Spill Prevention Plan program and add spill prevention pads at the fuel tanks.

WMP UPDATE: The County's deadline is June 30, 2019 to complete this.

There are no updates on the inclusion of the homes located at the end of S. Franklin Street or the vacant lots located at 2 Rock Road West.

Memo-Status of Capital Improvements.

The details of this memo were discussed during the Bound Counsel portion of the meeting.

Asset Management Plan: CDM Smith continues to add to their asset inventory list.

030-2019 Amending the 2020 Budget

**RESOLUTION TO AMEND
 THE FY 2020 AUTHORITY BUDGET
 RESOLUTION 030-2019**

WHEREAS, the Lambertville Municipal Utilities Authority for the July 1, 2019 to June 30, 2020 fiscal year was approved on the 2nd day of April 2019; and

WHEREAS, the public hearing on said budget has been held on June 4, 2019; and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Lambertville Municipal Utilities Authority, County of Hunterdon that the following amendments to the approved budget July 1, 2019 to June 30, 2020 fiscal year be made:

OPERATING BUDGET	From	To
Administrative Other:	\$150,000	\$78,000
Professional Services		
Total Operating Appropriations:	\$638,250	\$566,250
Non-Operating Appropriations:	\$0	\$72,000
Total Non-Operating Appropriations	\$71,280	\$143,280
Unrestricted Net Position Utilized	\$0	\$72,000

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the Lambertville Municipal Utilities Authority budget so amended.

Motion: Mrs. MacGregor

Second: Mr. Rotondi

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 Board approved Resolution 030-2019 prior to adopting the FY 2020 budget moving the \$72,000 from the operating budget to the non-operating budget. Mr. Horn anticipates that the DCA will require the Authority to amend our current budget via resolution as well.

031-2019 Adopting the 2020 Budget

**FY 2020 ADOPTED BUDGET RESOLUTION
 RESOLUTION 031-2019**

FISCAL YEAR: FROM: JULY 1, 2019 TO: JUNE 30, 2020

WHEREAS, the Annual Budget and Capital Budget/Program for the Lambertville Municipal Utilities Authority for the fiscal year beginning July 1, 2019 and ending, June 30, 2020 has been presented for adoption before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of June 4, 2019; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$2,067,519, Total Appropriations, including any Accumulated Deficit, if any, of \$1,978,779 and Total Unrestricted Net Position utilized of \$72,000; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$965,000 and Total Unrestricted Net Position planned to be utilized of \$50,000; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of Lambertville Municipal Utilities Authority, at an open public meeting held on June 4, 2019 that the Annual Budget and Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2019 and, ending, June 30, 2020 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

Motion: Mrs. MacGregor

Second: Mr. Rotondi

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	

Contracts for Sodium Hypochlorite & Bisulfite.

The Authority held a bid opening on May 30th for the two year contracts for the supply of sodium hypochlorite and bisulfite. There were three bids received for hypochlorite and two bids for bisulfite. Mr. Horn recommended that the Board award both contracts to Miracle Chemical Co. as the lowest apparent bidder.

Resolution 033-2019 Awarding the Contract for the Supply of Sodium Bisulfite for the Period of July 1, 2019 to June 30, 2021

WHEREAS, the Lambertville Municipal Utilities Authority (“LMUA”) uses sodium bisulfite solution for sewage treatment; and

WHEREAS, as per N.J.S.A. 40A:11-3 public bidding is required because the cost of sodium bisulfite is above the bid threshold; and

WHEREAS, two (2) bids were received and publicly opened and read aloud on Thursday, May 30, 2019; and

WHEREAS, the LMUA staff and Attorney have reviewed the bids; and

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

WHEREAS, the LMUA Board of Commissioners concur with the recommendation of the LMUA’s Attorney and staff.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of June 4, 2019 as follows:

1. Miracle Chemical Company is hereby awarded the Contract for the supplying of the Authority’s sodium bisulfite solution and shall be required to enter into a contract as per the bid documents at the unit price of \$2.059 per gallon and in the amount not to exceed \$41,180.00 yearly for a two (2) year term.
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.

