



LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY

Reorganization & Regular Meeting

February 3, 2026, 6:00 pm

Lambertville Wastewater Treatment Facility,
3 Bridge Street, Lambertville

#2

Minutes for Meeting Held in Person & Microsoft Teams

Join: <https://teams.microsoft.com/meet/22022502936981?p=Hh6bdt1GbLxBPIvbxo>

Meeting ID: 220 225 029 369 81

Passcode: Rb7SW7Te

STATEMENT OF COMPLIANCE WITH OPMA.

Mrs. MacGregor called the meeting to order at 6:05 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, February 14, 2025, to the Times of Trenton and noticed on Tuesday, January 27, 2026, to the Hunterdon County Democrat. 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. The meeting agenda provides for action items (shown in bold) known at the time of publication and is subject to change.

PLEDGE OF ALLEGIANCE.

ROLL CALL. Ms. Parsons called the roll as follows:

LMUA Board:

Present: Janine MacGregor-Chairwoman, Helen Pettit -Vice Chairwoman, Holly Havens-Treasurer, David Burd-Secretary, Robert Dahl-Member, Emily Nanneman-Alternate II

Absent: Matthew Hoyle-Alternate I

Also Present: Michael Ingenito-Executive Director, Kathy Leary-Chief Financial Officer, Diane Alexander, Esq. of Maraziti Falcon, LLP, Michael Scheider-Operations Supervisor, Mayor Andrew Nowick, Michael McCarey-Carroll Engineering

AGENDA, ETC.

1. Agenda updated & posted on the LMUA website & City of Lambertville website.

MINUTES.

2. The minutes from January 7, 2026, Regular Session & Closed Session were approved in a motion made by Mr. Burd and seconded by Ms. Havens and followed by a unanimous roll call vote by all members present. MOTION CARRIED

Governing Body Member	Recorded Vote:		Abstain	Not Voting	Not Present
	Aye	Nay			
Janine MacGregor	X				
Helen Pettit	X				
Holly Havens	X				

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 2

David Burd	X	
Robert Dahl	X	
Matthew Hoyle		X
Emily Nanneman	X	

MICHAEL MCCAREY COMMENTS.

Mr. McCarey, Authority Engineer from Carroll Engineering, introduced himself. Mrs. MacGregor asked Mr. McCarey to attend tonight's meeting and is planning to attend all future monthly Board meetings going forward.

MAYOR NOWICK COMMENTS.

Mayor Nowick wished all in attendance a good evening. He wished the former City Department of Public Works' employee, Jessie Kerr, well in her new position as Assistant Operator at the LMUA. He noted that she is a great employee and will do well in her new position.

Mayor Nowick thanked the Board for all their hard work and offered his support to the LMUA. Mayor Nowick explained that the City has begun work of reexamining their master plan this year, starting with a piece of it. The Master Plan, examined every 10 years, "is the framework for who we are" which includes everything that makes up Lambertville like ordinances, zoning, housing, environmental resources, and a resilience action plan that lays out resilience activities within the City.

The Environmental Resource Inventory ("ERI") needs to be updated, to include current environmental issues and resources. Multiple Boards will be assisting with the Environmental Resource inventory updates. Ms. Pettit stated that the LMUA as critical infrastructure is an important piece of the plan as it includes the wastewater treatment facility planning area, the collections system, pump stations and the treatment plant.

Mayor Nowick further explained that the ERI needs a lot of updating, possibly a rewrite. Vince Uhl, past LMUA Board Member worked with the City on the last update. First step is to get a small group of volunteers to review. MacGregor, would like to offer our help at least with the ERI and the Resilience Plan. Mayor Nowick advised that the full plan is available on the City's website and noted in particular the section that contained transportation, flood maps, and work on mitigation measures for our resources located in the flood area. Funded by a grant from NJ Department of Environmental Protection. The Mayor asked the Board to reach out to him if they were interested in volunteering.

Ms. Alexander recommended that the LMUA's Conveyance System Capacity for the plan should be reviewed by the LMUA and made part of the ERI.

There was discussion about Storm Water surveying and Land Use Planning pertaining to new developments. Ms. Pettit noted that the City is allowed to require the Developers to provide off-site improvements to increase sewer collection system capacity and storm water capacity.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 3

Mayor Nowick excused himself from the meeting at this time as he needed to attend another meeting shortly after.

OATHS OF OFFICE.

- 3 David Burd: Five Year Term as Member was administered by the City through: 02/01/2031
Mr. Burd took his oath of office as administered by Ms. Alexander.
- 4 Matthew Hoyle: Five Year Term as Alternate I through 02/01/2031: Mr. Hoyle was not present for the meeting and did not take his oath.

REORGANIZATION.

(Attorney Alexander opened nominations for Chairperson)

5 Election of Authority Positions

5.1 Resolution 012-2-2026 *Appointment of Chairperson*

Nomination: Ms. Pettit nominated Mrs. MacGregor

Closure of Nominations: Mrs. Alexander asked if there were any other nominations for Chairperson. Hearing none. Ms. Alexander requested a second.

Motion: Ms. Pettit

Second: Mr. Burd

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.

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	

5.2 Resolution 013-2-2026 *Appointment of Vice Chairperson*

Nomination: Mrs. MacGregor nominated Ms. Pettit

Motion: Mr. Burd

Second: Ms. Havens

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.

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	

5.3 Resolution 014-2-2026 *Appointment of Secretary*

Nomination: Mrs. MacGregor nominated Mr. Burd

Motion: Ms. Pettit

Second: Ms. Havens

WHEREAS, David Burd was appointed by the Mayor and City Council of Lambertville to serve as 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 David Burd as Secretary for a term of one year or until reappointed.

The Resolution shall be effective immediately upon adoption.

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

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 5

Holly Havens	X			
David Burd			X	
Robert Dahl	X			
Matthew Hoyle				X
Emily Nanneman			X	

5.4 Resolution 015-2-2026 *Appointment of Treasurer*

Nomination: Mrs. MacGregor nominated Ms. Havens

Motion: Ms. Pettit

Second: Mr. Burd

WHEREAS, Holly Havens was appointed by the Mayor and City Council of Lambertville to serve as 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 Holly Havens as Treasurer for a term of one (1) year or until reappointed.

The Resolution shall be effective immediately upon adoption.

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	

6 Administrative Resolutions of the Authority

Consent Agenda: *The following resolutions on the consent agenda are considered routine and shall be enacted by one motion. Should any member of Board seek separate discussion of any item, that item shall be removed and discussed separately.*

Seeing no questions or concerns, Mrs. MacGregor requested a motion to approve Resolution Numbers 016-2-2026 through 025-2-2026.

