

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

August 6, 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 6:02 p.m. by Mrs. 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](http://www.lambertvillemua.com) and the City of Lambertville [www.lambertvillenj.org](http://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, Paul Rotondi-Treasurer, Helen Pettit-Member, Holly Havens-Alternate I

Absent: Jacqueline Middleton-Secretary

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

Minutes.

The minutes from June 6, 2024, rate hearing, regular meeting & closed session were approved in a motion made by Mr. Uhl and seconded by Ms. Pettit and followed by a unanimous roll call vote by all members present. MOTION CARRIED

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. 15-17 Bridge Street, Lambertville, NJ-Capacity verification was given for the proposed conversion of an existing second floor 1-bedroom apartment into restaurant seating by combining it with the existing first floor restaurant on 6/6/24.

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 2**

2. 42 Swan Street, Lambertville, NJ-Capacity verification was given for the proposed demolition of an existing single-family residence to a two-family duplex on 6/25/24.
3. 2 Allen Street, Lambertville, NJ-The extension of the connection permit and capacity verification was given for the proposed connection of one residential unit for one additional year on 7/8/24. In addition, the owner was notified that the difference of \$991.00 was due from what was previously paid \$6,422.00 and the current rate of \$7,413.00 to bring the permit up to date.

Chairperson's Report.

Mrs. MacGregor would like to go over the resolution on tonight's agenda honoring our past attorney, C. Gregory Watts during the Executive Directors Report.

Executive Directors Report-Thomas Horn.

**1. Operations Report:**

Treatment Plant: Mr. Horn reported that there were a few issues of concern at the treatment plant. There was a power outage on June 22<sup>nd</sup> which caused an issue when switching over to regular power. On July 12<sup>th</sup> the belt for the sludge press broke and it took a week to get a replacement tool necessary to install a new belt.

On June 26<sup>th</sup> the peroxide tank had a large reaction to a metal contaminant and compounded with the extreme heat caused the top cap of the tank to blow and the peroxide to gas off. The police, fire, Hunterdon County Hazmat and two of our operators and Supervisor arrived at the plant by 5:30 p.m. NJ Department of Environmental Protection arrived on scene and contacted Ken's Marine Services, Inc., a company who is trained in hazardous material removal. Ken's Marine Services determined the best course of action was to add water to the tank and dilute the chemical and then discharge the diluted chemical into our influent where it is regularly administered as part of our odor control operations.

Mr. Horn took a moment to explain the necessity for transferring a volatile chemical from the supplier's tote to the LMUA's holding tank from which it is fed into the treatment plant process for odor control. Mr. Horn explained that the LMUA's lifting equipment had insufficient strength to lift the tote, so staff attempted to pump the chemical into the holding tank instead. However, facilities staff did not know that components of the pumping operation would be reactive with the supplier's chemical. Consequentially, a reaction occurred which caused the tank vent to blow with the resulting release of off gas. Mr. Horn was not available at the time therefore, the response with emergency services was coordinated by LMUA staff.

Collections System: The staff had to repair and replace the discharge hose for the N. Union P.S. wet well pump.

## LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

### Regular Meeting

August 6 2024, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 3

The City has agreed to replace our manhole covers and frames that are needed along with their road work project. The Lambertville MUA will need to have replacement supplies on hand for the City.

Regulatory Issues: There has been no update from NJ DEP and the new NJPDES Permit has not been issued.

The NJ DEP inspector was in for their annual inspection and a report is forthcoming.

There was a Right to Know inspection on July 9<sup>th</sup> with a number of issues noted. Staff have been working to complete the issues by the follow-up inspection on August 9<sup>th</sup>.

There was also an inspection from the Department of Health on July 19<sup>th</sup> with a follow-up inspection scheduled for July 23<sup>rd</sup>. Mr. Horn and Ms. Parsons have been providing the requested safety information. A report is expected shortly.

