



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Reorganization & Regular Meeting

February 1, 2022, 6:00 pm

Lambertville Wastewater Treatment Facility,
3 Bridge Street, Lambertville

In Person/ Conference Call Meeting Minutes
Call In # 978-990-5000 Access Code: 2646329

The meeting was called to order at 6:05 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 notice and agenda were posted on the web sites of the LMUA www.lambertvillemua.com and the City of Lambertville www.lambertvillenj.org.

Pledge of Allegiance.

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

LMUA Board:

Present: Janine MacGregor-Chairwoman, Vincent Uhl-Vice Chairman (via conference call), Paul Rotondi-Treasurer, Russell Lambert-Secretary, Helen Pettit-Member, Jacqueline Middleton-Alternate I, Holly Havens-Alternate II

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

Minutes.

The minutes from the January 4, 2022, virtual regular meeting was approved in a motion made by Mrs. MacGregor and seconded by Ms. Pettit with the corrections made on page 5 and followed by a unanimous roll call vote. MOTION CARRIED

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	
Holly Havens					X	

Oaths of Office.

At the annual reorganization meeting held on January 4, 2022, the City re-appointed Mr. Paul Rotondi as Member and Ms. Holly Havens as Alternate Two Member of the LMUA Board.

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Authority Attorney Greg Watts administered the following oaths:

1. The oath of office was administered to Paul Rotondi for a five-year term as Member expiring 02/01/2027.
2. The oath of office was administered to Holly Havens for a five-year term as Alternate II Member expiring 02/01/2027.

Reorganization

Election of Authority Positions

Mr. Watts requested nominations for the position of Chairperson of the Board. Mr. Rotondi nominated and moved to approve Mrs. MacGregor for Chairperson. Seeing no other nominations, Mr. Lambert seconded the motion. A unanimous voice vote was taken in favor by all members present. MOTION CARRIED

1. Resolution 002-2022 *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.

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.

Motion: Mr. Rotondi

Second: Mr. Lambert

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	

Mrs. MacGregor nominated and moved to approve Resolutions 003; 004 & 005-2022 as written.

2. Resolution 003-2022 *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.

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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.

Motion: Mrs. MacGregor

Second: Mr. Rotondi

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	

3. Resolution 004-2022 *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.

Motion: Mrs. MacGregor

Second: Ms. Pettit

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	

4. Resolution 005-2022 *Appointment of Treasurer*

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WHEREAS, Paul Rotondi was appointed by the Mayor and City Council 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.

Motion: Mrs. MacGregor

Second: Ms. Pettit

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	

Other Resolutions

Mrs. MacGregor moved to approve **Resolutions 006-2022 through 014-2022** as written. She then asked if any member would like to remove any of the resolutions to be voted on separately. Hearing none, Ms. Pettit seconded the motion. A unanimous voice vote was taken in favor by all members present. **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	

- 1. Resolution 006-2022 “Establishing 2022-23 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 1, 2022 through February 7, 2023 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:

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March 1, 2022	September 6, 2022
April 5, 2022	October 4, 2022
May 3, 2022	November 1, 2022
June 7, 2022	December 6, 2022
July (time to be determined)	January 3, 2023
August 2, 2022	February 7, 2023

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.

2. 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 3 Bridge Street, Lambertville, New Jersey, the Authority’s web site, and provided to the Lambertville City Clerk’s office.
3. This resolution shall take immediate effect.

2. Resolution 007-2022 “*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 008-2022 “*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 009-2022 “*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 010-2022 “*Authorizing Signatures on Authority Bank Accounts*”

WHEREAS, on February 1, 2022 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.

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NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that through February 7, 2023 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

Vince Uhl-Vice Chairperson

Russell Lambert-Secretary

Paul Rotondi-Treasurer

The Resolution shall be effective immediately upon adoption.

6. Resolution 011-2022 “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 012-2022 “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 Joint Insurance 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

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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 013-2022 “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 014-2022 “Authorizing Thomas F. Horn to endorse all New Jersey Department of Environmental Protection forms, NJPDES Permit, Sludge Permits, Sewer Extension Permits and all other permits”

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, NJPDES Permit, 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 7, 2023

Mr. Horn reviewed the Bid Tabulation worksheet with the Board showing the 2021 & 2022 costs that were proposed for each professional service through February 7, 2023. Mr. Horn, Ms. Pettit and Mr. Uhl had reviewed all the submitted proposals in January. Mr. Horn noted that the Authority received one submission for Risk Manager, Special Projects Auditor & Auditor positions with minor increases in price for the Auditors. Mr. Horn discussed the anticipated jobs for each professional and recommended the Board award those contracts.

Mr. Horn discussed the Legal/ Labor Attorney contract and the anticipated work for the year. He then recommended Mr. Watts from Watts Tice & Skowronek for the position. Ms. Pettit mentioned that even though Watts Tice & Skowronek were not lowest bidder they have extensive historical knowledge of the Authority that would take a new firm time to learn. At that time the Board agreed with Mr. Horn & Ms. Pettit’s recommendation.

