

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
AUGUST 4, 2010**

Pledge of Allegiance

**ROLL CALL**

The regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, August 4, 2010 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Arthur Miklosey, Barbara Lanuto and Nick Juliano. Also present were Jerry Dasti, attorney; Alan Dittenhofer, engineer; Felipe Contreras, engineer; Jerry Conaty, auditor; Edward A. Woolf, Executive Director, and Kathleen Barrett, Assistant Director. Brian Reid, Lacey MUA/Township Committee Liaison also attended the meeting.

**“SUNSHINE  
LAW”  
STATEMENT**

Mr. Knoeller read the following statement.

Notice of this meeting was adequately provided pursuant to Public Law 1975, Chapter 231.

Such Notice was posted at both the Lacey Township Municipal Building and at the Office of the Lacey Municipal Utilities Authority, Forked River, New Jersey.

Such Notice was forwarded to the following newspapers:

- a. Asbury Park Press
- b. Atlantic City Press

Such Notice was also forwarded to the Lacey Township Clerk for posting and filing.

**APPROVAL  
OF MINUTES**

**Regular Meeting of July 7, 2010** - A motion was made by Mr. Masciale and seconded by Mr. Kennedy to approve the minutes of the Regular Meeting of July 7, 2010. Roll call vote: Masciale-Yes; Kennedy-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Closed Session Meeting of July 7, 2010** – A motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to approve the minutes of the Closed Session Meeting of July 7, 2010. Roll call vote: Kennedy-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE  
DIRECTOR'S  
REPORT**

**Cash Balance Report - Period Ending June 30, 2010** - Mr. Woolf summarized the cash balances for period ending June 30, 2010 as follows: Total cash balance for the unrestricted accounts were \$4,070,377.35, with earnings of \$3,420.62. Total cash balance for the restricted accounts held by the trustee were \$6,240,900.86, with earnings of \$6,270.45. Current period interest on the restricted and unrestricted accounts was \$9,691.07. Year-to-date earnings on all interest bearing accounts were \$104,836.11.

**Resolution 2010-57 – Award of Contract – Purchase of Auto Parts** – On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution 2010-57, Resolution of the Lacey*

*Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding a Contract for the Purchase of Auto Parts to South Jersey Auto Parts and Down's Ford, Inc.* Roll call vote: Kennedy-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2010-58** - Mr. Woolf recommended tabling this resolution until the issue can be discussed with the personnel committee.

**Resolution 2010-59 – Letter of No Interest – Metro PCS New York, LLC** – Mr. Woolf explained this is the existing cellular telephone tower located by the Joe Connell Realty/Caldwell Banker. What they are doing is they are going to put a 7 by 14 concrete pad to house some electrical cabinets and they are going to add an additional 3 cell antennas to that existing model pole. On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2010-59, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Letter of No Interest – Minor Site Plan, Metro PCS New York, LLC, Block 1583, Lot 5.01.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

## **BUSINESS REPORT**

**July Meter Reads** – Ms. Barrett reported 3,793 meters were read in July for Cycles 2 and 9. Eleven work orders were cut to obtain manual reads not obtained during regular meter read routes. Five reads were questioned because of high usage. Two customers were contacted by phone and three customers were sent letters.

**August Billing** – Ms. Barrett reported utility bills were mailed/hand delivered on August 3<sup>rd</sup> in the amount of \$741,085.02. Penalties were assessed on 3,273 past due accounts (all cycles) in the amount of \$19,073.45 for a total billing in August of \$760,158.47.

**Customer Service** – Ms. Barrett reported forty-six new customer welcome letters were mailed in June, and nineteen responses were received in July. Thirty-seven final reads with equipment inspections were performed in July with no violations.

## **ENGINEER'S REPORT**

**Resolution No. 2010-54 – Preliminary Sewer and Water Approval – Forked River Baptist Church Building Addition – Block 1633, Lot 2** - Mr. Dittenhofer reported his office received the application and plans for preliminary sewer and water approval for Forked River Baptist Church, Block 1633, Lot 2. The applicant is proposing to construct a 10,800 SF building addition to an existing church on the south side of Haines Street, east of Lake Barnegat Drive North. The applicant proposes to utilize the existing water and sewer services for the building. On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2010-54, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, Forked River Baptist Church Building Addition, Block 1633, Lot 2.* Roll call vote: Masciale-Yes; Miklosey-Yes; Lanuto-Yes; Kennedy-Yes; Knoeller -Yes. Motion passed.

