

**LACEY MUNICIPAL UTILITIES AUTHORITY
REGULAR MEETING
AUGUST 6, 2014**

Pledge of Allegiance

ROLL CALL

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, August 6, 2014 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, Jack Nosti and Ralph Lanuto. Also present were Chris Connors, Esq., attorney; Alan Dittenhofer, engineer; Frank Holman, auditor; and Edward A. Woolf, Executive Director. Mark Dykoff, Lacey MUA/Township Committee Liaison, also attended the meeting.

**“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 July 2, 2014 – A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to approve the minutes of the Regular Meeting of July 2, 2014. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Closed Session Meeting of July 2, 2014 - A motion was made by Mr. Miklosey and seconded by Mr. Kennedy to approve the minutes of the Closed Session Meeting of July 2, 2014. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE
DIRECTOR’S
REPORT**

Cash Balance Report - Period Ending June 30, 2014 - Mr. Woolf summarized the cash balances for period ending June 30, 2014 as follows: Total cash balance for the unrestricted accounts were \$6,589,298.83, with earnings of \$272.06. Total cash balance for the restricted accounts held by the trustee were \$5,498,499.59, with earnings of \$4,325.99. Current period interest on the restricted and unrestricted accounts was \$4,593.30. Year-to-date earnings on all interest bearing accounts were \$18,277.29.

Cleaning and Televising Sewer Contract No. 7 – Mr. Woolf requested authorization to advertise and receive bids for cleaning and televising sewer contract No. 7. A motion was made by Mr. Miklosey and seconded by Mr. Kennedy authorizing advertisement to receive bids for cleaning and televising sewer contract No. 7. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**BUSINESS
REPORT**

The business report was submitted for review.

**ENGINEER'S
REPORT**

Resolution 2014-42 – Preliminary Sewer and Water Approval – Liberty Overhead Door, Inc. – Mr. Dittenhofer stated his office received the application and plans for preliminary sewer and water approval for Liberty Overhead Door, Inc., Block 1002, Lot 1.17. The applicant is proposing to construct a 7,200 SF warehouse building in the cul-de-sac of Old Shore Road, west of Challenger Way. The applicant proposes to connect to an existing sanitary sewer main in Old Shore Road and install a lateral to service the building. The applicant also proposes to connect to an existing water main in Old Shore Road and install water services for both domestic use and fire protection. On recommendation by the Authority's engineer, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-42, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Preliminary Sewer and Water Approval, Liberty Overhead Door, Inc., Block 1002, Lot 1.17*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Water Treatment Plant No. 1 Upgrades – Mr. Dittenhofer stated his office contacted the Bureau of Safe Drinking Water regarding the status of the permit. They indicated the permit to operate is complete and approved. His office is waiting for the signed permit.

Meter Installation – Mr. Dittenhofer stated specifications were reviewed and adjustments are ongoing. The project should be ready to go out to bid by August 15th.

Installation of Hydraulic Grinder at CP-1 - Mr. Dittenhofer stated the shop drawings for this project are under review.

**ATTORNEY'S
REPORT**

Lacey MUA vs. Quinn Spectrum Realty, Co. - Mr. Connors stated his office forwarded to the representative of Trans End Wireless the consent form so they are able to obtain a zoning permit in order to install new sale antennas on the water tank.

Water Service Application – Affordable Housing - Mr. Connors stated his office reviewed correspondence from the Authority's engineer regarding preliminary and tentative water and sewer compliance review.

White Castle Restaurant – Mr. Connors stated his office reviewed correspondence from the Authority's engineer regarding tentative water and sewer compliance review.

**AUDITOR'S
REPORT**

Status Report – Month Ending June 30, 2014 - Mr. Holman reported user charges for sewer resulted in a favorable variance for the month, and an unfavorable variance on

water. Delinquency charges had a favorable variance on both water and sewer. Interest income had an unfavorable variance due to investments not performing as well as expected. Connection fees had a favorable variance on both water and sewer.

Resolution 2014-43 – 2014 Water Authority Budget Amendment – On recommendation by the Authority’s auditor, a motion was made by Mr. Masciale and seconded by Mr. Kennedy to adopt Resolution 2-14-43, 2014 Water Authority Budget Amendment. Roll call vote: Masciale-Yes; Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed. The amendment is for the replacement of the water meters due to superstorm Sandy.

