

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY



Regular Meeting

April 2, 2024, 6:00 pm

Lambertville Wastewater Treatment Facility,
3 Bridge Street, Lambertville

Agenda for Meeting Held in Person & Conference Call

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 006-2024* setting forth meeting dates for 2024-2025. Notification was published on February 15, 2024, 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, Paul Rotondi-Treasurer, Jacqueline Middleton-Member, Holly Havens-Alternate I

Absent: Helen Pettit-Member, Vincent Uhl-Vice Chairman

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

Chairperson's Report.

Mrs. MacGregor welcomed Benedetta Lambert and Russell Lambert Jr. to tonight's meeting. The Authority honored Russell Lambert's service on the Board at the March 5th meeting by adopting a Resolution that embodies everything that Mr. Lambert had done for the Authority. Before the resolution was presented to Benedetta and Russell Lambert Jr., Mrs. MacGregor spoke in detail on the wording of the resolution and the type of person Mr. Lambert was. She remarked that "he embodied the traditions of the small town as well as a vision for progress". Mrs. MacGregor announced that the Authority will be purchasing a tree with a plaque in his honor from the Parks and Recreation Commission of which he was a member. She thanked Benedetta for coming to tonight's meeting and for lending him to us each first Tuesday of the month for the past several years. "We hope that we made it clear that he really did make a difference for us." She then asked if anyone else had something to say or if Benedetta had anything to share. Benedetta thanked the Board for the resolution and the memorial tree. She stated that he enjoyed his work with the Authority and with the community. She expressed how honored both she and Russell Jr. are for the Board's recognition.

A Resolution Honoring Russell E. Lambert

WHEREAS, the tireless work of citizen volunteers makes the City of Lambertville an outstanding place to live and raise a family; and

WHEREAS, Russell E. Lambert was appointed to serve on the Lambertville Municipal Utilities Authority (LMUA) Board on March 4, 2015 as an Alternate Member; and

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WHEREAS, Russell E. Lambert. was appointed to the unexpired term of Member on the LMUA Board on March 5, 2019; and

WHEREAS, Russell E. Lambert served as Secretary from 2019 to 2024; and

WHEREAS, Russell E. Lambert diligently and skillfully carried out his duties as Secretary, Member and Alternate Member; and

WHEREAS, Russell E. Lambert contributed significantly to Capital Projects providing significant improvements towards efficient and effective treatment and general operations of the LMUA; and

WHEREAS, Russell E. Lambert always made himself available to carry out all related duties of the Secretary, such as reviewing bills, signing vouchers and authorizing banking transactions on behalf of the LMUA, and readily offered his help and guidance on other matters when needed; and

WHEREAS, Russell E. Lambert brought to each LMUA meeting a deep-rooted sense of community and tradition borne from his role as a descendant of Lambertville's founding families, a concern for the environment stemming from his love of nature and the outdoors, and a vision of progress for continued success of the City of Lambertville and the LMUA; and

WHEREAS, Russell E. Lambert passed away after a short illness on February 22, 2024; and

WHEREAS, the Commissioners and staff of the LMUA wish to recognize and commend his invaluable service over the past nine years as a devoted Member whose efforts greatly benefitted the LMUA and citizens of Lambertville.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority does hereby declare its appreciation for Russell E. Lambert for his unwavering dedication and service to the LMUA. May he be remembered as a caring neighbor and a community-wide friend.

Adopted: March 5, 2024

Oaths of Office

Ms. Alexander administered the following oaths of office:

1. Jacqueline Middleton-To fill an unexpired term of Member through February 1, 2026
2. Holly Havens-To fill an unexpired term of Alternate One through February 1, 2026

Minutes.

The minutes from March 5, 2024, regular meeting were approved in a motion made by Mr. Rotondi and seconded by Ms. Middleton and followed by a unanimous roll call vote by all members present except for Ms. Middleton who abstained as she was absent. 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				
Helen Pettit					X
Jacqueline Middleton			X		
Holly Havens	X				

Correspondence.

