



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting of December 5, 2023, 6:00 pm

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

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

The meeting was called to order at 6:03 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, Vincent Uhl-Vice Chairman, Russell Lambert-Secretary, Paul Rotondi-Treasurer, Helen Pettit-Member, Jacqueline Middleton-Alternate I, Holly Havens-Alternate II

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, Diane Alexander, Esq. of Maraziti Falcon, LLP

Minutes.

The minutes from the November 7th, regular and closed meetings were approved in a motion made by Ms. Pettit and seconded by Mr. Rotondi and followed by a unanimous roll call vote except for Mr. Lambert who abstained as he was absent. 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. FEMA: A request letter dated November 13, 2023, was sent to NJ State Office of Emergency Management for funding increase to cover the additional costs of the N. Union P.S. emergency generator rental.
2. FEMA: A request letter dated November 21, 2023, was sent to NJ State Office of Emergency Management for a project time extension to include the N. Union P.S. emergency generator rental through the projected completion date of January 31, 2025.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 2

3. CWA: A letter dated November 21, 2023, gave notice of the LMUA's decision to propose a formal termination of the Union CWA agreement and allow an employee covered under the union agreement to obtain a floating holiday for the Veterans Day holiday.
4. FEMA: A request letter dated December 5, 2023, was sent to NJ State Office of Emergency Management for a project time extension through January 31, 2025, to complete the replacement of the N. Union pump station.

Chairperson's Report.

Mrs. MacGregor took a moment to advise the Board on the environmental issues concerning micro plastic pollution. Stating that "this is something the LMUA should start to talk about." Mr. Horn stated that there are currently no permit requirements for the removal of microplastics from our effluent. Mrs. MacGregor recommended the LMUA begin to educate the community. Mr. Horn will ask our Engineers, Carroll Engineering and CDM Smith, for advice and guidance on how to become better equipped to handle this pollutant.

Executive Directors Report-Thomas Horn.

1. **Operations Report:** Mr. Horn reported that staff continued to work on the primary tank upgrades along with assistance from PSI service technicians.

Storm Water Utility: Mr. Horn reported that there were no odor concerns mentioned at the Storm Water Utility meeting he attended this past month. The City has completed a survey on the impacts and costs of a Storm Water Utility.

There were no calls concerning odor issues this past month.

CWA Union: At the recommendation of our labor attorney, Mr. Horn sent a letter to the union setting a termination date as of November 21, 2023.

The LMUA's NJ PDES Wastewater Discharge permit is now under technical review with no further information at this time.

Suplee Clooney has begun the annual audit of fiscal year 2023.

JCP&L: Energy Audit work to begin in the new year.

2. **Memo: N. Union Pump Station Replacement:** Mr. Horn updated the Board on the ongoing project status. The LMUA is still on track to go out for bids in January. FEMA is reviewing our request for funding increase. Mr. Horn reported that FEMA may take up to six months to approve the cost increase request. The Board would like Mr. Horn to reach out to FEMA and Mr. Uhl will reach out to his contact to find out if there is any way the process could be expedited.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 3

Green Acres is reviewing the agreement between the City and the LMUA for the temporary use of the adjacent Cherry Street Park property. Mr. Horn did not have any updates from Green Acres. Ms. Alexander will follow up with their office.

- 3. Feasibility Studies of Capital Projects Update:** Carroll Engineering has completed the three feasibility studies for the head works, sludge dewatering facilities and the plant's emergency generator. The concrete from the headworks is from the 1950's and needs replacement. The generator is 40 plus years old and is nearing the end of its' life expectancy as is the sludge dewatering system.

Carroll has submitted proposals for the Swan Street and Coryell Street pumping stations. The Swan Street station work includes updating the electrical components, a replacement cover for the wet well and wet well modifications. The work for the Coryell Street station includes rehabilitation of the entire station. Copies of the proposals had been sent in advance to the Board for their review.

Mr. Horn recommends the Board award a contract amendment to Carroll Engineering to perform engineering feasibility studies for the Swan and Coryell Street pumping station upgrades.

