

**LACEY MUNICIPAL UTILITIES AUTHORITY  
REGULAR MEETING  
JANUARY 8, 2014**

Pledge of Allegiance

**ROLL CALL**

A Regular Meeting of the Lacey Municipal Utilities Authority was held on Wednesday, January 8, 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 Jerry Dasti, Esq, attorney; Jerry Conaty, auditor; Felipe Contreras, engineer; Edward A. Woolf, Executive Director; and Deborah Busch, Office Manager. 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 December 4, 2013** – A motion was made by Mr. Masciale and seconded by Mr. Miklosey to approve the minutes of the Regular Meeting of December 4, 2013. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Closed Session Meeting of December 4, 2013** – A motion was made by Mr. Miklosey and seconded by Mr. Masciale to approve the minutes of the Closed Session Meeting of December 4, 2013. Roll call vote: Miklosey-Yes; Masciale-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**EXECUTIVE  
DIRECTOR’S  
REPORT**

**Cash Balance Report - Period Ending November 30, 2013** - Mr. Woolf summarized the cash balances for period ending November 30, 2013 as follows: Total cash balance for the unrestricted accounts were \$7,045,714.02, with earnings of \$1,433.68. Total cash balance for the restricted accounts held by the trustee were \$5,253,562.78, with earnings of \$1,265.36. Current period interest on the restricted and unrestricted accounts was \$2,699.04. Year-to-date earnings on all interest bearing accounts were \$46,269.12.

**Resolution 2014-01 – Award Contract for Computers, Printers and Computer Related Supplies – CDW-G** - On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-01, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Authorizing the Award of a Non-Fair and Open Contract for Computers, Printers and Computer Supplies to CDW-G*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-02 – Opposing Assembly Bill No. 4147** – Mr. Woolf explained this bill would mandate all bids would have to have an engineer's cost estimate included, which would inform the bidder what price they should submit. The reason there is opposition to this bill is that a price below the engineer's cost estimate may be submitted, and we would not want to disclose that information in an advertisement. Additionally, the bill also reduces the ability to reject bids if the pricing is not acceptable. On recommendation by the executive director, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-02, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Opposing Assembly Bill No. 4147 which would require certain contract bid advertisements to contain certified cost estimate ranges, and would specify the grounds for the rejection of all bids and would require a 50% guaranty on bids not to exceed \$100,000.00..* Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-04 – Award Contract for Supply of Water Treatment Chemical Supplies for 2014** - On recommendation by the executive director, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2014-04, Resolution of the Lacey Municipal Utilities Authority, County of Ocean, State of New Jersey, Awarding Contract for Supply of Water Treatment Chemical Supplies for 2014*. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed. Mr. Miklosey asked if freight on board is included in the price quote. Mr. Woolf stated shipping/freight is included.

**Water Shut-Off** – Mr. Woolf stated a meeting was held to discuss modifying the existing water shut-off policy. A Resolution will be prepared for the next meeting outlining the modifications.

## **BUSINESS REPORT**

The business report was submitted for review.

## **ENGINEER'S REPORT**

**Water Treatment Plant No. 1 Upgrades** - Mr. Contreras stated this project is 99% complete for Well No. 7. Well No. 7 is ready for start-up on January 6, 2014.

**Installation of Hydraulic Grinder at Parkers Point and L-4 Pump Station** – Mr. Contreras stated this project is complete.

**Decommissioning of Brookdale Wells No. 1 & No. 2** – Mr. Contreras stated a cost estimate for demolition was submitted for review. Mr. Woolf stated a purchase order has been generated for this project.

**ATTORNEY'S  
REPORT**

**Health Equities, LLC** – Mr. Dasti stated his office reviewed and approved the close-out documents.

**Lacey Corner** – Mr. Dasti stated his office reviewed the correspondence concerning tentative and final water and sewer application.

**AUDITOR'S  
REPORT**

**Resolution 2014-05 – Adopt 2014 Sewer Budget** – On recommendation by the auditor, a motion was made by Mr. Masciale and seconded by Mr. Miklosey to adopt *Resolution 2014-05, 2014 Adopted Sewer Budget Resolution, Lacey Municipal Utilities Authority*. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-07 – Adopt 2014 Water Budget** – On recommendation by the auditor, a motion was made by Mr. Miklosey and seconded by Mr. Juliano to adopt *Resolution 2014-07, 2014 Adopted Water Budget Resolution, Lacey Municipal Utilities Authority*. Roll call vote: Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-06 – Submittal of 2014 Sewer Budget** – On recommendation by the auditor, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-06, Submittal of the 2014 Sewer Budget, Lacey Municipal Utilities Authority*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Resolution 2014-08 – Submittal of 2014 Water Budget** – On recommendation by the auditor, a motion was made by Mr. Kennedy and seconded by Mr. Miklosey to adopt *Resolution 2014-08, Submittal of the 2014 Water Budget, Lacey Municipal Utilities Authority*. Roll call vote: Kennedy-Yes; Miklosey-Yes; Juliano-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Status Report – November 30, 2013** - Mr. Conaty reported user charges for the month of November resulted in a favorable variance on both water and sewer. Connection fees had a favorable variance due to connection fees from Toll Brothers. In regards to the OCUA Fee Analysis, Mr. Knoeller pointed out the Authority's estimated usage exceeded actual usage by 24 million gallons, therefore, the Authority can expect a credit of over \$100,000 through the month of December.