Ms. Pettit motioned to authorize a consent agenda to approve Resolution Numbers 016-2-2026 through 025-2-2026. Ms. Havens seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED

**Motion: Ms. Pettit
 Second: 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	

6.1 Resolution 016-2-2026 “Establishing a Procedure for Public Notices”

WHEREAS, P.L. 2025-7 states that, beginning on March 1, 2026, the legal advertisements of New Jersey municipalities need not be published in printed newspapers but instead must meet certain requirements for online publication, and that municipalities shall still designate an official newspaper, and

WHEREAS, a *Current Legal Notices* page has been created on the Lambertville Municipal Utilities website (available at <https://lambertvillemua.com/public-notices/>).

BE IT RESOLVED, by the Lambertville Municipal Utilities Authority (“LMUA”) that, in accordance with P.L. 2025-72, the official newspaper for LMUA shall be the Trenton Times.

BE IT FURTHER RESOLVED, that beginning March 1, 2026, through February 2, 2027, the LMUA will comply with P.L. 2025-72 and shall:

1. Post all legal notices to the LMUA website
2. Post notice twice monthly advertising to the Trenton Times advising the public where on the LMUA website, as well as where on the Secretary of the State’s website, legal advertisements can be found.
3. Provide meeting notices in accordance with the Open Public Meetings Act.
4. Maintain the Bulletin Board at LMUA Administrative Building located at 3 Bridge Street, Lambertville, NJ 08530.
5. This resolution shall take immediate effect.

6.2 Resolution 017-2-2026 *“Establishing 2026-2027 Board Meeting Schedule”*

BE IT RESOLVED by the Lambertville Municipal Utilities Authority (“LMUA”) 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 LMUA to be held during the period from February 3, 2026, through February 2, 2027, are to be held at the LMUA’s Administrative 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 3, 2026	September 1, 2026
April 7, 2026	October 6, 2026
May 5, 2026	November 3, 2026
June 2, 2026	December 1, 2026
July (time to be determined)	January 5, 2027
August 4, 2026	February 2, 2027

2. A certified copy of this resolution shall, within seven (7) days of its adoption on February 10, 2026, issue of the Trenton Times, and shall be posted, until modified, in the office of the LMUA at 3 Bridge Street, Lambertville, New Jersey, the LMUA’s web site, and provided to the Lambertville City Clerk’s office.
3. This resolution shall take immediate effect.

6.3 Resolution 018-2-2026 *“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.

6.4 Resolution 019-2-2026 *“Appointing Kathy Leary as the Chief Financial Officer 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.

6.5 Resolution 020-2-2026 “Approving a Cash Management Plan and Appointing Official Depositories”

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 (“LMUA”), County of Hunterdon, State of New Jersey, that the following requirements be a part of the 2026-2027 Cash Management Plan, and be adhered to:

1. **Official Depositories:** Subject to receipt of public depository documentation as required by N.J.S.A. 17:9-41, the following banks are hereby designated as legal depositories for all LMUA funds:

Bank of Princeton
Bank of New York Mellon

2. **Cash Management:** All LMUA funds received by any official or employee shall be deposited within 48 hours of receipt, in accordance with N.J.S.A. 40A:5-15. Funds are deposited into an interest-bearing account.
3. **Procedures for Disbursement of Funds:** Payments shall be prepared by the Chief Financial Officer and submitted to the Board of Commissioners of the LMUA for their approval. No LMUA funds shall be disbursed by the Chief Financial Officer prior to the approval of the Board, except for:
 - a. **Debt Service Payments**
 - b. **Investments**
 - c. **Payroll**
 - d. **Tax Payments**
4. **Reporting:** The Chief Financial Officer shall report to the Board of Commissioners all purchases of investments in accordance with N.J.S.A. 40A: 5-15.2. The Chief Financial Officer shall also report to the Board of Commissioners the available cash in each fund and/ or bank account.

5. **Audit:** This Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-14.
6. The Resolution shall be effective immediately upon adoption.

6.6 Resolution 021-2-2026 “Resolution to Remove Thomas F. Horn as a Signatory”

WHEREAS, on February 3, 2026, the Commissioners (“Commissioners”) of the Lambertville Municipal Utilities Authority (“LMUA”) met to hold the Reorganization Meeting of the LMUA; and

WHEREAS, as of December 31, 2025, Thomas F. Horn has retired from the LMUA; and

WHEREAS, The Bank of Princeton of Lambertville, NJ requires a resolution to remove Thomas F. Horn as a signatory from the LMUA accounts held at the Bank of Princeton.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority, at the open public meeting held on February 3, 2026, that Thomas F. Horn be removed as signatory from all Lambertville Municipal Utilities Authority Accounts held at the Bank of Princeton, Lambertville, NJ effective immediately.

6.7 Resolution 022-2-2026 “Bank of New York Mellon Incumbency Certificate/ Authorized Callbacks”

WHEREAS, the Lambertville Municipal Utilities Authority has appointed Bank of New York Mellon as an official depository of public funds, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lambertville Municipal Utilities Authority (“LMUA”) does hereby certify the following:

1. The individuals listed below are qualified and acting officers of the LMUA.
2. The signature appearing opposite the name of each such officer is a true specimen of the genuine signature of such officer.
3. Such individuals have the authority to provide written direction/ confirmation and receive callbacks at the phone numbers(s) noted below and execute documents to be delivered (to, or upon the request of The Bank of New York Mellon and/ or The Bank of New York Mellon Trust Company, N.A. (collectively, “BNY Mellon”). BNY Mellon may rely conclusively upon the certification of authority of the officers named in this Certificate in connection with all corporate trust transaction to which the LMUA is a party with BNY Mellon until such time as the LMUA (i) expressly revokes this Certificate in writing or

(ii) provides a revised Certificate; in order to be effective, either must be delivered to BNY Mellon at the addresses provided in the related governing documents.

NAME	TITLE	SIGNATURE	PHONE NUMBER FOR CALLBACK
Michael Ingenito	Executive Director		609-397-1496
Kathy Leary	Chief Financial Officer		609-397-1496

6.8 Resolution 023-2-2026 “Resolution to Appoint the Personnel Officers” Ms. Pettit & Mrs. MacGregor

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.

6.9 Resolution 024-2-2026 to “Authorize the Defense and Indemnification of the Members and Employees of the Lambertville Municipal Utilities Authority”

WHEREAS, there exists a need to protect the past and present members and employees of the Lambertville Municipal Utilities Authority ("LMUA") from the monetary costs of fines, penalties, damages, settlements, costs and legal fees associated with the defense of any civil or criminal actions which may be brought from this day forward against the LMUA, or any such members or employees, as the result of any action(s) or omission(s) relating to the duties of such member or employee to the LMUA; and

WHEREAS, the LMUA desires to provide such protection for its past and present members and employees from the financial consequences of any such civil or criminal action to the extent permitted by law and, therefore, provided that such alleged action or omission does not constitute actual fraud, actual malice, willful misconduct or an intentional wrong in the judgment of the LMUA;

NOW, THEREFORE, BE IT RESOLVED by the Lambertville Municipal Utilities Authority in the County of Hunterdon in the State of New Jersey on this 3rd day of June, 2025 as follows:

1. The LMUA shall, to the extent permitted by law, provide a defense and indemnification to the past and present members and employees of the LMUA and, therefore, shall pay or otherwise reimburse the past and present members and employees of the LMUA for all fines, penalties,

damages, costs and legal fees associated with any civil or criminal action which may be brought after the adoption of this Resolution against such members or employee based upon an act or omission of that member or employee arising out of and directly relating to the lawful exercise of his or her official duties or under color of his or her authority.

