

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

May 3, 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 6:02 p.m. by Chairwoman MacGregor who read the statement of compliance with the Open Public Meetings Act, by adoption of *Resolution 006-2022* setting forth meeting dates for 2022-2023. Notification was additionally published on Thursday, February 10, 2022, 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, Paul Rotondi-Treasurer, Russell Lambert-Secretary, Helen Pettit-Member (Attended via conference call), Jacqueline Middleton-Alternate I, Holly Havens-Alternate II

Absent: Vincent Uhl-Vice Chairman

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

Minutes.

The minutes from the April 5, 2022, in person regular meeting was approved in a motion made by Mr. Rotondi and seconded by Mrs. MacGregor with corrections made on pages 2 & 7 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	

Correspondence.

1. A request from the Chamber of Commerce was received via email on April 12th for assistance funding the costs for the portable bathrooms at Shadfest. The Board reviewed their request and agreed to

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authorize \$2,000.00 in assistance towards the costs for the portable bathrooms which is the total charitable donation budget for the year.

Resolution 030-2022
Approving Payment of the Portable Comfort Station for
the 2022 Shad Festival

WHEREAS, the Board received an email dated April 12, 2022 from the Greater Lambertville Chamber of Commerce requesting that the Lambertville Municipal Utilities Authority (LMUA) cover the costs of portable comfort stations at the 2022 Shad Festival; and

WHEREAS, the Greater Lambertville Chamber of Commerce (The Chamber) was established in 1972 and has been promoting businesses in the Delaware River Towns for 50 years; and

WHEREAS, the Chamber has organized The Lambertville Shad Festival for 39 years in order to bring commerce to the surrounding River Towns; and

WHEREAS, The LMUA has been supporting Shad Festival since 2008; and

WHEREAS, the Board wishes to continue their support for the 2022 Shad Festival by covering the costs of the portable comfort stations for the eleventh consecutive year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority agree to cover the costs of the portable comfort stations not to exceed \$2,000.00 at Shad Festival to be held on April 23 & 24, 2022.

Moved: Mrs. MacGregor

Seconded: Ms. Middleton

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	

2. A response to 117 N. Main Street dated April 26th was sent to inform the owners of the Board's decision not to approve their reimbursement request for a sewage back-up that occurred February 24th. The decision was based on the fact that the LMUA had no prior knowledge of an issue in the sanitary sewer main and that the lateral issues were the homeowner's responsibility. The LMUA recently had a company inspect and jet the sewer main along Jefferson Street. They did find some root balls in a number of the laterals. Notification will be sent to the affected homeowners.

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3. Sewer capacity for 140 & 142 Swan Street was verified on April 26th for the proposed addition of (2) three-bedroom residential units. The applicant was advised that since the permits were issued in 2007 the difference between the old and the new rate was due to bring the permits up to date.

Chairperson's Report-Janine MacGregor.

Mrs. MacGregor did not have a report.

Executive Director's Report-Thomas Horn.

OPERATIONS REPORT FOR MAY 2022: Mr. Horn reported that the staff have been working on removing the old biofilter media and will be setting up the installation of the replacement. The staff have been removing old piping from the plant and removed the generator from N. Union Street pump station.

ODOR CONTROL: We did receive an odor call from 234 S. Main Street on 5/2/22 complaining of odors that morning and over the weekend. We explained that our odor control unit is currently down for maintenance and that was the reason for the increased odors.

UNION/ PERSONNEL: The Union has been working on eye glass coverage using the yearly eye glass allowance the LMUA provides to each employee. The Union representative has setup a presentation for this on Friday, 5/6.

REGULATORY: Biofilter and carbon unit continue to be monitored.

ADMINISTRATIVE ISSUES: The FY 2023 Budget has been submitted on time to the DCA. An audit inspection was performed by the E-JIF last month. There were a few minor safety issues they would like addressed, including securing the acetylene tanks, Mr. Horn emailed the Spill Prevention Plan after the inspection was finished. The Auditor did issue the FY 2021 Audit Report which was sent to the Board prior to the meeting for their review.

Memo- Sewer Main Collapse on Route 29.

The N. Main Street and Cherry Street sewer lines have been TV inspected. The preliminary report shows that there are multiple breaks with some soil visible in these lines. Mr. Horn recommends lining them rather than full replacement. He is currently waiting for a quote for the work and will update the Board once it's reviewed.

Memo-TS IDA.

Swan St. Pump Station & Treatment Plant: Mr. Horn advised that our claim is in the final review stages and should be closed out soon. The additional 15% reimbursement has been approved by FEMA for the emergency protective measures claim.

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N. Union Street P.S.: A report supporting the reason to replace the main pumps at the station has been submitted to our flood insurance carrier for review.

Suburban Consulting Engineering is working on the Environmental Planning Document. Once this has been approved by FEMA the Authority should start the process of obtaining a short-term loan from NJ-I Bank.

The Board gave Mr. Horn authorization to request proposals for the replacement pump station design work.

Memo-Vacation.

Mr. Horn advised the Board that he will be away from May 4th through May 16th.

Accept the Hazard Mitigation Plan for North Union Pump Station

CDM Smith has prepared and submitted an Executive Summary for the Board's review along with the Hazard Mitigation Plan.

Mrs. MacGregor then made a motion to accept the Hazard Mitigation Plan as submitted for the N. Union pump station. Mr. Lambert seconded the motion. An affirmative roll call was taken by all members present. MOTION CARRIED

Readopt Resolution 026-2022.

