



**Lambertville Municipal Utilities Authority**  
**Tuesday, February 2, 2021, 6:00 PM**  
**Virtual Zoom Reorganization Meeting Minutes**  
Link: <https://us02web.zoom.us/j/84329975124>

Passcode: 338574

The meeting was called to order at 6:02 p.m. by Chairwoman MacGregor who read the statement of compliance with the Open Public Meetings Act, by adoption of *Resolution 009-2020* setting forth meeting dates for 2020-2021. Notification was additionally published on Thursday, December 17, 2020 to the Hunterdon County Democrat and also noticed in the Times of Trenton. A copy of the agenda was 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, Jacqueline Middleton-Alternate I, Holly Havens-New Appointment for Alternate II Board Member

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

**Public Participation Instructions for Zoom.**

**Virtually by Computer:** If you are currently utilizing a computer to participate, you would click the **“Raise Hand”** button on the bottom of the screen. This will place you in a queue that I can see for when it’s time to take public comments. People are sorted in the order they raised their hands. When I call on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question, choose to unmute, if you have changed your mind then choose deny.

**Telephonically by Phone:** If you are dialing in tonight on your phone, to **“raise your hand”** dial \*9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed.

Once called, I will ask you to please state your full name and address into the record, then please feel free to make your comment or ask a question. You will remain unmuted while the governing body responds. Please make sure there is no background noise such as the T.V. on, music or loud chatter.

When public comments are finished, participants will be placed back on mute for the duration of the meeting.

**Minutes.**

The minutes from the January 5, 2021 virtual regular meeting were approved in a motion made by Mrs. MacGregor and seconded by Mr. Rotondi and followed by a unanimous roll call vote except for Mr. Lambert who abstained as he was absent. MOTION CARRIED

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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	

**Oaths of Office.**

At the annual reorganization meeting held on January 5, 2021 the City re-appointed Mr. Russell Lambert as Member, Ms. Jacqueline Middleton as Alternate One Member and appointed Ms. Holly Havens to fill the unexpired term as Alternate Two Member of the LMUA Board.

Authority Attorney Greg Watts administered the following oaths:

1. The oath of office to Russell Lambert for a five year term as Member expiring 02/01/2026.
2. The oath of office to Jacqueline Middleton for a five year term as Alternate Member expiring 02/01/2026.
3. The oath of office to Holly Havens to fill the unexpired term as Alternate Member expiring 02/01/2022.

**Reorganization**

**Election of Authority Positions**

Mr. Watts requested nominations for the position of Chairperson of the Board. Ms. Pettit nominated Mrs. Macgregor, and then moved to approve Resolutions 001 through 004-2021 nominating those individuals listed on the resolutions. Seeing no other nominations, Mrs. MacGregor seconded the motion. A unanimous voice vote was taken in favor by all members present. MOTION CARRIED

Governing Body Member	<u>Voice 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	
Holly Havens				X	

1. Resolution 001-2021 *Appointment of Chairperson*

**WHEREAS**, Janine MacGregor was appointed by the Mayor and City Counsel of Lambertville to serve as a commissioner of the Lambertville Municipal Utilities Authority.

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**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Janine MacGregor as Chairperson for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

**2. Resolution 002-2021 *Appointment of Vice Chairperson***

**WHEREAS**, Vincent Uhl was appointed by the Mayor and City Counsel of Lambertville to serve as a Commissioner of the Lambertville Municipal Utilities Authority.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Vincent Uhl as Vice Chairperson for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

**3. Resolution 003-2021 *Appointment of Secretary***

**WHEREAS**, Mr. Lambert was appointed by the Mayor and City Counsel of Lambertville to serve as a Commissioner of the Lambertville Municipal Utilities Authority.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Mr. Lambert as Secretary for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption. :

**4. Resolution 004-2021 *Appointment of Treasurer***

**WHEREAS**, Paul Rotondi was appointed by the Mayor and City Counsel of Lambertville to serve as a Commissioner of the Lambertville Municipal Utilities Authority.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Paul Rotondi as Treasurer for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

**Other Resolutions**

Mrs. MacGregor moved to approve **Resolution 005-2021**. Ms. Pettit seconded the motion. A unanimous voice vote was taken in favor by all members present. **MOTION CARRIED**

Governing Body Member	Recorded Vote:		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				

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Vincent Uhl	X	
Paul Rotondi	X	
Russell Lambert	X	
Helen Pettit	X	
Jacqueline Middleton		X
Holly Havens		X

**1. Resolution 005-2021 “Establishing 2021-22 Board Meeting Schedule and Designating Official Newspapers”**

**BE IT RESOLVED** by the Lambertville Municipal Utilities Authority (the “Authority”) that the following matters are hereby determined in accordance with the provisions of the Open Public Meetings Act, N. J. S. A. 10-4-6 et seq.

