

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

September 3, 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 6:04 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, Jacqueline Middleton-Secretary, Helen Pettit-Member, Holly Havens-Alternate I

Absent: Paul Rotondi-Treasurer

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

Minutes.

The corrected minutes from August 6, 2024, regular meeting & closed session were approved in a motion made by Ms. Pettit and seconded by Ms. Havens and followed by a unanimous roll call vote by all members present except for Ms. Middleton who abstained as she was absent. MOTION CARRIED

| Governing Body Member | Recorded Vote: | | | | |
|-----------------------|----------------|-----|---------|------------|-------------|
| | 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 | | | | |

Correspondence.

1. Dulaine Contracting Inc.: Notice of Intent to Award the North Union Pumping Station Replacement Contract was given on August 7th to the lowest responsive bidder, Dulaine Contracting, Inc.

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2. NJWB: Authorization to award the contract for the North Union Pumping Station Replacement was granted by the New Jersey Water Bank (NJWB) in a letter dated August 13, 2024.
3. NJDEP: The Compliance Evaluation and Assistance Inspection was conducted by the New Jersey Department of Environmental Protection (NJDEP) on June 17, 2024. With the completion of the inspection, there were several deficiencies listed regarding compliance with the Lambertville MUA's NJPDES Discharge to Surface Water Permit. Mr. Horn reviewed the report in more detail with the Board with his report on the June 26th PAA Tank Emergency.

Chairperson's Report.

1. PAA Tank Emergency E.D. Report Review Peracetic Acid Solution, (PPA): Mrs. MacGregor requested that the Board review all other matters before them and discuss the emergency at the end of the meeting.
2. The October 1st regular meeting has been rescheduled to October 15th beginning at 6:00 p.m. at the Justice Center. Mrs. MacGregor explained that the Police had conducted their own investigation of the Peracetic Acid Solution, Peroxyacetic Acid Solution or PAA Emergency and would like to present their findings to the Board at the October 15th meeting. The meeting will be held with both the police and fire who would like to review the PAA Emergency in detail.

Executive Directors Report-Thomas Horn.

1. Operations Report:

Treatment Plant & Collections System: Mr. Horn reported that there were no other issues of concern at the treatment plant or the collections system.

Regulatory Issues: There has been no update from NJ DEP other than Mr. Horn has been told that there is a lot of backlog on the reports and the new NJPDES Permit has not been issued.

Administrative Issues:

The NJ DEP inspection from June 17th, Right to Know Inspection from July 9th and Department of Health inspection from July 19th were tabled for discussion during at the end of the meeting.

Loss Control Inspection was conducted by our Insurance on August 13th and there were no issues or recommendations from the inspector.

2. Memo: N. Union Pump Station Replacement: The lowest bidder, Dulaine Contracting, Inc. was awarded the construction contract at the August 6th meeting in the amount of \$1,574,198. The

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notice of Intent to Award the contract was published and Mr. Horn anticipates the pre-construction meeting for October 1st.

3. NJIB Closing Note: August 21, 2024:

The NJ Water Bank closed on the short-term loan on August 21st. Mr. Langhart, our Bond Counsel, has prepared a Closing Note for the Board to review and certify. Ms. Pettit had found a few issues that need to be noted for the file. Ms. Middleton's first name needed to be corrected, the town population number should reflect Lambertville's approximately 3,824 residents and 2,212 connections, 4,154 total population, New Hope, PA with 494, Stockton Borough 2,632 for a total population of 7,280. After a discussion, the Board directed Ms. Alexander to reach out to Mr. Langhart with the noted corrections to have a corrected version on file. Ms. Parsons will correct the signature page following the conclusion of the meeting.

4. Memo: Capital Improvements Update:

Coryell & Swan Street Pumping Stations: Carroll Engineering has submitted a draft proposal for design work. Mr. Horn is currently reviewing the proposal and will bring it before the Board upon the completion of his review.

Coryell Pump Station: Mr. Horn informed the Board that Finkle's has been using a portion of Lambertville MUA's property and will be working with Ms. Alexander's office requesting the removal of all equipment from the pump station property.

TV inspection of the collection system: Mark Bean from Van Cleef has not been responsive, and the Board would like Mr. Horn to follow up and give him a deadline for their draft proposal.

NJ Future and EPIC (Environmental Policy Innovation Center): 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 recommends the Board delay the treatment plant projects until the first of next year and concentrate on completing what needs to be done for the N. Union Street replacement project. The Board will then need to consider going out for an additional short-term loan through the NJ I-Bank for the Swan Pump Station, Coryell Pump Station and treatment plant upgrades.

5. Employee Handbook Updates: Ms. Pettit has completed her review of the handbook updates and Ms. Parsons will make the corrections and updates to the MS Word version of the document for

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the Board’s review and action. Ms. Pettit would like to schedule a follow-up meeting in October with the subcommittee to review the remainder of the document.

- 6. Memo: Peracetic Acid (PAA) Proposal: At this time the Board felt that due to the PAA incident review in progress, they could not consider Van Cleef Engineering’s proposal for the Implementation of PAA as an alternative to hypochlorite for disinfection. Ms. Pettit also noted that there are a number of other concerns that would need to be addressed. Will this affect our effluent limit on our permit, does the Authority have the capacity to safely store and handle the chemical, and the long-term effects on the microbial community at the plant. Resolution 040-2024 was not acted upon and tabled for further consideration.