2. In any case where the LMUA provides a defense to a member or employee, it is authorized and directed to make direct payments to counsel or reimburse the member or employee for the costs associated with his or her defense upon the approval by the LMUA of proper vouchers submitted therefore, but in no case shall the LMUA be authorized to pay or reimburse for legal fees and expenses exceeding those customarily charged for legal services in the defense of such actions.

3. For the purposes of this Resolution, the term "member" shall include any and all persons appointed by the governing bodies of the constituent municipalities pursuant to N.J.S.A. 40:14A-

4. Any person seeking the provision of a defense and indemnification under the policy enunciated in this Resolution shall give prompt notice to the LMUA of the pendency of any such civil or criminal action for which payment or reimbursement is sought, at which time the LMUA shall by Resolution implement the provisions set forth herein.

5. It is within the sole discretion of the LMUA, in any action where the provision of such a defense and indemnification is sought by a member or employee, to:

- a. Provide a defense by an attorney chosen by the LMUA;
- b. Provide a defense by an attorney of the member or employee's choosing; or
- c. Assert the LMUA's right under any appropriate insurance policy which requires the insurer to defend and indemnify.

6. Notwithstanding the foregoing, the LMUA may refuse to provide for the defense or to indemnify any past or present member or employee of the LMUA in any action referred to above or recover any amounts paid on behalf of such member or employee for such defense if in its sole discretion it has reason to conclude that the act or omission was:

- a. Not within the scope of such member or employee duties or was carried out in an individual capacity;
- b. The subject matter of any action brought by the LMUA against the member or employee;
- c. A violation of the Local Government Ethics Law (P. L. 1991, c. 29); or
- d. Due to actual fraud, actual malice, willful misconduct or an intentional wrong.

7. Nothing in this Resolution shall require the LMUA to pay for punitive or exemplary damages resulting from the commission of a crime, actual fraud, actual malice, willful misconduct

or an intentional wrong. However, the LMUA may indemnify an official or employee for punitive or exemplary damages provided the Board determines the acts complained of did not constitute a crime, actual fraud, actual malice, willful misconduct or intentional wrong. Such a determination shall be made by Resolution of the Board.

8. In the event a contested matter, to which this Resolution is applicable, is resolved by way of settlement, the LMUA may take into account the facts, circumstances, and allegations which led to the settlement in its determination of whether it may, subject only to the provisions of paragraph 6, indemnify such past and/or present member(s) and/or employee(s) against whom such settled claims had been made.

9. It is the intention of this Resolution to set forth the policy of the LMUA with respect to the defense and indemnification of persons associated with the LMUA in the management of its affairs and business to the maximum extent permitted by law, and if any provision hereof or the application hereof to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions of this Resolution and to this end the provisions hereof are declared to be severable.

10. The policy set forth in this Resolution is prospective and shall take effect immediately but shall automatically expire unless re-authorized at each annual reorganization meeting of the Authority.

11. This Resolution shall take effect as provided by law.

6.10 Resolution 025-2-2026 “Adopting the New Jersey Local Government Ethics Law Code of Conduct”

WHEREAS, the Lambertville Municipal Utilities Authority (“Authority”) recognizes the critical need for maintaining transparency, accountability, and ethical standards in all of its operations, ensuring that all actions and decisions reflect the values of fairness, integrity, and public service; and

WHEREAS, the Authority has determined that it is essential not only that appointed Board members of the Authority, but also that Authority staff demonstrate adherence to the highest levels of ethical conduct; and

WHEREAS, in 1991, the Local Government Ethics Law was enacted, which provides in part as follows:

40A:9-22.5. Code of ethics for local government officers or employees under jurisdiction of local finance board

Local government officers or employees under the jurisdiction of the Local Finance Board shall comply with the following provisions:

- a. No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
- b. No independent local authority shall, for a period of one year next subsequent to the termination of office of a member of that authority:
 - (1) award any contract which is not publicly bid to a former member of that authority;
 - (2) allow a former member of that authority to represent, appear for or negotiate on behalf of any other party before the authority;
or
 - (3) employ for compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former member of that authority.

The restrictions contained in this subsection shall also apply to any business organization in which the former authority member holds an interest.

- c. No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others;
- d. No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment;
- e. No local government officer or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;
- f. No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept

any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the local government officer has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the local government officer in the discharge of his official duties;

- g. No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;
- h. No local government officer or employee or business organization in which he has an interest shall represent any person or party other than the local government in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he serves. This provision shall not be deemed to prohibit one local government employee from representing another local government employee where the local government agency is the employer and the representation is within the context of official labor union or similar representational responsibilities;
- i. No local government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material of monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could be reasonably be expected to accrue to any other member of such business, profession occupation or group;
- j. No elected local government officer shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefor; and

- k. Nothing shall prohibit any local government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests (adopted 1991); and

WHEREAS, violations of the Local Municipal Ethics Law will result in fines to the offending party of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500); and

WHEREAS, the New Jersey Code of Criminal Justice, N.J.S.A. 2C:27-10: Acceptance or receipt of unlawful benefits by public servant for official behavior, prohibits officers and employees of a public entity from accepting or soliciting a benefit to influence the performance of an official duty, and renders such activity a crime punishable by fine or imprisonment; and

WHEREAS, in order to earn and maintain public confidence in government, it is not only necessary that the Authority's officers and employees strictly comply with the Local Government Ethics Law and the Criminal Code, but also that they avoid all conduct which could create the reasonable perception of a conflict of interest, or unethical behavior; and

WHEREAS, the Authority desires to reaffirm its commitment of the highest ethical standards, and to set further guidelines for the officers and employees of the Authority regarding certain issues that can frequently arise in connection with the activities of the officers and employees of the Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Lambertville Municipal Utilities Authority that the following provisions are hereby adopted for the conduct of the officers and employees of the Authority in the discharge of their duties and responsibilities, in order to promote the highest levels of ethical conduct in the discharge of the functions of the Authority and to instill public confidence in the integrity of government:

1. Compliance with N.J.S.A. 40A:9-22.5:

All Authority officers and employees shall comply with the provisions of N.J.S.A. 40A:9-22.5, set forth above, and any subsequent amendments thereto. In case of conflict between the provisions of N.J.S.A. 40A:9-22.5 and the provisions of this Resolution, the provision that establishes the stricter standard of ethical conduct shall control, which includes, among other requirements, that, "No independent local authority shall, for a period of one year next subsequent to the termination of office of a member of that authority: (1) award any contract which is not publicly bid to a former member of that authority; (2) allow a former member of that authority to

represent, appear for or negotiate on behalf of any other party before that authority; or (3) employ for compensation, except pursuant to open competitive examination in accordance with Title 11A of the New Jersey Statutes and the rules and regulations promulgated pursuant thereto, any former member of that authority.”

