



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Regular Meeting

November 4, 2025, 6:00 pm

Lambertville Wastewater Treatment Facility,

3 Bridge Street, Lambertville, NJ

Minutes for Meeting Held in Person & Conference Call

Call In # 978-990-5000 Access Code: 2646329

#2

STATEMENT OF COMPLIANCE WITH OPMA.

This meeting was called to order at 6:06 p.m. in compliance with the Open Public Meetings Act, by adoption of *Resolution 006-2025* setting forth meeting dates for 2025-2026. Notification was published on Thursday, October 29, 2025, to 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, Helen Pettit -Vice Chairperson, Holly Havens-Treasurer, David Burd-Secretary, Robert Dahl-Member, Emily Nanneman-Alternate II

Absent: Matthew Hoyle-Alternate I

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

AGENDA, ETC.

1. Agenda updated & posted on the LMUA website.

MINUTES.

2. The minutes from October 7, 2025, Regular & Closed Sessions were approved in a motion made by Ms. Pettit and seconded by Mr. Burd and followed by a unanimous roll call vote by all members present except Mrs. MacGregor who abstained as she was absent. MOTION CARRIED

Governing Body Member	Recorded Vote:		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor			X		
Helen Pettit	X				
Holly Havens	X				
David Burd	X				
Robert Dahl	X				
Matthew Hoyle					X
Emily Nanneman				X	

CHAIRPERSON'S REPORT.

Mrs. MacGregor took a moment to thank Ms. Pettit for taking over as Chair of the October 7th meeting and that she understood Ms. Pettit had done a great job especially considering the difficult issue that needed to be addressed at that time.

3. Discussion on Resolution 063-11-2025:

Mrs. MacGregor stated that it was at that time of the year to consider giving Thanksgiving Turkeys to the LMUA employees in acknowledgment of their hard work and service throughout the year.

Resolution 063-11-2025 Approving Thanksgiving Turkeys for LMUA Employees

WHEREAS, the Lambertville Municipal Utilities Authority ("Authority") would like to recognize 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: Mr. Burd
Second: Ms. Pettit

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available under Line-Item *Miscellaneous Expenses* of the Operating Account.

/s/ Kathy Leary
Chief Financial Officer
Lambertville Municipal Utilities Authority
Dated: November 4, 2025

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Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Helen Pettit	X				
Holly Havens	X				
David Burd	X				
Robert Dahl	X				
Matthew Hoyle					X
Emily Nanneman				X	

EXECUTIVE DIRECTOR'S REPORT-THOMAS HORN.

4. Correspondence.

- 4.1. Capacity Verification for 72 Delaware Avenue, Lambertville, NJ: In a letter dated October 17, 2025, Mr. Horn confirmed sufficient treatment plant capacity for the proposed addition of an office/ home gym with one (1) full bathroom to be located on the second-floor addition of an existing one story, detached garage. He further confirmed that this approval is only if the property is never subdivided. Ms. Pettit asked how the LMUA determines if a property is subdividable as all capacity determinations need be made in an equitable manner. There was a question on how clear the LMUA's current Rules and Regulations are. Mr. Horn does recommend reviewing our rules and regulations on this matter. The Board decided the best course of action would be to track possible recommended changes to rules and regulations.

5. Memo: Personnel Safety & Operations Update.

Mr. Horn updated the Board on normal operations of the plant and collections system. The three operators have stepped up since the LMUA has two less operation employees since October 24th. Mr. Ingenito has been supervising operations directly during this time.

With the PAA Demo now finished, the LMUA has returned to hypochlorite and bisulfite for disinfection treatment. Mr. Horn then reviewed the Demo results under item number 6 on the Agenda.

6. Memo: Peracetic Acid ("PAA") Pilot Study Evaluation.

The LMUA has been conducting a pilot study for the use of PAA as a disinfection treatment which began on May 12th and continued through August 19th. On September 10th we moved the location of the PAA feed to the effluent line of the secondary clarifiers and monitored the PAA residual at various locations until September 29th when the PAA was decommissioned.

