



**Lambertville Municipal Utilities Authority**  
**Tuesday, September 7, 2021, 6:00 PM**  
**Lambertville Wastewater Treatment Facility,**  
**Administration Building**  
**3 Bridge Street, Lambertville**  
**Call In# 978-990-5000 Access Code: 2646329**  
**Meeting Minutes**

The meeting was called to order at 6:07 p.m. by Chairwoman MacGregor who read the statement of compliance with the Open Public Meetings Act, by adoption of *Resolution 005-2021* setting forth meeting dates for 2021-2022. Notification was additionally published on Thursday, June 10, 2021 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.

**Pledge of Allegiance.**

**Roll Call.** Mrs. Ege called the roll as follows:

LMUA Board:

Present: Janine MacGregor-Chairwoman, Vincent Uhl-Vice Chairman, Paul Rotondi-Treasurer, Helen Pettit-Member, Holly Havens-Alternate II

Absent: Russell Lambert-Secretary, Jacqueline Middleton-Alternate I

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

**Minutes.**

The minutes from the August 3 regular and closed sessions were approved with 1 correction on page 3 as indicated by Mrs. Pettit with a motion made by Mr. Rotondi and seconded by Ms. Pettit and followed by a unanimous roll call. MOTION CARRIED

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
Holly Havens	X					

**Correspondence.**

1. PVS Minibulk, Inc.: In a letter dated August 20, 2021 Mr. Horn put the issue of the sodium hypochlorite delivery delay in writing to PVS Minibulk. Should the delivery be delayed in the future the Authority has record of the incident and can decide to take further actions.

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2. Capacity Verifications:

65 Wilson Street: In a letter dated August 20, 2021 capacity for the proposed addition of 8 new townhouses was confirmed. One existing lateral can be reused after it passes inspection and 7 new laterals will have to be installed connecting the other townhouses to the sewer main.

7 Delevan Street: In a letter dated August 20, 2021 capacity for the proposed addition of 4 new townhouses was confirmed. One existing lateral can be reused after it passes inspection and 3 new laterals will have to be installed connecting the other townhouses to the sewer main.

123 S. Franklin Street: In a letter dated August 20, 2021 capacity for the proposed addition of a single new dwelling was confirmed.

3. Ron Rappaport, Klines Court: Mr. Rappaport wrote an email to the Board on September 7<sup>th</sup> expressing his concerns with the recent rate increases. He requested that the Authority increase Bucks County's billed rate to help minimize the impact on Lambertville rate payers. Mr. Watts confirmed that Bucks County's agreement is based on flow, a calculated percentage of debt service and their share of current capital projects financed by the LMUA. So, in essence their rate does increase when costs increase. Mr. Horn will pull the rate history spreadsheet and draft a response from the Board for Mrs. MacGregor's review. Ms. Haven's would like to share the previous news updates the Authority had published in the Lambertville Matters e-newsletter along with our response. The Board thought a news update on the status of our capital projects should be shared with all Lambertville residents to highlight the importance of financing future capital projects in order to maintain our treatment facilities. Mr. Horn will send the news update to Ms. Havens for review.

**Chairpersons Report-Janine MacGregor.**

Mrs. MacGregor noted that Ms. Middleton was not in attendance tonight as her home was hit hard by the flash flood from Tropical Storm Ida on September 1<sup>st</sup>. A discussion incurred on the devastation Lambertville sustained due to flash flooding from Ida. Mrs. MacGregor stated that our utility operators worked hard to get the N. Union pump station back up and running after the station flooded that evening. Mr. Horn confirmed that there were a number of storm related sewer backups in town. The LMUA is reporting the customers who call in to our insurance provider who then gets in contact with the resident. There were three backups on Swan Street that required immediate cleanup. Mr. Horn stated that one home did have a backflow preventer that appeared to have failed. The insurance is currently investigating these and will notify us of their determination.

