

**LACEY MUNICIPAL UTILITIES AUTHORITY
REORGANIZATION AND REGULAR MEETING
FEBRUARY 3, 2010**

Pledge of Allegiance

ROLL CALL

The Reorganization and Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, February 3, 2010 and was called to order at 7:00 p.m. by Michael Masciale, Vice Chairman. Other members present were Richard Kennedy, Arthur Miklosey, Barbara Lanuto, Nick Juliano and Jack Nosti. Also present were Jerry Dasti, Esq., attorney; Frank Holman, auditor; Alan Dittenhofer, engineer; 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. Masciale 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.

REORGANIZATION

A motion was made by Mr. Miklosey and seconded by Mrs. Lanuto to appoint James Knoeller as Authority Chairman; appoint Michael Masciale as Authority Vice Chairman; appoint Richard Kennedy as Authority Secretary; appoint Arthur Miklosey as Authority Treasurer. Roll call vote: Miklosey-Yes; Lanuto-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

**COMMITTEE
APPOINTMENTS**

Mr. Masciale stated Mr. Knoeller informed him the committee appointments would remain unchanged.

RESOLUTION NO. 2010-12 - AUTHORIZE REGULAR MEETING SCHEDULE

A motion was made by Mrs. Lanuto and seconded by Mr. Miklosey to adopt *Resolution No. 2010-12, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing Regular Meeting Schedule*. Roll call vote: Lanuto-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes.

**PROFESSIONAL
APPOINTMENTS**

Mr. Woolf stated the administrative staff of the Authority received and reviewed the submissions of qualifications for professional service contracts. The Fair and Open process was utilized in determining the most qualified professionals; therefore, he

recommends the following professionals be appointed to the Lacey Municipal Utilities Authority:

RESOLUTION NO. 2010-13 - APPOINT ENGINEER - REMINGTON, VERNICK AND VENA ENGINEERS - A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution No. 2010-13, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing the Firm Remington, Vernick and Vena Engineers as Authority Consulting Engineers*. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-14 – APPOINT ATTORNEY – JERRY J. DASTI OF THE FIRM DASTI, MURPHY, McGUCKIN, ULAKY, CHERKOS & CONNORS, P.C. – A motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution No. 2010-14, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Jerry J. Dasti of the Firm Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors as Authority Attorney*. Roll call vote: Kennedy-Yes; Lanuto-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-15 – APPOINT AUDITOR – FRANK B. HOLMAN OF THE FIRM HOLMAN & FRENIA, PC - A motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution No. 2010-15, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Frank B. Holman, III, of the Firm Holman & Frenia, P.C as Authority Auditor*. Roll call vote: Kennedy-Yes; Lanuto-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-16 – APPOINT CONFLICT ATTORNEY – RICHARD D. MEINDERS, P.C. – A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution No. 2010-16, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Richard D. Meinders, P.C. as Authority Conflict Attorney*. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-17 – APPOINT CONFLICT ENGINEER – BRUCE CONNELL OF THE FIRM BIRDSALL ENGINEERING, INC. – A motion was made by Mrs. Lanuto and seconded by Mr. Miklosey to adopt *Resolution No. 2010-17, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Bruce Connell, P.E., P.P., C.M.E. of the firm Birdsall Engineering, Inc. as Authority Conflict Engineer*. Roll call vote: Lanuto-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-18 – APPOINT BOND COUNSEL – GLUCK WALRATH, L.L.P – A motion was made by Mr. Miklosey and seconded by Mr. Juliano to adopt *Resolution No. 2010-18, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Gluck Walrath, L.L.P as Authority Bond Counsel*. Roll call vote: Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-19 – APPOINT LABOR COUNSEL – JERRY J. DASTI OF THE FIRM DASTI, MURPHY, ULAKY, CHERKOS & CONNORS – A motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution No. 2010-19, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Jerry J. Dasti, Esq. of the firm Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors, P.C. as Authority Labor Counsel.* Roll call vote: Kennedy-Yes; Lanuto-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes. Motion passed

RESOLUTION NO. 2010-21 – APPOINT RISK MANAGEMENT CONSULTANT – CONNOR STRONG COMPANIES, INC. – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2010-21, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Connor Strong Companies, Inc. as Authority Risk Management Consultant.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed