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Van Cleef Engineering prepared a summary report on the pilot study and results which indicated that more investigation would be needed to determine why PAA was not successful. Mr. Horn stated that they were unable to give a direct cause as to why PAA didn't work at our facility to meet our requirements. The LMUA may wish to revisit this in the future, should the limits become stricter on Chlorine Produced Oxidants.

5. Memo: Personnel Safety & Operations Update Continued.

Mr. Horn has been teaching Mr. Ingenito how to use the testers for the biofilter and carbon units.

The next safety training course will be on the updated Emergency Response Plan. A tabletop exercise will be conducted this month. The Board discussed the importance of training personnel on the new plan as well as conducting joint training with all City departments.

The weekly cleaning of the chlorine contact tanks has been continued to keep the surface clear.

Environmental Joint Insurance Fund (EJIF) Review of PAA Emergency claim of June 26, 2024: Mr. Horn submitted the required paperwork to the EJIF, and we are now waiting for claim approval and disbursement.

One Water has installed the Discharge Monitoring Report (DMR) reporting tool, which has been working correctly.

Mrs. MacGregor stated it is the Board's responsibility to ensure that the plant has everything it needs to operate and asked if there was anything more the Board could do. Mr. Horn explained the three guys are working together in handling sufficient coverage of operations. The Assistant Operator position has been advertised but there are several other treatment plants with open positions. Mr. Ingenito has been looking into the salary and benefits package currently offered and may recommend some changes to the current salary structure to allow for a more competitive entry level position. Mr. Ingenito explained that the LMUA is currently one step away from him coming in to fill operationally. He should have completed his recommended salary and title schedule changes by Thanksgiving.

The Board would like Mr. Ingenito to contact a couple of companies that provide operators that could confirm their availability, and pricing should there be an emergency. The companies would be hired like any other service provider. Should there be a possibility of reaching the bid limit, the job would be bid out formally.

The Board discussed the possibility of a shared services agreement with another Municipal Utilities Authority (MUA). As Mr. Ingenito stated earlier, there are a few other MUA's who are looking to hire operators and that might not be an option.

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Ms. Havens asked if the LMUA could look to hire operators from the local Vo-Tech. School. Hunterdon Poly-Tech. has had issues with running classes on time due to low enrollment. Mr. Ingenito confirmed he has spoken with some of the operators from Somerset Raritan SA to fill any operational need in an emergency.

5.1 Wastewater Treatment Plant Effluent Data.

The Board reviewed the data shown on the DMR spreadsheet showing all testing data is within our permit limits.

7. Peracetic Acid Peracetic Acid (“PAA”) Incident:

The LMUA has contracted garbage pickup with Republic Services which are currently picking up both the regular trash and the grit and screenings dumpsters. The Board reviewed the monthly costs of weekly trash pickup and confirmed they were comparable.

7.1 DPW Update (Verbal):

Mr. Horn followed up with City of Lambertville Department of Public Works, and they have confirmed that both injured staff members have returned to normal work duties.

7.2 Personnel Issues Update:

On October 24, 2025, Mr. Ingenito completed his investigation into the PAA incident of September 30, 2025, which involved Mr. Rose and Mr. Conner. The investigation concluded that their actions and inactions on that day were sufficiently egregious as they did not follow safety standards and procedures when decommissioning the PAA chemical. This warranted their termination effective October 24, 2025.

NJ Department of Health performed an inspection of our facility and paperwork on October 16, 2025. The inspector found all paperwork including safety training records, policies and standard operating procedures to be in compliance with regulations. We are waiting on the final report.

8. Memo: Capital Projects Update:

Swan Street Sewer Evaluation

Engineering- A full engineering evaluation was approved by the Board at the August 5th meeting. The first dry weather inspections were conducted, and Carroll Engineering has begun reviewing the TV inspection footage. A full report on recommendations will be made once they have completed the wet weather inspection.

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Ms. Pettit would like to see a project summary spreadsheet with dates and the trackable status of each project item.