Ms. Pettit requested that Carroll breakdown the not to exceed amount into the separate tasks rather than just an overall lump sum. This way the LMUA can better track the progress of the work completed against the expended costs.

In agreement with Ms. Pettit's recommendation, Mrs. MacGregor requested a motion to accept the feasibility studies and approve Resolution 051-2023 with the conditions that the costs be broken down by task and that the proposed deliverable dates be extended one month.

**Resolution 051-2023 Amendment No. 2 to Contract for Special Projects Engineer 2023
Carroll Engineering Corporation for Professional Engineering services for Preparation of
Feasibility Studies for Pumping Stations:**

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

WHEREAS, the LMUA has developed an Asset Management Plan (AMP) to be used for the planning of capital improvements and replacement of the Facilities throughout the LMUA's system; and

WHEREAS, the LMUA's AMP recommends the timing for the replacement of various Facilities based on a number of factors; and

WHEREAS, based on the AMP, the LMUA's Swan Street Pumping Station electrical system and wet well Facilities and Coryell Street Pumping Station, hereinafter the "Facilities" have reached the time when the AMP recommends replacing these Facilities; and

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 4

WHEREAS, it is necessary to better ascertain the extent, timeliness, and detailed costs for the replacement of the facilities if needed, the Executive Director recommends that feasibility studies be performed on the above facilities; and

WHEREAS, the LMUA's CFO has certified that interim Capital funds are available for Engineering Services for preparation of the recommended feasibility studies; and.

WHEREAS, pursuant to Resolution 014-2023, the LMUA awarded a Contract to Carroll Engineering Corp. Entitled "Special Projects Engineer 2023" which provides for such special projects engineering services on an as needed basis by contract amendments; and

WHEREAS, the LMUA solicited proposals for the preparation of the feasibilities studies of the Facilities noted above from Carroll Engineering Corporation; and

WHEREAS, Carroll Engineering Corp's proposals were received on October 19, 2023 and November 27, 2023 for the required work; and

WHEREAS, the Executive Director, has reviewed Carroll Engineering Corporation's proposal and has recommended that LMUA's Board of Commissioners approve the scope of services as detailed in their October 19, 2023 and November 27, 2023, proposals; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of December 5, 2023, as follows:

1. The scope of services for Carroll Engineering Corporation under their Contract for Special Projects Engineer 2023 is hereby Amended to include professional engineering services for preparation of Feasibility Studies for the LMUA's Swan Street and Coryell Street Pumping Stations.
2. The Executive Director is authorized and directed to execute Amendment No. 2 to Contract for Special Projects Engineer 2023 in a form acceptable to the Authority Attorney in an amount not to exceed \$44,200 the LMUA's Coryell Street Pumping Station and for a not to exceed amount of \$29,600 for the Swan Street Pumping Station.
3. Amendment No. 2 is approved upon the completion of the following conditions:
 - a) The proposed schedule of deliverables as listed on page 3 of the Proposals shall be one (1) month later.
 - b) The not to exceed amounts on page 2 of the Proposals shall be broken down into various tasks.
4. 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.
5. The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit

Second: Mr. Rotondi

**Governing Body
Member**

Recorded Vote:

Aye

Nay

Abstain

**Not
Voting**

**Not
Present**

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 5

Janine MacGregor	X	
Vincent Uhl	X	
Paul Rotondi	X	
Russell Lambert	X	
Helen Pettit	X	
Jacqueline Middleton		X
Holly Havens		X

4. **Delevan Street Emergency Repairs:** Since the most recent demand letter was sent, November 2, 2023, the LMUA received a response from the property owner confirming receipt and stating that they were “working to resolve” the issue. To date there have been no further updates. Mr. Horn will work on a follow-up letter to the owner and check that no final CO’s have been issued with the City.