Administrative Issues: Auction of equipment and vehicles closed July 23<sup>rd</sup> and everything except for the copier sold. The Board discussed the possibility of donating the copier to an allowed public institution. Ms. Alexander will provide advice as to which institutions would be acceptable.

2. Memo: N. Union Pump Station Replacement: The receipt of construction bids were received July 24<sup>th</sup>. Eight bids were received with a range of \$1,574,198 to \$3,700,000. The lowest three bids were reviewed by Maraziti Falcon, LLP and Carroll Engineering for legal and engineering compliance. They both recommended the lowest bidder, Dulaine Contracting, Inc. In the amount of \$1,574,198.

The award is subject to the NJDEP and NJ I-Bank approvals. Once approved, the Lambertville MUA will issue a notice to proceed once all necessary paperwork has been executed

The I-Bank has postponed the closing of the short-term funds from August 7<sup>th</sup> to August 21<sup>st</sup>, stating that they needed more time for their review.

The Board then decided to table their discussion on the possible contract award for closed session.

3. Memo: Capital Improvements Update:

Coryell & Swan Street Pumping Stations: The feasibility studies for Coryell and Swan Street pumping stations have been accepted and Carroll Engineering is preparing the proposals for design work. These are anticipated to be completed for the September meeting.

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 4**

TV inspection of the collection system: Mr. Horn has requested a proposal from Van Cleef Engineering for plans and specifications for repairs needed from the TV inspection results.

NJ Future and EPIC (Environmental Policy Innovation Center): Mr. Horn met with the NJ DEP and other reviewing agency representatives on June 25<sup>th</sup>, the required permits and approvals were agreed on. The consultant with EPIC is expected to have a project report in 45 days.

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

Mr. Horn requested that the Board hold off on the treatment plant work until the pump station and collection system work moves forward. Seeing no issues or immediate concerns, the Board agreed.

4. Memo: FY2024 Audit Comments: The Board reviewed Suplee Clooney's response to the Board's questions and comments from the 2024 Audit:

- Page 6-should be thousand not million

- Page 9-wrong year on top of the page. Numbers correct

- Page 9-the large difference in 2021 income had to do with a large swing in the pension liability.

- Page 9- flow difference is what was recorded from meters

- Page 16-Enterprise fund is how our professional describes an Authority that bills its customer for service to capture the cost of operating.

- Page 26- the numbers were off due to rounding

5. Employee Handbook Updates: This was tabled for another time.
6. Resolution 036-2024 A Resolution Honoring C. Gregory Watts

WHEREAS, the Lambertville Municipal Utilities Authority (LMUA) requires various professionals to insure the proper operation of the LMUA; and

WHEREAS, C. Gregory Watts was originally appointed to serve as the Attorney for the LMUA on February 2, 1988; and

WHEREAS, C. Gregory Watts was re-appointed as the attorney for the LMUA through February 7, 2023, serving through June 6, 2023; and

WHEREAS, C. Gregory Watts diligently and skillfully carried out his duties as Legal/ Labor Attorney for the LMUA; and

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 5**

WHEREAS, C. Gregory Watts successfully guided the LMUA during the re-negotiation of the contract with the Bucks County Water and Sewer Authority; and

WHEREAS, C. Gregory Watts was able to minimize the final settlement impact to the LMUA from the lawsuit filed by the Black River and Western Railroad; and

WHEREAS, C. Gregory Watts provided a calming influence during negotiations over the years with the Communications Workers of America which represented the operating staff of the LMUA; and

WHEREAS, C. Gregory Watts provided patient and sound legal counsel to the Board and over the years became a trusted friend and an integral part of the LMUA team; and

WHEREAS, C. Gregory Watts resigned from his position of Legal/ Labor Attorney for the LMUA on June 6, 2023 due to complications from an illness; and

WHEREAS, C. Gregory Watts passed away on April 16, 2024; and

WHEREAS, the staff of the LMUA, as well as the governing body and residents of Lambertville wish to recognize and commend his invaluable service for over thirty-five years as the LMUA Legal/ Labor Attorney whose efforts greatly benefited the LMUA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority does hereby declare its appreciation for C. Gregory Watts for his unwavering dedication and service to the LMUA.