The Board discussed the submissions for Financial Advisor, in particular the proposed costs for NJIB loans. Mr. Horn recommended Acacia who is our current advisor who we paid \$3,500 for the last loan we had finished. Ms. Pettit had concerns about the time it will take to structure our financing for the North Union pump station loan. Mr. Horn is working with CDM Smith on the estimated costs to remediate the station. Once his report is finished and FEMA has given their approval the Authority can expect to get 75% of the total costs reimbursed. After a discussion, the Board decided to table this award until the Authority has a project price. They then directed Mr. Horn to get a firm number from Acacia for an NJIB loan and to put together a flow chart showing the steps of the North Union pump station project.

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The Board discussed the submissions for the Engineer contract while comparing the pros and cons for bigger vs. smaller firms. Mr. Uhl felt that ultimately it comes down to the individual the Authority ends up dealing with regardless of the size of the firm. The Board discussed the possibility of appointing two engineering positions. Mr. Watts confirmed that the Board could award an Engineer and a Special Projects Engineer that could be called on as needed. The Board decided to table this appointment for the March meeting.

The Authority received three proposals for the Bond Counsel contract. They were McManimon, Scotland & Baumann, Parker McCay and Malamut & Associates. Mr. Horn reviewed the previous contract history with McManimon and Malamut. Mr. Horn explained that Malamut handled the long-term financing for our most recent NJIB loan. During their contract, Mr. Horn reported they were untimely with the submission of final loan documents to our trustee. Based on this problem, Mr. Horn did not recommend awarding Malamut the contract. Mr. Horn will request a best and final offer for McManimon and Parker McCay for their professional services in connection with a NJIB short term loan.

At this time, Mrs. MacGregor moved to approve **Resolutions 016, 018, 020-2022** as listed on the Agenda under *Professional Appointments*. Ms. Pettit seconded the motion. Mr. Watts asked if the Board needed any of the resolutions taken out for corrections or changes. Hearing none, a unanimous roll call vote was taken in favor by all members present. MOTION CARRIED

Governing Body Member	<u>Roll Call 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	

2. Resolution 016-2022 “*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 proposals were received on January 20, 2022 for Auditor and Special Projects Auditor; and

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WHEREAS, the proposals and documentation have been reviewed Suplee Clooney & Company and Bowman & Company have been determined to be qualified and their proposals have been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Executive Director recommends Suplee Clooney & Company, LLP to serve as Auditor and Bowman & Company, LLP to serve as Special Projects Auditor; 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 the following individuals for the period through February 7, 2023.
 - a. Robert J. Butvilla of Suplee, Clooney & Company, to serve as Auditor not to exceed \$150.00 hourly rate and a set fee of \$25,600 to complete the 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 \$185.00-\$250.00.
2. The combined total amount for all Auditing services shall not exceed \$34,000 yearly as set forth in the Fiscal Year 2023 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

4. Resolution 018-2022 "*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 January 20, 2022 for Legal/ Labor Attorney; and

WHEREAS, the proposals and documentation have been reviewed and Watts, Tice & Skowronek has been determined to be qualified and their proposal has been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

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

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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 7, 2023.
2. The contract amount shall be reflected in the Fiscal Year 2023 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

6. Resolution 020-2022 *“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 January 20, 2022 for Risk Manager; and

WHEREAS, the proposals and documentation have been reviewed and the Executive Director has reviewed the Authority's prior experience with the firms submitting proposals and CBZ Borden Perlman has been determined to be qualified and their proposal has been determined to be the most advantageous to the Authority based upon price and other pertinent considerations.

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 Borden Perlman to serve as Risk Manger, 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 7, 2023.
2. The Contract amount shall be reflected in the Fiscal Year 2023 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. 34 Clinton Street Sewer Service-Capacity confirmation was confirmed in a letter dated January 5th for the additional connection of an existing garage/ studio to the existing primary residence. The owner was notified that a connection permit would need to be obtained before work could begin.

2. Letter to Mayor Nowick-Mr. Horn wrote to Mayor Nowick inquiring on the feasibility of building a new pump station on the City's open space property adjacent to the N. Union pump station. Mayor Nowick confirmed that after review with the City attorney, the property is on the *Recreational and Open Space Inventory* or *ROSI* for New Jersey Green Acres. As such, could not be used to build the proposed pump station without substantial effort and cost.
3. 46 York Street billing suspension request was received January 19th for two of the four units within the property. The homeowner verified that water was shut off to the two units and submitted permits and pictures showing the condition of the two units. Mr. Horn will confirm how the water is shut off before approving a temporary suspension.
4. 51 Coryell Street- Capacity confirmation was confirmed in a letter dated January 20th for the proposed addition of a single, two-bedroom apartment to be located on the second floor.
5. 12 Church Street-Capacity confirmation was confirmed in a letter dated January 20th for the proposed use change from an existing retail space to a cannabis retail dispensary.

Chairpersons Report-Janine MacGregor.

Mrs. MacGregor did not have any issues to discuss.

Executive Directors Report-Thomas Horn.

