



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Reorganization & Regular Meeting

February 4, 2025, 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

Statement of Compliance with OPMA

The meeting was called to order at 6:04 p.m. with the Open Public Meetings Act, by adoption of *Resolution 006-2024* setting forth meeting dates for 2024-2025. Notification was published on Thursday, 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 (left meeting early at 6:48 p.m.), Helen Pettit-Member, Holly Havens-Alternate I, Robert Dahl-Alternate II

Also Present: Thomas F. Horn, P.E.-Executive Director, Kathy Leary-CFO, David Rose, Operations Supervisor, Diane Alexander, Esq. of Maraziti Falcon, LLP, Andrew Nowick-City of Lambertville Mayor

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.

Minutes.

1. The corrected minutes from January 7, 2025, Regular Session were approved in a motion made by Ms. Pettit and seconded by Mr. Rotondi and followed by a unanimous roll call vote 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					
Jacqueline Middleton				X		
Helen Pettit	X					
Holly Havens					X	

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization-Regular Meeting
February 4, 2025, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 2

Robert Dahl

X

Oath of Office.

At the annual reorganization meeting held on January 2, 2025, the City of Lambertville re-appointed Vincent Uhl as Member and appointed Robert Dahl as Alternate II of the LMUA Board.

Vincent Uhl's oath of office for a five-year term as Member, expiring 02/01/2030 was administered by Ms. Alexander.

Jacqueline Middleton's oath of office to fill the unexpired five-year term as Member, expiring 02/01/2026, was administered by Ms. Alexander.

Holly Haven's oath of office to fill the unexpired five-year term as Alternate I, expiring 02/01/2026, was administered by Ms. Alexander.

Robert Dahl's oath of office to fill the unexpired five-year term as Alternate II, expiring 02/01/2027, was administered by Ms. Alexander.

Mrs. MacGregor welcomed Mr. Dahl to the Board and then welcomed Mayor Nowick and David Rose, Operations Supervisor.

Mr. Dahl introduced himself to the Board and the staff of the Lambertville MUA. Then briefly described his past civic involvement that included Lambertville Board of Education and his small business that does GIS mapping.

Reorganization

Election of Authority Positions

Ms. Alexander requested nominations for the position of Chairperson of the Board. Ms. Middleton nominated and moved to approve Mrs. MacGregor for Chairperson. Seeing no other nominations, Ms. Pettit seconded the motion. A unanimous voice vote was taken in favor by all members present.

MOTION CARRIED

1. Resolution 002-2025 *Appointment of Chairperson*

WHEREAS, Janine MacGregor 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 Janine MacGregor as Chairperson for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Motion: Ms. Middleton

Second: Ms. Pettit

Governing Body Member	<u>Voice 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	
Robert Dahl				X	

At this time Mrs. MacGregor made the Board aware that Mr. Uhl would be stepping down as Vice Chairperson and she would like to nominate Helen Pettit as Vice Chairperson.

2. Resolution 003-2025 *Appointment of Vice Chairperson*

WHEREAS, Helen Pettit 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 Helen Pettit as Vice Chairperson for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Motion: Mrs. MacGregor

Second: Mr. Rotondi

Governing Body	<u>Voice Vote:</u>
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LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
 Reorganization-Regular Meeting
 February 4, 2025, 6:00 pm
 Held In Person/ Conference Call
 Minutes, Page 4

Member	Aye	Nay	Abstain	Not Voting	Not Present
Janine MacGregor	X				
Vincent Uhl	X				
Paul Rotondi	X				
Jacqueline Middleton	X				
Helen Pettit	X				
Holly Havens				X	
Robert Dahl				X	

3. Mrs. MacGregor moved to approve **Resolutions 004-2025 through 005-2025** as written in the packet. Seeing no other nominations, Ms. Pettit seconded the motion. A unanimous voice vote was taken in favor by all members present. MOTION CARRIED

Motion: Mrs. MacGregor
Second: Ms. Pettit

Governing Body Member	<u>Voice 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	
Robert Dahl				X	

4. Resolution 004-2025 *Appointment 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 (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

5. Resolution 005-2025 *Appointment of Treasurer*

WHEREAS, Paul Rotondi 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 Paul Rotondi as Treasurer for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

Resolutions 006-2025 Through 014-2025

Ms. Pettit moved to approve **Resolutions 006-2025 through 014-2025** as written. Mrs. MacGregor then asked if any member would like to remove any of the resolutions to be voted on separately. Hearing none, Mr. Uhl seconded the motion. A unanimous roll call vote was taken in favor by all members present. MOTION CARRIED

Governing Body Member	Roll Call 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	
Robert Dahl				X	

1. Resolution 006-2025 “Establishing 2025-26 Board Meeting Schedule and Designating Official Newspapers”

BE IT RESOLVED by the Lambertville Municipal Utilities Authority (the “Authority”) that the following matters are hereby determined in accordance with the provisions of the Open Public Meetings Act, N. J. S. A. 10-4-6 et seq.