N. Union Street P.S.

Construction-The vault, wet well and platform, building and generator have been installed. Mechanical work is done, and electric work is ongoing. The biggest hurdle now is scheduling electric and gas service to the building. There have been delays with the electricity company due to storm events. The updated estimated completion time frame is by the end of November. Mr. Horn explained the LMUA can go after the contractor for liquidated damages due to the project completion being delayed. However, the contractor also has some costs regarding delayed equipment that he can submit for.

Financing- 90% of the project cost is reimbursed by FEMA. There is a short-term N.J. Infrastructure Bank ("NJ-I Bank") loan to cover costs as they are submitted.

Wastewater Treatment Plant:

Engineering- Colliers Engineering should have completed the 50-60% complete design drawings by the end of the month.

Environmental Policy Innovation Center ("EPIC")- has submitted the Project Report to NJ DEP for review.

Permitting & Approvals- Air permits, TWA permits and Land Use permits are required.

Historic Review Compliance- Historic Preservation Office and Lambertville Historic Preservation Commission will require reviews.

Swan Street P.S.

Engineering- Carroll Engineering has submitted 90% complete design drawings.

Environmental Policy Innovation Center ("EPIC")- Funded report has received comments from NJ DEP. The I-Bank needs to review and approve the comments. NJ DEP has lumped together Swan Street and Coryell Street Pump Station Projects together under one project identification. Mr. Horn has requested NJ DEP to separate the two as Coryell will take a lot longer to complete due to the Stage II Cultural Review. This project may be ready to bid by the end of the year.

NJ Infrastructure Bank ("NJ-I Bank")- NJ DEP provided comments and a response by Carroll Engineering was submitted.

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Permitting & Approvals- Lambertville Planning Board requires courtesy review. Mr. Horn is working with Ms. Alexander's office to schedule the review.

Coryell Street P.S.

Engineering- Carroll Engineering has submitted complete design drawings.

Environmental Policy Innovation Center (EPIC)- No changes, Project Reports are under review by the NJ DEP and are waiting on final approval.

NJDEP TWA permit is complete. City Driveway Permit: Is under review by City Engineers. Application for Project Authorization: Has been approved. Force main Easement: Ms. Alexander is preparing a new easement.

Permitting & Approvals- The Stage II Cultural Resources Survey is complete. Richard Grubb and Associates (RGA) has submitted an additional proposal dated October 6, 2025, because the site investigation report shows that over 8,200 artifacts were found, which was significantly more than the anticipated 750 artifacts. All items need to be processed and cataloged for an additional cost of \$37,290.00 to process the additional artifacts recovered.

Mrs. MacGregor asked how critical the project was. Could the pump station project be postponed and remain operational for a while? There was a discussion on completing all engineering and the cultural resources requirements and then reevaluating the project.

9. Discussion of Resolution 065-11-2025 Authorizing Contract Amendment No. 2 with Richard Grubb & Associates, Inc. for a Stage II Cultural Resource Survey for Coryell Pump Station:

Mrs. MacGregor asked the Board if they had any questions on the proposal dated October 6, 2025. She stated that she would like to request a motion to move forward with the Stage II study and then reevaluate the LMUA's position with all ongoing projects ensuring that the most critical projects are completed first.

9.1 Richard Grubb & Associates, Inc. Supplemental Stage II Cultural Resources Proposal:

9.2 Richard Grubb & Associates, Inc. Stage II Cultural Resources Cost Proposal Sheet:

The Board reviewed both documents and had no issues or concerns.

Resolution 065-11-2025

Authorizing Contract Amendment No. 2 with Richard Grubb and Associates for a Stage II Cultural Resource Survey for Coryell Street Pump Station

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WHEREAS, the Lambertville Municipal Utilities Authority (“LMUA”) by virtue of Resolution 030-4-2025, awarded a contract to Richard Grubb and Associates (RGA) to prepare a Cultural Resource Survey and Application for Project Authorization (APA) for the Coryell Street Pumping Station (Coryell PS) and an APA for the Swan Street Pumping Station as required by the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, RGA prepared the required Cultural Resource Survey for Coryell PS and submitted the same to the NJDEP for their review and comments; and

WHEREAS, after reviewing the Cultural Resource Survey, the NJDEP required the LMUA conduct a Stage II Cultural Resource Survey for the Coryell PS; and