2. Acceptance of Gifts, Favors, Etc.

Given that the Local Government Ethics Law provides:

No local government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties.

No officer or employee shall accept anything “of value” based on the understanding that it is being given for the purpose of influencing such officer or employee, directly or indirectly, in the discharge of his or her official duties.

- A. Acceptance of a recreational activity, meal or other entertainment/recreational benefit from an Interested Party, that could reasonably be perceived as influencing the recipient in the performance of his or her official duties for the Authority is prohibited. A business meeting during a meal in which the official or employee pays for their meal is acceptable.
 - a. For the purpose of this Resolution, an “Interested Party” is any person or entity doing business with, providing goods or services to or engaged in a contractual relationship of any sort with the Authority, or involved in any claim, cause of action or dispute involving or pending before the Authority.
- B. Unsolicited gifts or benefits of trivial or nominal value, such as complimentary articles offered to the public in general, and gifts received as a result of mass advertising mailings to the general business public may be retained by the recipient or the recipient’s department for general use if such receipt or use does not create reasonable perception of a conflict of interest or a violation of the public trust.
 - a. An officer or employee may receive a gift, favor, service, or other thing of value under the same terms and conditions that the gift, favor, service or other thing of value is offered or made available to members of the public generally,

provided that the officer's or employee's relationship with the Authority played no role and provided no favored opportunity in the receipt of same, and provided that the gift, favor, service or other thing is not of excessive value.

- b. An officer or employee is permitted to give or receive a gift from a co-worker, a supervisor, or a subordinate, provided that the gift is not intended or used to influence, or may not be reasonably perceived to influence, the co-worker, supervisor or subordinate in the exercise of his or her official duties for the Authority. The gift should not be excessive or inappropriate for a business environment, and shall be consistent with all applicable Authority policies governing workplace conduct, including but not limited to Authority policies regarding harassment in the workplace.
- c. Gift prohibitions do not apply to the offering or acceptance of contributions to the campaign of an announced candidate for elective public office in accordance with applicable campaign finance laws, provided that the offer is not intended to influence the recipient in the discharge of his or her official duties, and the recipient has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the recipient in the discharge of his or her official duties.

3. Post-Employment

A. Future Employment

- a. Authority officers or employees shall refrain from seeking, directly or indirectly, potential employment with Interested Parties while still in the service of the Authority or employed by the Authority. This includes any actions that may give the appearance of a conflict of interest or compromise the impartiality of the officer or employee in performing their duties.
- b. Solicitation or discussion of employment with any person or entity having a specific cause, proceeding, application or other matter pending before the Authority, or that is involved in litigation in which the Authority is involved, either a complaining or defending party, or the representatives of any such person or entity, is prohibited.

B. One-Year Ban

- a. For a period of one year after the termination of one's office or employment with the Authority, the former officer or employee shall not represent, appear for, or negotiate on behalf of, or agree to represent, appear for, or negotiate with or before any officer or employee of the Authority on behalf of any person or entity. Nothing contained in this section shall prohibit the Authority from contracting with a former officer or employee to act on behalf of the Authority.

4. Recusal on Official Matters

- A. An officer or employee is required to recuse him or herself for one year after commencing Authority service from any official matter that involves any private sector individual, association corporation or other entity that employed or did business with the officer or employee or agent during the year prior to the employee's commencement of service.
- B. An officer or employee is required to recuse him or herself on an official matter if he or she had any involvement in that matter, other than on behalf of the Authority, during or prior to commencement of his or her service with the Authority.
- C. No Authority officer or employee shall act in his or her official capacity in any matter in which the officer or employee, a member of the officer or employee's immediate family, or a business organization in which the officer or employee has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his or her objectivity or independence of judgment.
- D. An incompatible personal or financial interest includes, but is not limited to, outside employment; a debtor or creditor relationship; a fiduciary relationship; a source of income; any matter pertaining to or involving a relative or cohabitant; a relationship with a person providing funds, goods, or services without compensation; any matter pertaining to or involving a business associate or business investment which interest might reasonably be perceived as impairing an officer or employee's objectivity and independence of judgment in the exercise of his or her official duties or might reasonably be perceived by members of the public having knowledge of his or her acts that he or she maybe engaged in conduct violative or his or her responsibilities to the Authority.
- E. Upon determining that an officer or employee must recuse him or herself on any matter, the officer or employee shall execute the recusal in writing or on the official record, and shall have no involvement with the subject matter of the recusal.

5. The Board Secretary is hereby authorized and directed to distribute a copy of this Resolution to each current officer and employee of the Authority and to future officers and employees upon their commencement of service.
6. The Board Secretary is hereby authorized and directed to promptly post a copy of this Resolution on the official website of the Authority and to post a copy in the offices of the Authority.

This Resolution shall take effect immediately, and shall remain in effect until repealed or amended

7 Appointment of 2026 Professional Contracts Awarded March 1, 2026, to February 28, 2027

7.1 Bid Tab. 2026 Professional Services:

The Board reviewed the spreadsheet showing submittals for 2025 vs. 2026.

7.2 & 7.3 Mrs. MacGregor requested a motion to approve Resolutions 026-2-2026 & 027-2-2026 to Authorize 2026 Professional Contracts and an Agreement with One Water Consulting LLC to provide NJDEP permit consulting services.

Mr. Burd moved and Mr. Dahl seconded the motion. There was a discussion by the Board on their concerns regarding Carroll Engineering's conduct of the N. Union Pump Station.

Ms. Pettit discussed concerns with N. Union P.S. Project Timeline and Change Order Summary Sheet from Carroll Engineering that had typos indicating CO2 monitors were installed at the station. Ms. Pettit stated "the LMUA is operating under a tight budget and although we are a small client, we deserve the attention to detail." Mr. McCarey will discuss the subcommittee meeting notes from January 15, 2026, in his monthly Engineers Report and updates in real time so that things don't become larger.

The Board then decided to withdrawal their motion and table Resolutions 026-2-2026 & 027-2-2026 until after the Engineering Report and review of Agenda Items 8 & 9.

ENGINEER'S REPORT-CARROLL ENGINEERING.