- The regular meetings of the Lambertville Municipal Utilities Authority to be held during the period from February 2, 2021 through February 1, 2022 are to be held at the Authority’s office located at 3 Bridge Street, Lambertville New Jersey at 6:00 p.m. on the first Tuesday of the month unless otherwise advertised on the dates set forth below:

March 2, 2021	September 7, 2021
April 6, 2021	October 5, 2021
May 4, 2021	November 2, 2021
June 1, 2021	December 7, 2021
July (time to be determined)	January 4, 2022
August 3, 2021	February 1, 2022

- The “*Hunterdon County Democrat*”, be designated as the official newspaper and that official notices may also be published in the daily newspaper, “*The Trenton Times*” to meet time requirements pursuant to N.J.S.A. 40:53-1 et seq.
- A certified copy of this resolution shall, within seven (7) days of its adoption, be posted, until modified, in the office of the Authority at Lambert Lane Extended, Lambertville, New Jersey, the Authority’s web site, and provided to the Lambertville City Clerk’s office.
- This resolution shall take immediate effect.

At this time, Mrs. MacGregor moved to approve **Resolutions 006, 007, 008, 009, 010, 011, 012, 013-2021** as written. Ms. Pettit seconded the motion. A unanimous voice vote was taken in favor by all members present. **MOTION CARRIED**

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

2. Resolution 006-2021 *“Appointing Melissa Ege as the Custodian of Records and Recording Secretary to the Board”*

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoint Melissa Ege as Custodian of Records and Recording Secretary to the Board for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

3. Resolution 007-2021 *“Designating Kathy Leary as Custodian of Funds”*

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Lambertville Municipal Utilities Authority that Kathy Leary be designated as Custodian of all funds for the Authority for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

4. Resolution 008-2021 *“Designation of Official Depository”*

That the following named bank shall be allowed to be used as the Depository for all Authority funds:  
Bank of Princeton

The Resolution shall be effective immediately upon adoption.

5. Resolution 009-2021 *“Authorizing Signatures on Authority Bank Accounts”*

**WHEREAS**, on February 2, 2021 the Commissioners of the Lambertville Municipal Utilities Authority met to hold the annual reorganization; and

**WHEREAS**, they designated the following employees as signers on Authority Bank Accounts.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Lambertville Municipal Utilities Authority that through February 2, 2021 checks drawn or withdrawn from these accounts be signed as follows:

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

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

Bank of Princeton LMUA Improvement Savings Account:  
Kathy Leary-CFO or Thomas F. Horn-Executive Director

**BE IT FURTHER RESOLVED** that the authorized signers for the Improvement and Operating Accounts be signed by two of the following officers, requiring that one be either the Chairperson or Vice Chairperson and one can be either the Secretary or Treasurer:

Janine MacGregor-Chairperson

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Vince Uhl-Vice Chairperson  
Russell Lambert-Secretary  
Paul Rotondi-Treasurer

The Resolution shall be effective immediately upon adoption.

**6. Resolution 010-2021 “Appointing Certifying Officer for PERS and Supervisor of the Certifying Officer”**

**WHEREAS**, under the procedures of the New Jersey Division of Pensions and Benefits there states a requirement to designate a Certifying Officer for PERS and a Supervisor to the Certifying Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Lambertville Municipal Utilities Authority that Kathy Leary, CFO is hereby appointed as Certifying Officer for PERS and Thomas F. Horn, Executive Director is hereby appointed as Supervisor to the Certifying Officer for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

**7. Resolution 011-2021 “Appointing 2021 JIF Representatives”**

**WHEREAS**, pursuant New Jersey Joint Utilities Authority Law each participating Utility Authority shall appoint one Commissioner and one Safety Coordinator. In addition, each member may appoint one alternate to attend either regular or special meetings on behalf of the Utility Authority in the absence of the Fund Commissioner and one Alternate Safety Coordinator; and

