

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

June 7, 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, Holly Havens-Alternate II

Absent: Vincent Uhl-Vice Chairman, Helen Pettit-Member, Jacqueline Middleton-Alternate I, Kathy Leary-CFO

Also Present: Thomas F. Horn, P.E.-Executive Director, C. Gregory Watts-Watts, Tice & Skowronek, Jaqueline Klapp-Court Stenographer (attended via conference call)

Public Hearing for Proposed Connection & User Fees for FY 2023.

Mr. Watts announced that the beginning of the public hearing portion of the meeting and asked that the Board members announced themselves when voting for the court stenographer.

Before voting on Resolutions 032 & 033-2022, Mr. Watts made it known for the record that there was no public in attendance or on the open conference call.

Resolution 032-2022 Approving the Connection Fee Effective July 1, 2022

WHEREAS, after a public hearing held by the Lambertville Municipal Utilities Authority (“Authority”) on June 7, 2022, pursuant to the provisions of N.J.S.A. 40:14A-8, sewer connection fees were determined by the Authority; and

WHEREAS, notice of the public hearing was published in the Hunterdon County Democrat on Thursday, May 12, 2022 posted on their website for 30 days: <https://www.njpublicnotices.com/>, posted on the Authority’s website: www.lambertvillemua.com and sent through the City of Lambertville email list serve; and

WHEREAS, the connection fee for the fiscal year from July 1, 2022, through June 30, 2023 was prepared by Bowman & Company, LLP, Special Projects Auditor to the Authority using the parameters contained

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in P.L. 1986, c. 526 shows that the LMUA is in accordance with legislation limits to increase the connection fee to \$6,931.00.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2022 sewer connection fees are hereby established at \$6,931.00 per equivalent dwelling unit (EDU); and

BE IT FURTHER RESOLVED that a schedule of the aforesaid connection fees shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, 3 Bridge Street, Lambertville, New Jersey, and also posted on the Authority’s website: www.lambertvillemua.com and shall at all reasonable times be open to public inspection.

Effective on July 1, 2022

Motion: Mrs. MacGregor

Second: Mr. Rotondi

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				

Resolution 033-2022 Approving a 4% Increase in the User Charge Amounts Effective July 1, 2022

WHEREAS, after a public hearing held by the Lambertville Municipal Utilities Authority (“Authority”) on June 1, 2022, pursuant to the provisions of N.J.S.A. 40:14A-8, user charge amounts were determined by the Authority; and

WHEREAS, notice of the public hearing was published in the Hunterdon County Democrat on Thursday, May 12, 2022, posted on their website for 30 days: <https://www.njpublicnotices.com/>, posted on the Authority’s website: www.lambertvillemua.com and sent through the City of Lambertville email list serve; and

WHEREAS, the user charge system is reviewed by the Authority every year to ensure proper charges for users so that the Authority may operate, manage and maintain the sewerage facilities in an efficient manner; and

WHEREAS, after review of our Financial Position the Board of Commissioners agree to an increase of 4% to the user charge amounts.

NOW, THEREFORE BE IT RESOLVED, by the Commissioners of the Lambertville Municipal Utilities Authority that commencing on July 1, 2022 sewer use charge amounts will increase by 4% proportionally and are hereby established at \$553.28 per equivalent dwelling unit (EDU) per year for residential use, \$414.96 per EDU, per year for qualified

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senior citizens; \$688.28 per EDU per year for commercial use and increased proportionally for all other rates as per the Rate Schedule dated July 1, 2022.

BE IT FURTHER RESOLVED that a schedule of the aforesaid user charge amounts shall at all times be kept on file at the offices of the Lambertville Municipal Utilities Authority, 3 Bridge Street, Lambertville, New Jersey, and posted on the Authority's website: www.lambertvillemua.com and shall at all reasonable times be open to public inspection.

Effective: July 1, 2022

Motion: Mrs. MacGregor

Second: Mr. Lambert

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				

For the record, Mr. Horn announced that Resolution 033-2022 is approving an overall 4% increase in user fees effective July 1, 2022. The yearly fees will be \$553.28 for each residential use, \$414.96 for each qualified senior citizen use, \$688.28 for each commercial use and increased proportionally for all other rates.

Following the roll call, Mr. Watts announced the conclusion of the public hearing portion of the meeting at 6:08 p.m. and that there was no public in attendance.

Minutes.

The minutes from the May 3, 2022, in person regular meeting was approved in a motion made by Mr. Rotondi and seconded by Mr. Lambert with corrections made on pages 5 & 6 as indicated by Ms. Pettit 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. Capital Projects Reimbursement Requests for Bucks County W&SA and Stockton Borough were sent May 18, 2022, by letter. Their share of capital costs is based on their three-year average daily flow and their current service agreement. The total share determined for Bucks County W&SA is \$53,272.10 and the total share determined for Stockton Borough is \$11,962.05.
2. NJDOT: At the request of NJDOT, Mr. Horn submitted an application dated May 26, 2022, for a road opening permit for the Route 29 emergency sewer main repair work done on March 5th and March 14th.

Chairperson's Report-Janine MacGregor.

Mrs. MacGregor asked that she be made aware of any concerns from the public regarding the rate increase as she knows these are tough times.

Executive Director's Report-Thomas Horn.

OPERATIONS REPORT FOR JUNE 2022: Mr. Horn reported that both sludge pumps that feed the belt press are down. The operations staff have been working on getting them operational.

ODOR CONTROL: There were a few calls last month for odor but nothing recent. Mr. Horn noted that the media in the biofilter was replaced this past month which will help with odors.

UNION/ PERSONNEL: Mr. Horn noted that there were a few requests made by the nonunion employees for the Board to discuss in closed session.