1. The regular meetings of the Lambertville Municipal Utilities Authority to be held during the period from February 4, 2025 through February 3, 2026 are to be held at the Authority’s office located at 3 Bridge Street, Lambertville New Jersey at 6:00 p.m. on the first Tuesday of the month unless otherwise advertised on the dates set forth below:

March 4, 2025	September 2, 2025
April 1, 2025	October 7, 2025
May 6, 2025	November 4, 2025

June 3, 2025
July (time to be determined)
August 5, 2025

December 2, 2025
January 6, 2026
February 3, 2026

2. The “*Hunterdon County Democrat*”, be designated as the official newspaper and that official notices may also be published in the daily newspaper, “*The Trenton Times*” to meet time requirements pursuant to N.J.S.A. 40:53-1 et seq.
 3. A certified copy of this resolution shall, within seven (7) days of its adoption, be posted, until modified, in the office of the Authority at 3 Bridge Street, Lambertville, New Jersey, the Authority’s web site, and provided to the Lambertville City Clerk’s office.
 4. This resolution shall take immediate effect.
2. Resolution 007-2025 “*Appointing Melissa Parsons as the Custodian of Records and Recording Secretary to the Board*”

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoint Melissa Parsons as Custodian of Records and Recording Secretary to the Board for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

3. Resolution 008-2025 “*Designating Kathy Leary as Custodian of Funds*”

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that Kathy Leary be designated as Custodian of all funds for the Authority for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

4. Resolution 009-2025 “*Designation of Official Depository*”

WHEREAS, section N.J.S.A. 40A:5-14 of New Jersey Administrative Code requires that each public agency shall annually adopt a cash management plan designating official depositories being in this State and organized under the laws of the United States; and

WHEREAS, the official depository shall file with the Chief Financial Officer a statement indicating that the bank is a public depository as defined by the Governmental Unit Deposit Protection Act N.J.S.A. 17:9-41.

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

1. Subject to receipt of public depository documentation as required by N.J.S.A. 17:9-41, the following bank shall be allowed to be used as the depository for all Lambertville Municipal Utilities Authority funds:

Bank of Princeton

5. Resolution 010-2025 “*Authorizing Signatures on Authority Bank Accounts*”

WHEREAS, on February 4, 2025, the Commissioners (“Commissioners”) of the Lambertville Municipal Utilities Authority (“Authority”) met to hold the annual reorganization of the Authority; and

WHEREAS, it is necessary to authorize signatories for all checks and other withdrawals from Authority bank accounts for the period running from February 4, 2025, through February 3, 2026; and

WHEREAS, the Commissioners wish to designate certain Authority personnel to be authorized signatories on all checks and other withdrawals from Authority bank accounts for one year; and

WHEREAS, the Commissioners also wish to designate certain officers of the Board of Commissioners to be authorized signatories for the Authority's Improvement and Operating Accounts for one year;

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Lambertville Utilities Authority that the authorized signatories on checks and withdrawals from Authority bank accounts during the period running from February 4, 2025, through February 3, 2026, shall be as follows:

1. Authorized Signatories on the Collection Account shall be:
CFO Kathy Leary, or
Executive Director Thomas F. Horn; and
2. Authorized Signatories on the Payroll Account shall be:
CFO Kathy Leary,
Executive Director Thomas F. Horn
Administrative Assistant Melissa Parsons; and

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization-Regular Meeting
February 4, 2025, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 8

3. Authorized Signatories on the Bank of Princeton Authority Improvement Savings Account shall be:
CFO Kathy Leary, or
Executive Director Thomas F. Horn; and
4. In addition to the above-named Authorized Signatories, two (2) of the following Officers of the Board of Commissioners shall be required for withdrawals of funds from the Authority's Improvement and Operating Accounts, whereby one Authorized Signatory shall be either the Chairperson or the Vice Chairperson, and the second Authorized Signatory shall be either the Secretary or the Treasurer:

Chairperson Janine MacGregor
Vice Chairperson Helen Pettit
Secretary Jacqueline Middleton
Treasurer Paul Rotondi

5. This Resolution shall be effective immediately upon adoption.
6. Resolution 011-2025 "*Appointing Certifying Officer for PERS and Supervisor of the Certifying Officer*"

WHEREAS, under the procedures of the New Jersey Division of Pensions and Benefits there states a requirement to designate a Certifying Officer for PERS and a Supervisor to the Certifying Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority that Kathy Leary, CFO is hereby appointed as Certifying Officer for Public Employees Retirement System and Thomas F. Horn, Executive Director is hereby appointed as Supervisor to the Certifying Officer for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

7. Resolution 012-2025 "*Appointing 2025 JIF Representatives*"

WHEREAS, pursuant to New Jersey Joint Utilities Authority Law each participating Utility Authority shall appoint one Commissioner and one Safety Coordinator. In addition, each member may appoint one alternate to attend either regular or special meetings on behalf of the Utility Authority in the absence of the Joint Insurance Fund ("JIF") Commissioner and one Alternate Safety Coordinator; and

WHEREAS, the JIF Commissioner is authorized to cast one vote and endorse all necessary paperwork pertaining to the fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Thomas F. Horn, P.E. as the JIF Commissioner and Safety Coordinator and Melissa S. Parsons as the JIF Alternate Commissioner and Alternate Safety Coordinator for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

8. Resolution 013-2025 “*Resolution to Appoint the Personnel Officers*”

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby appoints Helen Pettit and Janine MacGregor as Personnel Officers for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

9. Resolution 014-2025 “*Authorizing Thomas F. Horn to endorse all New Jersey Department of Environmental Protection forms, NJPDES Permit, Sludge Permits, Sewer Extension Permits and all other permits*”

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Lambertville Municipal Utilities Authority hereby authorizes Thomas F. Horn to endorse all New Jersey Department of Environmental Protection forms, NJPDES Permit, Sludge Permits, Sewer Extension Permits and all other permits for a term of one (1) year.

The Resolution shall be effective immediately upon adoption.

Appoint Professionals: Contracts awarded by “Fair & Open Process” through March 1, 2026

Ms. Pettit reviewed the Bid Tabulation worksheet with the Board showing the 2024 & 2025 blended rates with the associated tasks for each professional service through March 1, 2026. Mr. Horn and Ms. Pettit reviewed all the submitted proposals prior to the meeting to check for conformance and qualifications. Mr. Horn had requested reimbursable costs from Van Cleef as they were the lowest bidder for Special Projects Engineer. Unfortunately, there has been no reply and at this time the Board decided not to award a contract for Special Projects Engineer.

Mrs. MacGregor requested a motion to amend **Resolution 015-2025 to authorize a contract for Authority Engineer only and to approve Resolution 016-2025 through 020-2025** as written.

MOVED: Ms. Pettit
SECOND: Mr. Uhl

Governing Body Member	<u>Roll Call 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	
Rober Dahl				X	

1. Resolution 015-2025 Authorizing Professional Service Contracts for Engineer

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 that it retain the services of Professional Engineer to serve as Authority Engineer; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process proposals were received on December 19, 2024, for Authority Engineer; and

WHEREAS, the proposals and documentation have been reviewed and Carroll Engineering has been determined to be qualified and their proposals have been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Authority’s CFO has certified that funds are available for this contract.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with the following:
 - a. Carroll Engineering of New Jersey to serve as Authority Engineer based upon hourly rates of: \$130.00-\$170.00 and a blended hourly rate per task of \$147.75-\$156.50, as specified in the proposal through March 1, 2026;

- b. Funding for services of the Authority Engineer is hereby authorized in an amount Not to Exceed \$20,000.
2. The contract amounts shall be reflected in the Fiscal Year 2026 Budget.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

2. Resolution 016-2024 *“Authorizing Professional Service Contracts for Auditor and Special Projects Auditor”*

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 that it retain the services of Professional Auditors to serve as Auditor and Special Projects Auditor; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process proposals were received on December 19, 2024, for Auditor and Special Projects Auditor; and

WHEREAS, the proposals and documentation have been reviewed and Suplee Clooney & Company and Bowman & Company have been determined to be qualified and their proposals have been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Executive Director recommends Suplee Clooney & Company, LLP to serve as Auditor; and

WHEREAS, the Executive Director recommends Bowman & Company, LLP to serve as Special Projects Auditor; and

WHEREAS, the Authority’s CFO has certified that funds are available for these contracts.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with the following individuals for the period through March 1, 2026.