Motion: Ms. Pettit

Second: Ms. Havens

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

**7. Resolution 037-2024 Authorizing Signatures for Wire Transfers from Authority Bank Accounts**

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 6**

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) has numerous loans funded through the New Jersey I-Bank which funds are managed by our Trustee, Bank of New York; and

WHEREAS, periodically it is necessary to pay fees associated with these loans through the use of wire transfers; and

WHEREAS, the Commissioners wish to designate certain Authority personnel to be authorized to conduct these wire transfers from Authority bank accounts.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority as follows:

1. That the following personnel are authorized to conduct wire transfers from the Authority’s Operating Account to the I-Bank’s accounts in accordance with the written instructions received from the I-Bank to pay fees associated with the loans:

CFO Kathy Leary, or  
Executive Director Thomas F. Horn

2. This Resolution shall be effective immediately upon adoption.

Moved: Mr. Uhl

Seconded: Mr. Rotondi

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

**Chief Financial Officer’s Report.**

1. Memo: Bills over \$5,000 There were no issues or questions on the bills list for July or August.
2. Mr. Rotondi made a motion to memorialize the bill list for June and approve the bills list for July when funds become available. Ms. Havens seconded the motion. An affirmative roll call was taken in favor of the motion by all members present. **MOTION CARRIED**

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 7**

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					

Attorney’s Report.

Ms. Alexander did not have anything additional to report.

Closed Session.

Resolution 038-2024 Approving a Closed Session to Discuss a Possible Contract Award for the North Union Pumping Station Replacement NJDEP Project

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, August 6, 2024, at The LMUA Treatment Facility located at 3 Bridge Street, Lambertville for the purpose of discussing a possible contract award for the North Union Pumping Station Replacement NJDEP Project.

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: Ms. Pettit

Seconded: Mr. Rotondi

Governing Body Member	<u>Recorded Vote:</u>			Abstain	Not Voting	Not Present
	Aye	Nay				

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 8**

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

The Board entered closed session at: 6:29 p.m.

The Board re-entered the open session at: 6:40 p.m.

Upon re-entering the open session, Mrs. MacGregor asked the Board for a motion to approve Resolution 039-2024 awarding a contract for the North Union Pumping Station Replacement Project.

Resolution 039-2024 RESOLUTION 039-2024 INTENTION TO AWARD BID FOR NORTH UNION PUMPING STATION REPLACEMENT NJDEP Project No. S340882-11

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

WHEREAS, the Authority’s North Union pumping station (NUPS) was severely damaged during Tropical Storm Ida (TS Ida); and

WHEREAS, the Authority’ Engineer, Carroll Engineering Corporation (“Engineer”) had prepared plans and specifications for North Union Pumping Station Replacement Project dated June, 2024 (“Project”); and

WHEREAS, the Authority previously applied to the New Jersey Department of Environmental Protection (“NJDEP”) for funding for the Project through the New Jersey Environmental Infrastructure Financing Program (“NJIB”); and

WHEREAS, on June 5, 2024, the NJDEP issued authorization to advertise the Project, NJDEP Project No. S340882-11; and

WHEREAS, the Authority advertised for bids for the Project on June 5, 2024 in the Times of Trenton; and

WHEREAS, the following eight (8) bids were received and publicly opened and read aloud on July 24, 2024:

Dulaine Contracting, Inc. \$1,574,198.00  
P.O. Box 526



**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 9**

Gladstone, NJ 07934

DeMaio Electrical Company, Inc. \$1,597,000.00

330 Roycefield Road, Unit D

P.O. Box 5907

Hillsborough, NJ 08844

Coppola Services, Inc. \$1,668,906.00

28 Executive Parkway

Ringwood, NJ 07456

Rencor, Inc. \$1,747,700.00

24 Tannery Road

Somerville, NJ 08876

Sovereign Consulting, Inc. \$1,985,250.00

111-A North Gold Drive

Robbinsville, NJ 08691

MBE Mark III \$2,178,900.00

213 Main Street

Madison, NJ 07490

Anselmi and DeCicco, Inc. \$2,320,650.00

1977 Springfield Avenue

Maplewood, NJ 07040

Pact Two, LLC \$3,700,000.00

P.O. Box 1

554 Rt. 31

Ringoes, NJ 08551

WHEREAS, the apparent low bidder was Dulaine Contracting, Inc with a bid price of \$1,574,198.00; and

