

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
MAY 5, 2010**

Pledge of Allegiance

**ROLL CALL**

The regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, May 5, 2010 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Arthur Miklosey, Nick Juliano and Jack Nosti. 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.

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

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

**EXECUTIVE  
DIRECTOR'S  
REPORT**

**Cash Balance Report - Period Ending March 31, 2010** - Mr. Woolf summarized the cash balances for period ending March 31, 2010 as follows: Total cash balance for the unrestricted accounts were \$4,907,938.43, with earnings of \$5,322.43. Total cash balance for the restricted accounts held by the trustee were \$5,785,288.04, with earnings of \$4,998.43. Current period interest on the restricted and unrestricted accounts was \$10,320.86. Year-to-date earnings on all interest bearing accounts were \$32,583.59.

**OCUA Metered Flow Data** - Mr. Woolf stated the Authority received the first quarter metered flow data tabulation from the OCUA. He stated there was an increase of approximately 20 million gallons for March, which amounts to a \$74,000 increase in charges for the month. He stated the increase is due to elevated groundwater levels due

to high precipitation and flooding. He stated he would request relief of the charges from the OCUA due to the extreme conditions.

## **BUSINESS REPORT**

**April Meter Reads** – Ms. Barrett reported 3,772 meters were read in April for Cycles 2 and 9. Thirty-one work orders were cut to obtain manual reads not obtained during regular meter read routes. Eight reads were questioned because of high usage. One customer was contacted by phone and had a large outside leak. Seven customers were sent letters.

**May Billing** – Ms. Barrett reported utility bills were mailed/hand delivered on May 4<sup>th</sup> in the amount of \$656,064.55. Penalties were assessed on 3,183 past due accounts (all cycles) in the amount of \$14,852.43 for a total billing in May of \$670,916.98.

**Customer Service** – Ms. Barrett reported seven new customer welcome letters were mailed in March and five responses were received in April. Forty final reads with equipment inspections were performed in April with no violations.

Mr. Knoeller asked what information is requested on the customer service letters. Ms. Barrett stated customers are requested to verify their names, mailing address, phone number, and how many people live in the house.

## **ENGINEER'S REPORT**

**Resolution 2010-39 – Performance Bond Release – Cash Maintenance Guarantee Release – Closeout Escrow Account – Steven Hough – Challenger Way** – On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2010-39, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Performance Bond Release, Cash Maintenance Guarantee Release, Closeout Developer Escrow Account, Steven Hough – Challenger Way, Block 1002, Lot 4*. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Resolution 2010-40 – Performance Bond Release – Closeout Escrow Account – Hidden Harbor** – On recommendation by the Authority's engineer, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to adopt *Resolution 2010-40, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Release Sewer and Water Performance Guarantees, Closeout Developer Escrow Account, Hidden Harbor, Blocks 791.06 – 791-08 & 791.10 Lots 17 & 18*. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Resolution 2010-41 – Release Sewer and Water Cash Bonds - Closeout Escrow Account – Center Street Road Improvement** – On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2010-41, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Release Sewer and Water Cash Bonds, Closeout Developer Escrow Account, Center Street Road Improvement, Blocks 1557, Various Lots*. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Resolution 2010-42 – Performance Bond Release and Final Payment – Beach Boulevard Bridge Water and Sewer Mains Relocation – CRJ Contracting Corporation** – On recommendation by the Authority’s engineer, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2010-42, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Performance Bond Release and Final Payment, Beach Boulevard Bridge – Water and Sewer Mains Relocation, CRJ Contracting Corporation*. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Wells and Water Treatment Plant at Well No. 1 Site** – Mr. Dittenhofer stated the contractor would be doing the restoration to Well No. 7 site. Drilling of Well No. 8 is to start on May 11<sup>th</sup>.

**Conceptual Design Water Treatment Plant No. 3** – Mr. Dittenhofer stated his office prepared the conceptual design, engineer’s report, and cost estimates for a 1500 gpm treatment facility. He stated the next step is to get Well No. 8 drilled so the aquifer tests and final water allocation can be complete. Mr. Knoeller requested the finance committee meet and discuss the possibility of financing this project with a straight mortgage instead of bonding. Mr. Dasti noted there are more restrictions with bonding than a straight mortgage. Mr. Knoeller stated this issue would be discussed further at the next meeting.