**Resolution No. 2010-55 – Preliminary Water Approval – Ocean Residential Community Home Upgrades – Juvenile Justice Commission – Block 315, Lot 28 -**

Mr. Dittenhofer reported his office received the application and plans for preliminary water approval for Ocean Residential Community Home/Juvenile Justice Commission, Block 315, Lot 28. The applicant is proposing to upgrade the fire protection system for an existing juvenile residential community home on the north side of Jones Road, west of Pheasant Run. The applicant proposes to abandon the existing domestic water service for the building and install a new 6” combined domestic water and fire service. On recommendation by the Authority’s engineer, a motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution 2010-55, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Water Approval, Ocean Residential Community Home Upgrades, Juvenile Justice Commission, Block 315, Lot 28*. Roll call vote: Kennedy-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2010-56 - Maintenance Bond Release – Cleaning & Televising Sewer Contract No. 2 – Video Pipe Services, Inc. –**

On recommendation by the Authority’s engineer, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to adopt *Resolution 2010-56, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Maintenance Bond Release, Cleaning & Televising Sanitary Sewer Contract No. 2, Video Pipe Services, Inc.* Roll call vote: Kennedy-Yes; Masciale-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Change Order No. 1 – Municipal Lane Pump Station Upgrades -**

On recommendation by the Authority’s engineer, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to approve Change Order No. 1 for Municipal Lane Pump Station Upgrades. This change order represents valve chamber modifications for a net contract increase of \$8,000.00. Roll call vote: Kennedy-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Wells and Water Treatment Plant at Well No. 1 Site –**

Mr. Dittenhofer stated well No. 7 is drilled, and the drilling for Well No. 8 has started. Mr. Masciale asked about anticipated savings for this project. Mr. Dittenhofer stated since the well will not be drilled as deep as originally specified, the savings would be approximately \$27,000 for well No. 8. Mr. Contreras added Well No. 7 would be similar in depth – 1670 feet as opposed to 1800 feet.

**Conceptual Design Water Treatment Plant No. 3 (Bayonne Avenue) –**

Mr. Dittenhofer stated his office submitted revised cost estimates, drawings, and engineer’s report for the design of water treatment plant No. 3. Mr. Knoeller requested this issue be Tabled. He stated he would like to visit the site, along with the engineers and other Commissioners, so recommendations can be made on the design phase of the project.

**Repainting of Tank No. 2 –** Mr. Dittenhofer stated this project has started.

**Maintenance Garage Re-Roofing –** Mr. Dittenhofer stated this project is complete.

**Cleaning & Televising Contract No. 6 & Flow Assessment** – Mr. Dittenhofer stated this project is ongoing and is 75% complete. So far there has not been any large leaks detected in that area. Any repairs would be minimal.

#### **ATTORNEY'S REPORT**

**LMUA Purchase from Lacey Township (Maintenance Garage)** - Mr. Dasti stated the Township has signed the contract, and he anticipates closing title in mid-August. He pointed out the Authority may need to obtain a subdivision of Lot 4 inasmuch as a portion of Lot 4 will remain in the name of the Township. If so his office will prepare a "courtesy review" and appear before the Planning Board. He stated Mr. Dittenhofer's office will prepare a metes and bounds description to subdivide the Lot. Mr. Knoeller asked for the finance committee's recommendation in terms of financing for the property. Mr. Masciale stated the funds would be available immediately from Hudson City Bank, and would be a lump-sum payment by the third week of August. Mr. Miklosey suggested Hudson City Bank be informed of the Authority's intent to withdraw \$500,000 and confirm the money can be withdrawn in one day.

#### **AUDITOR'S REPORT**

**Accountant's Status Report – Month Ended June 30, 2010** – Mr. Conaty stated the analysis of OCUA fees have been added to the status report. Sewer and water user charges resulted in a favorable variance for the month. Delinquency charges and interest income also had a favorable variance. House connections are down on the sewer side, but up on the water side. Year-to-date expenses are favorable.