**WHEREAS**, the Fund Commissioner is authorized to cast one vote and endorse all necessary paperwork pertaining to the fund.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Thomas F. Horn, P.E. as the Commissioner and Safety Coordinator and Melissa S. Ege as Alternate Commissioner and Alternate Safety Coordinator for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

**8. Resolution 012-2021 “Resolution to Appoint the Personnel Officers “**

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Russell Lambert and Janine MacGregor as Personnel Officers for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

**9. Resolution 013-2021 “Authorizing Thomas F. Horn to endorse all New Jersey Department of Environmental Protection forms, Sludge Permits, Sewer Extension Permits and all other permits”**

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**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby authorizes Thomas F. Horn to endorse all New Jersey Department of Environmental Protection forms, Sludge Permits, Sewer Extension Permits and all other permits for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

**Appoint Professionals: Contracts awarded by “Fair & Open Process” through February 1, 2022**

Mr. Horn reviewed the Bid Tabulation worksheet with the Board showing the 2020 & 2021 costs that were proposed for each professional service through February 1, 2022. The Sub Committee had reviewed all of the submitted proposals in January and had met via Zoom with the professionals who submitted proposals for Financial Advisor and Bond Counsel. Ms. Pettit noted that the committee will work on refining the bid request package to ensure the Authority receives more simplified proposals. The prepared resolutions included in the meeting packet reflect the Sub Committee’s recommendations for the 2021 professional services.

Ms. Pettit specifically noted that Acacia was being recommended because of their extensive work setting up the 10 year plan which is instrumental for planning the budget and rates. The 10 year plan they created utilizes an Excel workbook that can be updated by the Authority at any time. Mr. Horn noted that Acacia did all of this at a very minimal cost.

The Board reviewed the spreadsheet prepared showing the total amount paid to each professional in 2019 & 2020.

At this time, Mrs. MacGregor moved to approve **Resolutions 014, 015, 016, 017, 018, 019-2021** as listed on the Agenda. Mr. Rotondi seconded the motion. Mr. Watts asked if the Board needed any of the resolution taken out for corrections or changes. Hearing none, a unanimous roll call vote was taken in favor by all members present. **MOTION CARRIED**

<b>Governing Body Member</b>	<b>Roll Call Vote:</b>		<b>Abstain</b>	<b>Not Voting</b>	<b>Not Present</b>
	<b>Aye</b>	<b>Nay</b>			
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi	X				
Russell Lambert	X				
Helen Pettit	X				
Jacqueline Middleton				X	
Holly Havens				X	

**1. Resolution 014-2021 “Authorizing Professional Service Contract for Engineer”**

**WHEREAS**, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

**WHEREAS**, the Authority has determined that it is necessary and advisable that it retain the services of a Professional Engineer to serve as Authority Engineer; and

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**WHEREAS**, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

**WHEREAS**, pursuant to the Fair and Open Process bids were received on December 21, 2020 for Engineer; and

**WHEREAS**, the bid proposals and documents have been reviewed by a sub-committee of the Authority and CDM Smith has been found to be the most advantageous, price and other factors considered; and

**WHEREAS**, based on the proposals and documents submitted, the fact that CDM Smith is preparing an Asset Management Program for the Authority, and current continuity of familiarity of CDM Smith with the Authority’s operations and facilities, the sub-committee recommends CDM Smith to serve as Engineer; and

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

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with CDM Smith to serve as Engineer not to exceed an hourly rate of \$103.50-\$297.00 and yearly amount of \$10,000 as specified in the contract through February 1, 2022.
2. The contract amount shall be reflected in the Fiscal Year 2022 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

2. Resolution 015-2021 “*Authorizing Professional Service Contracts for Auditor and Special Projects Auditor*”

**WHEREAS**, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

**WHEREAS**, the Authority has determined that it is necessary and advisable that it retain the services of Professional Auditors to serve as Auditor and Special Projects Auditor; and

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

**WHEREAS**, pursuant to the Fair and Open Process bids were received on December 21, 2020 for Auditor and Special Projects Auditor; and

**WHEREAS**, the bid proposals and documents have been reviewed and have been found to be the most advantageous, price and qualified; and

**WHEREAS**, the bid proposals and documents have been reviewed by a sub-committee of the Authority; and

**WHEREAS**, based on the proposals and documents submitted the sub-committee recommends Suplee Clooney & Company, LLP to serve as Auditor and Bowman & Company, LLP to serve as Special Projects Auditor; and