CORRESPONDENCE

John Donovan, Old Shore Road - Requesting relief of utility bill, due to toilet issue. Based upon the available information, a waiver of a portion of the charges could not be supported.

Teresa Nemec, Ensign Drive - Requesting relief of utility bill, due to outside broken hose bib. 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 \$328.90 (68,000 gallons). Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

Helen Zawistowski, Capstan Drive – Mrs. Zawistowski was present to request relief of utility bill, due to her home water softeners running non-stop. Mr. Woolf stated he spoke with the plumber and explained there was a water conditioner that was piped into the water service, however, they set up a continuous flow of water directly to the sanitary sewer system. This kept flowing through the meter, through the water conditioner and directly into the sewer system. Rather than the water being used when needed, it was continually flowing into the sewer system. Ms. Zawistowski stated she never had a problem in the ten years she had the softeners, and perhaps the water was being recirculated. Mr. Knoeller asked if field personnel inspected the softener to make sure it was not being discharged or backwashed into the sewer system. Mr. Woolf stated they have not. Mr. Knoeller recommended this matter be Tabled until a field evaluation can be performed.

Johanna Corbin, Paradise Point Way – Requesting relief of utility bill, due to water leak. Since the last water meter reading did not indicate excessive water usage during the billing cycle, the Board could not justify an adjustment to the account.

OLD BUSINESS

Resolution 2014-41 – Memorialize Action Taken on July 2, 2014 – Appointing Melissa Verge to position of Account Clerk – Secretary Kennedy executed Resolution 2014-41 memorializing action taken on July 2, 2014, appointing Melissa Verge to position of Account Clerk.

Form of Contract – CI-1 Pump Station Hydraulic Comminutors – Chairman Knoeller and Secretary Kennedy executed the contract between the Authority and Derstine Company, LLC for CI-1 Pump Station Hydraulic Comminutors in the amount of \$65,500.00.

**NEW
BUSINESS**

Acacia Financial Group – Mr. Woolf stated he received notification from the State that there is a requirement to examine all outstanding bond issues. Additionally, there is also an obligation to disclose any non-compliances. In order to achieve this, the Authority must appoint a financial advisor that can work with the bond underwriters, in addition to working with bond counsel on the compliance issues. At this time, the Authority does not have an appointed financial advisor. He stated Acacia Financial Group submitted a proposal to perform the work at an amount not to exceed \$5,000.00. Mr. Nosti stated this may be a good time to re-bid for bond counsel. Mr. Woolf recommended the Board retain the services of bond counsel just to handle this matter.

A motion was made by Mr. Masciale and seconded by Mr. Miklosey to appoint Acacia Financial Group as Authority's financial advisor at an amount not to exceed \$5,000.00. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

Mr. Nosti stated if there is an urgency to hire bond counsel he recommends hiring Decotis, Fitzpatrick. Mr. Woolf suggested the Authority receive quotations from bond counsel just to handle this matter. A motion was made by Mr. Miklosey and seconded by Mr. Masciale authorizing the executive director to receive quotations from bond counsel on the compliance issues. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**PUBLIC BUSINESS/
COMMENT**

Regina Discenza, Sunset Boulevard – Mrs. Discenza asked if Well No. 7 is operating since the permit was approved by the NJDEP. Mr. Knoeller stated Well No. 7 cannot operate until the Authority receives the permit in hand. Mrs. Discenza asked how the distribution of water will run. Mr. Woolf explained there are two water treatment plants in service. Water Treatment Plant No. 1 has Wells 1 & 2, which will be a back up to Wells 7 & 8. There is also the Water Treatment Plant behind the Forked River School that has Wells 3, 4 & 5. Both plants contribute to the same network of piping, which ultimately fills the water towers.

Frank Discenza, Sunset Boulevard – Mr. Discenza asked if the water would be drinkable if it was untreated. Mr. Knoeller stated it would be drinkable. Mr. Discenza asked about the possibility of contaminants being dumped into the well. Mr. Knoeller stated the well is approximately 1,600 feet deep with many status of sand and clay. It is naturally protected from contaminations.

**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 \$242,553.98 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.

3. This resolution shall take effect immediately.

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

ADJOURNMENT There being no further business to discuss, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Michele Kennedy
Executive Secretary