#### **CORRESPONDENCE**

**Philip Kasper, Brandywine Avenue** – Mr. Kasper is requesting relief of utility bill, due to filling pool without pool fill meter. Based on the pool specifications submitted by the customer, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to grant a sewer credit adjustment of \$50.44 (13,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Lanuto-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**Kirk Peters, Leeward Drive** – Mr. Peters is requesting relief of utility bill, due to a water leak. Since the water did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to grant a credit adjustment on the sewer charges in the amount of \$449.92 (64,000 gallons). Roll call vote: Kennedy-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Mr. & Mrs. Werner, Skiff Way Drive** – Mr. & Mrs. Werner are requesting waiver of late fee, due to disputed utility charges. Based upon the information submitted, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to waive the late payment penalty fee in the amount of \$6.86. Additionally, Mr. Woolf will contact customer regarding other issues. Roll call vote: Kennedy-Yes; Miklosey-Yes; Lanuto-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

#### **OLD BUSINESS**

There was no old business to discuss.

**NEW  
BUSINESS**

Mr. Knoeller stated Mr. Woolf would notify the commissioners of the site visit to the Water Treatment Plant No. 3 site.

**PUBLIC BUSINESS/  
COMMENT**

**Lorraine Sansone, Laurel Boulevard** – Ms. Sansone asked about the Authority being notified of drought restrictions. Mr. Woolf stated the State imposes drought restrictions. If there were a pumping capacity issue or if a well was down the Authority would impose a mandatory restriction.

Ms. Sansone informed the Board that Waretown had a boiler water advisory because they had low pressure, and they asked Barnegat Township for help. She stated she is aware it was the Authority's objective to run a water line down Route 9 and get Waretown as a customer. She asked if the LMUA is capable of helping Waretown. Mr. Knoeller stated no. He pointed out the LMUA was looking to share the cost of running that line with Waretown. At that time, they were not interested in sharing the costs.

Ms. Sansone asked for an update on the Authority supplying water to Exelon. Mr. Dasti stated a follow-up letter was sent to Exelon and he has not received a response. Mr. Woolf stated a representative from Exelon called him regarding this issue, and he is planning to coordinate a meeting with representatives from Exelon. Mr. Knoeller suggested that he and Mr. Dasti also attend this meeting.

Ms. Sansone asked if the Beach Boulevard Bridge issue is in litigation. Mr. Knoeller stated not that he is aware of. Ms. Sansone asked who would be absorbing the costs. Mr. Knoeller stated the Authority would be absorbing part of the cost since it was partially responsible. Ms. Sansone asked how much is it costing the Authority. Mr. Knoeller stated approximately \$50,000.00.

Ms. Sansone stated she agreed with the Chairman in his resolution regarding who was and who was not allowed to be present at last month's closed session meeting.

**CLOSED  
SESSION**

**RESOLUTION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, Public Law 1975 permits the exclusion of the public from a meeting in certain circumstances;

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Lacey Municipal Utilities Authority, County of Ocean and State of New Jersey as follows:

1. The public shall be excluded from discussion of action upon the hereinafter-specified subject matters.
2. The general nature of this closed session concerns personnel matters.

3. It is anticipated at this time that the above-stated matters will be made public once these matters have been resolved.

4. This resolution shall take effect immediately.

A motion was made by Mr. Masciale and seconded by Mrs. Lanuto to adopt the above resolution. Roll call vote: Unanimously approved.

Separate minutes were kept on the above closed session.

**RE-OPEN  
MEETING**

A motion was made by Mr. Miklosey and seconded by Mr. Masciale to reopen the meeting. Roll call vote: Unanimously approved.

**PAYMENT OF  
VOUCHERS**

**WHEREAS**, the members of the Lacey Municipal Utilities Authority carefully examined all vouchers presented for payment of claims;

**NOW, THEREFORE, BE IT RESOLVED** by the Lacey Municipal Utilities Authority that:

1. Said vouchers in the sum of \$503,084.29 be same are hereby approved to be paid.
2. Said vouchers are listed on the attached computer check register.

A motion was made by Mr. Masciale and seconded by Mrs. Lanuto to adopt the above resolution. Roll call vote: Kennedy-Yes; Lanuto-Yes; Miklosey-Yes; Nascuake-Yes; Knoeller-Yes. Motion passed.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Michele Kennedy  
Secretary