RESOLUTION NO. 2010-23 – APPOINT PUBLIC AGENCY COMPLIANCE OFFICER - KATHLEEN S. BARRETT – A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution No. 2010-23, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Kathleen S. Barrett as Public Agency Compliance Officer, P.L. 1975, c. 127.* Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-24 – APPOINT PERSONNEL OFFICER – EDWARD A. WOOLF – A motion was made by Mrs. Lanuto and seconded by Mr. Miklosey to adopt *Resolution No. 2010-24, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Edward A. Woolf as Personnel Officer.* Roll call vote: Lanuto-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-25 – APPOINT FUND COMMISSIONERS AND ALTERNATE FUND COMMISSIONER TO THE NEW JERSEY UTILITY AUTHORITIES JOINT INSURANCE FUND – A motion was made by Mr. Miklosey and seconded by Mr. Juliano to adopt *Resolution No. 2010-25, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Fund Commissioners and Alternate Fund Commissioner for the New Jersey Utilities Authorities Joint Insurance Fund.* Roll call vote: Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

RESOLUTION NO. 2010-26 – APPOINT COMPANY PHYSICIANS – FORKED RIVER MEDICAL SPECIALISTS, P.A. – A motion was made by Mr. Miklosey and seconded by Mrs. Lanuto to adopt *Resolution No. 2010-26, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Appointing Forked River Medical Specialists, P.A. as Company Physician.* Roll call vote: Miklosey-Yes; Lanuto-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

**APPROVAL
OF MINUTES**

Regular Meeting of January 6, 2010 - A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to approve the minutes of the Regular Meeting of January 6, 2010. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Closed Session Meeting of January 6, 2010 – A motion was made by Mr. Miklosey and seconded by Mr. Juliano to approve the minutes of the Closed Session Meeting of January 6, 2010. Roll call vote: Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

**EXECUTIVE
DIRECTOR'S
REPORT**

Cash Balance Report - Period Ending December 31, 2009 - Mr. Woolf summarized the cash balances for period ending December 31, 2009 as follows: Total cash balance for the unrestricted accounts were \$4,744,457.34, with earnings of \$5,201.67. Total cash balance for the restricted accounts held by the trustee were \$8,596,832.25, with earnings of \$7,190.62. Current period interest on the restricted and unrestricted accounts was \$12,392.29. Year-to-date earnings on all interest bearing accounts were \$359,444.26.

Mr. Miklosey asked about the status of Cavanaugh Capital Management (CCM) being appointed as the Authority's Financial Advisor. Mr. Woolf explained the Authority's Finance Committee instructed him to contact CCM and ask if they would consider reducing their annual fee due to the poor economic climate. CCM informed him they would take this into consideration and contact him with their decision. Mr. Masciale stated the Finance Committee would like to meet with them. Mr. Woolf stated he would set up a meeting in the near future.

2010 Ford Ranger Pickup Truck – Mr. Woolf requested authorization to advertise to receive bids for a 2010 Ford Ranger Pickup Truck. Mr. Woolf explained there is money in the budget, and it is in accordance with the vehicle replacement program. A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to advertise to receive bids for 2010 Ford Ranger pickup truck. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Resolution 2010-11 – Award Contract for 2010 Pump Maintenance and Repair - A motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution 2010-11, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the 2010 Pump Maintenance and Repair Project to Motors and Drives, Inc.* in the amount of \$27,410.00. Mr. Miklosey asked what is the warranty period on the repairs. Mr. Woolf responded six months. Roll call vote: Kennedy-Yes; Lanuto-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes. Motion passed.

Form of Contract - 2010 Pump Maintenance and Repair – Vice Chairman Masciale and Secretary Kennedy executed the contract between the Lacey Municipal Utilities Authority and Motors and Drives, Inc. in the amount of \$27,410.00 for 2010 Pump Maintenance and Repair.