REGULATORY: Biofilter and carbon unit continue to be monitored.

ADMINISTRATIVE ISSUES: Mr. Horn reported that there were a few typos on Resolution 029-2022 approving the FY 2023 budget. This is on the agenda for re-adoption as required by the DCA.

Memo-TS IDA.

Swan St. Pump Station & Treatment Plant: Mr. Horn and Mrs. Ege met with FEMA last week to review paperwork needed and this project should be closed out soon.

N. Union Street P.S.: FEMA continues to review CDM Smith's Hazard Mitigation Report. Mr. Horn has been sending supporting documentation to FEMA as it is requested.

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

Mr. Horn advised the Board that he had received an email from the insurance company approving payment of damages at the N. Union pump station. He will keep the Board informed of what is covered.

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Shared Service Agreement with Lambertville & West Amwell.

Mr. Horn was approached by the Mayor who requested the LMUA’s assistance with a shared services agreement with West Amwell. The City is requesting that the LMUA loan out it’s Vac truck to West Amwell. In return, the City would be able to use West Amwell’s roadside tractor mower. Mrs. MacGregor asked what the LMUA would receive from the City in return for the use of it’s Vac truck. Mr. Horn plans to discuss this with the operations staff to determine what might be of interest to the LMUA. He will then work with the City on the details of an interlocal services agreement for the Board’s review.

FY 2023 BUDGET ADOPTION.

Readoption of Resolution 09-2022 *Introducing the FY 2023 Budget*

WHEREAS, the Annual Budget and Capital Budget for the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2022 and ending, June 30, 2023 has been presented before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of April 5, 2022; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 2,151,357, Total Appropriations, including any Accumulated Deficit if any, of \$2,224,400 and Total Unrestricted Net Position utilized of 76,230; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$2,200,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$100,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Lambertville Municipal Utilities Authority, at an open public meeting held on April 5, 2022, that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2022 and ending, June 30, 2023 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Lambertville Municipal Utilities Authority will consider the Annual Budget and Capital Budget/Program for adoption on June 7, 2022.

Motion: Mr. Rotondi
Second: Mr. Lambert

Governing Body Member	Recorded Vote:			Abstain	Not Voting	Not Present
	Aye	Nay				
Janine MacGregor	X					
Vincent Uhl						X
Paul Rotondi	X					

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Russell Lambert	X	
Helen Pettit		X
Jacqueline Middleton		X
Holly Havens	X	

Resolution 034-2022 Adopting the FY 2023 Budget

WHEREAS, the Annual Budget and Capital Budget/Program for the Lambertville Municipal Utilities Authority for the fiscal year beginning July 1, 2022 and ending, June 30, 2023 has been presented for adoption before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of June 7, 2022; and

WHEREAS, the Annual Budget and Capital Budget as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

WHEREAS, the Annual Budget as presented for adoption reflects Total Revenues of \$ 2,151,357, Total Appropriations, including any Accumulated Deficit, if any, of \$2,224,400 and Total Unrestricted Net Position utilized of \$76,230; and

WHEREAS, the Capital Budget as presented for adoption reflects Total Capital Appropriations of \$2,200,000 and Total Unrestricted Net Position planned to be utilized of \$100,000; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of Lambertville Municipal Utilities Authority, at an open public meeting held on June 7, 2022 that the Annual Budget and Capital Budget/Program of the Lambertville Municipal Utilities Authority for the fiscal year beginning, July 1, 2022 and, ending, June 30, 2023 is hereby adopted and shall constitute appropriations for the purposes stated; and

BE IT FURTHER RESOLVED, that the Annual Budget and Capital Budget/Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services.

MOTION: Mr. Rotondi

SECOND: 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.

Mr. Rotondi made a motion to approve the bill list for May. Mr. Lambert 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	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				

Attorney’s Report.

Mr. Watts will be assisting Mr. Horn with the details of the interlocal services agreement.

Closed Session.

Resolution 0035-2022

Authorizing a Closed Session to Discuss Personnel Contracts & Salaries

WHEREAS, the Board of the Lambertville Municipal Utilities Authority is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A. 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED that the Board of the Lambertville Municipal Utilities Authority hereby moves to go into closed session on Tuesday, June 7, 2022, at the Administrative Building located at the Treatment Plant, 3 Bridge Street, Lambertville for the purpose of discussing Personnel matters pertaining to contracts & salaries.

BE IT FURTHER RESOLVED that the matters discussed in the minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

The Resolution was adopted by a call of ayes and nays as follows:

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

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				

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Entered Closed Session: 6:26 p.m.

Mr. Watts stated for the record that the Authority anticipates taking formal action after the conclusion of closed session.

Reentered Open Session: 6:39 p.m.

Upon reentering open session, the Board made a motion to approve Resolution 036-2022 authorizing a 2.75% increase in non-union salaries effective July 1, 2022. The Board in agreement with Mrs. Ege's request to receive five additional vacation days effective July 1, 2022, during her 10th year of service rather than at the start of her 11th year of service and directed Mrs. Ege to prepare a resolution approving the same.

Resolution 036-2022 Establishing Non-Union Salaries Effective July 1, 2022

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby approves the following Non-Union salaries & raises effective July 1, 2022:

	Salary
Thomas Horn, Executive Director	\$140,233
Kathy Leary, Chief Financial Officer	\$72,161
Melissa Ege, Administrative Assistant	\$49,320
David Rose, Operations Supervisor	\$79,657

Moved: Mrs. MacGregor

Seconded: Mr. Rotondi

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				

Public Comment.

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

Adjournment.

The meeting adjourned at 6:41 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,

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Melissa S. Ege

Melissa S. Ege, Administrative Assistant

Approved at the regularly scheduled Lambertville MUA Board meeting held on _____ 2022.