



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

November 5, 2024, 6:00 pm

Lambertville Wastewater Treatment Facility,
3 Bridge Street, Lambertville

Minutes 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 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, Paul Rotondi-Treasurer
Jacqueline Middleton-Secretary, Helen Pettit-Member, Holly Havens-Alternate I

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-Chief Financial Officer, Diane Alexander, Esq.-Authority Attorney and Sara Uzatmaciyan, -Associate of Maraziti Falcon, LLP

Minutes.

The minutes from the October 15th meeting were not available for the Board to approve.

Correspondence.

1. 58 Delevan Street: In a letter dated October 9, 2024, sewer capacity verification was given for the proposed addition of an additional bedroom and bathroom to an existing 1-family dwelling.
2. Mr. Dick Creter and Celebrations Fireworks Company: In a letter predated November 5, 2024, Mr. Horn advised Mr. Creter that the property requested to setup the drone displays for the 2025 season was not owned by the LMUA but by the NJ State Park Service. The LMUA supports their efforts to relocate the drone display and recommended that Mr. Creter reach out directly to NJ State Park for permission. The Board requested that Mr. Horn advises Mr. Creter that no access will be granted through the LMUA property to the proposed set-up area. Ms. Alexander recommended that Mr. Horn request a copy of their insurance since the drones will be near the LMUA plant.

Chairperson's Report.

1. Thanksgiving Turkeys.

Mrs. MacGregor, hearing no issues or questions requested a motion to approve the purchase of Thanksgiving turkeys for the LMUA employees.

**Resolution 040-2024
 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. 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	

Chairperson’s Report (Continued):

Employee Interviews Regarding PAA Incident: Mrs. MacGregor advised the Board that Ms. Hatfield, our Labor Attorney, had finished interviews with the LMUA employees in response to the Police & Fire reports from the June 26th Peracetic Acid (PAA) emergency. Ms. Hatfield will have a report on the interviews for the Board and will present it at the December meeting. Unfortunately, due to scheduling conflicts, Ms. Hatfield cannot attend the regularly scheduled meeting on December 3rd. After a short discussion, the Board agreed to reschedule the meeting from the 3rd to the 2nd of December. The meeting will begin at 6:00 p.m. and will be held at the administration building located at the sewage treatment plant. Ms. Parsons will provide official notification of the meeting change as required by the Open Public Meetings Act.

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Status of ERP & SOP Updates: Mrs. MacGregor then advised the Board that Mr. Horn will give a report on the status of the updates to the Emergency Response Plan and the Treatment Plant Standard Operating Procedures.

Executive Director Succession Plan: Mr. Horn has given his notice of his plan to retire next year and Mrs. MacGregor has asked that he put together a succession plan.

Health and Safety Training: Mrs. MacGregor would also like to get the utility personnel 40-hour health and safety training through the Occupational Health and Safety Administration (OSHA) education center. They offer an online 40-hour course that covers hazardous waste operations and emergency response standards.

Budget Revisions to Cover PAA Emergency: Mrs. MacGregor asked Mr. Horn to review the Legal budget for the remainder of the fiscal year and make a recommendation on a budget increase not to exceed amount to cover the additional unforeseen costs due to the June 26th PAA emergency. Mr. Horn will have a resolution for the Board to approve at the December 2nd meeting.

Executive Director's Report-Thomas Horn.

Due to the length of the Agenda and time constraints of LMUA Board Members, related Agenda items were discussed together and some Agenda items were discussed out of order. These minutes reflect the order of discussions rather than the Agenda order.

1. Operations Report:

Treatment Plant & Collections System: Mr. Horn reported that there were no other concerns at the plant or pump station except for the filter press belt repairs and the N. Union P.S. project. The discharge pump in the wet well at the N. Union Street pump station has a hose leak. The replacement hose and materials are scheduled to be replaced tomorrow by our operations staff. Ms. Pettit asked if there is any way we can get ahead of the pump repairs. Mr. Horn assured the Board that the operations staff go to the station daily to check on the pump and hose line.

2. N. Union Pump Station Replacement Update

Mr. Horn continued to update the Board on the N. Union Pump Station replacement project.

Ms. Pettit asked what the time frame was in the contract for the first phase of construction. Mr. Horn believed it to be 90-100 days for material orders and approval of shop drawings. Currently the contractor is anticipating a start time of June 2025 for the demolition of the station.

Federal Emergency Management Agency (FEMA): In a letter dated October 25th FEMA approved the scope of work change to raise the N. Union P.S. building and generator above the

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500-year floodplain standard at a not to exceed project total of \$1,185,100. FEMA will cover up to 90% of the allowable costs.

The Board then reviewed the construction bid tab that was printed on 11"x17" so the Board can better view how the contract costs layout over the term of the contract.