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 August.
- 2. Ms. Middleton made a motion to approve the bills list for August 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 | Recorded Vote: | | | | |
|-----------------------|----------------|-----|---------|------------|-------------|
| | 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 additional to report.

Closed Session. The Board decided that closed session was not needed.

Chairperson’s Report Continued.

PAA Tank Emergency E.D. Report Review: Mr. Horn reviewed his memo *June 26, 2024, Incident* with the Board laying out a timeline in which the LMUA started using Peracetic Acid, (PAA) for odor remediation. Endimal was first used for odor control during the Belt Filter (BFP) press operations between 2013 and 2023. The local chemical vendor used by the LMUA conducted a trial with the PAA for BFP odor remediation. After a successful trial in April 2025, the PAA was set up in the basement to

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feed into the sludge. A pump recommended by the manufacturer that was compatible with the chemical was installed.

In July 2023, the discharge line from the pump broke and released the PAA that ended up into the sump pump pit which led into the plant influent. The staff noticed an improvement in odors around the plant in addition to the sludge feed as well as odors from operating the belt filter press.

In August 2023 the new tote of PAA was set up on the pavement in front of the influent area and fed directly from the tote. The staff then started working on setting up a separate storage tank on top of the influent area and transfer the PAA from the tote to the feed tank because there was no secondary containment around the tote and the tractor did not have the capability to lift the tote up on the top of the influent area. The storage tank was set up with the feed pump originally used in the basement.

The storage tank was used to feed PAA into the influent from January to June 26, 2024, by transferring from the delivered tote using a transfer pump staff had on hand.

On June 25th the transfer pump stopped working during a transfer and did not completely empty the two totes to the holding tank. It was determined that the pump internals had deteriorated, and a new pump was ordered.

On June 26th the staff returned to work to see the two totes had expanded and split the walls, leaking chemical onto the parking lot. They worked on cleanup and ordered a new transfer pump. There were no other issues until the end of the day the staff noticed a steam noise from the storage tank. The tank top vent popped off and the PAA began to off gas. Mr. Horn and Mr. Rose determined that the tank would cool off overnight and could be addressed in the morning.

The police, fire, Hunterdon County Hazmat and two of our operators and Operations Supervisor, David Rose arrived at the Plant by 5:30 p.m. after an odor complaint was called into the police. After assessing the situation, Hunterdon County Hazmat contacted NJ DEP for assistance. Hunterdon County Hazmat in coordination with the local Emergency Response Team set up a perimeter around the plant as a safety precaution.

NJ DEP, after arriving on scene, contracted a specialized company called Ken's Marine Services, Inc. who is trained in hazardous material removal. Ken's Marine Services, Inc. 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 advised the Board that after some investigation, he found that the transfer pump and a length of copper pipe used to transfer the PAA from the two totes to the storage tank had contaminated the totes and the storage tank and caused the chemical reaction.

The Board asked Mr. Horn why he wasn't available for the emergency. He explained that he was in a meeting beginning at 5:00 p.m. and his phone was turned off. The Board wanted to know what the

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standard operating procedures were when there is a new chemical. There was a lengthy discussion on providing appropriate safety training for hazardous chemicals.

Mrs. MacGregor commented that she was glad that Mr. Horn had gotten the Board members up to date on the details of the emergency so that they can be better prepared to meet with the City on October 15th. There was a discussion on obtaining the police report prior to the meeting. Mrs. MacGregor asked Ms. Parsons to request a copy of the report for the Board's review prior to the meeting. She will also provide a copy of the PAA Safety Data Sheet for the Board's review.

NJ Department of Environmental Protection June 17th Inspection & Notice of Violation: The Board reviewed the letter dated August 16th with Mr. Horn which indicated several deficiencies with our Discharge to Surface Water Permit. Mr. Horn explained that there were some typos in the Discharge Monitoring Reports (DMR) forms he submitted that did not accurately report the correct lab data. Mr. Horn reported that the DMR's are almost all corrected. There was a question on plant coverage. The Board decided that an operations assessment would be conducted. Mrs. MacGregor requested a simplified list of the violations for the Board to follow up with the progress of each.

Right to Know July 9th Inspection Report: Mr. Horn reported that there were three main things the inspector noted in his report. The Right to Know Survey was not completed with up-to-date Safety Data Sheets (SDS), there were several containers that needed to be labeled, and the operational employees did not have access to the missing SDS sheets. Mr. Horn and Mr. Rose have worked to complete all the noted deficiencies and should get a complete signoff at Thursday's re-inspection.

NJ Department of Health (DOH) July 19th Inspection: Mr. Horn provided the Board with a summary sheet entitled *Off Gassing Incident of June 26, 2024, Deficiencies from DOH Inspections*. The deficiencies were omission of hazardous substance Right to Know survey, failure to return completed Right to Know survey, failure to label all containers, failure to establish and maintain a central file with substance list, failure to establish and main a central file with SDS sheets, failure to provide annual refresher in hazardous materials training and failure to assess for hazardous conditions and provide written hazard assessments. Mr. Horn reported that almost all items have been abated with the exception of the training on the hazard assessments which will be completed at the scheduled safety meeting on September 10th.

Public Comment.

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

Adjournment.

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The meeting adjourned at 8:11 p.m. with a motion made by Mr. Uhl 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 October 15, 2024.