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**WHEREAS**, the Authority's CFO has certified that funds are available for these contracts.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with the following individuals for the period through February 1, 2022.
  - a. Robert J. Butvilla of Suplee, Clooney & Company, to serve as Auditor not to exceed \$150.00 hourly rate, \$24,925 Statutory Audit as specified in contract.
  - b. Carol A. McAllister of Bowman & Company, LLP to serve as the Special Projects Auditor not to exceed an hourly range of \$50.00-\$246.00 as specified in contract.
2. Contract amounts not to exceed \$27,000 yearly to be reflected in the Fiscal Year 2022 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

3. Resolution 016-2021 "*Authorizing Professional Service Contract for Financial Advisor*"

**WHEREAS**, the Lambertville Municipal Utilities Authority ("Authority") is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

**WHEREAS**, the Authority has a need to acquire financial services; and

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contracts themselves must be available for public inspection; and

**WHEREAS**, pursuant to the Fair and Open Process bids were received on December 21, 2020 for Financial Advisor; and

**WHEREAS**, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and qualified; and

**WHEREAS**, the bid proposals and documents have been reviewed by a sub-committee of the Authority; and

**WHEREAS**, the sub-committee interviewed two of the firms that submitted proposals for these services; and

**WHEREAS**, based on the proposals and documents submitted, the interviews conducted, and fact that Acacia had previously prepared a financial model for the Authority's long term financial planning, the sub-committee finds Acacia Financial Group's proposal to be the most advantageous; and

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

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

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1. Thomas F. Horn is hereby authorized and directed to execute an agreement with Acacia Financial Group to serve as Financial Advisor with hourly rates in the range of \$50.00 to \$250.00 and a not to exceed fee of \$5,000 for NJ I-Bank loan to be issued as specified in the contract for the period through February 1, 2022.
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.
  
4. **Resolution 017-2021 “*Authorizing Professional Service Contract for Legal/ Labor Attorney*”**

**WHEREAS**, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

**WHEREAS**, the Authority has determined that it is necessary and advisable that it retain the services of a Professional Attorney to serve as Legal/ Labor Attorney; and

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

**WHEREAS**, pursuant to the Fair and Open Process bids were received on December 21, 2020 for Legal/ Labor Attorney; and

**WHEREAS**, the bid proposals and documents have been reviewed by a sub-committee of the Authority and Watts, Tice & Skowronek has been found to be the most advantageous, price and qualified; and

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

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with C. Gregory Watts of Watts, Tice & Skowronek, to serve as Legal/ Labor Attorney not to exceed \$180.00 hourly rate and \$12,000 yearly as specified in the contract for the period through February 1, 2022.
2. The contract amount shall be reflected in the Fiscal Year 2022 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.
  
5. **Resolution 018-2021 “*Authorizing Professional Service Contract for Bond Counsel*”**

**WHEREAS**, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

**WHEREAS**, the Authority has determined that it is necessary and advisable that it retain the services of a Professional Attorney to serve as Bond Counsel; and

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**WHEREAS**, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

**WHEREAS**, pursuant to the Fair and Open Process bids were received on December 21, 2020 for Bond Counsel; and

**WHEREAS**, the bid proposals and documents have been reviewed and the bidders have been found to be the most advantageous, price and qualified; and

**WHEREAS**, the bid proposals and documents have been reviewed by a sub-committee of the Authority including the interview of two of the firms that submitted proposals; and

**WHEREAS**, based on the proposals and documents submitted and interviews conducted, the subcommittee recommends that Malamut and Associates be appointed as the Authority’s Bond Counsel; and

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

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with Malamut and Associates to serve as Bond Counsel, not to exceed \$205.00 blended hourly rate and a not to exceed fee of \$15,000 per NJ I-Bank bond issued as specified in the contract through February 1, 2022.
  2. The Contract amount shall be reflected in the Fiscal Year 2022.
  3. The Authority shall publish notice of this action as required by law.
  4. The Resolution shall be effective immediately upon adoption.
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6. Resolution 019-2021 *“Authorizing Professional Service Contract for Risk Manager Consultant”*

**WHEREAS**, the Lambertville Municipal Utilities Authority (“Authority”) is authorized, pursuant to the Municipal Utilities Law, to retain services of persons who will render professional services to the Authority as it may determine necessary for its operation; and

**WHEREAS**, the Authority has determined that it is necessary and advisable that it retain the services of Risk Manager; and

