



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting of November 7, 2023, 6:00 pm

Lambertville Wastewater Treatment Facility, 3 Bridge Street, Lambertville, NJ

In Person/ Conference Call/ Microsoft Teams Meeting Minutes

Call In # 978-990-5000 Access Code: 2646329

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 005-2023* setting forth meeting dates for 2023-2024. Notification was published on February 23, 2023, to the Hunterdon County Democrat and 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. Ms. Parsons called the roll as follows:

LMUA Board:

Present: Janine MacGregor-Chairwoman-attended via Microsoft Teams, Vincent Uhl-Vice Chairman, Paul Rotondi-Treasurer, Helen Pettit-Member, Jacqueline Middleton-Alternate I, Holly Havens-Alternate II

Absent: Russell Lambert-Secretary

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Diane Alexander, Esq. of Maraziti Falcon, LLP, Katherine Hatfield of Hatfield Schwartz Law Group, LLC-attended via Microsoft Teams

Minutes.

The minutes from the October 3, regular session meeting were approved in a motion made by Ms. Pettit and seconded by Mr. Rotondi 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	

Closed Session 6:05 p.m.

Resolution 048-2023

Authorizing a Closed Session to Discuss Collective Bargaining Termination

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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, November 7, 2023, via Microsoft Teams & in-person for discussing matters pertaining CWA Union Notice of Collective Bargaining Termination.

BE IT FURTHER RESOLVED that the matters discussed in and 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: Mr. Rotondi

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: 6:02 p.m.

Resumed Open Session: 6:16 p.m.

Upon resuming the open session, Mrs. MacGregor directed Mr. Horn and Ms. Hatfield to compare the personal policies against the union contract to review any differences in benefits.

Correspondence.

1. FEMA Request for Project Extension: In a letter dated November 2nd Mr. Horn requested a funding increase for the replacement of the N. Union pump station. The letter was addressed to the State which will in return advocate for the Authority to FEMA.
2. NJDEP: As required by our permit, Mr. Horn advised NJ DEP that the planned maintenance of the primary clarifier was completed and back online October 30th with no issues.

Chairperson's Report.

Mrs. MacGregor requested a motion from the Board to approve Thanksgiving turkeys for the LMUA employees to express their appreciation for all their work.

Resolution 049-2023 Thanksgiving Turkeys for Authority Employees

WHEREAS, the Lambertville Municipal Utilities Authority ("Authority") would like to recognized and show their appreciation for their employees by providing turkeys for Thanksgiving; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority, approve the purchase of Thanksgiving turkeys for the Authority employees in an amount not to exceed \$500.00.

The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit

Second: 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	

Executive Directors Report-Thomas Horn.

- 1. Operations Report:** Mr. Horn reported that staff have modified the primary sludge piping with assistance from our contractor, Magic Touch Construction.

There were no calls concerning odor issues.

CWA Union: The LMUA has received the official notice of termination from the CWA and is waiting to get an official termination date. This was discussed further in closed session.

- 2. Memo: N. Union Pump Station Replacement:** Mr. Horn updated the Board on the ongoing project status. At this time, he still anticipates the project will be ready to bid in January. Carroll Engineers have submitted their final plans to FEMA for their approval.

The City is working on a resolution to provide a temporary construction area adjacent to the N. Union Street pump station on the City's Cherry Street Park property. Mr. Horn stated that the City determined

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an ordinance was unnecessary as it is not a temporary easement but just an area to be used temporarily for replacement of the pumping station. The City will include language on how they would like a temporary walkway setup.

Mr. Horn met virtually with Green Acres on November 2nd to discuss the temporary construction area on the Cherry Street Park property. The Green Acres representative will be reviewing the City's temporary use agreement and will decide on final wording.

Mr. Horn has contacted the Planning Board secretary to schedule a time to present the plan in front of the Planning Board at a public meeting. He will also schedule an information session for the neighbors after the first of the year.

State Historic Preservation Office, "SHPO" has deemed the project is not in a historic area, however the City Historic Preservation Board would like to double check with SHPO.

- 3. Feasibility Studies of Capital Projects Update:** Carroll Engineering has submitted their draft of the feasibility studies of the head works, sludge dewatering and the plant emergency generator. Mr. Horn and Mr. Rose are currently reviewing the drafts. Once the final studies are completed, a copy will be sent to the Board.

CDM Smith has completed their review of the TV inspection of the sanitary sewer system. CDM Smith will be mapping out the conditions of the sewer system to put together a plan and a budget based on final their review.

- 4. Authorization to Solicit Professional Proposals for 2024:** Seeing no issues to discuss, Mrs. MacGregor requested a motion to approve the request for professional proposals.

**Resolution 050-2023
Requests for Professional Qualifications for 2024**

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 to solicit qualifications pursuant to the Fair and Open Process for the following professional positions:

- Engineer
- Special Projects Engineer
- Auditor
- Special Projects Auditor
- Financial Advisor
- Bond Counsel
- Authority Attorney
- Labor Attorney
- Risk Manager

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NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority, authorizes Mr. Horn to solicit professional qualifications for contacts beginning February 6, 2024.

The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit
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	

- 5. Village Apartments Delinquent 2022-2023 Sewer & 2022 Tax Sale:** The owner of Village Apartments, Lambertville Village Realty had contacted our office the day before tax sale to ask about forgiveness from sewer billing due to Ida storm damages. Like other residential properties affected by the storm, they were noticed and given a chance to request relief back in early 2022 when the Board approved relief. When Ms. Parsons spoke with the owner on the phone, she stated that the LMUA needed their request in writing and asked that they send a quick email. To this date, LMUA has not received a written request. Lambertville Village Realty received quarterly bills, and monthly delinquent notices but has simply not responded to them. The Tax collector, Jessica Crea, has asked that the Board let her know of their decision as soon as possible so she can notify a perspective lien holder interested in purchasing the lien on the property.

Based on the fact that Lambertville Village Apartments has been given ample opportunity to respond in writing to request billing relief, it is the Board's decision not to take any action as there is no official request before them.

Ms. Parsons will advise the Tax Collector of their decision.

- 6. Delevan Street Emergency Main Repairs:** Mr. Horn sent a second demand letter earlier this afternoon to the builder, Nicholas Nassiff, for reimbursement of the cost to repair the damage done to the sewer main during the Delevan Street lateral installations on June 19th. The total cost of the damages totaled \$17,257.52. The LMUA has attempted to follow up various times and has even tried to assist with the builder's insurance claim by submitting photos to the insurance company. The burden of this mistake should not rest on the Lambertville rate payers. It is because of this that the LMUA has decided to give Mr. Nassiff ten days' notice of our intent to pursue legal action.

It was further decided that the property owner should be notified immediately of this action as they are ultimately responsible.

Chief Financial Officer's Report.

Mr. Rotondi made a motion to approve the bill list for October when funds become available. Mr. Uhl 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 Report.

Ms. Alexander did not have anything additional to report on as the issue of Green Acres had already been discussed. She will advise the Board on any new developments.

Public Comment.

At this time Ms. Parsons confirmed that there were no members of the public in attendance.

Adjournment.

The meeting adjourned at 6:50 p.m. with a motion made by Ms. Pettit 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,

Melissa S. Parsons

Melissa S. Parsons, Administrative Assistant

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