



Lambertville Municipal Utilities Authority
Tuesday, December 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 6:00 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. Mr. Horn called the roll as follows:

LMUA Board:

Present: Janine MacGregor-Chairwoman, Vincent Uhl-Vice Chairman, Russell Lambert-Secretary, Helen Pettit-Member, Jacqueline Middleton-Alternate I

Helen Pettit exited the meeting as the Board entered closed session at 6:45 p.m.

Absent: Paul Rotondi-Treasurer, Holly Havens-Alternate II, Melissa Ege, Recording Secretary

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

Minutes.

The minutes from the November 2, 2021, regular session was approved with one grammar correction on page 2 as indicated by Ms. Pettit with a motion made by Mrs. MacGregor and seconded by Ms. Pettit.

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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Correspondence.

1. 21 Swan Street Billing Suspension: In a letter dated 11/4/21 the property owner was notified of the Board’s decision at the 11/2/21 meeting to approve the billing suspension retroactively to the date of fire on 3/29/21. The Board than memorialized their decision by passing Resolution 038-2021.

Resolution 038-2021 Memorializing the Billing Adjustment & Suspension of Sewer Billing for 21 Swan Street

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) received an email on November 1, 2021 from the owner of 21 Swan Street requesting suspension of sewer charges retroactive to the date of their house fire on March 30, 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 City of Lambertville Construction Office has issued a *Notice of Unsafe Structure* due to the damage sustained by the fire that occurred March 30, 2021; and

WHEREAS, Suez confirmed that the water service had been disconnected as of April 7, 2021; and

WHEREAS, Mr. Horn recommends that the Board approve the suspension retroactively on the condition that the owner pays the 2020 delinquent sewer subject to tax sale, the first and second quarters of 2021 up to March 29, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority that based upon the unique circumstances set forth in this Resolution, it hereby memorializes the retroactive suspension of sewer charges effective March 30, 2021 and thereby issuing a balance adjustment of -\$360.41 on account 30362.

Moved: Mrs. MacGregor

Seconded: Ms. Pettit

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. 65 Wilson Street Disconnect & Billing Suspension: In a letter dated 11/4/21 the Authority confirmed the lateral servicing 65 Wilson Street was sufficiently capped and the billing suspended as of the date of the letter.

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3. 21 Belvidere Avenue Disconnect: In a letter dated 11/22/21 the Authority confirmed the lateral servicing 21 Belvidere Avenue was sufficiently capped.
4. 268 & 277 N. Union Streets and 3 Arnett Avenue: Requests in writing were received from the homeowners who sustained heavy damages from tropical storm Ida on September 1, 2021. The Board reviewed the documentation confirming the damages and that the water services are currently disconnected. The Board then authorized Resolution 043-2021 approving the billing adjustment and suspension of future billing from the date of the storm until the repairs have been made and the water reconnected.

Resolution 043-2021 Approval of Billing Adjustments & Suspension of Sewer Billing for Properties Effected by TS Ida

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) received written requests from the owners of 277 N. Union St., 268 N. Union St. & 3 Arnett Ave. for the suspension 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:

- c. 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.
- d. 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

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

WHEREAS, Mr. Horn recommends that the Board approve the suspension retroactively to the date of the flood on September 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority that based upon the unique circumstances set forth in this Resolution, it hereby memorializes the retroactive suspension of sewer charges effective September 1, 2021 and thereby issuing a balance adjustment of \$133.00 for accounts 10500, 10491 & 10508.

Moved: Mrs. MacGregor

Seconded: Mr. Uhl

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

Chairpersons Report-Janine MacGregor.

Mrs. MacGregor thanked Mayor Elect Nowick for joining tonight's meeting. She discussed that there were a few new Board members that needed to tour the treatment plant and that Mayor Elect Nowick was welcome to attend. Mr. Horn recommended the Board hold the tour in the spring as it is a better time for daylight hours and the Board agreed. The tour date was set for the April 5th, 2022, before the regular meeting.

Executive Directors Report-Thomas Horn.

TREATMENT FACILITY & COLLECTIONS SYSTEM OPERATIONS & MAINTENANCE FOR DECEMBER 2021: Mr. Horn reported no issues for the month of November.

ODOR CONTROL: No reports of odor.

REGULATORY: Biofilter and carbon unit continue to be monitored.

Hunterdon County inspected the plant's emergency generator on December 2nd. The DEP inspector was on site December 6th for their annual inspection.

ADMINISTRATIVE ISSUES:

NJIB Loan: Mr. Horn reported the NJIB loan closed on November 23rd. He has added the new debt service to the Debt Service Reserve Fund Calculation spreadsheet. This showed that an increase of \$57,884.11 will be needed in fiscal year 2023 to cover the new bond requirement. After fiscal year 2023, the requirement drops back down because the Series 2002 debt service will be satisfied.