Resolution 2010-28 – Award Contract for Maintenance Garage Re-Roofing Project
A motion was made by Mr. Kennedy and seconded by Mr. Juliano to adopt *Resolution*

2010-28, *Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Maintenance Garage Re-Roofing Project to MiBo Construction* in the amount of \$44,234.00. Mr. Miklosey suggested this project be inspected thoroughly. Roll call vote: Kennedy-Yes; Juliano-Yes; Lanuto-Yes; Miklosey-Yes; Masciale-Yes. Motion passed.

Resolution 2010-29 – Award Contract for Cleaning and Televising Sanitary Sewer Contract No. 6 - A motion was made by Mr. Kennedy and seconded by Mrs. Lanuto to adopt *Resolution 2010-29, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Cleaning and Televising Sanitary Sewer Contract No. 6 Project to Video Pipe Services* in the amount of \$150,489.00. Roll call vote: Kennedy-Yes; Lanuto-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes. Motion passed.

Resolution 2010-30 – Award Contract for Municipal Lane Pump Station Upgrades (Bid No. 2) - A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2010-30, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Municipal Lane Pump Station Upgrades (Bid No. 2) Project to AC Schultes* in the amount of \$17,725.00. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Resolution 2010-31 – Award Contract for Municipal Lane Pump Station Upgrades (Bid No. 1) - A motion was made by Mr. Miklosey and seconded by Mr. Juliano to adopt *Resolution 2010-31, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Municipal Lane Pump Station Upgrades (Bid No. 1) Project to D & D Utility Contractors* in the amount of \$40,981.00. Roll call vote: Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

Resolution 2010-32 – Award Contract for Supply of Non-Clog Submersible Pumps A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution 2010-32, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Supply of Standby Non-Clog Submersible Pumps (Bid No. 3) for the Municipal Lane Pump Station Upgrades Project to CW Sales* in the amount of \$23,840.00. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Resolution 2010-33 – Award Contract for Tank No. 2 Repainting Project - A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2010-33, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Tank No. 2 Repainting Project to Beckett Enterprises, Inc.* in the amount of \$230,000.00. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Resolution 2010-27 – Letter of No Interest – T-Mobile Northeast, LLC – On recommendation by the executive director, a motion was made by Mr. Miklosey and seconded by Mrs. Lanuto to adopt *Resolution 2010-27, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Letter of No Interest – Minor Site Plan, Block 314.01, Lot 29.04, T-Mobile Northeast, LLC.* Mr.

Woolf explained the applicant is proposing to install a flagless flagpole at the Lacey Retail Center site. This flagpole would be utilized as an antenna for cellular phones, and would be enclosed by a chain link fence. He stated he reviewed the plans and there are no chemicals/fuel/etc. proposed to be stored at this site; therefore, there is no impact to the wellhead protection area. Mr. Woolf stated the Authority's engineer has also reviewed the plans and is in agreement this project qualifies for a Letter of No Interest. Mr. Nosti asked what is the diameter of the pole. A representative from T-Mobile was present and responded the diameter is 30 inches for a single pole, which is a permanent structure and would accommodate four cellular carriers if needed in the future. Roll call vote: Miklosey-Yes; Lanuto-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

BUSINESS REPORT

January Meter Reads – Ms. Barrett reported 3,762 meters were read in January for Cycles 2 and 9. Thirty-four work orders were cut to obtain manual reads not obtained during regular meter read routes. Six reads were questioned because of high usage. One customer was contacted by phone; five customers were sent letters.

February Billing – Ms. Barrett reported utility bills were mailed/hand delivered on February 3rd in the amount of \$687,472.31. Penalties were assessed on 3,195 past due accounts (all cycles) in the amount of \$18,424.06 for a total billing in February of \$705,896.37.

Customer Service – Ms. Barrett reported thirty-nine final reads with equipment inspections were performed in January with no violations. Forty-eight new customer welcome letters were mailed in December and fifteen responses were received in January.