WHEREAS, the LMUA staff, Engineer, and Attorney have reviewed the bid; and

WHEREAS, based on that review, the bid documentation from the apparent low bidder was found to be in order, without material defects, and acceptable from a legal and technical standpoint; and

WHEREAS, the bidding documents include plans for the improvement to public property that were designed by the Engineer; and

**LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY**

**Regular Meeting**

**August 6 2024, 6:00 pm**

**Held In Person/ Conference Call**

**Minutes, Page 10**

WHEREAS, N.J.S.A. 59:4-6 provides that neither the public entity nor a public employee is liable for an injury caused by the plan or design of public property or any improvement thereto where the plan or design was approved in advance of construction or improvement by the Authority or a public employee exercising discretionary authority to give such approval on its behalf where such plan or design was prepared in conformity with standards previously approved by the Authority; and

WHEREAS, the Authority desires to record its approval of said plans and design for the North Union Pumping Station Replacement for the purpose of plan and design immunity provided by N.J.S.A. 59:4-6; and

WHEREAS, funds to finance the North Union Pump Station Replacement project are available through the New Jersey Infrastructure Bank (the "I-Bank") as State Loan Project No. S340882-11, and the award of the contract by the Authority to the lowest responsible bidder is subject to and conditioned upon obtaining an Authorization to Award from NJDEP.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority hereby approve the following:

1. All immaterial defects contained in the bid submission of Dulaine Contracting, Inc., if any, are waived and the Executive Director is authorized to execute the Notice of Intention to Award the North Union Pumping Station Replacement contract to Dulaine Contracting, Inc., as the lowest responsible bidder as determined in accordance with the requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and submit said Notice of Intention to Award to NJDEP for its review. All bid security, except the security of the three apparent lowest responsible bidders, shall be returned, unless otherwise requested by the bidder, within ten days after the opening of the bids, Sundays and holidays excepted.
2. Thereafter, in the event that NJDEP approves the award of the North Union Pumping Station Replacement contract to Dulaine Contracting, Inc., upon receipt of such Authorization to Award from NJDEP, the Executive Director is hereby authorized to execute the North Union Pumping Station Replacement contract with Dulaine Contracting, Inc. in an amount not to exceed the bid price of \$1,574,198.00 and the bid security of the remaining unsuccessful bidders shall be returned within three days, Sundays and holidays excepted, after the full execution of said contract and approval by the Authority's counsel of the contractor's performance bond.
3. The entire design, specifications, and plans prepared by the Engineer for the North Union Pump Station Replacement Project are hereby approved for the purpose of the immunity to be provided to the Authority and its employees in accordance with N.J.S.A. 59:4-6.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

August 6 2024, 6:00 pm

Held In Person/ Conference Call

Minutes, Page 11

- 4. The Executive Director, staff and consultants are authorized to take all appropriate actions to effectuate the terms of this Resolution and in the event that NJDEP approves the award of the North Union Pump Station Replacement contract to Dulaine Contracting, Inc., the Executive Director, staff and consultants are authorized to take measures to ensure that all appropriate documents, as required by the North Union Pump Station Replacement contract are provided by Dulaine Contracting, Inc. prior to the issuance of a Notice to Proceed.
- 5. This Resolution is effective immediately and in accordance with applicable laws.

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				
Jacqueline Middleton					X
Helen Pettit	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 6:44 p.m. with a motion made by Mr. Rotondi seconded by Ms. Havens 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 September 3, 2024.