**Amendment No. 1 to Contract for Special Projects Engineer 2022
Suburban Consulting Engineers, Inc.
for Professional Engineering Services for
Preparation of an Environmental Planning Document**

WHEREAS, the Lambertville Municipal Utilities Authority ("LMUA") owns and operates a wastewater collection and treatment system; and

WHEREAS, the LMUA's North Union pumping station (NUPS) was severely damaged during Tropical Storm Ida (TS Ida); and

WHEREAS, the LMUA has applied to FEMA for funding to replace the NUPS on a reimbursement basis; and

WHEREAS, the LMUA intends to apply for a short-term loan from the New Jersey Infrastructure Bank (NJIB) as might be necessary for reconstruction of the NUPS; and

WHEREAS, the NJIB has a program to provide short-term loans for organizations such as the LMUA to cover the costs associated with preparation of required documentation for funding applications; and

WHEREAS, the LMUA must prepare an Environmental Planning Document to comply with the requirements of the NJIB; and

WHEREAS, the LMUA's CFO has certified that interim Capital funds are available for Engineering Services for preparation of an Environmental Planning Document for the reconstruction of the NUPS.

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WHEREAS, the LMUA solicited proposals for the preparation of an Environmental Planning Document in accordance with the requirements of the NJIB; and

WHEREAS, proposals were received on March 29, 2022, from CDM Smith and Suburban Consulting Engineers, Inc.; and

WHEREAS, the proposal submitted by Suburban Consulting Engineers, Inc. is the lowest of the proposals received; and

WHEREAS, the Executive Director, has reviewed the proposals and recommends that the LMUA award a contract to Suburban Consulting Engineers, Inc. for the work included in the proposal; and

WHEREAS, the LMUA awarded a contract entitled “Special Projects Engineer 2022: to Suburban Consulting Engineers, Inc., pursuant to Resolution 15-2022.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of April 5, 2022, as follows:

1. The scope of services for Suburban Consulting Engineers, Inc. under their Contract for Special Projects Engineer 2022 is hereby Amended to include professional engineering services for preparation of an Environmental Planning Document for the N. Union Pumping Station.
2. Amendment No. 1 is approved for a not to exceed amount of \$7,500 plus an allowance of \$1,000 to address any NJDEP comments.
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.

Moved: Mrs. MacGregor
Seconded: Mr. Rotondi

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

Connection & User Fees for FY 2023.

The Board reviewed the spreadsheet entitled *Pro-Forma Cash-Flow Model, Assumes 4% Increase in Lambertville User Fees Each Year Through 2030*. Mr. Horn advised that the FY 2023 Budget shows a deficit and will require the Authority to raise the sewer fees by 4% beginning in July. Ms. Ege has prepared the proposed fees for FY 2023 for the Board’s review.

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The Board discussed reviewing the type of account the Authority's surplus is kept in. Mr. Horn will review this account with our trustee to ensure that it is in the best interest-bearing account it can be in.

The Board reviewed the connection fee calculation as of June 30, 2021, prepared by Bowman & Company in accordance with N.J.S.A. 40:14B-21 et seq. The calculation shows the maximum increase of \$76.00 for the FY 2023 connection fee. This would bring the fee per equivalent dwelling unit (EDU) to \$6,931.00.

The Board then reviewed the proposed FY 2023 rate schedule showing the 4% increase in user fees and the connection fee increase in red that would be effective July 1, 2022. The Board was in agreement with the proposed rate schedule and a public hearing will be advertised for the June 7th meeting to approve the new schedule.

FY 2022 Annual Audit Report.

Mr. Horn reported that the Auditor had some issues with how the reconciliation of the general ledger was handled and made some recommendations for future handling of this. Other than this, there were no other comments or concerns. Mrs. MacGregor asked if the Board had sufficient time to review the audit report to accept it. Ms. Havens had a question on Bucks County W&SA's contract for sewer treatment. Mr. Watts confirmed that the contract automatically renews unless either party give notice. Mr. Horn confirmed that Bucks, Stockton & Lambertville flows are metered, and the fee is based on the last three years average flows and their share of debt service for capital projects.

**RESOLUTION 031-2022
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended June 30, 2021 has been completed and filed by the Registered Municipal Accountant with the Clerk of the City of Lambertville pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "**General Comments**,"

"**Recommendations**," and "**Schedule of Findings and Questioned Costs**," and has evidenced that review by group affidavit in the form prescribed by the Local Finance Board, and

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WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "**General Comments**," "**Recommendations**," and "**Schedule of Findings and Questioned Costs**," in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Lambertville Municipal Utilities Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended June 30, 2021, and specifically has reviewed the sections of the audit report entitled "**General Comments**," "**Recommendations**," and "**Schedule of Findings and Questioned Costs**," and has evidenced that review by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

Moved: Mr. Rotondi
Seconded: Mr. Lambert

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.

The Board took a moment to review the bills list and asked about the billing frequency of the liability insurance as it’s a big bill. Mr. Horn confirmed that the Authority is billed twice a year and the amount has gone up due to environmental issues and cyber security.

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

Storm Water Utility.

Mr. Horn discussed the fact that the City and Mayor are interested in exploring the creation of a storm water utility. He had attended a presentation on forming a stormwater utility for the City at the Environmental Committee meeting.

Attorney's Report.

Mr. Watts had nothing to 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 6:59 p.m. with a motion made by Mrs. MacGregor seconded by Ms. Middleton 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 June 7, 2022.