Personnel: The operations staff that had planned to retire at the end of the year had rescinded his retirement application with the Public Employee Retirement System due to the high costs of health insurance. The advertisements for the position have all been removed.

Regulatory Issues: Mr. Horn has conducted the monthly monitoring of the biofilter carbon unit.

Administrative Issues: Mr. Horn, after the October meeting had requested a proposal from One Water Consulting, LLC for review of the LMUA's NJPDES treatment permit. Mr. Horn reviewed the conditions of the draft permit with the Board. There were no local limit evaluation requirements, there are increases in some of the testing like Dissolved Oxygen (DO), Acute Whole Toxicity (AWET) and Total Dissolved Solids (TDS). The LMUA's contract reviewer from One Water Consulting, LLC has submitted their recommended permit changes on behalf of the LMUA to remove the proposed DO limit 5mg/l, reduce the AWET testing from once per year to once per permit cycle, reduce the TDS testing once per week to once per quarter and remove the local limits requirement for arsenic as it is naturally occurring and not from industrial sources.

Mr. Horn recommends that the Board approve Resolution 041-2024 to authorize One Water Consulting LLC to conduct a thorough review and prepare a response based on the draft report and make sure their recommended permit changes were approved and that nothing new was added to the final permit.

The Board agreed to conditionally pass Resolution 041-2024 with the addition of the certification of available funds. Ms. Alexander will forward the language to include available money and the certification format she recommends the Board utilize. The Motion also included that the contract is subject to legal review.

Resolution 041-2024

Authorizing Professional Engineering Services with One Water Consulting LLC for Review of New Jersey Pollutant Discharge Elimination System Permit

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

WHEREAS, the discharge from the LMUA's WWTP is permitted by a New Jersey Pollutant Discharge Elimination System (NJPDES) permit under the Water Pollution Control Act; and

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WHEREAS, the NJPDES permit for the LMUA's WWTP expired as of December 31, 2023;
and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) proposes to
renew the LMUA's NJPDES permit; and.

WHEREAS, the LMUA's must ensure that the NJPDES permit is thoroughly reviewed so that
the permit conditions reflect the appropriate discharge limitations; and

WHEREAS, the LMUA's Executive Director and attorney recommend that One Water
Consulting LLC be contracted to conduct a thorough review and preparation of a response as necessary
if inappropriate limitation and/or conditions are proposed; and

WHEREAS, the Executive Director solicited a proposal for the review of the LMUA's NJDPES
permit; and

WHEREAS, One Water Consulting LLC submitted a proposal dated October 17, 2024 for the
required work; and

WHEREAS, the Executive Director has reviewed One Water Consulting LLC's proposal and
has recommended that LMUA's Board of Commissioners approve the scope of services as detailed in
their October 17, 2024, proposal; and

WHEREAS, sufficient funds are available for these purposes under Engineering Services,
Operational.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal
Utilities Authority at the meeting of November 5, 2024, as follows:

1. The scope of services for One Water Consulting LLC is hereby approved.
2. The Executive Director is authorized and directed to execute a contract in a form acceptable
to the Authority Attorney in an amount not to exceed \$7,500 for review of the LMUA's
NJPDES permit.
3. 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.
4. The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit

Seconded: Mr. Rotondi

Certification of Funds

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I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available in the 2024 budget under Engineering Services, Operational.

/s/ Kathy Leary
Chief Financial Officer
Lambertville Municipal Utilities Authority
Dated: November 5, 2024

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	

3. Operations Report (Continued).

Mr. Horn reported that the Environmental Joint Insurance Fund representative performed their annual inspection and investigation of the June 26th PAA claim. There were a few minor issues discovered during the inspection that were resolved.

Administrative Issues.

Carroll Engineering has drafted the revisions of the Operations and Maintenance Manual and the Emergency Response Plan as required by NJ DEP. Mr. Horn has reviewed and sent them for DEP's approval.

Carroll Engineering had conducted their annual inspection in September and Mr. Horn is in the process of reviewing their draft report. The draft report included a comprehensive evaluation of the plant.

4. Memo: Belt Filter Press Repair Update

NJ Department of Environmental Protection (NJ DEP): In a letter dated October 18, 2024, Mr. Horn advised NJ DEP that the repairs to the belt filter press were completed and the press was back online as of October 16th.

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The LMUA paid for two technicians from Alfa Laval, the belt filter press manufacturer who removed the damaged roller and installed the new roller and put the machine back together. The operations staff replaced the belts before the machine went back online.

Mr. Horn filed an insurance claim for the unanticipated costs with the Joint Insurance Fund. The insurance adjuster responded that they will only cover the costs of hauling and disposal due to the age of the belt filter press. The insurance considers the expense of the replacement part normal wear and tear because the press is near the end of its life expectancy.