- a. Robert J. Butvilla of Suplee, Clooney & Company, to serve as Auditor not to exceed \$150.00 blended hourly rate and a set fee of \$29,700.00 to complete the Statutory Audit as specified in the proposal.
 - b. Carol A. McAllister of Bowman & Company, LLP to serve as the Special Projects Auditor not to exceed a blended hourly rate range of \$258.75-\$315.00 as specified in the proposal.
2. The combined total amount for all Auditing services in an amount not to exceed \$36,000.00 is hereby authorized and shall be reflected in the Fiscal Year 2026 Budget.
 3. The Authority shall publish notice of this action as required by law.
 4. The Resolution shall be effective immediately upon adoption.

3. Resolution 017-2025 Authorizing Professional Service Contract for Financial Advisor

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 a need to acquire financial services; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process proposals were received on December 19, 2024, for Financial Advisor; and

WHEREAS, the proposals and documentation have been reviewed and Acacia Financial Group has been determined to be qualified and their proposal has been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Authority’s CFO has certified that funds are available for this contract.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with Acacia Financial Group to serve as Financial Advisor with a blended hourly rate range of \$95.00-\$150.00, a blended hourly rate \$131.50 and a not to exceed fee of \$3,500 for NJ I-Bank loan to be issued as specified in the proposal for the period through March 1, 2026.
2. Funding in the amount not to exceed \$ 10,000.00 is hereby authorized and shall be reflected in the Fiscal Year 2026 Budget.

3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

4. **Resolution 018-2025** “*Authorizing Professional Service Contract for Legal/ Labor Attorney*”

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 that it retain the services of Professional Attorneys to serve as Authority Attorney & Labor Attorney; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, the Authority issued a Request for Proposals for Authority Attorney & Labor Attorney which specified that legal services must be performed by a licensed attorney with no less than 5 years of experience; and

WHEREAS, pursuant to the Fair and Open Process bids were received on December 19, 2024, for Authority Legal/ Labor Attorney; and

WHEREAS, the proposals and documentation have been reviewed and Maraziti Falcon, LLP and Hatfield Schwartz Law Group, LLC have been determined to be qualified and their proposals have been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Executive Director recommends Diane Alexander of Maraziti Falcon, LLP to serve as Authority Attorney; and

WHEREAS, the Executive Director recommends Kathryn Hatfield of Hatfield Schwartz Law Group, LLC to serve as Labor Attorney; and

WHEREAS, the Authority’s CFO has certified that funds are available for this contract.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with the following individuals for a twelve-month (12) contract period from March 1, 2025 through March 1, 2026.

- a. Diane Alexander of Maraziti Falcon, LLP, to serve as Authority Attorney not to exceed a blended hourly rate of \$220.00 as specified in their proposal.
 - b. Kathryn Hatfield of Hatfield Schwartz Law Group, to serve as Labor Attorney based upon hourly rates ranging from \$195.00-\$100.00 as specified in their proposal.
2. The combined total amount for all Legal services is hereby authorized in an amount not to exceed \$ 16,000.00 and shall be reflected in the Fiscal Year 2026 Budget.
 3. The Authority shall publish notice of this action as required by law.
 4. The Resolution shall be effective immediately upon adoption.

5. Resolution 019-2025 *Authorizing Professional Service Contract for Bond Counsel*

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 that it retain the services of a Professional Attorney to serve as Bond Counsel; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process proposals were received on December 19, 2024, for Bond Counsel; and

WHEREAS, the proposals and documentation have been reviewed and the Executive Director has reviewed the Authority's prior experience with the firms submitting proposals and McManimon, Scotland & Baumann has been determined to be qualified and their proposal has been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Authority’s CFO has certified that funds are available for this contract.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with McManimon, Scotland & Baumann to serve as Bond Counsel for the following not to exceed amounts per NJ I-Bank bond issued as specified in their proposal through March 1, 2025:
 - a. Short Term Bond Fee: \$1.00 per \$1,000.00 and Short-Term Closing Fee: \$7,500.00

- b. Long Term Bond Fee: \$1.10 per \$1,000.00 and Long-Term Closing Fee: \$25,000.00
2. The Authority shall publish notice of this action as required by law.
3. The Resolution shall be effective immediately upon adoption.