OPERATIONS REPORT FOR JANUARY 2022: Mr. Horn reported no issues of concern.

ODOR CONTROL: No calls for January.

UNION/ PERSONNEL: No issues of concern.

REGULATORY: Biofilter and carbon unit continue to be monitored.

ADMINISTRATIVE ISSUES:

The replacement biofilter media installation has been delayed until the spring.

The Auditor is finishing up their on-site work shortly for the FY2021 Audit.

NJ MEL: 2021 Elected Officials online training was emailed to the Board. This training must be completed by May 1st to receive the credit towards our insurance premium. Mrs. Ege will email a reminder to the Board.

Memo-TS IDA.

Mr. Horn reported that the repairs at the plant and Swan pump station are completed. Once the final invoices are submitted, the Authority will be ready to submit the final project documents and schedule a FEMA inspection.

Mr. Horn and CDM Smith attended a virtual meeting with FEMA to discuss some issues on the Code Compliance/ Hazard Mitigation report CDM is preparing. CDM is working on a draft report for the Board's review and approval at the March meeting. Mr. Horn discussed CDM's proposal to purchase permanent replacement pumps now in order to eliminate the rental pump costs. The replacement pumps would then be transferred to the new building once completed.

TS IDA IMPACT.

Mr. Horn and Mrs. Ege have prepared a spreadsheet organizing the Budget Impact Items for the Board's information. The main items of concern are N. Union P.S. costs, new debt service, temporary and permanent revenue losses from billing suspensions due to home damages from Ida and the loss of sewer penalties in accordance with NJ Senate Bill 4081.

TS IDA SEWER BILLING RELIEF.

The Board reviewed the proposed sewer billing relief notice that they are considering for placement on all the bills. They discussed the total amount of units without water service as they are shut off at the curb by Suez. A discussion incurred on the type of eligible units and various language in the draft notice. Ms. Pettit asked if this language is consistent with our rules and regulations. Mr. Horn confirmed that technically the Authority requires the capping of the sewer line but given the extenuating circumstances, the Board is approving temporary suspensions for residential and non-profit properties. The Board's main concern is that the impacted properties receive notice of the billing relief. At this time the Board directed Mrs. Ege to send a letter notifying only the known property owners who have their water shut off due to damages from Ida of the available relief.

Resolution 021-2022 Approval of Sewer Billing Relief for Residents with Considerable Damages due to TS Ida

WHEREAS, the Lambertville Municipal Utilities Authority ("Authority") received written requests from the owners of 256, 272 & 274 N. Union Streets for the relief of sewer charges retroactive to the date of Tropical Storm Ida, September 1, 2021; and

WHEREAS, Under Chapter 7-6: Condition of Suspension of Sewer User Fees of the Authority Rules & Regulations, the requirements for suspension of sewer fees are as follows:

- a. A unit is rendered uninhabitable (which determination will be made in the sole discretion of the Authority) by fire or natural disaster, AND the water supply is turned off at the curb or the well is inoperable.
- b. The building or unit sewer connection into the Authority's system is capped.

WHEREAS, the requesting properties had sustained considerable flood damage that occurred during Tropical Storm Ida; and

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WHEREAS, Suez confirmed that the water service had been disconnected; and

WHEREAS, Mr. Horn recommends that the Board approve sewer billing relief by suspending billing retroactively to the date of the flood on September 1, 2021 and approve an account credit of \$133.00 on each address to be applied towards future billings.

NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority that based upon the unique circumstances set forth in this Resolution, it hereby approves the retroactive suspension of sewer charges effective September 1, 2021, and thereby issuing a billing adjustment and credit of \$133.00 to accounts: 10478, 10495 & 10497.

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	
Holly Havens				X	

Chief Financial Officer’s Report.

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

Attorney’s Report.

Mr. Watts reviewed his letter dated January 6, 2022 that advised the Authority of the New Jersey Senate Bill 4081 which became effective December 21, 2021. The Bill prohibits the assessment of interest and penalties on all residential unpaid municipal sewer utility bills between March 9, 2020, and March 15, 2022. The Bill also requires that the Authority offer an installment plan for unpaid residential municipal sewer balances. The installment plans must be offered for a minimum of one year and a maximum of five years. No interest can be assessed on installment plans. The Board reviewed the included report, *Utility Delinquent Report Totals*

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showing the total outstanding delinquent penalties. The Board asked how residential is defined in the law. Mr. Watts advised the Board that the Authority should wait for additional guidance from the Department of Community Affairs on how to implement the requirements of this Bill.

New Business.

Mr. Horn is working on updating the Authority's financial model to include the new debt service and the new revenue impacts.

Ms. Havens would like the Board to be aware that there are members of the public that are not familiar with what the LMUA does. She feels it would be beneficial to start publishing small updates on the Lambertville Matters weekly newsletter. The news updates could include current events, fun sewer facts and the issues with the N. Union pumping station.

Public Comment.

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

Adjournment.

The meeting adjourned at 7:48 p.m. with a motion made by Mrs. MacGregor seconded by Ms. Pettit 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 1, 2022.