**WHEREAS**, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

**WHEREAS**, pursuant to the Fair and Open Process bids were received on December 21, 2020 for Risk Manager; and

**WHEREAS**, the bid proposals and documents have been reviewed by a sub-committee of the Authority and CMIZ Borden Perlman has been found to be the most advantageous, price and qualified; and

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

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with CBIZ Insurance Services, Inc. d/b/a CBIZ Borden Perlman to serve as Risk Manager, not to exceed five percent (5%) of LMUA'S annual assessment as stipulated by New Jersey Municipal Utility Joint Insurance Fund and per their contract for the period through February 1, 2022.
2. The Contract amount shall be reflected in the Fiscal Year 2022 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

### **Correspondence.**

1. Perry Road Survey Response: The Authority had sent a survey letter out to the 8 residents on Perry Road and 1 resident on Rosemont Avenue on January 7<sup>th</sup> to gauge interest in the installation of sanitary sewers. The letter provided a rough construction estimate of \$380,000 that would equate to cost of around \$42,000 per resident for the construction of sewer in the street. Each resident would also be responsible for any costs to abandon their septic, the connection fee and the cost to run their lateral to the main in the road. The Authority received (8) eight out of (9) nine surveys back and (3) three stated they were interested. The (3) three residents who were interested were not willing to pay the construction cost for the sanitary sewer main. After a discussion, the Board agreed that it did not make sense to continue with sewer service on Perry Road at this time. Mrs. MacGregor directed Mr. Horn to write a response to all of the surveyed residents notifying them of the Board's decision and reasoning behind it.
2. Heaths Exxon notification of groundwater discharge dated February 2, 2021 was reviewed by the Board. The gas station located on Bridge Street is in the process of upgrading their underground storage tanks and is requesting to discharge decontaminated groundwater into the Authority's sanitary sewer system. This would be done in accordance with NJ DEP Discharge to Surface water Permit Category B4B. Mr. Horn has spoken to CDM Smith and Mr. Watts in regards to what would be needed to allow the discharge. Mr. Watt's recommended that an agreement with an escrow account be in place prior to any work beginning. Ms. Pettit mentioned that there are pretreatment standards in place that the permit holder must comply with. Mrs. MacGregor is just concerned about making sure that the Authority is in compliance with our discharge permit limits and that CDM Smith review this prior to any work. Mr. Horn will request a proposal from CDM Smith for the engineering work they will need to do for the project. Mr. Watts had an estimate of \$2,500 for legal fees.

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

Mrs. MacGregor welcomed Ms. Havens to the Board officially and expressed that she looked forward to working with her.

Also, when the Board is able to meet in person, Mrs. MacGregor would like to hold a plant tour.

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

OPERATIONS REPORT FOR JANUARY 2021: The staff, while cleaning out the sludge holding tanks had noticed that one of the supports for the tank cover is corroded. Mr. Horn is working on getting this repaired.

The staff did a great job keeping the plant clear and assisting the City with snow removal during the winter storm.

ODOR CONTROL: No calls for January.

UNION/ PERSONNEL: Mr. Horn is working on the updates to the Personnel Manual as required by the JIF every two years.

Vaccination of Employees: Mr. Horn met with the Personnel Committee and discussed the possibility of making Covid-19 vaccinations mandatory. The Board discussed the issues and liability of a mandatory vaccination and decided to provide education to the personnel but to not make it mandatory at this time. Mr. Watts also recommended that the Board not make the vaccine mandatory.

REGULATORY: Biofilter and carbon unit continue to be monitored.

ADMINISTRATIVE ISSUES: NJIB loan will be ready for applying for long term financing in the spring. This has been discussed with our Bond Counsel who would recommend moving to long term financing in the spring as well.

NJ MEL: 2021 Elected Officials online training was reviewed with the Board. This training must be completed by May 1st to receive the credit towards our insurance premium.

### **Memo-Status of Capital Improvements.**

Collection system work: No change.

Plant & road paving & roof replacement: No change.

Clarifier parts: Staff continues to work on preparatory work as time allows.

Drain Lines: The repairs to the drain lines have been completed.

Chemical Building: Mr. Horn reported that the new system is currently up and running. DeMaio has a few remaining items that need to be addressed before they are finished with the project. A change order including these remaining items is on the agenda for approval via Resolution 020-2021.