5. Memo: PAA Incident Review

NJ Department of Environmental Protection (NJ DEP): In a letter dated October 30, 2024, notification of peracetic acid (PAA) spill that occurred on June 25th and June 26th, 2024, was sent to the NJ DEP Inspector assigned to the LMUA. Mr. Horn explained that it had not been previously reported but wanted to give the NJ DEP notice and to let them know that no chemical reached the Delaware River. Mr. Horn has not heard anything more from NJ DEP.

6. Memo: Capital Projects Status Update

Mr. Horn reviewed his memo with the Board. The LMUA has budgeted the proposed projects for Coryell Street pump station and Swan Street pump station. The consultant with Environmental Policy Innovation Center (EPIC) has completed the applications and project reports for the stations and has submitted them to NJ DEP for their review. Mr. Horn explained that the next step is the design of the work to be done at the stations. He recommends that because of the different permitting requirements at the stations, the Board should first award a contract to Carroll Engineering for the design work at only the Coryell Street pump station. Once the LMUA has a short-term loan through the NJ Infrastructure Bank, a contract for design work can be awarded to Carroll Engineering for the Swan Street pump station.

Mr. Horn then reviewed his spreadsheet showing the proposed Capital Projects timeline from 2024 through 2026. This timeline included the five projects: North Union Street pump station rebuild, Coryell Street pump station rebuild, Swan Street pump station upgrades, treatment plant projects, and the collection system CCTV inspections and rehabilitation.

There was a discussion on the overlap of the two construction projects going on at the same time. Mr. Horn feels that it will be better as there will be one bid that would incorporate Coryell Street and Swan Street pump stations. Mr. Rotondi asked if it would be better for our budget and Capital Funds if the LMUA were to spread out the projects over a longer period to conserve some of the cashflow. The other point of view is that there are some savings when you lump projects together both with financing and administrative costs.

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After review of all questions and concerns, Mrs. MacGregor requested a motion to approve Resolution 042-2024 awarding a contract to Carroll Engineering for the Coryell Street pump station design documents. Ms. Alexander recommended that the resolution be amended to include the certification of available funds. The Board agreed with her recommendation.

Ms. Pettit took a moment to confirm that the geotechnical services were included in the total cost of the design contract. Mr. Horn confirmed that the separate line item would be included and that it was separated out because that item would be subcontracted out.

Mr. Horn then recommended that the LMUA have Bond resolutions prepared for December's meeting for the Board to adopt. This way the LMUA would be in line with funding prior to awarding design contracts for the projects. Seeing no issues or concerns, Mr. Horn was directed to contact the LMUA's Bond Council, McManimon, Scotland and Baumann to begin preparing the bond resolutions.

Mr. Horn will be attending a Federal Emergency Management Agency webinar that discusses grant assistance opportunities with Building Resilience Infrastructure and Communities grant program (BRIC) and flood mitigation programs. He is hoping to offset some of the project costs should the LMUA be awarded a grant.

-Resolution 042-2024 Amendment No. 1 to Contract for Authority Engineer 2024 Carroll Engineering Corporation for Professional Engineering Services for Preparation of Design Documents for Coryell Street Pumping Station

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

WHEREAS, the LMUA's Asset Management Plan (AMP) recommended that the Coryell Street pumping station (Coryell PS) has reached the time for replacing these Facilities; and

WHEREAS, Carroll Engineering Corporation prepared a feasibility study dated March 2024 outlining the extent and detailed costs of the replacement of Coryell PS; and

WHEREAS, the LMUA's CFO has certified that interim Capital funds are available for Engineering Services for preparation of Design Documents for the replacement of Coryell PS; and.

WHEREAS, pursuant to Resolution 015-2024, the LMUA awarded a Contract to Carroll Engineering Corp. Entitled "Authority Engineer 2024" which provides for such engineering services on an as needed basis by contract amendments; and

WHEREAS, the LMUA solicited a proposal for the preparation of the Design Documents noted above from Carroll Engineering Corporation; and

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WHEREAS, Carroll Engineering Corp. submitted a proposal dated September 6, 2024 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 September 6, 2024 proposal; and

WHEREAS, sufficient funds are available for these purposes under Engineering Services, Operational.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 5, 2024, as follows:

1. The scope of services for Carroll Engineering Corporation under their Contract for Authority Engineer 2024 is hereby Amended to include professional engineering services for preparation of Design Documents for the LMUA’s Coryell Street Pumping Station.
2. The Executive Director is authorized and directed to execute Amendment No. 1 to Contract for Authority Engineer 2024 in a form acceptable to the Authority Attorney in an amount not to exceed \$209,000 for the LMUA’s Coryell Street Pumping Station.
3. 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.
4. The Resolution shall be effective immediately upon adoption.