8. Subcommittee Meeting Notes from Meeting on 1-15-26:

Mrs. MacGregor reviewed some of the issues that led to a few of the change orders and time delays like coordinating with utility companies on the Contractor's behalf, paying for the relocation of neighbor's electrical services. The Board will get a better understanding of the

Change Orders and Contract Amendments after reviewing Mr. McCarey's meeting notes from January 15th. Mr. Burd then noted that the Engineer's job is to track our ongoing projects. It is not the LMUA's role to track progress. Carroll has the software in place to track this. Ms. Pettit stated her concern that, without clear tracking, many Authorities pay more than what has been received on a project. She wants to be comfortable as a Board member, when approving payments, that project payments have been tracked against work completion progress, and percent paid should be equal to percent completed.

Mr. McCarey assured the Board that they are taking the lessons learned during the N. Union St. Pump Station ("P.S.") project and applying them to the Swan & Coryell Streets P.S. projects. He has made notes on the plans and cross references on errors from N. Union Street P.S. project. There were misunderstandings between LMUA and the Contractor that ended in additional costs to the LMUA. The LMUA had tried to be helpful, but unfortunately did more harm than good. Mr. McCarey said Carroll was trying to work in the best interests of the project, but Carroll's advice, in the past, was not always received. Moving forward he will work on streamlining communication and will be attending monthly meetings to answer questions in real time.

Mr. McCarey spoke about the front-end bid specifications format and technical specifications were software used and the process used. Some of the issues with the deliverables are related to how Carroll's software sets them up in the bid specifications. Mr. McCarey stated that the specifications were not what led to the change orders and contract amendments. Ms. Pettit advised that regardless of the specification software, every division of the specifications must clearly detail the list of deliverables at the end of each section.

Mr. Burd noted that at the January 15th subcommittee the role of LMUA's Executive Director was discussed, and it is important that Carroll Engineering follow Mr. Ingenito's lead but also know that the Board has oversight. Mr. Ingenito must be the day-to-day contact, and, in addition to that, Mr. McCarey will be at the monthly meetings to update the Board.

Ms. Pettit would like to see a table showing our project completion milestones and tracking of the timeline of the deliverables. This tool would be easier to present the progress of the project to the Board. Mr. McCarey agreed and also welcomed any additional recommendations to the Engineering Report. He will look to provide comments and feedback on all engineering matters in the Engineering Report.

9. Engineer's Report- Wastewater Services Up-Date:

Asset Management Plan: The Yearly Engineering Inspection was done, and a report is forthcoming. The findings from the report will be incorporated with the Asset Management Plan.

Mr. McCarey clarified that Colliers Engineering has the treatment plant upgrades project, for which Carroll Engineering did provide an initial estimate. There was a discussion on the differences in costs between the two Engineer's Project Estimates.

The Asset Management Plan is to be treated as a living document and should be updated as the upgrades are done. In the future, As-Built Drawings would best be provided on mylar, and, where possible, attached to the GIS mapping system LMUA is currently working on.

Mr. McCarey updated the Board on engineering services that were completed since the last progress meeting held on December 18, 2025 as follows:

A. N. Union Pump Station

The Project is now substantially completed as of December 23, 2025. There is a punch list of items that need to be addressed. The pump station is running and completely operable. The station is on pace for full completion in spring, once the punch list items are done. The punch list items include: site restoration, sidewalk replacement, electrical items, and cleaning up the site. In addition, the temporary power supply will need to be removed. There will be one final closeout change order to settle project credits and debits. Carroll Engineering has not received release of liens and will follow up with Contractor.

B. Coryell Street Pump Station:

The design concept is finished and once the easement issue is resolved this will be ready to bid. The Board held a discussion on the easement issue. To date, no record of the easement has been found. The force main easement needs to be in place. Ms. Alexander's office is conducting a title search to find out if there was a recorded easement.

The bigger concern is the easement needed in the gravel parking lot area at the old Finkle's property. The LMUA could ideally use the parking lot for construction as a Permanent Access Easement. Mr. McCarey will reach out to Ms. Alexander's office to discuss the easement process further.

Ms. Alexander, reminded the Board that LMUA has the power of condemnation for the main force but not for the parking lot easement. Carroll Engineering does have drafted easements ready to go. The Board was advised, if this design gets hung up because of the easements and goes to the courts, the proceedings would delay the project and impose excessive costs. Plan B would be using bypass pumping, which also has some downsides.

Ms. Leary advised that there are old deeds in our safe in the office that Ms. Alexander should take a look at before she goes further in her deed search.

In addition to the easements is the Cultural Resources Survey completion which is due back in the spring. From a permitting standpoint we should be ready to bid in the fall. Mr. Ingenito confirmed that the Permanent Bond closing is tabled for two years, and the term does not begin until we start drawing down. It would be more costly for the LMUA to break the Swan and Coryell Streets pump station projects apart.

C. Swan Street Pump Station:

The final design of the station is completed and is currently under review by NJ Infrastructure Bank (NJIB). This cannot be granted Authorization to Advertisement until the Environmental Planning Document for the Coryell and Swan projects are approved.

D. Swan Street Sewer Investigation:

Carroll Engineering has completed a sewer investigation for the Swan Street pump station drainage area due to a surcharging manhole at the intersection of Swan Street and Wilson Street during wet weather events. They have reviewed TV footage, conducted dry water inspections, and wet weather inspections to identify infiltration and inflow (I&I). Carroll Engineering has provided a summary recommendation of what needs to be done to rehab the main in their report.

E. Cherry Street Sewer Replacement:

Carroll Engineering has provided a proposal to replace approximately 800 ft of pipe as itemized in their proposal which was approved by resolution by the Board at the last meeting.

F. Waste Water Treatment Plant:

Carroll Engineering performed the annual inspection with LMUA personnel on January 12, 2026, and is preparing the inspection report.

Colliers WWTP cost estimate is approximately \$15 million which is considerably higher than Carroll Engineering's \$7 million estimate. The Board would like a comparison review or value engineering done on Colliers cost proposal and find out if there were aspects that were missed during Carroll Engineer's cost proposal. Carroll Engineer's report included: replacing pumps, blowers, complete overhaul of the dewatering facilities, grit and screening, and a new generator. Mr. Ingenito is in the process of comparing the two cost proposals to see if they are addressing the same issues. In the meantime, Colliers Engineering were told to hold off on any more work until this review has been completed.

Mrs. MacGregor asked Mr. McCarey to rate the current open projects by the most critical first. Mr. McCarey's opinion is the LMUA's first priority is Cherry and Swan Streets sewer

rehabilitation and replacement as the LMUA could be looking at further backups and collapses. Mr. Ingenito agrees with Mr. McCarey and stated the pipes in the ground are more important than updating pumpstations. The Board did approve by resolution at the January 6, 2026, meeting to move forward with the two main rehab and replacement projects. We can pivot our priorities to get the two sewer main projects done first, secondly work on the Wastewater Treatment Plant and finally rehabilitation of Swan Street PS and replacement of Coryell PS.