1. 47 Bridge Street Sewer: Capacity verification was sent in a letter dated March 15th for the proposed renovation of an existing restaurant formerly known as Sneddon’s into another restaurant to be called Liv & Charlie’s.
2. 8-12 S. Union Street- Capacity verification was sent in a letter dated March 20th for the proposed renovation of an existing mixed-use building comprised of a commercial unit on the bottom level with three additional residential units to be located on the second and third floors. The property is currently being billed for one commercial unit and shall be billed for an additional three residential units upon the issuance of a final CO.
3. City Planning Board-In a letter dated March 7, 2024, the Planning Board confirmed review of the plans for the N. Union Pump Station replacement at the public meeting held March 6th. The new building and equipment are planned to be rebuilt above flood base elevation to comply with the City of Lambertville’s Flood Damage Prevention Ordinance. The Planning Board’s main concern was parking during the construction.
4. NJ DEP Bureau of Environmental Engineering & Permitting: In a letter dated April 1st the Bureau of Environmental Engineering and Permitting requested additional information be submitted for the loan application and Plans and Specifications documents. Mr. Horn will follow up with Carroll Engineering and Ms. Alexander’s office to review the requested changes with her office’s Construction Attorney.

Executive Directors Report-Thomas Horn.

1. Operations Report:

Staff worked on normal operation and maintenance of plant and stations. The City offered to include manhole frames and cover replacement as part of their road rehabilitation in certain parts of town.

There were no calls concerning odor issues this past month.

Suplee Clooney is working on the annual audit of fiscal year 2023.

The Personnel Manual and Union Contract was reviewed by the Board at the March meeting. Mr. Horn has made the changes/ corrections requested by Ms. Pettit and noticed there was some old language and additional typos that needed to be corrected. There are a couple minor issues that Mr. Horn asked our

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Personnel Attorney to review. He expects to have it completed by the May meeting for the Board's final review and approval.

Plant Permit: This is under technical review by NJ DEP and has not been issued.

2. **NJ Elected Official's Training:** This is an online insurance training that if completed, would provide a premium credit of \$250 per Board member. The training must be completed by May 1st to receive credit. Ms. Parsons is to send out reminders to the Board to complete.
3. **Financial Disclosure Statements:** An email with the details and directions for logging in and completing the 2024 financial disclosure statements was sent out to the Board, Engineer, and Attorney prior to the meeting. They are due by April 30th and there is a memo included in the meeting packet with instructions to assist. Ms. Parsons noted that she can send the login link out to anyone who may need it.
4. **Memo: N. Union Pump Station Replacement:** Mr. Horn updated the Board on the ongoing project status. FEMA is completing the last review under State Environmental and Historic Preservation Office (NJSHPO). Once NJSHPO has issued their approval, our project will be obligated for payment with FEMA.

As per the request of the City Planning Board, Mr. Horn reached out to the American Legion, Rago and CVS property owners to request use of their parking lots during construction. Both CVS and the American Legion property owners will allow our contractors to utilize their parking lots with a few restrictions.

March 19th was LMUA's information session for the residents and businesses of the N. Union Pump Station area. There was one person in attendance aside from the LMUA's representatives.

NJDEP is reviewing the plans and specifications for the NJ I-Bank and NJDEP has sent a letter, under tonight's correspondence listing the items that need to be addressed. Mr. Horn is working with Mike McCarey from Carroll Engineering and Mr. Carney from Maraziti Falcon to address their requirements.

Mr. Horn will keep the Board informed of any new developments regarding the project increase request and the plans and specifications review.

5. **Memo: Capital Improvements Update:**

The feasibility studies of the Capital Improvement Projects have been completed and copies will be sent to the Board for their review and acceptance.

CDM Smith has finished their review of the TV inspection of the collections system and Mr. Horn expects to have a report shortly that maps out the pipe conditions and recommended repairs.

NJ Future: Mr. Horn continues to work with NJ Future and EPIC (Environmental Policy Innovation Center) as they prepare requests for proposals for the planning documents.

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NJ Office of Emergency Management: Is helping to complete an application for a resiliency loan for the Capital Improvements Projects through BRIC (Building Resilient Infrastructure and Communities).

Mr. Horn explained that in order to continue to receive funds through FEMA the Lambertville MUA would need to reinstate their registration with SAM (System for Award Management). He has been working on updating the registration.