WHEREAS, pursuant to Resolution 050-8-2025, the LMUA approved amendment Number 1 to the contract with RGA to conduct a Stage II Cultural Resource Survey for the Coryell PS; and

WHEREAS, RGA has conducted the on-site excavation portion of the Cultural Resource Survey; and

WHEREAS, during this excavation, RGA recovered and retained over 8,200 artifacts which is significantly more than the anticipated 750 artifacts; and

WHEREAS, RGA needs to process these additional artifacts to comply with NJDEP regulations; and

WHEREAS, RGA prepared a proposal dated October 6, 2025, to process the additional artifacts recovered during the Stage II Cultural Resource Survey for the Coryell PS; and

WHEREAS, the contract amendment proposes a fee not to exceed \$37,290.00 which is in addition to their original professional services agreement fee not to exceed \$26,981 and amendment Number 1 not to exceed \$49,833; and

WHEREAS, the Executive Director has reviewed the amendment and recommends that the LMUA authorize the contract amendment as written.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 4, 2025, as follows:

1. Richard Grubb and Associates contract amendment #2 dated October 6, 2025, is hereby authorized for processing additional artifacts recovered during the Stage II Cultural Resource Survey for Coryell PS in an amount not to exceed \$37,290.
2. 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.

3. The Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit
Seconded: Mr. Dahl

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available in the short-term loan from the NJ I-Bank.

/s/ Kathy Leary
Chief Financial Officer
Lambertville Municipal Utilities Authority
Dated: November 4, 2025

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Helen Pettit	X				
Holly Havens	X				
David Burd	X				
Robert Dahl	X				
Matthew Hoyle					X
Emily Nanneman				X	

10. Discussion on NJDEP Inspection Report of April 1 & 2, 2025:

Mr. Horn reported most outstanding violations in the report are completed. The Board asked for a complete list, or a spreadsheet showing the status of each violation and the date it needs to be done by. Mr. Horn intends to have a response letter done by the end of the week.

11. Discussion on Resolution 066-11-2025 to Approve a Contract Extension with Thomas F. Horn, Executive Director:

Mr. Ingenito reported that he and Mr. Horn are close to completing all the required training in the tasks he will be responsible for by Mr. Horn's retirement date of December 31, 2025. There are just a few administrative items that need to be reviewed.

Mrs. MacGregor advised the Board that Mr. Horn's contract ends on November 14, 2025. She has met with Mr. Horn and Mr. Ingenito separately to discuss the best way to get through the rest of the year since we are now down two operational staff. Mrs. MacGregor asked if the Board needed to

discuss this further in closed session. The consensus of the Board was that there was no need for a closed session discussion, and that it made sense given the current circumstances to extend Mr. Horn's contract to the end of the year.

Resolution 066-11-2025
Approving a Contract Extension with Thomas F. Horn, Executive Director

WHEREAS, the current three (3) year Employment Contract for Executive Director, Thomas F. Horn is set to expire on November 14, 2025; and

WHEREAS, Mr. Horn will be retiring from the LMUA effective December 31, 2025; and

WHEREAS, the Board would like to renew Mr. Horn's Employment Contract for the period of November 15, 2025, through December 31, 2025; and

WHEREAS, all contract terms and conditions currently in effect would remain the same.

NOW, THEREBY, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority at the meeting of November 4, 2025, hereby approve an extension of the Employment Contract with Thomas F. Horn, Executive Director for the period of November 15, 2025, through December 31, 2025.

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon adoption.

Moved: Ms. Pettit

Seconded: Ms. Havens

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available under line-item *Executive Director* in the Operating Account.

/s/ Kathy Leary
Chief Financial Officer
Lambertville Municipal Utilities Authority
Dated: November 4, 2025

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Helen Pettit	X				
Holly Havens	X				
David Burd	X				
Robert Dahl	X				
Matthew Hoyle					X
Emily Nanneman				X	

CHIEF FINANCIAL OFFICER’S REPORT-KATHY LEARY.