There was a discussion on what parts of the sewer main were sleeved previously on Swan Street and what needed to be done. Mr. McCarey recommended we break out the Wastewater Treatment Plant into a multi-phase project. The LMUA could separate the dewatering project into the first phase. This would be easier for the LMUA in terms of disturbance for the plant and will be easier to budget for. Look at the rework of the plant and discuss doing as a whole or separating into phases. There was a discussion on the poor air quality in the garage, the odor control only works if the fan is running. The scrubber was supposed to pull air through building but didn't work and needed to add a booster fan on roof to add additional flow. Currently we have a temporary fix for the broken fan but the air quality issue needs to be addressed due to H₂S which is bad for health, the environment and the equipment. Once Mr. Ingenito's analysis is done on the two proposals, he will make a recommendation on the phase vs. whole project.

9.1 Change Order Tracking Spreadsheet for Dulaine

9.2 Contract Amendment Tracking Spreadsheet for Carroll Engineering

The Board did not need to review these any further as there were no changes from last meeting.

1. Resolution 026-2-2026 “Authorizing Professional Service Contracts for Fiscal Year 2027 Using the Fair and Open Process”

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’s Board of Commissioners has determined to award its Professional Services contracts pursuant to the “Fair and Open Process” that provides for public solicitation of proposals or qualifications and the New Jersey Local Pay-to-Play Law as detailed in NJSA 19:44A-20.4 et seq.; and

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 24

WHEREAS, on October 30, 2025, the Authority advertised a Request for Proposals for Professional Services for Fiscal Year 2027, and publicly opened all Professional Services Proposals received on December 11, 2025; and

WHEREAS, said Proposals and supporting documentation have been reviewed for conformance with the terms and conditions set forth in the Authority's Request for Proposals, and to determine those that are the most advantageous to the Authority based upon price, experience and other pertinent considerations; and

WHEREAS, the Authority's CFO has certified that funds are available for Professional Services Contracts in the current Fiscal Year and will be provided in Fiscal Year 2027; and

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

1. The following Contracts for Professional Services for Fiscal Year 2027 are hereby awarded:

POSITION	VENDOR	FINDINGS	FY 2027 ACCOUNT TOTALS
Authority Engineer	Carroll Engineering of NJ	Conforming proposal, knowledge of ongoing Capital Projects.	Blended hourly rate per task: \$147-156.50 Not to Exceed: \$30,000.00
Authority Auditor	Suplee Clooney & Company, LLP	Conforming proposal, knowledge of LMUA accounting system.	Blended hourly rate per task: \$200.00, Statutory Audit: \$30,700.00 Not to Exceed: \$30,700.00
Special Projects Auditor	Bowman & Company, LLP	Conforming proposal, knowledge of LMUA rates schedule and account system.	Blended hourly rate per task: \$300.00-330.00 Not to Exceed: \$7,300.00
Financial Advisor	Acacia Financial Group	Conforming proposal, knowledge of LMUA 10-Year Proforma Cash Flow Model.	Blended hourly rate per task: \$131.50 Per NJ I-Bank Loan: \$3,500.00 Not to Exceed: \$10,000.00

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 25

POSITION	VENDOR	FINDINGS	FY 2027 ACCOUNT TOTALS
Authority Attorney	Maraziti Falcon, LLP	Conforming proposal, superior expertise in wastewater and storm water regulation and Authorities Law.	Blended hourly rate per task: \$220.00 Not to Exceed: \$15,000.00
Labor Attorney	Hatfield Schwartz Law Group	Conforming proposal, specialty in Labor & Employment Firm, experience with LMUA.	Blended hourly rate per task: \$213.75 Not to Exceed: \$5,000.00
Bond Counsel	McManimon, Scotland & Baumann	Conforming proposal, knowledge of ongoing Capital Projects financed through NJ I-Bank.	Per NJ I-Bank Bond Issue: a) Short Term Fee: \$1.00 per \$1,000.00 and Short-Term Closing Fee: \$7,500.00 b) Long-Term Fee: \$1.10 per \$1,000.00 and Long-Term Closing Fee: \$25,000.00
Risk Manager	CBIZ Borden Perlman	Conforming proposal, offered 5% instead of the customary 6% of the Authority's annual assessment.	Not to Exceed (5%) of LMUA's annual assessment Not to Exceed: \$3,395.00

2. Said Contracts for Professional Services shall be subject to the Not-to-Exceed Amounts set forth in the above table for the term running from March 1, 2026, through February 28, 2027; and
3. The Authority's Executive Director is hereby authorized and directed to execute said Professional Services Contracts upon receipt of all required insurances and certifications as set forth in the Request for Proposals; and
4. The Not-to-Exceed Amounts set forth in Authorization Number 1 above of this Resolution shall be for general purposes only and shall be reflected in the Fiscal Year 2027 Budget: and

5. Said Not-to-Exceed Amounts may be amended by the Board of Commissioners in the event circumstances necessitate a change in the scope of Professional Services, whereupon the Authority shall publish notice of such action as required by law; and
6. Notice of these contract awards shall be published in the February 10, 2026, issue of the Trenton Times pursuant to NJAC 5:34-9.5(d).

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available in the Operating Budget under: Engineering Services, Engineering Annual Report, Accounting/ Auditing, Legal Services/ Labor Attorney, Special Administrative Projects, and Insurance.

/s/ Kathy Leary
 Chief Financial Officer
 Lambertville Municipal Utilities Authority

Dated: February 3, 2026

Motion: Ms. Pettit

Second: Mr. Burd

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	

Resolution 027-2-2026 to “Authorizing an Agreement with One Water Consulting, LLC to Provide NJPDES Permit Consulting Services”

WHEREAS, the Lambertville Municipal Utilities Authority (LMUA) is permitted to discharge highly treated wastewater in accordance with the terms and conditions of a New Jersey Pollutant Discharge Elimination Permit (NJPDES Permit) issued by the New Jersey Department of Environmental Protection (NJDEP). The LMUA NJPDES Permit requires the monitoring and reporting of the quality and quantity of said discharge; and

WHEREAS, the LMUA by adoption of Resolution 035-5-2025 authorized the procurement of computer software that has allowed the LMUA to efficiently complete the Discharge Monitoring Reports (DMRs) required pursuant to the terms of its NJPDES Permit; and

WHEREAS, One Water Consulting, LLC (OWC) has submitted a proposal dated January 9, 2026, wherein OWC proposes to assist the LMUA with New Jersey Pollutant Discharge Elimination System (NJPDES) permit support related to its wastewater treatment plant (WWTP) including assistance with the DMR and Waste Characterization Report (WCR) tools that One Water provided to LMUA; and

WHEREAS, the necessary funds are available in the LMUA Operating Budget under Engineering Services budget line item.