Motion: Mrs. MacGregor

Second: 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	

032-2019 Awarding the Contract for the Supply of Sodium Hypochlorite for the Period of July 1, 2019 to June 30, 2021

WHEREAS, the Lambertville Municipal Utilities Authority (“LMUA”) uses sodium hypochlorite solution for sewage treatment; and

WHEREAS, as per N.J.S.A. 40A:11-3 public bidding is required because the cost of sodium hypochlorite is above the bid threshold; and

WHEREAS, three (3) bids were received and publicly opened and read aloud on Thursday, May 30 2019; and

WHEREAS, the LMUA staff and Attorney have reviewed the bids; and

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

WHEREAS, the LMUA Board of Commissioners concur with the recommendation of the LMUA’s Attorney and staff.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of June 4, 2019 as follows:

1. Miracle Chemical Company is hereby awarded the Contract for the supplying of the Authority’s sodium hypochlorite solution and shall be required to enter into a contract as per the bid documents at the unit price of \$1.439 per gallon and in the amount not to exceed \$69,072.00 yearly for a two (2) year term.
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.

Motion: Mrs. MacGregor

Second: 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	

MEMO: NON UNION SALARIES.

Mr. Horn discussed this in closed session with the Board.

Chief Financial Officer's Report - Kathy Leary.

Mr. Rotondi made a motion to approve the bill list for May. 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.

Memo dated May 8, 2019, *First Amendment to the Shared Services Agreement for Confined Space*: Mr. Watts advised the Board he had sent the first amendment to the Fire Commission for their review and approval. The amendment proposes new language to be added to the agreement naming the Authority responsible for any confined space equipment used for Authority training and/ or rescue that needed to be repaired or replaced. Mr. Watts thought that this request was reasonable and recommended that the Board pass a resolution approving the first amendment.

Resolution 034-2019 Approving the First Amendment to the Shared Services Agreement for Confined Space Between the Lambertville Municipal Utilities Authority and the Lambertville Board of Fire Commission

WHEREAS, on the 19TH day of April, 2018 the Lambertville Municipal Utilities Authority (MUA) entered into a shared services agreement with the Lambertville Board of Fire Commission for confined space services; and

WHEREAS, the Lambertville Municipal Utilities Authority and the Lambertville Board of Fire Commission desire to amend the shared services agreement for confined space services.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Lambertville Municipal Utilities Authority, County of Hunterdon that the following amendment is to be added and made a part of the shared services agreement for confined space originally dated April 19, 2018 as follows:

“Any equipment of the Commission used in connection with the training of Authority personnel or actual confined space service for the Authority damaged in the course of such services shall be repaired or replaced, as the case may be, at the sole cost and expense of the Authority.”

Affective: June 4, 2019

Motion: Mr. Uhl

Second: Mr. Rotondi

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	

Closed Session.

**Resolution 035-2019
 Authorizing a Closed Session to Discuss Non-Union Salaries**

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, June 4, 2019 at The LMUA Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing non-union salaries.

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. Rotondi

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 6:47 p.m.

The LMUA Board re-convened into regular session at 7:00 p.m.

Upon re-convening into regular session, the Board moved the below Resolution 036-2019 authorizing a salary increase as of July 1, 2019 of 5% to Mrs. Ege so as to help bring her salary up to par with similar positions and a salary increase of 3.5% to Mrs. Leary, Mr. Horn and Mr. Rose.

**Resolution 036-2019
 Establishing Non-Union Salaries Effective July 1, 2019**

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby approves a 5% raise to Mrs. Ege and a 3.5% raise to Mrs. Leary, Mr. Horn and Mr. Rose, effective July 1, 2019.

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

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 7:05 p.m. with a unanimous voice vote taken by all members present. MOTION CARRIED.

Respectfully submitted,

Melissa S. Ege

Melissa S. Ege, Administrative Assistant

Re-Approved with corrections at the regularly scheduled Lambertville MUA Board meeting held on September 3, 2019.