6. Resolution 020-2025 *Authorizing Professional Service Contract for Risk Manager*

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 that it retain the services of Risk Manager; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS, pursuant to the Fair and Open Process bids were received on December 19, 2024, for Risk Manager; and

WHEREAS, the proposal and documentation have been reviewed and the Executive Director has reviewed the Authority's prior experience with the firm submitting the proposal and CBIZ Borden Perlman has been determined to be qualified and their proposal has been determined to be the most advantageous to the Authority based upon price and other pertinent considerations; and

WHEREAS, the Authority’s CFO has certified that funds are available for this contract.

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

1. Thomas F. Horn is hereby authorized and directed to execute an agreement with CBIZ Borden Perlman to serve as Risk Manager, not to exceed five percent (5%) of Authority’s annual assessment as stipulated by the New Jersey Municipal Utility Joint Insurance Fund and per their proposal for the period through March 1, 2026.
2. Funding for this contract is hereby authorized in an amount not to exceed \$3,395.00.
3. The Authority shall publish notice of this action as required by law.
4. The Resolution shall be effective immediately upon adoption.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization-Regular Meeting
February 4, 2025, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 16

Mrs. MacGregor announced that all reorganization business has been concluded and requested a motion to close the reorganization portion of the meeting and move on to the regular session of this meeting at 6:20 p.m.

MOVED: Ms. Middleton
SECOND: Mr. Rotondi

Governing Body Member	<u>Voice 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	
Robert Dahl				X	

Resume Regular Meeting

Personnel Planning & Staffing.

Mrs. MacGregor opened the Regular Meeting business. She stated that the Board needs to take up the year-end bonuses for Thomas Horn, Executive Director, and David Rose, Operations Supervisor which were tabled in December and January. She requested the sense of the Board on these year-end bonuses. Ms. Pettit stated that the June 26, 2024, PAA incident has significant financial and other impacts on the City and other emergency personnel, and it triggered rebukes from the Lambertville Police and Emergency Responders. It would reflect poorly on LMUA if the Board didn't abandon or significantly reduce the end-of-year bonuses for Mr. Rose and Mr. Horn. Mrs. MacGregor and Mr. Rotondi both agreed with Ms. Pettit. Mrs. MacGregor recognized the hard work that both Mr. Horn and Mr. Rose do, but between the events leading up to that night and the night of the event they were both found to be uncooperative towards the investigation. At that time the Board gave both Mr. Rose and Mr. Horn a chance to respond and give the Board their opinion. Mr. Horn stated that he admitted that it was not handled the best way, and he respected the Board's decision. Mr. Rose indicated he had no comments.

Therefore, no action was taken on Resolutions 021-2025 and 022-2025 as presented in the Agenda.

Chairperson's Report.

1. Fire Department Bill: Mrs. MacGregor discussed the City of Lambertville Fire District #1 bill that was received October 29, 2024, for the services rendered on the June 26, 2024, Peracetic

Acid Incident. The bill included Federal Emergency Management Agency (FEMA) rates for capital equipment, suppression equipment, consumables and overtime for 18 personnel. The Board had appointed a subcommittee to take a look at the bill and review it in detail to figure out what the LMUA was obligated to pay for, if there were any prior payment agreements as well as reviewing our shared services agreement. The subcommittee members, Mr. Rotondi and Mr. Uhl, had reached out to request back-up information in December and the Subcommittee made it clear that we were working on the issue, and, as there were no due dates on the bill, we felt we were acting in good faith. However, on January 29th the Fire Department sent the Subcommittee an email stating that the Fire Department “immediately terminated our partnerships for all training, administrative assistance, and confined space stand-bys.” “The services previously offered at no charge to the LMUA are now void.” The Board discussed the impact of this email and what it would mean to the City if our two organizations would not be willing to cooperate with each other.

Due to these circumstances, Mrs. MacGregor, drafted a letter to the Fire Department, and urged them to reconsider their approach as it would have an impact on public safety and the environment. She advised them that 60-day notice to terminate would be required as per the shared services agreement.

At this time Mrs. MacGregor recommended that the LMUA approve the payment of the Fire Department bill as to hopefully move forward from the PAA incident and reconcile with the Fire Department.