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

1. The Lambertville Municipal Utilities Authority does hereby authorize the Executive Director to execute a Contract, in a form acceptable to the Executive Director and General Counsel, between the LMUA and One Water Consulting, LLC, whose business address is located at 101 Poor Farm Road, 2nd Floor, Princeton, NJ 08540, to provide permit consulting assistance with the DMR and WCR tools, in an amount not-to-exceed: \$15,000.00, without the need for further Board authorization, in accordance with the proposal dated January 9, 2026, which is available on file in the administrative offices of the LMUA.
2. This Resolution shall take effect as provided by law.

Moved: Ms. Pettit

Seconded: Mr. Burd

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available in Operating Budget, under Engineering Services.

/s/ Kathy Leary
Chief Financial Officer
Lambertville Municipal Utilities Authority
Dated: February 3, 2026

Governing Body Recorded Vote:

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 28

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

7.3.1 One Water Proposal for NJPDES Permit Consulting Services for 2026

This was Reviewed by the Board.

CHAIRPERSON’S REPORT.

10 City of Lambertville-Environmental Resource Inventory Update.

Chairwoman MacGregor had nothing more to add, this was addressed by the Mayor Nowick earlier in the meeting.

EXECUTIVE DIRECTOR’S REPORT-MICHAEL INGENITO.

11 Correspondence:

11.1 Capacity Verification: City of Lambertville Affordable Housing Update:

The LMUA confirmed sufficient treatment capacity at the treatment plant only in a letter dated January 9, 2026. The LMUA advised that it will not undertake the capacity engineering evaluation to the collections system that would be affected by the project as is would be the burden of the developer. The LMUA would need to know how this would affect the entire collections system, developer is responsible for his fair share based on prorata share. Ms. Alexander does believe there is room for the LMUA to negotiate their share of the collections system upgrade.

The Board discussed on Academy Hill Redevelopment Issues: Out of 200 only 40 units will be affordable housing which is relevant to the connection fees; Redevelopment agreements can be written to include off site improvements; Need to point out conveyance problems to the City to include in their Master Plan; Redevelopment is looking at all properties, not just current open spaces; and Importance of coordinating the ERI, Masterplan and the Resilience Plan. The Board agreed LMUA needs to get something on

record with the City now to make sure LMUA is included in this project before the City has entered into an agreement with affordable housing. DMs. Alexander has prepared similar letters in other municipalities and can send a copy or draft our own letter using information on the collections system.

The LUA needs to review the capacity of the wastewater treatment plant and the collections system as a whole. Ms. Alexander will rework our current confirmation of capacity boiler before a treatment works approval is approved. The LMUA will need to say more in the current capacity letter if the project scope changes.

Carroll Engineering could create a model of the system that could be used by a developer to review the sewer capacity in the collections system. Carroll could calculate collection system capacity using numbers of dwelling units and business units based on statutory flows that would only reflect wastewater flows without infiltration and inflow in the sewer system.

Mr. McCarey suggested that Carroll prepare an analysis that would calculate rates to show the collection system capacity first before the Board considers doing a full study.

Ms. Alexander will prepare a letter to the Mayor and copy the Zoning and Planning Board to be on record until we have a report completed on the collection system capacity.

11.1.1 City-Revised COAH Capacity Request.

11.1.2 City-Original COAH Capacity Request.

Both letters were reviewed by the Board.

11.2 Capacity Verification: 6 Coryell Street, Lambertville, NJ.

In a letter dated January 27, 2026, sewer capacity was confirmed for the proposed renovation of the existing ground floor commercial unit into a taproom. The property currently has two commercial units and two residential units. They were advised that their change in use could result in a change in billing.

11.2.1 6 Coryell Street-Capacity Request.

The letter was reviewed by the Board.

12 NJDEP Correspondence:

12.1 Affirmative Defense Request-Incident # 26-01-13-0955-20.

Mr. Ingenito confirmed that the staff are doing a great job keeping the plant clean and he does not foresee any more exceedance on the permit.

Mr. Ingenito had our consultant, One Water Consulting, LLC prepare an affirmative defense request letter to NJDEP on the LMUA's behalf. The letter describes that "in late November, early December, LMUA was improving its treatment process by modifying its chlorination system operation. In order to minimize overdosing of chlorine under low plant flow condition, LMUA installed a flow pacing system for its Sodium Hypochlorite feed. Although this will be an excellent refinement of the process in the long term, the flow pacing system needed adjustment over a period of days to achieve optimum dosing."

12.2 Improvements to Address Fecal Coliform Permit Limit Exceedances.

In a letter dated January 20, 2026, Mr. Ingenito requested One Water Consulting, LLC prepare a letter on the LMUA's behalf that outlines Mr. Ingenito's Improvement Plan for the wastewater treatment plant to address fecal coliform permit limit exceedances. Mr. Ingenito plans includes: upstream process optimization, disinfection system improvements, hydraulic and flow management, operational monitoring and sampling changes, maintenance and housekeeping updates and staff training and documentation.

13. Memo: Operations & Safety Update.

Mr. Ingenito reviewed basic operations that occurred in January

Maintenance & Operations of Treatment Plant:

1. Monitoring and adjustment of sludge pumping rates from Primary and Secondary holding tanks.
2. Continued monitoring of flow pacing of Liquid Sodium Hypochlorite and will adjust scaling as needed.
3. Carroll Engineering completed their annual facility inspection on January 12, 2026.
4. Our new Assistant Operator, Jessie Kerr started on January 26th and we have offered another person the second open Assistant Operator Position.

Maintenance and Repair on Collections System:

1. Mr. Ingenito reviewed the collection system maintenance and repairs that occurred in basic visual inspections of York Street, near Washington St. and Highway 179.
2. Visual inspection of manholes was completed on S. Union St. between Swan and Mt. Hope streets. No deficiencies were reported.

Safety Training & Employee Manual:

1. Emergency Response Plan: completed & tabletop training is scheduled for February 11th.
2. Respirator Fit Testing on February 10th.
3. Respirator Annual Training by February 28th.
4. Lock Out/ Tag Out annual training on February 5th.
5. Personal Protective Equipment annual training on February 24th.

On February 12th the City of Lambertville Office of Emergency Management Team will be holding their meeting at the wastewater treatment plant. Lt. Brown will be heading the meeting and a walkthrough of the plant with emergency services will take place following the meeting.

13.1 Monthly DMR: December Wastewater Treatment Plant Data.

The Board reviewed the summary report of our treatment plant sampling which shows a clear picture of how the plant is performing.

13.2 Memo. RCAP- GIS Mapping Kickoff Meeting Summary.

Mr. Ingenito expects our GIS system to be finished by August. The LMUA has been given access to the preliminary map online and is working to provide overlay information until the onsite work can be completed in the Spring.

