

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
DECEMBER 4, 2013**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, December 4, 2013 and was called to order at 7:00 p.m. by James Knoeller, Chairman. Other members present were Michael Masciale, Richard Kennedy, Arthur Miklosey, Nicholas Juliano and Ralph Lanuto. Also present were Jerry Dasti, Esq, attorney; Frank Holman, auditor; Alan Dittenhofer, engineer; Edward A. Woolf, Executive Director; and Deborah Busch, Office Manager.

**“SUNSHINE
LAW”
STATEMENT**

Mr. Knoeller read the following statement.

Notice of this regular 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 November 6, 2013 – A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to approve the minutes of the Regular Meeting of November 6, 2013. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Abstain; Masciale-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR’S
REPORT**

Cash Balance Report - Period Ending October 31, 2013 - Mr. Woolf summarized the cash balances for period ending October 31, 2013 as follows: Total cash balance for the unrestricted accounts were \$6,283,393.24, with earnings of \$945.86. Total cash balance for the restricted accounts held by the trustee were \$7,040,458.05, with earnings of \$1,165.92. Current period interest on the restricted and unrestricted accounts was \$2,111.78. Year-to-date earnings on all interest bearing accounts were \$43,570.08.

Resolution 2013-73 – Award Contract for Purchase of Auto Parts and Accessories - On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2013-73, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for the Purchase of Auto Parts and Accessories to Eastern Warehouse Distributors, Inc.*

and Freehold Ford, Inc. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Abstain; Masciale-Yes; Knoeller-Yes. Motion passed.

Resolution 2013-74 – Letter of No Interest – Minor Subdivision – George Cluen, LLC – On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2013-74, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Letter of No Interest – Minor Subdivision, George Cluen, LLC, Block 3300, Lot 2*. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Professional Services Contract 2014 – Mr. Woolf requested authorization to advertise and receive proposals for professional services contract 2014. A motion was made by Mr. Kennedy and seconded by Mr. Miklosey authorizing advertisement to receive proposals for professional services contract 2014. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Comp Time - Mr. Miklosey questioned the 81 hours of comp time accrued for the month of October. Mr. Woolf explained the majority of comp time was due to working on the shut off policy, as well as the preparation of the tax lien sale. He is looking to modify the shut-off policy to avoid the need for comp time in the future.

BUSINESS REPORT

The business report was submitted for review. The MUAA dinner/meeting will be held on Thursday, December 12, 2014.

ENGINEER'S REPORT

Resolution 2013-75 – Tentative and Final Sewer and Water Approval – Lacey Corner, LLC – Mr. Dittenhofer reported his office received the application and plans for tentative and final sewer and water approval for Lacey Corner, LLC, Block 630.01, Lot 1. The applicant is proposing to construct a 6,300 SF medical office building at the intersection of Route 9 and Haines Street, in the southeast corner. The applicant proposes to connect to the existing water main along Haines Street and install 6" D.I.P. water main and a fire hydrant on site. The building will be serviced with a 1" domestic service. The applicant also proposes to connect to an existing manhole on the east side of Route 9 and extend gravity sewer and a 6" lateral for the site. The on-site improvements will consist of a lateral from the building to a manhole with an ejector pump, and a force main that will be installed between the ejector pump and the cleanout of the 6" lateral in the right-of-way of Route 9. Mr. Miklosey asked if there will be any medical waste discharged. Mr. Dittenhofer stated the applicant has not indicated there would be. On recommendation by the Authority's engineer, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt *Resolution 2013-75, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Tentative and Final Sewer and Water Approval, Medical Office Building, Lacey Corner, LLC, Block 630.01, Lot 1*. Roll call vote: Masciale-Yes; Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades - Mr. Dittenhofer stated this project is 90% complete. New electrical service has been installed at WTP No. 1, and electrical control installation is ongoing. Well No. 7 is ready for start-up and testing. The contract deadline is December 31st, and should be producing water by February.

Installation of Hydraulic Grinder at Parkers Point and L-4 Pump Station – Mr. Dittenhofer stated the shop drawings were approved and is waiting for the equipment to be delivered. Demolition and site prep work is ongoing.