Mr. Horn then said in relation to this issue, the Fire Department bill should be covered by our insurance through the Environmental Joint Insurance Fund. The adjuster is reviewing the claim and has noted that they will cover costs but not legal fees.

(New) RESOLUTION 021-2025 AUTHORIZING PAYMENT OF FIRE DISTRICT NO. 1 INVOICE

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

1. The Executive Director is hereby authorized and directed to pay the invoice submitted by the City of Lambertville Fire District #1 dated October 29, 2024, in the amount of \$21,833.24.
2. The Executive Director, staff and consultants are authorized to take all appropriate actions to effectuate the terms of this Resolution.
3. This Resolution is effective immediately and in accordance with applicable laws.

Certification of Funds

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization-Regular Meeting
February 4, 2025, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 18

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available in the 2025 Capital Budget under Fund 16.

Kathy Leary,
 Chief Financial Officer
 Lambertville Municipal Utilities Authority
 Dated: February 4, 2025

Motion: Ms. Pettit
 Second: Ms. Middleton

Governing Body Member	<u>Voice 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	
Robert Dahl				X	

Correspondence.

1. Capacity Verification: In a letter dated January 17, 2025, capacity was re-verified for the proposed addition to the rear of the dwelling that would add an additional full bathroom and one-half bathroom at 58 Delevan Street.
2. Riverwalk Billing Adjustment: In a letter dated January 27, 2025, notice was given to the owner of 199 S. Main Street, Lambertville of a billing change based on the Use Inspection that took place on January 17, 2025. During the inspection, it was found that the Lambertville MUA was improperly under-billing the property based on the total square footage of the two buildings. The buildings were found to be mixed commercial with no residential use. A total of 4 Equivalent Dwelling Units were added and one residential unit was removed.

Executive Directors Report-Thomas Horn.

1. **Memo: Personnel Planning & Staffing Continued.** Ms. Pettit and Mr. Horn updated the Board on their progress with the Executive Director advertisement. Ms. Pettit has been working on the job requirements with the advertisement. There was a discussion on the different platforms and organizations that the LMUA could utilize for advertising.

- 2. Memo: Personnel Safety & Operations Update.** Mr. Horn reported that they did have a safety meeting on January 7th and from the meeting they had determined the safety pressure switch for the press was not installed correctly. Mr. Rose has found material to help with slippery surfaces. The operations staff have two safety videos to watch this month including Lock Out/ Tag Out and Respiratory Protection.

Staff replaced the discharge hose at N. Union Street pump station this past month.

Weekly cleaning of chlorine contact tanks has helped to keep the surface clear.

The primary clarifier tank pumps were having difficulty pumping and removing sludge to the holding tank. During this time, Mr. Horn contracted a company to vacuum the sludge from the clarifier to transfer it into the holding tank. A collection mechanism or flight in the tank broke at the same time. The broken mechanism was repaired.

The Plant NJPDES Permit Review: The final draft review period ends at the end of the week. Mr. Horn confirmed that the only change is the weekly testing of the Dissolved Oxygen (DO) limit.

EJIF Review of Emergency Belt Filter Press Repairs: The LMUA is still waiting on the final insurance determination of coverage for the costs of hauling and incinerating sludge while the belt press was out of service.

Mrs. MacGregor asked Mr. Rose how the operations staff are doing with the required safety training. Mr. Rose confirmed that they do engage and pay attention to training, however the training can be very redundant. There was a discussion on possibly offering safety training incentives to the operations staff to complete the requirements. The Board agreed that there could be quarterly luncheons given as an incentive.

Suplee Clooney is working on the annual audit of fiscal year 2024.

The backflow permit was renewed as required annually.

The Capital Budget will be sent in time to review before the March meeting.

- 3. Memo: Capital Projects Status:** Mr. Horn updated the Board on the ongoing project status.

Coryell and Swan P.S. Upgrades: Our consultant from EPIC had a meeting with the I-Bank and NJDEP to review pump station upgrades. 60% complete designs for Coryell pump station are expected by the end of the month. Mr. Horn had reached out to the neighboring property owners to begin the process for an easement agreement. There was a kick-off meeting on January 30th

for Swan pump station and preliminary designs are expected soon. Closing for the short-term loans cannot be scheduled until NJDEP approves the design proposals.

Waste Water Treatment Plant Upgrades: EPIC has contracted for the Project Report needed and a kickoff meeting was held January 9th. The draft report is expected by mid-February. Mr. Horn had solicited proposals from two additional engineering firms besides Carroll Engineering for the design work and the proposals are due February 25th.