ENGINEER'S REPORT

Resolution No. 2010-09 – Preliminary Sewer and Water Approval – White Castle Restaurant - Block 331, Lot 1 - Mr. Dittenhofer reported his office received the application and plans for preliminary sewer and water approval for White Castle Systems, Inc., Block 331, Lot 1. The applicant is proposing to construct a 1,952 SF White Castle restaurant at the intersection of Route 9 and Sunrise Boulevard, in the northeast corner. The applicant proposes to connect to the existing water main along Route 9 and install a 2" water service for the restaurant. The applicant also proposes to connect to the existing sanitary sewer main located in Sunrise Boulevard and install a 6" sanitary lateral for the restaurant. On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mrs. Lanuto to adopt *Resolution 2010-09, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, White Castle Restaurant, White Castle Systems, Inc., Block 331, Lot 1*. Roll call vote: Miklosey-Yes; Lanuto-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes. Motion passed.

Resolution 2010-10 – Performance Guarantee Release and Final Payment – Water Plant No. 2 Upgrade – T.K.T. Construction Co., Inc. – On recommendation by the Authority's engineer, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2010-10, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Performance Guarantee Release and Final Payment, Water Plant No. 2 Upgrade, T.K.T. Construction Co., Inc.* Roll call

vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Wells and Water Treatment Plant at Well No. 1 Site – Mr. Dittenhofer stated the drilling operation is complete, and the well is pumping. He stated the State has been out to test the water and his office is waiting for those results. He stated there is concern from the New Jersey Geological Survey where salinity is high. Mr. Masciale asked about iron in the water. Mr. Dittenhofer stated the well must be pumped a little longer before a decent read is established.

Resolution 2010-34 – Maintenance Bond Release – Pershing Avenue Road Improvements – Hidden Lakes Estates – FDB Management, LLC – On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Kennedy to adopt *Resolution 2010-34, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Maintenance Bond Release, Pershing Avenue Road Improvements, Hidden Lakes Estates – FDB Management, LLC, Blocks 1199, 1207 and 1212-1215 Various Lots*. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Beach Boulevard Bridge Utility Relocation – Mr. Dittenhofer stated direction drilling is complete for this project. They are in the process of pulling pipes. Mr. Reid stated he is concerned there are no flashing lights on Pasadena Drive indicating there are pipes in the road. Mr. Dittenhofer stated the contractor should be done by next Tuesday. Additionally, the electrical company needs to come in and finish it. Mr. Masciale asked what is the estimated completion date for the bridge. Mr. Reid stated the contractor cannot be in the water before April 1st and must be out of the water by June 30th. He also stated the contractor must pay a significant penalty if the job is not completed by the contract date.

Cleaning and Televising Contract No. 5 – Mr. Dittenhofer stated this project is 90% complete.

ATTORNEY'S REPORT

Lacey Township Lease Agreement – Mr. Dasti stated he received the draft lease agreement from Mr. Gilmore and recommended it be discussed in closed session.

Rate Hearing – Mr. Dasti stated the stenographic transcript of the rate hearing has been forwarded to the Authority to be filed as "public record".

AUDITOR'S REPORT

Accountant's Status Report – Month Ended December 31, 2009 - Mr. Holman stated the status report for year-end December 31, 2009 was favorable. Sewer revenues are above budget, and there is a positive variance due to connection fees. User charges and expenditures on the waterside of the budget were unfavorable. Interest income was favorable. Mr. Woolf noted the Authority pumped forty million gallons less in 2009. Mr. Miklosey stated since water usage declined, he is confused as to why the Ocean County Utilities Authority is requesting an additional \$69,000.00 due to high usage. Mr. Woolf stated he believes this is attributed to the rainfall during 2009. Mr. Miklosey asked if there is an area of concern for the spike in discharge. Mr. Woolf stated it may be the Forked River Beach area. Mr. Masciale stated if this continues during a dry spell

there is a problem somewhere. If it goes down during a dry spell then we will know it is due to the saturation. Mr. Woolf noted the Authority's sewer discharge to the OCUA declined each year over the last four to five years until 2009.

CORRESPONDENCE

Otto Polgardi, Capstan Drive – Mr. Polgardi is requesting relief of his utility bill, due to a broken water pipe. Since the water that leaked did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to grant a credit adjustment on the sanitary sewer charges in the amount of \$322.38 (73,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

GSM Acquisitions at Lacey, LLC, S. Main Street – GSM Acquisitions are requesting relief of their utility bill, due to unexplained high water usage. Since the customer's water meter tested accurate, a waiver of a portion of charges could not be supported.