### **Memo: DeMaio Change Order No.1.**

Mr. Horn explained that the items on the change order are for additional work that is beyond the original scope of the project. He reviewed each item as summarized on his memo dated January 29, 2021 and as follows: 1. Cutting of the sump pump pit took longer than anticipated 2. Relocation of the hot water heater 3. Relocation of new transformer 4. Install steps for Disinfection building entrance 5. Credit for not supplying the startup

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chemical 6. Installation of door closures for fire suppression system 7. No cost contract time extension due to the delay of the building fabrication.

Mr. Horn recommended that the Board adopt Resolution 020-2021 approving DeMaio's change order as the work is justified and the amounts has been reviewed. He also noted that Suburban pulled their 3<sup>rd</sup> change order request and is not seeking any additional payment for engineering issues.

**Resolution 020-2021 Authorizing Change Order No. 1 The Rehabilitation of Disinfection facilities and Drainage Improvements**

**WHEREAS**, Lambertville Municipal Utilities Authority ("Authority"), via Resolution 029-2020 passed on April 7, 2020 awarded a contract to DeMaio Electrical Company, Incorporated (DeMaio) in an amount not to exceed \$513,800.00 for the rehabilitation of Disinfection Facilities and Drainage Improvements at the Lambertville Wastewater Treatment Plant; and

**WHEREAS**, during the execution of the work under the contract, additional work was encountered which DeMaio provided a cost to complete; and

**WHEREAS**, the additional work included cutting of sump pit in control building basement, relocation of the proposed hot water heater, relocation of transformer, provision of steps for disinfection building, credit for not supplying initial chemicals, and door closures for disinfection building; and

**WHEREAS**, due to a delay in the fabrication of the disinfection building a no cost time extension is justified based on material and equipment supply shortages from Covid issues; **and**

**WHEREAS**, Suburban Consulting Engineers prepared Change Order No.1 dated January 13, 2021 to DeMaio for the additional work required during the execution of the project; and

**WHEREAS**, after approval of the change order, the contract amount would increase by \$27,564.06 to a final contract price of \$541,364.06; and

**WHEREAS**, Suburban Consulting Engineers recommends that Change Order No. 1 be approved by the Authority.

**NOW, THEREFORE, BE IT RESOLVED** by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of February 2, 2021 as follows:

1. Change Order No. 1 is hereby authorized for the additional work required to complete the contract with DeMaio Electrical Company, Incorporated for the rehabilitation of Disinfection Facilities and Drainage Improvements at the Lambertville Wastewater Treatment Plant project which increases the final contract amount by \$27,564.06 to \$541,364.06.
2. The contract completion date is extended by ninety (90) days as a result of delays in fabrication of the disinfection building.
3. 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.
4. The Resolution shall be effective immediately upon adoption.

**Motion: Mrs. MacGregor**  
**Second: Ms. Pettit**

**Governing Body**

**Recorded Vote:**

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<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	
Holly Havens				X	

**Resolution 021-2021** *Authorizing the Chairperson and Executive Director to Sign a Shared Services Agreement with Delaware Township Municipal Utilities Authority for the Supply and Sale of 15% Sodium Hypochlorite Solution*

**NOW THEREFORE, BE IT RESOLVED**, by the Commissioners of the Lambertville Municipal Utilities Authority that the Chairperson and Executive Director are hereby authorized to sign the Memorandum of Agreement with Delaware Township Municipal Utilities Authority for the supply and sale of 15% Sodium Hypochlorite Solution from the LMUA located at the sewer treatment plant, 3 Bridge Street, Lambertville NJ.

**BE IT FURTHER RESOLVED**, the Agreement shall take effect upon the adoption of this Resolution and proper execution of both parties for a term of one (1) year from its effective date.

**Moved: Mrs. MacGregor**

**Seconded: Ms. Pettit**

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

**Chief Financial Officer’s Report.**

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

**Governing Body**                      **Recorded Vote:**

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Member	Aye	Nay	Abstain	Not Voting	Not Present
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi	X				
Russell Lambert	X				
Helen Pettit	X				
Jacqueline Middleton				X	
Holly Havens				X	

**Attorney’s Report.**

Mr. Watts did not have a report.

**Public Comment.**

At this time Mrs. Ege confirmed that there were no other members of the public in attendance.

**Adjournment.**

The meeting adjourned at 7:14 p.m. with a motion made by Mrs. MacGregor seconded by Mr. Rotondi and 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 March 2, 2020.*