Building Resilient Infrastructure and Communities (BRIC) Grant: Mr. Horn had started an application for a BRIC grant from FEMA. Mr. Horn shared that the LMUA may also be eligible for a Flood Mitigation Assistance program because we have flood insurance through FEMA for Coryell and Swan pump stations. Mr. Horn explained that the City would have to submit on the LMUA's behalf as we do not have a separate annex in the County's Hazard Mitigation Plan.

North Union P.S.: Demo of the pump station is anticipated to begin in March.

4. Wastewater Treatment Plant Effluent Data:

The Board reviewed the spreadsheet prepared by Mr. Horn showing the testing data for the last half of 2024 and January of this year. The data showed no permit exceedances.

5. 10 Year Pro-Forma Cash Flow Spreadsheet:

Acacia had finished their update to the spreadsheet that shows a 10-year actual and projected cash flow from 2020 through 2038. The Board reviewed the updated numbers with the anticipated debt service, expenses and revenues. Mr. Uhl would like to see more accurate revenue projections as there will need to be more than a 2% increase once the LMUA is responsible for the next round of debt service.

6. Elected Officials Training: Due May 31st:

The Board had received emails advising them that the 2024-2025 Elected Officials Risk Management training course was available on the NJ UAJIF's website. Each Board member has an opportunity to complete the training by May 31st to receive a credit towards our upcoming insurance premium.

7. Chief Financial Officer's Report.

Ms. Leary reported nothing out of the ordinary for bills this month. Mr. Horn confirmed that the LMUA does anticipate a reimbursement from FEMA in an amount of \$114,700.74 which will be deposited in the Capital Account for expenses already paid out for the N. Union pump station replacement project.

Mr. Rotondi made a motion to approve the bill list for January 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:		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				
Robert Dahl				X	

8. Memo: Proposal for Peracetic Acid (PAA) Disinfection Evaluation:

Mr. Horn wanted to follow up with the Board on Van Cleef Engineering’s proposal, dated August 30, 2024, to implement a study to use PAA for disinfection at the treatment plant. As mentioned previously, Biosafe, supplier for PAA has conducted a bench scale test on some effluent samples taken at the plant and PAA was found to be effective in disinfection. Mr. Horn noted that there are a number of wastewater treatment plants in New Jersey that are using PAA for disinfection.

To determine if this will work, a true plant test would need to be performed. There needs to be a temporary change to our discharge permit with NJDEP to allow for the study. There was a discussion on the LMUA’s current chlorine limits and currently the plant does meet the effluent limits on residual chlorine. Using PAA would eliminate chlorine produced chloramines. Mr. Horn noted that there would also be cost savings as the LMUA could replace two chemicals for one for disinfection. Since the Covid outbreak, the costs of sodium hypochlorite and sodium bisulfite have risen to almost 300%.

Mr. Horn agreed that there are legitimate safety concerns as shown after the June 26th incident at the plant. He did not get as involved as he should have been with the original implementation and training of PAA when it was used at the head of the plant.

Van Cleef’s proposal includes the setting up of the chemical in a tote with self-containment, all test equipment, and sampling. Mr. Horn recommended not doing the study during the summer months so that heat is not a safety concern.

Mrs. MacGregor spoke about the significance of having safety protocols, training, and standard operation procedures in place before we test or use the PAA. The Board would like Van Cleef to include safety training and the development of standard operating procedures in an updated

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization-Regular Meeting
February 4, 2025, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 22

proposal. The Board would like to know whether all equipment is supplied. The staff need to be involved the whole time, and we need to get their input before the Board considers the proposal. The Board would like Mr. Horn to set up a visit by a couple of our operators to another plant that is currently using PAA. The Board would like Mr. Horn to request some standard operating procedures used by other wastewater plants. Mr. Horn will keep this issue on the monthly safety meeting agenda and discuss the possible test with the operators to see what concerns and questions they would have. The testing would need to be done with VanCleeef's personnel and their equipment with our operators overseeing the process.

Resolution 023-2025 was not acted on at this time.

Attorney Report.

Ms. Alexander did not have a report.

Public Comment.

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

Adjournment.

The meeting adjourned at 7:58 p.m. with a motion made by Mr. Uhl seconded by Ms. Pettit 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 March 4, 2025.