Charles Fino, Hollywood Drive - Mr. Fino is requesting relief of utility bill, due to a water pipe leak. Since the water leaked into the crawl space and did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to grant a credit adjustment on the sanitary sewer charges in the amount of \$77.66 (27,470 gallons) for the September 2009 bill, and \$25.76 (13,775 gallons) for the December 2009 bill. Roll call vote: Mr. Kennedy-Yes; Mr. Miklosey-Yes; Juliano-Yes; Lanuto-Yes; Masciale-Yes. Motion passed.

Mr. & Mrs. Weigman, Vaughn Avenue - Mr. & Mrs. Weigman are requesting sewer code violation cost recovery fees. After careful consideration of this request, a waiver of the charges could not be supported.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

There was no new business to discuss.

PUBLIC BUSINESS/ COMMENT

Lorraine Sansone – In reference to the T-Mobile application, Ms. Sansone asked if there is going to be footings installed for the flagpole. Mr. Woolf stated the plans indicate above ground footing. Mr. Dittenhofer added that it would be weighted down. Ms. Sansone asked if there would be an increase in impervious coverage. Mr. Woolf stated it is going to be installed behind the Staples store, next to a loading dock. Ms. Sansone asked if there would be penetration to the ground. Mr. Woolf stated there would be due to the chain link fence.

In reference to the OCUA increase, Ms. Sansone asked if there is a problem at the Forked River Beach area. Mr. Woolf stated at the Forked River Beach area there are rain dishes inside the manholes, which are designed to seal off the cover of a manhole. However, when the road is under water there are cracks and crevices where the water enters and drains into the sanitary sewer system. Additional effort has been put into sealing the system off in that area to prevent the inflow of rainwater. Mr. Woolf stated that area has been televised approximately five years ago, and all leaks were grouted. It is time that

area is televised again. Ms. Sansone asked if the Authority would wait until a “dry spell” before investigating the spike in usage. Mr. Woolf stated he would have it televised before that time. Mr. Masciale stated Authority would measure the volume of flow during a dry spell to determine if there are any problems.

In reference to White Castle, Ms. Sansone asked at what frequency would the monitoring well be tested. She asked if it would be done quarterly for the first year. Mr. Woolf stated since the project has 43 parking spaces or less, only a baseline test is required, and one test annually thereafter. He also stated a priority pollutants plus 40 test would also be conducted. Mr. Miklosey pointed out the LMUA has the right to enter the property at its own expense and conduct testing if necessary. Mr. Dittenhofer stated the applicant must apply for tentative approval where an operations agreement would be prepared to include parameters they must follow.

Allison Lemke – Mrs. Lemke asked what are the anticipated gallons per minute on the new well. Mr. Dittenhofer stated between 1700-1800 gpm. Mrs. Lemke asked if there are plans to shut down well No. 1 after the new well goes on line. Mr. Masciale stated that has yet to be determined. Mr. Woolf stated the only wells considering to be shut down at this time are the Brookdale Wells, since they are low producing wells.

Mrs. Lemke asked if Oyster Creek Exelon plant hooked up to the Authority’s water system. Mr. Woolf stated not at this time.

Mrs. Lemke asked how many Toll Brothers homes have been hooked up to water and sewer. Ms. Barrett stated approximately 27.

Regina Discenza – Mrs. Discenza asked if anyone had knowledge of what was going to be built on the Southeast corner of Sunrise Boulevard and Route 9. The Commissioners had no knowledge of what was being built at that site.

Mrs. Discenza asked if the Authority has any concerns about the traveling tritium leak in the Cohansay Aquifer. Mr. Woolf stated all of the Authority’s wells are sampled on a monthly basis for radiologicals. There have been no issues.

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 \$481,305.02 be and the same are hereby approved to be paid.
2. Said vouchers are listed on the attached computer check register.

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

**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 matter.
2. The general nature of this closed session concerns contractual matters.
3. It is anticipated at this time that the above-stated matter will be made public once this matter has been resolved.
4. This resolution shall take effect immediately.

A motion was made by Mr. Miklosey 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 Mrs. Lanuto to reopen the meeting. Roll call vote: Unanimously approved.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Michele Kennedy
Secretary