13.3 Emergency Response Plan.

This was reviewed in the Operations & Safety Report.

14. Memo. Capital Projects Update.

Discussed during the Engineering Report. The Board did not need to review and going further Mr. Ingenito will not need to produce this report. The Board requested that Carroll design a spreadsheet that would track the progress of all open projects.

15. Discussion on the Draft Resolution for Shared Services Agreement: *City of Lambertville for Snow Plowing and Other Related Emergencies, and for the Use of Fuel*

Mr. Ingenito confirmed that our staff did go out to help the City Department of Public Works (“DPW”) during the last snow event. Our current agreement does not cover liability, cost of labor, wear and tear of equipment, it only covers the cost of our fuel. Mr. Ingenito would prefer that the LMUA was not completely liable for any damages or injuries that could occur while performing City DPW work. LMUA may need to talk to the risk manager about indemnification for the LMUA. The LMUA should create a fair agreement that would outline appropriate

liabilities. The staff spent Sunday helping the City DPW plow and then spent all day Monday shoveling out the plant. Mr. Ingenito will reach out to our risk manager for good advice on this issue. Ms. Alexander can draft a shared services agreement after advice is received from our risk manager. A discussion on proper training needs to be in place. The LMUA will have staff trained in snow plowing safety as a beginning, but additional training could be needed if we continue to provide services.

15.1 Memorandum of Understanding for a Shared Services Agreement with the City for Snow Plowing.

This was reviewed by the Board.

16. Discussion on Resolution Rescinding Resolution 002-1-2026:

Mr. McCarey advised the Board that Dulaine Contracting Inc. has not approved Change Orders Nos. 10 and 11.

Mrs. MacGregor requested a motion from the Board at the recommendation of Ms. Alexander, Esq., to rescind Resolution 002-1-2026 Authorizing CO No. 10 and 11 with Dulaine Contracting, Inc. for North Union Pumping Station Replacement DEP Project No. S340882-11

RESOLUTION RESCINDING RESOLUTION 002-1-2026
AUTHORIZING CHANGE ORDERS NO. 10 AND 11
WITH DULAINE CONTRACTING, INC.
FOR NORTH UNION PUMPING STATION REPLACEMENT
DEP Project No. S340882-11

WHEREAS, Lambertville Municipal Utilities Authority (“LMUA”), via Resolution 039-2024 passed on August 6, 2024, awarded a contract to Dulaine Contracting, Incorporated (Dulaine) in an amount not to exceed \$1,574,198.00 for the North Union Pumping Station Replacement; and

WHEREAS, the LMUA, via Resolution 002-1-2026, passed on January 6, 2026, approved Change Orders No. 10 and No. 11 for an additional cost of \$11,400.00, and increased the final contract price to \$1,751,362.83; and

WHEREAS, Carroll Engineering recommends that the LMUA rescind Resolution 002-1-2026 as Dulaine Contracting, Inc. has not approved Change Orders No. 10 and No. 11.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Lambertville Municipal Utilities Authority that Resolution 002-1-2026 Authorizing CO No. 10 and 11 with Dulaine Contracting, Inc. for North Union Pumping Station Replacement DEP Project No. S340882-11 is hereby rescinded.

Motion: Ms. Pettit
Second: 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	

17. Readoption of Resolution 002-1-2026 “*Authorizing Change Orders No. 10 and 11 with Dulaine Contracting, Inc. North Union Pumping Station Replacement*”

(Not needed, Mrs. Alexander advised the Board that clerical errors can be fixed without readoption.)

17.1 Corrected N. Union St. Project Timeline CO Summary Sheet Discussion:

Mr. McCarey noted that the typo of CO2 has been corrected to CO.

CHIEF FINANCIAL OFFICER’S REPORT-KATHY LEARY.

17 Discussion on Resolution 028-2-2026 “*to Approve Payment of Bills and Claims from January*”

17.1 List of Expenditures.

The Secretary and Treasurer reviewed the expenses before the Board for approval.
 Thank you to Ms. Leary for providing the CFO’s report in advance to the Board.

17.2 January Operating Bills List

17.3 January Capital Bills List.

17.4 Memo. Check Greater Than \$5,000

The Board reviewed the Memo which showed the list of large expenses that included:

Operations: State of NJ Health Benefits- \$20,895.54 and Electricity (JCP&L and Direct Energy)- \$ 11,949.83

Capital: Richard Grubb & Associates- \$12,943.00

Resolution 0028-2-2026

Resolution to Approve Payment of Bills and Claims

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.

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

JANUARY OPERATIONAL (Fund 10) BILLS LIST: \$60,509.88

JANUARY CAPITAL (Fund 16) BILLS LIST: \$20,012.70

Moved: Mr. Burd

Seconded: Mr. Dahl

Certification of Funds

I, Kathy Leary, Chief Financial Officer, do hereby certify that sufficient funds are available under the Operating Budget & Capital Account from I-Bank Funds.

/s/ Kathy Leary

Chief Financial Officer

Lambertville Municipal Utilities Authority

Dated: February 3, 2026

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

18 PFAS Proposed Settlements with 3M & Dupont Update (Verbal)

The Proposed Settlement with 3M Company 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, Maraziti Falcon, LLP, stated that at the hearing in Camden, NJ no decision was made by the judge. NJDEP was directed to provide evidence to the court. Ms. Alexander's office is working on a protective order, once signed by certain people from the state, everyone can review the final order. A final report from NJDEP will be filed and then Ms. Alexander's office can respond with their comments to be submitted to the Judge where she can make a decision or have everyone back. Response is due by February 27th. The Judge needs to understand why there is such a disparity between the municipalities and NJDEP. The Governor did pass an Executive Order to stay regulations on surface water quality standards for 90 days. The Judge has requested evidence of a lockbox or protection for the money NJDEP would be getting if the settlement is approved.

Ms. Alexander will keep the LMUA informed as the proposed settlements progress through the US District Court.

CLOSED SESSION.

A closed session was determined to not be needed and Resolution 029-2-2026 was not acted on.

19 Resolution 029-2-2026 "Approving a Closed Session to Discuss Items Relating to Attorney Client Privilege"

OPEN FORUM/ NEW BUISNESS.

There was no new business discussed by the Board.

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 8:17 p.m. with a motion made by Havens seconded by Pettit and followed by a unanimous voice vote taken in favor of the motion by all members present. MOTION CARRIED.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY
Reorganization Meeting
February 3, 2026, 6:00 pm
Held In Person/ Conference Call
Minutes, Page 36

Respectfully submitted,
Melissa S. Parsons
Melissa S. Parsons,
Administrative Assistant

Approved at the regularly scheduled Lambertville MUA Board meeting held on March 3, 2026.