12. Discussion on the Bills and Claims submitted for approval:

Ms. Havens had some questions on Capital Bills, particularly under engineering, general services for Swan, Coryell, and N. Union Pump Stations. Mr. Horn confirmed the bill from Carroll Engineering covers the yearly value of facilities certification as per bond requirements. The second bill in question was from Dulaine Contracting Inc. covering the N. Union Street pump-station replacement work completed during the period of 9/25/2025 through 10/31/2025. Ms. Leary provided a detailed breakdown of the bill to Ms. Havens for her review.

12.1 List of Expenditures: The Board reviewed the List of Expenditures dated November 4, 2025, showing a Capital Account balance of \$8,825.42 after the October bills are paid.

12.2 October Capital Bills: The Board reviewed the Capital Bills List (Fund 16) for a total amount of \$389,619.30. Mr. Horn confirmed that the current Capital Bills have been sent to the I-Bank for reimbursement. The LMUA is waiting for a FEMA reimbursement for N. Union Street Pump Station as well.

12.3 October Operating Bills: The Board reviewed the Operating Bills List (Fund 10) for a total amount of \$55,249.28.

Ms. Havens discussed the need to review the vouchers and invoices together with the checks and the need for more time to review the bills list.

Resolution 064-11-2025 to Approve Payment of Bills and Claims from October

WHEREAS, the Lambertville Municipal Utilities Authority received certain claims against it by way of voucher; and

WHEREAS, the staff and Authority members have reviewed said claims; and

WHEREAS, the CFO has determined that funds are available to pay said claims.

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NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority that these claims by approved for payment for the following amounts:

OCTOBER CAPITAL (Fund 16) BILLS LIST: \$389,619.30

OCTOBER OPERATIONAL (Fund 10) BILLS LIST: \$55,249.28

Moved: Ms. Pettit

Seconded: Ms. Havens

Governing Body Member	<u>Recorded Vote:</u>		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Helen Pettit	X				
Holly Havens	X				
David Burd	X				
Robert Dahl	X				
Matthew Hoyle					X
Emily Nanneman				X	

ATTORNEY'S REPORT-DIANE ALEXANDER.

13. Per- and Polyfluoroalkyl Substances (PFAS) Treatment:

13.1 Letter of Opposition to the Proposed Judicial Consent Order with DuPont:

Ms. Alexander reviewed her letter dated October 31, 2025 for the Dupont Proposed Judicial Consent Order Approving Settlement with EIDP, Inc. (f/k/a E.I. du Pont de Nemours and Company), Corteva, Inc., DuPont de Nemours Inc., DuPont Specialty Products USA, LLC, the Chemours Company, and The Chemours Company FC, LLC, and Notice of Withdrawal of Discretionary Direct Oversight in the Matter of NJDEP, et al., v. E.I. Du Pont de Nemours and Company, et al., Case No.: 1:19-CV-14766-RMB-JBC (D.N.J.).

Ms. Alexander stated the Dupont letter had the same reasons supporting the LMUA's opposition to the proposed consent order.

There have been no responses to the 3M letter sent September 19, 2025, to NJ DEP. Ms. Alexander believes NJ DEP is waiting for all comments to be received from the two settlements before submitting their response to comments document. Their motion to approve is due by the November 21st, with support briefs filed by December 1st. Ms. Alexander and her office, Maraziti Falcon, LLP are working with the court on behalf of Association of Environmental Authorities ("AEA") and several dischargers in the State to be granted an opportunity to submit an opposition brief by December 12th. Then NJ DEP, State, 3M and Dupont will have an opportunity to file a reply to any briefs by December 22nd. The hearing is scheduled for January

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7th when the judge will hear oral arguments from all approved parties. Ms. Alexander is hoping her firm will have the opportunity to present their arguments before the judge. Ms. Alexander will keep the Board informed as the

OPEN FORUM/ NEW BUISNESS.

14. New Business: There was no new business to discuss at this time.

PUBLIC COMMENT.

There was no public in attendance at this time.

HISTORIC REFERENCE MATERIALS.

Nothing new to review or discuss.

ADJOURNMENT.

The meeting adjourned at 7:29 p.m. with a motion made by Mr. Dahl 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 December 2, 2025.