**CORRESPONDENCE**

**Kirk Peters, leeward Drive** – Requesting relief of utility bill, due to water leak. Since the water that leaked did not go into the sewer system, a motion was made by Mr. Kennedy and seconded by Mr. Juliano to grant a credit adjustment on the sewer charges in the amount of \$823.40 (115,000 gallons). Roll call vote: Kennedy-Yes; Juliano-Yes; Miklosey-Yes; Masciale-Yes; Knoeller-Yes. Motion passed.

**Alexis Bunt/Jean Thomas** – Requesting waiver of fee to replace stolen water meter. Based upon the circumstances, a motion was made by Mr. Kennedy and seconded by Mr. Masciale to waive the fee to replace the new water meter. Roll call vote: Kennedy-Yes; Masciale-Yes; Juliano-Yes; Miklosey-Yes; Knoeller-Yes. Motion passed.

**OLD  
BUSINESS**

There was no old business to discuss.

**NEW  
BUSINESS**

Mr. Woolf stated a meeting was held with the finance committee to discuss banking issues. He requested this issue be discussed in closed session.

Mr. Nosti asked for an update on the Authority's ability to accept bank and credit card payments. Mr. Woolf stated computer software needs to be upgraded. He is currently looking into companies that can provide the necessary software for the Authority to accept credit and debit card payments. Mr. Nosti asked that electronic transfer/bill pay from banks option also be explored.

Mr. Miklosey asked who is responsible in paying the credit card fees. Ms. Busch stated the customer is responsible. The fees are collected through a 3<sup>rd</sup> party by the credit card company. The LMUA has no involvement in collection of these fees.

Mr. Miklosey thanked Mr. Dykoff, Township Committee, and LMUA Commissioners for his reappointment as Authority Treasurer.

**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 \$278,476.53 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.

**Gary Mannuzza, Bowline Drive** – Mr. Mannuzza was present to voice his frustration regarding the water shut-off policy. He stated he came to the office to pay his utility bill by check after he received a shut-off notice, only to be informed the bill had to be paid by cash, money order, or certified check. Mr. Mannuzza stated the Authority should implement a check verification system, or on-line bill pay to avoid these situations. Mr.

Woolf stated changes are being made to the shut-off policy, as well as looking into the acceptance of credit cards and bank payments.

Mr. Mannuzza asked if all residents are connected to city water. Mr. Knoeller stated the only homes that are not on city water are residents west of the parkway out in Bamber. He explained they are unable to be connected because there is no service to feed those homes. Also, there are a few homes in the Pines whose homes are built far away from the feeding line. He stated the law requires if a home is within the service area the Authority covers then they are mandated to hook up to water. If not in the service area you cannot require those residents to hook up to water.

Mr. Mannuzza asked who owns the LMUA. Mr. Knoeller stated the LMUA is a separate entity from the Township. It operates its own budget, does their own hiring, etc. He stated the Township appoints LMUA Commissioners who are ultimately held accountable by the Township Mayor and Committee. Any bonds or debt that is created by the LMUA is the Township's responsibility.

Mr. Mannuzza asked who pays the employees. Mr. Knoeller stated the employees are paid through the LMUA, noting there are different contracts and unions from the Township. Mr. Mannuzza asked if the employees are part of the Public Employee's Retirement System. Mr. Knoeller stated they are, since the LMUA is a governmental agency. Mr. Dasti added the Township is civil service and the LMUA is not.

**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 and contractual 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 Mr. Kennedy 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. Kennedy and seconded by Mr. Juliano to reopen the meeting. Roll call vote: Unanimously approved.

**OTHER  
BUSINESS**

A motion was made by Mr. Masciale and seconded by Mr. Miklosey authorizing the transfer of funds from Hudson City Savings Bank to PNC Bank. Roll call vote: Masciale-Yes; Miklosey-Yes; Juliano-Yes; Kennedy-Yes; Knoeller-Yes. Motion passed.

A motion was made by Mr. Miklosey and seconded by Mr. Kennedy authorizing a \$1,100.00 salary increase for non-union employees, retroactive to January 1, 2014. Roll call vote: Miklosey-Yes; Kennedy-Yes; Juliano-Yes; Masciale-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  
Executive Secretary

