



**Lambertville Municipal Utilities Authority  
Regular Meeting Minutes  
Tuesday, September 5, 2017, 6:00 PM  
Lambertville Wastewater Treatment Facility,  
Lambert Lane Extended**

The meeting was called to order at 6:11 p.m. by Mrs. MacGregor with a statement of compliance with the Open Public Meetings Act, providing the required legal notice published on Thursday, February 16, 2017 to The Hunterdon County Democrat and 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- Chairperson, Vincent Uhl-Vice Chairperson, Paul Rotondi-Treasurer & Joseph Polizzi-Member

Absent: Robert Hayes-Secretary, Russell Lambert Alternate-1, Megan Ruf-Alternate-2 & Thomas F. Horn, P.E.-Executive Director

Also Present: Kathy Leary-CFO and C. Gregory Watts-Attorney, Watts Tice & Skoronek

**Pledge of Allegiance.**

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

**Minutes.**

**The approval of the regular and the closed session minutes of the August 1, 2017 meeting were tabled until the October 3, 2017 meeting as two out of the four members were not present for that meeting.**

**Public Comment.**

There were no members of the public in attendance.

**Correspondence.**

1. National Weather Service: Acknowledged the Authority for 25 years of weather observation in Lambertville. The Authority has been monitoring and recording rain data at the plant for the NWS.
2. DRBC: In a letter dated July 26, 2017 the Authority was issued a notice of violation for Docket D-1969-150 CP-2 by failing to perform monthly monitoring on total nitrogen, nitrogen as nitrate, and total phosphorous during November and December of 2016.
3. Watts, Tice & Skowronek: Response letter dated September 1, 2017 notifying the DRBC that the missed laboratory monitoring was due to lab error. He also explained that NJ DEP accepted the backup the Authority provided as affirmative defense. Mr. Watts will keep the Board informed on the DRBC's response.

## **Chairpersons Report.**

Mrs. MacGregor noted the four odor calls that were received on August 28th. The Authority investigated them and found that a surrounding farm was spreading manure beginning early morning.

## **Engineers Report – CDM Smith, Inc.**

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

Mr. Matteson continues to work on updating the Operations and Maintenance manual.

Mr. Matteson is working on his annual inspection.

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

### **SEPTEMBER 2017 OPERATIONS & MAINTENANCE:**

Mrs. MacGregor reviewed the Operations report with the Board. Mr. Horn wrote that there were no major issues for concern this past month. The staff has been working on some issues with the level sensors throughout the plant with the equipment supplier. The sludge operator will begin using the new polymer shortly once the remaining is gone. Mr. Horn does expect to see a savings from the new polymer. ACUA will be down for the biannual maintenance between September 9 and September 24. During this time the Authority will arrange pickup to Stony Brook.

**COLLECTION SYSTEM:** As mentioned in his report, the Authority will need to replace the sewer line on N. Union St. between the streets Delavan and York due to cracks and other damage.

**ODOR ISSUES:** After reviewing the Odor log sheet, the Authority received one on August 11, 2017 at 10:26 a.m. the caller was in front of our gates at the main treatment plant. Mr. Horn investigated immediately and did not confirm the odor. The additional calls received on August 28<sup>th</sup> were investigated and found to be caused by manure spreading at a surrounding farm.

Mr. Horn had attended the D&R Canal Commission meeting on August 16<sup>th</sup> to explain our odor control program.

**UNION/ PERSONNEL ISSUES:** Mr. Watts advised the Board to discuss in closed session. The Board then decided to complete all other matters before the Board prior to convening in to closed session.

### **REGULATORY ISSUES:**

**Local Limit Analysis:** The Authority has not received a response to Mr. Horn's submission.

**ADMINISTRATIVE ISSUES:** Confined Space Agreement- Mr. Watts continues to work on a draft agreement between our fire department. We will need to negotiate fees for this.

**SWAN STREET PUMPING STATION:** The Board reviewed Mr. Horn’s memo, Swan PS Project updating them on the ongoing progress. The staff is currently installing conduits in preparation of the new control panel and VFDs. The generator is expected to be delivered in October and installation should take around three weeks. The gas company anticipates working on adding service shortly.

Mr. Horn had received a proposal through the ESCNJ Co-op from Gordian Corporation for mechanical work. The Board reviewed Resolution 039-2017 and Mr. Horn’s memo outlining their proposal and recommending the approval of the resolution. The proposal includes time and material with a maximum cost of \$355,816.80 based on six weeks’ worth of work. Mrs. MacGregor, concerned about the cost asked how this will affect our Capital Fund. Mrs. Leary then reviewed the current balance and discussed the fact that the Authority may not be putting much back. The Authority does anticipate surplus from the recent rate increase.

Mr. Uhl and Mr. Rotondi asked for the job orders showing the scope of work to be done under the contract. Mrs. Leary made copies of the job order for the Board members to review closely and discuss with Mr. Horn. Mr. Rotondi and Mr. Uhl feel that this is a lot of money and would like to make sure that “it is well spent.” Mr. Watts recommended that the Board pass the resolution and add the provision that it is subject to the approval of Mr. Uhl and Mr. Rotondi after discussing the details with Mr. Horn.

**SWAN STREET PS RESILIENCY PROJECT:** The DEP Commissioner has been briefed on the proposed project and we could expect to see a response from their office shortly.

## **NJUA JIF Membership**

### **Resolution 038-2017** *Authorizing the NJUA JIF Membership Renewal*

WHEREAS, the Lambertville Municipal Utilities Authority is a member of the New Jersey Utilities Authorities Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2017 unless earlier renewed by agreement between the Authority and the Fund; and

WHEREAS, the Authority desires to renew said membership;

NOW THEREFORE, be it resolved as follows;

1. The Lambertville Municipal Utilities Authority agrees to renew its membership in the New Jersey Utility Authorities Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the New Jersey Utility Authorities Joint Insurance Fund evidencing the Authority’s intention to renew its membership.