5. **Resolution 052-2023 Appointing Thomas F. Horn as Public Agency Compliance Officer**

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: Mr. Uhl

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	

6. **Village Apartments Delinquent 2022-2023 Sewer & 2022 Tax Sale:** The manager of Village Apartments, Lambertville Village Realty had contacted the Tax Collector’s office via email on November 28, 2023, regarding the open 2023 lien for delinquent 2022 sewer and taxes sold and asked about the process to suspend sewer billing. The Tax Collector’s office then forwarded their email to the LMUA on November 30, 2023. Ms. Parsons responded by saying that the Board would consider their request at tonight's meeting. A discussion by the Board ensued and a decision was made to suspend

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 6

billing pending the following conditions. The property owner must comply with the LMUA's rules and regulations pertaining to billing suspensions. Evidence that the water is shut off at the curb and the lateral serving the property is to be capped. The manager must identify themselves as the property's authorized agent or the owner must submit their request in writing. Once these conditions are met the effective date of the suspension shall be the date at which the request was received, November 30, 2023.

**Resolution 056-2023
Approval of Billing Suspension
for 295 N. Main Street**

WHEREAS, the Lambertville Municipal Utilities Authority ("Authority") received a written request from the owner of 295 N. Main Street for the suspension of sewer charges via email from the City Tax Collector on November 30, 2023; 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 property had sustained considerable flood damage that occurred during Tropical Storm Ida on September 1, 2021, and

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

WHEREAS, Mr. Horn recommends that the Board approve the suspension effective the date of the request, November 30, 2023 as ample notice has been given to the property owner on the proper procedures to request a billing suspension.

NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority that based upon the unique circumstances set forth in this Resolution, it hereby conditionally approves the suspension of sewer charges based on meeting the following conditions:

1. The owner of the Property must provide evidence to identify the property's authorized agent.
2. The sewer service must be capped or plugged at the connection point of the lateral servicing the property.
3. This Resolution is effective immediately upon adoption.

Moved: Mr. Uhl

Seconded: Mrs. Pettit

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

Jacqueline Middleton	X
Holly Havens	X

7. **Vacation Request Memo, Kathy Leary:** In a memo dated December 1, 2023, Mrs. Leary asked the Board to consider approving an additional 6th week vacation to be added to Supervisory Personnel after 45 years of service. The Board tabled discussion for closed session.

Chief Financial Officer's Report.

Mr. Rotondi made a motion to approve the bill list for November 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 a report.

Closed Session 7:16 p.m.

8. **Resolution 053-2023 Approving a Closed Session to Discuss Personnel Matters Pertaining to End of the Year Employee Bonuses & a Vacation Request from Mrs. Leary**

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 5, 2023, at The LMUA Treatment Facility located at 3 Bridge Street, Lambertville for the purpose of discussing end of the year employee bonuses & the vacation time request from Kathy Leary.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 8

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	

Resumed Open Session: 7:22 p.m.

Upon resuming the open session, Mrs. MacGregor requested a motion to approve the year end employee bonuses.

9. Resolution 054-2023 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:

Operators: \$1,000

Plant Supervisor: \$1,200

Office Personnel: \$1,450

Executive Director: \$1,700

The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit

Seconded: Mr. Rotondi

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl	X				

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 9

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

10. Resolution 055-2023 Approval of an Increase in Vacation Days to the Employee Handbook & Personnel Policies

WHEREAS, as per the Lambertville Municipal Utilities Authority's (LMUA) Handbook & Personnel Policies, an employee is eligible for a maximum of 25 vacation days at the start of the twenty first (21st) year of service and thereafter; and

WHEREAS, the Board of Commissioners believes loyalty and long-term commitment to the LMUA deserves special recognition, it has been determined that upon completion of 45 years of employment, it is just and appropriate to award one additional week of vacation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby approves an increase of one additional week vacation, totaling 30 vacation days at the completion of forty-five (45) years of service and thereafter.

The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit

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	

Public Comment.

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

Adjournment.

The meeting adjourned at 7:26 p.m. with a motion made by Ms. Pettit 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,

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

December 5, 2023, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 10

Melissa S. Parsons

Melissa S. Parsons, Administrative Assistant

Approved at the regularly scheduled Lambertville MUA Board meeting held on January 2, 2024.