Memo: Asset Management Plan.

Mr. Horn reviewed the CCTV inspection report of the sewer lines this past month. CDM Smith is adding the repairs needed to the Asset Management Plan by priority. Once this is completed a timeline for the work can be developed.

Memo: Tropical Storm Ida Update.

FEMA has given the Authority a deadline of January 14, 2022, for the submission of damages & supporting documentation.

Plant Control Building: The boiler replacement is under way. The chemical feed pump has been replaced. Mr. Horn does not expect any other equipment damages for the plant.

N. Union Pump Station: Mr. Horn is awaiting quotes for the repair work needed to the equipment at the pump station. Our insurance has approved payment for the building damages and will review the details for the equipment damages upon submission. The Board discussed the recent update to the City flood ordinance which is now requiring all buildings with damages from Ida to be raised to the 100 year flood elevation, plus an additional

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two feet. Critical facilities, such as our pump station, must be raised to the 500 year flood elevation, thereby requiring the station to be raised another 7 feet above the current floor elevation. FEMA is requiring an engineering report to justify all proposed changes for repairing or replacing the existing equipment at the required elevation. FEMA has indicated that they will cover their share of the cost to do the report and all reasonable costs for the proposed repairs or replacements.

Mrs. MacGregor made a motion to authorize Mr. Horn to REQUEST PROFESIONAL PROPOSALS for 2022. Mr. Uhl seconded the motion.

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

Resolution 039-2021 *Appointing Thomas F. Horn as the Public Agency Compliance Officer for Lambertville Municipal Utilities Authority*

WHEREAS, section 17:27-3.5 of the New Jersey Administrative EEO Code requires that each public agency shall annually appoint a Public Agency Compliance Officer to ensure that municipal contracts comply with the policy of the State of New Jersey to promote equal employment opportunity and affirmative action with regard to public contracts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Thomas F. Horn as the Public Agency Compliance Officer for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Moved: Mrs. MacGregor

Seconded: Mr. Uhl

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

Resolution 040-2021 *Approving the Auction of Surplus Public Property on Gov Deals, Inc.*

WHEREAS, the Lambertville Municipal Utilities Authority owns various items of public property that are no longer needed for public use; and

WHEREAS, the sale of municipally owned public property is governed under N.J.S.A. 40A:11-36; and

WHEREAS, Gov Deals is part of a pilot program which has been approved by the State of New Jersey, Department of Community Affairs, Division of Local Government Services as a vendor;

WHEREAS, the Lambertville Municipal Utilities Authority intends to utilize the online auction services of GovDeals, Inc. located at www.govdeals.com; and

WHEREAS, the Lambertville Municipal Utilities Authority would like to auction a 2004 Ford F350 Dump Truck, a 1998 Ford Econo Cargo TV van, and a Canon imageRunner 2022i copier.

NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority in the County of Hunterdon, State of New Jersey, that Thomas F. Horn, P.E., Executive Director is hereby authorized to sell the surplus public property as identified in this Resolution.

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals, Inc. and the Lambertville Municipal Utilities Authority are available at www.govdeals.com and in the Lambertville Municipal Utilities Authority's office.

BE IT FURTHER RESOLVED, that a certified copy of the within Resolution shall be filed with the Department of Community Affairs, Director of the Division of Local Government Services.

Moved: Mrs. MacGregor

Seconded: Mr. Uhl

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

Chief Financial Officer's Report.

Mrs. MacGregor made a motion to approve the bill list for November. Mr. Lambert seconded the motion.

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	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 did not have any issues to report.

Closed Session.

Resolution 041-2021 *Approving a Closed Session to Discuss Personnel Matters Pertaining to End of the Year Employee Bonuses*

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, December 7, 2021 at The LMUA Treatment Facility located at 3 Bridge Street, Lambertville for the purpose of discussing end of the year employee bonuses.

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. Uhl

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

Entered Closed: 6:45 p.m.
Resumed Open: 7:05 p.m.

Resolution 042-2021 *A Resolution to Approve Year End Bonuses for Employees*

WHEREAS, Mrs. MacGregor recommended year-end bonuses for the staff based on overall performance and in acknowledgment of their dedication to the Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby approves the following year-end bonuses:

- Pro-rated Operator: \$250.00
- Operators: \$1,000.00
- Plant Supervisor: \$1,200.00
- Office Personnel: \$1,450.00
- Executive Director: \$1,700.00

The Resolution shall be effective immediately upon adoption.

Moved: Mrs. MacGregor
Seconded: Mr. Uhl

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

Public Comment.

Mrs. MacGregor confirmed there was no public in attendance.

Adjournment.

The meeting adjourned at 7:07p.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 January 4, 2021.