**Executive Directors Report-Thomas Horn.**

TREATMENT FACILITY & COLLECTIONS SYSTEM OPERATIONS & MAINTENANCE FOR SEPTEMBER 2021: Mr. Horn reported that other than the temporary disruption during the storm, the plant and pumping stations are currently running. The staff are in the process of accessing and taking pictures of the affected areas which include the main treatment plant control building basement, Swan pump station and N. Union pump station.

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The plant is designed to accept a peak flow of 4 million gallons and Mr. Horn said that we probably received more than the peak during the height of the storm. He is currently reviewing the flow data from that time period. He confirmed that the increase was a direct result of storm water.

**ODOR CONTROL:** There were no calls for odors this past month.

**UNION/ PERSONNEL:** The required updates to the Employee Handbook and Personnel Manual have been made and a resolution has been prepared to accept the changes this evening. The Union contract is completely signed and approved.

One of our utility operators resigned this past month and we are currently reviewing our employment advertisement to publish shortly.

**REGULATORY:** Biofilter and carbon unit continue to be monitored

**ADMINISTRATIVE ISSUES:**

Accounting/ billing program: Edmunds has finished the software transfer for Finance, Payroll and Utility Billing modules have all gone live. Customers now have the ability to lookup their balances, pay online, sign up for e-billing and direct ACH withdraws.

**NJIB Loan:** Mr. Horn confirmed that the long-term financing will take place in the fall.

The replacement media for the biofilter was delivered July 21<sup>st</sup> and installation is planned for October.

**CCTV Work Update.**

As part of our grant to develop an Asset Management Plan, CDM Smith has sub-contracted with National Water Main Cleaning Co. to inspect with CCTV and clean a good portion of the sewer mains. The contractor began work on August 26<sup>th</sup> and is expected to be finished by the end of September. Mrs. MacGregor mentioned the mass email notice that went out before the meeting notifying residents on Cottage Hill that the company will be performing this work through the end of the week. Mrs. MacGregor was concerned because of the timing with the City storm updates that this might cause some confusion. Mr. Horn explained that the City had received a couple calls concerning the jet truck and asked that we communicate what work was being done and where. Mr. Horn discussed some of the results the company has reported from the areas they have completed from the prior week.

**Tropical Storm Ida Update.**

There were three main areas that had sustained damage from the storm on September 1<sup>st</sup>. The N. Union pump station, Swan pump station and the basement in the control building at the main plant. The main plant's damage was due to water getting in through the basement door which damaged our boiler and set off the smoke detectors due to moisture in the air. The Swan pump station had some exterior erosion around the station and to the stairway. The gas company was out on the third to replace the meter which put the pump station control panel into alarm. After speaking with a service representative, we were able to get the panel to reset. The N. Union pump station was hit the hardest with approximately four feet of water from flash flooding. The

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generator was damaged and a replacement was brought into the pumping station should power go out a bypass pump was setup to move the sewage. There were multiple electrical components including the VFD's, transfer switch and the main disconnect that will need to be replaced. The Authority has submitted a preliminary damage assessment to our insurance to start a claim and is currently working on the preliminary damage assessment to submit to FEMA.

**Energy Co-op Membership.**

Mr. Horn reviewed his memo which outlined the conditions of joining the New Jersey Sustainable Energy Meeting cooperative. The term conditions as stated in the Bylaws gives each member 30 days to decline an energy purchase contract and opt out of the SEM once it has been recommended for award. Mr. Horn further explained that in order to terminate membership, the Board must do so by resolution to the State Executive Committee which will take effect at the completion of any outstanding contract they are members of at the time.

The SEM may terminate an energy contract should two thirds of its current members decide to adopt a resolution to opt out. Following a short discussion with the Board and upon Mr. Horn's recommendation, Mrs. MacGregor moved Resolution 031-2021 to join the SEM.

**Resolution 031-2021  
Resolution to Join the  
New Jersey Sustainable Energy Joint Meeting**

WHEREAS, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and

WHEREAS, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

WHEREAS, the governing body of the Lambertville Municipal Utilities Authority has determined that membership in the Joint Meeting is in the best interest of the Lambertville Municipal Utilities Authority.