This Resolution agreed to this fifth day of September, 2017 by a vote of:

<b>Governing Body Member</b>	<b>Recorded Vote</b>			
	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Janine MacGregor	X			
Vincent Uhl				X

Robert Hayes	X
Paul Rotondi	X
Joseph Polizzi	X

Mr. Rotondi made a motion to pass Resolution 038-2017 authorizing a membership renewal with NJUA JIF. Mrs. MacGregor seconded the motion. An affirmative roll call was taken in favor by all members present.  
**MOTION CARRIED**

**Resolution 039-2017 Authorizing Job Order Plumbing Services for the Swan Pumping Station**

**WHEREAS**, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Cooperative Contracts Law N.J.S.A. 40A:11-11(5) to participate in the Educational Services Commission of New Jersey; and

**WHEREAS**, the Authority has determined that it is necessary and advisable to enter into a cooperative purchasing agreement for the provision of job order plumbing services for the Swan pumping station as the most cost-effective method of procurement; and

**WHEREAS**, it is the intent of the Authority to make a contract award to Magic Touch Construction pursuant to the proposal submitted dated August 14, 2017 indicating they will provide the services to install the pumps and piping for \$355,816.80; and

**WHEREAS**, the Authority’s CFO has certified that funds are available for this contract.

**WHEREAS**, this resolution is passed subject to Mr. Uhl and Mr. Rotondi’s final approval upon review with the Executive Director.

**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 enter into a contract with Magic Touch Construction as described herein.
2. The Authority is permitted to participate in the cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b) (3).
3. The Resolution shall be effective immediately upon adoption.

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

Mrs. MacGregor made a motion to approve Resolution 039-2017 awarding a contract to Magic Touch Construction for job order plumbing services at the Swan pumping station. Mr. Polizzi seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

**Chief Financial Officer’s Report - Kathy Leary.**

**Mr. Rotondi made a motion to approve the bill lists for August. Mr. Polizzi 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 no new developments to report as the Board previously discussed the updates on the confined space agreement and his letter in response to the NOV from DRBC.

**Closed Session**

**Mrs. MacGregor made a motion to approve Resolution 039-2017 to go to closed session for the purpose of discussing personnel matters pertaining to salaries & contracts for Union & Non-Union Employees. Mr. Mr. Rotondi seconded the motion. An affirmative roll call vote was taken in favor by all members present. MOTION CARRIED**

**Resolution 040-2017** *“Authorizing a Closed Session at the September 5, 2017 Regularly Scheduled Meeting of the Lambertville MUA to Discuss Personnel Contracts & 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, September 5, 2017 at the LMUA Sewerage Treatment Facility located at Lambert Lane Extended, Lambertville for the purpose of discussing personnel matters pertaining to salaries & contracts.

**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:

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

The LMUA Board convened in closed session at 6:35 p.m.  
The LMUA Board re-convened in regular session at 6:45 p.m.

After convening from closed session, the Board having made no decisions moved the below resolutions. Mrs. MacGregor took a moment to congratulate the staff on all of their hard work and in particular she appreciated the extra time they have been putting into various projects at the Swan Creek pumping station.

**Resolution 041-2017 Authorizing a Four Year Contract for Communications Workers of America, AFL-CIO Union Employees**

**WHEREAS**, at the regularly scheduled Board meeting of the Lambertville Municipal Utilities Authority herein known as “LMUA” the matter of the four year contract for the CWA Union employees was reviewed; and

**WHEREAS**, an agreement has been reached with representatives of the Communications Workers of America, AFL-CIO Union and Personnel Committee on the terms of a four year contract for the period of July 1, 2017 through June 30, 2021; and

**WHEREAS**, the Board has reviewed the Agreement and concurs with the Personnel Committee; and

**WHEREAS**, the Board agrees to increase the on call duty phone allowance to \$100.00 per week; and

**WHEREAS**, the Board also agrees with the salary increases recommended by the Executive Director as 4% for the first two years and 3% for the last two years.

**NOW, THEREFOR, BE IT RESOLVED**, by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of September 5, 2017 hereby ratify and approve the terms and conditions of said Agreement by and between the Communications Workers of America, AFL-CIO for the period of July 1, 2017 through June 30, 2021.

Governing Body Member	Recorded 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 to approve Resolution 040-2017 authorizing a four year contract with CWA, AFL-CIO Union Employees. Mr. Rotondi seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. MOTION CARRIED

**Resolution 042-2017** *Establishing Non-Union Salaries Effective July 1, 2017*

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby approves a 4% raise for all Non-Union employees, effective July 1, 2017.

<b>Governing Body Member</b>	<b>Recorded Vote</b>		<b>Abstain</b>	<b>Absent</b>
	<b>Aye</b>	<b>Nay</b>		
Janine MacGregor	X			
Vincent Uhl	X			
Robert Hayes				X
Paul Rotondi	X			
Joseph Polizzi	X			

Mrs. MacGregor made a motion to approve resolution 042-2017 establishing non-union employee salaries effective July 1, 2017. Mr. Rotondi seconded the motion. An affirmative roll call was taken by all members present in favor of the motion.  
MOTION CARRIED

**Adjournment.**

**The meeting adjourned at 6:52 p.m. with a motion made by Mrs. MacGregor and seconded by Mr. Rotondi. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.**

Respectfully submitted,

*Melissa S. Ege*

Melissa S. Ege,  
Administrative Assistant

*Approved at the regularly scheduled Lambertville MUA Board meeting held on October 3, 2017.*