6. Resolution 004-2024 Re-Adoption of Secretary

WHEREAS, Ms. Middleton was appointed by the Mayor and City Council of Lambertville to serve as a Commissioner of the Lambertville Municipal Utilities Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Ms. Middleton as Secretary for a term of one year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Moved: Mr. Rotondi

Seconded: Ms. Havens

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

- 7. Resolution 013-2024 Re-Adoption of Personnel Officers:** No additional action was taken on Resolution 013-2024, as it was agreed that Mrs. MacGregor was sufficient as the only Personnel Officer.
- 8. Memo: Payroll Outsourcing:** Mr. Horn advised the Board that our Auditor is recommending that the Authority outsource payroll again this year. Last year he had brought a proposal from ADP before the Board, but no action was taken at that time. After a discussion, the Board agreed to review additional proposals.
- 9. Employee Handbook Updates:** Tabled for the May 7th meeting.
- 10. Memo: Proposed Budget for FY2025:** Mr. Horn prepared the proposed Budget for FY2025 for the Board's review and approval.

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Mr. Horn reviewed the “Pro-Forma Cash-Flow Model with the Board which showed updated amounts through 2022 and projections up through 2031 based on budget numbers. Acacia will update the model to reflect the short-term loan this coming fiscal year. The long-term debt service is anticipated to begin 2028 and the 2010 bonds are expected to be paid off in 2030.

Mr. Horn reviewed the “Proposed 2025 Budget” memo and the “Draft 2025 Budget” excel sheet with the Board. The operating budget shows an increase in labor, chemicals, service contracts and phone services. Mr. Horn noted that there has been a decrease in sludge removal due to efficiencies in operations. The general and administrative expenses show increases in salary and wages, social security and unemployment, pension, health insurance, general insurance, legal and labor Attorney services, auditing and accounting and computer services. The trustee fees have decreased due to 2003 loan payoffs from the NJ I-Bank.

The City has officially requested their contribution of \$76,320 from our surplus which is the same amount as last year.

Capital Budget: This was reviewed in detail at the Mach 5th meeting.

Overall, the budget shows a total of \$2,135,070, a decrease of \$19,561 in expenses and a projected revenue amount of \$2,312,607. Mr. Horn explained that debt service repayment from Bucks County Water & Sewer Authority and Stockton Borough is a owing to LMUA based upon their percentages of LMUA’s total flow, as well as repayment of their shares of capital expenses paid annually which amounts help offset our capital expenses.

The Board then discussed the resolution before them, and Mr. Horn explained that the amounts listed are on the State budget form which are reflected in the resolution. The state form shows the total appropriations and accumulated deficit of 2,211,300, the total net appropriations of 2,135,070 which includes the \$76,230 paid to the City. In the future, Mr. Horn will include the state form summary budget sheet which better shows the numbers listed in the resolution in correlation with the operating budget. Seeing no further questions from the Board, Mrs. MacGregor asked for a motion to approve Resolution 026-2024.

Resolution 026-2024 Approving the FY 2025 Authority Budget

FISCAL YEAR: FROM: July 1, 2024 TO: June 30, 2025

WHEREAS, the Annual Budget and Capital Budget for the Lambertville Municipal Utilities Authority (Authority) for the fiscal year beginning, July 1, 2024 and ending, June 30, 2025 has been presented before the governing body of the Lambertville Municipal Utilities Authority at its open public meeting of April 2, 2024; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 2,226,811, Total Appropriations, including any Accumulated Deficit if any, of \$2,211,300 and Total Unrestricted Net Position utilized of 76,230; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$1,146,900 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$0; and

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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; and

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Lambertville Municipal Utilities Authority, at an open public meeting held on April 2, 2024, 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, 2024, and ending, June 30, 2025, 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 4, 2024.

Motion: Mr. Rotondi

Second: Ms. Middleton

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Vincent Uhl					X
Paul Rotondi	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 March when funds become available. Ms. Middleton 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			

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

Attorney's Report.

Mr. Carney is reviewing the front end of the bid specifications and completing the necessary changes to comply with NJDEP's required changes.

Public Comment.

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

Adjournment.

The meeting adjourned at 7:32 p.m. with a motion made by Mr. Rotondi 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. Parsons

Melissa S. Parsons, Administrative Assistant

Approved at the regularly scheduled Lambertville MUA Board meeting held on May 7, 2024.