Decommissioning of Brookdale Wells No. 1 & No. 2 – Mr. Dittenhofer submitted the cost estimate for demolition of the wells to the Board. The total estimate is \$54,000.00, which includes removal of the building, filling, grading etc., as well as sealing the two wells. Mr. Masciale asked if this project would go out to bid. Mr. Dittenhofer stated yes, however, the bid would not include sealing of the wells. He stated sealing of the wells would cost approximately \$7,500.00 and recommends obtaining price quotes for this portion of the project. Mr. Woolf stated he will ask the Township for their assistance. A motion was made by Mr. Masciale and seconded by Mr. Miklosey to authorize the engineer to proceed with obtaining price quotes with sealing the two wells. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

ATTORNEY'S REPORT

Bond Refunding – Mr. Dasti stated the sewer and water bond refunding has been completed, and all monies have been dispersed. The Authority has achieved a great savings for the benefit of the ratepayers.

Crown Castle - The Assignment of Lease documents have been forwarded to Crown Castle for signature.

AUDITOR'S REPORT

Mr. Holman reported user charges for the month of October resulted in an unfavorable variance, due to the implementation of a payment plan for residents who received turnoff notices. Connection fees had a favorable variance due to connection fees from Toll Brothers. Mr. Masciale and Mr. Miklosey expressed their concern with the unfavorable balances on the user fees, and it affecting next year's budget. Mr. Holman stated this has been the trend with other Authority's as well. Part of it is water saving devices that newer homes are using, as well as consumption, economy and the storm. He pointed out that Toll Brother's customers have not had a full year of payment.

Mr. Masciale referenced the favorable variance of \$12,582, due to repairs that have been postponed. Mr. Woolf stated this means a certain amount of money was budgeted for repairs, therefore, are under budget. Mr. Masciale asked if this is a concern. Mr. Woolf stated he would look into it.

CORRESPONDENCE

Armand Cuccinello – Requesting credit of penalty, due to banking error. A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to waive the penalty in the amount of \$3.05. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

J.W. Finley, Inc. - Requesting relief of utility bill, due to water line leak. Since the water that leaked did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to grant a credit adjustment on the sewer charges in the amount of \$1,088.29 (146,000 gallons). Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

Sanford Weinberg – Requesting relief of utility bill, due to over filling of swimming pool. Since the filling of the pool was storm related, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to grant a credit adjustment in the amount of \$274.76 (62,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Nancy Pease - Requesting relief of utility bill, due to water line leak. 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 sewer charges in the amount of \$84.59 (25,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Richard Holzer – Requesting relief of utility bill, due to watering lawn without irrigation meter. Based upon the available information, a waiver of the service charges could not be supported.

Dale Rosenberg-Warren – Mr. Woolf recommended this issue be tabled until additional information is obtained.

Robert Mills – Mr. Mills was present requesting relief of his utility bill, due to filling pool without pool-fill meter. He indicated it was necessary to fill the pool, since it was damaged from the storm. Mr. Knoeller recommended Mr. Mills submit a letter to the Board requesting said relief, and indicate that it was storm related.

**OLD
BUSINESS**

Resolution 2013-76 – Donation of Vehicles to Township of Lacey – Secretary Kennedy executed *Resolution 2013-76, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorize Donation of Vehicles to Township of Lacey.*

**NEW
BUSINESS**

Mr. Woolf stated he would be scheduling a meeting for next week to revisit the Authority's turn-off policy.

**PUBLIC BUSINESS/
COMMENT**

There was no public business/comment.

**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 \$1,017,910.25 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. Miklosey and seconded by Mr. Masciale to adopt the above resolution. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes, but abstains on Eastern Warehouse Distributors; Kennedy-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. Masciale and seconded by Mr. Kennedy to adopt the above resolution. Roll call vote: Unanimously approved.

Separate minutes were kept on the above closed session. Ms. Busch and Ms. Kennedy were excused from this portion of the meeting.

**RE-OPEN
MEETING**

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

**OTHER
BUSINESS**

A motion was made by Mr. Kennedy and seconded by Mr. Miklosey to hire Melissa Verge as a part time employee at the maximum allowable hours at the account clerk's rate of pay. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

The Board will revisit Ms. Verge's performance and the need for a full time account clerk in six months.

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

Respectfully submitted,

Michele Kennedy
Executive Secretary