NOW THEREFORE, be it resolved as follows;

1. The governing body of the Lambertville Municipal Utilities Authority does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives.
2. The Governing Body hereby authorizes Thomas Horn to execute the Joint Contract Joinder Agreement to renew membership attached by reference and made a part hereof.
3. Thomas Horn is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM.

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4. The governing body of the Lambertville Municipal Utilities Authority does hereby authorize and direct the Executive Director to execute such other documents signifying their membership in the NJSEM and to deliver same to the Executive Director of the NJSEM.
5. This resolution shall become effective in accordance with law.

Motion: Mrs. MacGregor

Second: Mr. Uhl

This Resolution agreed to this seventh day of September, 2021 by a vote of:

<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					

**Updates to Employee Handbook & Personnel Policies and Procedures Manual.**

The Personnel Committee and Mr. Horn have been reviewing the necessary changes required by our insurance to the handbook and the Personnel Policies and Procedures Manual with Mr. Watts. The Personnel Committee included the new section, *Abuse of Minors* which Mr. Horn reviewed in detail with Mr. Watts to ensure the policy was applicable to the Authority. The Board reviewed the memo from Matthew Giacobbe, Esq. which outlined all of the changes with a brief explanation for each. Mr. Giacobbe was hired by our insurance to perform an in-depth review of the policies from a legal standpoint. Upon completing their review, the Board approved Resolution 035-2021 adopting the Employee Manual and Personnel Policies and Procedures.

**Resolution 035-2021**

**Adopting the Employee Manual & Personnel Policies and Procedures**

WHEREAS, it is the policy of Lambertville Municipal Utilities Authority "LMUA" to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, The LMUA has determined the need for personnel policies and procedures and has therefore drafted the LMUA 9/7/21 Personnel Policies and Procedures and Employee Manual as set forth in Attachment No. 1 hereto;

NOW THEREFORE BE IT RESOLVED by the LMUA's Board of Commissioners as follows:

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1. The LMUA 9/7/21 Personnel Policies and Procedures and Employee Handbook as set forth is Attachment No. 1 hereto are hereby adopted; and
2. The LMUA 9/7/21 Personnel Policies and Procedures and Employee Handbook shall apply to all LMUA officials, appointees, employees and independent contractors; and
3. In the event there is a conflict between the LMUA 9/7/21 Personnel Policies and Procedures and Employee Handbook and any collective bargaining agreement, personnel services contract, or Federal or State law, the terms and conditions of said agreement, contract or law shall prevail; and
4. The LMUA 9/7/21 Personnel Policies and Procedures and Employee Handbook shall not function as a contract, but are intended to serve as guidelines applying to public service performed under the aegis of the LMUA and may be amended from time to time at the sole discretion of the LMUA’s Board of Commissioners; and
5. To the maximum extent permitted by law, the LMUA’s employment practices shall operate under the doctrine known as “employment at will;” and
6. The Executive Director and all managerial and supervisory personnel of the LMUA shall be responsible for implementation of the LMUA 9/7/21 Personnel Policies and Procedures and Employee Handbook with the assistance of the LMUA’s Personnel Officer(s) and the LMUA’s Legal/Labor Attorney; and
7. This Resolution shall be effective immediately upon adoption.

**Moved: Mrs. MacGregor**

**Seconded: Mr. Uhl**

<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.**

Mr. Rotondi made a motion to memorialize the bills lists for July & August and approve the bill list for September. Mrs. MacGregor seconded the motion.

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<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				

**Attorney’s Report.**

Mr. Watts had no issues or updates to report.

**Public Comment.**

There was no public in attendance.

**Adjournment.**

The meeting adjourned at 7:27 p.m. with a motion made by Mrs. MacGregor seconded by Mr. Uhl 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 October 5, 2021.*