Moved: Mr. Uhl

Seconded: Ms. Pettit

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available in the 2024 budget under Engineering Services, Operational.

/s/ Kathy Leary

Chief Financial Officer

Lambertville Municipal Utilities Authority

Dated: November 5, 2024

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

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

7. Authorization to Solicit Professional Qualifications for 2025.

Mr. Horn recommended that the Board authorize the solicitation of professional qualifications to be advertised as soon as possible so that the LMUA can expect to receive the proposals back by December 19th. Ms. Pettit had updated the bid package last year so that the response forms are easy for the Board to review against all bidders by using the same format for comparison. Ms. Pettit will review them again to ensure that they include the scope of work needed by each professional for the coming contract year.

-Resolution 043-2024 Requests for 2025 Professional Qualifications

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

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 4, 2025.

The Resolution shall be effective immediately upon adoption.

Moved: Mr. Uhl
Second: Ms. Pettit

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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				
Jacqueline Middleton	X				
Helen Pettit	X				
Holly Havens				X	

8. Memo: PAA Disinfection Proposal

Mr. Horn has requested a proposal from the LMUA’s Special Projects Engineer, Van Cleef Engineering, who has conducted several studies to determine if peracetic acid (PAA) would be an acceptable effluent disinfection alternative to hypochlorite and bisulfite disinfection treatment. Mr. Horn felt that there would be cost savings to the LMUA as PAA would eliminate the need for two chemicals vs. one. Biosafe, the PAA supplier, has offered to conduct a treatability laboratory study at no cost to the LMUA. Mr. Horn recommends that the Board authorize an amendment to Van Cleef Engineering’s contract to include the work for the PAA permit assistance, setting up the trial, short-term and long-term testing and implementation.

There was a discussion on the issue of chloramines that affect the LMUA’s effluent limit. The Board expressed their main concerns about using PAA for the safety of our employees, the public and the environment. There was a discussion on what kind of safety protocols would be in place like training and personal protective equipment to ensure proper use and handling of the chemical. The LMUA should have the standard operating procedures (SOP) in place before the LMUA moves ahead with the project.

After a short discussion, it was the determination of the Board that the timing of this study wasn’t right considering the LMUA has not fully recovered from the PAA emergency. The Board wants to ensure that the staff is safe, and the Emergency Response Plan and Standard Operating Procedures are in place before going ahead with a major chemical change in the disinfectant process. They also want the staff to complete the 40-hour Occupational Health and Safety Administration course that covers hazardous waste operations and emergency response standards.

At that time the Board decided to table Resolution 044-2024 until the safety concerns are addressed.

9. NJ Department of Environmental Protection (NJ DEP) Notice of Violations Update Spreadsheet.

Mr. Horn reported that a copy of the updated sections of the Emergency Response Plan and the updated Plant Operations and Maintenance manual have been submitted to NJ DEP. All corrective measures for the cited violations have been completed and submitted to NJ DEP as per the attached *NJ DEP Inspection and NOV Status of Compliance*.

-Wastewater Treatment Plant Effluent Sampling Data Spreadsheet.

Within this spreadsheet Mr. Horn has included the NJ DEP required sampling of the biochemical oxygen demand, suspended solids, ammonia and fecal coliform based on monthly permit limits. The Board reviewed the spreadsheet results against the limits and found that everything is within limits. Mr. Horn will clean up the spreadsheet and put the results in columns easier to see.

Chief Financial Officer’s Report.

1. Memo: Bills over \$5,000 were reviewed by the Board, Ms. Leary reported nothing out of the ordinary for the larger bills. There were no issues or questions on the bills list for October.
1. Mr. Rotondi made a motion to approve the bills list for October 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>				
	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	

Attorney’s Report.

Ms. Alexander did not have anything new to report.

Closed Session.

1. Memo-Personnel Planning

Mrs. MacGregor requested a motion to go into closed session for the purpose of reviewing the Personnel Planning Memo.

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2. Resolution 045-2024 *Resolution to Authorize a Closed Session to Discuss Personnel Planning Matters*

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 5, 2024, at The LMUA Treatment Facility located at 3 Bridge Street, Lambertville for the purpose of personnel matters pertaining to planning and staffing.

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. Middleton

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	

Closed Session Start: 7:37 p.m.

Resume Open Sesson: 8:14 p.m.

Having made no decisions, the Board took a moment to confirm that there was no public in attendance before moving to close the meeting.

Public Comment.

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

Adjournment.

The meeting adjourned at 8:15 p.m. with a motion made by Ms. Middleton 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 December 5, 2024.