**Repainting of Tank No. 2** – Mr. Dittenhofer stated this project would begin on Monday, May 11<sup>th</sup>.

#### ATTORNEY’S REPORT

**Sea Breeze at Lacey** – Mr. Dasti stated he reviewed and approved the performance bond submitted by Sea Breeze at Lacey.

**Beach Boulevard Bridge** – Mr. Dasti stated he reviewed and approved the closeout documents from CRJ Contracting for the Beach Boulevard Bridge project.

#### AUDITOR’S REPORT

**Accountant’s Status Report – Month Ended March 31, 2020** – Mr. Conaty reported net user charges for sewer and water had an unfavorable variance for the month of March. However, it was made up through delinquency charge, interest income and house connections. There was an unfavorable variance on utilities and fuel, due to the delay in the Authority receiving the bills.

#### CORRESPONDENCE

**Mr. & Mrs. Cox, Sunset Drive** – Mr. and Mrs. Cox are requesting relief of utility bill, due to water leak at the meter pit. Since the water did not go into the sewer system, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to grant a credit adjustment on the sanitary sewer charges in the amount of \$243.34 (52,000 gallons). Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Alan Verge** – Mr. Woolf stated Mr. Verge is requesting relief on the sewer charges of his utility bill. He explained Mr. Verge has a home that is under construction. He

installed new sod at the residence and has been watering it regularly. Mr. Woolf stated he inspected the home and found plumbing fixtures have not been installed. Therefore, none of the water went into the sewer. A motion was made by Mr. Masciale and seconded by Mr. Miklosey to offer relief on the sewer charges once a final read is completed before the plumbing fixtures are installed. Roll call vote: Masciale-Yes; Miklosey-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Mr. & Mrs. Marsden, Orlando Drive** – Mr. & Mrs. Marsden are requesting relief of utility bill, due to a leak. Based upon all the available information, a waiver of a portion of the charges could not be supported.

**Mr. & Mrs. Kapitan, Beach Blvd.** – Mr. & Mrs. Kapitan are requesting a payment plan and waiver of April and May penalties. After consideration of this request, a motion was made by Mr. Miklosey and seconded by Mr. Masciale to grant additional time to pay the balance of the March 2010 bill, and to waive the penalties. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**Anne Planko, Brookdale Drive** - Ms. Planko is requesting relief of utility bill, due to a broken pipe. Since the water did not go into the sewer system, a motion was made by Miklosey and seconded by Mr. Masciale to grant a credit adjustment on the sanitary sewer charges in the amount of \$7.87 (7,400 gallons). Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**OLD  
BUSINESS**

There was no old business to discuss.

**NEW  
BUSINESS**

Mr. Knoeller referenced a letter from NJDEP, which indicated the Authority was not in compliance due to a late filing of a report. Mr. Woolf apologized, and stated the report has been submitted and the Authority is now in compliance. Mr. Knoeller stressed the importance of filing reports on time.

**PUBLIC BUSINESS/  
COMMENT**

**Dan Staruch** – Mr. Staruch asked if the drinking water is coming from the new well. Mr. Knoeller stated no – it would be months before it is available for consumption.

**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 \$388,046.18 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. Masciale to adopt the above resolution. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes, but abstains on South Jersey Auto Supply; Miklosey-Yes; Masciale-Yes; Knoeller-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 matters.
2. The general nature of this closed session concerns personnel matters.
3. It is anticipated at this time that the above-stated matter will be made public once these matters have been resolved.
4. This resolution shall take effect immediately.

A motion was made by Mr. Miklosey and seconded by Mr. Masciale 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.

**OTHER  
BUSINESS**

A motion was made by Mr. Miklosey and seconded by Mr. Masciale approving a \$500.00 stipend increase for Darren Coraggio for additional duties relating to the grease trap inspection program. This stipend will not be made apart of his salary. Roll call vote: Miklosey-Yes; Masciale-Yes; Nosti-Yes; Juliano-Yes; Knoeller-Yes. Motion passed.

**ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Michele Kennedy  
Secretary

